

ORDINANCE NO. 2008-158

INTRODUCED BY: MAYOR BACCI AND MEMBERS OF COUNCIL, DUSZYNSKI, FARAGONE, HENLEY, SCHAB, SCHOEFFLER AND SUHY

AN ORDINANCE AMENDING SECTIONS 1026.02, 1026.03, AND 1026.04 OF THE CODIFIED ORDINANCES AND ENACTING A NEW SECTION 1026.05 OF THE CODIFIED ORDINANCES PERTAINING TO INSTALLATION AND LOCATION OF DRIVEWAYS

BE IT ORDAINED by the Council of the Village of Cuyahoga Heights, State of Ohio:

SECTION 1. That Sections 1026.02, 1026.03, and 1026.04 of the Codified Ordinances be amended to read as follows:

1026.02 DRIVEWAY INSTALLATION; PERMIT REQUIRED.

No person shall install a private driveway within the limits of any public street without first obtaining ~~a permit therefore~~ **approval from the Village Engineer and permit(s) from the Building Commissioner.**

1026.03 **COMMERCIAL AND INDUSTRIAL DRIVEWAY LOCATION AND WIDTH.**

The location and width of entrance and exit driveways on private property shall be planned to interfere as little as possible with the use of nearby property and with pedestrian and vehicular traffic on the nearest streets. The centerline of the access driveways on the frontage street shall be at least thirty-five feet from the right-of-way line of the nearest intersecting street. Where there is more than one driveway to a parking area, the driveways, whenever possible, shall be limited to one-way travel either as an entrance to or exit from the parking area. Entrances and exits shall be limited to three lanes. The width of such entrances and exits, measured at the street property line, shall conform to the following requirements:

Lanes	Width (ft.)	
	Minimum	Maximum
1	12	14
2	20	28
3	30	40

In all cases, the radius of the edge of the driveway apron shall be at least fifteen feet so that a motor vehicle entering or leaving will not obstruct vehicles in other traffic lanes in the driveway or street.

**1026.04 DRIVEWAY APRON MATERIAL AND THICKNESS.**

All driveway aprons from the pavement to the sidewalk line shall be constructed of concrete paving not less than six inches thick. **The radius to the street shall be established by the Village Engineer.**

SECTION 2. That Sections 1026.02, 1026.03, and 1026.04 of the Codified Ordinances, as they existed prior to the effective date of this Ordinance be, and the same hereby are, repealed.

SECTION 3 . That a new Section 1026.05 of the Codified Ordinances, entitled "Driveways and Driveway Material", be enacted to read as follows:

**1026.05 RESIDENTIAL DRIVEWAYS AND DRIVEWAY MATERIAL.**

(a) **A residential driveway is that area giving access to motor vehicles from a street to a garage or to a parking area on residential property, and also giving egress to motor vehicles from a garage or parking area on a residential property to a street, and having a surface of concrete, asphalt, gravel or other similar material.**

(b) **No person shall commence, without a proper permit, any work toward installing, enlarging or modifying a residential driveway or replacing an areas of a residential driveway greater than sixteen square feet, without a permit from the Building Commissioner. The fee for the permit shall be that set forth in Section 1442.16.**

(c) **After the effective date of this ordinance, August 13, 2008, all new installed residential driveways shall be constructed of concrete, asphaltic concrete, paving stones or materials judged by the Village Engineer to be of similar function and capable of providing a hard, dust-free, all-weather surface; all residential driveways constructed of gravel, tar and chip, or other loose material are prohibited. Such residential driveway shall be constructed to the following standards:**

**(1) Permitted concrete driveways shall be constructed to the following standards:**

**(A) If no prepared base material is installed, the driveway surface shall be at least six inches thick and composed of 4,000-pound strength plain Portland cement concrete.**

**(B) If four inches of gravel or compacted granular material is installed as a base, the driveway surface may be reduced to a four-**

inch thickness of 4,000-pound strength plain Portland cement concrete.

(C) The finished surface shall be smooth and regular and shall meet a workmanlike construction standard commonly provided by contractors of such work.

(2) Permitted asphaltic concrete driveways shall be constructed of a two inch surface of asphaltic concrete meeting State Highway Specification Standard 404, and such surface shall be atop at least eight inches of compacted granular base material, such as crushed limestone, meeting State Highway Specification Standard 304. The finished surface shall be smooth and regular and shall meet a workmanlike construction standard commonly provided by contractors of such work.

(3) Permitted paving stone driveways shall be installed as per the manufacturer's specifications, and such specifications shall be presented to the Building Commissioner concurrently with seeking a driveway permit.

(4) Standards applicable to other permitted driveways shall be those specifically approved by the Village Engineer.

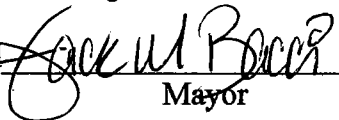
(d) All driveways shall be a minimum of twelve (12) inches from all property boundaries.

(e) Driveways shall be no greater than sixteen feet in width, except that driveways may be expanded at the approach to the garage to a width no greater than four feet wider than the total width of the garage structure by use of the same or similar driveway material as was used for placement of original driveway. All other expansions of the driveway, including the creation of a "turn-around", must have prior approval by the Building Commissioner.

SECTION 3. This Ordinance shall take effect immediately provided it receives the unanimous vote of all members elected to Council; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: August 13, 2008

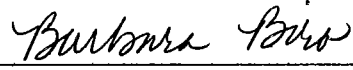
Effective: August 13, 2008

Approved:   
Mayor

ATTEST:

  
President of Council

On August 13, 2008

  
Clerk of Council