

## **SECTION 20. HIGHWAY ACCESS AND SETBACKS**

20.010 Purpose. To provide for public safety, welfare and convenience by easing congestion on the public highways through a system of standards and regulations for limiting access to public highways and establishing setbacks from highway right-of-way.

20.020 (Reserved).

20.030 Compliance. No structure shall be erected, constructed or moved within the setback lines established in this ordinance, nor shall more frequent access points be permitted than allowed in this section along any class of highway described in 20.050.

20.040 Structures Permitted within Setback Lines. The following structures and signs may be placed between the setback line and the adjacent highway right-of-way line:

- A. Open fences that do not hinder visibility,
- B. Telephone, communications and power transmission lines, together with all attachments,
- C. Waste water and water distribution systems, and similar utilities,
- D. Wells, septic tanks and similar structures,
- E. Frontage and service roads constructed according to plans approved by the authority having jurisdiction over the highway,
- F. Signs as regulated by Section 30 (Sign Regulations),
- G. Unless otherwise prohibited in 20.060, trees, shrubbery and field crops,
- H. Where buildings are proposed to be erected between existing buildings less than one hundred fifty (150) feet apart, the proposed building may be constructed at a setback no less than the average setback of the adjacent buildings on either side of the proposed building.

20.050 Highway Setbacks and Access Requirements.

A. Class A Highways. All federal or state highways that are defined as limited access and/or four lane, divided highways are designed as Class A Highways.

1. Setbacks: The setback for all structures for a Class A Highway shall be one hundred fifty (150) feet from the center line or one hundred (100) feet from the right-of-way line, whichever is greater.

2. Access Driveways. There shall be no direct access to Class A Highways.

B. Class B Highways. All federal or state highways not designated as Class A Highways are designated Class B Highways.

1. Setbacks: The setback for Class B Highways shall be one hundred fifty (150) feet from the center line or one hundred (100) feet from the right-of-way line, which ever is greater.

2. Access Driveways: A minimum distance of five hundred (500) feet shall be required between access driveways along the same side of a Class B Highway.

C. Class C Highway. All through roads and all major and minor arterial roads that are not designated as Class A or B Highways are designated Class C Highways. Class C Highways consist of lettered county highways.

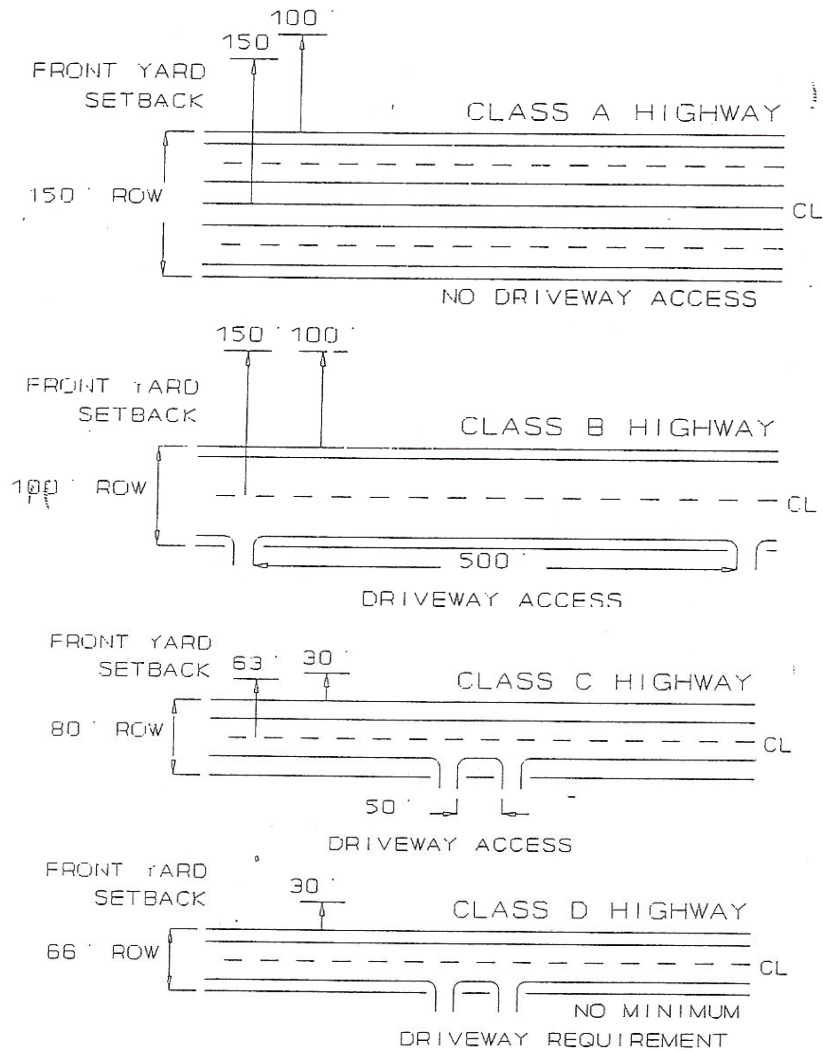
1. Setbacks: The minimum setback for a Class C Highway shall be sixty-three

(63) feet from the center line or thirty (30) feet from the right-of-way line, whichever is greater.

2. Access Driveways: Not more than one driveway is permitted per fifty (50) feet of road frontage.

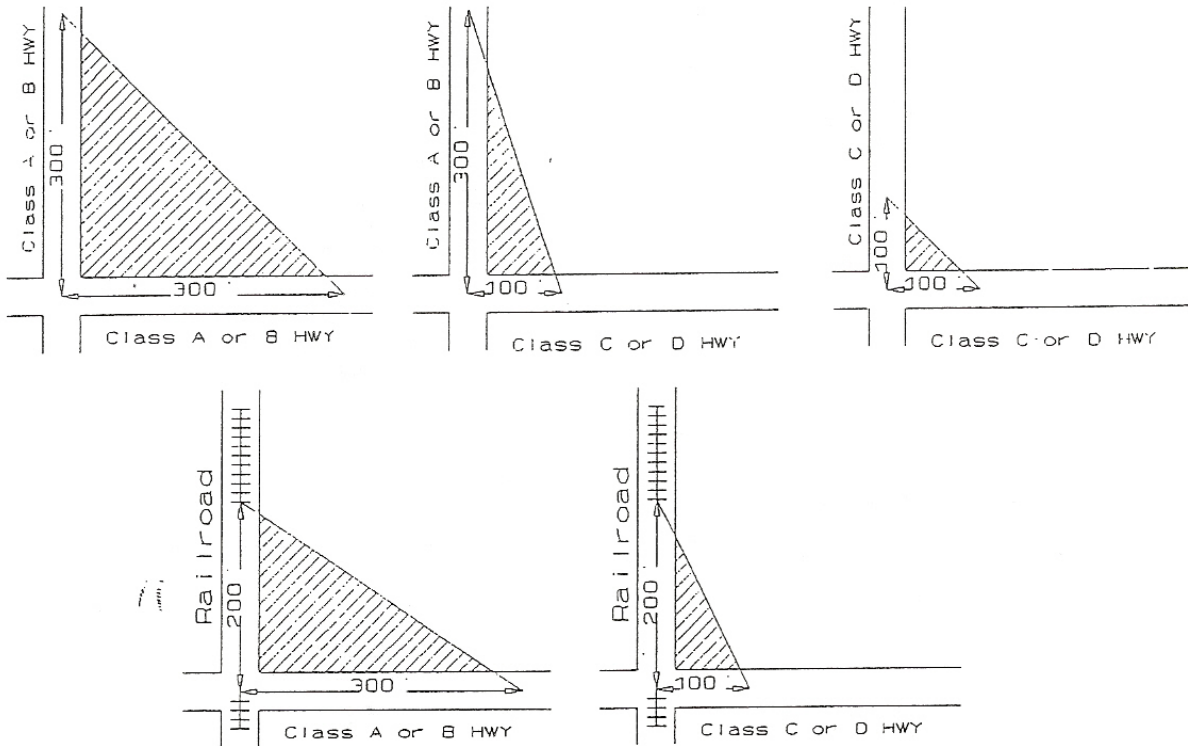
D. Class D Highways. All roads located within subdivisions and are not designated as Class A, B, or C Highways are designated as Class D Highways. Class D Highways consist of town roads.

1. Setbacks: The minimum setback from a Class D Highway shall be thirty (30) feet from the right-of-way line.
2. Access Driveways: There shall be no minimum distance for driveway access along Class D Highways.



20.060 Traffic Visibility.

- A. At every intersection of two public roads, or a public road and a railroad right-of-way, there shall be a traffic visibility triangle. Within the triangle, no obstructions such as structures, parking or vegetation shall be allowed between two and one-half (2.5) feet and ten (10) feet above the elevation of the roadway.
- B. Such traffic visibility triangles shall be formed by the intersecting centerline and a line connecting points on the centerline of the intersecting highways or railroad right-of-way at the following distances:
1. On Class A and B Highways; three hundred (300) feet from the intersecting centerline,
  2. On Class C and D Highways; one hundred (100) feet from the intersecting centerline,
  3. On railroad right-of-way, two hundred (200) feet from the center line of the highway along the center of the railroad right-of-way.



20.070 Additional Requirements. The following regulations shall apply:

- A. Access Permit: A permit shall be obtained from the authority having jurisdiction of highway access prior to the issuance of a land use permit,
- B. Driveway Permits: The Wisconsin Department of Transportation and the Menominee County Highway Department require a permit, pursuant to Chapter 86.07, Stats., for construction or modifications on or across any highway right-of-way under their jurisdiction. Application for these permits are available at the Wisconsin Department of Transportation - Division of Highways, 944 Vanderperren Way, Green Bay, Wis 54304 for State Highways 47 and 55, and at the Menominee County Highway Department, W2703 Chief Carron Road, Keshena, Wis 54135 for all county and town roads.