

**CONTROL OF ACCESS TO STREETS AND HIGHWAYS
(DRIVEWAYS)**

PARENT ORDINANCE NO. 23-1996

AMENDED BY ORDINANCES 21-2019; 3-2020; 5-2021; 24-2022

CITY OF VAN BUREN, ARKANSAS

ORDINANCE NO. 23 -1996

As amended by Ordinances 21-2019; 3-2020; 5-2021 and 24-2022

AN ORDINANCE FOR THE CONTROL OF ACCESS TO STREETS AND HIGHWAYS.

ARTICLE 1. Authority.

This Ordinance is adopted under the authority of A.C.A. Section 14-56-401 and following, and A.C.A. Section 14-56-419, and shall be known as the "VAN BUREN CONTROL OF ACCESS ORDINANCE".

ARTICLE 2. Purpose.

To provide for a safe and convenient means of vehicular ingress or egress, for commercial and industrial zones and uses, between a parcel or parcels of land and a public right-of-way whether or not the public right-of-way is a city street, a state highway, or U.S. Highway.

ARTICLE 3. Access.

Section 1. Access.

Access to lots or businesses within proposed commercial or industrial subdivisions or sites shall be provided according to the following standards:

Section 2. Commercial Sites & Subdivision.

Commercial Subdivisions: commercial subdivisions or sites shall be designed to provide access to individual lots or businesses within the subdivision or site through the provision of a driveway(s) from the adjacent street or highway. Commercial subdivisions or sites on state or U.S. Highways shall have driveway(s) designed in accordance with the Arkansas State Highway and Transportation Department's driveway regulations which are in effect at the time of the proposed development or the City of Van Buren's Control of Access Regulations. Under no circumstances shall a driveway be designed or constructed to standards less restrictive than those contained in the Van Buren Control of Access Regulations. The Van Buren Planning Commission reserves the right to grant a variance pertaining to the literal interpretation of these regulations when it is found that a distinct and unique hardship will result from the strict enforcement of these regulations and that the hardship is specific to the property or properties in question and that the hardship(s) encountered by the petitioner has not been caused by any action of the petitioner. Hardship is further defined under Article 6 of this ordinance.

Section 3. Commercial Standards.

Commercial subdivisions or sites with proposed access to public rights-of-way within jurisdictional area of the City of Van Buren shall conform to the following standards:

- A. Commercial subdivisions or sites with public right-of-way frontage of 80 feet or less shall be limited to one (1) driveway which shall be designed for both ingress and egress.
- B. Commercial subdivisions or sites with public right-of-way frontage 81 feet to 200 feet shall be limited to two (2) driveways where one may be restricted to ingress and one restricted to egress, or where both may be designed for ingress and egress. In cases where each driveway is designed for both ingress and egress, they shall be constructed in such a manner that will provide safe and unrestricted vehicular turns and without sight restrictions for any and all turns.
- C. Commercial subdivisions or sites with public right-of-way frontage of 201 feet to 500 feet shall be limited to two (2) driveways where at least one of the driveways is designed for both ingress and egress.
- D. Commercial subdivisions or sites with public right-of-way frontage in excess of 501 feet may have three (3) driveways spaced, at a minimum, of 100 feet as measured from the outside limit between driveway radii. A maximum of four (4) driveways shall be allowed for any one commercial subdivision or commercial site. The Van Buren Planning Commission may approve a commercial subdivision or site with more than four (4) driveways if the proposed subdivision or site demonstrates the need for additional access based on traffic control and safety.
- E. Commercial subdivision or site access shall be designed with minimum turning radii of 25 feet, and a minimum distance of 75 feet from an existing or proposed intersecting street, (as measured from the street right-of-way).
- F. The minimum width of a commercial subdivision or site access driveway shall be 24 foot for both one-way and for two-way driveways. All driveway widths shall be measured along the right-of-way at the inner limits of the curbed radii.
- G. Whenever practical, shared access shall be encouraged for adjacent commercial subdivisions or sites, whether the subdivisions or sites are existing and being improved or are proposed for development. Depending on the size and location of existing or proposed commercial subdivisions, and in conformance with the standards identified in this ordinance, no more than two commercial subdivisions or sites may share any access for ingress or egress to a public right-of-way. If it is practical to share access according to this section, all standards of this ordinance must be met in designing ingress or egress to a public way.
- H. Commercial Access through Residentially zoned or used property. Driveway access from a commercial site or subdivision that routes traffic through a residential zoning district or residentially used property shall require a conditional use permit from the Van Buren Planning Commission prior to construction. Existing sites that have sole access through a residentially

zoned district or residentially used property and that are zoned or commercially developed prior to the effective date of this amendment are exempt from this requirement.

Section 4. Industrial Sites and Subdivisions.

Industrial subdivisions or sites with proposed access to public right-of-way within the jurisdiction of the city of Van Buren shall conform to the following standards:

A. Industrial subdivisions or sites with public right-of-way frontage of 100 feet or less shall be limited to one (1) driveway which shall be designed for both ingress and egress.

B. Industrial subdivisions or sites with public right-of-way frontage of 101 feet to 200 feet shall be limited to two (2) driveways where one may be restricted to ingress and one restricted to egress. In cases where each driveway is designated for both ingress and egress, they shall be constructed in such a manner that will provide safe and unrestricted vehicular turns and without sight restrictions for any and all turns.

C. Industrial subdivisions or sites with public right-of-way frontage of 201 feet to 500 feet shall be limited to two (2) driveways where at least one of the driveways is designed for both ingress and egress.

D. Industrial subdivisions or sites with public right-of-way frontage in excess of 500 feet may have three (3) driveways spaced, at a minimum, of 100 feet as measured from the outside limit between driveway radii. A maximum of four (4) driveways shall be allowed for any one industrial subdivision or site. The Van Buren Planning Commission may approve an industrial subdivision or site with more than four (4) driveways if the proposed subdivision or site demonstrates the need for additional access based on traffic control and safety.

E. Industrial subdivision or site access shall be designed with minimum turning radii of 40 feet and a minimum distance of 100 foot from an existing or proposed intersection of a street.

F. To the extent possible, ingress and egress for truck and other vehicular traffic shall be provided through separate and distinct access for each type of vehicular traffic.

G. The minimum width of an industrial subdivision or site driveway shall be 24 feet for a one-way driveway and 40 feet for a two-way driveway. All driveway widths shall be measured along the right-of-way at the inner limits of the curbed radii.

H. Industrial Access through Residentially zoned or used property. Driveway access from an industrial site or subdivision that routes traffic through a residential zoning district or residentially used property shall require a conditional use permit from the Van Buren Planning Commission prior to construction. Existing sites that have sole access through a residentially zoned district or residentially used property and that are zoned or industrially developed prior to the effective date of this amendment are exempt from this requirement.

Section 5. Residential Sites and Subdivisions

- A. Collector or arterial streets – Any lot that includes a single-family dwelling, row house, or duplex shall not have access along any street designated on the master street plan as a Principal Arterial, Minor Arterial, Collector Street Class I, or Collector Street Class II.
- B. Corner lots – Single family dwellings, row houses, or duplex lots shall have access from the lowest classified street according to the street classifications of the Master Street Plan. If the streets have the same classification, the dwelling unit may have access to either of the streets.
- C. Double frontage lots – When a residential lot has street frontage on the front and back of the lot, driveway access is permitted on only one (1) street and the access must be from the lowest classified street as classified on the Master Street Plan.

ARTICLE 4. Review of Requests For Access.

Section 1. Procedure.

All requests for proposed access from any lot or lots onto a public right-of-way whether or not the public right-of-way is a city street, state highway or U. S. Highway shall be submitted to the Van Buren Building Inspector for review. Requests for access will normally be a part of the permitting procedure for building permits. When requested, the Building Inspector may require any or all of the following criteria for review and approval:

SECTION 2. Criteria for Review of Requests for Access.

- A. Possible or potential impacts on vehicular traffic safety.
- B. Vehicular traffic generation and control as a result of the proposed commercial or industrial subdivision or site.
- C. Impacts of the projected vehicular traffic volumes and turns on the adjacent public right-of-way resulting from the proposed commercial or industrial subdivision or site.
- D. Conformity of the proposed circulation plan and access requests of the proposed commercial or industrial subdivision or site to the Van Buren Master Street Plan and the Bi-State Long Range Transportation Plan.
- E. Topographical conditions of the proposed commercial or industrial subdivision or site.
- F. Horizontal and vertical curvature conditions of the public right-of-way within 500 feet of the proposed access driveway or driveways.

ARTICLE 5. Authority of Planning Commission to Request Additional Information.

Prior to any Van Buren Planning Commission action or recommendation, the Planning Commission may request the developer or agent of the proposed commercial or industrial subdivision or site to prepare responses to questions or concerns regarding any one or more of the Criteria for Review of Requests For Access. Such responses may then be used by the Van Buren Planning Commission in formulating its recommendation to the Van Buren City Council.

ARTICLE 6. Hardship.

Any developer of a proposed residential, commercial or industrial subdivision or site, of a proposed improvement to an existing residential, commercial or industrial subdivision or site may request a variance from the literal interpretation of this ordinance when such request indicates that a hardship will result from the strict enforcement of this ordinance. Such hardship(s) that are indicated in the request must be unique to the property in question and not shared by other properties in the immediate area. Such hardship(s) must indicate that the strict enforcement of this ordinance would render the property in question useless and prevent the owner or developer from practical utilization of the property. Variance applications will be reviewed by the Van Buren Planning Commission. The procedures for processing a variance application shall comply with the requirements specified in Article VIII, Section 3 of the Van Buren Zoning Code.

ARTICLE 7. Driveway Construction Specifications.

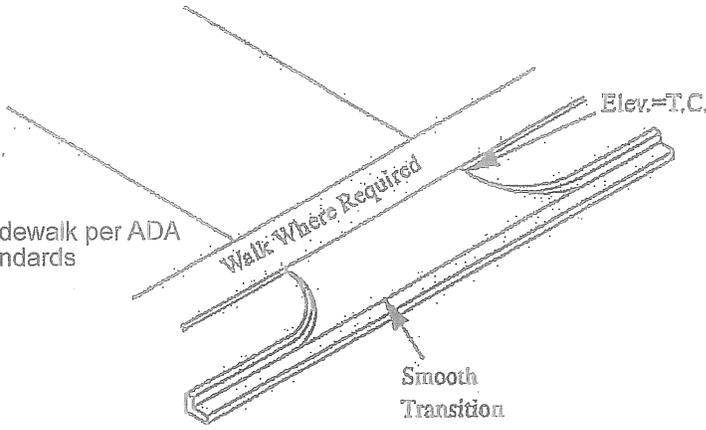
Upon approval of any access permit; commercial and/or industrial, driveways shall be designed in accordance with the driveway design specifications contained in illustration "A" (found as an I attachment to this ordinance) and shall be in accordance with the following driveway construction specifications:

- A. All portions of driveways; commercial, residential, or industrial within the street right-of-way shall be constructed to a minimum thickness of six (6) inches of Portland cement with a 6" X 6" six gauge welded wire fabric or fiber mesh concrete. Concrete shall have a compressive strength of 3,000 pounds per square inch in 28 days and conform to the current specifications of the Arkansas State Highway and Transportation Department. All concrete to be mixed, placed, and cured according to the American Concrete Institute, ACI-318.
- B. Commercial and/or industrial driveways and approaches shall be constructed to a minimum thickness of six (6) inches of Portland cement with a 6" X 6" six gauge welded wire fabric or fiber mesh concrete. Concrete shall have a compressive strength of 3,000 pounds per square inch in 28 days and conform to the current specifications of the Arkansas State Highway and Transportation Department.
- C. The City of Van Buren may, as a result of exceptional circumstances, approve other materials for driveway and driveway approach construction.

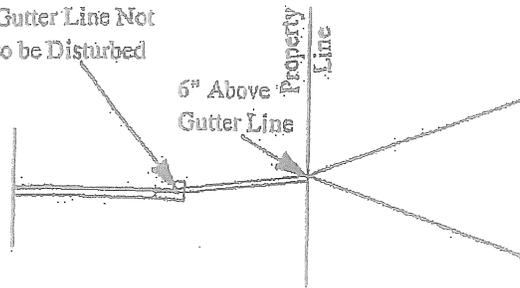
D. All driveways and driveway approaches shall be designed and constructed according to the specifications contained in Article 8 and illustration "A" of this ordinance unless permission to deviate from these specifications is expressly given by the City of Van Buren.

All Driveways Shall Have an Expansion Joint at the Property Line.

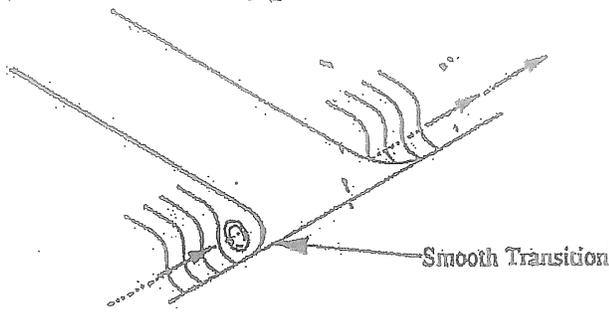
Construct Sidewalk per ADA and City Standards



Smooth Transition
Gutter Line Not to be Disturbed

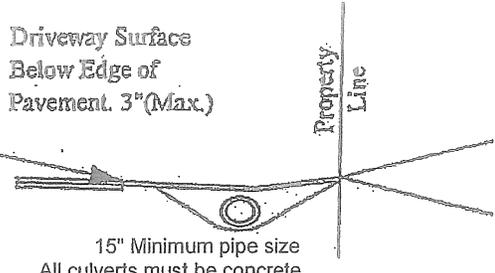


Typical Estate Type Installation

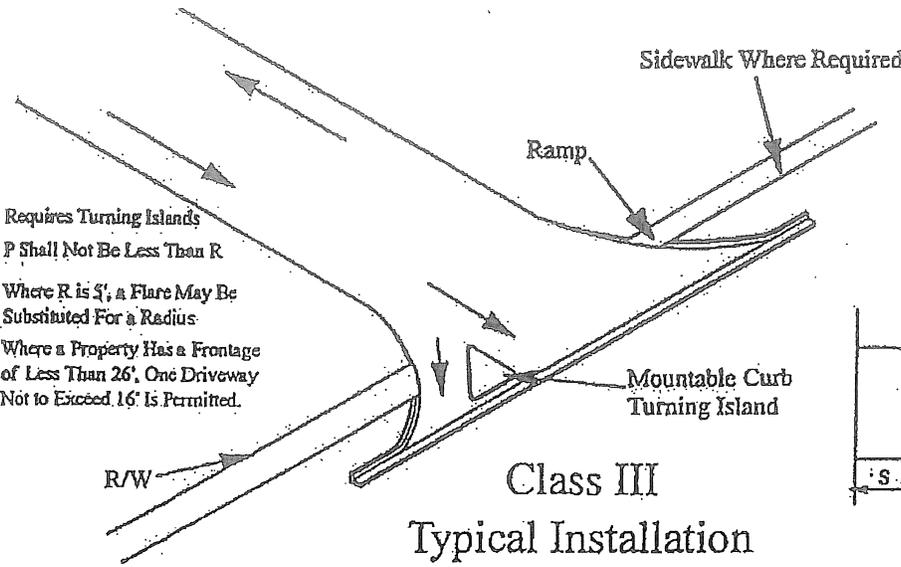


Driveway Surface Below Edge of Pavement. 3" (Max.)

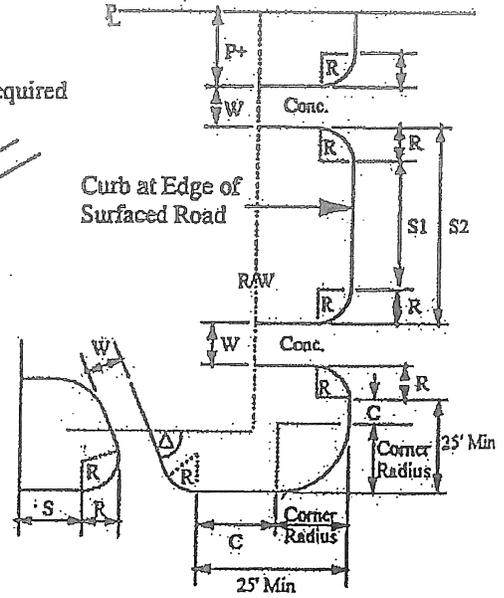
15" Minimum pipe size
All culverts must be concrete



- * Requires Turning Islands
- o P Shall Not Be Less Than R
- ∩ Where R is 3', a Flare May Be Substituted For a Radius
- + Where a Property Has a Frontage of Less Than 26', One Driveway Not to Exceed 16' Is Permitted.

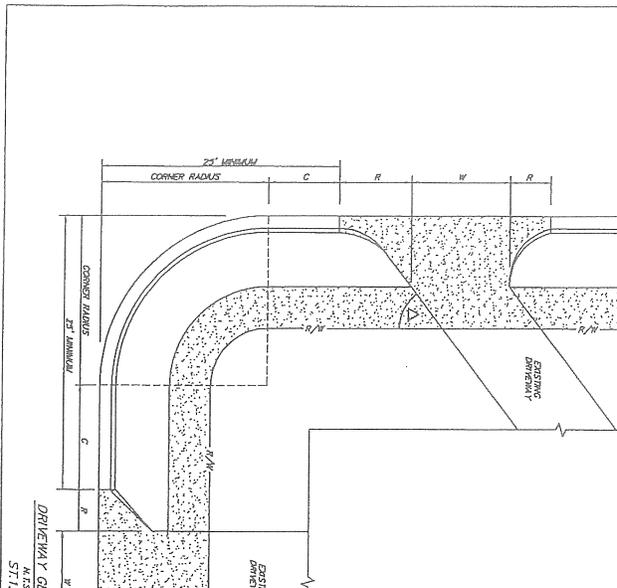


Class III
Typical Installation



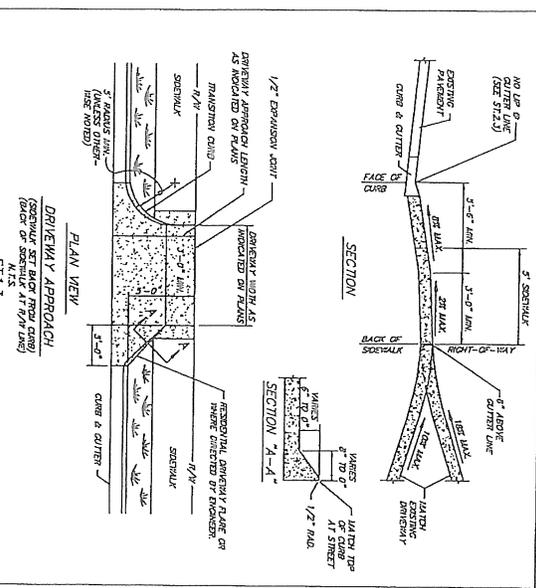
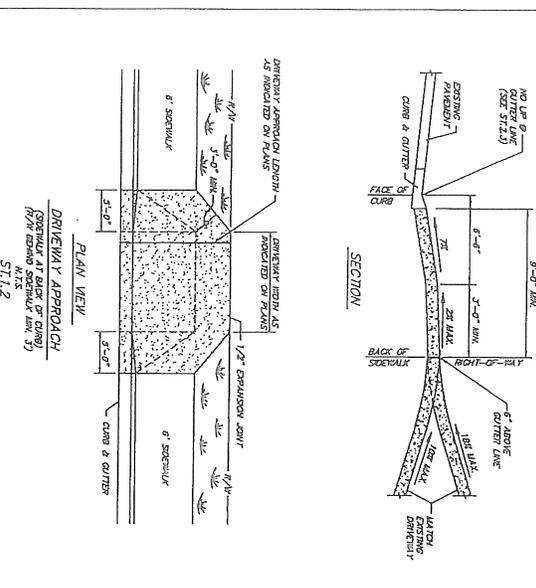
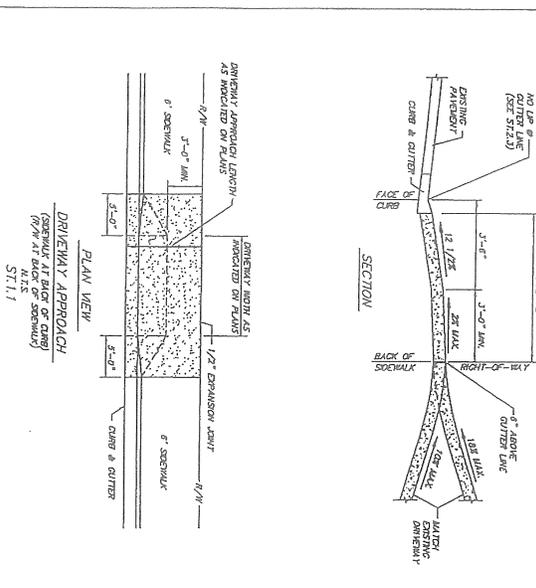
	W		R ^{min}		P ^{min}	Δ		C	S1	S2	Thickness
	Min	Max	Min	Max	Min	Min	Max	Min	Min	Min	Min
Class I	12'	30'	5'	15'	5'	60	120	10	10'	25'	6"
Class I-DP	12'	40'	5'	15'	5'	60	120	10'	10'	25'	6"
Class II	20'	40'	5'	30'	5'	60	120	10	10'	25'	6"
Class III	24'	50'	20'	50'	20'	75	105	10'	10'	50'	6"

Driveway Ordinance
Exhibit "A"



DRIVEWAY GEOMETRICS
A.1.2.5
ST.1.4

CLASS	MIN. DRIVEWAY WIDTH	MIN. DRIVEWAY LENGTH	MIN. DRIVEWAY WIDTH	MIN. DRIVEWAY LENGTH	MIN. DRIVEWAY WIDTH	MIN. DRIVEWAY LENGTH
CLASS I	12'	36'	15'	7'	50'	104'
CLASS II	12'	36'	15'	7'	50'	104'
CLASS III	12'	36'	15'	7'	50'	104'
CLASS IV	12'	36'	15'	7'	50'	104'
CLASS V	12'	36'	15'	7'	50'	104'
CLASS VI	12'	36'	15'	7'	50'	104'
CLASS VII	12'	36'	15'	7'	50'	104'
CLASS VIII	12'	36'	15'	7'	50'	104'
CLASS IX	12'	36'	15'	7'	50'	104'
CLASS X	12'	36'	15'	7'	50'	104'



DRIVEWAY APPROACH THICKNESS
CONCRETE - 6" MINIMUM
ASPHALT - 4" MINIMUM
GRAVEL - 6" MINIMUM
SAND FILL - 6" MINIMUM

NOTES

1. DRIVEWAYS WITH FINISHING OF 24 FEET OR LESS SHALL BE LIMITED TO ONE DRIVEWAY PER LOT. DRIVEWAYS LONGER THAN 24 FEET SHALL BE LIMITED TO ONE DRIVEWAY PER LOT. DRIVEWAYS LONGER THAN 24 FEET SHALL BE LIMITED TO ONE DRIVEWAY PER LOT.
2. ALL DRIVEWAY LOCATIONS SHALL BE SUBJECT TO REVIEW AND APPROVAL BY THE CITY.
3. DRIVE CHANGES BEYOND RIGHT-OF-WAY TO BE REVIEWED BY THE CITY.
4. DRIVEWAY LOCATIONS BEYOND RIGHT-OF-WAY TO BE REVIEWED BY THE CITY.
5. DRIVEWAY LOCATIONS BEYOND RIGHT-OF-WAY TO BE REVIEWED BY THE CITY.
6. DRIVEWAY LOCATIONS BEYOND RIGHT-OF-WAY TO BE REVIEWED BY THE CITY.
7. ANY EXISTING CURB & GUTTER SHALL BE COMPLETELY REMOVED TO THE RIGHT OF THE DRIVEWAY. ANY EXISTING SIDEWALK SHALL BE COMPLETELY REMOVED TO THE RIGHT OF THE DRIVEWAY. ANY EXISTING DRIVEWAY SHALL BE COMPLETELY REMOVED TO THE RIGHT OF THE DRIVEWAY.
8. CURB & GUTTER SHALL BE CONSTRUCTED TO THE RIGHT OF THE DRIVEWAY. SIDEWALK SHALL BE CONSTRUCTED TO THE RIGHT OF THE DRIVEWAY. DRIVEWAY SHALL BE CONSTRUCTED TO THE RIGHT OF THE DRIVEWAY.