

# **Bastrop County Driveway Standards**

## SECTION 1 - PURPOSE

The purpose of the Bastrop County Driveway Standards is to promote the public health, safety, and general welfare of the county; to provide an efficient process by which property owners may obtain driveway permits; to ensure access that does not impede drainage, traffic, public safety, or road maintenance; and to ensure access for emergency response vehicles and services. The Standards provide minimum and desirable design criteria and provisions and requirements for safe and convenient access to abutting private property from County roads and public right of way. The intent is to assure that access is provided with a minimum of interference with the free and safe movement of vehicular and pedestrian traffic and to prevent traffic congestion arising from vehicle ingress/egress from abutting properties.

## SECTION 2 – DEFINITIONS AND ACRONYMS

For the purposes of these Standards, the following terms shall have the corresponding meaning:

1. ADT – Average Daily Traffic – Represents the total traffic for a year divided by 365, or the average traffic volume per day.
2. All-weather surface road – A street, road, or drive that is constructed with base material and has a hard surface to ensure access by ambulances, fire trucks, or other emergency vehicles under all weather conditions. It does not create mud during rainfall.
3. Clear Zone - An unobstructed, traversable roadside area that allows a driver to stop safely or regain control of a vehicle that has left the roadway. Per TxDOT's 3R Design Guidelines for Rural Two-Lane Highways, a minimum clear zone width of 7 feet should be provided for low-speed rural two-lane roads with an ADT less than 1500. For those with ADT or 1500 or more, a minimum clear zone width of 16 feet should be provided.
4. Collector Street – A street or road that collects traffic from other streets and serves as a direct route to another collector street, minor arterial, major arterial, or state highway.
5. Commercial Driveway – A private access roadway designated for non-residential use or for access to five or more residential homes on one tract.
6. Commissioners Court – The Bastrop County Commissioners Court; also referred to as the Court.
7. County – Bastrop County, Texas. Where referenced herein, the County may include either the Commissioners Court or personnel, departments or agencies of the County acting under authority delegated to such personnel, departments or agencies by the Commissioners Court.
8. County Commissioner – The elected Commissioner of a precinct in Bastrop County in which a subdivision or facility is located or where referenced herein, County Commissioner may include the County Commissioner's designated agent.
9. County Engineer – The licensed professional engineer appointed by the Commissioners Court to that position or where referenced herein, County Engineer may include the County Engineer's designated agent.
10. County Road – Any public road or street in which the county has a public interest and has been maintained by the county and is not within the incorporated limits of a city and is not a state highway.
11. Driveway – An access facility from a public road for use by an owner and/or others.
12. Floodplain or flood prone area – Any land area susceptible to being inundated by water from any source.
13. Joint Use Access Agreement – A legal instrument between adjacent property owners that convey rights of access between separate lots, parcels, or tracts and a public street for use by the owners and

which is filed with the Bastrop County Clerk.

14. Lot – An undivided tract or parcel of land, regardless of size, if it is designated on a subdivision plat, or by metes and bounds, or by survey, and has frontage on a dedicated public street or county road.
15. Pavement – The road bearing surface layer, on a private or public road, consisting of concrete, asphalt concrete or two applications of asphalt material each covered with aggregate and generally designed for a 20-year life expectancy.
16. Residential Driveway - A driveway serving a single-family residence or duplex and has less than 20 vehicles per day using the driveway.
17. Right of Way (ROW) - A general term denoting land, property or interest therein, usually in a strip, acquired for or devoted to transportation purposes. ROW is the entire width of land between the public boundaries or property lines of a roadway.
18. Shared Access Driveway – A driveway which provides access for two or more lots through a “Joint Use Access Agreement” filed with the Bastrop County Clerk; also referred to as a Common Driveway.
19. State Highway – A public road funded by the Texas Department of Transportation for construction and maintenance and is designated as a state road on general highway maps of Bastrop County.
20. Street – Any public right of way or easement, however designated, dedicated, or acquired which provides vehicular access to adjacent properties; also referred to as road or roadway.
21. Tract – An undivided tract or parcel of land legally described in the deed records by a registered surveyor’s metes and bounds description and has frontage to a dedicated public street or county road.

### SECTION 3 - PERMITS

A permit is required for the construction of all driveways, sidewalks, culverts, or other development or the replacement of existing driveways, sidewalks, or culverts on Bastrop County easements or rights-of-way along County maintained roads and those roadways expected to be County maintained after successful completion of the maintenance period per the Subdivision Regulations for Bastrop County. Conditions for granting access to the county road will be stated in the permit. A driveway constructed in state right of way must be permitted through the Texas Department of Transportation (TxDOT). The County’s Development Services Department may require a copy of the TxDOT driveway permit prior to providing other services.

To obtain a permit to construct a driveway or to revise any existing driveway, the landowner or landowner's agent, hereafter referred to as the Applicant, shall contact Bastrop County Development Services. The Applicant shall complete the required application and submit it along with the application fee to Bastrop County Development Services. Applications for permits shall be made by the property owner or their authorized representative, who shall represent all parties in interest. Applications for permits shall be made only for the bona fide purpose of securing or changing access to the owner's property, but not for the purpose of parking or servicing vehicles on Bastrop County rights of way.

No construction work on the driveway shall be undertaken on the right of way until a fully executed driveway permit has been received by the Applicant and the Applicant has given 24-hour notification to Bastrop County.

Temporary and/or construction driveways will be allowed by permit. Circumstances may require that the drainage ditch be filled to move equipment in or out of the property. This may be allowed by Bastrop County with prior approval and the fill material must be removed and proper drainage restored within 48 hours of the move.

A driveway must be constructed in accordance with a fully executed driveway permit and all applicable

regulations. Failure to do so could result in the County requiring modifications or reconstruction at the Applicant's cost. The precinct commissioner from the precinct in which the application is made and/or his or her appointed representative will review the driveway construction to determine if it is acceptable or if modifications are needed. A driveway will be considered an authorized permitted driveway installation only after construction has been completed and the construction has been determined to be satisfactory to Bastrop County. Maintenance of facilities constructed hereafter shall be the responsibility of the Applicant or landowner, and the County shall have the right to require any changes, maintenance, or repairs as may be necessary to provide protection of life or property on or adjacent to the roadway. The Applicant or landowner shall be responsible for the repair or replacement of any culvert that fails to function.

Consideration also needs to be given by Applicant and/or Applicant's contractor to driveway geometrics, utility location or relocation, environmental requirements, wetlands considerations (if appropriate) and the need to follow all applicable state and federal laws, rules and regulations, including contacting a utility location one call system such as Texas 811 prior to excavation, compliance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and the Texas Accessibility Standards (TAS) where applicable.

A permit will become null and void if the driveway is not constructed within twelve (12) months from the issuance of a permit; Bastrop County reserves the right to revoke a driveway permit at any time.

#### SECTION 4 - DRIVEWAY STANDARDS

The driveway must be located within 25 feet of the designated 9-1-1 address, or any structures served by the driveway will be subject to re-addressing.

Driveway spacing will be evaluated based on safety and traffic operation considerations. Such considerations may include traffic volumes, posted speed, turning volumes, presence or absence of shoulders, sight distance and other roadway geometrics. Increased distances may be required for downgrades, truck traffic, or other specific circumstances of the site and the roadway. In other cases, shorter distances may be appropriate to provide reasonable access, and such decisions should be based on safety and operational factors supported by an engineering study. The distance between driveways is measured along the edge of the traveled way from the closest edge of pavement of the first driveway to the closest edge of the second driveway.

Section VI of the Subdivision Regulations for Bastrop County defines minimum lot frontage for various road types and is incorporated by reference. Driveway minimum spacing will be consistent with minimum lot frontages.

Where adequate driveway spacing cannot be achieved, Bastrop County may allow for a lesser spacing when shared access is established with an abutting property. Where no other alternatives exist, construction of an access connection may be allowed along the property line farthest from the intersection. To provide reasonable access under these conditions but also provide the safest operation, consideration should be given to designing the driveway connection to allow only the right-in turning movement or only the right-in/right-out turning movements if feasible.

In the absence of any safety or operational problems, additional access connections may be considered. Any additional access must not interfere with the location, planning, and operation of the public street

system. Where the property abuts or has primary access to a lesser function road or to an internal street system, any access to the county road will be considered as an additional access.

All parts of entrances and exits on county road right of way, including the radii, shall be confined within the permittee's property frontage. Frontage is that portion of the right of way lying between two most distant possible lines drawn perpendicularly from the centerline of the county road to the permittee's abutting property line.

When the permittees of two or more adjoining properties agree to combine their property frontage for a shared access driveway, the combination would be encouraged and authorized under the applicable regulations. The frontage will then be the portion of the right of way lying between the two most distant possible lines of the combined frontage drawn perpendicularly from the centerline of the roadway to the permittees' abutting property lines.

At any intersection of a county roadway with another highway, road, or street where the existing right of way is flared or widened to allow for additional sight distance, no access driveway will be permitted within the flared or widened right of way section.

The angle of the driveway from the county road pavement shall be 75 to 90 degrees, except that one-way 45-to-90-degree angle driveways will be permitted for connections to one-way frontage roads or lane divided highways.

The width of a driveway is measured at right angles to the centerline of the driveway. The width is measured at the right of way line and does not include any permissible radii. The width of a private residential driveway shall be a minimum of 12 feet with a maximum of 24 feet.

The width and method of construction of a commercial driveway and the radius of curvature connecting the driveway to roadway pavement may vary in size depending on traffic and location and should be selected in accordance with Appendix C of the Texas Department of Transportation Roadway Design Manual.

The radius connecting the driveway to the county road pavement shall be a minimum of five feet into curbed streets and minimum of ten feet into uncurbed streets and shall be a maximum of 15 feet for either curbed or uncurbed driveways.

In those areas where concrete curb and gutter exist, the curb and gutter section removed must be replaced with a laid down curb and gutter section that allows the gutter to carry stormwater across the driveway. If sidewalk is also present, at a minimum, the portion of the driveway between the curb and gutter and the sidewalk must be concrete.

Fixed objects, permanent structures or signs will not be erected in the county road right of way or in such a manner that they extend into the county road right of way.

#### SECTION 5 - DRAINAGE

Drainage in roadway side ditches shall not be altered or impeded. When drainage structures are required, the size and other design features shall be approved by Bastrop County. The length of the drainage structure, where used, shall be sufficient to allow for the driveway width plus two feet on each side, but in all cases, no less than 24 feet.

Access driveways shall be constructed to match the grade of the roadway pavement edge or the shoulder edge if a shoulder is present. The driveway shall be designed and constructed in such a manner as to not impede the flow of water away from the county road.

Inlets shall be spaced every 50 feet or in the midpoint of any culvert over 50 feet in length but less than 100 feet.

If the driveway is approved to be constructed at grade through the roadside ditch or natural grade of the roadside, the driveway shall be constructed with an all-weather surface material acceptable to Bastrop County to conform to the cross-section shape of the ditch or other natural grade of the roadside to form a stable driveway. An exception to using new all-weather surface material may be approved by Bastrop County if the roadside or ditch is naturally composed of an all-weather surface material with rock which may be driven on without eroding or rutting in all types of weather.

The use of paved dips, instead of pipes, is encouraged particularly at infrequently used driveways such as those serving unimproved private property.

Safety end treatments will be used for all driveways with drainage structures constructed within the county road right of way. The side slopes of the driveways must not be greater than the slope of the required safety end treatment and shall match the slope of the safety end treatment at the junction of the two. TxDOT provides standards for approved safety end treatments. The following guidelines apply to driveway, side road and other parallel drainage facilities in the county road ROW:

- There shall be no culvert headwalls or similar vertical ends in the clear zone. Outside the clear zone, single pipe ends preferably should be sloped although not required.
- Sloped pipe ends shall be at a rate of 6:1 (6 horizontal units to 1 vertical unit) or flatter. Concrete riprap is required to prevent erosion and to protect the pipe end except on unpaved roads. The sloped end will be anchored to the concrete riprap to maintain it in place.
- The access driveway embankment slope shall be 6:1 maximum, with 8:1 preferred beginning at the edge of the driveway pavement.
- For pipes 36 inches or greater in diameter or multiple pipes with individual diameters greater than 24 inches, grates shall be provided with maximum slope of 6:1 or a preferred slope of 8:1. Cross-pipes are not required on small (single pipes having a diameter less than 36 inches) structures regardless of end location with respect to the horizontal clearance requirements.

Fixed and other objects that create a hazard to the traveling public or impede the ability of the County to maintain the right of way will not be allowed on any driveway in the clear zone. This includes stone, concrete or brick walls, borders, and headwalls greater than 4 inches in height.

A ditch within the county road right of way may be filled in with dirt or other approved material, provided that prior Bastrop County approval is obtained, and the following conditions are met:

- The property along the right of way frontage has two or more permitted driveways that are in compliance.
- Surface drainage shall be provided so that all surface water on the filled area shall be carried away from the county roadbed in a suitable manner.
- The design of a drainage structure underneath the filled area shall be adequate to carry the flow of water in the county roadway ditches.

- The filled area shall be sufficiently delineated and, where required by Bastrop County, delineation or other satisfactory methods shall be used to prevent the use of the area for parking or travel. The area shall be kept free of obstructions.
- The filled area shall extend from the right of way line to the edge of pavement, edge of shoulder or back of curb as the case may be. Other requirements may be imposed by Bastrop County for filled areas in order to conform with planned future improvements to the existing county roadway section.
- The filled area and safety end treatment on the drainage structure may not extend beyond the boundary line of the permittee's property without written consent of the adjoining property owner whose property will contain the extension.

Where a driveway crosses or adjoins a sidewalk, walkway, or an accessible path of travel (as defined by the Americans with Disabilities Act of 1990) the driveway grade shall be a maximum of 2 percent, over a minimum throat length of 3 feet contiguous with the sidewalk, thereby effectively matching the cross slope of the sidewalk or accessible path of travel across the full width of the driveway.

#### SECTION 6 - MATERIALS

The permittee shall furnish all materials necessary for the construction of the access driveways and all appurtenances authorized by the permit. All materials shall be of satisfactory quality and shall be subject to inspection and approval by Bastrop County. Minimum culvert diameter shall be 15 inches. Corrugated steel or reinforced concrete pipe may be used. All concrete pre-cast conduits or concrete precast pipe shall be new, tongue and groove (bell ended pipe shall not be used), reinforced Class III pipe.

Access driveways shall be constructed with an all-weather surface material acceptable to Bastrop County to reduce tracking mud onto the county roadway and to prevent damage to the edge of the roadway from vehicles using the driveway. Adequate depth of cover shall be provided over drainage structures to prevent damage to the pipe but should not create a hump. For corrugated metal pipe, the minimum coverage is six inches.

#### SECTION 7 - ENFORCEMENT

Any violation of this policy will be enforced by available civil, criminal, or administrative remedies allowable under state law at the time that a violation occurs. The County may remove any unpermitted and/or uncompliant driveway.

#### SECTION 8 - VARIANCES

Any request for a variance from these Standards must be approved by the County Engineer based on the conditions for a variance and the intent of these Standards. The County Engineer may attach such conditions to the granting of a variance as deemed necessary to further the purpose of these Standards.

If the permit is denied, the Applicant may appeal the decision by stating and submitting his reasons in writing to the County Engineer and within ten days of the denial of said permit. The County Engineer shall review the appeal and within 15 days of receipt of the said appeal, shall reduce his findings to writing and submit his findings and recommendation to Commissioners Court. The Applicant shall be provided with a copy of the County Engineer's recommendations and may appear before Commissioners Court to support his appeal.

With good cause, Bastrop County may allow a culvert to be placed between 12 and 15 inches in diameter

in areas or circumstances as deemed necessary or appropriate.

#### SECTION 9 – RECORDS

All applications and file copies of permits issued pursuant to these Regulations shall be maintained by Bastrop County as part of the permanent records of the Development Service Department.

#### SECTION 10 - EFFECTIVE DATE

These Regulations shall become effective upon adoption by Commissioners Court.

#### SECTION 11 – SEVERABILITY

The provisions of these Regulations are severable. If any word, phrase, clause, sentence, section, provision, or part of these Regulations should be held invalid or unconstitutional, it shall not affect the validity of the remaining provisions, and it is hereby declared to be the intent of the Commissioners Court that these Regulations would have been adopted as to the remaining portions, regardless of the invalidity of any part.

#### SECTION 12 - FEES

Fees for permits and inspections required by these regulations will be set in the adopted schedule of fees as approved by the Commissioners Court of Bastrop County, Texas.

#### SECTION 13 - PROMULGATION OF FORMS

Forms are promulgated for use in the administration of these regulations. The Development Services Department, County Engineer, or Commissioners Court may add to these forms or may promulgate additional forms as may be needed to administer these regulations.

#### SECTION 14 - PROMULGATION OF DETAILS

Details (drawings) may be promulgated for use in the administration of these regulations. The Development Services Department, County Engineer, or Commissioners Court may revise these details or may promulgate additional details as may be needed to administer these regulations.