



COUNTY OF KENOSHA

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**TO: Chairman & Members of the
Public Works & Facilities Committee**

**FROM: Ray Arbet,
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DATE: 2-7-22

RE: Kenosha County Access Management Guidelines Report

The diverse (industrial, commercial and residential) economic growth that our community has been experiencing is projected to continue – and this is a good thing, but it also requires that we become strategic in how we grant new access points (driveways/entrances) to our County's highways.

In the absence of a comprehensive, strategic approach to managing access requests, we will quickly lose many of the traffic safety and efficiency benefits provided by the investments in our transportation infrastructure.

Recognizing this, the Highway Division and Planning & Development Division have been working with CBS Squared (engineering/transportation consultant) since March 2021 to develop "access management guidelines" that can be used to develop a County Ordinance designed to address this issue.

Since last March, the project team inventoried existing access points throughout the County, analyzed traffic patterns, accident/crash data and development activities. Additionally, research was performed into best-practices access planning and State/Regional/Local efforts to address this issue as well.

As the guidelines were drafted, they were shared with all our local Towns, Villages and the City for input and feedback to ensure the guidelines were refined and addressed municipal concerns.

The "Kenosha County Access Management Guidelines Report" that we'll review tonight, is the culmination of these efforts and sets-the-table for the County Ordinance being developed for consideration by the Committee and County Board in March.

We believe this pro-active approach to access-planning will assist in ensuring the benefits of our recent and continuing transportation infrastructure investments will be preserved well into the future.

Kenosha County Access Management Guidelines Report

Prepared for:



Kenosha County Highway Division

Prepared by:



January 2022

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Executive Summary

Subject Definition

The intent of this access management guidelines report is to develop an access management ordinance to facilitate regulating access along Kenosha County highways.

Background Information:

Kenosha County is experiencing unprecedented economic growth, consisting of industrial, commercial and residential developments. Due to these rapid regional developments, the County is also noticing a significant increase in traffic volumes and permit applications for accesses along County highways. The increase in traffic volumes and application of access permits create the need to develop an access management ordinance that would enhance existing policies, facilitate and establish consistency in the implementation of the policies. Implementation of the proposed ordinance would not only promote the County's economic viability, but would also enhance driver's safety, mobility, efficiency in the County highway system as well as optimizing the useful life of the highway structural system. A summary of recommendations that would become the newly created access management ordinance is outlined in this executive summary.

Methodology:

Access management recommendations outlined in this executive summary were based on existing County policies, standards from State of Wisconsin manuals, access control policies from other municipalities in Wisconsin and best practices for designing highway and intersection operations.

Synopsis of the Proposed Ordinances:

Identification of the access management elements as related to the key guidelines and specifications tabulated below will be used to develop an ordinance.

ACCESS MANAGEMENT ELEMENT	ORDINANCE GUIDELINES AND SPECIFICATIONS
CTH access management classifications	<p>Rural CTH: Highways with speed limit of 55 mph</p> <p>Semi-urban CTH: Highways with speed limit between 35 (inclusive) and 55 mph (exclusive)</p> <p>Urban CTH: Highways with speed limit less than 35 mph</p>
Permitted number of driveways/access by land use	<p>Single-Family Residential - One access driveway per parcel</p> <p>Field Entrance (e.g., agricultural) - One access driveway per parcel. More field entrances may be considered when length of the frontage is more than 1000 feet</p> <p>Commercial - Up to two access driveways / public roadways per parcel</p> <p>Industrial - Up to two access driveways / public roadways per parcel</p> <p>Multi-Family Residential - Up to two access driveways / public roadways per parcel</p>
Parcels that front more than one highway	<p>Access shall be located on the lower classified highway.</p> <p>Access shall be located on a highway with a lower ADT in situations where both highways are same classification.</p>
Measurement of access driveway and public roadway spacing	<p>Measured from centerline of the proposed access driveway or public roadway to centerline of an adjacent access driveway or intersecting highway.</p>
Access driveway spacing	<p>Rural CTH – 600 feet</p> <p>Semi-urban CTH – 300 feet</p> <p>Urban CTH – 200 feet</p> <p>A driveway located close to an intersection shall consider the following:</p> <ul style="list-style-type: none"> • Locate the access driveway outside the functional area of the intersection when possible • Consider limited access (e.g., right-in/right-out) <p>Efforts should be made to align driveways located on opposite sides of the highway.</p> <p>At the discretion of the Commissioner, adjustments may be made to these design standards to accommodate challenging site conditions.</p>

ACCESS MANAGEMENT ELEMENT	ORDINANCE GUIDELINES AND SPECIFICATIONS
Field entrances	<p>Field entrances shall be a minimum distance of 300 feet from other access driveways, field entrances, or public roadways.</p> <p>Multiple parcels owned by the same owner that is fronting the same side of the highway shall have up to four field entrances per mile along the same side of the highway.</p>
New public roadway spacing	<p>Rural CTH – 1,000 feet</p> <p>Semi-urban CTH – 600 feet</p> <p>Urban CTH – 500 feet</p> <p>Efforts should be made to align roadways located on opposite sides of the highway.</p>
Existing access driveways	Existing access driveways prior to adoption of the proposed ordinance(s) are considered permitted on condition that there is no change in their location, design, or land use of the parcel.
Change of use	Any future improvement or alteration on an existing access driveway shall require an application for access permit.
Shared access	<p>Shared access driveways are encouraged to minimize access density, thereby optimizing safety along CTHs.</p> <p>Operations and maintenance of the shared driveway are shared by landowners that are serviced by the access driveway. All matters regarding the operations and maintenance of the shared access driveway shall be considered a civil matter and resolved as such.</p>
Administration	<p>Pursuant to Chapter 83 of the Wisconsin State Statutes, the Commissioner has the authority to administer the ordinance on behalf of the County.</p> <p>Applications for access permits shall be made to the Commissioner prior to beginning construction of an access driveway.</p>
Application	No person shall construct an access driveway to a CTH, change the use, or make modifications to an existing access driveway without a permit granted pursuant to the ordinance.
Conditional approval	When a permit is approved, the Commissioner may include conditions on the approved access permit such that if the specific conditions are not met, the access permit approval is rescinded, and the access shall be considered in violation of the ordinance.

ACCESS MANAGEMENT ELEMENT	ORDINANCE GUIDELINES AND SPECIFICATIONS
Variances	The Commissioner may authorize a variance from the ordinance when a property's unique conditions result in an unnecessary hardship, or when meeting the terms of the ordinance results in a less desirable location.
Design standards	<p>Refer to Exhibit B for design elements and standards</p> <p>Improvements to the CTH at access driveway, public roadway, and affected nearby intersections may be required at the discretion of the Commissioner.</p>
Access driveway width	<p>Field entrance – min. 20 feet, max. 35 feet</p> <p>Single Family Residential – min. 20 feet, max. 30 feet</p> <p>Multi-Family Residential – min. 20 feet, max. 35 feet</p> <p>Industrial/Commercial – min. 20 feet, max. 35 feet</p>
Vision triangles	<p>Refer to Exhibits C and D for vision triangles details</p> <p>Departure vision triangles shall be provided at all non-single-family accesses and all public roadways to ensure motorists have adequate sight distance to see approaching vehicles along the CTH.</p> <p>Approach vision triangles should be provided at public intersections to alert motorists of vehicles approaching an intersection.</p> <p>The parcel owner shall be responsible for maintaining the portion of a vision triangle that resides within their parcel.</p>
Appeals	<p>Any aggrieved person may appeal the granting or denial in whole or in part of an access driveway permit.</p> <p>Appeals will go before the Public Works & Facilities Committee for final determination.</p>
Violations and removal authority	Per §87.07 (2)(a), if any access or right-of-way construction, modification, or alteration has been made in violation of the ordinance, the Commissioner may order the removal and restoration of any CTH to its former condition at the cost of the violator.

Development Corridor Access Management Plans (DCAMP)

The County will be looking at corridors where development is such that a specific plan is needed to improve safety and mobility. The plan would evaluate, identify, and recommend specific access management strategies on a “parcel level” basis. These plans will be based on the ensuing ordinance, but due to the site-specific nature of the plan, the requirements may supersede the ordinance.

1.0 Introduction

1.1 Purpose and Goals

The purpose of these guidelines is to regulate and control access onto county trunk highways to promote the public safety, convenience, general welfare, economic viability, and to protect the public investment in existing and proposed highways and to provide for safe and efficient use of the Kenosha County highway system.

The design standards described are to promote the safe and efficient movement in and out of private and public properties so to provide minimal interruption to through highway traffic and to control the use of drainage structures and appurtenances to preserve the physical structure of the highway.

1.2 Resources

These guidelines were developed by researching and reviewing access control policies and strategies from other counties and municipalities in Wisconsin, national state of the practice recommendations for access management, and engineering best practices for safety and operations of roadways and intersections.

1.3 Definitions

The following terms shall be applied as indicated throughout this document:

1. The present tense includes the future tense, and the singular tense includes the plural tense.
2. The term “shall” indicates that the action or item is required or mandatory
3. The term “should” indicates that the action or item is recommended, but is not mandatory
4. The term “may” indicates that the action or item is a permissive condition and carries no requirement or recommendation
5. The term “person” includes any individual, firm, association, joint stock association, organization, partnership, limited trust, body politic, governmental agency, company, or corporation and includes any trustee, receiver, assignee, or other representative thereof.
6. All distances, unless otherwise stated, shall be measured in feet in the horizontal direction.
7. The term “County” refers to Kenosha County
8. The term “Highway Division” or “Division” refers to the Kenosha County Highway Division.
9. The term “Committee” refers to the Kenosha County Public Works & Facilities Committee
10. The term “Highway Commissioner” or “Commissioner” refers to the Kenosha County Highway Commissioner or their designee.

The following words or phrases are defined as follows:

1. Access or access driveway: The connection of a field entrance, driveway, private road, or public road to a county trunk highway (CTH) for motorized vehicles to one or multiple parcels.
2. Access permit: A permit issued by the Kenosha County Highway Commissioner granting permission to enter onto the CTH right of way for the purpose of constructing a field entrance, access driveway, private road, or public road onto a CTH or to modify an existing entrance, driveway, or road.

3. Average daily traffic (ADT): The average number of vehicles passing over a given point along a roadway in a 24-hour time period. The number may be determined by actual counts or by estimates based on available data.
4. County Trunk Highway (CTH) or “Highway”: Any segment of a highway that is under the jurisdiction of the Kenosha County Highway Division.
5. Field Entrance: An access driveway that does not serve a residential, commercial, or industrial parcel and that is infrequently used. Examples may include driveways that serve agricultural, utility, or recreational parcels.
6. Intersection functional area: The area of an intersection or interchange where motorists make decisions regarding turning, stopping, accelerating, exiting, merging, and weaving. This area includes the physical intersection area, but also extends upstream and downstream along all intersection approaches. The intersection functional area is variable for each intersection.
7. Parcel: The area of land outside the public highway right of way and within the property lines of a given piece of property.
8. Roadway: Any road, street, alley, expressway, highway, avenue, parkway, lane, drive, boulevard, circle, bypass, or other pathways not controlled by Kenosha County that are intended for the public use of motorized vehicles to obtain access to more than two parcels.
9. Rural CTH: Any CTH with a speed limit of 55 mph in a largely rural or undeveloped area.
10. Semi-urban CTH: Any CTH with a speed limit less than 55 mph but equal or more than 35 mph.
11. Urban CTH: Any CTH with a speed limit of less than 35 mph.
12. Stopping sight distance: A measurement calculated to determine the safe stopping distance of a vehicle at a certain speed.
13. Traffic statement or Traffic Impact Analysis report (TIA): A document that evaluates and identifies potential impacts to the safety and mobility of motorists at a proposed or modified access driveway or roadway.
14. Vision triangles: A triangular shaped area, at all field entrances, industrial, commercial and multi-family residential accesses as well as all public roadways, in which obstructions to the line of sight of vehicle operators are controlled. No structure or improvement of any kind shall be permitted within the vision triangle. No vegetation within the vision triangle may exceed 30 inches in height. See Exhibit C for details.

1.4 Multi-Jurisdictional Access Management

For County-designated highways that straddle or repeatedly meander across the Kenosha County boundary line, access management should be discussed between Kenosha County and the adjacent County agency to determine which agency has access permitting jurisdiction on the subject highway (or what highway segments each County has permitting jurisdiction) and develop consistent access management policies that shall be implemented and enforced by both agencies.

1.5 Local Plan Development and Site Review

Communication between Kenosha County and local town, villages, and cities should occur as local municipalities conduct planning efforts for their community, such as comprehensive plans, neighborhood plans, and economic district plans (e.g., tax incremental funding districts). Through these discussions, consistent access management can be implemented and enforced along the County highway network. Discussion of access management policies should also occur as local municipalities are presented with proposed plans for new or redeveloped parcels. Communication with Kenosha County should occur once the community receives a proposed plan for any development to ensure that access management policies and procedures are met before the proposed development is approved.

1.6 Development Corridor Access Management Plans

In consideration of planned or on-going development activities along a CTH, the Commissioner may authorize a study to determine if a road section requires a “Development Corridor Access Management Plan” (DCAMP). A DCAMP is a detailed plan for a section of CTH, that defines individual parcel access points in order to preserve efficient traffic flow and ensure traffic safety as development occurs.

If the study supports the development of a DCAMP – the Commissioner will coordinate creation of a DCAMP and recommend it to the Committee for consideration and approval. An approved DCAMP shall govern permitted access within a specified Development Corridor.

2.0 Access Regulations

The following chapter discusses the regulation of existing and proposed access driveways or public roadways along County highways. Recommendations developed in this chapter were based on the research and review of access control policies from other counties and municipalities in Wisconsin as well as state of the practice recommendations for access management.

2.1 Authority

The Commissioner shall review, implement, and enforce this ordinance pursuant to authority granted by, but not limited to, Wisconsin Statutes 83.

2.2 Existing Access

Any use of access to a CTH (via driveway or road) prior to the effective date of the ordinance shall be permitted and continued in its current use and design in perpetuity. Any modification to an existing access driveway or public roadway after the effective date of the ordinance shall require an approved access permit before construction (refer to Chapter 5 for details).

2.3 Temporary Access

The Highway Commissioner may approve a temporary access permit if it is determined that the requested access driveway will not pose a safety hazard to the motoring public. The applicant shall be responsible to remove the temporary access driveway within 180 calendar days from the date of approval and restore the highway right-of-way to its former condition and to the Commissioner's satisfaction.

2.4 Vacated Access

If the Division determines that the use of an access driveway has been discontinued for a period of at least two years, the Division shall notify the owner by certified mail that the access is to be considered vacated. The Division shall allow the owner thirty (30) calendar days to reply. If after thirty (30) days the Division determines the access driveway has been abandoned, it shall be considered vacated and its use shall not be permitted. Any further use of this access driveway after deemed vacated shall require a permit and be considered a new access driveway under the ordinance.

2.5 Improvements, Alterations or Changes of Use

Any potential improvement, alteration or change of use to an existing access driveway shall require an approved permit.

Improvements and/or alterations include, but are not limited to the following:

- Resurfacing/repaving
- Culvert repair and/or replacement
- Driveway/access retaining wall repair and/or replacement

- Changes in any element or feature within the ROW, including but not limited to ditches, drainage ways, culverts and bridges.

General maintenance, spot-repair, seal-coating, crack-filling do not require a permit. A change of use may include, but not limited to the following:

- Changing from a residential to commercial or industrial use
- Changing from an agricultural to a residential, commercial, or industrial use
- Changing from a single to multiple residential use
- Subdividing a parcel to accommodate additional residences or businesses
- Changing the specific land use of commercial or industrial business
- Relocating the access driveway to accommodate existing or changing land use

The Commissioner shall determine if there has been a change in use to an access driveway which will affect safe and efficient ingress and egress to and use of a CTH. The determination shall be based primarily on a significant change in the volume of traffic or type of vehicle using the access driveway. Upon such determination, the Commissioner may grant an access permit for the change of use, require modifications to the existing access driveway to meet standards of the ordinance, or deny the request for the change of use.

2.6 Applications for Permit

No person shall construct or modify an access driveway along a CTH unless an approved permit has been obtained from the Highway Division. Entrance to or exit from a CTH shall be prohibited except at designated access driveways or public roadways.

2.7 Subdivision of Land

Before any parcel of land is subdivided, it shall be proven that access can be provided to each proposed parcel in such a way that the proposed access driveways shall be in conformance with this ordinance.

2.8 Shared Access

Shared, or joint, access driveways are encouraged whenever possible to minimize the number of access points and interruption of traffic flow. The location of the shared access driveway shall meet location and spacing requirements described herein and should be placed so that the centerline of the access driveway resides along the centerline between the adjacent parcels. If a shared access driveway cannot be located on the centerline of the adjacent parcel, the landowners shall develop legal documentation outlining the rights and responsibilities for the ownership, operations, and maintenance of the shared access driveway. Multiple access driveways should be discouraged when shared access or interior roadways are present and/or a viable alternative.

Operations and maintenance of shared access driveways, outside the public right of way, shall be the responsibility of the landowners whom the shared access driveway accommodates. Disagreements and matters regarding the operations and maintenance of the shared access driveway outside the public right of way shall be considered a civil matter and resolved as such.

3.0 Access Spacing and Frequency

The following chapter discusses the regulation of existing access driveways along County highways. Recommendations developed in this chapter were based on the research and review of access control policies from other counties and municipalities in Wisconsin as well as state of the practice recommendations for access management.

3.1 Access by Land Use

- a) One access driveway per parcel shall be allowed unless otherwise provided in these guidelines.
- b) No more than four (4) field entrances shall be allowed in a mile where a property owner owns more than one adjacent parcel with frontage on the same side of the CTH, all of which are zoned or used for agriculture.
- c) Up to two (2) access driveways, per parcel may be allowed for non-single-family residential and non-agricultural parcels, provided each access driveway meets the criteria of these guidelines or were determined to safely accommodate all traffic movements at each access driveway in the opinion of the Commissioner.
- d) For parcels that front more than one highway, access driveways shall be granted only on the lower classified highway. If two or more highways of the same classification are for consideration, the highway with the lower ADT shall provide access to the parcel. At their discretion, the Commissioner may grant access to a different highway should the Commissioner find that granting access elsewhere to be in the best interest of public safety. The classification of highways are as follows:
 - i. Interstate highways (highest classification)
 - ii. US or state trunk highways
 - iii. County trunk highways
 - iv. Local roadways and streets (lowest classification)

3.2 Access Driveway Spacing

- a) Access permits shall not be issued where the horizontal distance between access driveways shall become less than the following distances, measured from the centerline of the proposed access driveway to the centerline of another access driveway measured along the CTH, unless there is no alternate to providing access to a parcel (see Chapter 3.4 for further details):
 - i. 600 feet for rural CTH, 300 feet for semi-urban CTH, 200 feet for urban CTH
- b) Access permits shall not be issued where the horizontal distance between an access driveway and an intersecting roadway shall become less than the greater value of the following conditions, measured from the centerline of the proposed access driveway to the centerline of the intersecting roadway measured along the CTH, unless there is no alternate to providing access to a parcel (see Chapter 3.4 for further details):
 - i. 600 feet for rural CTH, 300 feet for semi-urban CTH, 200 feet for urban CTH
OR
 - ii. Outside the intersection functional area (to be determined by the Commissioner)

- c) Where possible, access driveways connecting to a CTH should not be staggered or offset (e.g., creating T-intersections) but should connect with the CTH directly across from a road or access driveway on the other side of the CTH.
- d) Agricultural parcels may have field entrances at a distance not less than 300 feet from the centerline of the proposed field entrance to the centerline of an access driveway or roadway.
- e) Access driveways shall not be located within a CTH's functional area of an intersection or interchange unless there is no alternate to providing access to a parcel (see Chapter 3.4 for further details). The Commissioner shall determine the intersection functional area access driveways that are proposed near a CTH intersection.
- f) For access driveways located on a non-CTH roadway approach of an intersection with a CTH and within the functional area of said intersection, the Division shall be consulted to review and determine the access driveway location and design elements. The Division should provide written authorization approving the access driveway location and design elements before the access driveway is approved by the local municipality.

3.3 Public Roadway Access Spacing

- a) A new road, in addition to the spacing requirements to adjacent access driveways in Chapter 3.2, shall meet the minimum spacing requirements for public highway intersections, as measured from the centerline of the proposed road to the centerline of the intersecting highway measured along the CTH:
 - i. 1,000 feet for rural CTH, 600 feet for semi-urban CTH, 500 feet for urban CTH
- b) Where possible, roads connecting to a CTH should not be staggered or offset (e.g., creating T-intersections) but should connect with the CTH directly across from a road or access driveway on the other side of the CTH.

3.4 Other Access Regulations

- a) If the applicant proposes a use not covered by these guidelines, the Commissioner shall make the determination of the applicable criteria based on the need to preserve highway capacity and safety. Access proposals which conflict with safe driving standards may not be allowed.
- b) If an access permit is requested for a parcel that cannot reasonably meet the requirements listed in Chapter 3.2 and Chapter 3.3, such as minimal frontage to the CTH or the location would pose a safety hazard to the traveling public, the Commissioner shall make the determination of the applicable criteria based on the need to preserve highway capacity and safety. Access driveway proposals which conflict with safe driving standards may not be allowed.
- c) For the purposes of determining access driveway spacing and frequency, access driveways used to gain access to minor utility features shall not be counted. Minor utility features include such items as fire hydrants on a potable water supply main, telephone or electrical switch boxes, and similar items that require infrequent maintenance using motorized vehicles.
- d) Parcels zoned agricultural may be allowed to provide a wider field entrance to accommodate large agricultural equipment, upon approval by the Commissioner. A second field entrance may be considered if the side of the property contiguous with the CTH is more than 600 feet. The new field entrance shall adhere to design standards stated in Chapter 3.1 and Chapter 3.2 regarding field entrance location, density, and spacing.

4.0 Administration, Permits and Variances

4.1 Administration of Ordinance

- a) Pursuant to Chapters 83 and 86 of the Wisconsin State Statutes, the Commissioner has the authority to administer the ordinance on behalf of the County. Applications for access permits shall be made to the Commissioner prior to beginning construction of an access driveway. The Commissioner shall review the proposed development or construction and shall either grant or deny the proposed access permit based upon the provision, standards, and requirements of the ordinance within thirty (30) calendar days.
- b) No person as defined by Chapter 1.3 shall resist, obstruct, or interfere in any way with the Commissioner in the enforcement of the ordinance or fail to obey the Commissioner's order.

4.2 Limits of Application of Ordinance

The ordinance shall apply to all land within the rights of way of Kenosha County highways. Whenever it is questionable as to whether an object or part of an object is within the jurisdiction of the ordinance, the entire object shall be considered to be entirely within that jurisdiction.

4.3 Permit Application Required

No person shall construct an access driveway to a CTH or change the use of an existing access driveway or make modifications to an existing access driveway without a permit granted pursuant to the ordinance.

4.4 Unique Access Application

If the applicant proposes a use not covered by these guidelines, the Commissioner shall make the determination of the applicable criteria based on the need to preserve highway capacity and safety. Access proposals which conflict with safe driving standards may not be allowed.

4.5 Supplemental Application Material

The Commissioner may require scale drawings, plat of survey, or sketches showing the location of proposed and any existing access driveways, drainage calculations, contour map, and a traffic study to be included with the permit request form.

- a) Access driveways and public roadways with less than 100 peak hour trips will require a sketch showing the location of the proposed as well as any existing access driveways and a traffic statement, at a minimum.
- b) Access driveways and public roadways with 100 to 500 peak hour trips will require a scale drawing or plat of survey of the site showing the location of the proposed as well as any existing access driveways, drainage calculations, contour map for verification of drainage, and an abbreviated TIA, at a minimum.
- c) Access driveways and public roadways with more than 500 peak hour trips will require a scale drawing or plat of survey of the site showing the location of the proposed as well as any existing access driveways, drainage calculations, contour map for verification of drainage, and a full TIA, at a minimum.

4.6 Conditional Approval

When a permit is approved, the Commissioner may include conditions on the approved access permit such that if the specific conditions are not met, the access driveway permit approval is rescinded.

4.7 Work Prior to Approval

Applicants commencing work prior to issuance of an approved permit shall be subject to denial of permit; an order for removal and restoration as provided above; and prosecution and court costs as provided by section 86.07 (2) of the Wisconsin State Statutes.

4.8 Variances

The Commissioner may authorize, in specific cases, such variance from the terms of the ordinance where the literal enforcement of the ordinance would, given the unique conditions of the property of the applicant, result in an unnecessary hardship, or result in an access driveway location that would have a greater impact on mobility and safety. The Commissioner shall maintain a record of all variances granted including any conditions on the approval.

4.9 Need for Variance

If an access permit is requested for a parcel that cannot reasonably meet the requirements listed in Chapter 3.2 and 3.3, such as minimal frontage to the CTH or the location would pose a safety hazard to the traveling public, the Commissioner shall make the determination of the applicable criteria based on the need to preserve highway capacity and safety. Access driveway proposals which conflict with safe driving standards may not be allowed.

4.10 Variance Minimum Requirements

A variance shall:

- a) Be consistent with the spirit and purpose of the ordinance.
- b) Not be granted unless it is shown that the variance will not be contrary to the public interest and will not be damaging to the right of other persons or property values in the area.
- c) Not be granted solely based on economic gain or loss.
- d) Not be granted for self-created hardship.

4.11 Permit Expiration

All access permits shall include a completion date for the construction of the access. If permitted work is not finished by this date, the permittee shall not complete the work unless authorized by a subsequent permit or an approved time extension.

4.12 Access Construction Cost Appropriation

The applicant shall be liable for the cost of all materials including culverts, labor, equipment, and other incidentals connected with the construction of the access driveway. The entire cost of installing and maintaining the access driveway and culvert, including restoration, shall be the financial responsibility of the applicant unless otherwise specified on the approved permit.

4.13 Hold Harmless

The applicant agrees to hold harmless and indemnify Kenosha County, its officers, agents, and employees against any loss or damage for any personal injury or property damage sustained by reason of the exercise of this permit.

4.14 Diggers Hotline

The applicant shall call Diggers Hotline (800-242-8511) and any other underground utilities not listed with Diggers Hotline prior to the commencement of excavation.

4.15 Highway Considerations During Access Construction

- a) All work within the right of way shall be done in such a manner so as not to interfere with traffic on the adjoining highway unless authorized by the Highway Commissioner.
- b) During construction of the access driveway, the applicant shall keep the highway free of mud and debris. The highway will be swept clean at the direction of the Highway Commissioner.
- c) The applicant shall restore the highway right-of-way to the satisfaction of the Commissioner within seven (7) days after completion of the access driveway construction, weather permitting.

5.0 Access Driveway Design Standards

5.1 Applicability of Standards

Access driveways and roads with access onto CTHs shall comply with all design standards.

5.2 Culverts

- a) Not all access driveways require a culvert.
- b) Culverts, when used, shall extend 3 feet beyond each edge of the access driveway as shown on Exhibit B. All culverts shall be placed under at least 1 foot of cover, be a minimum of 18 inches in diameter, be at least 10 feet from the nearest culvert, be at least 10 feet from the nearest lot line, and be constructed of double wall plastic or concrete pipe. Corrugated steel pipe is not allowed. Apron endwalls shall be provided. The size (diameter) of a culvert will be determined by the Division to allow for proper drainage.

5.3 Side Slopes

Slopes forming the sides of the access driveway shall not be steeper than detailed hereinafter or that of the slopes forming the sides of the highway, whichever is less.

- a) 4:1 for urban CTH
- b) 6:1 for semi-urban CTH
- c) 10:1 for rural CTH

5.4 Pitch

A pitch of 2% minimum away from the roadway to the center of the ditch flow line or to the edge of the shoulder if no ditch is present shall be maintained for all access driveways and public or private road accesses as shown on Exhibit B.

5.5 Clear Zone

Retaining walls, landscape timbers, boulders, riprap, etc. shall be prohibited on in-slopes and in the highway right-of-way, unless otherwise approved by the Division.

5.6 Surface

Pavement of access driveways shall consist of asphalt or compacted crushed aggregate. Concrete shall not be allowed within the highway right-of-way.

5.7 Relative Alignment

Access driveways located on opposite sides of a highway shall be located directly opposite each other whenever possible.

5.8 Angle Relative to Highway

The centerline of that part of the access driveway lying on the highway right-of-way shall always be at right angles to the pavement. ($90^{\circ} \pm 10^{\circ}$)

5.9 Backing onto Highway

Interior turnarounds shall be provided as necessary such that vehicles do not need to back out onto the highway.

5.10 Departure Vision Triangles

Departure vision triangles shall be provided and maintained at all field entrances, industrial, commercial and multi-family residential accesses as well as all public roadways. They shall be free of all obstructions in accordance with Exhibit C. Departure vision triangles shall be measured from a point 3.5 feet above the center of the proposed access driveway or public roadway and 14.5 feet away from the edge of traveled way to two points 3.5 feet above the center of each oncoming direction of travel from the CTH. The Commissioner may approve an access driveway permit that cannot meet the departure vision triangle requirements should the Commissioner find there is no alternate to providing departure vision triangles to a parcel.

5.11 Approach Vision Triangles

Public roadway intersections should also meet approach vision triangle requirements as shown in Exhibit D. Approach vision triangles shall be measured from a point 3.5 feet above the center of the proposed public roadway to two points 3.5 feet above the center of the nearest oncoming lane of the highway at a distance of "A" or "B" (as shown on Exhibit D) from the point where the CTH meets the proposed public roadway.

5.12 Width – Field Access

Any access driveway serving a farm or field (field entrance) shall have a width greater than 20 feet, but less than 35 feet measured at right angles to the centerline of the driveway except as increased by permissible radii.

5.13 Width – Single Family Residential

Any access driveway serving a single-family residential property shall have a width that ranges from 20 to 30 feet measured at right angles to the centerline of the driveway except as increased by permissible radii.

5.14 Width – Industrial/Commercial/Multi-Family Residential

Any access driveway serving an industrial/commercial/multi-family residential property shall have a width that ranges from 20 to 35 feet measured at right angles to the centerline of the driveway except as increased by permissible radii.

5.15 Associated Roadway Improvements

Improvements to the CTH roadway at access driveway locations such as turn lanes or bypass lanes may be required at the discretion of the Highway Commissioner based upon the results of the traffic analysis within the TIA.

6.0 Appeals and Violations

6.1 Reviewable Determinations

The following determinations are reviewable under this chapter:

- a) The granting or denial in whole or in part of an access driveway permit, (including a temporary access driveway).
- b) The revocation of an existing permit.

6.2 Request for Appeal

- a) Any aggrieved person may appeal a reviewable determination as outlined:
 - i) Forwarding a written request by mail or hand delivery to the Commissioner within 30 days after having been advised and notified of such determination.
 - ii) Including in said request for review the ground or grounds upon which the person aggrieved contends that the decision should be modified or reversed.
- b) Failure to make a request as noted above to the proper party shall not preclude the person aggrieved from review unless such failure has caused prejudice to the municipal authority.

6.3 Administrative Appeal Hearing

- a) Time of hearing. Within forty-five (45) days of the receipt of the notice of appeal filed pursuant to Chapter 6.2, an administrative appeal hearing shall be held. The Kenosha County Highway Commissioner shall serve the appellant with notice of such hearing before the Committee by mail or personal service at least ten (10) days before such hearing.
- b) Conduct of hearing. At the hearing, the appellant and the Commissioner may be represented by counsel and may present evidence and call and examine witnesses and cross-examine witnesses of the other party. Such witnesses shall be sworn by the person conducting the hearing before the Committee which shall make the decision on the administrative appeal. The decision maker may issue subpoenas.
- c) Record of hearing. The person conducting the hearing, or a person employed for that purpose shall take notes of the testimony and shall mark and preserve all exhibits. The person conducting the hearing may, and upon request of the appellant shall, cause the proceedings to be taken by a stenographer or by a recording device, the expense thereof to be paid by the Kenosha County Department of Public Works.

6.4 Final Determination

Within twenty (20) days of completion of the hearing conducted pursuant to Chapter 6.3 and the filing of briefs, if any, the Committee shall mail or deliver to the appellant its written determination stating the reasons therefore. Such determination shall be a final determination.

6.5 Access Removal

Pursuant to Section 86.07(2) (a) of the Wisconsin State Statute, if any construction, modification, or alteration has been made in violation of the ordinance the Commissioner or Committee may order the restoration of any highway to its former condition consistent with Chapter 4.15(c). The person who caused such construction, modification, or alteration in violation of the ordinance shall be liable for and reimburse the Division for the actual costs of restoration.

APPLICATION FOR ACCESS PERMIT **KENOSHA COUNTY PUBLIC WORKS DEPARTMENT**

Applicant Name (Property Owner):	Phone Number: E-mail:	Highway Name:
Applicant Mailing Address:		Certified Survey Map (CSM) #:
		Lot #: Parcel #:
<input type="checkbox"/> Town <input type="checkbox"/> Village <input type="checkbox"/> City OF:		
Type of Access: <div style="display: flex; flex-wrap: wrap; justify-content: space-between; padding: 5px;"> <div style="width: 30%;"><input type="checkbox"/> Street/Road</div> <div style="width: 30%;"><input type="checkbox"/> Single Family Residential</div> <div style="width: 30%;"><input type="checkbox"/> Field Entrance</div> <div style="width: 30%;"><input type="checkbox"/> Industrial/Commercial/ Multi-Family Residential</div> <div style="width: 30%;"><input type="checkbox"/> Modify Existing Access</div> <div style="width: 30%;"><input type="checkbox"/> Temporary Access</div> </div>		
Address of the proposed driveway, if different than mailing address:		How many driveways does this property currently have?
If modifying existing access driveway, what is the modification (blacktop, culvert replacement (see design standards), etc)?		

APPLICATION NOTES:

- Applicant shall refer to Kenosha County Access Control Ordinance for additional information and definitions.
- Applicant shall place a flag or stake in the highway ditch visible from the highway at the location of the proposed driveway.
- Applicant shall include the following documentation (at a minimum) with their application:
 - Street/Road: Scale drawing or plat of survey showing the location of the street/road as well as any existing access driveways, drainage calculations, contour map and a Traffic Impact Analysis (TIA), if applicable
 - Single Family Residential, Field Entrance, and Temporary Access: Scale drawing or plat of survey showing the location of the proposed as well as any existing access driveways and Certified Survey Map (CSM), if available
 - Modify Existing Access: sketch drawing showing the location of the subject access driveway(s)
 - Industrial/Commercial/Multi-Family Residential:
 - < 100 peak hour trips: Scale drawing or plat of survey showing the location of the proposed access as well as any existing access driveways, a traffic statement, and a Certified Survey Map (CSM), if available
 - 100 – 500 peak hour trips: scale drawing or plat of survey of the site showing the location of the proposed as well as any existing access driveways, drainage calculations, contour map for verification of drainage, an abbreviated Traffic Impact Analysis (TIA), and a Certified Survey Map (CSM), if available
 - > 500 peak hour trips: Scale drawing or plat of survey of the site showing the location of the proposed as well as any existing access driveways, drainage calculations, contour map for verification of drainage, a full Traffic Impact Analysis (TIA), and a Certified Survey Map (CSM), if available
- Applicant shall be responsible for the cost of all materials including culvert (when required), labor, equipment, and other incidentals and costs associated with installing and maintaining the access driveway unless otherwise specified on the approved permit.
- Applicant shall contact Diggers Hotline and any other underground utilities not listed with Diggers Hotline prior to the commencement of excavation.
- Applicant shall restore the highway right-of-way to the satisfaction of the Highway Commissioner as soon as possible.
- Construction of access driveway must not interfere with the mobility or safety of traffic on the highway.
- Applicant shall keep the highway free of mud and debris throughout construction of the access driveway.
- The Highway Division, through its office, shall have access to the work at all times for the purpose of inspection, and the work when complete, insofar as it affects the highway, shall be acceptable to the Highway Commissioner.

***** Applicant shall contact Kenosha County prior to construction to schedule an on-site meeting. *****

DESIGN STANDARDS:

- 1) Refer to 'Access Driveway Permit Plan and Profile Typical Standards' for additional design information.
- 2) Culvert, if needed, shall either be double wall plastic or concrete. Corrugated steel pipe is NOT allowed.
- 3) Slopes forming the sides of the access driveway shall be the lesser of the existing side slopes or 4:1 for urban CTH segments, 6:1 on semi-urban CTH segments and 10:1 on rural CTH segments.
- 4) Retaining walls, landscape timbers, boulders, rip-rap, etc shall be prohibited on the in-slopes and in the highway right-of-way.
- 5) The centerline of the access driveway shall be at approximately right angles to the highway pavement ($90^{\circ} \pm 10^{\circ}$).

The undersigned and designated applicant requests permission to construct or modify the access hereinafter described on county trunk highway right of way, and in consideration of being granted permission, as evidenced by the approval of the authorized representative of the Kenosha County Public Works Department, binds and obligates himself to construct the driveway in accordance with the description contained herein and sketches, if any, attached hereto, and to abide by the general requirements and location designed and construction requirements set forth on this and the attachments to this form.

The undersigned and designated applicant understands that a Utility Permit must be applied for and approved before the access hereinafter described can be constructed.

The application and terms and conditions of proposed permit agreed to by _____
(print name)

Signed: _____ Date: _____
(Property Owner)

Applicant may mail, fax or email application to:

Kenosha County Highway Division
19600 75th Street, Suite 122-1
Bristol, WI 53104

Phone: (262) 857-1870
Fax: (262) 857-1885
email: DPWPermits@kenoshacounty.org

COUNTY STAFF USE ONLY

Description of proposed work on right of way, culvert requirements, if any, (size and length) and special restrictions, Intersection clearances, and other details of the proposed installation, including reference to attached documents, if any:

CTH _____ Kenosha County _____ of _____
Along the _____ side of the highway, _____ feet _____ of _____
(direction)

1. _____ inch diameter culvert with end walls, _____ feet in length shall be installed under the driveway to provide proper drainage along the highway. ☐ No culvert required
2. ☐ Applicant can proceed with roadway/driveway installation/modification upon receipt of fully executed permit.
☐ Applicant can proceed with driveway installation/modification after receipt of fully executed permit AND County prepares ditch.

The construction of the approved access shall be completed by _____.
If construction is not complete by this date, the applicant must either apply for a time extension, or a new access permit.


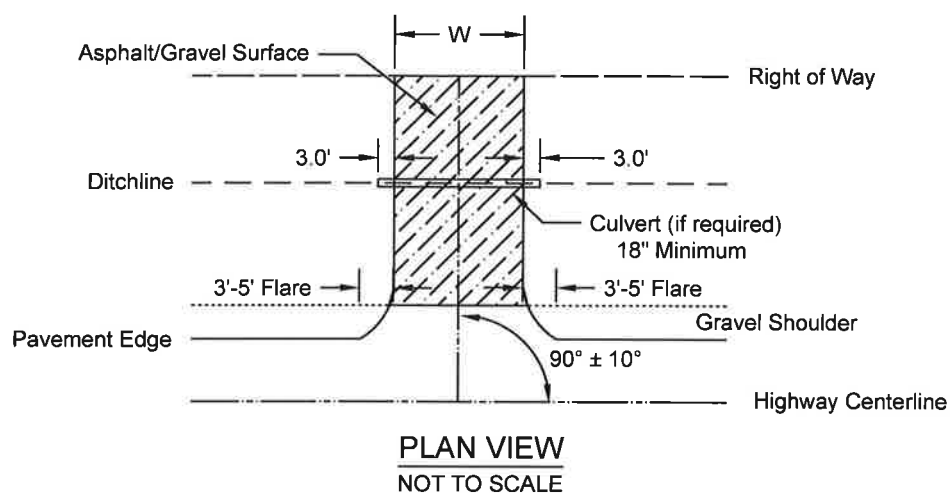
ADDITIONAL REQUIREMENTS:

Approved by: _____ Date: _____
(Kenosha County Highway Commissioner)
Permit # _____

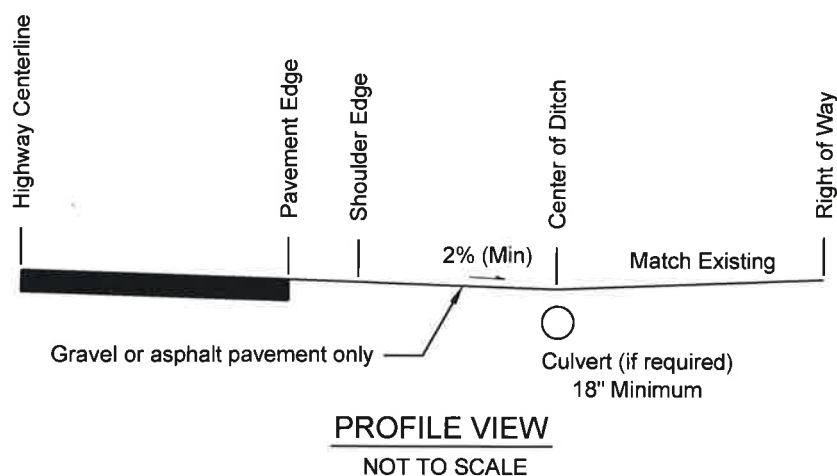
KENOSHA COUNTY PUBLIC WORKS DEPARTMENT

Access Driveway Permit Plan and Profile Typical Standards

Revised 1/2022

 Property Owner Maintenance Responsibility (within Right of Way)


Access Driveway Type	"W"
Field Entrance	20' - 35'
Single Family Residential	20' - 30'
Industrial/Commercial/Multi-Family Residential	20' - 35'

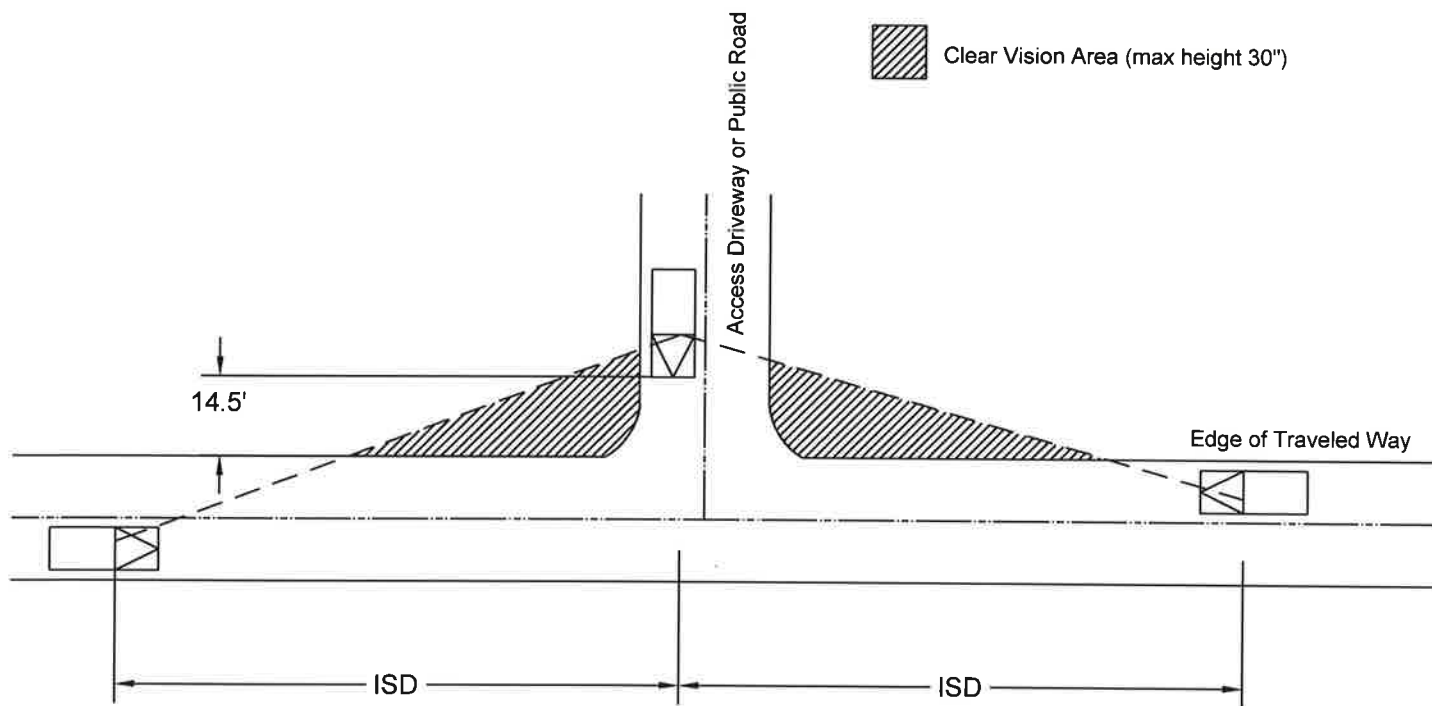


Additional Design Details such as max slopes can be found in the Kenosha County Access Ordinance

KENOSHA COUNTY PUBLIC WORKS DEPARTMENT

Approach Vision Triangles for Access Driveways* and Public Roads

Revised 1/2022

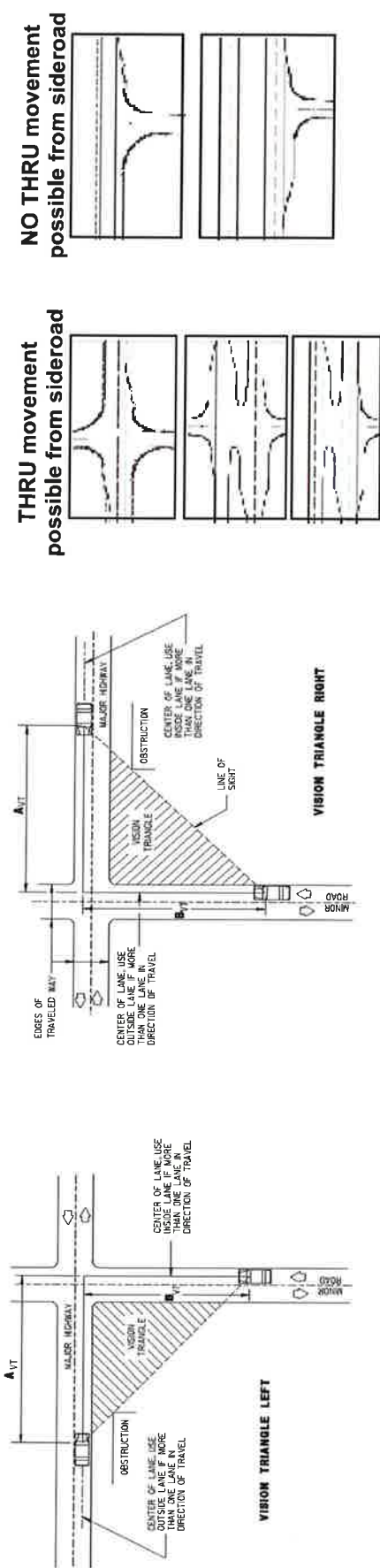


CTH Design Speed (mph)	ISD (ft) Desired (Min)	ISD (ft) Desired (Min)	ISD (ft) Desired (Min)
	P	SU	WB
25	370 (280)	445 (350)	480 (425)
30	445 (335)	530 (420)	575 (510)
35	515 (390)	620 (490)	670 (595)
40	590 (445)	710 (560)	765 (680)
45	665 (500)	795 (630)	860 (765)
50	735 (555)	885 (700)	960 (850)
55	810 (610)	975 (770)	1055 (930)
60	885 (665)	1060 (840)	1150 (1015)

* Applies to all field entrances, commercial, industrial and multi-family residential access driveways

GUIDE DIMENSIONS FOR VISION TRIANGLES - STOP CONTROL ON MINOR ROAD, OR SIGNAL CONTROLLED INTERSECTION

Example Intersection Layouts



Example 1	4-LEG INTERSECTION (THRU MOVEMENT POSSIBLE ON SIDEROAD)
GIVEN	POSTED SPEED IS 55 MPH ON THE MAJOR ROAD POSTED SPEED IS 45 MPH ON THE SIDEROAD
SOLUTION	READING FROM THE TABLE: DISTANCE A_{VT} ON MAJOR ROAD = 180 FT DISTANCE B_{VT} ON SIDEROAD = 150 FT
Example 2	T INTERSECTION (NO THRU MOVEMENT POSSIBLE ON SIDEROAD)
GIVEN	POSTED SPEED IS 55 MPH ON THE MAJOR ROAD POSTED SPEED IS 45 MPH ON THE SIDEROAD
SOLUTION	READING FROM THE TABLE: DISTANCE A_{VT} ON MAJOR ROAD = 180 FT DISTANCE B_{VT} ON SIDEROAD = 75 FT

* Use the posted speed of the Major Highway to determine distance "A" se the posted speed of the sidewalk to determine distance "B".

** Based on distance traveled in 2 seconds at Posted speed + 5 mph.

*** Based on distance traveled in 2 seconds at 25 mph because vehicle approaching intersection on sidewalk has to slow down to make a turn.

NO THRU Movement means either existing or proposed.

NOTES:

Distances are approximate and may be adjusted to fit site conditions.

These guidelines are for the Vision Triangle only, and are not to be interpreted as Intersection Sight Distance (ISD) or Stopping Sight Distance (SSD) requirements.

The Vision Triangle must be free of all obstructions.

* Posted Speed (mph)	Distance "B _{VT} " (feet)	
	THRU movement possible from sidewalk	*NO THRU movement possible from sidewalk ("T" intersection)
25	90	75
30	105	75
35	120	75
40	135	75
45	150	75
50	165	75
55	180	75
65	210	75

