

17.28.110 Driveways - Permits and Conditions.

Purpose Ensure that driveway locations promote the safe and orderly flow of pedestrians, bicycles, and vehicular traffic, preserve on-street parking, preserve or establish street trees, maximize opportunities for vegetated stormwater management, reduce conflicts with pedestrians and bicycles and enhance the pedestrian environment.

A. Definitions – For the purposes of this Section, the following definitions shall apply.

Driveway: a gravel or paved way for vehicular traffic extending from the roadway to the adjacent property line(s) for the purpose of providing access to legal parking as provided under Title 33.266

Residential Driveway: a driveway serving Residential Use Categories as defined by Title 33.920.

Industrial Driveway: a driveway serving a property developed with an Industrial Use Category as defined by Title 33.920.

Commercial Driveway: A driveway that is not a Residential Driveway or Industrial Driveway as defined herein, shall be considered a Commercial Driveway.

B. Authority

The Director of Transportation, or their designee, may issue a permit to construct a driveway in the public right of way subject to the conditions and requirements herein.

The Director of Transportation may require an applicant for a driveway permit to provide evidence that the proposed driveway will access legal parking and maneuvering space on property as specified in Title 33. The Director may refuse to issue a permit if the applicant cannot show evidence that Bureau of Development Services has determined that the driveway will access a legal parking space.

The Director of Transportation may require repair and/or reconstruction of an adjacent or abutting driveway, curb or sidewalk, or a portion thereof that will be impacted as a result of the construction of a new or reconstructed driveway.

Residential Development where On-site Parking is Required per Title 33

When on-site parking is required by Title 33, a separate permit for the construction of the residential driveway will be issued if the application complies with the requirements of this Title.

C. Driveway Operation and Location

1. Separation from Property Corner:

No portion of a driveway, excluding wings if required, shall be located closer than 25 feet from the corner of a lot where two streets intersect. This includes the frontage along the top of a “T” intersection. See *Figure 1*

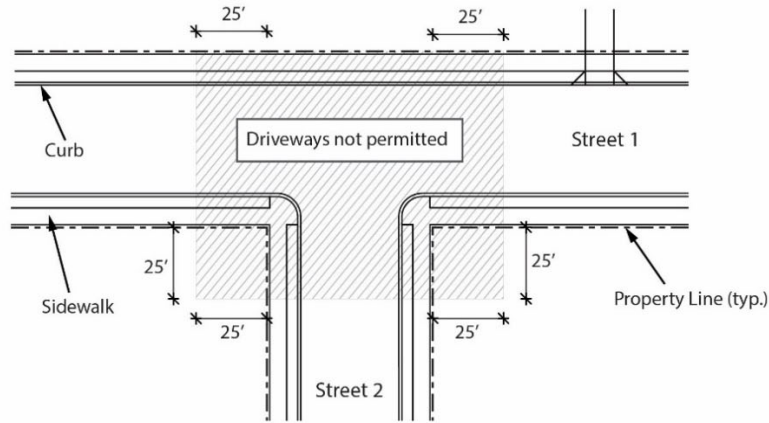
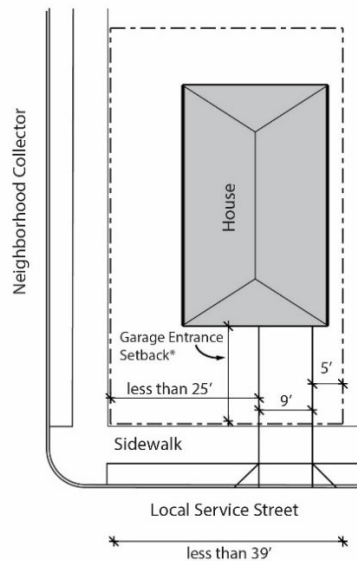


Figure 1

2. *Single-family detached development* that does not meet the minimum driveway separation requirement from a corner will be permitted provided the site meets **all** the following criteria below. See Figure 2

- Driveway is not within the legal pedestrian crosswalk (both marked and unmarked);
- The lot width is less than 39-ft;
- The driveway is located as far from the corner as possible while meeting applicable parking space setbacks as required by Title 33;
- The driveway is a maximum of 9-ft wide;
- The driveway cannot be located on another adjacent right-of-way in a manner that would meet Title 17.28.110.C.1. This shall not apply if the other adjacent right-of-way is classified higher than a Local Service Street; and
- The driveway meets all other requirements of Title 17.



* Generally 18-ft; Refer to Portland Zoning Code

Figure 2

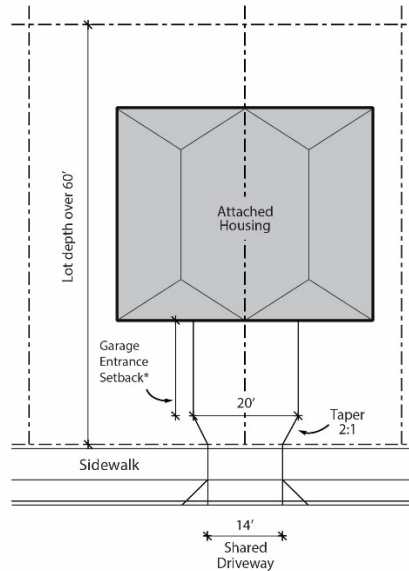
3. A *Residential Driveway* proposing access to a roadway classified as a Neighborhood Collector or Higher Traffic Classification or a Local Service Street with lane markings must be designed to allow forward motion ingress/egress. The Director of Transportation may require forward-motion to be demonstrated via vehicle turning movements prepared by an Oregon-licensed Traffic Engineer subject to review and approval by the City Engineer.

4. For sites with more than one frontage, access shall be required from the street with the lowest classification per the adopted Transportation System Plan. For site with frontage on an alley, access via the alley shall be required.

5. Vision Clearance/Safety– For the safety of the traveling public, sight distance shall be provided at the intersection of any driveway and public roadway. Upon request by the City Traffic Engineer, applicants will be required to demonstrate that sight distance is sufficient for any new driveway. Sight distance shall be determined in accordance with applicable procedures stated in the current AASHTO guidelines using “A Policy on Geometric Design of Highways and Streets” or “Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT <400), as amended. Residential driveways will be approved upon demonstration of sight distance and compliance with all other requirements contained herein.

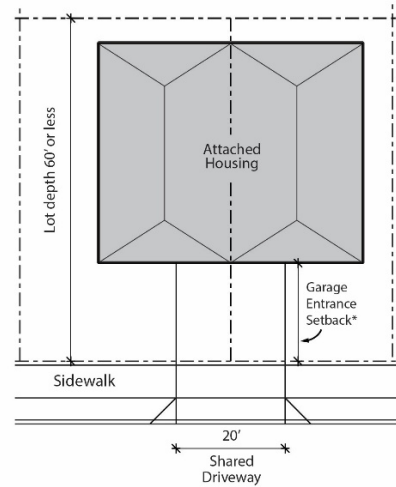
6. *Attached Housing* - Shared driveways are required with attached housing or as otherwise required by Title 33. The driveway design will be as identified in Figure 3. The following exceptions shall apply:

- For attached housing on existing lots with a depth of 60-ft or less, driveways are required to be shared, however, the taper shown in Figure 3 shall not be required. The maximum driveway width shall be 20-ft without a taper (see Figure 4);
- For attached housing where on-site parking is required by Title 33, driveways are required to be shared, however, the taper shown in Figure 3 will not be required. The maximum driveway width shall be 20-ft without a taper (see Figure 4).
- For corner lots, shared driveways are not required provided each driveway is located on a separate frontage and both streets are classified as Local Service Traffic streets and the driveway meets all other dimension and locational requirements contained herein.



* Generally 18-ft; Refer to Portland Zoning Code

Figure 3 (typical lot)



* Generally 18-ft; Refer to Portland Zoning Code

Figure 4 (shallow lot)

D. Driveway Dimensions

1. A permit to construct a driveway in the public right of way is subject to the width provisions as specified below.

2. *Residential and Commercial Driveways:* Minimum width 9-ft; Maximum width 20-ft.

*A *Residential Driveway* serving multi-dwelling or group living that provides access for 10 parking spaces or less can be a minimum width of 10 feet, provided the access is on a Local Service Street and will be designed to allow forward motion of all vehicles. Additionally, the Director of Transportation may establish conditions regarding width that are deemed necessary to ensure the safe and orderly flow of pedestrians, bicycles and vehicular traffic, and preserve on-street parking. These conditions are based on evaluation of speeds, volumes, sight distance, and any other transportation factors that are relevant

4. *Industrial Driveway:* Minimum width 10-ft; Maximum width 40-ft.

5. A minimum of 5-ft of straight curb must separate driveways regardless of the type of driveway proposed or property ownership.

6. **Maximum Driveway Grade** - the maximum grade break (algebraic difference in running grade) within a driveway or driveway approach without requiring a vertical curve shall be 18% for a crest and 13% for a sag (as defined by AASHTO). Vertical curves may not encroach into the pedestrian corridor.

E. Driveways per Frontage/Lot

For *Commercial* and *Industrial Driveways*, if more than one driveway is proposed per frontage, a minimum of 100-ft must separate the driveway throats. At least 80-ft of frontage must separate service driveways located along the same street frontage.

For *Residential Driveways*, if more than one driveway is proposed per frontage, a minimum of 100-ft frontage must separate the driveway throats located along the same street frontage. Additionally, through lots as defined by Title 33, lots fronting an alley, or corner lots with a single dwelling unit will not be permitted to have a driveway on more than one frontage.

F. Reconstruction and Revocation of Existing Driveways

1. The Director of Transportation may revoke any driveway permit or require the modification of any driveway if:
 - The area occupied by the driveway is needed for the public convenience;
 - Continued operation of the driveway interferes with the safe and orderly flow of pedestrians, bicycles or vehicular traffic; or
 - The abutting owner has failed to comply with all specifications and conditions of the permit; or
 - The driveway does not access a legal parking space on abutting property.

2. Enforcement: Within 60 calendar days of written notice from the Director of Transportation to close or modify a driveway, the abutting property owner shall obtain any required permits and make the required corrections. If the abutting owner fails to make the required corrections within 60 calendar days, the City may perform the required work at the expense of the abutting property owner and the cost shall be determined and assessment made as provided in this Chapter.

G. Exceptions

For any driveway at variance with the requirements contained herein, formal review and approval through a Driveway Design Exception shall be required. Any applicant requesting a Driveway Design Exception shall provide information, as determined necessary by the City Engineer, to support the application. The Director of Transportation may establish conditions deemed necessary to insure the safe and orderly flow of pedestrian and vehicular traffic and the decision of the Director of Transportation is final and conclusive and may not be appealed.