

**WOOD COUNTY ORDINANCE #401
HIGHWAY ACCESS ORDINANCE**

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Chapter 401 .01 INTRODUCTION

(1) Authority. These regulations are adopted under the authority granted by Section 83.027, Wisconsin Statutes, and amendments thereto, and pursuant to Sections 83.07 and 83.08, Wisconsin Statutes.

(2) Title. This Ordinance shall be known as, referred to, and cited as the "Wood County, Wisconsin, Highway Access Control Ordinance".

(3) Purpose and Intent. The purpose of this Ordinance is to promote the public health, safety and general welfare of Wood County residents and motorists. This Ordinance is designed to promote safe access to County highways, energy conservation, highway efficiency and reduce premature obsolescence of roadways.

(4) Abrogation and Greater Restrictions. It is not intended by this Ordinance to repeal, abrogate, annul, impair or interfere with any existing covenants, easements, private agreements or other ordinance, regulation, statute or provision of law. However, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall apply.

(5) Interpretation. In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the County of Wood and shall not be deemed a limitation or repeal of any other power granted by Wisconsin Statutes.

(6) Separability. If any part or provision of this Ordinance is adjudged invalid by any court of competent jurisdiction, such judgement shall not impair the validity of the remainder of this Ordinance.

(7) Effective Date. This Ordinance shall be effective after:

A. A public hearing has been held, as set forth in s. 83.027(1), Wisconsin Statutes.

B. Adoption by the Wood County Board of Supervisors and publication in the official newspapers.

C. Copies of the finding, determination and declaration of the controlled access highway are recorded with the Register of Deeds, filed by the County Clerk and published in the official newspapers in which the Notice of Public Hearing was published as provided by Section 83.027(1), Wisconsin Statutes.

Chapter 401 .02 GENERAL PROVISIONS

(1) Jurisdiction. The Wood County Trunk Highways listed in Table 1 have been found to meet the minimum standards for access control established under Section 83.027, Wisconsin Statutes, and are hereby placed under the jurisdiction of this Ordinance.

TABLE 1 WOOD COUNTY TRUNK HIGHWAYS UNDER ACCESS CONTROL JURISDICTION			
COUNTY TRUNK HIGHWAY	FROM	TO	MUNICIPALITY
CTH A	CTH H	Mill Creek Drive	Cameron & T. Marshfield
CTH Y	CTH T	Galvin Avenue	T. Marshfield
CTH Y	CTH V	Lincoln Avenue	Lincoln
CTH H	CTH T	Galvin Avenue	T. Marshfield
CTH H	County Line	Lincoln Avenue	Lincoln
CTH HH	STH 186	CTH F	Vesper & Sigel
CTH F	CTH HH	Brickyard Road	Sigel & Wisconsin Rapids
CTH U	STH 54	Short Street	Grand Rapids & Biron
CTH W	45th Street	Whitrock Avenue	Grand Rapids
CTH Z	STH 13	80th Street	Grand Rapids
CTH Z	STH 73	Ranger Road	Saratoga
CTH Z	STH 73	2 Miles South	Saratoga
CTH G	Wilhorn Road	Creamery Road	T. Port Edwards

NOTE: Designation of all or any portion of the above listed highways as a controlled-access highway shall not be effective until after a public hearing has been held, a resolution has been adopted by the County Board and the designation has been referred to and approved by the governing body of the city, village or town in which the specific highway segment is located.

(2) Vacation of Access Control. The Wood County Board of Supervisors may revoke access control on all or part of a controlled access highway if it finds that such revocation is in the public interest. Access control shall be revoked only after an access control study is completed

by the County Highway Department and a public hearing is held and formal notice is given in accordance with Section 1.07 of this Ordinance.

(3) Addition of Access Control. The Wood County Board of Supervisors may invoke access control on all or portions of additional County Trunk Highways, pursuant to Section 83.027, Wisconsin Statutes. Access control on additional County Trunk Highways shall become effective after a public hearing is held and formal notice is given in accordance with Section 1.07 of this Ordinance.

(4) Compliance with Ordinances, Regulations and Plans. Any person seeking access to lands abutting County Trunk Highways under the jurisdiction of this ordinance shall comply with the requirements of these regulations and:

A. The County zoning and subdivision regulations.

B. The County Official Map and official map of any governmental unit having jurisdiction.

C. Other applicable county ordinances or regulations.

D. Comprehensive plans or plan components adopted by the Wood County Board of Supervisors.

(5) Right of Access. After the designation of a controlled access highway, the owners or occupants of abutting lands shall have no right or easement of access unless provided for in this ordinance.

(6) Existing Points of Access. All points of access in existence at the time of the adoption of this Ordinance may be continued. However, the County Highway Department may require modifications to existing access points to bring them into compliance with the standards of these regulations or local regulations, whichever are more restrictive.

(7) New Access Points. No new access points shall be opened onto a controlled access highway without an access permit. Access permits shall only be issued by the County Highway Department for access points which meet the standards of this Ordinance or local regulations, whichever are more restrictive.

(8) Change of Use. Conversion of an access point from one type of use to another shall be treated the same as the opening of a new access point and must meet the conditions of this Ordinance.

(9) Discontinuation of Use. If the use of an access point is discontinued for a year or more, the County Highway Department may revoke the access permit and remove the access point.

However, before access can be revoked, the Department must notify the owner by certified mail and allow 30 days for reply. If, after proper notice, the Department determines the access point has been abandoned for one year or more, the access point may be revoked.

Chapter 401 .03 STANDARDS AND SPECIFIC PROVISIONS

(1) Highway Classification. All controlled access highways shall be classified by location and function. By location, controlled access highways shall be classified as urban or rural. By function, controlled access highways shall be classified into three categories: "Principal Arterial", "Minor Arterial", and Collector." The location and functional classifications shall be based on the existing and projected use of a highway. Highway classifications shall be made on "Access Control Maps" which shall be part of this Ordinance.

(2) Minimum Standards for Access by Functional Classification.

A. Access to controlled access highways shall be permitted only where minimum spacing standards are met. Table 2 provides the minimum spacing standards for access for private driveways and public streets. The spacing standards are the minimum distance between access points on the same side of the road. To ensure a safe balance between access and traffic mobility, these standards vary depending on the nature of the access point and the functional classification of the controlled access highway.

B. No minimum spacing requirements are established for snowmobile or bicycle trails, or other recreational vehicle access points. However, these access points shall be allowed only where they do not pose a threat to public safety.

C. Where the option exists, access should be granted to a highway with a lower classification rather than one with a higher classification.

D. Temporary access points which do not meet the minimum spacing standards of this Ordinance may be granted for the purpose of staged development.

TABLE 2 MINIMUM REQUIREMENTS FOR ACCESS BY HIGHWAY CLASSIFICATION* WOOD COUNTY, WISCONSIN		
	RURAL AREA STANDARDS	
	Arterial	Collector
All Driveways	Desired 1,600 ft Minimum 600 ft	Desired 1,000 ft Minimum 600 ft
Public Streets	Desired 1,600 ft Minimum 600 ft	Desired 1,000 ft Minimum 600 ft
	URBAN AREA STANDARDS	
	Arterial	Collector
Residential Driveways	No Direct Access	Local Spacing Requirements
Commercial, Industrial and All Other Driveways	Desired 1,000 ft Minimum 500 ft	Local Spacing Requirements
Public Streets	Desired 1,000 ft Minimum 500 ft	Desired 500 ft Minimum 300 ft
* The spacing requirements are the minimum distance between access points on the same side of the road.		

(3) Design. The design of driveway or street intersections for appropriate sight distance, turn radius, angle, profile, width, parking, alignment, and internal circulation shall be based on minimum standards of the American Association of State Highway and Transportation Officials (AASHTO), The National Cooperative Highway Research Program Report #93, "Guidelines for Medial and Marginal Access Control on Major Roadways" and the Wisconsin Administrative Code, HY 31.03 to 31.07. Specific design standards and requirements may be incorporated into access permits.

Chapter 401 .04 ADMINISTRATION AND ENFORCEMENT

(1) Permit Application and Review Process.

A. Access permit applications shall be made to the County Highway Department which shall have the authority to approve, conditionally approve or reject applications. Permit applications shall be approved only if the standards of this Ordinance are met.

B. The County Highway Department may require applicants to submit information needed for an adequate review of an application such as engineering data, topographic maps, property boundary maps and maps showing location of existing and proposed structures.

C. The County Highway Department shall maintain permanent records of all applications, including data submitted, staff recommendations and permits issued.

D. Upon issuance of a permit, access points shall be inspected during and after construction by the County Highway Department.

E. Access permits shall expire one year from the date of issuance if evidence of use has not been established within that time. A one-year extension of the permit may be granted by the County Highway Department.

(2) Enforcement. The County Highway Department shall conduct periodic inspections to determine compliance with the provisions of this Ordinance. When violations occur the County Highway Department shall revoke the access permit(s) and may remove the access.

(3) Violations and Penalties. Any person who enters or leaves a controlled access highway at an unlawful access point shall be subject to Section 83.027(12), Wisconsin Statutes, which provides for fines of not more than \$100 or imprisonment of not more than 30 days or both.

(4) Fees. At the time of adoption of this Ordinance, there shall be no fees for access permits. Any change to the fee requirements shall be subject to County Highway Committee recommendation and approval by the County Board of Supervisors.

(5) Access Control Map. The functional classification of highways and location of all points of access established under the terms of this Ordinance shall be shown on the Wood County "Access Control Map" on file in the County Highway Department. The Access Control Map shall be updated annually to show any changes on the map resulting from the action of the County Board of Supervisors. The "Access Control Map" shall be part of this Ordinance.

(6) Variances. Any person aggrieved by an order, requirement or interpretation of the County Highway Department, in the administration of this Ordinance, may appeal such decision to the County Highway Committee. The Highway Committee may grant variances to this Ordinance after conducting a hearing on the variance request. The hearing shall be noticed as provided for in s. 1.07(3) of this Ordinance. In determining whether or not to grant a variance request, the Highway Committee shall consider the following issues: safe and efficient access, traffic congestion, road maintenance, the needs of the variance applicant, alternatives to the variance request and the importance of consistent application of the Ordinance.

Chapter 401 .05 DEFINITIONS

(1) **General.** For the purpose of this Ordinance, the following shall apply as indicated throughout these regulations:

A. The word "person" includes a firm, association, organization, partnership, trust company or corporation as well as an individual.

B. The word "shall" is mandatory, the word "may" is permissive.

(2) **Definition of Terms.** For the purpose of this Ordinance, the following terms are defined:

A. **Access Control Study.** A study of highway traffic volumes and patterns to determine the need for access control.

B. **Access Point.** A point of vehicular ingress or egress to a highway or street where evidence of use has been clearly established.

C. **Change of Use.** A significant change in the volume of traffic or type of vehicle using an access point, as might result from the change in land use (eg. from residential to commercial).

D. **Collector.** A road whose functions are to provide land access and carry traffic within residential, commercial and industrial areas.

E. **Controlled Access Highway.** A County Trunk Highway on which the County Board of Supervisors is exercising the access control authority delegated by Section 83.027, Wisconsin Statutes.

F. **Effective Date.** The date on which a specified county trunk highway became subject to the provisions of this Ordinance.

G. **Evidence of Use.** Proof by witness, records or documents which establishes periodic ingress or egress to a highway.

H. **Minor Arterial.** A road which generally serves the same functions as a principal arterial, but also provides some access to private lands, although not to the extent as lower function roads, such as collectors and local roads.

I. **Principal Arterial.** A road whose functions are to carry traffic between major activity centers within an urban area and/or between urban areas.

J. **Rural.** The unincorporated areas of Wood County except those unincorporated areas shown on Wisconsin Department of Transportation Urban Area maps as meeting the criteria necessary to be classified as an "urban area".

K. Snowmobile/Bicycle Access Point. An access point used solely by snowmobiles and bicycles.

L. Urban. Those areas of Wood County lying within the corporate limits of a city or village and those unincorporated areas shown on Wisconsin Department of Transportation Urban Area maps as meeting the criteria necessary to be classified as an "urban area".