

# ACCESS DRIVEWAY PERMIT REQUIREMENTS

## GENERAL REQUIREMENTS

### Conditions of Issuance

**FIRST:** The permittee, indicated on the reverse side hereof, represents all parties in interest, and that any driveway or approach constructed by or for him in for the bona fide purpose of providing access to his property, and not for the purpose of parking or servicing vehicles, or for advertising, storage, or merchandising of goods on the highway right of way.

**SECOND:** Except in cases where the indicated driveway access may be constructed by forces acting on behalf of the County in relation to a highway construction or reconstruction project, the permittee shall furnish all materials, do all work, and pay all costs in connection with the construction of the driveway and its appurtenances on the highway right of way. In every instance, the subsequent maintenance of the driveway and of its appurtenances within the limits of the highway right of way shall be the responsibility of the indicated permittee, who shall be obligated to pay all costs and accomplish all works necessary in relation to the said maintenance of the driveway facility. Materials used and the type and character of the work shall be suitable and appropriate for the intended purpose. The nature of construction shall be as designated and subject to approval of the District Engineer. The driveway installation shall be made without jeopardy to or interference with traffic using the highway. Highway surfaces, shoulders, ditches, and vegetation which are disturbed by the driveway installation, shall be restored to at least the preexisting conditions by the driveway constructor. Any such facilities disturbed by operations relating to the subsequent maintenance of the driveway shall be restored to the satisfaction of the District Engineer by the permittee.

**THIRD:** No revisions or additions shall be made to the driveway or its appurtenances on the right of way without the written permission of the District Engineer.

**FOURTH:** The Division of Highways reserves the right to make such changes, additions, repairs, and relocations within statutory limits to the driveway or its appurtenances on the right of way as may at any time be considered necessary to facilitate the relocation, reconstruction, widening, and maintaining of the highway or to provide proper protection to life and property on or adjacent to the highway.

**FIFTH:** The permittee, his successors or assigns agree to hold harmless Oneida County and its duty appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

**SIXTH:** The Division of Highways does not assume any responsibility for the removal or clearance of snow, ice, sleet or the opening of windrows of such material, upon any portion of any driveway or entrance along any state highway, even though snow, ice or sleet is deposited or windrowed on sold driveway or entrance by its authorized representatives engaged in normal winter maintenance operations.

### Location, Design and Construction

The location, design, and construction of the driveway shall be in accordance with the following policy and limits, which limits are in no case to be exceeded unless specifically authorized by the Division of Highways.

(A) A driveway shall be located and restricted as to width as necessary so that the entire driveway roadway and its appurtenances are contained within the frontage along the highway of the property served. At public highway intersections a driveway shall not provide direct ingress or agrees to or from the public highway intersection area and shall not encroach on or occupy areas of the roadway or right of way deemed necessary for effective traffic control or for highway signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it will have adequate sight distance in both directions along the highway.

(B) The number of driveways permitted serving a single property frontage along a county trunk highway shall be the minimum deemed necessary by the District Engineer for reasonable service to the property without undue impairment of safety, convenience, and utility of the highway.

(C) The island area in the right of way between successive driveways or adjoining a driveway and between the highway shoulder and right-of-way line shall remain unimproved for vehicular travel or parking. Such areas shall be considered as restricted and may be filled in or graded down only as hereinafter provided in paragraph (G).

(D) The surface of the driveway connecting with rural-type highway sections shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the highway roadbed.

(E) The driveway shall not obstruct or impair drainage in highway side ditches or roadside areas. Driveway culverts, where necessary, shall be adequate for surface water drainage along the highway and in no case less than the equivalent of 15 inch diameter pipe. The distance between culverts under successive driveways shall be not less than 10 feet except as such restricted area is permitted to be filled in under the provisions of paragraph (G).

(F) When curb or gutter is removed for constructing a driveway, the new connections shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. The driveway surface shall connect with the highway pavement and the sidewalk. If any, in a neat workmanlike manner. The driveway construction shall include replacement of sidewalk areas, which are inadequate or become damaged by reason of vehicular travel across the sidewalk.

(G) The restricted area between successive driveways may be filled in or graded down only when the following the requirements are fully complied with:

1. The filling in or grading down shall be to grades approved by the District Engineer and, except where highway drainage is by means of curb and gutter, water drainage of the area shall be directed away from the highway roadbed in a suitable manner.

2. Culvert extension under the restricted area shall be of like size and equivalent acceptable material of the driveway culvert, and intermediate manholes adequate for clean-out purposes may be required where the total culvert length exceeds 100 feet.

3. Where no highway side ditch, separates the restricted area from the highway roadbed, permanent provision may be required to separate the area from the highway roadbed, to prevent its use for driveway or parking purposes by construction of a border, curb, rail, or posts deemed adequate by the District Engineer.

## SPECIAL REQUIREMENTS

### Commercial-Rural

Rural type highway cross-section. Driveways serving commercial or industrial establishments

1. **WIDTH OF DRIVE.** No driveway except hereinafter provided shall have a width greater than 35 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii. In no instance shall a driveway have a width greater than 62 feet (including flare of return radii) measured along a line 10 feet from and parallel to the edge of the highway pavement.

2. **RETURN RADII.** No return radius projected between the edge of the highway pavement and the driveway shall be greater than 40 feet. Usually these radii will be determined by the restrictions given in Section Numbers 1, 3, and 4.

3. **ANGULAR PLACEMENT OF DRIVE.** The angle between the centerline of a driveway serving two-way traffic and the edge of the pavement shall not be less than 45 degrees. Where suitable precautions are taken, or one-way operation along divided highways permits only one-way operation of the driveways, the angle of the entrance drive to grantee's property may be decreased. The angle of the exit drive with the highway pavement shall be not less than 45 degrees.

4. **ISLAND AREAS.** An island of a minimum length of 10 feet shall be maintained between driveways serving the same premises (The measurement shall be along a line 10 feet from and parallel to edge of pavement.) The permit shall specify that the island area, if less than 20 feet in length or 10 feet in width, is to be defined by curbs, posts, boulders, masonry walls, rails, etc. Materials need to define the island, except concrete curbs, shall be painted white. The side of the island next to the highway shall be no less than 10 feet from the pavement edge. The side of the island furthest from the highway shall be at the right-of-way line.

The area within 5 feet of a property line shall be a restricted area over which no driveway may be developed. The 5-foot restriction shall be measured parallel to the pavement edge and shall be effective between the right-of-way line and a line 10 feet from and parallel to the pavement edge. This is to serve as an island area should the adjoining property owner request a permit for a driveway.

### Noncommercial-Rural

Rural type highway cross-section. Driveway serving farm or residence property.

1. **WIDTH OF DRIVE.** No noncommercial driveway or combination of driveways shall have a width less than 16 feet nor greater than 24 feet measured at right angles to the centerline of the driveway except as increased by permissible radii.

2. **RETURN RADII.** No return radius projected between the edge of highway pavement and the driveway shall be greater than 30 feet.

3. **ANGULAR PLACEMENT.** The centerline of that part of the driveway lying on the state right of way shall always be a approximately right angles to the pavement.

### Commercial-Urban

Urban type highway cross-section. Driveway serving commercial or industrial establishment.

1. **WIDTH OF DRIVE.** No driveway shall have a width greater than 35 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii.

2. **RETURN RADII.** The return radii projected between the line of face curb of the highway and the driveway shall be determined by the Engineer, basing his decision on the type of traffic and the restrictions given in Section Numbers 1 and 4. In all cases, the entire flare shall fall within the right of way.

3. **ANGULAR PLACEMENT OF DRIVE.** The angle between the centerline of the driveway and the curb line shall be no less than 45 degrees.

4. **ISLAND AREAS.** Case I: Sidewalk adjacent to curb. An island of a minimum length of 6 feet, measured along the curb line, shall be placed between each entrance to a county highway. The curb shall be left intact for this length.

Case II: Sidewalk remote from curb. An island of a minimum length of 10 feet measured along the right-of-way line shall be maintained between each entrance to a county highway. All flares shall be tangent to the curb line.

A curb length of not less than 3 feet shall be left undisturbed adjacent to each property line to serve as an island area should the adjoining property owner request a permit for an entrance.

### Noncommercial-Urban

Urban type highway cross-section. Driveway serving residence property.

1. **WIDTH OF DRIVE.** No noncommercial driveway or combination of driveways shall have a width greater than 24 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii.

2. **RETURN RADII.** The radius of the return connecting the line of face of curb of the highway and the edge of driveway shall not exceed 10 feet. In all cases the entire flare shall fall within the right-of-way.

3. **ANGULAR PLACEMENT.** The centerline of the driveway may be either parallel to the property line of the lot for which access is requested, or at right angles to the curb line.