

# Title 13 ► Chapter 13

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## Road Access Control

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### **Sec. 13-13-1 PURPOSE**

The purpose of this ordinance is to regulate and control access on to town roads in order to promote the public safety, convenience, general welfare, economic viability and to protect the public investment of existing and proposed Town roads, and to provide for safe and efficient use of the Town of Friendship road system.

The design standards herein prescribed are to promote the orderly and safe movement in and out of private properties as to constitute a minimum of interference to through traffic, and to control the use of drainage structures and appurtenances as may be necessary to preserve the physical structure of the road.

### **Sec. 13-13-2 GENERAL**

1. The present tense includes the future tense and the singular tense includes the plural.
2. The word “shall” is mandatory; the word “may” is permissive.
3. The word “used” or “occupied” also mean intended, designed, or arranged to be used or occupied.
4. The word “person” includes any individual, firm, association, joint stock association, organization, partnership, limited trust, body politic, governmental agency, company, corporation and includes any trustee, receiver, assignee, or other representative thereof.
5. All distances unless otherwise stated shall be measured in the horizontal direction.
6. “ADT” is the average daily traffic on a segment of highway.
7. “Town Board” means the duly elected Town Board of the Town of Friendship or the Town Board's duly appointed representative.

### **Sec.13-13-3 Definitions**

**Access-** Connection point for a private driveway or other public road to a town road. **Access Permit - A** permit from the Town Board granting permission to connect for access purposes, to a town road.

**County Trunk Highway (CTH)-** Any segment of a Fond du Lac County Trunk Highway.

**Driveway-** Any public access for motorized vehicles to one or two parcels.

**Field Entrance-** An access point, the only use of which is as an entrance or exit to an agricultural parcel of land for field work purposes.

**Limited Access Highway-** Highways on which access is provided for via entrance and exit ramps (USH 41).

**Parcel-** The area of land outside the public right-of-way, within the property lines of a given piece of property.

**Road-** Any road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass or other pathways intended for the public use of motorized vehicles to obtain access to more than two parcels.

**Rural Road-** Any town road with a 55 MPH speed limit in a largely rural or underdeveloped area.

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**Semi-Urban Road-** Any town road outside the municipal boundaries of a city or village with a speed limit below 55MPH.

**Stopping Sight Distance-** A measurement calculated to determine the safe stopping distance of a vehicle at a certain speed.

**Subdivision-** A subdivision of land authorized by the Fond du Lac County Subdivision Ordinance, the Town of Friendship Subdivision Ordinance, if any, or a certified survey map under Chapter 236 of the Wisconsin Statutes.

**Vision Comer-** A clear triangle of right-of-way to control sight restrictions at access points. (See diagrams)

## **Sec. 13-13-4 Regulations**

1. **EXISTING ACCESS.** Any use of access to a town road (via driveway or road) prior to the effective date of this ordinance will be permitted, provided that any future improvements or alterations shall meet the terms of this ordinance.
2. **VACATED ACCESS.** If the Town Board determines that the use of an access has been discontinued for a period of at least two years, the Town Board shall notify the owner by certified mail that the access is to be considered vacated. The Town Board will allow the owner 30 days to reply. If after 30 days the Town Board decides the access has been abandoned, the access shall be considered vacated and its use will not be permitted. Any further use of this access after it is declared vacated, will require a permit and be considered a new access under this ordinance.
3. **ACCESS PROHIBITIONS.** No person shall construct as access point within the meaning of this ordinance unless a valid permit has been obtained from the Town Board. Entrance to or exit from a town road shall be prohibited except at designated access points. No person shall alter, in any way, existing appurtenances or features within the town road right-of-way including but not limited to ditches, drainage ways, culverts, bridges or pavement surfaces (including existing access points) until or unless a permit has been obtained from the Town Board.
4. **SUBDIVISION OF LAND.** Before any parcel of land is allowed to be subdivided, it must be proven that access can be provided to each proposed parcel in such a way that it will not violate any of the regulations of this ordinance.

## **Sec. 13-13-5 Access Spacing and Frequency**

1. Only one access per parcel will be allowed for parcels zoned residential or agricultural unless provided for elsewhere in this ordinance.
2. Commercial and industrial zoned parcels may be allowed two (2) points of access, provided each access meets the criteria of this ordinance, the development requires more than 50 parking spaces, and/or if two (2) access points would provide for safer movement of traffic.
3. When a property owner owns more than one parcel adjacent to another, with the same zoning, all with frontage on the County Highway, the parcels shall be treated as a single parcel under this ordinance.
4. Except as provided below, access permits shall not be issued where the horizontal distance between access points would become less than 150 feet for SEMI-URBAN ROADS and 600 feet for RURAL ROADS (except for AGRICULTURAL RELATED RESIDENCES), unless there is n o o t h e r alternate to provide access to the existing parcel. Notwithstanding the preceding, the Town Board has the authority to issue access permits where the horizontal distance between access points w o u l d become less 150 feet in developed areas such as Van Dyne and similarly developed areas where 150 foot separation would be impracticable.
5. **AGRICULTURALLY RELATED RESIDENCES** on which at least one person earns at least 25% of his or her gross annual income from farm operations on the farm parcel, or a parent or child of the operator of the farm, may have a driveway at a distance not less then 150 feet from the centerline of the proposed driveway to the centerline of an existing driveway.
6. **ROAD OR STREET:** A driveway access shall not be permitted at a distance of less than 200 feet for SEMI-URBAN or 600 feet from RURAL ROAD from the centerline of an intersecting road to the proposed driveway.

7. **Intersecting Road Access.** A new intersecting road access, must be at least 1000 feet for RURAL and 500 feet for SEMI-URBAN, from the nearest road which enters onto the CTH should NOT be staggered, creating T intersections, but should connect with another road on the other side of the road.
8. **Entrance and Exit Ramps.** Driveways shall not be permitted within 500 feet, on a RURAL ROAD and 300 feet on a SEMI-URBAN ROAD; and roads shall not be allowed within 1000 feet on a RURAL ROAD and 500 feet for SEMI-URBAN ROADS of an entrance or exit ramp of a LIMITED ACCESS HIGHWAY.
9. In the event that the applicant proposes a use not covered by this ordinance, the department shall make the determination of the applicable criteria based on the need to preserve town road capacity and safety. Access proposals which conflict with safe driving standards may not be allowed.

## **Sec. 13-13-6 Design Standards**

Driveways and roads with access onto town roads must comply with the following design standards:

1. **CULVERTS** must be at least 24 feet long and placed under at least 1 foot of cover, be a minimum of 15 inches in diameter, be at least 10 feet from the nearest culvert endwalls will not be allowed less than 10 feet from the property line in rural areas, and be constructed of corrugated metal or concrete with endwalls. Plastic pipe will not be permitted. Culvert size will be determined by the Town Board so as to allow for proper drainage.
2. **SLOPES** to the side of the access shall not be steeper than 4 to 1 (25%) or that of the embankment of the town road whichever is less.
3. **RETAINING WALLS** shall be prohibited.
4. **PAVEMENT** of driveway access shall consist of blacktop or compacted gravel. Concrete shall not be allowed within 6 feet of the road edge on roads over 35 mph.
5. **CONSTRUCTION OF ACCESS** shall be so that drainage of the town road shall not be impeded.
6. **CURB AND GUTTER** must be removed at the entrance for a new access and new curb and gutter must be provided within the right-of-way where applicable.
7. **ANGLE** of access shall be as close to 90 degrees with the centerline of the town road as possible, but not less than 75 degrees.
8. **INTERIOR TURNAROUNDS** shall be provided as necessary such that vehicles do not need to back out onto the town road, except in the case of single family residences.
9. **EXISTING TOWN ROAD PROPERTY** including road surfaces, curbs, shoulders, slopes, ditches, and vegetation shall be restored to its original condition by the applicant.
10. **VISION CORNERS** must be free of all obstructions at each access point in accordance with the VISION CORNER diagram included at the end of this ordinance. Vision comers are to be measured from a point 3.5 feet above the center of the proposed access, 15 feet back from the edge of the pavement of the town road, to two points 4.5 feet above the center of the nearest on coming lane of the town road in each direction, at a distance of "D" (as shown in diagram) from the point where the town road meets the center of the proposed access. Distance shall correspond to the speed limit of the road. Signalized intersections must meet the same standards as driveways.
11. Facing access points on opposite sides of a town road shall be located directly opposite each other whenever possible.
12. Shared/joint access will be encouraged whenever possible to minimize the number of access points and interruption of traffic flow. Multiple access points shall not be permitted when shared access or interior roadways are an alternative.
13. Type "A" access. Private driveways with access to one or two agricultural or residential parcels must have a driveway width of 16 to 24 feet and a return radius of 20 feet. (See drawing)
14. Type "B" access standards must be used for residential driveways with 3-20 units and commercial or industrial with up to 25,000 square feet. (See drawing)
15. Acceleration and deceleration lanes may be required in SEMI-URBAN areas when ADT is above 100 or when peak traffic demand and access location warrant.
16. Far side passing (bypass) lane will be required when the ADT of the town road is 2,500 or more for a type "B" access and 1,000 or more for a Type "C" access or when in the judgment of the Town Board, peak traffic demand and/or location of access warrant it.

## **Sec. 13-13-7 Administration and Enforcement**

1. **ADMINISTRATION.** The Town Board or its duly appointed representative is authorized to administer this ordinance. Applications for permits and variances shall be made to the Town Board prior to beginning construction. The Town Board shall review the proposed development or construction and shall either grant or deny the proposed access based on the provisions, standards, and requirements of this ordinance within 30 days. Applicants commencing work prior to issuance of an approved permit are subject to denial of permit, removal of access, as well as fines and possible prosecution.

The Town Board reserves the right to retain the services of a qualified engineer or other professional assistance. The applicant shall reimburse the Town for any fees incurred by the Town to review, administer or enforce the applicant's road project.

2. **INTERPERTATION.** All restrictions on the use of land is restricted to the objects, growth, and use of land within the rights of way of the Town of Friendship roads. Whenever it is questionable as to jurisdiction of this ordinance, the entire object shall be considered to be entirely within, that jurisdiction.
3. **PERMITS.** No structure, object or growth shall be constructed, reconstructed, altered, placed, installed, or planted within the jurisdiction of this ordinance until a permit has been issued by the Town Board. An access permit shall expire one year from date of issuance. Construction must be completed within this time. The Town Board may require scale drawings or other information prior to granting a permit.

The permittee shall be liable for all materials, labor and other costs connected with the construction of the access. Fond du Lac County will not be liable for any damage or injury resulting from construction on access. Fond du Lac County will not be responsible for any maintenance including snow and ice control of any access.

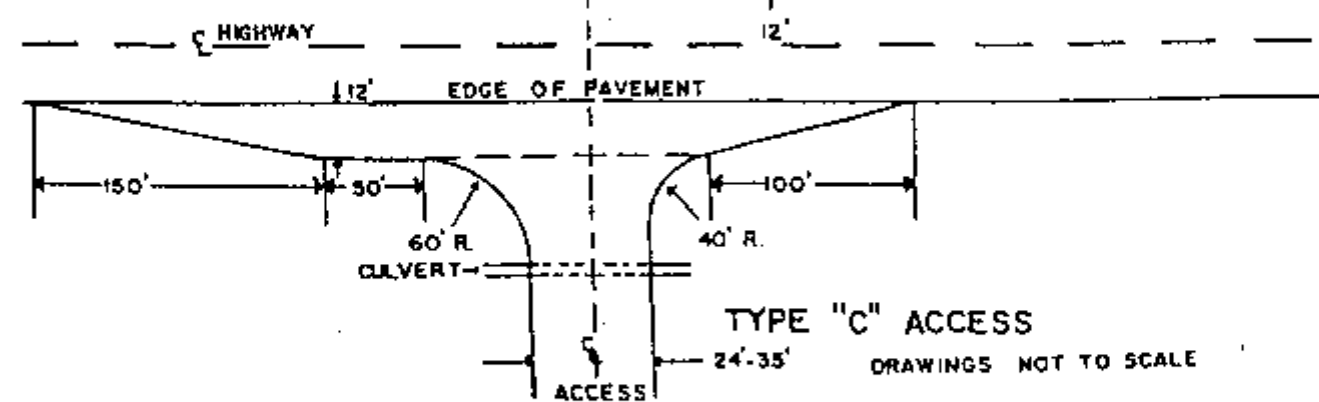
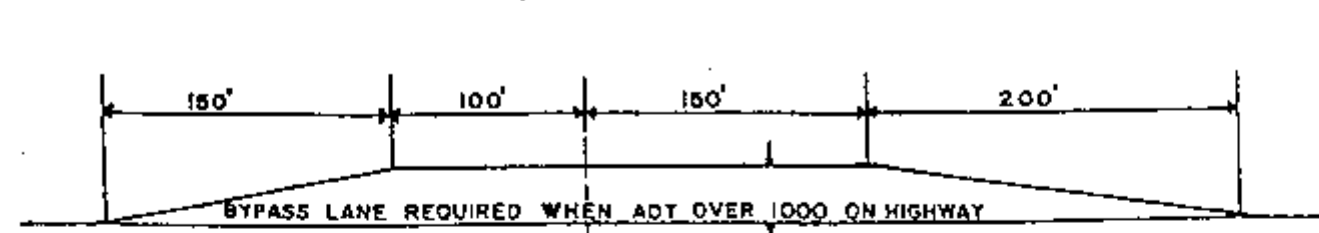
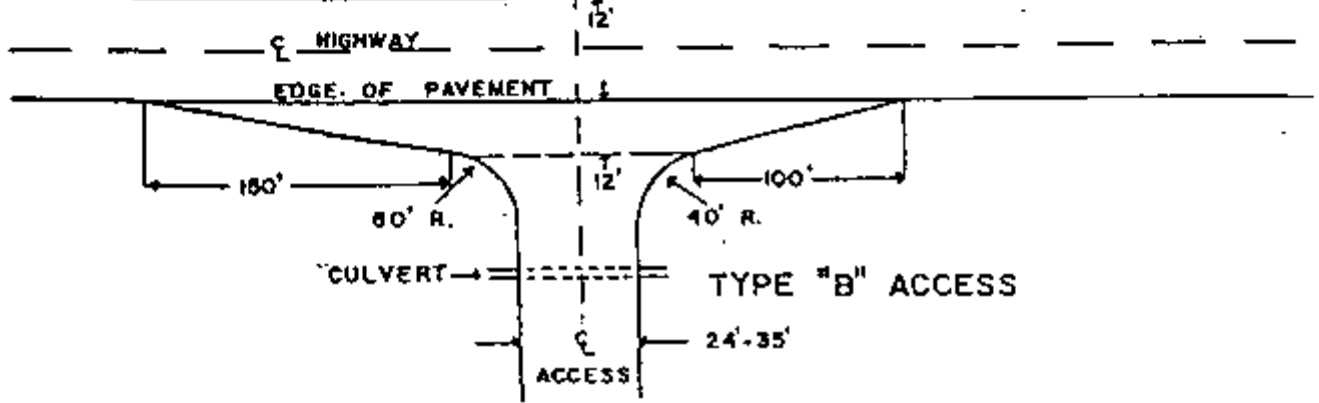
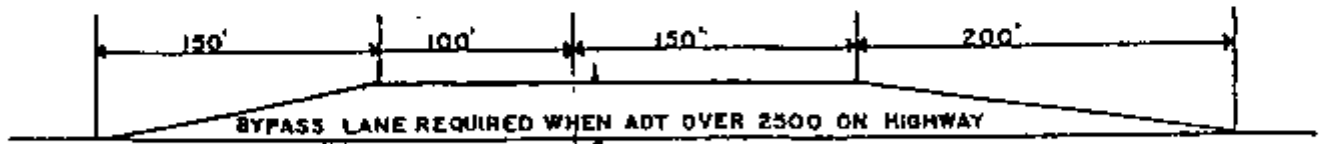
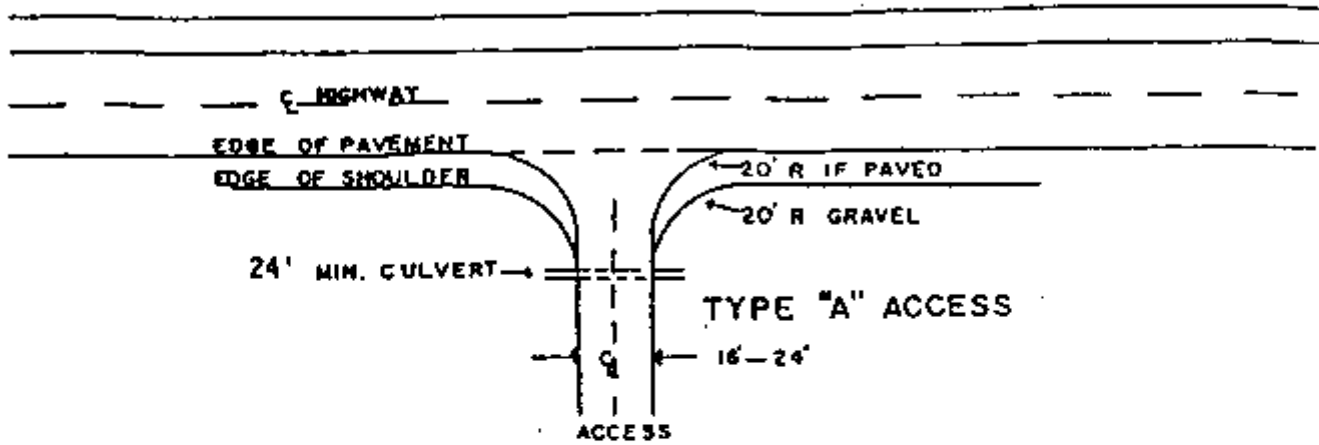
The applicant shall pay to the Town of Friendship a fee for each permit application as determined by the type of access as set forth in subsection D below.

4. **PERMIT FEES.**

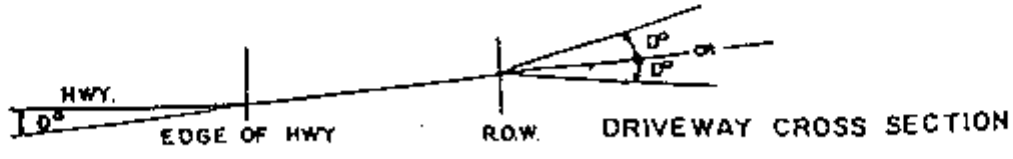
New road connection or	Type "C" \$100.00
	Type "B" 50.00
	Type "A" 50.00
Agricultural Field Access	20.00

5. **HAZARD MARKING AND LIGHTING.** During construction all access locations shall be properly signed and marked per standard work zone control requirements. In addition, when access work zone's will be provided. All work zone safety equipment will be at the expense of the applicant.
6. **MAINTENANCE OF TOWN ROAD DURING CONSTRUCTION.** During construction of the access, the permittee shall be required to keep the town road free of large accumulations of mud and debris. The highway will be swept clean at the direction of the department.
7. **VIOLATIONS.** In the case of any violation of this ordinance, the Town Board may institute appropriate legal action. Each day in which a violation continues to exist shall constitute a separate offence. No person as defined by Section 13-2 of this ordinance shall resist, obstruct or interfere in any way with the Town Board or its duly authorized representative in the enforcement of this ordinance, or fail to obey the Town Board's or its duly authorized representative's order.
8. **PENALTIES.** Any individual, firm, corporation, association, organization or agency found guilty of violating any part(s) of this ordinance or who refuses to comply with any provision of this ordinance shall upon such finding by the court, forfeit not less than \$25.00 nor more than \$200.00 for each day for each offense., together with the costs for prosecution, including reasonable attorney's fees, or other professional fees incurred by the Town to enforce this ordinance.

# ACCESS DESIGN STANDARDS

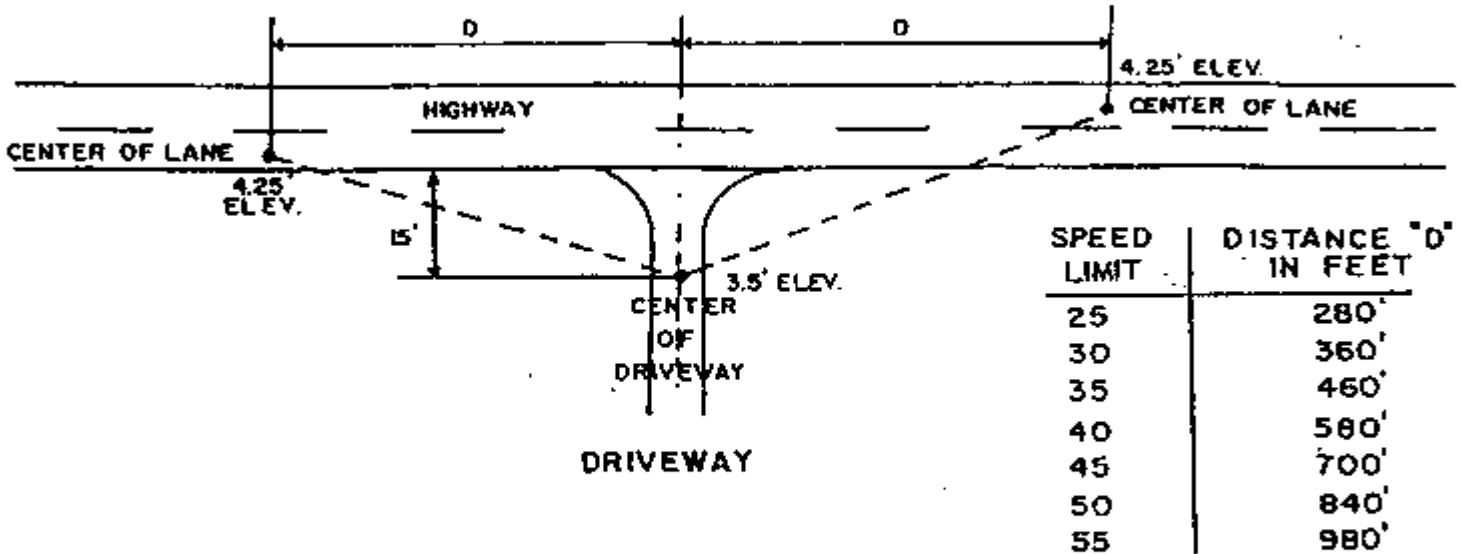


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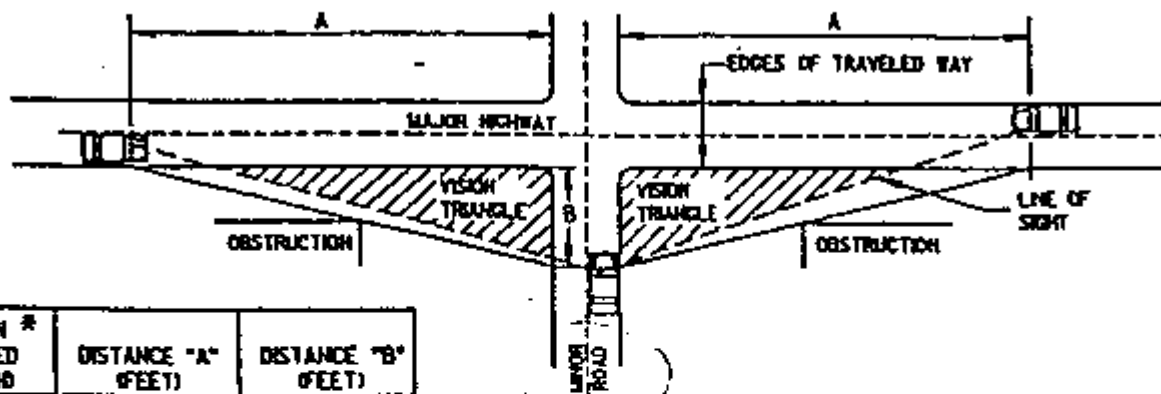


DRAWINGS NOT TO SCALE

# VISION CORNERS



## GUIDE DIMENSIONS FOR VISION TRIANGLES STOP CONTROL ON MINOR ROAD



DESIGN SPEED (MPH)	DISTANCE "A" (FEET)	DISTANCE "B" (FEET)
40	300	120
50	400	150
55	500	175
60	600	175

\* USE THE DESIGN SPEED OF THE MINOR ROAD TO DETERMINE DISTANCE "B".

EXAMPLE: GIVEN: DESIGN SPEED IS 60 MPH ON THE MAJOR HIGHWAY AND 50 MPH ON THE MINOR HIGHWAY.

SOLUTION:

READING FROM THE DIMENSION TABLE, THE LEGS OF THE VISION TRIANGLE ARE "A" = 600 FEET AND "B" = 150 FEET.