

TIGARD MUNICIPAL CODE

Chapter 15.10 DRIVEWAY APPROACHES AND CURB CUTS

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15.10.010 Definitions.

1. Apron. As used in this chapter, “apron” means that portion of the driveway approach extending from the gutter flow line to the property line.

2. Curb return. As used in this chapter, “curb return” means the curved-portions of a curb in the end slopes of a driveway approach.

3. Driveway. As used in this chapter, “driveway” means an area designated for vehicular use, other than a designated parking area, not dedicated or set aside for public use.

4. Driveway approach. As used in this chapter, “driveway approach” means an area, construction or improvement between the roadway of a public street and private property intended to provide access for vehicles from the roadway of a public street to a definite area, a driveway, or a door at least seven feet wide, intended and used for the ingress and egress of vehicles. The component parts of the driveway approach are termed the apron, the end slopes or the curb return.

5. End slopes. As used in this chapter, “end slopes” means those portions of the driveway approach which provide a transition from the normal curb and sidewalk sloping surface or by means of a curb return together with the area between the projected tangents of the curb return.

6. Person. As used in this chapter, “person” means every natural person, firm, co-partnership, association, public or private corporation or entity, or district.

7. Right-of-way. As used in this chapter, “right-of-way” includes City streets, roads, bridges, alleys, sidewalks, trails, paths, and all other public ways and areas managed by the City.

8. Sidewalk. As used in this chapter, “sidewalk” means an area specifically delineated and constructed for pedestrian use located behind a curb but within the rights-of-way or within an easement specifically established for that purpose.

9. Street or Alley. As used in this chapter, “street” or “alley” means every way or place open as a matter of right to the use of the public for vehicular or pedestrian traffic between right-of-way lines. (Ord. 06-11)

15.10.020 Driveway Approaches And Curb Cuts.

1. The permit provided chapter 15.04 authorizes relocation of any municipal facility, including any within the limits of a curb return which may be encroached upon or allowed, providing that the applicant first notifies the appropriate authority, obtains the appropriate authorization and bears the cost of the relocation of the municipal facility.

2. Except for shared driveways, no driveway approach or access shall be less than six feet from the side property line projected, except

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in cul-de-sacs, without written permission of the City Engineer. End slopes shall not be considered part of the driveway approach or access.

3. No portion of any driveway approach, including the end slopes, shall be located closer than thirty feet to an intersecting street right-of-way line.

4. Commercial or service drives shall not be more than forty feet in width and if located on the same lot frontage shall be separated by a minimum length of curb of thirty feet.

5. Each residential driveway shall not be more than thirty feet in width including end slopes, and if more than one driveway is to be constructed to serve the same lot, the frontage spacing between such driveways shall be not less than thirty feet measured along the curb line.

6. Joint access driveways shall conform to the appropriate width standard for commercial or residential type usage. (Ord. 06-11, Ord. 02-22, Ord. 74-14 §8, 1974).

15.10.030 Areas of Limited Street Improvements.

1. Where standard gutter and curbs have been installed but where concrete sidewalks have not been installed, the applicant shall be required to construct the driveway approach from curb line to the applicant's premises. The cost shall be borne by the applicant.

2. Where standard gutter and curbs have not been installed, the driveway approach may be constructed of the same material used for surfacing the driveway. The applicant shall improve that portion between the property line and existing pavement in such a manner as to not impede surface drainage along the street. The cost of that portion of the improvement, between the property line and existing pavement, shall be

borne by the applicant. (Ord. 06-11, Ord. 74-14 §9, 1974).

15.10.040 Abandoned Driveway Approaches.

In the event a person makes an application to relocate a driveway approach and abandons an existing driveway approach, the applicant shall remove the existing driveway and replace the curb to a standard curb section at his own expense. (Ord. 06-11, Ord. 74-14 §10, 1974).

15.10.050 Sufficient Parking Required.

No permit for the construction of new driveway approaches shall be issued unless the property served has the minimum parking required by the Community Development Code. (Ord. 06-11, Ord. 02-22, Ord. 74-14 §11, 1974).

15.10.060 Penalties.

Failure to comply with a provision of this chapter shall be a Class 1 civil infraction. (Ord. 06-11)■