



RESOLUTION NO.	<u>2021-04</u>
INTRODUCED	<u>03/08/2021</u>
ADOPTED	<u>03/08/2021</u>
EFFECTIVE	<u>04/08/2021</u>

EVALUATION CRITERIA FOR DRIVEWAYS, PARKING AREAS, AND WALKWAYS USING PUBLIC WAYS AND PROPERTY

1. **USE OF EVALUATION CRITERIA** – As per the Washington Grove Code of Ordinances, Article III, Section 14, Construction in Public Ways and on Town Property:
 - The Planning Commission will review the location, character, and extent of the proposed work for consistency with the Washington Grove Comprehensive Plan, and/or with other evaluation criteria contained in the Town Charter, enacted Town ordinances, or adopted Town resolutions.

2. **DEFINITIONS** – For the purposes of the evaluation criteria provided below, the following words and phrases have the meanings stated, unless the context clearly indicates otherwise.
 - a. Driveway Apron – A paved or graveled area that is placed between the road pavement edge and the lot line for vehicular use. Also referred to as “driveway entrance” and these terms are interchangeable in these criteria. The driveway apron is the entire portion of a driveway or parking area located on the public way and/or on Town-owned property.
 - b. Lot – A lot is a developed or undeveloped parcel of land, having frontage on a public right of way and consisting of lots of record or portions thereof, or parcels described by metes and bounds, singly or in combination, in one ownership.
 - c. Lot Line – Any boundary line of a lot as herein defined.
 - d. Ordinary Maintenance and Repair – the minor routine activities needed to keep a driveway or parking facility, or walkway in, or return it to, working or usable condition. These activities typically involve replacement or renewal with in-kind materials. Major alterations (e.g., increases to square footage coverage, changes in location, or changes to surface material) are not considered ordinary maintenance and repairs.
 - e. Permit – A permit obtained from the Town in accordance with Article III, Section 14, Construction in Public Ways and on Town Property.
 - f. Public Right of Way – The area on, below, or above property that has been designated for use as or is used for a public roadway, highway, street, sidewalk, walkway, alley or similar purpose, and for purposes of these criteria shall include public utility easements.
 - g. Public Utility Easement – Unless otherwise specified or restricted by the terms of the easement, the area on, below, or above a property in which the property owner has dedicated an easement for use by utilities.
 - h. Public Way – Any street, avenue, road, highway, lane, alley or other right of way under the jurisdiction of the Town or Montgomery County, including curbs, gutters, sidewalks or storm drainage facilities.
 - i. Public Ways and Property – All public ways and Town-owned properties, including all public rights of way within the corporate limits of the Town.
 - j. Roadside Tree – A tree or shrub located in or partially in the public right of way of a street.
 - k. Street – A public right of way for the use of motor vehicles including Alleys, Roads and Lanes. The terms “street” and “road” are interchangeable in these criteria.
 - l. Town – Town of Washington Grove, Maryland.

m. Walkway Apron- A paved or graveled area that is placed between the road pavement edge and the lot line for pedestrian use. The walkway apron is the entire portion of the walkway located on the public way and/or on Town-owned property.

3. **DRIVEWAY APRON SPECIFICATIONS** – The following items provide evaluation criteria intended for use when reviewing a permit application for a driveway apron.

- a. Separation from Nearest Intersection – All new driveway aprons must be located more than 20 feet from the nearest intersection of two streets, said intersection being an angular juncture of lot lines adjoining these two streets.
- b. Dimensions – All driveway aprons shall be constructed with a maximum width of 20 feet.
- c. Roadside Tree Protection – A Maryland Roadside Tree Permit may be required. If so, details will be sent to the applicant as soon as they are available. Driveway apron width may be minimized to limit impacts to a roadside tree. Permit applications for circular driveways may be denied, if the proposed work impacts a roadside tree.
- d. Storm Water Drainage/Erosion Control – Permit applications must address any apparent situations where storm water drainage control may be required to protect public ways and property.
- e. Obstructions to Vision – Permit applications must include a diagram to identify any trees, or other obstructions to vision, located in the public right of way of a street within 20 feet of the proposed driveway apron.
- f. Location of Utilities – Permit applications must include a diagram to identify any utilities and any public improvements located in the public right of way of a street within 20 feet of the proposed driveway apron.
- g. Maintenance – Construction and maintenance of driveway entrances on public streets is the responsibility of the property owner who uses the entrance.
- h. One Driveway Apron Per Lot – Only one driveway apron per residential lot is allowed unless the applicant submits evidence to the Planning Commission to support the valid need for a circular driveway and/or multiple driveway aprons.

4. **REPLACES PREVIOUS RESOLUTION** – This Resolution supersedes and replaces previously adopted Resolution No. 2019-19.

Approved by Mayor and Town Council

Mayor Date

ATTEST:

Clerk Date