

Chapter 3

Driveways

6-3-1 Driveway Permit Required

6-3-2 Driveway Location, Design and Construction Requirements

Sec. 6-3-1 Driveway Permit Required.

- (a) **Purpose.** For the safety of the general public, the City shall determine the location, size, construction and number of access points to public roadways within the City limits. It is the City's intent to provide safe access to properties abutting public roadways suitable for the property to be developed to its highest and best use, provided that access is not deficient or dangerous to the general public.
- (b) **Permit Required to Construct, Reconstruct, Alter or Enlarge.** No person, firm or corporation shall construct, reconstruct, alter or enlarge any private driveway within the limits of the dedicated portion of any public street under the control and jurisdiction of the City of Onalaska without first obtaining a permit therefor as provided by this Chapter.
- (c) **Application.**
 - (1) Application for such permit shall be made to the Inspection Department on a form provided by the City and shall be accompanied by a drawing accurately depicting the portion of the proposed private driveway to be constructed, reconstructed, altered or enlarged lying within the dedicated portion of the public street, the dimensions thereof and a statement of the materials proposed to be used. The applicant shall pay a fee as prescribed in Subsection (e).
 - (2) Applications for permits must be accompanied by a scale drawing indicating the location of the driveway or driveways to be installed and the requested widths for all installations classified as special above and for any installation involving a utility relocation.
 - (3) The permit application shall be made at least forty-eight (48) hours in advance of intended installation for all classes, except special or unclassified uses, wherein five (5) days shall apply to permit time for study and consideration before granting the permit.
 - (4) In no case shall any driveway be installed prior to securing a building permit if the driveway is to service such building or buildings.
 - (5) The determination of the class of driveway shall be by present land use where nonconforming to the zoning ordinance and, in all other cases, by the class of driveway for the particular zone involved.

Driveways

6-3-1

- (6) Application for "blind" driveways, wherein the only purpose is to restrict street parking, shall be denied.
- (d) **Application Provisions.** All driveway permit applications shall contain the applicant's statement that:
- (1) The applicant represents all parties in interest, and that such proposed driveway is for the bona fide purpose of securing access to his property and not for the purpose of parking or servicing vehicles, advertising, storage or merchandising of goods within the dedicated portion of the City street, or for any other purpose.
 - (2) The City, notwithstanding the construction of such driveway, reserves the right to make any changes, additions, repairs or relocations within the dedicated portion of the City street at any time, including relocation, reconstruction, widening and maintaining the street without compensating the owner of such private driveway for the damage or destruction of such private roadway.
 - (3) The permittee, his successors or assigns, agrees to indemnify and hold harmless the City of Onalaska, its officials, officers, agents or employees, against any claim or any cause of action for personal injury or property damage sustained by reason of the exercise of such permit.
 - (4) The City does not assume any responsibility for the removal or clearance of snow, ice or sleet or the opening of any windrows of such material upon such portion of such driveway within the dedicated portion of the City street.
- (e) **Widths and Permit Fees.** Unless otherwise especially permitted by resolution of the Common Council, upon written application giving the reason therefore, the standard and maximum widths of driveways at the sidewalk and curb, other requirements for such installations, and fee for permits shall be as follows:

Type and Classification	Minimum Widths at		Maximum Widths at		Permit Fees
	Sidewalk	Curb	Sidewalk	Curb	
Residential:					
Single Garage	10 ft.	17 ft.	12 ft.	17 ft.	\$20.00
Double Garage	18	25	20	25	20.00
Commercial:					
Single	15 ft.	22	20	25	20.00
Double	20	27	22	27	20.00
Industrial:					
Special	20	27	25	30	20.00
Parking Lots:					
	20	27	23	30	20.00
Filing Stations:					
One Drive, One Street	30	37	35	40	20.00
Two Drives, One Street	30	37	35	40	20.00
Drive-Ins:					
One Drive, One Street	25	32	30	35	20.00
Two Drives, One Street	25	32	30	35	20.00

Driveways

6-3-2

Sec. 6-3-2 Driveway Location, Design and Construction Requirements.

(a) **General Requirements.** The location, design and construction of driveways shall be in accordance with the following:

(1) **General Design.**

- a. Private driveways shall be of such width and so located that all of such driveways and their appurtenances are within the limits of the frontage abutting the street of the property served.
- b. Driveways shall not provide direct ingress or egress to or from any street intersection area and shall not encroach upon or occupy areas of the street right-of-way required for effective traffic control or for street signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it shall have adequate sight distance along the street.
- c. Where more than one (1) driveway shall be on the same street, they shall be at least ten (10) feet apart on frontage of less than ninety (90) feet or twenty-five (25) feet apart on frontage exceeding ninety (90) feet.
- d. Driveways shall, in all cases, be placed wherever possible as not to interfere with utilities in place. All costs of relocating utilities shall be the responsibility of the property owner with approval of the Board of Public Works necessary before any utilities may be relocated and the driveway installed.
- e. All driveways must be located within the extended property lines unless accompanied by a special agreement from the abutting property owner, with extension of said property lines to be on a ninety (90) degree angle from the street line.
- f. Where removal of the curb head is required for driveway installation, it shall be sawed the full length along the flow line of the gutter.

Driveways

6-3-2

- g. In all instances, the radii for driveways shall be one and one-half (1-1/2) feet to the back of the curb and the curb opening shall be as specified for each class of driveway or less if required.
 - h. The slope across the sidewalk portion of each driveway shall be governed by this Chapter or as permitted by specific resolution. A sidewalk permit is also required for the sidewalk portion of the driveway.
- (2) **Number.** The number of driveways to serve an individual property fronting on a street shall be one (1), except where deemed necessary and feasible by the Common Council for reasonable and adequate service to the property, considering the safety, convenience and utility of the street.
 - (3) **Island Area.** The island area in the street right-of-way between successive driveways or adjoining a driveway and between the highway shoulder and right-of-way shall constitute a restricted area and may be filled in and graded only as provided in Subsection (7).
 - (4) **Drainage.** The surface of the driveway connecting with street cross sections shall slope downward and away from the highway shoulder a sufficient distance to preclude ordinary surface water drainage flowing onto the street roadbed.
 - (5) **Culverts.** Driveways shall not obstruct or impair drainage in street ditches or roadside areas. Driveway culverts, where required, shall be adequate for surface water drainage along the street and shall not be less than the equivalent of a twelve (12) inch diameter pipe. The distance between culverts under successive driveways shall not be less than ten (10) feet except as such restricted area is permitted to be filled in pursuant to the provisions of Subsection (7) hereof.
 - (6) **Reconstruction of Sidewalks and Curb and Gutter.** When the construction of a driveway requires the removal of a curb or gutter the new connections shall be of equivalent acceptable material and curb returns shall be provided or restored in a neat, workmanlike manner. The driveway surface shall be connected with the highway pavement and the sidewalk, if any, in a neat, workmanlike manner. The driveway construction shall include the replacement of such sidewalk areas which are inadequate or which are or may be damaged by means of vehicle travel across the sidewalk. All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code insofar as such requirements are applicable, including thickness requirements. Standard thickness of driveway approaches will be six (6) inches thick.
 - (7) **Restricted Areas.** The restricted area between successive driveways may be filled in and graded only when the following requirements are complied with:
 - a. The filling or draining shall be to grades approved by the City Engineer and, except where highway drainage is by means of curb and gutter, water drainage of the area shall be directed away from the street roadbed in a suitable manner.

Driveways

6-3-2

- b. Culvert extensions under the restricted area shall be of the same size and of equivalent acceptable material as the culvert under the driveway. Intermediate manholes adequate for clean-out purposes may be required where the total culvert length is excessive.
 - c. Where no street side ditch separates the restricted area from the street roadbed, permanent provision may be required to separate the area from the street roadbed to prevent its use for driveway or parking purposes by construction of a border, curb, rail or posts as may be required by the City Engineer.
- (8) **Construction Across Sidewalks.** All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in Section 6-2-2 of this Code insofar as such requirements are applicable, including thickness requirements.
- (9) **Variations.** Any of the above requirements may be varied by the Board of Public Works, upon the recommendation of the City Engineer, in such instances where the peculiar nature of the property or the design of the street may make the rigid adherence to the above requirements impossible or impractical.
- (b) **Prohibited Driveways.**
- (1) No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the limits of any public road, highway or street in the City of Onalaska except as permitted by this Section. As used herein the word "structure" includes private driveways, a portion of which extends into any public road, highway or street, and which is in non-conformance with this Chapter.
 - (2) No driveway shall be closer than ten (10) feet to the extended street line at an intersection. At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the City for effective traffic control or for highway signs or signals.
 - (3) The grade of that portion of any private driveway or pedestrian path located within the limits of any public road, highway or street shall be such as shall meet the grade of the existing public roadway at its edge and not cause an obstruction to the maintenance or clearing of such public roadway.
 - (4) No driveway apron shall extend out into the street further than the facing of the curb and under no circumstances shall such driveway apron extend into any gutter area. All driveway entrances and approaches shall be constructed as not to interfere with the drainage of streets, side ditches or roadside areas, or with any existing structure on the right-of-way.
 - (5) No portion of any curb, parapet or retaining wall, rising above the grade of the driveway, erected by the owner of the premises involved shall extend beyond the culvert spanning the water course located in such public way.