

ADOPTED 06/16/09

HIGHWAY DEPARTMENT ACCESS AND RIGHT OF WAY WIDTH GUIDELINES

All new, modified and/or changed use access(es) onto county roads shall be subject to the access and corridor protection guidelines of the Benton County Comprehensive Plan and the following policy guidelines. This document is intended to augment the provisions set forth on the entrance permit document.

No person or entity shall install, create or modify any vehicular access(es) onto any county highway without first obtaining a driveway access permit from the Benton County Public Works Department.

Issuance of a driveway access permit from the Benton County Public Works Department shall be precedent to the issuance of any construction site, building permit or land use permit.

The Public Works Department shall determine the appropriate location, size and design of such access(es) and may limit the number of access(es) in the interest of public safety and efficient traffic flow.

No property owner, vendee or tenant shall modify, expand or alter the use of an existing access prior to obtaining a modified driveway access permit.

Access guidelines ONLY apply within the county right-of-way.

I. DEFINITIONS

A. Functional Classification: *Type of roadway such as a principal arterial, minor arterial, major collector, minor collector, local roadway, field access, etc.* For identification of the functional classification of roadways located in Benton County please see *MNDOT map number*

B. Rural Town Sites: *Rural town sites include those areas where an urban design roadway exists (or is proposed) and/or lie within the limits of an organized municipality*

II. GENERAL REQUIREMENTS

A. General Guidelines for Street/Roadway, Single and Multiple Access(es)

1. All accesses onto county right of way shall be aligned to be straight and perpendicular to the centerline of the adjacent county roadway within the limits of the county right of way.
2. When the opportunity exists, access locations will be directed onto roadways with a lower functional classification.
3. All facilities such as signs, entrance medians (divided entrances), culvert headwalls, fencing, etc. shall be placed/constructed outside of the permanent county right of way.
4. Access(es) will need to be aligned with street accesses and/or entrances on the opposing side of the roadway if possible.
5. Culverts constructed/placed within the county right as part of an access should be specified as a minimum of 15 inches in diameter. Plastic pipe will NOT be used on accesses to the county right of way. Culvert size and length will be determined by the Benton County Department of Public Works based on regional hydrology and access geometrics.
6. Any culverts required to be constructed as part of an access (that is located within county right-of-way) that crosses under existing or proposed county roads and/or municipal streets should be specified as reinforced concrete pipe, tied with appropriate steel ties and should be a minimum of 24 inches in diameter.
7. Access(es) will be shared between adjacent properties/parcels whenever possible and practical.
8. Only one access per property/parcel will be allowed. This provision may be modified for large parcels due to physical land features such as woods, streams etc. that divide the property.
9. Plans for new public road access(es) onto county highways must be submitted to the Department of Public Works for review and approval prior to issuance of an access permit.

B. All new access(es) onto county roads shall be separated from adjacent accesses according to the following standards.

1. On principal arterials, accesses on the same side of the road shall be located a minimum of 1280 feet apart.
2. On minor arterial roadways and on major collector roadways with a current ADT in excess of 1000 ADT , accesses on the same side of the road shall be located a minimum of 480 feet apart.
3. On minor or local collectors, accesses on the same side of the road shall be located a minimum of 330 feet apart.
4. On local roadways, accesses on the same side of the road shall be located a minimum of 100 feet apart within rural town sites.

5. Field access(es) will be spaced on a one access per 40 acre frontage as modified by Section A-8.
6. Separation distances may be modified as determined appropriate by the Department of Public Works based on available separation distance due to parcel size, roadway/access geometrics and/or proposed use of the access.
7. Where a development will generate more than 400 ADT the access spacing will meet a minimum access spacing interval of 480 feet.

C. Access width(s) will conform to the following guidelines:

1. Residential access surfacing width shall be a minimum of 24 feet and/or a maximum of 32 feet.
2. Commercial and industrial access surfacing shall be 32 feet in width.
3. Field access(es) shall be a minimum of 24 feet in width.
4. Entrance/access widths of up to a maximum of 40 feet will be considered under special circumstances (such as high volumes of semi-tractor trailers, narrow adjacent roadways, etc.).
5. Street accesses shall be a minimum of 32 feet in width and shall be paved within the limits of the county right-of-way or graded to drain away from the county roadway.

D. When a new access is requested near the intersection of two roadways the following separation distance guidelines shall apply except as impacted by arterial/high volume roadway access spacing guidelines.

1. On the road of higher classification, the access shall be a minimum of 480 feet from the center of the proposed access to the edge of the traveled way of the intersecting public roadway.
2. At an intersection of two roadways with the same classification, the road with the higher traffic volumes shall be considered the road of higher classification.
3. Whenever possible access(es) will be restricted to the lower function classification roadway.

E. All driveway accesses for residential dwellings or combinations of residential dwellings that access county roadways shall be constructed or improved to ensure access for emergency vehicles and shall be continuously maintained. The access shall be constructed of an all-weather (ie. gravel, bituminous or concrete) driving surface.

F. Residential accesses onto county roads that are located within a rural town site and lie within a reduced speed zone (45MPH or less) shall be separated in accordance with the following standards:

1. All new accesses shall be located a minimum of 100 feet from any other driveway. Parcel widths may require modification of this requirement.
2. A new access shall be a minimum of 125 feet from the nearest edge of an intersecting public right-of-way.
3. Accesses shall be combined or shared wherever feasible in order to reduce the number of access points onto county highways.

III. ACCESS TO PLATTED SUBDIVISIONS

This policy is intended to provide general guidelines for developed subdivisions adjacent to county right-of-way. The applicable sections of the County Highway Department Entrance/Access policy will also apply to platted subdivisions. If there are any conflicts between the general requirements of Section II and the following requirements, the specific requirements of this section shall apply.

New accesses for residential subdivisions that access county roads shall be subject to the following standards:

1. A right of way dedication for highway purposes, with controlled access, will be required from subdivided properties located adjacent to county roadways. The width of the dedication will be based on the functional classification of the adjacent county roadway and the scope/nature of the necessary improvements due to the development itself. The total width of right of way required as related to functional classification of the adjacent roadway is as follows:
 - a. Urban Roadways
Urban Arterials – the right of way exaction will be 60 feet from centerline of the existing roadway.
 - Collectors – the right of way exaction will be 50 feet from centerline of the existing roadway.
- b. Rural Roadways
Principal Arterials – the right of way exaction will be 75 feet from centerline of the existing roadway.
- Minor Arterials and below – the right of exaction will be 60 feet from centerline of the existing roadway.
- c. Local Roads (100 ADT including subdivision traffic) – the right of way exaction will be 50 feet from centerline of the existing roadway.
- d. Urban Roadways in Rural Town Sites

Major/Minor Collector: the right of way exaction will be 50 feet from centerline of the existing roadway. Where existing encroachments make the 50 foot requirement impractical, a minimum right of way width of 40 feet may be approved.

2. Preliminary and Final plats will be reviewed by the Highway Department with respect to access and/or street access locations and geometrics and drainage.
3. Proposed access locations shall be clearly indicated on the preliminary plat or attached materials.
4. The plat shall provide for dedicated rights of access to the county for areas adjacent to county right of way.
5. Residential developments with six or fewer homes will be required to provide common shared access(es). On average, one access will serve a minimum of two homes/parcels.
6. Residential developments with more than ten homes will be required to provide a common shared access for the entire subdivision.
7. In no case shall more than three accesses onto county right-of-way be permitted for any residential subdivision.
8. A drainage impact study will be required if subdivision drainage flows to the county right-of-way.
9. Analysis will be based on a 100 year design storm clearly detailing the before development conditions and after development conditions. If the drainage study indicates significant increases in drainage to the right of way capacity of the existing drainage system will be analyzed by the developer.
10. Developers of commercial, industrial and larger residential subdivisions (in excess of 10 parcels) will be required to complete a drainage analysis if the county right-of-way is to receive drainage from the subdivision. This analysis must be submitted with the highway access permit application.

IV. APPEAL PROCESS

The variance and/or appeals process for administrative decisions with respect to the Entrance/Access Policy will be as follows:

Step 1. Appeals shall be made in writing to the County Engineer within 15 days of the posting date of a written plat review/issuance of a entrance access permit with conditions.

Step 2. Appeals shall be submitted to the Board of Commissioners within 30 days of the posting date of the Departmental appeal response.