

## DRIVEWAY APPROACHES

### GENERAL

- A. A permit will be required prior to any driveway construction within the street right-of-way. All construction shall conform with the Standard Plans and Specifications of the City of Newport Beach. Brick, textured concrete or flat stone surfacing may be used subject to Public Works Department approval. Such brick, textured concrete or flat stone surfacing may not be used on Bayside Drive.
- B. The number of driveway openings shall be kept to a minimum so as to preserve on-street parking and to reduce the points of traffic conflict.
- C. The term "Curb Opening" shall mean the total width of the approach including the slope distances on the curb. The term "Approach Bottom" shall mean the total width of the approach less the slope distances on the curbs.
- D. Curb openings shall not be constructed closer than 5 feet to the beginning of the curvature of a curb return, fire hydrant, traffic signal/pedestrian street light, utility pole/anchor/pedestal, trees or vent pipe, unless approved by the Public Works Department.
- E. The entire curb opening shall be within the prolongation of the property lines except when cross easements provide for a common driveway along the mutual property line.
- F. No permit shall be issued for driveways on Clubhouse Drive, Glen Drive, Balboa Island or on the ocean side of Ocean Boulevard without City Council approval. No curb openings will be permitted on Ocean Boulevard when access is available from an existing alley, street or improved private roadway.
- G. No permit shall be issued if the driveway construction requires the removal of a street tree until such removal has been approved by the General Services Director.
- H. No permit shall be issued if the driveway encroaches on a crosswalk area.
- I. No permit shall be issued if the driveway construction requires the relocation of any public facility such as fire hydrants utility pole/anchor/pedestal, tree, vault, vent pipes, or street lights until approved by the Public Works Department and a

deposit has been made to cover the cost of relocation. Property owner shall pay all costs for the relocation of any public facilities.

- J. No permit shall be issued unless the applicant agrees that at no cost to the City he will remove any driveway opening that is or will be abandoned, and reconstruct curb, gutter and sidewalk (if applicable) to City Standards.
- K. Where practical, difficulties or hardships may result from the strict application of this policy, minor dimensional variances may be granted with written approval of the Public Works Director.
- L. Nothing herein shall be construed as preventing any person from appealing to the City Council for relief from the applications of this policy.
- M. No building permit shall be issued on a parcel whose access requires City Council review for an encroachment permit on public property, until said encroachment permit has been issued.

#### RESIDENTIAL ZONES AND RESIDENTIAL USES - SPECIAL REQUIREMENTS

- A. The width of the driveway approach bottom shall not exceed 20 feet except when the driveway is to serve an enclosed three or four car garage, in which case the driveway approach bottom may be increased to 25 feet or 32 feet, respectively.
- B. One additional curb opening will be permitted to a single parcel subject to the following conditions:
  - 1. The total width for all openings shall not exceed 50% of the total frontage of the parcel.
  - 2. The openings shall be separated by at least 20 feet to retain maximum street parking.

- C. Street curb openings shall not be permitted to residential property which abuts an alley.

An exception may be made in the case of corner lots where the street on which the curb cut is proposed is not an arterial street and street frontage is available for the full depth of the lot, subject to the following conditions:

1. Access from the street will be permitted where existing structures prevent full alley access, or additional covered off-street parking is being provided.
  2. The width of the curb opening shall be limited to one-half of the lot depth.
  3. In the case of duplexes, condominiums and condominium conversions, an additional driveway curb cut shall be permitted if the units are separated by a continuous vertical plane, from the ground to the rooftop, with one common wall and/or physically separated by open space. The resultant building product shall have the appearance of two distinct and separate units with a rear unit that has vehicle access from the alley and the front unit with vehicle access from the side street. No overlapping of between the front unit and rear unit floorplans shall be permitted.
- D. Driveway grades must not exceed the listed applicable maximum slope depending on application. Driveways to lowered or subterranean parking must rise above the flood level or a minimum of six inches above the flow line of the street or alley, whichever is greater, before transitioning to a downward slope. Slope transitions shall be a minimum of five feet in length and the change of slope cannot exceed eleven percent.

Driveways providing only parking access - Fifteen- percent maximum slope. Must have access directly from garage into residence.

Driveways providing vehicle and pedestrian access - Eight- percent maximum slope.

Driveways providing required parking spaces on the driveway itself - Five-percent maximum slope.

Minor variations from the listed maximum slopes and slope changes may be granted by the Traffic Engineer when unusual site conditions are encountered.

## PRIVATE STREETS - SPECIAL REQUIREMENTS

- A. A grading permit will be required prior to the construction of any driveway apron, sidewalk, curb, gutter or wall within the private street rights-of-way. The design parameters shall be in accordance with the City of Newport Beach Design Criteria and Standards for Public Works Construction.

Also, the Public Works Department shall perform a brief review of plans prior to permit issuance.

- B. A Public Works encroachment permit will be required if improvements are to be constructed within 5 feet of a fire hydrant, street light or other public utility system appurtenance (i.e., valve boxes or manholes).
- C. A Public Works encroachment permit will be required when connecting to or relocating public utilities.

## COMMERCIAL USES

- A. The width of the driveway approach bottom shall not exceed 35 feet.
- B. The total width of all driveways shall not exceed 50% of the frontage of the parcel.
- C. Commercial driveway approaches may use a curb return design with a maximum curb radius of 25 feet and a driveway approach bottom of greater than 35 feet if the following conditions are satisfied:
1. The driveway serves as an entrance to a parking area or structure for 200 or more vehicles.
  2. The number of driveways serving the parcel are at a minimum.
- D. The curb return commercial driveway approach may incorporate a divided exit and entrance if the separation structure (median island) is continued on-site in such a manner as to provide proper traffic design.

## CLOSURE OF ABANDONED DRIVEWAY APPROACHES BY CITY

The City may close abandoned driveway approaches at high priority locations where two or more of the following criteria may exist:

- A. The abandoned driveway approach is adjacent to a parcel of property where redevelopment and possible subsequent closure of the approach is not believed imminent;
- B. The driveway approach is at a location where there is a shortage of available on-street parking;
- C. The removal of the driveway approach is needed for safe pedestrian and/or bicycle passage;
- D. The closure of the abandoned driveway approach benefits not so much to the property owner as pedestrian and vehicular traffic in the area.

When in the opinion of the General Services Department and/or the Public Works Department, a curb cut or abandoned driveway approach should be closed, and the adjoining property owner protests the closing, the protester shall be notified that he will have two weeks to appeal the staff decision to the City Council. That appeal must be in writing and may be filed through the mail. If an appeal is not made, the City shall proceed with the closure. If an appeal is made, a hearing shall be held by the City Council, and the decision of the Council shall be final.

Nothing in this section shall be construed as relieving adjoining property owners from the responsibility for closure of abandoned curb cuts as a condition of permit approval for new construction or for obtaining a curb cut permit for an alternative driveway location on the same parcel.

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