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## **Rules Governing the Granting of Permits for Driveways in the Genesee County Road System**

**Effective:** October 30, 1969

**Revised:** March 1, 1972  
July 1, 1976  
August 6, 2002  
March 21, 2017  
September 24, 2019  
September 21, 2021

### **Introduction**

The Michigan Legislature (P.A. 200 of Public Acts of 1969) provides for regulation of driveways upon and over public highways. One important aspect of this law is the County Road Commissions having the authority to require permits in accordance with published rules and regulations promulgated and adopted by such agency having jurisdiction and control of county roads.

Since the efficiency and safety of a highway depends to a large degree upon the amount and type of roadside interference with moving traffic, reasonable standards for the location and design of driveways must be prescribed. It is generally recognized that road-fronting landowners (abutters) have certain rights of access consistent with their needs and road users have certain rights to safety and free traffic flow associated with efficient highway operation. It is the responsibility of the highway authority to regulate and control the design location of access driveways in an endeavor to reconcile the needs and rights of both abutter and traveler.

Restrictions as to the design, location and number of driveways is based on the conclusion that the abutter is not entitled to access at all points of his property along a public highway and that government has the right to regulate the use of the highway to provide for health, safety and welfare of all its citizens.

The purpose of these rules is to enumerate and describe the driveway regulations adopted by the Genesee County Road Commission and explain the procedures to ensure efficient and safe driveway connections onto public highways.

Permits for driveways shall be required in conformity with the hereinafter published rules which are consistent with the public safety and requirements in the public interest.

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### Definition of Terms

**Frontage** - The length along a highway Rights-of-Way line of a single property tract or roadside development. Corner property at highway intersection has a separate frontage along each highway.

**Frontage Boundary Line** - (abbreviated as F.B. line) - A line perpendicular to the highway centerline, at each end of the frontage, extending from the Rights-of-Way line to the edge of the through traffic lane.

**Driveway Width** - The width of the driveway measured from edge to edge at right angle to its centerline at a designated distance from the highway. Unless otherwise stated this designated distance shall be at the Rights-of-Way limit.

**Driveway Angle** - The angle of 90° or less as measured between the driveway centerline and the edge of the traveled way.

**Edge Clearance** - The distance measured along the edge of the traveled way, between the frontage boundary line and a tangent projection of the nearest edge of driveway.

**Corner Clearance** - At an intersecting highway, the dimension measured along the edge of the traveled way between the frontage boundary line opposite the intersection of the two Rights-of-Way lines and the tangent projection of the nearest edge of driveway.

**Setback** - The lateral distance between Rights-of-Way line and the roadside business building, gasoline pump curb base, display stand, or other object, the use of which will result in space for vehicles to stop or park between such facilities and right-of-way lines.

**Outside Radius** - The outside or larger curve radius on edge of driveway.

**Inside Radius** - The inside or smaller curve radius on edge of driveway, used when driveway angle is substantially less than 90°.

**Distance Between Double Driveways** - The distance measured along the Rights-of-Way line between tangent projects of the inside edges of two adjacent driveways to the same frontage.

**Engineer** - The County Highway Engineer acting either directly or through his authorized representatives.

**Curb and Gutter Subdivision Street** – A residential neighborhood street having Curb and Gutter within a platted subdivision or site condominium where the streets provide frontage to residential homes with a speed limit not exceeding 25MPH.

**Existing Commercial Site** – A site that is previously permitted with a commercial driveway as defined in the Commercial Driveway section of this policy. In the event an existing commercial site becomes vacant land for more than 5 years it shall lose the Existing Commercial Site status for the purpose of this policy.

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## **Commercial Driveways**

### **Definition**

Any driveway providing access to land which is used for industrial or commercial purposes shall be deemed to be a commercial driveway. As examples of industrial and commercial purposes, but not necessarily limited to these, are antique shop, apartment building, automobile sales, bait and tackle shop, bakery, bar, beauty shop, bowling alley, fruit and vegetable, stand, gasoline service station, hotel, Laundromat, lumber yard, mobile home sales, motel, novelty shop, real estate office, restaurant, shopping center, stores, theater, trades shops (electrical, glass, heating, plumbing), used car sales, schools and churches.

The intent of designating a use as industrial and commercial is to define those uses which induce greater traffic flow than residential use and to provide for wider access and more durable surface to accommodate the additional traffic. If a dispute arises over whether or not a specific use shall be designated commercial, The Board of County Road Commissioners shall make the final determination and shall base their decision on this intent.

### **General**

**All construction within the Right of Way shall comply with the current MDOT Standard Specifications for Construction and various other MDOT details and guides as outlined below unless otherwise approved by the Engineer.**

## Geometry

### **Commercial driveways shall be designed using the following:**

- Current MDOT Geometric Design Guide for Commercial Driveways GEO-680-Series
- Current MDOT Traffic Volume Guidelines for Driveway Passing Flares, Traffic and Safety Note 603A
- Current MDOT Traffic Volume Guidelines for Right Turn Lanes and Tapers, Traffic and Safety Note 604A
- Current MDOT Traffic Volume Guidelines for and Left Turn Lanes and Passing Flares at Unsignalized Intersections, Traffic and Safety Note 605A
- Current Michigan Manual for Uniform Traffic Control Devices

### **Except as modified below.**

1. All commercial driveways designed for two-way operation shall have a minimum width of 24 feet measured at right angle to the centerline of the driveway at the Rights-of-Way line.
2. All commercial driveways shall have a minimum radius of 20 feet. Larger radii may be required as directed by the Engineer.
3. Commercial driveways located closer than 100 feet apart will be required to be paved along the intervening roadside shoulder.

## Location

**Property Line**, No portion of a commercial driveway, including the curve which meets the traveled way, shall extend beyond the Property Line of an adjoining parcel of property extended at right-angles to the centerline of the Rights-of-Way from the point where the property line meets the Rights-of-Way, unless written approval of the adjoining property owner is obtained and a copy filed with the Engineer.

**Sight Distance**, No driveway shall be permitted in a location without adequate Sight Distance. Current MDOT Sight Distance Guidelines will be used to establish and measure sight distance.

**Spacing for Commercial Drives and Streets**, follow current MDOT Spacing for Commercial Drives and Streets, Traffic and Safety Note 608 Series.

**Except as modified below.**

1. Intersection Corner Clearance: No portion of a new Commercial Driveway Shall be permitted within the functional or physical area of an intersection. The minimum distance permitted if the functional area is not clearly defined by pavement markings shall be 200' on the upstream or 150' on the downstream side of an intersection measured from the center of intersection.

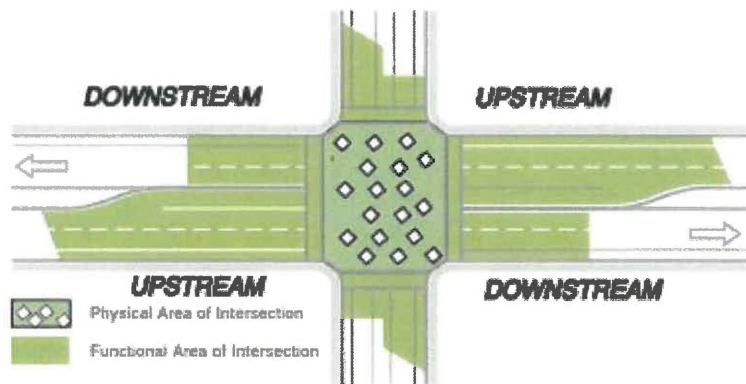


Figure 1: Functional and Physical Areas of an Intersection

2. No portion of two commercial driveways serving the same property shall be located closer than 30 feet to one another, measured at Rights-of-Way line parallel to the centerline of the road.

## Joint Driveways

Consolidation of adjacent commercial driveways into joint driveways is encouraged as a means to reduce the number of conflict points along a roadway. When both property owners abutting a common property line agree, they may construct a joint commercial driveway which shall meet the same rules regarding WIDTH as all other commercial driveways and all the rules regarding LOCATION of commercial driveways, except that pertaining to location in regard to property lines.

## Surface

All commercial driveways shall be surfaced from the edge of the traveled way for a distance of not less than Twelve (12) feet toward the Rights-of-Way line or to the curb of an M-Opening with a material matching the surface of the traveled

way which it joins. Where deemed necessary, the property owner shall provide deceleration and/or acceleration lanes, bypass lanes, left turn lanes, curb & gutter and underground drainage as an integral part of the commercial driveway when warrants are met using the appropriate MDOT traffic volume guide.

## **Pavement Cross Section**

1. 9" Min Depth Concrete surface over 3" 21AA Limestone base
2. 13" full depth 13A HMA surface and base
3. 5" 13A HMA surface over 13" 21AA Limestone base

## **Number of Driveways**

A Commercial site may have one (1) driveway providing it meets all rules governing commercial driveways. A second additional driveway may be permitted provided internal traffic patterns support the second drive and both driveways meet all rules governing commercial driveways. In the case where the internal traffic pattern separates passenger cars from commercial motor vehicles for safety reasons a 3<sup>rd</sup> entrance may be permitted provided all Three (3) meet the rules governing commercial driveways. One (1) driveway allowance may be divided into two (2) locations if the construction and signage are such that the function is one-way traffic, dedicated in, and dedicated out and all other rules governing commercial driveways are met.

## **Drainage**

No site drainage shall be discharged to an existing drainage system within the Right of Way at a volume greater than agricultural rate or into a system that is incapable of taking the additional capacity the site drainage discharge would generate. The development of commercial driveways may require modification and or improvement to the existing Right of Way drainage system. These modifications and or improvements shall be constructed by the permit holder as an integral part of the driveway construction.

The Genesee County Drain Commissioner has been designated responsible for storm water management in Genesee County. As such, no commercial driveway shall be permitted without the approval of all storm water plans and calculations for the site by the Genesee County Drain Commissioner.

## **Parking**

The Board of County Road Commissioners does not have jurisdiction over the use or arrangement of buildings and facilities on private property. However, it will not issue permits for parking on the Rights-of-Way nor will it issue permits for the stopping of vehicles on the Rights-of-Way for any commercial purposes.

## **Redevelopment of an existing commercial site**

When an existing commercial site is redeveloped the existing commercial driveways must conform to all current rules governing commercial driveways. This may require removal, relocation and reduction of the number of driveways. In the event the site does not allow compliance with current rules governing commercial driveways, one (1) driveway may be permitted in a best fit consideration as determined by the Engineer. All modifications shall be at the permit holder's expense.

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## **Residential Driveways**

### **Definition**

All driveways for the purpose of serving the residents of single or two family dwellings or a farm yard adjacent to a farm residence shall be deemed to be residential driveways.

### **Width**

1. All residential driveways not on a curb and gutter subdivision street shall have a minimum width of 10 feet and a maximum width of 20 feet and meet the traveled way with minimum radius or flare of 5 feet. This will be measured at right-angle to the centerline of the driveway at the Rights-of-Way line.
2. All residential driveways on a curb and gutter subdivision street shall have a minimum width of 10 feet and maximum curb opening of 30 feet. Radius or flares shall be optional. At no time will a curb opening more than 30 feet be permitted including the radius or flares.

### **Location / Sight distance**

1. No driveway shall be permitted in a location without adequate sight distance. Current MDOT Sight Distance Guidelines will be used to establish and measure sight distance.
2. No portion of a residential driveway, including the curve which meets the traveled way, shall extend beyond the property line of an adjoining parcel of property extended at right-angles to the centerline of the Rights-of-Way from the point where the property line meets the Rights-of-Way line, unless written approval of the adjoining property owner is obtained and a copy filed with the Genesee County Road Commission.
2. No portion of a residential driveway, including the curve which meets the traveled way, shall be located closer than 30'ft of the spring point of the nearest radius of the intersecting street or nearest Rights-of-Way line of the intersecting street, whichever is greater.
3. No portion of two residential driveways, including the curve meeting the traveled way, serving the same property shall be located closer than 30 feet to one another, measured at the Rights-of-Way line parallel to the centerline of the road.
4. No portion of a residential driveway, including the radius or flare shall be closer than 5 feet of an existing curb inlet basin.

### **Joint Driveways**

When both the property owners abutting a common property line agree, they may construct a joint residential driveway which shall have a minimum width of 10 feet and a maximum width of 30 feet and shall meet all the rules regarding residential driveways, except that pertaining to location in respect to property lines.



## **Surface**

All residential driveways on curb and gutter streets must be paved a minimum distance of 10 feet from back of curb toward the Rights-of-Way lane with one of the following:

1. 5" minimum depth Portland Cement concrete.
2. 6" minimum depth bituminous aggregate base and surface placed in at least two courses.

Residential driveways on paved streets other than curb and gutter streets shall be surfaced with gravel, or paved with one of the following:

1. 5" minimum depth Portland Cement concrete.
2. 6" minimum depth bituminous aggregate base and surface placed in at least two courses.

Residential driveways on gravel streets may not have pavement closer than 10' to the traveled portion of the road to allow grading and maintenance of the gravel road.

## **Number of Driveways**

One residential driveway will be permitted for each platted lot except circle drives will be permitted on lots in excess of 70 ft. frontage or for the first 70 ft. or more of residential property held in one piece in unplatted areas.

No more than 2 residences will be granted driveway permits off any single driveway. If more than 2 residences are proposed off one driveway a commercial driveway must be constructed and the driveway will be considered a private road.

## **Policy for Driveways at the End of a Certified Road**

On platted road right-of-way, where no road has been constructed (public or private), the Genesee County Road Commission will issue up to two (2) driveway permits to use the undeveloped right-of-way to access property beyond the end of the existing certified road. Any additional driveway permit applications to use the same Rights-of-Way for access will require construction of a road, in said Rights-of-Way meeting Genesee County Road Commission standards, prior to issuance of a driveway permit. The Genesee County Road Commission will not be responsible for any of the costs associated with constructing roads in previously undeveloped Rights-of-Way.

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## **Farm Field Driveways**

### **Definition**

Any driveway serving cultivated fields, timber land or undeveloped land not used for industrial, commercial or residential uses shall be designated a farm field driveway.

### **Width**

1. All farm field driveways shall have a minimum width of 10 feet and a maximum width of 24 feet measured at right-angles to the centerline of the driveway at the Rights-of-Way line.
2. All farm field driveways shall meet the traveled way with a minimum radius or flare of 10 feet.

### **Location / Sight Distance**

No driveway shall be permitted in a location without adequate Sight Distance. Current MDOT Sight Distance Guidelines will be used to establish and measure sight distance.

No portion of a farm field driveway, including the curve which meets the traveled way, shall extend beyond the property line of an adjoining parcel of property extended at right-angles to the centerline of the Rights-of-Way from the point where the property line meets the Rights-of-Way line, unless written approval of the adjoining property owner is obtained and a copy filed with the Genesee County Road Commission.

### **Surface**

All farm field driveways shall be seeded or sodded to provide plant growth which will stabilize the driveway and minimize erosion. Surfacing will be permitted on request in accordance with requirements herein applicable to residential drives.

### **Number of Driveways**

A permit "may be granted for a driveway to serve each 10 acres of cultivated land, timber land or undeveloped land.

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## **General**

### **Drainage and Culverts**

1. Wherever there is an existing ditch or the Board of County Road Commissioners or its agents install a ditch, prior to the construction of any type of driveway, the Engineer shall determine whether or not a culvert is required, and if so, the size (diameter) and length of culvert required, and the property owner shall furnish and install the culvert so determined.
2. Culverts shall be installed in line with and on the same grade as the road ditch, unless otherwise directed by the Engineer.
3. No culvert of less than 12" diameter shall be installed.
4. No culvert length shall be installed that provides steeper than a 1' on 3' side slope around and above the culvert on both sides of the driveway.
5. All culverts shall meet MDOT Class F Drive culvert specifications.
6. The maintenance, upkeep and replacement of a driveway culvert along with all costs associated shall be the responsibility of the property owner. A culvert in need of maintenance or replacement shall be considered in violation of the policy.

### **Permit Fees**

The Engineer may charge a fee to defray administrative and inspection costs pertinent to the issuance of driveway permits. Such schedule of charges shall be commensurate with actual and necessary expenses and made a part hereof.

- a. The permit fee for residential or farm field driveway shall be \$50.00
- b. The permit fee for each commercial driveway shall be \$100.00 for 10 or less parking spaces, \$200.00 for more than 10 parking spaces and each additional drive, plus a plan review charge of \$50.00

**Revoking of Permits**

A permit may be revoked by the highway authority issuing it if at any time the permitted object, use or activity fails to meet the requirements of Public Act 200 of 1969 or rules made in accordance therewith.

**Correcting Violations**

Any driveway which is constructed or reconstructed after the effective date of the rules issued pursuant to Act 200 and which is in violation of the rules shall be corrected by the owner within a period of time, not less than 30 days, specified in the notice of violation sent by certified mail to the owner. If not so corrected within the time period required by the notice, the highway authority or its agents may perform the necessary correction and the owner shall reimburse the highway authority for the reasonable cost of correction.



Fred Peivandi, Managing Director



Date