

## **ARTICLE 20.00 ACCESS MANAGEMENT STANDARDS**

### **Section 20.01 Statement of Purpose**

The purpose of this Article is to establish minimum regulations for access to property. Standards are established for new roads, driveways, shared access, parking lot cross access, and service roads. The standards of this Article are intended to promote the following:

- Safe and efficient travel within Bangor Township;
- minimize disruptive and potentially hazardous traffic conflicts;
- ensure safe access by emergency vehicles;
- protect the substantial public investment in the street system by preserving capacity and avoiding the need for unnecessary and costly reconstruction which disrupts business and traffic flow;
- separate traffic conflict areas by reducing the number of driveways;
- provide safe spacing standards between driveways, and between driveways and intersections;
- provide for shared access between abutting properties;
- implement the recommendations contained within the Township Master Plan and the M-13 Access Management Corridor Plan, dated September 2015;
- reduce conflicts with pedestrians and bicyclists traveling along the road;
- provide special procedures to improve compliance with the standards where current access is non-conforming;
- implement the recommendations contained within the Township Master Plan;
- ensure reasonable access to properties, though not always by the most direct access;
- and to coordinate access decisions with the Michigan Department of Transportation and the Bay County Road Commission, as applicable.

### **Section 20.02 Application of Standards**

- A. The standards of this Article area are based on extensive traffic analysis research. The standards in this Article apply to all non-residential private and public land along road rights-of-way which are under the jurisdiction of the Bay County Road Commission or the Michigan Department of Transportation (MDOT).
- B. The access standards contained herein shall be required in addition to, and where more restrictive and permissible shall supersede, the requirements of the Michigan Department of Transportation and the Bay County Road Commission.
- C. The standards contained in this Section shall apply to all uses, regulated by zoning, except permitted single-family and two-family dwelling units.
- D. The standards herein refer to all access points (driveways, street intersections and private road intersections) except a driveway to a single family or two-family home on a single lot or parcel.

- E. Contiguous properties under one ownership or consolidated for unified development shall be considered one parcel for the purposes of this Article.
- F. No driveway shall interfere with municipal facilities such as streetlight or traffic signal poles, signs, fire hydrants, cross walks, bus loading zones, utility poles, fire alarm supports, drainage structures, or other necessary street structures. The Township Building Official is authorized to order and effect the removal or reconstruction of any driveway that is constructed in conflict with street structures. The cost of reconstructing or relocating such driveway shall be at the expense of the property owner.
- G. No road, driveway, shared access, parking lot cross access, service road, or other access arrangement shall be established, reconstructed, or removed without first meeting the requirements of this Article.
- H. For expansion or redevelopment of existing sites, where the Planning Commission determines full compliance with the standards of this Section is unreasonable or unnecessary, the standards shall be applied to the maximum extent possible. In such situation, suitable alternatives which substantially achieve the purpose of this Section may be accepted by the Planning Commission, provided the requested modification is acceptable to the enforcing road agency (MDOT or BCRC) and that the applicant demonstrates two (2) or more of the following apply:
  - 1. The size of the parcel is insufficient to meet the dimensional standards.
  - 2. The spacing of existing, adjacent driveways or environmental constraints prohibit adherence to the access standards at a reasonable cost.
  - 3. The use will generate less than five hundred (500) total vehicle trips per day or less than seventy-five (75) total vehicle trips in the peak hour of travel on the adjacent street, based on rates developed by the Institute of Transportation Engineers.
  - 4. There is no other reasonable means of access.
  - 5. Public safety will not be compromised by the modification sought.
- I. No driveway shall create a situation where adequate sight distance cannot be provided, as determined by the road agency with jurisdiction.

### **Section 20.03 General Standards for Driveway Location**

- A. Driveways shall be located to minimize interference with the free movement of traffic, to minimize interruption of traffic operations at intersections, to minimize need for additional crossovers for any median, to reduce conflicts with existing access points on both sides of a roadway, to provide adequate sight distance, and to provide the most favorable driveway grade.
- B. Driveways, including the radii but not including right turn lanes, passing lanes and tapers, shall be located entirely within the right-of-way frontage, unless otherwise approved by the Michigan Department of Transportation or Bay County Road Commission, as applicable,

and upon written certification from the adjacent property owner agreeing to such encroachment.

- C. The Planning Commission shall consider the following factors prior to making a decision on the location of a driveway or other access point:
1. The characteristics of the proposed or existing land use;
  2. The existing traffic flow conditions and future traffic demand anticipated by the proposed development on the adjacent street system;
  3. The location of the property;
  4. The size of the property;
  5. The orientation of structures on the site;
  6. The minimum number of driveways or other access points needed to accommodate the anticipated traffic based on a traffic analysis, as determined by the Township and the appropriate road agency (MDOT or BCRC). The Township or road agency may require a traffic impact study to be prepared by the applicant, as described in Article 5.00.
  7. The number and location of driveways on existing adjacent and opposite properties;
  8. The location and functional classification of abutting streets or roads and the carrying capacity of nearby intersections;
  9. The proper geometric design of driveways;
  10. The spacing between opposite and adjacent driveways and from any nearby intersection;
  11. The internal circulation between driveways and through parking areas;
  12. The size, location, and configuration of parking areas relative to the driveways; and
  13. The posted speed limit of the adjacent roadway.
  14. The potential for shared access with adjacent properties now or in the future.

#### **Section 20.04 Standards for the Number of Driveways**

The number of driveways shall be the minimum necessary to provide reasonable access for regular traffic, service vehicles and emergency vehicles, while preserving traffic operations and safety along the public roadway.

- A. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway with an easement or a

service drive. Where it is not possible to provide shared access, this access may be by a single driveway.

- B. An additional driveway(s) may be permitted under one of the following:
1. One (1) additional driveway may be allowed for properties with a continuous frontage along one (1) roadway of over five hundred (500) feet, and one (1) additional driveway for each additional five hundred (500) feet of frontage, if the Planning Commission determines the design meets the purpose and standards of this Article.
  2. Two one-way driveways may be permitted along the frontage of a single road if the frontage is at least one hundred twenty five (125) feet, provided the driveways do not interfere with the operations of other driveways or along the street.
  3. An additional driveway designed and designated for service vehicles may be considered for commercial or industrial uses of over 100,000 square feet where the location of the access will not unduly interfere with traffic operations along the roadway or conflict with nearby access points.
  4. The Planning Commission may determine additional driveways are justified when a traffic impact study in accordance with Article 5.00, submitted by the applicant and accepted by the Township and road agency, clearly demonstrates that a poor Level of Service (E or F, as described in the Highway Capacity Manual, by the Transportation Research Board, Washington D.C.) would result at the access point and the additional access point will not compromise traffic operations or safety along the roadway. The burden of such documentation lies on the applicant.
  5. An additional driveway may be considered for an existing or proposed development that generates one hundred (100) or more trips during the peak hour of traffic based on a traffic impact study submitted in accordance with Article 5.00.

### **Section 20.05 Driveway Spacing Standards**

- A. Minimum spacing requirements between a proposed driveway and an intersection shall be measured from the near edge of the proposed driveway, measured at the throat perpendicular to the street, to the near lane edge of the intersecting crossroad, in accordance with the following table:

| <b>MINIMUM DRIVEWAY SPACING FROM STREET INTERSECTIONS</b>                                  |   |  |
|--|---|--|
| <b>Location of Driveway</b>  | <b>Minimum Spacing for a Full Movement Driveway or other access point</b> | <b>Minimum Spacing for a Channelized <sup>1</sup> Driveway</b> |
| Along Major Thoroughfare <sup>2</sup> ,<br>Intersecting Street is a Major Thoroughfare     | 300 feet  | 125 feet   |
| Along Major Thoroughfare <sup>2</sup> ,<br>Intersecting Street is not a Major Thoroughfare | 200 feet  | 125 feet   |
| Along Other Roads  | 75 feet   | 50 feet  |

<sup>1</sup> Channelized driveway is one that includes a physical design that prevents left turns into and out of a site. This design may be supplemented by signs, but signs alone shall not meet the requirement for a channelized driveway.

<sup>2</sup> Major thoroughfares include: Euclid Road (M-13), Wilder Road, Kiesel Road, North Union Road, Midland Road, Fisher Road, Wheeler Road, Old Kawkawlin Road, and any other County primary roads, state trunklines or roads with a right-of-way of at least eighty six (86) feet.

- B. To reduce left-turn conflicts, new driveways or other access points shall be aligned with those across the roadway where possible. If alignment is not possible, driveways should be offset a minimum of one hundred fifty (150) feet from those on the opposite side of the roadway. Longer offsets may be required depending on the current and expected inbound left-turn volumes of the driveways.
  
- C. Minimum spacing between two driveways or other access points, measured from near edge to near edge of the driveways, shall be determined based upon posted speed limits along the parcel frontage.

| <b>SPACING BETWEEN COMMERCIAL DRIVEWAYS</b> |   |
|---|---|
| <b>Posted Speed Limit (MPH)</b>             | <b>Minimum Driveway Spacing (In Feet)</b> |
| 25  | 125                                       |
| 30  | 155                                       |
| 35  | 185                                       |
| 40  | 225                                       |
| 45  | 300                                       |
| 50 and higher                               | 330                                       |

## Section 20.06 Standards for Shared Driveways and Service Roads

The use of shared driveways and service roads, in conjunction with driveway spacing, is intended to preserve traffic flow along major thoroughfares and minimize traffic conflicts, while retaining reasonable access to the property. Where noted above, or where the Planning Commission determines that reducing the number of access points may have a beneficial impact on traffic operations and safety while preserving the property owner's right to reasonable access, access from a side street, a shared driveway or service road connecting two or more properties or uses may be required. Documentation of any necessary shared driveway, cross access, connected parking lot or service drive easements shall be provided to the Township and recorded with the County. Operating and maintenance agreements must also be provided.

- A. In particular, service drives, frontage roads or parking lot maneuvering lane connection between lots or uses may be required to be constructed by the applicant, or easements for such a drive in the future provided, in the following cases:
  - 1. Where the spacing standards between driveways or from intersections cannot reasonably be met.
  - 2. When the driveway could potentially interfere with traffic operations at an existing or potential traffic signal location.
  - 3. Where the site is along a portion of a major thoroughfare where congestion exists or there is a recorded history of a high number or rate of accidents in relation to similar locations in the Township or along similar roadways in the state.
  - 4. The property frontage has limited sight distance.
  - 5. The fire department recommends a second means of emergency access.
- B. Where the construction of the service drive will occur in the future, a timing mechanism and funding commitment for construction shall be provided.
- C. Service drives shall be constructed in accordance with the specifications of the Township Engineer. Generally, the pavement width shall be at least 24 feet, with no parking. Access points to the service drive shall be in accordance with the applicable spacing standards of this Article.

## Section 20.07 Driveway Design

Driveways shall be designed according to the standards of the MDOT or the BCRC and in accordance with the following:

- A. **Driveway or Throat Width**

For a typical driveway design shall include one (1) ingress lane and one (1) egress lane with a combined maximum throat width of thirty (30) feet, measured from the face to face of curb (See Bay County Road Commission and Michigan Department of Transportation standards)

**B. Need for Two Egress Lanes**

For high traffic generators, (uses producing fifty (50) peak hour left turns, or where left turn movements have Level of Service D or worse, as described in the Highway Capacity Manual, by the Transportation Research Board, Washington D.C.) or for driveways along roadways experiencing or expected to experience congestion, as determined by the Planning Commission, two egress lanes may be required (one being a separate left turn lane). The total width of such a driveway shall be between thirty seven (37) and thirty nine (39) feet, with one fifteen (15) foot wide ingress lane and two (2) 11-12 foot wide egress lanes (See Bay County Road Commission and Michigan Department of Transportation standards).

**C. Boulevard Entrances**

Where a boulevard entrance is designed by the applicant or required by the Planning Commission, a fully curbed island shall separate the ingress and egress lanes. The radii forming the edges on this island shall be designed to accommodate the largest vehicle that will normally use the driveway. The minimum area of the island shall be one hundred eighty (180) square feet. The Planning Commission may require landscaping on the island, however any portion within the public right-of-way shall conform to applicable road agency standards. Such landscaping shall be not less than ten (10) feet in width and tolerant of roadway conditions.

**D. Clear Vision**

All commercial driveways shall provide an unobstructed clear vision between a height of thirty (30) inches and six (6) feet in a triangular area measured ten (10) feet back from the point of intersection of the driveway and the street right-of-way.

**E. Acceleration and Deceleration Lanes**

Where it is demonstrated that driveway volumes are expected to exceed one hundred (100) directional trips during peak hour, a right turn taper, deceleration land, or left-turn by-pass lane may be required. Acceleration lanes shall generally not be permitted within the Township, however, where site frontage allows large semi-trucks or other slow moving vehicles to obtain routine access, an acceleration lane may be required in consultation with the appropriate road agency. Any necessary acceleration or deceleration lanes shall meet the standards of the applicable agency and/or the Township Engineer.

**F. Throat Length or Vehicle Stacking Space**

There shall be a minimum of twenty (20) feet of throat length for entering and exiting vehicles at the intersection of a driveway and pavement of the public road or service drive as measured from the pavement edge.

**Section 20.08 Nonconforming Driveways**

Driveways that do not conform to the regulations of this Article and were constructed before the effective date of this Article, shall be considered legal nonconforming driveways.

**A. Loss of Nonconforming Status**

The loss of legal nonconforming status results when a nonconforming driveway ceases to be used for its intended purpose, as shown on the approved site plan, or a plot plan, for a

period of twelve (12) months or more. Any reuse of the driveway may only take place after the driveway conforms to all of the aspects of this Article.

**B. Use of a Nonconforming Driveway**

1. Legal nonconforming driveway may remain in use until such time as the use of the driveway or property is changed or expanded in number of vehicle trips per day or in the type of vehicles using the driveway in such a way that impact the use of the driveway. At this time, the driveway shall conform to all aspects of this Article. Nothing in this Ordinance shall prohibit the repair, improvement, modernization of lawful nonconforming driveways, provided such work is done in accordance with the requirements of this Article.
2. When the owner of a property with an existing, nonconforming driveway or driveways, applies for a permit to upgrade or change the use of the property, the Planning Commission shall determine whether it is necessary and appropriate to retrofit the existing driveway or driveways.

The property owner may be required to establish a retrofit plan prior to site plan approval. The objectives of the retrofit plan will be to minimize the traffic and safety impacts of development by bringing the number, spacing, location and design of driveways into conformance with the standards and requirements of this Article, to the extent possible without imposing unnecessary hardship on the property owner. The retrofit plan may include:

- a. Elimination of driveways,
- b. Realignment or relocation of driveways,
- c. Provision of shared driveways and/or cross parking lot connections,
- d. Access by means of a service drive,
- e. Restriction of vehicle movements,
- f. Relocation of parking,
- g. Traffic demand management,
- h. Signalization,
- i. Such other changes as may enhance traffic safety.

**C. Illegal Nonconforming Driveways**

Driveways that do not conform to the regulations of this Ordinance and were constructed after adoption of this Ordinance shall be considered illegal nonconforming driveways. Illegal nonconforming driveways are a violation of this Ordinance. The property owner shall be issued a violation notice that may include closing off the driveway until such time as the nonconforming aspects of the driveway are corrected. Driveways constructed in illegal locations shall be immediately closed upon detection and all evidence of the



driveway removed from the right-of-way and site on which it is located. The property owner shall bear the costs of such removal.

### **Section 20.09 Modification of Standards for Special Situations**

During site plan review the Planning Commission shall have the authority to modify the standards of this Article upon consideration of all of the following:

- A. The standards would prevent reasonable access to the site.
- B. The site has insufficient frontage to meet the requirements of this Article.
- C. Access via a shared driveway or service/frontage road is not possible due to the presence of existing buildings or topographic conditions.
- D. Roadway improvements (such as the addition of a traffic signal, a center turn lane or bypass lane) will be made to improve overall traffic operations prior to project completion, or occupancy of the building.
- E. The use involves the redesign of an existing development or a new use that will generate less traffic than the previous use and does not pose a significant problem to safe and efficient traffic operations.
- F. The proposed location and design is supported by the Michigan Department of Transportation or the Bay County Road Commission depending on which agency has jurisdiction as an acceptable design under the existing site conditions. The Planning Commission may also request the applicant provide a traffic impact study to support the requested access design.
- G. The modification shall be for the minimum amount necessary, but in no case shall spacing of a full-access driveway be less than sixty six (66) feet width between the driveways, or less than fifty (50) feet between a driveway and an intersection.
- H. Where there is a change in use or expansion at a site that does not comply with standards herein, the Planning Commission shall determine the amount of upgrade needed in consideration of the existing and expected traffic pattern and the capability to meet the standards herein to the extent practical.