****Before final approval of the construction project by Linn County Planning and Building, the City shall have inspected and approved the driveway approach. Proof of approval shall be by signature of the City Engineer or his designee, on this driveway approach permit.

Building Permit No. #:		Application Form #:	
Date Received:	_	Fee Amount:	
CITY OF LYONS - DRIVEWAY APPROACH PERMIT			
LOCATION OF PROPERTY:			
Street Address or Describe Location if	Address Unknown:		
Township: Range:	Section:	Tax Lot:	
PROPERTY OWNER(S): Name:			
Phone Number:	Address:		
PROPERTY DEVELOPER(S) (if diffe			
Phone Number:	Address:		
CONTRACTOR INSTALLING DRIV	EWAY APPROACH: _		
Phone Number:	Address:		
LOCATION OF DRIVEWAY ON PRO	OPERTY:		
Orientation of Property Line in Relation	n to Driveway Location:	: North/South East/West	
Distance of Driveway from each Prope	rty Line: (1)	(2)	
IS THE DRIVEWAY: For a new build	ling?	Being relocated?	
Existing driveway to be rebuilt in the sa	ame location? Describe:		
IS A CULVERT REQUIRED UN	DER THE DRIVEW	/AY? Yes No	
DIAMETER (10" minimum):	Type:	Length:	
SIGNATURE OF PERSON SUBMITT	TING APPLICATION:		
APPLICATION ACCEPTED BY:			
PLANS: APPROVEDNOT	APPROVED	NOT REQUIRED (WAIVED)	
SIGNATURE		DATE	
**	***FINAL APPROVAI	L****	
ENGINEER SIGNATURE		DATE	



CITY OF LYONS

PHONE: FAX:

(503)859-2167 (503)859-5167

WWW.CITYOFLYONS.ORG

449 5TH STREET LYONS, OREGON 97358 cityoflyons@wavecable.com

DRIVEWAY APPROACH PERMIT CHECKLIST

Driveway approach permits are required for all new construction. Permits are also required for any additional driveways, location change, or modifications to existing driveways including paving etc.

- The driveway approach permit application must be submitted along with one set of plans and the application fee prior to start of project.
- For new construction, the driveway approach permit must be submitted, along with the building permit application.
- Your permit will be submitted to Matt Wadlington Civil West Engineering for approval.
 - o The engineer may modify your plans and perform a preliminary site review.
- When your plan is approved, you may begin driveway approach construction.
- DO NOT COVER THE DRIVEWAY APPROACH until final inspection is done and is approved to cover. This allows for alterations or corrections, if necessary.
- Contact Matt Wadlington at (541)266-8601, for final inspection or if you have questions.
- Allow up to 10 days for final inspection
- Please note: the City of Lyons will not approve the Certificate of Occupancy until the final inspection has been approved by the engineer.

DRIVEWAY APPROACH PERMITS

The City of Lyons provides standards regulating the installation of driveway approaches. The Lyons Municipal Code requires driveway approach permits for the installation of driveways, sets standards for driveway approaches, calls for submittal and review of driveway approach plans, and requires review and approval of driveway approach construction.

A driveway approach is defined as that portion of the private road or driveway serving one or more lots that extends from the property line to the roadway of the abutting street. A driveway approach permit is required for the construction of a new driveway, the relocation of an existing driveway, or for a major improvement to an existing driveway. Please note that the permit is only for the driveway approach and not for the entire driveway.

The purpose of a driveway approach permit is to assure that driveway approaches are:

- Wide enough to handle the anticipated traffic and type of vehicle expected to use the driveway.
- Located far enough from street intersections to minimize potential traffic safety hazards.
- Designed and constructed with materials and methods to prevent the creation of traffic safety hazards and to assure that driveway approach conditions will not result in drainage or roadway maintenance problems.

Driveway approach standards have been adopted by resolution of the City Council. A copy of the **Driveway Approach Standards** is attached to this handout. In addition, it is expected that the following general standards shall apply to driveway approaches:

- The driveway shall intersect with the street at as close to a right angle as is possible.
- The driveway approach shall be at least 30 feet from the nearest intersecting street.
- Each property in the City is entitled to a driveway. However, in some circumstances, the joint or multiple use of a driveway shall be encouraged.

Applying for a Driveway Approach Permit:

- 1. An application for a driveway approach shall be made at the Lyons City Hall, 449 5th Street. The City Hall is open from 9:00 a.m. to noon and from 1:00 p.m. to 4:00 p.m., Monday through Friday. Normally, applications for driveways will be made when a building permit for new construction is issued. However, driveway approach permits also apply to driveway relocations or to major changes in driveways. The application shall be accompanied by one set of construction plans and by a fee in the amount of \$250.00. A copy of the application is attached to this handout.
- 2. Before any work may begin on the driveway approach, the construction plans shall be reviewed and approved. Typically, the City Engineer will review these plans, with approval or modification following within ten (10) days from the date of submittal.
- 3. After approval of the construction plans, the applicant is free to begin work on the driveway approach. The driveway approach shall be completed in conformity with the approved plans and with the provisions of the ordinance. The City Engineer or the Street Commissioner may inspect work on the driveway approach while it is under construction.
- 4. However, no driveway AC paving or concrete work shall be placed within three (3) feet of the centerline of the new culvert or approach until the City Engineer has inspected and given written approval. Should the driveway paving work be completed before approval has been given, and the City Engineer determines that it has been constructed incorrectly, the Applicant shall bear the full cost of work for removing and replacing to the City Engineer's satisfaction.
- 5. The City shall be notified within one week of completion of work. The City Engineer's final inspection will occur on the next scheduled inspection day. Upon the approval of the construction work by the City Engineer, the applicant is free to cover and use the driveway approach.¹
- 6. If you have any questions concerning the design or building of the driveway approach, or would like to request an inspection, you may contact Matt Wadlington, City Engineer, directly at: (541) 266-8601.
- 7. For other questions please contact City Hall at (503) 859-2167

¹ The Street Commissioner also has authority to suspend work on the driveway approach when it is determined that erroneous information has been submitted to the City, when materials or workmanship do not meet standards, when construction varies from the approved plans, or when it is determined that there are violation of related City Ordinances. A person whose permit has been suspended may appeal the Street Commissioner's decision to the City Council.

Culvert Installation Requirements

- Asphaltic Concrete (AC) Finished Driveway Surface: 3" min. AC thickness with 6" minimum of crushed rock surfacing over the top of the culvert the culvert shall be ADS N-12 M252 or C-900 PVC with bell and spigot joints.
- <u>Concrete Finished Driveway Surface:</u> 6" min. concrete thickness with 4" minimum of crushed rock surfacing over the top of the culvert the culvert shall be ADS N-12 or C-900 PVC with bell and spigot joints.
- If crushed rock surfacing over the top of the culvert is less than minimum above (AC or concrete), culvert shall be CL 52 Ductile Iron with bell and spigot joints or C-14, CL3 non-reinforced concrete pipe with bell and spigot joints.

Construction Plans

Construction plans submitted to the City shall include the following information:

- The location of the driveway in relation to the property corners, the street, utilities, poles, manholes, drains, any existing easements and any other pertinent features such as mail boxes, sidewalks, and meters.
- The depth, width and slope of drainage channels flowing to, under and from the planned driveway approach and culvert size and type. The minimum allowed culvert size is 10" diameter.
- The planned cross-section of the driveway as it is to be constructed. Depth of compacted, crushed rock and pavement/concrete shall be included.
- Materials used for the culvert, pavement, and other features.
- Street address, tax lot and assessors map identification, north arrow, and scale.
- The proposed grade of the driveway.

Standards Applicable to Driveways Taken from Street Design Standards

I. DRIVEWAYS

1. Standards

- a. Driveways shall be constructed with Asphalt Concrete, Portland Cement Concrete, or a combination of the two as in a commercial drive.
- b. The length of the driveways in residential areas shall extend from the edge of the paved street to garage or carport or a minimum of twenty (20) feet.

2. Driveway Approaches

- a. Single family and duplex residences must have a minimum approach section of 6.0 inches PCC and 2.0 inches of aggregate base.
- b. Driveways for uses other than single family and duplex residences must have a minimum approach section of 8.0 inches PCC and 2.0 inches aggregate base.
- c. Curb transitions on each side of standard driveway cuts shall be constructed according to ANSI and ADA requirements.
- d. The minimum residential driveway throat width is twelve (12) feet and the maximum width is sixteen (16) feet.
- e. The minimum commercial/industrial driveway throat width is twenty (20) feet and the maximum width is 36 feet.

3. Commercial Approaches

- a. Commercial approaches shall be required for all private streets accessing arterial or collector streets.
- b. Commercial approaches will be required for parking lots providing in excess of ten (10) parking spaces.

4. Number of Accesses Permitted

- a. No development site will be permitted more than one access, totaling 24 feet in driveway width, onto any arterial or collector street.
- b. No development site will be permitted more than two accesses, totaling 36 feet in driveway width onto any residential street.
- c. The number of access points to a single development shall be restricted to as few as practical.
- d. Major development accesses are subject to review and approval by the City.

5. Location

- a. Residential access points shall be a minimum of 40 feet from any intersection. All other access points shall not be located closer than 150 feet from the intersection of two arterial streets or of an arterial and a collector street.
- b. All driveway approaches shall conform with applicable vision clearance standards.

STANDARDS-EASEMENTS OF ACCESS TO TWO OR MORE RESIDENCES

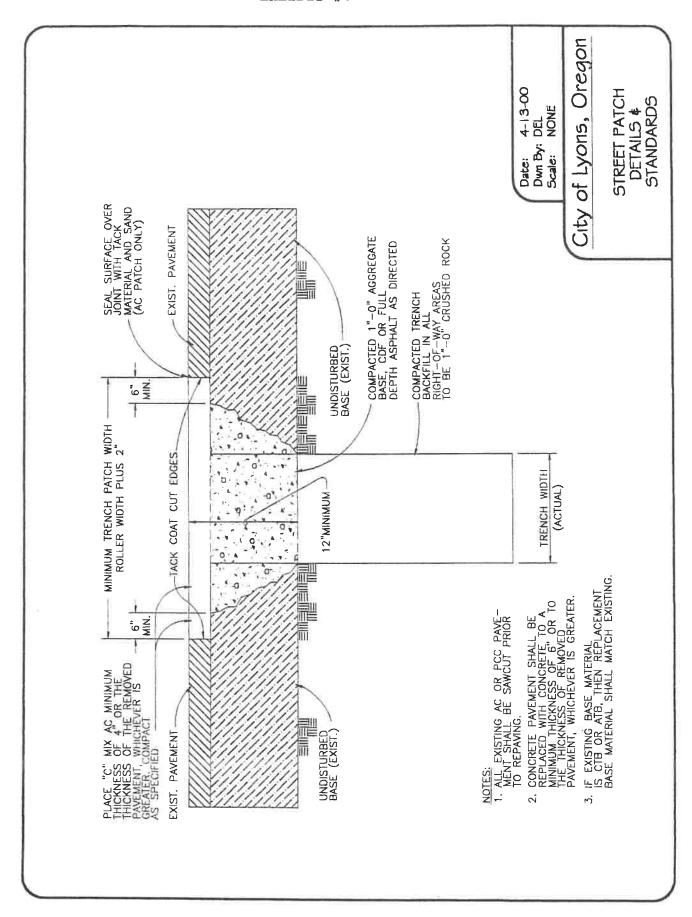
A. Standards

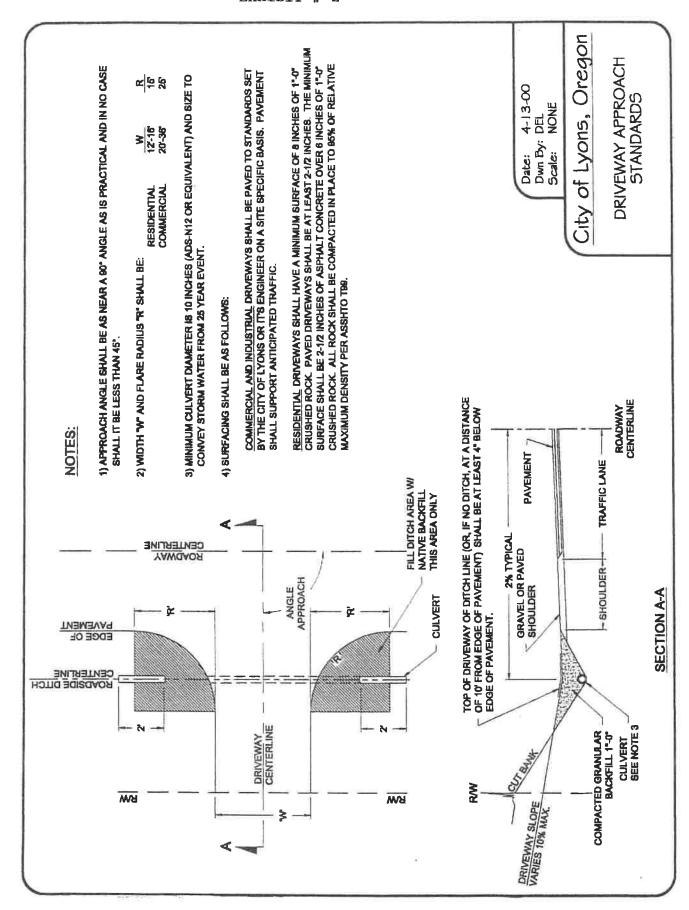
- 1. Driveway Permit Required: This would involve permit for construction of driveway in addition to driveway approach permit already required. Driveway construction permit needed only for driveways to serve 2 or more homes.
- 2. Number of residences to be served from driveway:
 - 1 Residence: no permit needed except for driveway approach permit.
 - 2-5 Residences: Driveway and driveway approach permit needed. Special standards for driveway.
 - 6 or more Residences: Construct to street standards. Normally require dedicated public street.
- Special Driveway Standards to Serve 2-5 Residences:
 - Minimum Width of easement: 20 feet.
 - Width of driveway: 12 feet for two residences; 16 feet for 3-5 residences. b.
 - No parking permitted on driveway. C.
 - d. No curbs or walks required along driveway.
 - Driveway shall be paved to City Street Design Standard for driveways for the portion of the driveway that serves 2 or more residences.
 - f. Make provisions for drainage to be approved by City Engineer.
 - Maximum driveway length: 500 feet, not including the turn-around; if variance on length is approved, one 12' X 40' turnout required.
 - Turn around at end of driveway required, when roadway exceeds 150 feet in h. length and serving more than two residences.
 - If cul-de-sac, radius of 35 feet, with a level, circular, paved surface; or
 - A level, hammerhead-configured, paved surface with each leg of the hammerhead having a minimum depth of 40 feet and a minimum width of
 - i. Desirable limits for grades – 12 per cent.
 - Turning radius on roads shall be 29' or more on inside curves and 45' or more į. on outside curves.
- Make provision for easement between all parties involved, easement to be recorded with the deed, and submitted to the City as a part of permanent record.
- Make provision for maintenance agreement between all parties involved.
- Unobstructed vertical clearance for road, for height of 13 feet, 6 inches. 6.
- No vehicular obstruction within a 20-foot wide vehicular access corridor, including trees, fences, landscaping, or structures.

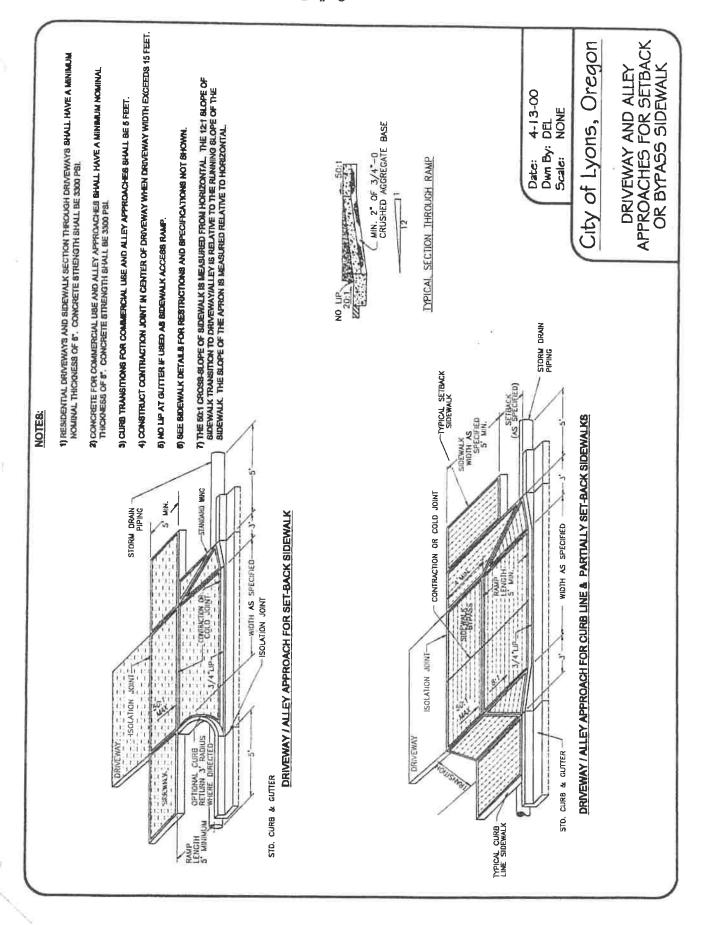
- 8. Flag lot limited to providing access to one residential structure serving no more than two dwelling units, except for medical hardship mobile home as second residential structure.
- 9. Driveway shall be located a minimum of 30 feet from a street intersection.
- 10. If driveway serves more than 2 residences, the street shall be named with the name to be approved by the Planning Commission. Addresses shall be issued off the named driveway.

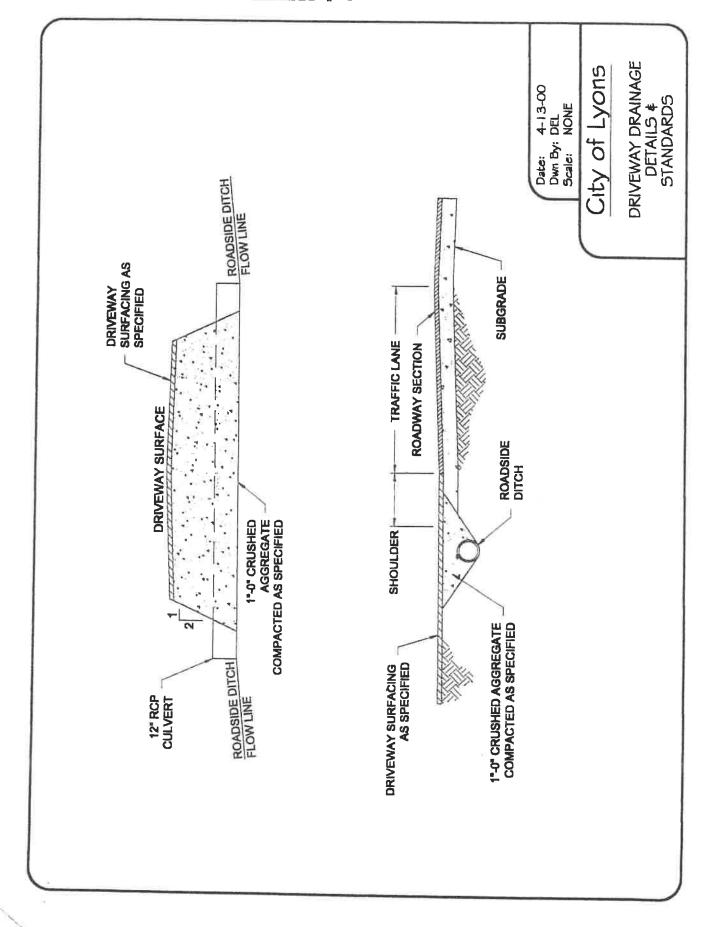
B. Procedure:

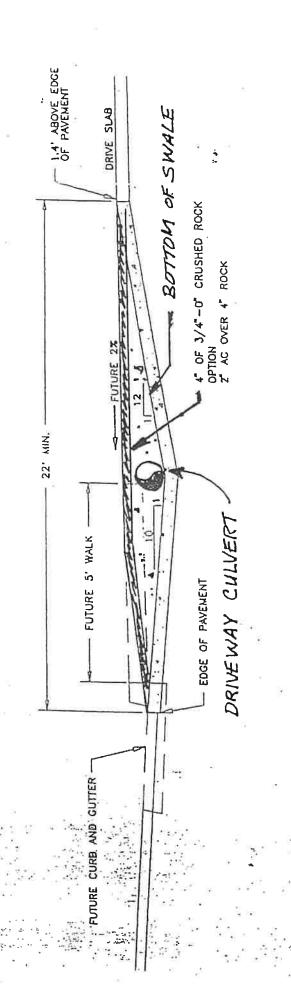
- 1. Driveway permit to be approved by Planning Commission, after public hearing or public meeting.
- 2. City Engineer and Lyons Rural Fire Protection District to review proposal and plans prior to meeting and will make recommendation to Planning Commission.
- 3. After approval, road to be constructed prior to issuance of any building permits for construction.
- 4. Any documentation, such as development of easement or maintenance agreement also to occur prior to building permit issuance.











TYPICAL DRIVEWAY

NOT TO SCALE

Chapter 12.05 Driveway Approaches

Sections:	
12.05.010	Driveway approach permits.
12.05.020	Purpose of driveway approach permit.
12.05.030	Driveway approach standards.
12.05.040	Driveway approach permits required.
12.05.050	Construction permit application and fees.
12.05.060	Construction plans.
12.05.070	Conduct of work.
12.05.080	Suspension of permit.
12.05.090	Notice of completion of work.
12.05.100	Enforcement and penalty.

12.05.010 Driveway approach permits.

For purposes of this chapter, a driveway approach is defined as that portion of the private road serving a lot or lots that extends from the property line to the roadway of the abutting street. A driveway approach permit is required for the construction of a new driveway, for the relocation of an existing driveway, and for major improvements to an existing driveway. [Ord. P10-56 § 1, 2000.]

12.05.020 Purpose of driveway approach permit.

Driveway approach permits are required to assure that driveway approaches are:

- A. Wide enough to handle the anticipated traffic and type of vehicle expected to use the driveway.
- B. Located far enough from street intersections to minimize potential traffic safety hazards.
- C. Designed and constructed with materials and methods to prevent the creation of traffic safety hazards and to assure that driveway approach conditions will not result in drainage or roadway maintenance problems. [Ord. P10-56 § 2, 2000.]

12.05.030 Driveway approach standards.

A. Driveway approach standards shall be adopted by resolution of the Lyons city council. A copy of the driveway approach standards is available and on file in the office of the Lyons city recorder. Work to be done and materials to be used for any driveway approach within the city of Lyons shall conform to the driveway approach standards as adopted by resolution, or as that resolution may be amended from time to time.

- B. The following general standards shall apply to driveway approach permits:
 - 1. The driveway shall intersect with the street at as close to a right angle as is possible.
 - 2. The driveway approach shall be at least 30 feet from the nearest intersecting street.
 - 3. Each property in the city is entitled to a driveway. However, under some circumstances the joint or multiple use of a driveway shall be encouraged.
 - 4. The driveway approach shall conform to the adopted driveway approach standards, including pavement of the driveway apron. [Ord. G2-2015 § 1, 2015; Ord. P10-56 § 3, 2000. Amended during 2006 recodification.]

12.05.040 Driveway approach permits required.

No person shall begin to construct, reconstruct, or relocate any driveway approach within the city of Lyons without first obtaining a driveway approach permit from the city of Lyons, paying all required plan review and construction permit fees, and obtaining a construction permit therefor as provided in this chapter. [Ord. P10-56 § 4, 2000.]

12.05.050 Construction permit application and fees.

A. An applicant shall file an application for a driveway approach permit. The application shall include the following information:

- 1. Name, address and phone number of the owner or owners of the property, the developer of the property, the designer of the driveway approach, and the person doing the work;
- 2. Address of the property together with identification of the property by assessor's map identification (township, range, section, tax lot);
- 3. Location of the work area on the property;
- 4. Construction plans as specified in LMC 12.05.060.

B. Estimated Cost of the Project. The application shall be accompanied by a fee in an amount as determined by a fee schedule adopted by resolution of the Lyons city council. Work being done by the city of Lyons shall be exempt from the fee. Work being done by franchise utilities shall be exempt from permit fees to the extent provided by the franchise agreements with the city. Permit fees shall be nonrefundable. [Ord. P10-56 § 5, 2000.]

12.05.060 Construction plans.

A. Construction plans shall be submitted to the city of Lyons with the application for permits required by this chapter. The construction plans shall have the written approval of the street commissioner, or his designated representative, prior to issuance of the permit. The street commissioner may request the assistance of the city engineer in review of the plans. All plans shall be reviewed for conformance with the driveway approach standards as required by this chapter.

B. The construction plans shall include:

- 1. The location of the driveway in relation to the property corners, the street, utilities, poles, manholes, drains and other pertinent features such as mailboxes, sidewalks and meters.
- 2. The depth, width and slope of drainage channels flowing to, under and from the planned driveway approach.
- 3. The planned cross section of the driveway as it is to be constructed. Depth of compacted, crushed rock, and pavement shall specifically be included.
- 4. Materials used for the culvert, pavement and other features.
- 5. Street address, tax lot and assessor's map identification, north arrow and scale.
- 6. The proposed grade of the driveway.
- C. Plan approval shall be void upon expiration of six months from the date of written plan approval, except that the time period may be extended for an additional six months by the street commissioner upon a determination that circumstances have not changed sufficiently to require submittal of new construction plans. [Ord. P10-56 § 6, 2000.]

12.05.070 Conduct of work.

A. All work under said permits shall be completed in conformity with the provisions of this chapter, the terms of the application and construction permits, and under the supervision and subject to the approval of the street commissioner, or his designated representative. Upon completion of work, all surplus earth, rock, debris, rubbish or other materials shall be removed immediately and the street

restored to a condition as good as or better than existed prior to the work. No work shall be undertaken other than that specified in the application and permit for the particular project.

- B. In the absence of the street commissioner, the mayor shall appoint another city council member to temporarily fill the position of the street commissioner, or shall designate the city engineer to fill the position on a temporary basis.
- C. Whenever it is determined necessary or appropriate, the street commissioner shall request assistance in making a decision by the city engineer or by the city council. [Ord. P10-56 § 7, 2000.]

12.05.080 Suspension of permit.

A. At any time after the issuance of a construction permit required by this chapter, the street commissioner may suspend the same upon a finding that any of the following grounds exist:

- 1. False, misleading, or erroneous data or information submitted by the applicant in connection with securing the permit.
- 2. Materials or workmanship which do not meet specifications for the construction or installation of the permitted improvement, or construction or installation which varies from the approved plan or design of the improvements.
- 3. Violation of any of the provisions of LMC Titles $\underline{17}$ or $\underline{18}$, or of any work authorized under the provisions of these titles.
- B. Upon suspension of a construction permit, the street commissioner shall cause to be issued a written stop work order. One copy of the stop work order shall be sent by regular mail to the permittee at the address shown on the permit application; one copy shall be sent by regular mail to the person in charge of any work in progress; and one copy shall be retained by the city recorder as a part of the file related to the project.
- C. It shall be unlawful for any person to cause or permit any work to be done for which a permit is required by this chapter when a stop work order has been issued.
- D. Any person whose permit has been suspended as provided for in this section may appeal such action to the Lyons city council at the next regularly scheduled council meeting. Notwithstanding the provisions for appeal to the city council, the filing of an appeal shall not stay the effect of a stop work order issued under the provisions of this section. [Ord. G2-2015 § 1, 2015; Ord. P10-56 § 8, 2000. Amended during 2006 recodification.]

12.05.090 Notice of completion of work.

Within two working days of completion of the work for which a permit is required under this chapter, the permit applicant shall contact the street commissioner stating that such work has been completed and request a final inspection of the work. The street commissioner, or his designee, shall review the final work for compliance with the approved plans and the requirements of this chapter within five working days of the request for final inspection. [Ord. P10-56 § 9, 2000.]

12.05.100 Enforcement and penalty.

A. A violation of this chapter shall be enforced pursuant to the city of Lyons enforcement ordinance.

B. Failure to comply with any provision of this chapter, or with any restrictions or conditions imposed hereunder, or failure to comply with the conditions of a construction permit as approved by the city shall subject the person who violates, disobeys, omits, neglects, or refuses to comply with any of the provisions of this chapter to the enforcement procedures and penalties as specified by Chapter 1.25 LMC.

C. A violation of the provisions of this chapter is declared to be an offense, but not a crime. It is intended to be an offense that can be disposed of in all respects as a civil proceeding and not governed by procedural, evidentiary, substantive, and constitutional rules applicable to criminal charges and proceedings. A person adjudged responsible for a violation shall not be deemed guilty of a violation and a judgment of responsibility shall not be deemed a conviction for any purpose. [Ord. P10-56 § 10, 2000.]

The Lyons Municipal Code is current through Ordinance O5-19, passed January 26, 2021.

Disclaimer: The City Clerk's office has the official version of the Lyons Municipal Code. Users should contact the City Clerk's office for ordinances passed subsequent to the ordinance cited above.

City Website: https://www.cityoflyons.org/

City Telephone: (503) 859-2167

Code Publishing Company