

TOWN OF KINNICKINNIC, WI

Road and Driveway Ordinance

Ordinance No. 2008-1

Ordinance Dated: January ____, 2008

(1) STATEMENT OF PURPOSE

The purpose of the Road and Driveway Ordinance (the "Ordinance") is to establish procedures and standards for constructing roads and driveways within the Town of Kinnickinnic and to supplement County road standards.

(2) COUNTY ORDINANCES

This Ordinance shall be in addition to and supplement of the St. Croix County Zoning and Subdivision Ordinances as they apply to road and driveway standards and installation within the Town. Where the provisions of this Ordinance and the County Zoning and Subdivision Ordinance conflict, the more restrictive provisions shall control. Designs and standards not addressed in this section, but addressed in the County ordinances, including signage, lighting and guardrail provisions shall be applied by the Town Board at its discretion in reviewing land divisions creating new lots or parcels which involve roads and driveways. These design standards are to promote the orderly layout of Town roads and mapping of same for continuation in and connection with the Town road system.

(3) GENERAL TOWN ROAD STANDARDS

(A) The road system shall be designed to meet the following objectives: to permit the safe, efficient, and orderly movement of traffic; to meet the needs of the present and future population with a simple and logical pattern; to respect natural features and topography; and, to present an attractive appearance.

(B) In the course of CSM or subdivision review, the Plan Commission may designate roads as arterial, collector or local roads. This decision shall be based upon County or Town plans for road networks. The Plan Commission may require any road to be constructed to the boundary of the subdivision. Other requirements may include special setbacks, screening, buffers and limitation of access along such roads. The Plan Commission shall require proof that the sub-divider has given written notice of the proposed locations of the roads to owners of all adjoining lands.

(C) The number of intersections along arterial roads shall be held to a minimum. Wherever practicable, the distance between such intersections shall be not less than 1,000 feet.

(D) Road jogs with centerline offsets of less than 150 feet shall not be permitted.

(E) Not more than two roads shall intersect at one point.

(F) Roads shall be designed and constructed in accordance with the following standards:

- (1) 66-foot minimum right-of-way width.
- (2) 31-foot minimum road width before gravel or base course.
- (3) 27-foot road width after base course.
- (4) 22-foot surface excluding shoulders.
- (5) 12-inch sub-base of clean sand, measured after being compacted.
- (6) 6-inch base of crushed limestone or 7-inch base of Wisconsin grade #2 gravel, measured after being compacted.
- (7) Decomposable material shall not be used for construction.

(8) The intersection angle of a driveway to a road, and a road to a road, shall not be less than 75 degrees.

(9) The Plan Commission may require vision clearances.

(10) Roads at the perimeter of the subdivision shall extend to the subdivision boundary. The creation of narrow strips of adjoining land shall not be permitted except where the adjacent parcel can be connected to the road under conditions satisfactory to the Town Board. All lots or parcels shall have street frontage on a public road.

(11) A dead end road shall not exceed 1,000 feet in length. The Plan Commission may require that a provision be made for the extension of the dead-in-road to the boundary of the subdivision. This will be in addition to the requirements that arterial and collector roads be built to the boundary of the subdivision.

(12) A dead-end road serving three or more lots shall have a cul-de-sac turn-around with a minimum right-of-way radius of 80 feet. The traveled way within the cul-de-sac shall have a minimum radius of 49 feet. Appropriate arrangements shall be made for those parts of a temporary turn around outside of a road right-of-way to revert to the abutting lot owners at such time as the road shall be extended. Where cul-de-sacs are provided, the right-of-way line connecting the road right-of-way with the 80-foot cul-de-sac bulb radius shall be 80 feet in radius.

(13) The planning, location and designations of roads in an area shall not allow the continuation of traffic from residential developments directly into commercial or industrial developments or vice versa.

(14) A road serving three or more lots must be dedicated to the town and designed and built to Town standards.

(15) No final plat of a subdivision shall be approved until the roads shall have been fully completed and dedicated to the Town.

(4) ROAD NAME STANDARDS

The Plan Commission must approve the naming and/or numbering of roads:

(A) Where a road maintains the same general direction except for curvilinear changes for short distances, the same name shall be used for the entire length of the road.

(B) A road which is not presently a through road due to intervening land over which a road extension is planned shall use the same name for existing and planned sections.

(C) The name of the projection of a road shall use the same prefix as the road even if the projection terminates in a cul-de-sac.

(5) PAVEMENT STANDARDS

(A) All roads serving three (3) or more lots must be paved and meet Wisconsin DOT Superpave design Mix Type E1 standards or their equivalent, as modified from time to time by the Wisconsin DOT.

(B) Roads shall have a minimum asphalt pavement thickness of 3 Inches, installed in two lifts.

(6) ROAD CROWN STANDARDS

- (A) The center of the road on paved surfaces should be a minimum of 2 1/2 inches higher than the shoulder.
- (B) The crown shall be a minimum of 5-6 inches higher than the shoulder before paving.
- (C) At the discretion of the Town Board, upon recommendation of its engineer, roads which the Town Board considers steep (any slope gradient in excess of 5%) may require a higher crown to lessen the impact of downhill water drainage.

(7) SHOULDER STANDARDS

- (A) Shoulders shall extend a minimum of 2 feet beyond pavement.
- (B) Shoulders shall be excavated to the same depth as road and use the same sub base as road.
- (C) A minimum 6 inch thickness of gravel or crushed rock that drains well shall be used.
- (D) There shall be shoulder slopes of 3:1 on fills within 3 feet of road surface; 2:1 maximum below the top 3 feet of roadbed.
- (E) There shall be back slopes 3:1 or flatter desirable; 2:1 maximum.

(8) DITCH STANDARDS

- (A) The ditch must be at least one foot below the bottom of the gravel base.
- (B) There shall be a smooth transition to the ditch.
- (C) Where feasible the side slopes shall be 4:1. The maximum side slope should be 2 1/2:1.
- (D) Ditches shall have a 1% gradient where feasible for proper water flow. The minimum ditch gradient shall be 1/2%.
- (E) Riprap or other permanent engineer recommended products shall be used to slow water flow on steep slopes.

(9) ROADWAY CULVERT STANDARDS

- (A) A culvert must be strong enough to support the fill material above it and the traffic that moves over it, and must meet WISDOT minimum specifications. Acceptable materials include reinforced concrete pipe and corrugated metal pipe.
- (B) Culverts shall be covered with at least 12 inches of soil from the top of the pipe to the bottom of the sub grade.
- (C) A culvert must have sufficient hydraulic capacity to carry away an acceptable predetermined quantity of water in a given time. This quantity may be determined by the Town Board based upon recommendation of its engineer.
- (D) The minimum diameter of roadway cross culverts shall be 18 inches.

(E) Culverts must slope enough such that the water flow will be not less than 2 1/2 feet per second. The minimum drop shall be 6 inches.

(F) Headwalls, if used, must not project above the level of the roadway surface.

(G) Culverts shall match existing contours and, where possible, be placed in the existing channel.

(H) The inlet shall have a beveled edge or side-tapers.

(I) Culverts shall be installed so as to not create an erosion problem. (See State of Wisconsin DOT standard specifications for road and bridge construction.)

(10) PRIVATE ACCESS ROAD AND DRIVEWAY REQUIREMENT STANDARDS

(A) The following requirements apply to new access roads and driveway building construction as well as alterations to existing roads and driveways. The requirements apply to residential, commercial, and industrial and agricultural lots or parcels. Blacktopping of an existing access road or driveway is not an "alteration" within the meaning of this Section.

(1) Access road and driveway construction or alteration requires a permit issued by the Building Inspector. Approval may first be required by the Town Board where Town Board determination or exercise of discretion is mandated by this Ordinance.

(2) Access roads and driveways must:

(a) Have a minimum side to side width clearance of 20 feet.

(b) Have a minimum road base width of 11 feet.

(c) Have a minimum driving surface of 10 feet.

(d) Have a minimum height clearance of 13.5 feet.

(e) Have a slope no greater than 12% unless documentation is obtained satisfactory to the Town Board stating that the slope will not affect public safety in providing emergency services.

(f) Have the first 20 feet from the edge of the highway be near level, but slightly lower than the highway, to allow for water drainage. The 50 feet from the centerline of the road shall have a maximum slope of 2%.

(g) Have a minimum driving surface of 6 inches of crushed rock.

(h) Intersect with town roads at right angles, except inside cul-de-sacs where drives are to be oriented toward the cul-de-sac center.

(i) The sight distance along the intersecting roadway must be a minimum of 500 feet in both directions. The Town Board may require a greater site distance based upon peculiar topographical features, traffic density, speed zones and other like conditions.

(j) Be a minimum of 200 feet from any intersection and have a minimum 200 foot separation from any driveways.

(k) Be placed no closer than 15 feet from the lot line, as measured from the lot line to the nearest edge of the shoulder or the ditch, whichever is nearest. Exception is shared

driveways.

(l) Contact must be made with local fire departments to determine minimum turning radius and clearance for emergency vehicles.

(m) Prior to occupancy the driveway must be finished with either compacted road gravel, stone, or asphalt.

(3) Access roads and driveways over 300 feet in length which terminate at a dead end must have an area sufficient for a turn-around of a tandem axle truck or be approved by the Fire Department.

(4) All access roads which connect a driveway to a public road must also adhere to these rules.

(5) Culverts must:

(a) Have a minimum diameter of 15 inches.

(b) Be installed at the same grade as preexisting.

(c) Be adequate for drainage.

(d) Be able to carry a weight load of at least 25 tons.

(e) Have a minimum length of 24 feet with apron end walls.

(f) Be 16 gauge up to 24-inch diameter.

(g) Be 14 gauge from 25 inches to 36 inches in diameter.

(h) Not be used or plastic.

(i) Be elliptical where ditch depths are insufficient to install round culverts.

(B) Agricultural, temporary, and construction driveways off Town roads shall meet the following specifications:

(1) Agricultural Driveways

(a) Do not have to meet driveway separation distances.

(b) Must have safe sight distance.

(c) Must have Town Chair and/or Building Inspector approval

(d) Cannot be used for residential purposes unless complies with this Ordinance and a permit is obtained for such residential purposes.

(e) May serve more than 1 lot or parcel used solely for Agricultural purposes.

(f) The Town driveway permit will state "Agricultural Driveway".

(2) Construction and Temporary Driveways

(a) Construction driveway must be installed prior to starting construction on the site. If the permanent driveway is installed instead of a construction driveway, the driveway must meet the standards of this Ordinance and be able to support all construction traffic.

(b) A minimum 50 foot tracking pad shall be installed on the construction driveway.

(c) Driveways to construction sites shall comply with the Wisconsin Uniform Dwelling Code and any requirements deemed necessary and peculiar to specific site needs as determined by the Building Inspector

(d) Temporary driveways shall be used for a period of not longer than six (6) consecutive months unless a longer time is approved by the Town Board. One extension of six (6) months may be granted by the Town Board. Thereafter a new permit shall be required.

(e) At the expiration of the temporary driveway permit, the culvert and temporary driveway shall be immediately removed and the ditch and right-of-way be graded and seeded.

(f) The Building Inspector shall be notified of the temporary driveway/culvert removal, a site seeding and permanent stabilization. The Building Inspector shall then inspect same to verify compliance.

(g) If the permit holder fails to remove the culvert and permanently stabilize the site then following written notification, the Town will perform the work to put the site in its original condition and all costs, including administrative, legal and engineering, shall be charged to the owner of the property for which the Temporary driveway permit was issued. This charge shall be placed on the tax roll as a special charge against the premises.

(h) Each applicant shall deposit with the Town Board an approved surety bond, or letter of credit, or cash, in an amount not less than \$1,000.00 to assure compliance with the construction requirements of this Ordinance. The Town Board may require a greater sum upon recommendation of its engineer.

(C) Shared driveways shall have a maximum width of 33 feet, shall serve no more than two (2) lots or parcels and shall not be future town roads. The driveway requirements established under this Ordinance apply. The Town Board may require a wider easement at its discretion. A Shared Driveway Agreement approved by the Town Board shall be required for all shared driveways.

11. WAIVER OR APPEAL

(A) Where in the judgment of the Town Board, it would be inappropriate to apply literally the provisions of this Ordinance because exceptional or undue hardship would result, the Town Board may waive or modify any requirement to the extent deemed just and proper.

(B) No variance to the provisions of this Ordinance shall be granted unless the Town Board finds by the greater weight of the evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

(1) Exceptional Circumstances.

a) There is an exceptional, extraordinary or unusual circumstance or condition where a literal enforcement of the requirements of this Ordinance would result in severe hardship.

(b) Such hardships shall not apply generally to other properties or be of such a recurrent nature as to suggest that this Ordinance should be changed.

(c) The variance will not create a safety concern or have a negative impact on adjoining properties.

(2) Preservation of Property Rights. The variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

(3) Absence of Detriment. The variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance of the public interest.

(C) Procedure for obtaining a waiver or appeal from this Ordinance.

(1) A written request shall be submitted to the Town Board by the property owner seeking the request for a waiver from the provisions of this Ordinance. The request must state the reason for the waiver or appeal and how they will meet the intent of this Ordinance without creating a safety issue or achieve comparable design effects using an alternate design not addressed in this Ordinance.

(2) All adjoining property owners shall be notified in writing of the appeal or request for waiver of compliance with this Ordinance. All adjoining property owners or anyone directly affected by the waiver of appeal request shall have the right to be heard at the public meeting.

(3) The applicant shall submit a Site plan or location map showing where the site, parcel or lot is located together with a design plan showing alternative design for a private road or driveway modification.

D. Modification. The Town Board may grant modifications to the requirements of this Ordinance with such conditions as the Board may require on a case by case basis.

12. GENERAL INFORMATION

(A) The cost of Town plan review, including engineering, legal and administrative fees, shall be at the owner's/developer's expense.

(B) All construction materials shall meet the minimum specifications of this Ordinance.

(C) The cost of testing materials and inspection of construction (including pre-construction and post-construction inspection) shall be at the owner's/developer's expense.

(D) The Town Board may request a deposit, and/or periodic installment payments, to cover anticipated plan review, testing and inspection expenses.

13. REPEAL OF PRIOR ORDINANCES

Ordinance (3)(B) and 1(5)(3), amending Zoning Ordinance No. 1, adopted November 6, 1973, Road Damage Bond Requirement, adopted 11/1973, Ordinance 2004-4 adopted October 5, 2004, and "Dedication of Roads to the Town of Kinnickinnic Ordinance adopted October 3, 1989, are hereby rescinded.

14. MOVING BUILDINGS ON HIGHWAYS

No person shall move a building requiring a permit from St. Croix County to be moved on a public highway over any town road in the Town of Kinnickinnic without first depositing with the Town Clerk a \$10,000 bond payable to the Town to secure payment for any damage to Town roads.

15. DEBRIS ON HIGHWAYS

No person shall cause to be deposited or left on any Town Highway any litter or debris including, but

not limited to: construction debris or residue; concrete hauled to or from a premises; mud or dirt from non-farm machinery or vehicles, or tires of same, deposited as a result of ingress and egress from the Town Road to a premises during construction, or otherwise; brush; and agricultural products. Responsibility for immediate clean-up and proper disposal of such debris or litter shall lie both with the person leaving said litter or debris, namely, the person or entity operating a vehicle or non-farm machinery which is involved in the deposit or littering, as well as the owner of the premises from which the construction debris (including cement or mud) originated.

16. PENALTY

Any person, firm, corporation or other entity violating this Ordinance shall be subject to a penalty of \$500, plus costs of prosecution. Each day a violation occurs or continues shall be deemed a separate violation and shall subject the offender to separate penalties.

17. EFFECTIVE DATE. This Ordinance shall take effect upon passage and posting.

TOWN OF KINNICKINNIC

Roger VanBeek, Chair

Attest: _____
Lola Higgins, Clerk

ORDINANCE CERTIFICATION

I, Lola Higgins, being the Town Clerk of the Town of Kinnickinnic, St. Croix County, Wisconsin hereby certify that on _____, 2008, Ordinance No.2008-1, a true and accurate copy of which is attached, was duly enacted by the Town of Kinnickinnic, St. Croix County, Wisconsin, and entered into the Town of Kinnickinnic record books. This Ordinance was posted in the following three locations in the Town on _____, 2008:

Lola Higgins, Clerk

Dated this ____ day of _____, 2008.