

CHAPTER 80 DRIVEWAYS

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80.010. Definitions. As used in this chapter, the following words and phrases shall have the meanings herein ascribed to them:

- (a) Automobile service station. An "automobile service station" is any premises used for supplying gasoline, oil, minor accessories, and services for automobiles at retail, direct to the consumer.
- (b) Commercial service driveway. The term "commercial service driveway" shall mean a driveway to serve business or commercial premises.
- (c) Frontage. The term "frontage" shall mean the boundary of private property abutting upon a street line.
- (d) Private driveway. The term "private driveway" shall mean a driveway to serve residential premises.
- (e) Service driveway. The term "service driveway" shall mean and include any driveway constructed, installed, or maintained in or over any portion of a public street for the purpose of ingress and egress of vehicles from the street to property abutting the street.
- (f) "Downstream intersection" means the nearest intersection from a driveway located in the direction of traffic flow of the nearest lane of the abutting street.
- (g) "Major street" means any arterial or collector street identified as such in the Salem Transportation System Plan.
- (h) "One-way driveway" means a driveway of either ingress or egress, but not both.
- (i) "Two-way driveway" means a driveway functioning as both an exit and entrance.
- (j) "Upstream intersection" means the nearest intersection from a driveway located in the direction opposite the traffic flow of the nearest lane of the abutting street. (Ord No. 4522; Ord No. 91-99)

80.020. Permit; Required. It shall be unlawful for any person to construct or install any service driveway across any sidewalk, parking strip, curb, or in or upon any part of any street without first obtaining a permit from the director of public works. (Ord No. 4522)

80.030. Application. Any person desiring to construct or install a service driveway shall make application in writing to the director of public works and such application shall state the location of the proposed service driveway, a description of the property to be served by such driveway, the kind or nature of business, if any, conducted upon such premises, and the kind of material proposed to be used in the construction of such driveway, the width of the proposed driveway and such other data and information as the director of public works may require before the issuance of a permit. (Ord No. 4522)

80.040. Driveway Plan Review and Permit Fees. For a plan review or permit required by SRC 80.020, the applicant therefor shall pay a fee as prescribed by resolution of the council. (Ord No. 85-67; Ord No. 76-81; Ord No. 107-84; Ord No. 69-89; Ord No. 51-91; Ord No. 51-96)

80.050. Placing Material in Gutters. It shall be unlawful for any person to place any dirt, wood, or other material in the gutter or space next to the curb of any street with the intention of using the same as a driveway. (Ord No. 3401)

80.060. Maximum Width; Generally. A service driveway shall not exceed the following maximum width:

- (a) Residential driveways:
 - (1) Single parking space - 15 feet;
 - (2) Two parking spaces - 24 feet; or
 - (3) Three or more parking spaces - 36 feet.
- (b) Commercial driveways:
 - (1) One way traffic - 20 feet; or
 - (2) Two way traffic - 40 feet. (Ord No. 4522; Ord No. 136-85; Ord No. 91-99)

80.080. Driveway Specifications. In constructing and remodeling any service driveways to conform to the provisions of this chapter, curbs shall be replaced in accordance with the specifications given by the director of public works. (Ord No. 4522; Ord No. 91-99)

80.090. Width, How Measured. The width of a service driveway shall be determined by measurement of the paved surface of the service driveway at the property line. (Ord No. 4522; Ord No. 91-99)

80.100. Paving. All service driveways shall be paved with a hard-surface pavement from the curb line to the outer edge of the sidewalk line. (Ord No. 4522; Ord No. 91-99)

80.120. Location Corner Lots. In case a service driveway constructed or installed on a local street is located on a corner lot, such driveway shall be built closer than 30 feet from the property line closest to the intersection. (Ord No. 4522; Ord No. 91-99)

80.130. Fall and Marking of Sidewalk Crossing Driveway. The slope and marking of any sidewalk across any service driveway shall meet requirements determined by the director of public works. (Ord No. 4522; Ord No. 91-99)

80.140. Change or Abandonment of Use; Generally. Whenever the use of any service driveway in connection with any premises is changed, discontinued, or abandoned, either application shall be made as provided in this chapter for a service driveway appropriate to the owner's property use or the sidewalk, parking strip, and curbing shall be made to conform to the adjoining sidewalk, parking strip and curbing,

within sixty days after such change of use. (Ord No. 4704)

80.150. Notice to Construct or Reconstruct Sidewalk, Parking Strip, and Curbing. Whenever the director of public works shall determine that the use of any service driveway in connection with any premises has been changed, discontinued, or abandoned, he shall cause notice to be posted upon the property in front of which a sidewalk, parking strip, or curbing is to be constructed in lieu of such driveway, which notice shall, in legible characters, direct the owner, agent, or occupant of the property, within 60 days from the date of such posting, to construct or reconstruct such sidewalk, parking strip, and curbing as in such notice provided, to conform to the adjoining sidewalk, parking strip, and curb, as the director of public works may direct. The authorized representative of the director of public works posting the notice shall file with the recorder an affidavit of the posting of such notice, stating the date and place where the notice was posted. The recorder shall, upon receiving the affidavit, send by mail a notice to construct the sidewalk parking strip and curbing to conform with the adjoining sidewalk, parking strip, and curbing, as the director of public works may direct, in lieu of the driveway, such notice to be mailed to the owner, if known, of such property or to the agent, if known, of the owner and directed to the post office address of such owner or agent when such post office address is known to the recorder. If such post office address is unknown to the recorder, such notice shall be directed to the owner or agent at the city. A mistake in the name of the owner or agent other than that of the true owner or agent of such property shall not render the notice void, but, in such case, posted notice shall be sufficient. The owner, agent, or occupant, before construction or reconstructing the sidewalk, parking strip, and curbing, as in the notice provided, shall obtain from the director of public works a permit to do so in accordance with the provisions of this chapter. (Ord No. 4704)

80.160. Construction or Reconstruction of Sidewalk, Parking Strip, and Curbing by City. If the owner, agent, or occupant fails, refuses, or neglects to construct or reconstruct the sidewalk, parking strip, and curbing as provided in a notice given under SRC 80.150 within 60 days from the date of posting the notice, the director of public works is hereby authorized to construct or reconstruct the sidewalk, parking strip, and curbing to conform with the adjoining sidewalk, parking strip, and curbing, as in the notice provided.

In all cases where the director of public works shall construct or reconstruct the sidewalk, parking strip, and curbing where the notice has been duly posted as provided in this chapter, the director of public works shall keep an accurate account of the cost of the labor and material in constructing or reconstructing the sidewalk, parking strip, and curbing in front of the parcel of land and shall file a written report with the council of the cost thereof and a description of the real property fronting or abutting on the sidewalk upon which the labor and materials were expended. The cost thereof, plus 10 percent additional to defray the expense of preparing and serving notice and engineering, shall constitute the cost of the construction or reconstruction of the sidewalk, parking strip, and curbing and shall constitute a lien upon the property abutting the sidewalk, parking strip, and curbing, which lien shall be entered by the city recorder in the lien docket and shall be collected and foreclosed in the same manner as liens for street improvements. (Ord No. 4704)

80.170. Variances. In case any property owner desires a service driveway of a greater width or at variance with the provisions of this chapter he may set forth in his application for a service driveway permit a request for variance and stating the peculiar, exceptional, or extraordinary circumstances or conditions prompting said request. If the director of public works finds that such conditions exist he may grant such a variance, otherwise he will reject same. (Ord No. 157-66)

80.180. Driveway Permit Required With Building Permit. No building permit shall be granted for the construction of any building along any street unless the required construction plans provide for construction of driveways. (Ord No. 41-84; Ord No. 91-99)

80.210. Measurement of Driveways. Driveways shall be measured from the near side right-of-way line of the intersecting street to the nearest edge of the driveway. (Ord No. 165-75)

80.220. Location of Driveways; General.

- (a) One-way driveways shall be no closer than 75 feet between their nearest edges.
- (b) Corner properties of less than 75 feet frontage on a major street shall have no driveway located on a major street.
- (c) All proposed commercial businesses shall be limited to one two-way driveway or two one-way driveways per roadway frontage. (Ord No. 165-75)

80.230. Location of Driveways within CB District. For the central business district, service driveways onto a major street shall be located as follows:

- (a) For major one-way street, 42 feet or less width curb to curb:
 - (1) Driveways for entrance only shall be located at least 50 feet from the downstream intersection and no closer than 100 feet from an upstream intersection;
 - (2) Driveways for exit only shall be located at least 100 feet from the downstream intersection and shall be no closer than 50 feet from an upstream intersection;
 - (3) Two-way driveways shall be located at least 100 feet from either downstream or upstream intersections.
- (b) For major one-way streets greater than 42 feet curb to curb width:
 - (1) Driveways for entrance only shall be located at least 50 feet from the downstream intersection and no closer than 100 feet from the upstream intersection;
 - (2) Driveways for exit only shall be located at least 150 feet from the downstream intersection and shall be no closer than 50 feet from an upstream intersection;
 - (3) Two-way driveways shall be located at least 150 feet from either downstream or upstream intersections.
- (c) For major two-way streets:
 - (1) Driveways for entrance only shall be located at least 100 feet from a downstream intersection and no closer than 50 feet from an upstream intersection;
 - (2) Driveways for exit only shall be located at least 100 feet from an upstream intersection and at least 50 feet from a downstream intersection;
 - (3) Two-way driveways shall be located at least 100 feet from either the downstream or upstream intersection. (Ord No. 165-75; Ord No. 91-99)

80.240. Location of Driveways Outside CB District. For all areas outside of the central business district, service driveways onto a major street shall be located as follows:

- (a) For major one-way streets 42 feet or less curb to curb width:
 - (1) Driveways for entrance only shall be located at least 50 feet from the downstream intersection and no closer than 100 feet from an upstream intersection;
 - (2) Driveways for exit only shall be located at least 125 feet from the downstream intersection and no closer than 75 feet from an upstream intersection;
 - (3) Two-way driveways shall be located at least 125 feet from the downstream intersection and no closer than 100 feet from an upstream intersection.
- (b) For major one-way streets greater than 42 feet curb-to-curb width:
 - (1) Driveways for entrance only shall be located at least 50 feet from the downstream intersection and no closer than 125 feet from an upstream intersection;
 - (2) Driveways for exit only shall be located at least 150 feet from the downstream intersection and no closer than 75 feet from an upstream intersection;
 - (3) Two-way driveways shall be located at least 150 feet from either the downstream or upstream intersection.
- (c) For major two-way streets:
 - (1) Driveways for entrance only shall be located at least 125 feet from the downstream intersection and no closer than 75 feet from an upstream intersection;
 - (2) Driveways for exit only shall be located at least 75 feet from the downstream

intersection and no closer than 125 feet from an upstream intersection;

(3) Two-way driveways shall be located no closer than 125 feet from either downstream or upstream intersections. (Ord No. 165-75; Ord No. 91-99)

80.250. Review by CATC. Any person aggrieved by the action of the director of public works and the enforcement of the provisions of SRC 80.200 to 80.240 may request a review by the Citizens Advisory Traffic Commission of said action. The Citizens Advisory Traffic Commission may vary the strict application of said provisions where it is shown that there is a denial of access to a public street or a showing of undue hardship. (Ord No. 165-75)

80.990. Violations. Violation of any of the provisions of this chapter is an infraction. (Ord No. 193-79)

