

Title 6 Chapter 4

Driveways; Culverts

- 6-4-1 **Construction of Driveways; Placement of Culverts**
- 6-4-2 **Construction Standards for Private Streets**
- 6-4-3 **Snow Removal on Private Driveways/Streets**

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 Lucas through Town authorization of driveway locations and minimum standards which allow proper drainage of surface waters within Town ditches.
- (b) **Definition.** The following definitions shall be applicable in this Chapter:
 - (1) *Driveway.* A private roadway which serves no more than one (1) parcel of land owned by the same individual(s).
 - (2) *Private Drive.* All private routes of ingress and egress from any public right-of-way which provide access to one (1) residential dwelling unit or residential property.
 - (3) *Private Street.* All private routes of ingress and egress from any public right-of-way which provide access to two (2) or more residential dwelling units or residential properties.
- (c) **Driveway/Culvert Construction Permit Required.**
 - (1) *Application Requirement.* Any person, partnership, company or corporation desiring to locate, establish or construct any new driveway or install or replace any culvert shall first submit a completed Driveway/Culvert Permit Application form and the fee as determined by the Town Board per Section 1-3-1. Application for such permit shall include a drawing that 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.* Changes in the use of a property to be served by a driveway may not commence prior to Town Board approval of the Driveway/Culvert Permit Application.
- (d) **Driveway Location Approval; Other Agency Approvals.**
 - (1) *Location Approval.*
 - a. The location of any driveway that will intersect with any Town highway located within the Town of Lucas requires Town Board approval. 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. Driveways shall not connect to public streets on the perimeter of a "T" turnaround or on the end of a dead-end street having no cul-de-sac or "T" without Town Board approval.
 - (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 Dunn 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 twelve feet in width, with a minimum of four (4) feet on each side with a slope of one 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 (30) 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 built, 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 Board may make a recommendation on the need for culverts for all driveways.
 - b. Used culverts are not permitted without Town Board authorization.

- c. The property owner shall install the culvert and shall keep such culvert unobstructed and clean.
 - d. In no case shall the culvert diameter be less than twelve (12) inches nor shall the culvert length be less two (2) feet greater than the width of the driveway.
 - e. Endwalls need not be constructed unless so directed by the Town Board.
 - f. Culverts shall be placed in the ditchline at elevations that will assure proper drainage.
 - g. 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.
 - h. The minimum cover, measured from the top of the culvert pipe to the top of the subgrade, shall be six (6) inches.
 - i. Erosion control measures shall be implemented as necessary to control erosion when culvert and/or driveways are installed, as directed by the Town Board.
 - j. 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 re-ditching 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 cross 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 Board member or representative 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 Lucas 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) **Temporary Driveways.** Temporary driveways installed during building construction shall be removed prior to building occupancy, and restoration of the public right-of-way shall be completed within six (6) months of such abandonment. Failure to restore the site to original condition may require the Town to correct the restoration and bill the property owner as a special charge.
 - (i) **Applicability.** This Section shall apply to all driveways constructed or reconstructed within the Town of Lucas after the original effective date of this Section.
 - (j) **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.
 - (k) **Penalties .** Any person, partnership, company or corporation who violates any provision of this Section shall pay, when a permit fee is required, quadruple the required fee and shall

remove, alter or correct the installation as ordered by the Town of Lucas. 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.

Sec. 6-4-2 **Construction Standards for Private Streets**

- (a) **Standards.** All private streets shall be constructed in accordance with the specifications and requirements of Title 14 of the Town of Lucas Code of Ordinances for public roads.
- (b) **Drainage.** Street ditch construction along private streets shall be required in those areas where storm water runoff would otherwise be forced onto the traveled street's surface due to the topography. All drainage easements necessary to construct these ditches shall be previously provided by the property owner.
- (c) **Maintenance Costs.** All costs necessary for the continued maintenance of the private street to conform to these requirements for the safe passage of emergency vehicles shall be at the property owner's expense.
- (d) **Non-Compliance.** If inspection of the private street by the Fire Chief, Building Inspector, or other Town Board representative indicates maintenance is needed, a letter shall be sent to the owner(s) of the property requiring the maintenance. The property owner shall have thirty (30) days to comply. If the property owner does not comply, the work shall be ordered done by the Town Board and costs billed to the property owner. If the property owner does not pay the bill, said costs shall be assessed to the property.

Sec. 6-4-3 **Snow Removal on Private Driveways/Streets.**

Snow removal for all private driveways and streets shall be addressed by the property owner to allow for emergency services even if the house is not occupied during the winter.

PERMIT FEES:

\$50.00 Driveways, All Types

Town of Lucas

E2301 State Highway 29

Menomonie, WI 54751

Revised 05/10/2022

PERMIT FOR ACCESS DRIVEWAY TO TOWN ROAD

Installation of Driveway Responsibility of Applicant

NAME AND ADDRESS OF APPLICANT		HIGHWAY	COUNTY DUNN
		TOWN-VILLAGE-CITY	
NUMBER OF DRIVEWAYS	TYPE OF DRIVEWAY (field, residential, commercial)	PROPOSED LAND USE	COMPLETION DATE
TYPE OF STREET (public, private)	ESTIMATED AVERAGE DAILY TRAFFIC	NUMBER OF PARCELS DRIVEWAY/STREET WILL SERVE	

LOCATION OF DRIVEWAY/STREET

_____ side of highway, _____ miles / feet _____ of _____

Quadrant _____ Section _____ Township _____ N Range _____ W

REQUIRED DRAINAGE STRUCTURE	IF NO DRAINAGE STRUCTURE, STATE WHY.
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DESCRIPTION OF PROPOSED WORK (INCLUDE SPECIAL RESTRICTIONS, INTERSECTION CLEARANCES, OTHER DETAILS, AND REFERENCE TO ANY SKETCHES WHICH MAY BE ATTACHED.)

*******PLEASE PLACE VISIBLE STAKES AT THE DESIRED LOCATION FOR OUR INSPECTION.*******

All driveways shall be constructed in accordance with all requirements printed on the reverse side, and any special conditions stated herein. The installation and maintenance of the driveway shall be the responsibility of the applicant.

Issuance of this permit shall not be construed as a waiver of the applicant's obligation to comply with any more restrictive requirements imposed by local ordinances.

If the permitted driveway/street has not been installed and used for its intended purpose within **1 year** from the date the permit was approved, this permit is **Null and Void**. The applicant must re-apply for a driveway application along with a permit fee before proceeding with the installation of a driveway/street within the county right-of-way.

_____ Phone # _____ Signature of Applicant _____ Date _____

APPROVED BY LUCAS TOWN BOARD		
Town Chair	Date	Permit Number
HIGHWAY DIVISION SPECIAL PROVISIONS/COMMENTS:		Check # _____

ACCESS DRIVEWAY PERMIT REQUIREMENTS

PURSUANT TO WISCONSIN ADMINISTRATIVE CODE - CHAPTER TRANS 231

GENERAL REQUIREMENTS

Conditions of Issuance

FIRST: The permittee, indicated on the reverse side hereof, represents all parties in interest, and that any driveway or approach constructed by or for him is for the bona fide purpose of providing access to his property, and not for the purpose of parking or servicing vehicles, or for advertising, storage, or merchandising of goods on the highway right of way.

SECOND: Except in cases where the indicated driveway access may be constructed by forces acting on behalf of the Town in relation to a highway construction or reconstruction project, the permittee shall furnish all materials, do all work, and pay all costs in connection with the construction of the driveway and its appurtenances on the highway right of way. In every instance, the subsequent maintenance of the driveway and of its appurtenances within the limits of the highway right of way shall be the responsibility of the indicated permittee, who shall be obligated to pay all costs and accomplish all works necessary in relation to the said maintenance of the driveway facility. Materials used and the type and character of the work shall be suitable and appropriate for the intended purpose. The nature of construction shall be as designated and subject to approval of the Town Board. The driveway installation shall be made without jeopardy to or interference with traffic using the highway. Highway surfaces, shoulders, ditches and vegetation which are disturbed by the driveway installation shall be restored to at least the pre-existing conditions by the driveway constructor. Any such facilities disturbed by operations relating to the subsequent maintenance of the driveway shall be restored to the satisfaction of the Town Board by the permittee.

THIRD: No revisions or additions shall be made to the driveway or its appurtenances on the right-of-way without the written permission of the Town Board.

FOURTH: The Town of Lucas reserves the right to make such changes, additions, repairs and relocations within statutory limits to the driveway or its appurtenances on the right-of-way as may at any time be considered necessary to facilitate the relocation, reconstruction, widening and maintaining of the highway, or to provide proper protection to life and property on or adjacent to the highway.

FIFTH: The permittee, his successors or assigns agree to hold harmless the Town of Lucas and its duly appointed agents and employees against any action for personal injury or property damage sustained by reason of the exercise of this permit.

SIXTH: The Town of Lucas does not assume any responsibility for the removal or clearance of snow, ice or sleet, or the opening of windrows of such material, upon any portion of any driveway or entrance along any county highway, even though snow, ice or sleet is deposited or windrowed on said driveway or entrance by its authorized representatives engaged in normal winter maintenance operations.

SEVENTH: Any current driveway which changes the type of use. (*Example: From a field entrance to a residential driveway*) must apply for a Town of Lucas driveway permit. The Town of Lucas reserves the right to approve or restrict the change of use based on the driveway meeting current safety standards.

LOCATION, DESIGN AND CONSTRUCTION

The location, design, and construction of the driveway shall be in accordance with the following policy and limits, which limits are in no case to be exceeded unless specifically authorized by the Town of Lucas.

(A) A driveway shall be located and restricted as to width as necessary so that the entire driveway roadway and its appurtenances are contained within the frontage along the highway of the property served. At public highway intersections a driveway shall not provide direct ingress or egress to or from the public highway intersection area and shall not encroach on or occupy areas of the roadway or right of way deemed necessary for effective traffic control or for highway signs or signals. A driveway shall be so located and constructed that vehicles approaching or using it will have adequate sight distance in both directions along the highway. A driveway shall have a minimum distance of 150 feet from centerline to centerline between successive driveways and intersecting roads.

(B) The number of driveways permitted serving a single property frontage along a town highway shall be the minimum deemed necessary by the Town of Lucas for reasonable service to the property without undue impairment of safety, convenience and utility of the highway.

(C) The island area on the right-of-way between successive driveways or adjoining a driveway and between the highway shoulder and right of way line shall remain unimproved for vehicular travel or parking. Such areas shall be considered as restricted and may be filled in or graded down only as hereinafter provided in paragraph (H).

(D) The surface of the driveway connecting with rural-type highway sections shall slope down and away from the highway shoulder a sufficient amount and distance to preclude ordinary surface water drainage from the driveway area flowing onto the highway roadbed.

(E) The driveway shall not obstruct or impair drainage in highway side ditches or roadside areas. Driveway culverts, where necessary, shall be adequate for surface water drainage along the highway and in no case less than the equivalent of 18-inch diameter pipe.

(F) The area within 10 feet of a property line shall be a restricted area over which no driveway may be developed. The 10-foot restriction shall be measured parallel to the pavement edge and shall be effective between the right-of-way line and a line 10 feet from and parallel to the pavement edge.

(G) When curb or gutter is removed for constructing a driveway, the new connections shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. The driveway surface shall connect with the highway pavement and the sidewalk, if any, in a neat, workmanlike manner. The driveway construction shall include replacement of sidewalk areas which are inadequate or become damaged by reason of vehicular travel across the sidewalk.

(H) The restricted area between successive driveways may be filled in or graded down only when the following requirements are fully complied with:

1. The filling in or grading down shall be to grades approved by the Lucas Town Board and, except where highway drainage is by means of curb and gutter, water drainage of the area shall be directed away from the highway roadbed in a suitable manner.

2. Culvert extension under the restricted area shall be of like size and equivalent acceptable material of the driveway culvert, and intermediate manholes adequate for clean-out purposes may be required where the total culvert length exceeds 100 feet.

3. Where no highway side ditch, separates the restricted area from the highway roadbed, permanent provision may be required to separate the area from the highway roadbed, to prevent its use for driveway or parking purposes by construction of a border, curb, rail or posts deemed adequate by the County Highway Commissioner.

(I) In each quadrant of every public street intersection, there shall be a visual clearance triangle that is bounded by the street centerlines and a line connecting points on them 200 feet from a state highway intersection, 150 feet from a county highway intersection, and 100 feet from a town road intersection. No driveway/street shall be permitted within these vision triangles.

(J) A proposed driveway/street may be required to adhere to certain intersection standards connecting to the county highway, based on the average daily traffic entering and exiting the said access from the town highway.

(K) If the permitted driveway requires the installation of the driveway to run parallel along the right of way, the setback from the centerline of the roadway to the nearest edge of the permitted driveway must be at a minimum of 75 feet.

(L) If the permitted driveway has not been installed and used for its intended purpose within **1 Year** from the date the permit was approved, the permit is **Null and Void**. The applicant must re-apply for a driveway application along with a permit fee before proceeding with the installation of a driveway within the Town right-of-way.

SPECIAL REQUIREMENTS

Commercial - Rural:

Rural type highway cross section. Driveways serving commercial or industrial establishments.

1. **WIDTH OF DRIVE.** No driveway except as hereinafter provided shall have a width greater than 35 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii. In no instance shall a driveway have a width greater than 65 feet (including flare and return radii).

2. **ANGULAR PLACEMENT.** The centerline of that part of the driveway lying on the Town right-of-way shall always be at approximately right angles to the pavement. (90° +/- 10°)

Noncommercial - Rural:

Rural type highway cross section. Driveway serving a farm, field or residential property.

1. **WIDTH OF DRIVE.** No noncommercial driveway or combination of driveways shall have a width less than 16 feet nor greater than 30 feet measured at right angles to the centerline of the driveway except as increased by permissible radii. In no instance shall a driveway have a width greater than 60 feet (including flare and return radii).

2. **ANGULAR PLACEMENT.** The centerline of that part of the driveway lying on the Town right-of-way shall always be at approximately right angles to the pavement. (90° +/- 10°)

Commercial - Urban

Urban type highway cross section. Driveway serving commercial or industrial establishments.

1. **WIDTH OF DRIVE.** No driveway except as hereinafter provided shall have a width greater than 35 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii. In no instance shall a driveway have a width greater than 65 feet (including flare and return radii).

2. **ANGULAR PLACEMENT.** The centerline of that part of the driveway lying on the Town right-of-way shall always be at approximately right angles to the pavement. (90° +/- 10°)

Noncommercial - Urban:

Urban type highway cross section. Driveways serving a residential property.

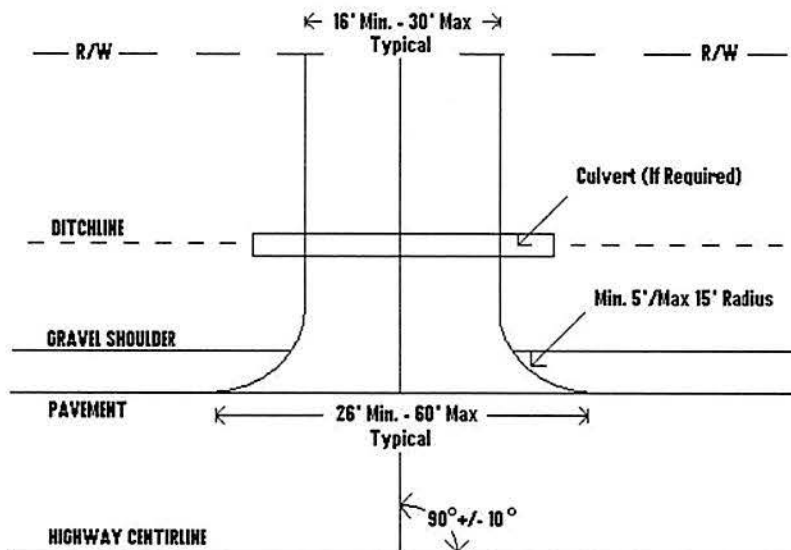
1. **WIDTH OF DRIVE.** No noncommercial driveway or combination of driveways shall have a width greater than 24 feet measured at right angles to the centerline of the driveway, except as increased by permissible radii.

2. **ANGULAR PLACEMENT.** The centerline of that part of the driveway lying on the Town right-of-way shall always be at approximately right angles to the pavement. (90° +/- 10°)

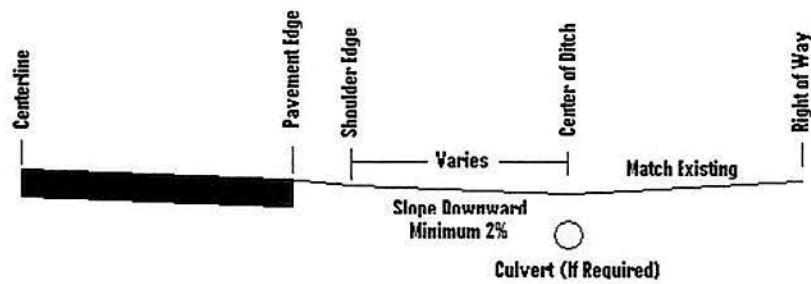
See Plan and Profile View Standards on next sheet

Town of Lucas

Access Driveway Permit Plan & Profile Typical Standards



PLAN VIEW (Non-Commercial Typical)



PROFILE VIEW (Typical)