9.5. Visibility at street intersections and driveways; sight triangle.

A. Purpose and Applicability:

1. To ensure adequate visibility at street intersections and driveway connections, clear sight triangles shall be required at the following locations in all zoning districts:
   a. Intersections of two or more public or private streets; and
   b. Driveways or other vehicular access points connecting to public or private streets.
2. The provisions of this section shall apply to:
   a. New development and redevelopment;
   b. Expansions to existing access drives; and
   c. Installation or modification of landscaping, fencing, parking, signage, or any other structures that may affect visibility within the sight triangle area.

B. Measurement of Sight Triangles:

1. Street intersection sight triangles shall be measured from the point of intersection of the right-of-way lines, or when no ROW exists, from the point of intersection of the pavement or road edges.
2. Driveway sight triangles shall be measured from the point where the driveway edge intersects the street edge.
3. Sight triangles shall be formed by connecting points measured along each intersecting leg as specified in subsections C and D below.

C. Street Intersection Sight Triangles:

1. Minimum Required Dimensions: A clear sight triangle with legs measuring twenty-five (25) feet along each intersecting street shall be provided at all street intersections.
2. Increased Requirements: For roads with a speed limit of 40 MPH or higher, the minimum shall be increased to thirty-five (35) feet along each intersecting street with such a speed limit.

[NEW GRAPHIC]

D. Driveway Sight Triangles:

1. Minimum Required Dimensions
   a. A clear sight triangle shall be provided at each driveway connection as follows:
      i. When connecting to public streets: fifteen (15) feet by fifty (50) feet.

[NEW GRAPHIC]

2. State-Maintained Roadways: Required sight distances for driveway connections along state-maintained roadways shall be approved by NCDOT. Where the NCDOT Driveway Manual conflicts with these standards, the stricter of the two standards shall prevail.

E. Vertical Clearance Within Sight Triangles:

1. Within all required sight triangle areas as defined above, no planting shall be placed or maintained and no closed fence, building, wall, sign or other structure shall be constructed if such planting or structure thereby obstructs visibility between two and one-half (2.5) feet and ten (10) feet above the grade of the adjacent roadway.
2. The following are exempt from the height limitations of this section, provided they do not materially obstruct visibility:

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a. Traffic control devices;
b. Utility poles and utility cabinets;
c. Fire hydrants; and
d. Streetlights and public safety infrastructure.

F. Engineering Determination and Adjustment:

1. On streets with a speed limit of forty (40) MPH or higher, the Administrator may require a larger sight triangle than the minimum specified in this section where:
   a. Traffic volumes are unusually high;
   b. Documented crash history indicates a visibility concern; or
   c. In the opinion of a professional traffic engineer unique site conditions or topography warrant additional sight distance.
2. Engineering determinations shall be based on accepted transportation engineering practices, including applicable AASHTO and NCDOT guidance.

G. Maintenance Responsibility:

1. Property owners shall be responsible for maintaining required sight triangles free of obstructions.
2. Failure to maintain a required sight triangle in compliance with this section shall constitute a violation of this ordinance.

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Chapter 38 – Health and Sanitation; Article II. Nuisances; Section 38-32. Enumeration

I. Any and all trees or bushes dead, diseased or not properly trimmed, or any object or growth within ~~the~~ all required sight triangles ~~distance~~, on private property adjacent to city street rights-of-way that constitute a hazard to city property or to the health or safety of motorists or pedestrians. ~~"Sight distance"~~ Sight triangles shall be defined as the area required to provide a ~~ten-foot by 70-foot unobstructed~~ clear view ~~across property primarily located~~ at street intersections, driveways, and along sharp horizontal curves in the roadway as required by Chapter 9 of the City of Brevard Unified Development Ordinance. No owner, lessee or occupant, or any agent, servant, representative or employee of any such owner, lessee or occupant, having control of any lot or land in the city, regardless of whether the lot is occupied or not, shall permit or maintain on such lot or land, or on or along the sidewalk, street or alley adjacent to the same between the property line and the curb or middle of the alley or for ten feet outside the property line if there is no curb, any of the conditions described in this subsection. It shall be the joint and several duty of any owner, lessee and occupant of any lot or land to cut and/or remove or cause to be cut and/or removed all causes of such conditions as often as may be necessary to comply with the provisions of this chapter.

FIGURE 38-32A: SIGHT DISTANCES

