



Planning Services Division
601 Caroline Street
P.O. Box 7447, Fredericksburg VA 22404
planning@fredericksburgva.gov
(540) 372-1179

DRIVEWAY and RIGHT OF WAY PERMIT (No Fee)

Approval of the driveway permit is required prior to installation or modification of any curb cut or driveway serving an existing residential lot.

Date of Application: _____ Project Address: _____

Zoning District: _____ Proposed Work Date(s): _____

New Curb Cut Alteration of Existing Curb Cut No Change to Existing Curb Cut (*Check One*)

New Driveway Alteration of Existing Driveway No Change to Existing Driveway (*Check One*)

Applicant Information (For any work in the ROW – this must be the licensed contractor)

Name of Applicant: _____

Address: _____

Field Contact Phone: _____ FC Email: _____

Property Owner Information (if different from applicant)

Name of Owner: _____

Address: _____

Phone: _____ Email: _____

By signing below, the applicant/owner/contractor agree comply to with all of the City regulations and policies listed in this application and acknowledge that should any portion of the driveway being installed in accordance with this permit interfere with work or access by public employees and/or their agents in the performance of their duties, the driveway may need to be removed. Replacement of the driveway shall be the sole responsibility of the property owner.

Applicant Signature / Date: _____

Property Owner Signature / Date: _____

For Completion by the Community Planning & Building Department and Department of Public Works

Approved Disapproved

Comments: _____

Zoning Administrator _____ Date _____

Stormwater Administrator _____ Date _____

Public Works _____ Date _____

This decision can be appealed in accordance with City Code § 72-24.1.B(6). **Permit #:** _____

Date of Inspection: _____ Inspected by: _____
Passed / Failed (circle one) Comments: _____

Date of Re- Inspection: _____ Inspected by: _____
Passed / Failed (circle one) Comments: _____

SUBMITTAL CHECKLIST:

PERMIT REVIEW TAKES APPROXIMATELY TWO WEEKS. Documents may be submitted to planning@fredericksburgva.gov.

- ❖ Submit two (2) copies of a survey/plat, tax map or sketch of the property, drawn to scale, that shows:
 - A. **Driveway** on the lot.
(see [§72-53: Parking](#) and [§72-82.4: Required yards.](#))
 1. Location of the house and proposed driveway on the property.
 2. Dimensions and area of the proposed driveway.
 3. Distance of driveway to all property lines (1' minimum setback required to side lot lines).
 4. A written narrative describing the surface treatment of the driveway. If surface treatment consists of gravel or an alternative aggregate treatment, a note shall be included that the property owner will be responsible for preventing and removing any aggregate material from accumulating within public right-of-way. Enforcement of maintenance per Section 59-2.G. of City Ordinance. Use of 57 stone or equal is suggested to avoid increased maintenance responsibility.
 5. Limits of area to be disturbed, including area outside of driveway.
 6. Existing and proposed topography. Driveways shall be drained in a manner to prevent damage to abutting properties and public streets per section 72-54.3, 78-1313, and 38-401 of the City Ordinance. If topographic information is not available, please include a note stating that steps taken to assure the driveway will drain in a manner to prevent damage to abutting properties and public streets.
 7. Any existing or proposed drainage structures. Driveway culverts or other piped crossings must be 15 inches minimum diameter, reinforced concrete pipe (RCP), and must be sized for the 10-year storm for the contributing drainage area in accordance with ordinance requirements. If the pipe diameter is greater than 15 inches, its use must be justified by the appropriate calculations.
 8. Chesapeake Bay Resource Protection Areas (RPA) limits, if applicable.
 9. Location of regulatory floodplain (if applicable) and 100-year flood plain limits (Zone A) or Zone X, FEMA Community Panel Number.
 10. If driveway is 2,500 square feet or greater in area, submit a stormwater management plan per §38-404 and Erosion and Sediment Control plan per §78-1312 of the City Ordinance. Stormwater Management and Erosion and Sediment Control plan will need to be approved by the Stormwater Administrator or designee prior to commencing work.
 - B. **Curb cut** within public or private right-of-way, ingress-egress easement, or alley.
(see [Curb Cuts §72-52.1.B\(4\).](#))
 1. Location of the proposed curb cut and existing curb cuts on the property or adjacent properties.
 2. Distances between existing and proposed curb cuts.
 3. Width of the proposed curb cut.
 4. Existing or proposed sidewalks.
 5. Existing or proposed street trees / landscaping.
 6. Type of VDOT entrance proposed. CG-9B (Curb & Gutter Section) or PE-1(Ditch Section)
 7. Width and surfacing of the alley.
 8. Any existing or proposed drainage structures. Driveway culverts or other piped crossings must be 15 inches minimum diameter, reinforced concrete pipe (RCP), and must be sized for the 10-year storm for the contributing drainage area in accordance with ordinance requirements.
 9. Existing water meter or sewer manholes within 15 feet of proposed work.
- ❖ If you are proposing to install or modify a **curb cut**, submit two (2) copies of:
 1. Certificate of Liability Insurance with "City of Fredericksburg" as Additional Insured
 2. Commonwealth of Virginia Contractor's License
 3. Responsible Land Disturber (RLD) Certificate (if disturbance \geq 2,500 square feet)
 4. Fredericksburg Business License (or proof of exemption from Commissioner of the Revenue)

5. Traffic Control and/or Pedestrian Detour Plan, as applicable.
6. Waiver request letter and justification letter for reduced setbacks, as appropriate.
7. Check for any concrete, brick, or asphalt replacement or ANY OTHER WORK completed by the City as a result of the project, made out to *City of Fredericksburg*. Cost will be determined by the City based on current Public Works Repair and Replacement Fees.
8. Check for Tree Replacement made out to *City of Fredericksburg*. Minimum cost is \$300 per tree removed or damaged. Cost may be significantly higher if tree meets "specimen" criteria, as determined by City Arborist.

City of Fredericksburg Regulations for Curb Cuts and Driveways **Unified Development Ordinance**

Curb Cuts [§72-52.1.B\(4\)](#). The following curb cut standards shall apply to all "entrances" (as defined in the VDOT Road Design Manual Appendix F, § F-1) in addition to the general entrance standards required by the VDOT Requirements. If the two standards conflict, the more stringent shall apply.

- (a) No freestanding use shall have more than two curb cuts on any single right-of-way, and such curb cuts shall maintain a minimum separation of 60 feet.
- (b) Curb cuts on adjacent lots shall maintain a minimum separation of 60 feet from one another.
- (c) No curb cut shall be located closer than 30 feet to a side or rear site line, unless a common curb cut serves adjacent uses.
- (d) No curb cut on a corner lot shall be located closer than 75 feet from the radius at the corner.

Dimensions [§72-53.2.E](#). Vehicular use areas shall be at least 18 feet deep, measured from the right-of-way, or three feet measured from the rear property line or easement line of an intersecting alley.

Setbacks

[§72-53.1.D.1.\(d\)\(1\)\[a\]](#) All off-street parking, loading, and circulation areas shall be arranged to facilitate access by and safety of both pedestrians and vehicles.

[§72-82.4.C.2.\(d\)](#) Driveways may encroach to within one foot of a side or rear property line provided that no parking area shall create a visual obstruction or hindrance to traffic on any abutting street.

Lot Coverage [§72-53.2.C](#). Maximum area available for vehicular use.

- (1) Except for lots of record smaller than 6,000 square feet in the R-4 District, vehicular use areas located within the first 40 feet of the front or corner side yard (as measured from the edge of the street right-of-way) shall be limited to the greater of 33% of the entire front and/or corner side yard area, or 750 square feet. Nothing in this subsection shall be construed to limit the size of the vehicular use area located beyond the first 40 feet of a front or corner side yard area.
- (2) Vehicular use areas on lots of record smaller than 6,000 square feet in the R-4 District shall be limited to 33% of the entire front and/or corner side area.

Surfacing [§72-53.2.D](#).

- (1) Vehicular use areas shall be surfaced in accordance with the standards in § 72-53.1.D.(1)(c), or gravel, crushed stone, or similar material may be used.
- (2) When used, gravel or crushed stone shall be at least two inches deep throughout the vehicular use area, and the vehicular use area shall maintain a visibly discernible and definable edge composed of landscape timbers, metal edging, vegetation (such as low shrubs or decorative grasses), or a similar technique.
- (3) Vehicular use areas within utility easements disturbed during installation or servicing of underground utilities shall be resurfaced with materials to match the existing surface after completion of utility work.

Drainage [§72-53.1.D.1.\(e\)](#) All off-street parking, loading, and circulation areas shall be properly drained in accordance with the stormwater management standards referenced in § 72-54.3 of this chapter. Where existing parking, loading and circulation areas are altered, a revised stormwater management plan may be required. Nothing shall prevent planting islands from serving as stormwater management devices.

City of Fredericksburg Policies for Work in the Right-of-Way

The City of Fredericksburg is not responsible for injury or damages caused or sustained by the Permittee, its agents, or its contractors. **From the initiation of the work until the restoration of the site has passed final inspection, the Permittee shall remain responsible for securing the site at all times.**

The Applicant is responsible for notifying Building and Development Services at (540) 372-1080 to schedule all required inspections. The Applicant must follow all requirements, and it is understood that a representative of the City may at any time suspend activity if it is in the best interest of the City.

Work Area Protection

1. **Notification of Road or Sidewalk Closure.** When necessary to close a road or sidewalk for any period of time, the Applicant shall notify Public Works at least (7) days in advance. The Applicant must at that time submit a traffic control plan and/or pedestrian detour plan in writing to Public Works. Work shall not proceed until written approval is given by Public Works.
2. **Traffic Plan Required.** Applicant must submit a traffic control plan in accordance with the current version of the Virginia Work Area Protection Manual (www.VirginiaDOT.org) anytime work will affect City streets.
3. **Signs.** Information and warning signs, portable or semi-portable, shall be provided at the work site at the Applicant's expense to inform and warn the public. The name(s) and phone number(s) of the Applicant shall appear on signs, so that police, inspectors, and others may call responsible individuals should it be necessary.
4. **Barricades.** All barricades, obstructions, and soft shoulders shall be marked in a conspicuous manner.
5. **Lights.** Adequate warning lights shall be used between sunset and sunrise.
6. **Detours.** Safe and proper detours shall be provided and maintained during construction.
7. **Flagmen.** Certified Flaggers shall be provided where the flow of traffic is affected. On major roadways, advance warning signs advising of the presence of flaggers shall be posted in both directions. The flaggers shall be equipped with plainly visible flags and/or signs with which to signal traffic.
8. **Maintenance.** The work zone shall be maintained in a safe condition at all times to protect the public from any safety hazards and to cause the least amount of inconvenience to the public.
9. **Tree Protection Area.** Any trees in the work area must have appropriate tree and root protection areas set up around them, in accordance with City guidelines.

General Work Area Requirements

1. All equipment and machinery used on the work site shall be constructed, maintained, and operated in such a manner as to minimize dust, noise, vibration, smoke, welding, lights, odor, and other pollution.
2. All workers shall conduct themselves in an appropriate manner. Loud and/or foul language will not be tolerated.
3. All workers shall wear safety vests and hard hats at all times while working in or on City ROW, easements, or property. Failure to comply will result in a stop work order until compliance is achieved.
4. Applicant shall maintain the project location in a clean, orderly, and safe condition at all times. All trash must be removed and disposed of before leaving the site.
5. Fencing or other suitable barriers shall be created and maintained on the work site to mitigate the inherently dangerous conditions related to the work.
6. Backfill in non-paved areas must be of such material as will encourage natural vegetation to reappear.
7. The graded or back-filled area shall not be contoured so that it will collect and permit stagnant water to remain thereon.

8. The peaks and depressions of the work and excavation areas shall be reduced to a surface which will result in level or gently sloping topography in substantial conformity to the surrounding land area and which will minimize erosion due to rainfall.
9. Material for backfill under paved areas shall be of a select nature. All large broken concrete, peat, decomposed vegetable matter, and similar materials obtained from any excavation shall be removed from the site prior to the beginning of backfilling. All backfill shall be in accordance with VDOT standards and placed in layers or lifts. Compaction shall be obtained by mechanical rollers, tampers, or other improved means. Stone material used for backfilling shall be properly moistened or watered to the correct moisture content to ensure proper compaction. No frozen material shall be used for backfill under paved surfaces. The intent of this provision is to ensure that the dry density of the backfill under pavements, sidewalks, curbs, and other structures shall be not less than that of the surrounding undisturbed soil.
10. Any structure or service line to include water, sewer, storm, or conduit shall remain exposed until inspected and/or tested by the authorized representative from the City. Failure to comply will result in a re-inspection fee of (\$102.00) to be paid and will require the removal of backfilled materials to allow for inspection/testing of said lines at the expense of the Applicant/Contractor. **Safety protection such as barricade fencing must be maintained around all open excavated areas. No open holes will be permitted overnight.**
11. All structures and service lines shall be bedded in stone according to VDOT standards.
12. Water lines across City ROW to meter must be copper. All copper service lines shall be bedded and encapsulated utilizing stone dust or sand. Copper pipe ¾" and 1" is to be type K soft copper and 1 ½" and 2" shall be rigid type K in accordance with ASTM B88.
13. All structures and service lines shall be installed according to the **City of Fredericksburg's Construction Specifications and Standards Manual** available in Building and Development Services or on the City website at <https://www.fredericksburgva.gov/927/Design-Standards-Manual> . No deviation from these requirements is permitted without prior written permission from the Director of Public Works.
14. Appropriate Erosion and Sediment controls shall be utilized.
15. Pollution prevention measures shall be used to prevent inappropriate discharge into the storm sewer system. Examples of such measures include but may not be limited to dewatering devices, storm inlet protection, dumpster covers, and concrete wash out facilities. Measures must be identified when making application.
16. No work may occur from 7:00 pm to 7:00 am Monday – Friday or 9:00 pm to 9:00 am on holidays and weekends, unless a Noise Ordinance Waiver, **approved by the City Manager**, is posted on-site.
17. City guidelines require that all residential driveways be type CG-9B.

Restoration of Surface Required

1. All surfaces must be restored, at Applicant's expense, in accordance with City standards and requirements. All restoration shall be accomplished within seventy-two (72) hours of excavation, unless additional time is granted in writing by Public Works.
2. All temporary and permanent restoration must be inspected and approved by the City.
3. Public Works may suspend operations if weather could prevent proper restoration of pavement or other surfaces.
4. All surfaces removed or damaged must be replaced in accordance with **City of Fredericksburg's Construction Specifications and Standards Manual**. Unless a prior agreement, Driveway Permit, or approved site plan is in place, the City will perform (at Applicant's expense) necessary concrete and/or brick replacement in City ROWs, easements, and on City property. However, excavation shall be brought to finished grade with approved materials until restoration is initiated by the City.

Inspections

1. **General.** Inspections will be made to ensure that all work is performed in a good workmanlike manner. Inspections may be made by the Public Works Construction Inspector, Project Manager, Building and Development Inspectors, and/or any other member of City Staff, as appropriate.
2. **Prior to Construction.** Applicant must take pictures of the work site and meet with Inspector prior to beginning work to fully document pre-work conditions. All infrastructure damaged as a result of the work is the responsibility of the Applicant, so documentation of pre-work conditions is imperative.
3. **During Construction.** Inspections may occur at any time. If work is not progressing satisfactorily for the protection of the City and the public, or if any part of the work is found to be sub-standard and not in accordance with these specifications, then the Inspector will notify the responsible party. If corrective action is not taken, the City may correct the issue and all costs and expenses shall be immediately paid by the Applicant to the City, or a claim may be made on the Applicant's bond.
4. **Concrete Form Inspections and Subgrade.** Applicant must call in a form inspection before pouring any concrete. Bedding/subgrade of all work must be approved before concrete is poured.
5. **Final.** The Applicant will notify the Inspector when the work is complete. Applicant will request a final site restoration inspection through Building and Development Services. Final inspection will be scheduled and dispatched to the Inspector who will then determine the time at which the final inspection is to take place. The Applicant **MUST** be on site with no exceptions to receive the report from the Inspector. If the Applicant is not present, the final inspection may be documented as a failure and a re-inspection fee of \$102.00 may be required before a re-inspection can be requested.
6. If failing conditions require re-inspection, a re-inspection fee of \$102 may be charged.
7. Approval of this permit does not relieve the contractor of responsibility to perform the work in accordance with all applicable local, state, and federal laws, codes, regulations, and requirements for items which have been missed or omitted.
8. This permit shall expire sixty days (60) after the date of approval. Extensions beyond expiration must be pre-approved in writing by Public Works.

General Legal Requirements:

1. This permit grants the applicant non-exclusive permission to enter and use the project location solely for the work described in the Project Description. The permit is a license only, and may be revoked by the City Manager or Director of the Department of Public Works at any time.
2. The applicant shall comply with any federal, state, or local laws, regulations, or ordinances applicable to the permitted work. The applicant shall not cause any third-party lien or claim to encumber the project location. The applicant shall immediately discharge of record any such lien or claim at its own cost and expense (which obligation shall survive any cancellation, expiration, or termination, for any reason, of this permit.)
3. Throughout the term of this permit, the applicant shall maintain a policy of commercial general liability insurance, issued by an insurance company reasonably acceptable to the City, with a combined single limit of not less than One Million Dollars, naming the City and its agents, contractors, tenants, and any other third parties required by the City as additional insureds, insuring against any injury or damage to persons or property that may result from applicant's use of or access to the project location, including, without limitation, the permitted uses/work in accordance with this permit. A certificate of insurance showing the City as an additional insured shall be submitted with the application, or in any event prior to the applicant's initial entry onto the project location.
4. The applicant shall indemnify, defend, and hold harmless the City and its officers, directors, members, partners, employees, agents, affiliates, successors, mortgagees, permitted assigns, contractors, and tenants (together, "Indemnified Parties") from and against any and all losses, damages, expenses, or claims suffered

by the City or any other Indemnified Party arising out of or in connection with (a) any violation of, or failure to comply with, the provisions of this permit by the applicant; (b) the permitted use and work; or (c) any other activity conducted by the applicant, its agents, employees, or contractors in connection with: (i) its access to the City's property; or (ii) the exercise of its rights under this permit. The indemnity obligations in this subparagraph shall survive any cancellation, expiration, or termination, for any reason, of this permit.

5. The City shall have no responsibility, obligation, or liability whatsoever to the applicant or its agents, employees, or contractors, for any occurrence on or about the project location or the City's rights-of-way or City property or with respect to any property of the applicant or its agents, employees, or contractors, including, without limitation, any loss, injury, or damage, all of such obligations or liabilities being hereby waived and released to the extent permitted by law, other than that caused by the willful misconduct of the City or its agents, employees, or tenants.
6. If the applicant fails to perform or complete all required restorations on or before the termination date, the City shall have the right after the termination date, on ten days' notice to the applicant, to elect to perform or complete all required restorations. The applicant shall reimburse the City for its costs incurred in undertaking or completing the restoration work. The City may reduce this notice period if the condition of the project location creates a reasonable public safety issue or concern.

These items must accompany this application:

- Site Drawing of Proposed Project or APPROVED Site Plan**
- Certificate of Liability Insurance with *City of Fredericksburg* as Additional Insured**
- Commonwealth of Virginia Contractor's License**
- Responsible Land Disturber (RLD) Certificate** (if 2,500 sqft or greater to be disturbed)
- Fredericksburg Business License** (or proof of exemption from Commissioner of the Revenue)
- Check for any concrete, brick, or asphalt replacement or ANY OTHER WORK completed by the City as a result of the project, made out to *City of Fredericksburg*. Cost will be determined by the City based on current Public Works Repair and Replacement Fees.**
- Check for Tree Replacement made out to *City of Fredericksburg*. Minimum cost is \$300 per tree removed or damaged. Cost may be significantly higher if tree meets "specimen" criteria, as determined by City Arborist.**
- Traffic Control Plan and/or Pedestrian Detour Plan**

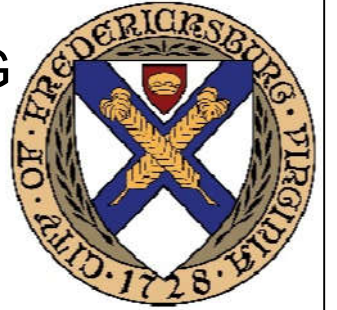
PUBLIC WORKS DEPARTMENT

CITY OF FREDERICKSBURG

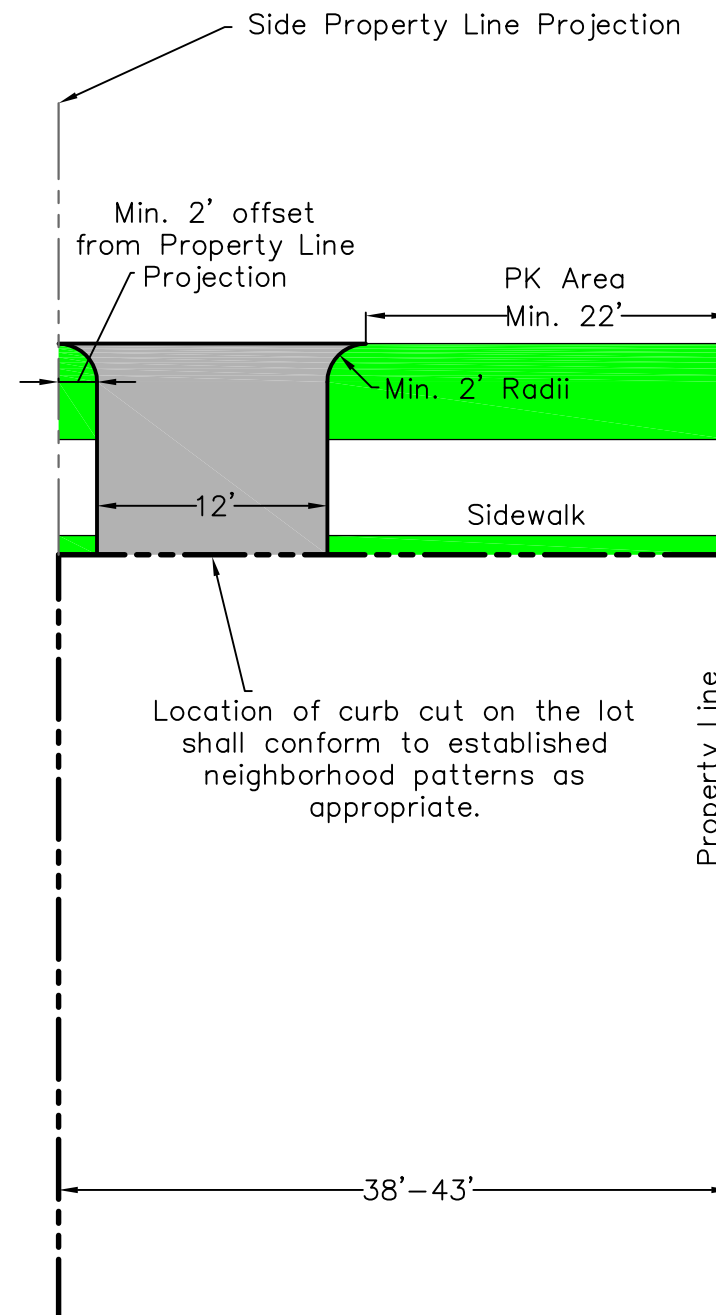
§ 72-52.7 permits the Director of Public Works or their designee to administratively modify or grant exceptions to § 72-52.1(4) Public and Private Streets – Curb Cuts. These modifications may be granted based on the existing pattern of development where existing preclude a driveway from meeting offset standards. Modifications to the offset will be granted in accordance with the following standards. All widths are measured at the property line:

1. The City's Comprehensive Plan and the Public Works Department envision "complete streets" in residential areas. Complete Streets consist of parallel on-street parking (std. length is 22 feet), planting strips, and sidewalks as generally shown in the details on this page.
2. Driveways should be located on the side of the lot most consistent with existing pattern of the neighborhood if a pattern is established.
3. No portion of the driveway including the radii may extend beyond a projection of the side property line.
4. Lots less than 38 foot wide --- Driveways serving these lots shall be accessed off of existing alleys. City Staff may permit a curb cut and driveway off the main street where no alley access exists if the location and arrangement of the driveway does not impede the public on-street parking supply. Curb cuts on these lots may be between a minimum and a maximum of 12 foot wide.
5. Lots between 38 foot and 43 foot wide --- Driveways serving these lots may be permitted off-street. The curb cut serving this driveway shall be 12 foot in width.
6. Lots 43.1 foot wide and greater --- Driveways serving these lots may be permitted off-street. The curb cut serving the driveway shall be a minimum of 12 foot wide and a maximum of 18 foot wide.

SINGLE FAMILY ATTACHED AND DETACHED HOUSING
CURB CUT LOCATION AND WIDTH POLICY
CITY ENGINEER - DEPARTMENT OF PUBLIC WORKS
AUGUST 3, 2020



38' – 43' Wide Lots
CG-9B entrance required



43.1' + Wide Lots
CG-9B entrance required

