



**ATASCOSA COUNTY COMMERCIAL DRIVEWAY STANDARDS AND  
PERMITTING PROCESS**

ADOPTED ON: June 25, 2018

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## **Section 1: Purpose of Driveway Policy**

The purpose of the Atascosa County Driveway Standards and Permitting Process is to promote the public health, safety, and general welfare of the County; to provide an efficient process by which property owners may obtain commercial driveway permits; and to ensure access that does not impede drainage, traffic, public safety, or road maintenance.

## **Section 2: Definitions**

**Bonds** - The approved form of security furnished by the permit applicant and his sureties conditioned upon the faithful performance of the work in strict accordance with all applicable requirements, plans and specifications.

**Commercial Driveway** - A private access roadway designated for non-residential use or for access to five or more residential homes on one tract. This shall include all commercial businesses, multi-family homes, RV parks, and any industrial facility, including an oilfield location, pad site, tank storage and manufacturing site.

**Commissioners Court** - The Atascosa County Commissioners Court.

**County Commissioner** - The Commissioner of a Precinct in Atascosa County or his designated agent.

**County or public easements or right-of-way** - Any right, title or interest in land acquired, claimed or maintained by Atascosa County for road, road drainage and road maintenance.

**Culvert** - A hollow structure of concrete, or other substance, which provides waterway openings to conduct water for drainage purposes.

**Roadway** - The portion of the improved surface used for vehicular access from the edge of a County road to the right-of-way or easement line.

**Start of Construction** - The commencement of any grading, excavation, removal of concrete curb, or setting of culvert pipe on County or public easements or rights-of-way.

## **Section 3: Driveway Planning and Approval**

### **Permit and Requirements:**

The Application for Permit to Construct a Commercial Access Driveway Facility on Atascosa County Right-of-Way (Appendix A) must be completed and submitted to the Atascosa County Sanitarian/Inspector. The Application should include all general applicant information, as well as a location and description of the proposed driveway. Applications for permits must be made by the property owner or their authorized representative.

An applicant seeking to construct a new driveway, modify an existing driveway, or replace an existing driveway must submit all necessary documents, including fees, to the Sanitarian/Inspector for review and approval. The Sanitarian/Inspector will transmit the fee payment to the County Treasurer.

Within ten (10) business days of receipt of an application, a county representative shall review the application and determine if it is complete. If an application is determined to be incomplete, the county representative shall immediately give written notice to the applicant stating the deficiencies in the submittal. Once an Application has been reviewed and is determined to be complete, the Application will then be submitted to the county commissioner whose precinct the driveway is to be in, along with a recommendation from the reviewing county representative. Acceptance by the County of a completed permit application shall not be construed as approval of the application or submitted documents. Upon review by the county commissioner, the Application will be submitted to Atascosa County Commissioners Court for approval. Once approved in Commissioners Court, a permit will be issued.

It shall be unlawful for any person to perform construction activities within a County right-of-way except as authorized by the Commissioners Court in accordance with these policies and procedures. No construction shall commence until the application has been approved.

A commercial driveway must be constructed in accordance with Atascosa driveway standards. Any changes or revisions will require a new Application permit. An Atascosa County representative will review the driveway construction to determine if it is acceptable or if modifications are necessary. If drainage in the surrounding areas is impacted, or will be impacted, because of commercial access driveway construction, applicant must coordinate with an Atascosa County representative.

### **Inspection**

Each proposed driveway application submitted will be subject to inspection by the appointed Atascosa County representative and/or an engineer employed by the County. During construction of the driveway, an inspector may inspect to insure compliance. Upon completion of a driveway, the County will inspect for compliance with the approved permit.

Upon inspection, if a driveway is not approved, the driveway construction will be subject to closure until the issue is resolved. Once resolved, the applicant shall call the County Sanitarian/Inspector to schedule a re-inspection.

## **Fees**

Before a permit is issued, the applicant must pay all necessary fees associated with the permit. The fee for a commercial driveway shall be \$500.00. Depending on additional or unexpected complexities for driveway design the county may add on additional fees to cover its costs. Fees collected for permits shall not be refundable or transferable.

## **Section 4: Driveway Design**

### **General Requirements**

- i. All access driveways shall be for the bona fide purpose of securing access to abutting property and shall not be used for parking or other purposes.
- ii. Permittee shall not interfere with utilities located in the County Right-of-Way. In the event damage occurs, permittee will be liable to the County or other utilities running through the right-of-way.
- iii. Commercial Driveways shall be spaced with a minimum of sixty feet (60') separation. On major thoroughfares, driveways shall be placed with a minimum of one hundred and twenty feet (120') separation.
- iv. Commercial tracts with ninety-five feet (95') or less frontage on a public street shall have no more than one (1) driveway. Commercial tracts with between three hundred twenty feet (320') and ninety-six feet (96') on a public street shall have no more than two (2) driveways. Commercial tracts with between six hundred feet (600') and three hundred twenty-one feet (321') frontage on a public street shall have no more than three (3) driveways.
- v. Each driveway radius should accommodate the appropriate design vehicle.
- vi. Sight requirement-300 foot.
- vii. Unless signed for one-way operation, driveways should be designed to accommodate simultaneous entry and exit by the appropriate design vehicle.
- viii. All County Right-of-Way shall be restored to its original condition, as far as practical, in the opinion of the County Engineer or appointed representative.
- ix. Maintenance of all commercial access driveways is the responsibility of the property owner.
- x. The County reserves the right to deny any driveway permit it deems to be unsafe in any way. This can be lack of line of sight, nearness to another driveway or intersection, or any circumstance that may arise.

## **Materials**

- i. All materials must be approved by a County representative and must be consistent throughout the entire construction process.
- ii. Once the proposed driveway design is approved, the cost of all material and installation is the responsibility of the property owner.
- iii. All access driveways shall be paved with a stabilized all-weather surface material to prevent road damages.

## **Drainage**

- i. Adequate drainage shall be maintained in ditches at all times. Drainway must be capable of passing a 10 year storm without water coming onto the road.
- ii. 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 roadway pavement.
- iii. Special designs such as bridges will be handled on a case-by-case basis.
- iv. The installation of culverts shall be governed by the following procedures:
  - a. Culverts shall not be set until flow line elevations are set and approved by Atascosa County.
  - b. Culverts shall not be backfilled until an inspection is conducted by Atascosa County to determine that the elevation and grade of the culverts have been correctly set.
  - c. Culverts shall also be inspected upon completion of the placement of cement stabilized backfill, if required, and prior to commencement of driveway construction.

## **Section 5: Safety Requirements**

- i. Proper traffic control measures must be in place prior to beginning work and remain in place during the duration of the job. All traffic control measures must follow the Texas Manual of Uniform Traffic Control Devices.
- ii. A traffic control plan must be provided for the following:
  - a. Any construction left open overnight requires specific nighttime traffic control measures pursuant to the Texas Manual of Uniform Traffic Control Devices;
  - b. If construction is within ten (10) feet of the roadway; or
  - c. Any work performed in the road right-of-way.

Plan must be attached to the permit and kept at the job site while work is performed. The Plan must also set forth the time of completion of the job.

- iii. During construction, all safety regulations of the Texas Department of Transportation shall be observed.
- iv. Permittee must take precautions and measures, including placing and displaying safety devices, as may be necessary, to safely conduct the public through the project area.
- v. Atascosa County reserves the right to perform any operation within the road right-of-way on a commercial access driveway that is necessary to protect the safety of the public or to preserve the integrity of the roadway.

## **Section 6: Enforcement**

i. The County Sanitarian/Inspector shall be charged with the enforcement of these requirements. If any person violated any provision of these requirements the County Sanitarian/Inspector will attempt to obtain compliance with the requirements. In the event the Sanitarian/Inspector is unable to obtain compliance within a reasonable time, the Sanitarian/Inspector may report the violation to Commissioners Court and the following remedies may be pursued:

a. If any person engages in the construction, or repair of a driveway or culvert crossing a county easement or right-of-way without a permit, the Commissioners Court may direct the County Attorney to file suit to enjoin the violation of these requirements.

b. If any person engages in the construction of a driveway or culvert in any manner except as specified in the county issued permit, the Commissioners Court may direct the County Attorney to file suit to enjoin the violation of these requirements.

c. If any person engages in the construction, or repair of a driveway or culvert crossing a county easement or right-of-way without a permit or engages in the construction of a driveway or culvert in any manner except as specified in the county issued permit, the Commissioners Court may order the landowner to remove or repair the driveway or culvert at the landowner's expense, and discontinue use until the county approves a permit.

## **Section 7: Exceptions and Appeals**

- i. Exceptions to these requirements will be considered only after good and sufficient cause for an exception has been demonstrated by the applicant.
- ii. Residential and agricultural use driveways do not require permits, although the county reserves the right to make sure tie ins to the county road had been done in such a way that drainage is properly managed and road damage is not caused.

iii. Upon denial of a permit, the applicant may appeal the decision by stating and submitting reasons a permit should be issued in writing to the Sanitarian/Inspector within ten (10) working days of the denial of the permit. The Sanitarian/Inspector shall review the appeal and within ten (10) working days of the receipt of the appeal, shall reduce his findings and submit his findings and recommendation to Commissioners Court. The applicant shall be provided with a copy of the Sanitarian/Inspector's recommendations and may appear before Commissioners Court to support an appeal.



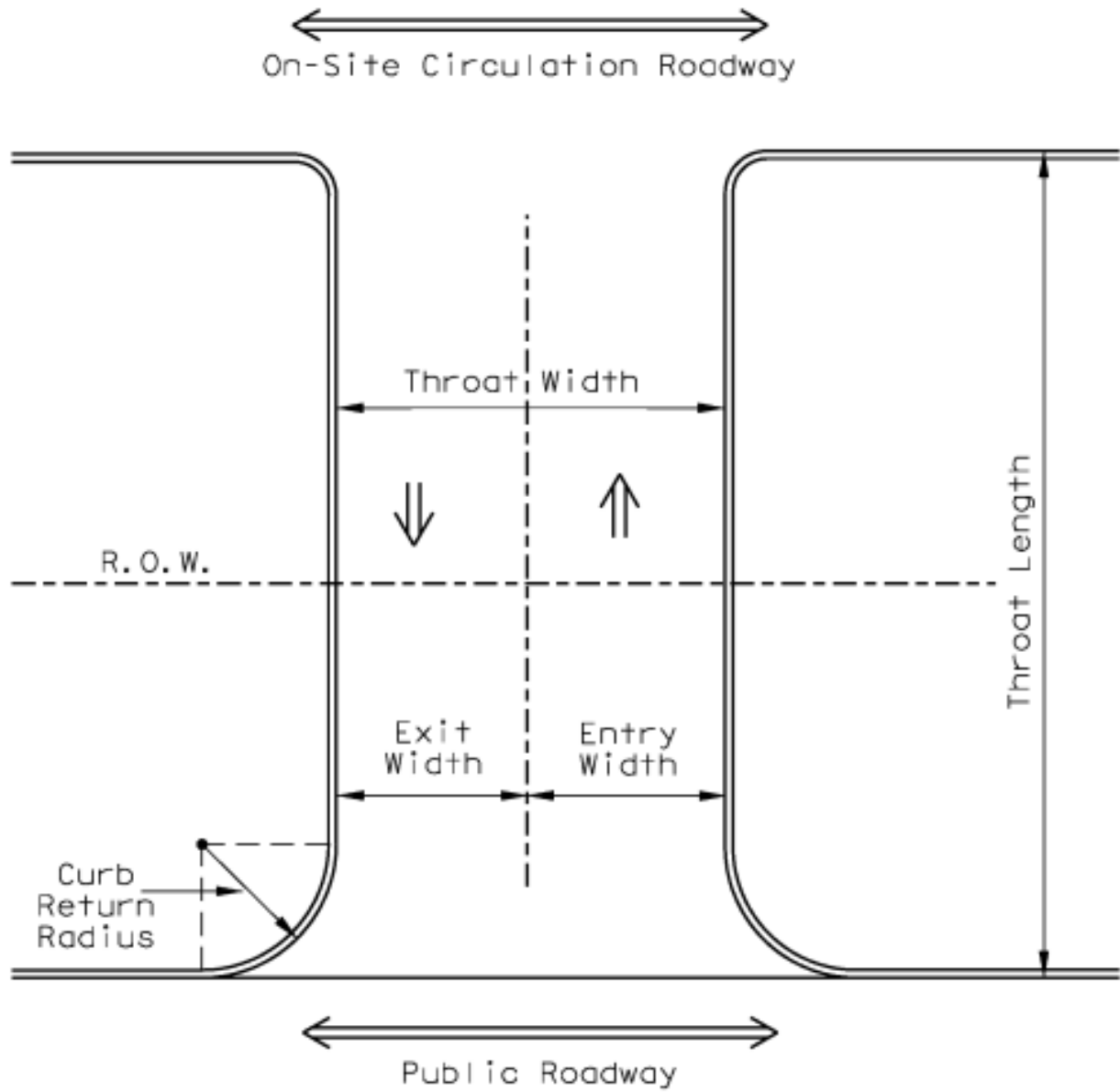
## Section 8: Atascosa County Access Management

### **Geometrics for Two-Way Driveway**

The following are standards for two-way driveways:

**(Commercial Driveways)** – At locations where the expected volume of large vehicles is four or more per hour, the design should be based on the appropriate design vehicle. Such situations include, but are not limited to, truck stops, warehouses, and concrete batch plants, sources of aggregate, RV sales/truck sales and RV parks. The design should also consider future roadway traffic and local conditions and incorporate simultaneous two-way driveways if justified.

In cases where one-way operation is appropriate, a condition of the driveway permit should require that appropriate one-way signing be installed and maintained.



Definitions sketch page

Standard Design for Two-way Commercial Driveways

**US Customary Units**

Throat Width (W) (ft)	Radius (R) (ft)
28	25
30	30
40	25
44-50	25
56-62	25

The above table details what the “radius” must be based on the approved “throat width.”

## **Section 9: Atascosa County Access Driveway Permit Checklist Overview**

Once applicant has completed the process please return application to the County Clerk for review.

Atascosa County approval is required if the proposed driveway is outside corporate city limits and the driveway is in Atascosa County road right-of-way.

- A Driveway permit is required for all commercial driveways onto Atascosa County road right of way.
- Provide a legal description of the property, the acreage, survey name and tax parcel identification number.
- Classify the driveway usage as Residential, Ranch Operating, Oilfield, Multi-Family Homes and RV Park, or Commercial Business.
- Provide the number of driveways and their approximate width at the property/right of way line.
- Drawing of driveway according to driveway standards.
- Show proposed driveway location with distance from lot corner and the distance between the edge of pavement and property line.
- Label features clearly on submitted applications drawing.
- Distance between existing driveway(s) and proposed driveway.
- Location of existing and proposed driveways and street intersections adjacent to or opposite the property.
- Existing and proposed buildings, walls, fences, signs, poles, water meters, landscaping, etc.
- North Arrow and applicable dimensions

Sign the application and provide a current mailing address and daytime telephone number.



## Permit to Construct Access Driveway Facilities On Atascosa County Road Right of Way

Permit Number: _____		
Applicant/Permittee	GPS*	Roadway
Name:	Latitude, Longitude _____, _____	Name:
Mailing Address:		
City, State, Zip:		For County's Use
Phone number:		Pct. No.: _____
*Global positioning system coordinates intersection of driveway centerline with abutting roadway.		

Atascosa County, hereinafter called the County, hereby authorizes \_\_\_\_\_ hereinafter called the Permittee, to \_\_\_ construct/\_\_\_ reconstruct a \_\_\_\_\_ (residential, commercial, farm, etc.) access driveway on the County Road right of way abutting County Road \_\_\_\_\_ in Atascosa County, located \_\_\_\_\_ (use additional sheet as needed).

Subject to Access Driveway Policy and the following:

1. The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and maintenance of an access driveway on the county road right of way.
2. Design of facilities shall be as follows and/or as shown on sketch on page 15 and is subject to conditions stated below:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_ All construction of materials shall be subject to inspection and approval by the County.

3. Maintenance of facilities constructed hereunder shall be the responsibility of the Permittee, and the County reserves 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 highway. Changes in design will be made only with the approval of the County.
4. The Permittee shall hold harmless the County and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.
5. Except for regulatory and guide signs at county roads and city streets, the Permittee shall not erect

any sign on or extending over any portion of the highway right of way, and vehicle service fixtures such as fuel pumps, vendor stands, or tanks and shall be located at least 12 feet from the right of way line to ensure that any vehicle services from these fixtures will be off the county road right of way.

6. The County reserves the right to require a new access driveway permit in the event of a material change in land use or change in driveway traffic volume or vehicle types.

7. This permit will become null and void if the above-referenced driveway facilities are not constructed within six (6) months from the issuance date of this permit.

8. The Permittee will contact the County's representative \_\_\_\_\_ telephone (\_\_\_\_) \_\_\_\_\_ at least twenty-four (24) hours prior to beginning the work authorized by this permit.

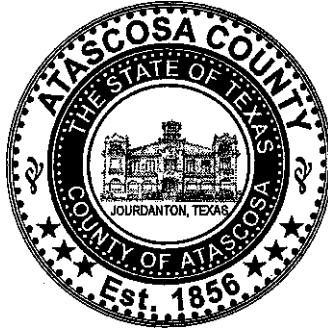
9. The requesting Permittee will be provided instructions on the appeal process if this permit request is denied by the County.

\_\_\_\_\_  
**Date of Issuance** **County Authorized Representative**

The undersigned hereby agrees to comply with the terms and conditions set forth in this permit for construction and

maintenance of an access driveway on the highway right of way.

Date: \_\_\_\_\_ Signed: \_\_\_\_\_  
**(Property owner or owner's representative)**



## **Access Driveway Policy**

The "Atascosa County Access Management Manual" establishes policy for the granting of access and the design, materials, and construction of driveways connecting to county roadways. All driveway facilities must follow this policy.

Sketch of Installation: (use additional sheets as needed)