

Driveway Construction

City of Victoria

Revised: April 20, 2010

Sec. 20-80. Definitions.

The following terms shall have the following meanings when used within this article. In addition, the definitions provided by Section 21-3 of the City Code shall apply to this article if not defined below.

Alley. A public or private street primarily designed to serve as secondary access to the side or rear of properties whose primary frontage is on some other street.

Arterial street. An arterial thoroughfare as defined by the City's Thoroughfare Plan, a plat approved by the Planning Commission, or Chapter 21 of this Code. An "Arterial street" for the purpose of this article shall include the service and frontage roads of freeways or highways.

Circular driveway. A single-family residential driveway with two points of access to a public street connected by a non-intersected arc or arcs and tangents along its outer edges, with no parking internally off the driveway.

Collector street. A collector roadway as defined by the City's Thoroughfare Master Plan, a plat approved by the Planning Commission, or Chapter 21 of this Code.

Commercial and Multi-family Land Use. A parcel of land used primarily for non-residential, office, retail or institutional buildings, recreational, or a multifamily dwelling having more than 2 dwelling units.

Curb radius. The circular arc connecting the outer limits of a driveway and street intersection.

Director. The Director of Development Services of the City of Victoria or his/her designated representative.

Driveway. A roadway with a defined structure that permits vehicular access between private land use(s) and public streets and alleys. The definition of "Driveway" is not intended to encompass any form of sidewalk.

Driveway width. The width of the driveway approach measured between the termination of the curb radii at each side of the driveway, at a point of tangency essentially perpendicular to the street.

Freeway. A roadway, including expressways, parkways, and loops, that provides for rapid and efficient movement of large volumes of through traffic between areas and across the urban area; it is not intended to provide land access service.

Frontage. The length of a single property ownership or platted land use adjacent to a public street measured at the property line adjacent to the street. For lots located at a street intersection (i.e. corner lots), frontage shall be measured at the projected intersection of the two property lines along the intersecting streets.

One-way/high capacity driveway. A driveway constructed with non-standard design characteristics, including greater width, curb radii, provision of internal storage, divider median and on-street

deceleration lanes, to meet the needs of greater driveway volumes and/or limitation of movements entering or leaving the driveway.

Internal storage. The portion of the driveway between the property line and the near side of the first intersecting internal driving aisle or parking space.

Local street. A street which requires 60 feet or less of right-of-way as defined by the City's Thoroughfare Master Plan.

Median. A raised, unpaved or curbed division between lanes of opposing traffic.

One-way driveway. A driveway constructed to accommodate only one direction of traffic movement, either an entrance or exit.

Reconstructed. Removed more than 25% of the surface area and replaced said surface. Removal may be performed by any person or through damage caused by person, nature, accident, or unforeseen events. Replacement may occur by any person. For the purpose of this section, "person" is to be considered as that term is defined by the Texas Code Construction Act, *Tex. Gov't Code §31.005*.

Residential land use. A parcel of land used primarily for single-family or duplex structures.

Sidewalk. A paved area intended for the sole use of pedestrians and located in a street right-of-way between the curb lines or the edge of pavement of the roadway or within a public access easement and the adjacent property lines.

Standard driveway. A single, undivided driveway opening providing for both entrance and exit traffic movements with horizontal characteristics of width and radii as determined by this subchapter.

Sec. 20-81. Issuance of Permit.

- (a) Applications for driveway permits shall be made in writing to the Director showing the location of the proposed improvements, together with a plot plan drawn to scale (or approved site plan) fully describing the nature of the proposed improvements and the locations thereof.
- (b) The Director shall issue a driveway permit if the proposed driveway conforms to the requirements of this Article.
- (c) It shall be unlawful for any person to:
 - (1) Construct, reconstruct, alter, remove, or replace any driveway or curb and gutter on or across any sidewalk, parkway, or other space between any public roadway, street, or right-of-way and any private property without first obtaining a driveway permit from the department of public works; or
 - (2) Construct, reconstruct, alter, remove, or replace any driveway or curb and gutter in any manner not in accordance with the provisions of this article and applicable construction standard specifications adopted by the city council.
 - (3) Destroy, damage, alter, circumvent, remove or attempt to remove any barrier that the Director has placed across a nonconforming driveway to block said driveway in accordance with this article.

- (d) It shall be unlawful for a person who has been issued a driveway permit to place or allow the placement of concrete before the Director has approved the excavation, forms, and placement of reinforcing steel.

Sec. 20-82. Maximum Number of Driveways.

- (a) A residential land use shall be permitted:
 - (1) One driveway per lot for each local street on which they front.
 - (2) One driveway per lot on a collector street if the residential land use has no frontage on a local street.
 - (3) One driveway per lot on an arterial if the residential land use has no frontage on a collector or local street unless the Director determines that the driveway will present a significant danger to the public traveling on the arterial. In addition, residential lots accessing arterial streets shall provide a paved turn-around area unless it is determined by the Director that such a turnaround is physically impractical. Vehicles shall not back onto an arterial.
- (b) A commercial or multifamily land use on a street other than a freeway shall be permitted access only in accordance with the following:
 - (1) A driveway onto a street from a land use with less than 200 feet of frontage on that street shall be permitted in accordance with special conditions established by the Director in accordance with Section 20-91.
 - (2) A maximum of two driveways shall be permitted on each street on which a land use has between 200 and 500 feet of frontage.
 - (3) For a street on which a land use has more than 500 feet of frontage, the land use may have no more than the number of driveways determined by rounding to the nearest whole number the result of dividing the lot's total frontage of said street by 250.
 - (4) A one-way exit lane from a drive-through service lane shall not be considered a driveway for purposes of determining the number of driveways pursuant to this subsection (b) if the driveway contains features determined by the Director to effectively prevent ingress into the driveway from the street and prevent use of the driveway by persons not solely using the drive-through service lane.
- (c) A driveway shall only be permitted on a freeway only in accordance with special conditions established by the Director in accordance with Section 20-91.

Sec. 20-83. Location of Driveways.

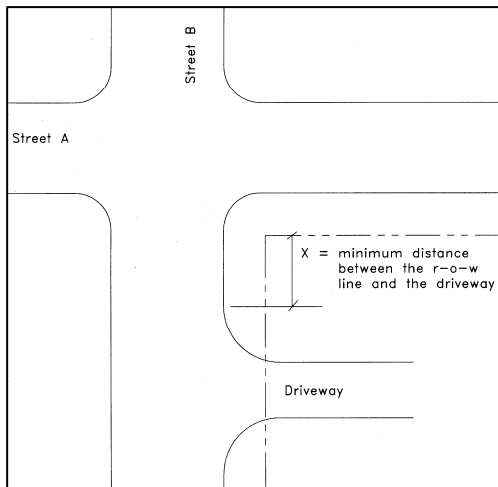
- (a) The curb return radius of driveways intersecting public streets shall be located no closer to the nearest right-of-way line of the nearest adjacent public street intersections than the minimum distances shown in the following table and in accordance with Figure 20-83(a).

Minimum Driveway Clearance

Type of Street Intersected	Type of Adjacent Street	Minimum Clearance between
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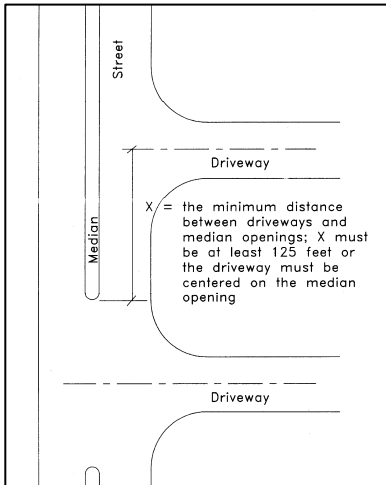
	Intersected	Driveway and Nearest Intersecting Street Right-of-Way Line
Arterial	Arterial	150 Feet
Arterial	Collector	100 Feet
Arterial	Local	75 Feet
Arterial	Alley	40 Feet
Collector	Arterial	100 Feet
Collector	Collector	75 Feet
Collector	Local	50 Feet
Collector	Alley	30 Feet
Local	Arterial	50 Feet
Local	Collector	40 Feet
Local	Local	30 Feet
Local	Alley	30 Feet
Alley	Arterial	25 Feet
Alley	Collector	15 Feet
Alley	Local	10 Feet
Alley	Alley	Not Applicable

Figure 20-83(a)



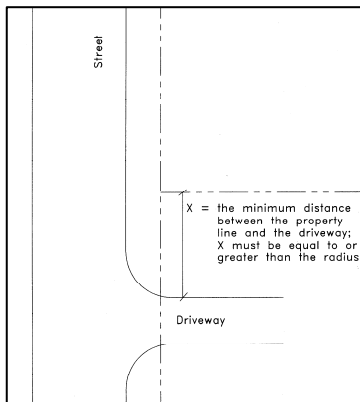
- (b) Driveways intersecting arterial streets with medians shall align with existing median openings or median opening as designated by the City's Design Standards or Median Plan or be located a minimum distance along the property line of 125 feet from the nearest point of the median opening, as measured from the nearest median nose to the nearest curb return of the driveway, as illustrated in Figure 20-83(b). Median access may be achieved by means of access rights obtained by mutual agreement with an adjacent property owner with driveway access meeting these requirements.

Figure 20-83(b)



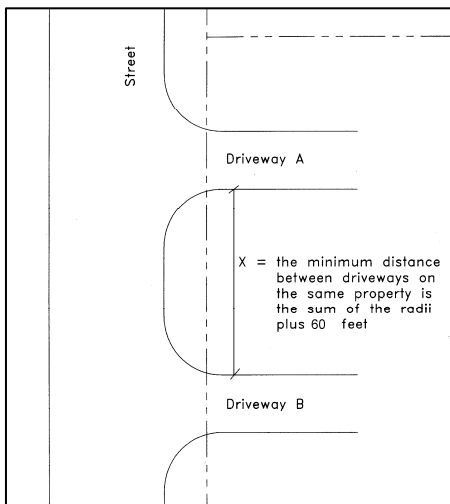
- (c) The termination of driveway curb radii, at a point of tangency essentially parallel to the street, shall not extend beyond the perpendicular projection of the intersection of the right-of-way line and the property line between two adjacent lots, tracts, or parcels, as shown in Figure 20-83(c).

Figure 20-83(c)



- (d) Successive driveways located on the same property shall be located no closer together than 100 feet as measured between the adjacent driveway throats or the sum of the adjacent curb radii of the two driveways plus a 60-foot tangent length, whichever is greater, as shown in Figure 20-83(d).

Figure 20-83(d)



- (e) A driveway next to an existing driveway on the property line of an adjacent lot shall be located no closer to the adjacent lot than the sum of the two adjacent curb radii as measured between the adjacent driveway throat unless the driveways are constructed as a joint driveway with joint access with the adjacent property owner.
- (f) A driveway to a lot that cannot meet the requirements of this section shall be permitted only in accordance with special conditions established by the Director in accordance with Section 20-91.

Sec. 20-84. Driveway Widths.

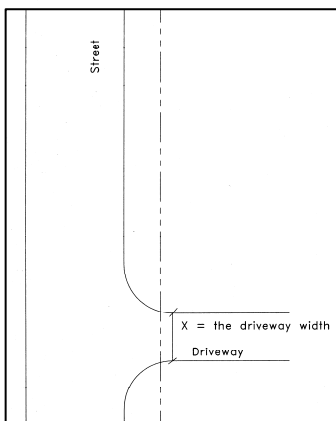
- (a) Driveway widths shall be measured between the termination of the curb radii at a point of tangency essentially perpendicular to the street as shown in Figure 20-84(a) and shall be in accordance with the requirements of the following table for the type of driveway and land use shown.

Minimum and Maximum Widths of Driveways

Driveway Type	Land Use	Minimum Width	Maximum Width
Standard	Residential	12'	24'*
Standard	Commercial/Multi-Family	24'	40'
Standard	Industrial	30'	50'
One-Way	Commercial/Multi-Family	15'	24'
One-Way	Industrial	15'	24'
Circular	Single-Family Residential	10'	15'

*A driveway width of 32 feet is allowed if the residential property garage faces onto a public alley.

Figure 20-84(a)



- (b) One-way/limited movement driveway pairs shall be permitted in accordance with the minimum requirements of the following table.

One-Way/Limited Movement Driveway Pairs-Width

Lane	Minimum Width	Maximum Width
Entrance Lane	16'	24'
Exit Lane	20'	24'
Driveway Median	4'	10'

- (c) No single commercial or multi-family lot shall be allowed a cumulative driveway width greater than 50% of the total frontage on each street that is accessed except for alleys.

Sec. 20-85. Driveway Curb Radii.

- (a) Driveway curb radii shall:
- (1) Meet the street edge of pavement or curb at a point of tangency,
 - (2) Describe a full quarter circle arc from the street onto the property accessed (except for one-way driveways, and
 - (3) Be in accordance with the following table for the type of driveway and land use shown:

Minimum/Maximum Curb Radii*

Driveway Type	Land Use	Minimum Radius	Maximum Radius
Standard	Residential	5'	15'
	Commercial/Multi-Family	20'	40'
	Industrial	25'	50'
One-Way	Commercial/Multi-Family	20'	30'
	Industrial	25'	50'
Circular Single-Family Residential	Outside Radius	5'	15'
	Inside Radius	5'	15'

* Flares are allowed for residential driveways on local streets.

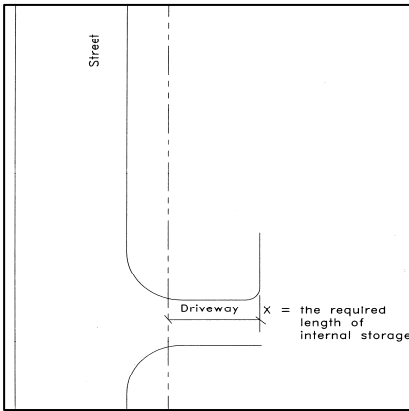
- (b) Curb radii for one-way/limited movement driveway pairs shall be constructed to serve the greater driveway volumes and/or limitation of movements. Curb radii for one-way/limited movement driveway pairs shall be a minimum of 5 feet where turning movements are to be prohibited or discouraged and a maximum of 50 feet where turning movements are allowed.

Sec. 20-86. Driveway Internal Storage (queuing space) Requirements.

- (a) To queue vehicles off-street, minimize congestion and increase safety, driveway internal storage measured from the property line shall meet the requirements of the following table.

Total Parking Spaces Provided	Multi-Family or Commercial Uses		Industrial Land Uses	
	At Non-Median Opening	At Median Opening	At Non-Median Opening	At Median Opening
Less than 25	15	15	15	33
26-50	15	33	15	33
51-100	33	33	33	33
101-200	33	75	33	55
More than 200	75	75	55	75

Figure 20-86(a)

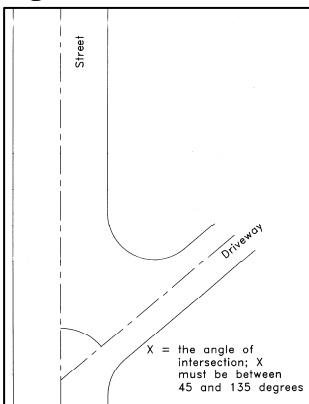


- (b) Internal storage shall be designed to prevent any obstruction or impedance of through vehicles within the driveway storage area. Obstruction of queuing areas shall be prevented by raised curbs constructed in accordance with City of Victoria Engineering Design Standards. Alternate methods must be approved before construction by the Director with justification provided by the applicant to substantiate equivalency to the intent of the requirement.
- (c) The total number of parking spaces for the purpose of defining the driveway storage requirements of this section shall be the total number of parking spaces determined by the Director to be served by the affected driveway after reviewing the plan of the parking lot. Should a driveway be constructed prior to the completion of the ultimate design of a site, the total number of parking spaces shall be estimated based on land use, area, and allowable densities. All driveways serving a site shall be designed to accommodate the ultimate total number of parking spaces at completion of construction of all phases of the development.

Sec. 20-87. Intersection Angles

All driveways shall intersect the public street at essentially right angles except that one-way driveways may intersect at angles no less than 45 degrees, as shown in Figure 20-87.

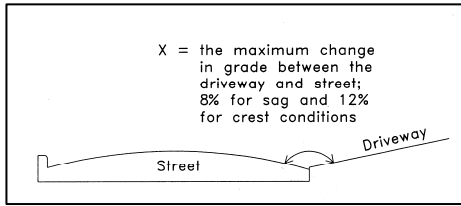
Figure 20-87



Sec. 20-88. Maximum Driveway Grade.

Driveways shall not exceed a grade of 10%. Maximum "break over" angles, being the algebraic difference in successive grade changes, shall be 12% for summit conditions and 8% for sag conditions, as shown in Figure 20-88.

Figure 20-88



Sec. 20-89. One-Way and Circular Driveways.

- (a) One-way Driveways will not be permitted unless the Director finds the orientation of on-site circulation and parking layout clearly utilize the driveway for one-way movements.
- (b) Circular Driveways may be permitted only for residential land uses and shall only be installed on lots with a frontage of 65 or more feet. The inside radius of the circular driveway shall be tangent to the inside curb return radius approximately perpendicular to the street.
- (c) A single circular driveway's curb openings may not be located on different intersecting streets.
- (d) Circular driveways may not intersect alleys.
- (e) Circular driveways shall have a minimum of 25 feet of stand up curb between driveway curb radii.

Sec. 20-90. Nonconforming Driveway.

- (a) It is the intent of this section that nonconforming driveways be discontinued and that driveways be required to conform to the regulations prescribed herein with nonconforming status applying only under the appropriate circumstances. It is the further intent of this section that nonconforming driveways will eventually be eliminated through the natural course of application of this section and the need for repair and reconstruction or changed in use. Nonconforming status is intended to be a status to prevent a property owner from having to pay to bring a driveway into conformance with newer regulations after its original construction. Nonconforming status is not intended to guarantee a driveway will avoid alteration.
- (b) Any driveway access that does not conform to the provisions of this chapter but legally existed as a conforming driveway prior to May 1, 2010 may be permitted to continue as a nonconforming driveway until:
 - (1) A change of use occurs such that the Off-street Parking Requirements of this Code require the addition of paved area or at least a 10% increase in required parking spaces, whichever is greater. This provision shall be cumulative for any site from January 1, 2000,
 - (2) An increase in intensity of use occurs such that the Off-street Parking Requirements of this Code require the addition of paved area or at least a 10% increase in required parking spaces, whichever is greater. This provision shall be cumulative for any site from January 1, 2000,
 - (3) The addition of or conversion to a use for which this Code requires queuing spaces,
 - (4) A driveway is reconstructed as defined by Section 20-80; or
 - (5) Any development that is required by the City Code to be accompanied by a site plan.

- (c) In the event any of the above criteria are met, the nonconforming driveway shall no longer be permissible, and the Director shall require driveway access to meet the requirements of this ordinance. No certificate of occupancy shall be issued on property containing a driveway required to be discontinued under this section, unless and until all applicable standards contained in this ordinance are met. The Director may block any such non-discontinued driveways after notice is mailed to the property owner of record.
- (d) Nothing in this section is intended to prevent the City, at the City's expense, from reconstructing or altering any driveway as part of a repair of public facilities or public improvement project.

Sec. 20-91. Issuance of Driveway Permits that do not Comply with this Article.

- (a) *Special Conditions.* If the landowner fails to qualify for a driveway pursuant to Sections 20-82 or 20-83 of this article, the Director may nevertheless issue a driveway permit conditioned upon the landowner complying with the following or other special conditions established by the Director to minimize traffic hazards:
 - (1) The owner of the lot agrees to allow vehicles to enter and exit an adjacent lot from the permitted driveway,
 - (2) The owner of the lot constructs merge lanes with the freeway and dedicates said lanes for public use,
 - (3) The owner of the lot constructs a driveway next to the property line and agrees to permit said driveway to be used by the adjacent property,
 - (4) The owner of the lot installs devices designated by the Director to restrict access from streets designated by the Director, or
 - (5) The owner of the lot limits access to a specified street.

The Director may establish the aforementioned conditions on the approved site plan or the driveway permit and may require the execution of any agreement or covenant necessary to ensure compliance with any such condition. If the Director establishes any such condition, the Director may block a driveway that is being operated in a manner not in compliance with such conditions.

- (b) *Discretionary Reduction in Numerical Requirements by 10%.* If it is impossible for a property to meet the requirements for the issuance of a driveway permit, the Director, at his sole discretion, based on his determination that traffic safety will not be substantially adversely impacted, may, for purposes of issuing a driveway permit, reduce the numerical requirements of any section of this article by up to 10%.
- (c) *Variations.* Any permit applicant requesting that the provisions of this article be further varied shall file a completed variance application for, appropriate fee as specified in Chapter 24, and a written request with the Director stating the circumstances to show that literal enforcement of such provisions will result in an unnecessary and extraordinary hardship. The Director shall make a recommendation on any such variance request and submit it to the Planning Commission. The Planning Commission shall either recommend approval or denial of the variance to City Council. In the event of a recommendation of denial by the Planning Commission, the applicant shall have 7 days in which to notify the Director of an appeal to the City Council; otherwise, the denial becomes final. The City Council may, by resolution, authorize any variance if it deems such action proper, and may establish

appropriate conditions on any such variance, including a requirement for the property owner to execute a license agreement with the City permitting the City to close the driveway upon a City Council determination of adverse impact on traffic safety.