



# Maricopa County

Planning & Development Department  
Department Directive

Department Directive  
DD-2017-01

Effective: Immediately

Date: 4/26/17

Initiator: Michael Norris -  
*MN*

Director: Daren Frank -  
*DF*

**TITLE: UNPAVED PRIVATE ROAD PERMIT REQUIREMENTS**

**PURPOSE:**

1. To provide information to the public on what is needed to maintain and improve unpaved private roads or private easements.
2. To provide information on what is required to obtain permits from Planning and Development for maintenance and improvements to unpaved private roads or private easements.

**REFERENCES:** Maricopa County Zoning Ordinance

**POLICY/ PROCEDURES:**

Unpaved easements and roads within the unincorporated areas of Maricopa County require repair or improvement from time to time. This document will outline when a building permit for grading is required for this work and what is required when applying for a permit. When a building permit is required for a private road, property owner(s) authorization is required for all of the properties for which the work will be performed.

This document does not explain or determine when a dust permit or any other types of permits are required by other Agencies.

**1. New Private Roads:**

All new private roads within unincorporated areas of Maricopa County require a permit. This includes all dirt roads and paved roads. The permit requirement for new roads is determined by the site conditions. Some roads can be permitted with a site plan and typical detail while other roads will require full engineered plans and a drainage report. The Planning and Development Engineering Department can provide assistance in determining the permit requirements.



As the pictures above depict, a new road was graded where a road did not previously exist. Anytime a new road is graded, a permit or permits are required from Planning and Development to ensure historic drainage patterns are maintained.

## **2. Maintain an Existing Dirt Road:**

Private dirt roads need maintenance from time to time. This maintenance may be needed because of storm damage or normal wear on the surface. This type of maintenance does not require a permit from Planning & Development as long as the work does not alter the historic drainage patterns. The intent of this type of work is to restore the road to what it was prior to the damage or wear on the surface. If a citizen calls and complains about the work that was performed, the County will review the work and make a determination if the work altered historic drainage. If the County determines the work has altered the historic drainage pattern, a permit will be required to correct the problem.

Most drainage problems are created when the person(s) performing road repairs grades a crown into the road or adds ditches along the edge of the road when these features did not exist before the maintenance was conducted. This will always alter the historic drainage along the road. When performing roadway maintenance, it is required that existing surface along the edge of the road be maintained. If historically the road was designed with a ditch along the edge, then it is acceptable for the ditch to be maintained.



The pictures above show typical repairs to a road due to storm damage. This repair did not require a permit from Planning and Development.

### **3. Improve an Existing Dirt**

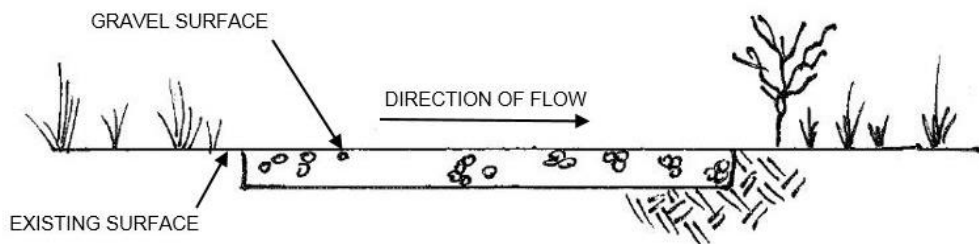
#### **Road with Gravel:**

In an effort to stabilize a private road, property owners may decide to place gravel or asphalt millings on the surface of the dirt road. This also can be done without a permit from Planning and Development. However, the same conditions apply to this practice as to when maintaining a dirt road as specified above. If the work will alter the historic drainage pattern, a permit will be required.

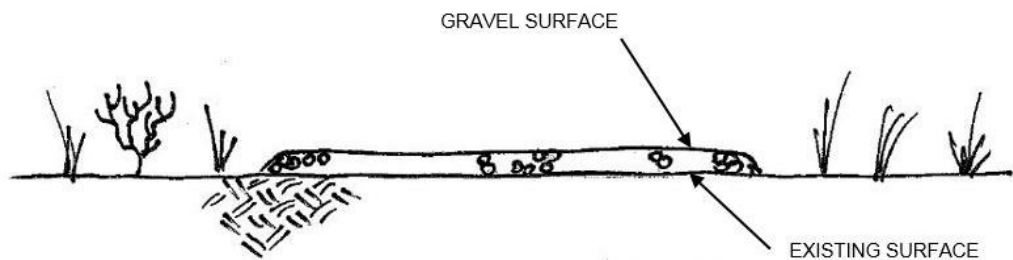
When adding gravel to an existing dirt road, it is required to maintain the existing road surface. For example, adding two (2) inches of gravel to the surface of the road will require removal (and lawful disposal) of two (2) inches of the existing road surface (See section A). This is not always needed, but would be a requirement in instances where storm water runoff historically crosses the road evenly. In some cases, the road surface has eroded and has lost material over time. In these instances, removal of soil when adding the gravel is not required. The final grade and elevation of the roadway must match the historic grade and elevation.

When the direction of flow runs parallel with the road, the gravel can be put directly on the existing surface (See Section B). This is not a preferred method of placing gravel on the road, but in some areas it will not affect the historic drainage pattern.

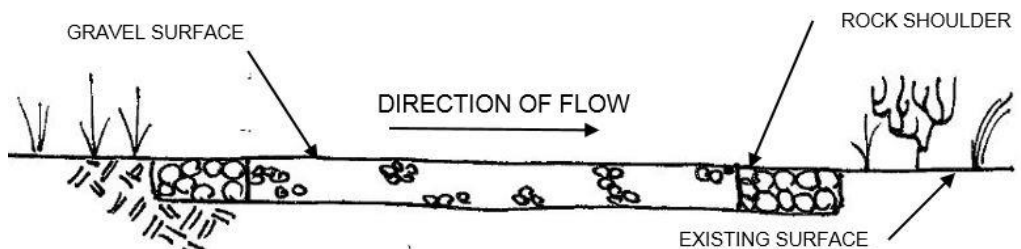
When an existing dirt road is being eroded from storm water runoff crossing the road evenly, a larger size gravel may be utilized as a rock shoulder (See Section C). This does not apply to areas of concentrated water crossings (i.e. washes). At all times, it is required that the existing surface be maintained.



**GRAVEL ROAD SECTION A**



**GRAVEL ROAD SECTION B**



**GRAVEL ROAD SECTION C**

#### **4. Improve an Existing Dirt Road with Chip Seal:**

Chip sealing an existing dirt or gravel road will always require a permit. If the road has concentrated water crossing(s), an engineered plan will be required for the drainage design of the crossing(s).

#### **5. Improve an Existing Dirt Road with Pavement:**

Paving a road will always require a permit. When applying for the permit, an engineered plan and possibly a drainage report will be required. This road will need to be designed to withstand the 100-year storm event.

#### **6. Maintenance or Repairs of an Existing Private Paved Road:**

Maintenance or repairs of an existing paved road does not require a permit from Planning and Development. This type of work is only to restore a paved road to its original condition.

#### **7. Improvement to an Existing Private Paved Road:**

In most cases, improvements to an existing private paved road requires a permit and an engineered plan. Improvements such as culverts and road widening will require an engineered plan. Generally improvements such as sidewalks, driveway approaches, and landscaping do not require an engineered plan.

#### **8. Final Statement:**

The Maricopa County Planning and Development Department understands the needs of private citizens to access their properties and their need for quick repairs to those access roads. The intent of this directive is not to delay this type of work. However, to protect the safety and welfare of other citizens, Planning and Development is required to ensure that the improvements described above do not create an adverse impact to surrounding properties.

Citizens are encouraged to contact the Maricopa County Planning and Development Engineering Department for assistance on how to best proceed for these types of projects.

Generally, title to private roads, private easement and grants to the general public that have not been Opened and Declared by the Maricopa County Board of Supervisors, are owned by the owner of the property adjacent to such road, easement or grant. Placement of any material on the property of another may subject the person placing the material to civil or criminal complaint by the owner of the property.