

Title 6 ► Chapter 4

Driveways; Culverts

6-4-1 Construction of Driveways; Placement of Culverts

Sec. 6-4-1 Construction of Driveways; Placement of Culverts.

- (a) **Purpose.** The purpose of this Section is to promote the safety and general welfare of the citizens of the Town of Warren through Town authorization of driveway locations and minimum standards which allow proper drainage of surface waters within Town ditches.
- (b) **Definition.** A "driveway" is defined as a private roadway which serves no more than one (1) parcel of land owned by the same individual(s).
- (c) **Driveway/Culvert Construction Permit Required.**
 - (1) **Application Requirement.** No person, partnership, company or corporation shall locate, establish or construct any new driveway or install or replace any culvert without having first obtained a Driveway/Culvert Permit Application from the Town Clerk-Treasurer who shall collect the fee as determined by the Town Board. Application for such permit shall include a drawing which accurately portrays the location, dimension and grade of the driveway on the subject property, as well as a statement of the proposed materials to be used.
 - (2) **Authorization Required Before Property Use Change.** Prior to the time the use of a property to be served by a driveway changes, the owner and/or his/her agent shall obtain a Construction Permit Application from the Town Clerk-Treasurer and approval before the new use of the property can commence.
- (d) **Driveway Location Approval; Other Agency Approvals.**
 - (1) **Location Approval.**
 - a. The Town Building Inspector or Superintendent of Highways shall make a recommendation on the location of any driveway which will intersect with any private road or Town highway located within the Town of Warren. The Town Building Inspector or Superintendent of Highways shall make a recommendation on the need for culverts on all driveways. No more than four (4) driveways shall be permitted along the arc of a cul-de-sac. Easements for driveways shall conform to the requirements of this Chapter.
 - b. The Town Clerk-Treasurer shall approve such application if the proposed drive complies with this and any other Town regulation.

- c. Any person who believes he/she was wrongfully denied a driveway permit may appeal such denial to the Town Board within twenty (20) days after such denial is issued.
- (2) **Other Agency Approvals.** The property owner/developer shall obtain permission from the State of Wisconsin Department of Transportation for access to state and federal highways, and from the St. Croix County Highway Department for access to any county highway.
- (e) **General Requirements and Design Standards.** The location, design and construction of driveways shall be in accordance with the following:
 - (1) **General Driveway Design.**
 - a. All driveway approaches in major subdivisions not on a collector street (conservation subdivisions) shall be at least fifty (50) feet apart, and there shall be at least ten (10) feet from the edge of the driveway to the property line except by special permission from the Town Board. All driveway approaches serving minor subdivisions (lots created by certified survey map) on a rural collector street shall be at least two hundred (200) feet apart and there shall be at least ten (10) feet from the edge of the driveway to the property line except by special permission of the Town Board. Driveways shall be of such width and so located that all of such driveways and their appurtenances are within the limits of the frontage abutting the street/road of the property being served.
 - b. Driveways shall in all cases be placed wherever possible as to not interfere with utilities in place.
 - c. No land with a grade of more than twenty-five percent (25%) shall be disturbed for the construction, establishment, reworking or improvement of a driveway.
 - d. An engineer's plan showing adequate erosion control measures is required for any segment of the proposed driveway which disturbs land with a grade of more than twenty percent (20%) and less than twenty-five percent (25%).
 - e. The driveway shall be constructed with a minimum roadway surface/mat of fifteen (15) feet in width, with a minimum of four (4) feet on each side with a slope of one (1) foot of vertical rise for six (6) feet of horizontal distance. There shall be a minimum of fourteen (14) feet of unobstructed height clearance over the entire roadway portion of the driveway in order to allow for emergency vehicle access.
 - f. A length of driveway of a minimum of twenty-four (24) feet shall have a maximum of two percent (2%) grade at the point where the driveway enters onto a public road. A slight dip across the driveway shall be placed just before the culvert at the entrance to a public road to prevent debris from washing onto a public road.
 - g. Ditches, roadway crowning and culverts shall be provided for acceptable drainage.

- h. The side bunks of the driveway shall be graded to a slope of no more than one (1) foot of vertical rise in each three (3) feet of distance, except where retaining walls and/or other erosion control measures are installed as specified in an engineer's report approved by the Town Board.
 - i. Driveways shall not provide direct ingress or egress to or from any street intersection area nor shall they encroach upon areas of the street right-of-way required for effective traffic control or for street signs.
 - j. Driveway access openings for vehicular ingress and egress shall not exceed thirty (30) feet at the right-of-way line and fifty (50) feet at the roadway surface.
 - k. Where there are two (2) or more lots or parcels along a road with insufficient frontage to meet minimum access driveway separations, a service road of not less than fifty (50) feet of right-of-way shall be provided along the entire frontage of each such lot or parcel.
 - l. Where crossovers in divided road or highway medians have been established, access driveways shall be placed directly opposite them.
 - m. Commercial and industrial land use lots or parcels shall have a maximum of two (2) driveway accesses each with a maximum width of thirty-five (35) feet. The Town may require or authorize the use of shared driveways.
 - n. Residential land use lots or parcels shall have a maximum of one (1) driveway access with a maximum width of twenty-four (24) feet. The Town may require or authorize the use of shared driveways.
 - o. All driveway access shall meet the following standards:
 - 1. A maximum grade of twelve percent (12%) at any point along the driveway.
 - 2. A maximum grade of two percent (2%) within fifty (50) feet of the centerline of the intersecting road.
 - 3. Minimum radius of curvature of one hundred (100) feet from centerline for deflections of seven degrees (7°) or more.
- (2) **Special Requirements for Driveways Over 150 Feet in Length; Special Situations.**
- a. In addition to those driveway requirements prescribed in Subsection (e)(1) above, private driveways one hundred and fifty (150) feet and over in length, measured from the edge of the traveled surface of the intersecting highway to the structure, shall meet the following standards to permit access to principal buildings by Fire Department and/or other public safety authorities:
 - 1. A minimum of a twenty-four (24) foot right-of-way;
 - 2. A minimum clear-cut width of twenty (20) feet;
 - 3. A minimum driving surface of sixteen (16) feet;
 - 4. A minimum height clearance of fifteen (15) feet; and
 - 5. A minimum width of twenty (20) feet for all aprons and approaches.
 - b. Driveways of one hundred fifty (150) feet and over accessing parcels on which there are no structural improvements are exempt from the requirements of this

Subsection. However, if a structure is subsequently build, all standards and requirements for driveways and culverts prescribed by this Section shall then be fully complied with.

- c. The Building Inspector, based on recommendations of the Fire Department, may require additional clear-cut width clearances and extra driving surface widths to alleviate concerns caused by sharp curves, steep inclines or other situations which could interfere with emergency vehicles properly and safely utilizing the driveway.

(3) ***Culverts.***

- a. Each driveway shall have a culvert at least eighteen (18) inches in diameter at the ditch line where the driveway meets the public road, unless waived or modified on showing of hardship or difficulty by the Town Board and, in the case of county or state highways, approved by the County Highway Commission or district engineer of the Wisconsin Department of Transportation. The Town Building Inspector or Superintendent of Highways may make a recommendation on the need for culverts for all driveways. Used culverts are not permitted without Town Board authorization. Culverts shall be constructed of galvanized steel, steel aluminized or reinforced concrete; the size and gauge shall be approved by the Director of Public Works or the Town Engineer prior to installation. The property owner shall install the culvert and shall keep such culvert unobstructed and clean. In no case shall the culvert diameter be less than (12) inches nor shall the culvert length be less two (2) fee greater than the width of the driveway. Endwalls need not be constructed unless so directed by the Town Board.
- b. Culverts shall be placed in the ditch line at elevations that will assure proper drainage.
- c. Material used for backfill shall be of a quality acceptable to the Town and shall be free from frozen lumps, wood, stumps, or other extraneous or perishable/biodegradable materials.
- d. The minimum cover, measured from the top of the culvert pipe to the top of the subgrade, shall be six (6) inches.
- e. Erosion control measures shall be implemented as necessary to control erosion when culvert and/or driveways are installed, as directed by the Town.
- f. The property owner shall install the culvert and be responsible for the cost thereof. Illegal culverts shall be removed at the owner's expense following notice and a prior opportunity to correct. Maintenance of culverts and/or driveways and repair of defective culverts shall be the responsibility of property owners, except when the Town does a reditching project and culverts are replaced, the Town will replace the culvert and pay the cost thereof.

- (4) ***Drainage; Apron Interference With Pavement Prohibited.*** The surface of the driveway connecting with the highway across sections shall slope downward and away

- from the highway shoulder a sufficient distance to preclude ordinary surface water drainage from flowing onto the highway roadbed. Under no circumstances shall such driveway apron extend above any highway pavement surface.
- (f) **Final Inspection/Approval.** The final inspection and approval for driveways will be made by the Town Chairperson, Town Building Inspector, Town Engineer, or Superintendent of Highways upon completion of construction.
 - (g) **Prohibited Driveways and/or Approvals.** No person, firm or corporation shall place, construct, locate in, or cause to be placed, constructed or located in, any obstruction or structure within the right-of-way limits of any highway in the Town of Warren except as permitted by this Section. As used herein, the term "structure" includes private driveways, a portion of which extends into any highway, and which is in non-conformance with the requirements of this Section. Filling of ditches and/or culverts located within a public right-of-way is prohibited without written approval from the Town Board.
 - (h) **Applicability.** This Section shall apply to all driveways constructed or reconstructed within the Town of Warren after the original effective date of this Section.
 - (i) **Enforcement.** No fire/address number or building permit for construction of any kind will be issued until such time as the Driveway/Culvert Construction Application has been approved.
 - (j) **Penalties.** Any person, partnership, company or corporation who violates any provision of this Section shall pay, when a permit fee is required, double the required fee and shall remove, alter or correct the installation as ordered by the Town of Warren. If the owner or occupant does not correct the installation as ordered by the Town within the allotted time, the expense and work of correcting the installation shall be done by the Town and the expenses thereof shall be charged against the property as a special charge pursuant to Sec. 66.0301, Wis. Stats., after notice and hearing. In addition, a forfeiture penalty may also be applicable per Section 1-1-6, with each day of non-compliance being a separate violation.

