



BOARD OF SUPERVISORS

County of Linn, Iowa

SUBJECT: Access to Secondary Roads			Directive Number:
Approval Date: 02/08/2012	Effective Date: 02/08/2012	Revision No.: Revised from previous County Engineer policy	Policy Section & Number: OP-019
Reference: BOS Minutes: 02/02/2012		Distribution: Department, Intranet, Website	

I. Policy/Purpose

The purpose of this policy is to outline requirements regarding access to Linn County secondary roads, including: number of accesses, access surfacing, commercial access agreements and permit requirements.

II. Scope

This policy pertains to requests for access from residents of unincorporated Linn County served by the Linn County Secondary Road Department.

III. Objectives

The objectives of this policy are to establish access requirements, outline conditions under which driveways may be surfaced, summarize treatment of existing hard-surfaced driveways during construction and maintenance projects, indicate the location and number of accesses allowed, set permit requirements and outline the commercial access agreement.

IV. Definitions

1. Clear Zone: A distance measured from the outside edge of the shoulder away from the road (minimum 10 to maximum the full right-of-way width).
2. Hot Mix Asphalt (HMA): This material is often called asphalt or blacktop and is delivered as a mix of aggregate and asphalt cement to the location, placed with a paving machine, and rolled to assure density.
3. Permit: A document issued by the county engineer granting permission for construction within the right-of-way. The permit states the conditions under which work can be performed and sets standards for construction. The Code of Iowa (Chapter 318) requires that anyone who seeks to make an alteration within the ROW obtain a permit from the highway authority with control. For the purposes of this policy, the county engineer is the issuing authority.
4. Portland Cement Concrete (PCC): This material is a mixture of Portland cement, water, and aggregate which hardens under a chemical reaction called hydration into a hard pavement.

5. Right-of-Way (ROW): Property obtained through deed or permanent easement reserved for construction of and/or maintenance of transportation facilities (typically 66qwide on most county roads).
6. Roadside: Areas within ROW that are outside the traveled way.
7. Seal Coat: A thin maintenance overlay of liquid asphalt with embedded aggregate.
8. Traveled Way: Designated driving surface of a road (including the shoulder).

V. Procedure

Background

The Linn County Secondary Road Department is continually maintaining and reconstructing roads that serve businesses, residences, and property throughout the unincorporated area of the county where there are an estimated 11,000 driveways that provide access to public and private property. The Code of Iowa requires that prior to making changes within the county right-of-way, residents must obtain a permit. The purpose of obtaining this permit is to assure that the work is done to county standards and that the county's interests and liability are safeguarded. The permit process allows people seeking to do work within the county ROW an opportunity to review the proposed work with county engineering staff, discuss appropriate standards for the work, and consider safety requirements.

Linn County entrance permits require that driveways serving residences be surfaced with granular material. Driveways serving agricultural property are generally rock surfaced to provide better load and road edge support. Granular surfacing of driveways allows for easier maintenance of county roads by county maintenance crews. Minor grade imperfections can be smoothed as a part of shouldering operations on paved roads or during regular maintenance of granular surfaced roads. Changes in road grade are easier to make, and granular surfacing is less costly to restore.

Many driveways have been paved without obtaining the required permit. Most of these surfaced driveways are paved to the edge of the road, whether the road is paved or rock surfaced. When the county resurfaces or reconstructs a road, the removal and replacement of paved driveways significantly inflates the cost of the project. Driveways paved to the edge of the road make even routine surface maintenance more difficult. County taxpayers should not be burdened with the cost of replacing unpermitted improvements within the right of way. The permit warns that paving may be affected by future county projects and that the property owner bears the cost of any change required.

Authority

Counties have the right to require a permit for construction within the right-of-way and to set standards for all construction within the right-of-way. Chapter 318 Section 8 of the Code of Iowa states as follows:

A person shall not excavate, fill, or make a physical change within the right-of-way of a public road or highway without obtaining a permit from the highway authority.

Linn County driveway permits specifically state that driveways serving residences shall be rock surfaced. Paving within the right-of-way is not allowed, unless an exception has been agreed to and a permit has been issued. The Code of Iowa allows the county to bring work done within the right-of-way to county standards and collect for the cost of doing so.

Requests for Paved Driveway along Granular Roads

Linn County discourages paving driveway surface on county roads due to safety and maintenance concerns. If a drive pavement is approved, it must be constructed in accordance with the permit and any costs associated with the drive pavement must be borne by the owner. The typical requirements for paved drives are:

1. drives must be surfaced a minimum of 6 inches thick,
2. drives may not be dowelled to the county road,
3. drive openings must be paved the full width of the county road shoulder,
4. drives must drain to the ditch, not onto the county road, and
5. pavement must be stopped a minimum of 15 feet from the centerline of the county road.

Driveway Pavement Replacement on County Construction and Maintenance Projects

Linn County will use the following procedures when the replacement of driveway surfacing is needed in the course of construction and maintenance projects on paved and granular surfaced roadways.

1. Permitted and non-permitted driveway pavements: The owner is entitled only to replacement of the driveway surfacing with a granular rock surface. The manner in which the county replaces the driveway surfacing depends upon the project plans for the county road the driveway abuts.
 - a. Road paving projects: The county will replace the paved driveway surfacing with rock surfacing. However, the county may determine that it is beneficial to the project to surface existing paved drives with new pavement. This is generally when the existing pavement may be connected to the new HMA overlay within the standard drive fillet of 4 feet. Owners may choose to have their additional permitted drive paved within the county right-of-way through the project contract at the owner's expense. Payment is based upon estimated quantities and is required in advance of paving. Generally, drive connections are made with the same pavement material used for the road project. On road projects involving PCC pavement, drives are generally paved with either PCC or HMA surfacing. On road projects involving HMA surfacing, drives are generally paved with HMA surfacing or seal coat. On road projects involving seal coat, drives will be left with a granular surface. Driveway paving outside of the project limits will not be replaced. Drive pavement outside the right-of-way will not be replaced.
 - b. Road grading projects: The county will not replace driveway paving on road grading projects. Minimum rock transitions will be provided.
 - c. Rock shall be used on all projects to provide a transition from the owner's drive to the new road surface. Removal of concrete or asphalt is the responsibility of the owner and is subject to invoice for county cost of removal as deemed appropriate by the county.
2. Right-of-way acquisition: Driveway surfacing may be addressed during the right-of-way negotiation process. Surfaced driveways will be replaced according to the provisions of this policy.

Number of Accesses

County policy allows one access per 40 acre parcel. A second access may be permitted by the county engineer upon receipt and review of written justification of need. Examples of need for a second access include: a natural barrier (creek) to full use of parcel, a home on parcel associated with the farm or business operation with a separate drive from the field, and separate use of a portion of the parcel through a county conditional use permit.

County policy allows one access to a residential lot or a properly created viable field division. A second access may be permitted by the county engineer upon receipt and review of written justification of need. A natural barrier preventing full essential use of property would be an example of a need for a second access.

Access Location

Accesses to all properties along secondary roads are subject to the requirements of the county subdivision standards. These standards set minimum and maximum driveway slopes, grade, distance from intersection and width.

Commercial Access Agreements

Access requirements for properties not conforming to the general county policy may be allowed by the county engineer through an agreement. The agreement shall establish the number and location of all access into property and the responsibility of the property owner for cost to Secondary Road Department associated with the required accesses.