

**§ 195-24. Lots and driveways.**

- A. Lot and driveway arrangement. The lot arrangement shall be such that there will be no foreseeable difficulty, for reasons of topography or other conditions, in securing building permits to build on all lots in compliance with the Zoning chapter,<sup>1</sup> and the County Health Department regulations, and in providing driveway access to buildings on such lots from an approved street or private road in compliance with the driveway requirements of the Zoning chapter. Subject to the provision of access easements and a maintenance declaration or agreement suitable to the City Attorney, which documents shall be filed with the deeds to the subject lots, the Planning Board may approve the use of a common driveway for a maximum of two lots, if the Board determines that the use of said common driveway is more beneficial to the safety, welfare or convenience of the proposed users of the driveway and/or the people of the City in general than would be the case with separate driveways.
  
- B. Lot dimensions.
  - (1) Except as provided elsewhere in this chapter or otherwise permitted by the City Council, lot area and dimensions shall comply with at least the minimum standards of the Zoning chapter for the district in which they are located. Where lots are more than double the minimum required area, the Planning Board may require that they be arranged so as to allow for further subdivision and the opening of future streets where necessary to serve such potential lots, all in compliance with the Zoning chapter and this chapter. Where, in the opinion of the Planning Board, lots of larger than minimum size are required for purposes of proper drainage, water supply, waste disposal, or the preservation of important ecological features, the Board may require such oversized lots as a condition of plat approval.
  
  - (2) Side lot lines shall generally be at right angles to street or private road lines (or radial to curving street or private road lines) unless the Planning Board allows a variation from this rule to give a better street, private road or lot arrangement. Dimensions of corner lots shall be large enough to allow for erection of buildings observing the minimum front yard setback from both streets or private roads.

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1. Editor's Note: See Ch. 223, Zoning.

- (3) Where a proposed subdivision includes an existing residence larger in size than can appropriately be placed on a lot of the minimum size permitted in the zoning district, the Planning Board may require:
- (a) That the lot be of such size and relationship to the proposed street or private road system that the structure will be an appropriate and harmonious part of the subdivision; and
  - (b) Restrictions such that the lot not be resubdivided in the future.
- C. Access from major and collector streets. Lots shall not, in general, derive access from a major or collector street, but shall front on a minor interior street or private road. Where driveway access from a major or collector street may be necessary for two adjoining lots, the Planning Board may require that such lots be served by a common access drive in order to limit the possible traffic hazard on such street. Any such driveways, where permitted, shall be designed in such a way as to provide adequate and convenient area for the turnaround of vehicles so as to avoid requiring them to back into traffic on such streets and private roads.
- D. Double frontage lots. Lots fronting on two streets or private roads, other than corner lots, shall be avoided except where deemed essential by the Planning Board in order to provide separation of residential development from major or collector streets, or to overcome problems of topography or orientation. The Planning Board may require access limitation and/or buffer landscaping for such double frontage lots where the Board determines that such measures would be appropriate.
- E. Water bodies. If a subdivision contains a water body, or portion thereof, lot lines shall be drawn so as to distribute the entire ownership of the water body among the fees of the adjacent lots, unless the Planning Board approves an alternate plan whereby the ownership of and responsibility for the safety of the water body is so placed that it will not become a City responsibility.
- F. Access across a watercourse. Where a watercourse separates the buildable area of a lot from the street or private road by which it has access, provision shall be made for the installation of a bridge, culvert or other drainage facility of a design approved by the Planning Board based upon recommendation of the City

Engineer, to provide satisfactory access across such watercourse for fire, police and other emergency equipment.

G. Subdivisions with land in two or more zoning districts or municipalities.

(1) In general, a lot should not be divided by a zoning district or municipal boundary. If it is, however, necessary for a zoning district boundary to cross a lot, such lot shall be designed so that it can be readily developed in accordance with the standards of the more restrictive zoning district. If it is necessary for a municipal boundary line to cross a lot, the Planning Board may require suitable legal agreements to assure that the two portions of the lot will not be separated in the future and that the portion of the lot in the adjoining municipality will not be used for any purpose that would make it nonconforming if the entire lot were located within the City of Beacon.

(2) Whenever a subdivision includes land in two or more zoning districts and/or municipalities, the location of the zoning district and/or municipal boundary line shall be shown on the plat and, in addition, where zoning boundaries are involved, the following notation shall be added: "Existing zoning boundaries as of \_\_\_\_\_, 20 \_\_\_\_\_."

H. Driveways.

(1) The developer and/or owner shall design and construct all driveways within the limits of the right-of-way with sufficient sight distance and with a grade of no more than one-half inch per foot from the curbline or edge of roadway pavement to a point 20 feet from the curbline or edge of roadway pavement. The minimum width of the driveway pavement at the curb or street line shall be 14 feet, tapering to a minimum of 10 feet at the right-of-way line.

(2) All driveways shall be graded to the satisfaction of the Street Superintendent and City Engineer prior to the surfacing of such driveways.

(3) The driveway surface shall be constructed of a dust-free surface material and shall be six inches in depth.

I. Common driveways.

(1) The developer and/or owner shall design and construct all common driveways within the limits of the right-of-way with

sufficient sight distance and with a grade of no more than one-half inch per foot from the curbline or edge of roadway pavement to a point 20 feet from the curbline or edge of roadway pavement. The minimum width of the driveway pavement at the curbline or street line shall be 16 feet. At locations where individual driveways branch off from the common driveway, these driveways shall be a minimum of 10 feet in width.

- (2) All common driveways shall be graded to the satisfaction of the Street Superintendent and City Engineer prior to the surfacing of such driveways.
- (3) The common driveway surface shall be constructed of a dust-free surface material and shall be six inches in depth.
- (4) Common driveways shall be permitted in residential districts when approved by the Planning Board. In determining the appropriateness of a common driveway, the Planning Board shall consider whether it will minimize adverse environmental effects on the site, the length of the road, overall density, proposed offset of driveways, road grades and center line radius, setback requirements, and all other generally accepted planning standards.