

ORDINANCE CREATING CHAPTER 23, JUNEAU COUNTY CODE,
RELATED TO PUBLIC ROAD ACCESS STANDARDS

WHEREAS, the Land Use Planning Committee has reviewed the need for improved regulation of land division and road construction, as part of its mission to review the state of land use planning and regulation in Juneau County;

WHEREAS, the Committee has, in consultation with town and local officials, developed an ordinance which would assure that new development does not result in the creation of inadequate roads which will ultimately become a public burden, and that new lots are created in an appropriate manner;

WHEREAS, the following ordinance has been reviewed at length with local officials, and has been mailed to all local units of government in Juneau County, and is recommended for enactment by the Land Use Planning Committee;

The County Board of Supervisors of the County of Juneau does hereby ordain as follows:

Article One: Chapter 23 of the Juneau County Code of Ordinances is created to read:

CHAPTER 23. PUBLIC ROAD ACCESS STANDARDS

23.01 Authority and Purpose.

This ordinance is adopted for the purpose of promoting orderly and proper division of, and development of land, and to assure that adequate roads exist to serve developed real estate in Juneau County. These standards are adopted by authority of sec. 236.45, Stats., and shall apply within the entire County, including incorporated villages and cities. This ordinance is not a zoning ordinance and does not authorize any County regulation of the use to be made of land except to require road access as stated herein. Towns, villages and cities may vary standards by adopting an ordinance which is more restrictive than these standards. A copy of such ordinances shall be filed with the County Surveyor.

23.02 Definitions.

- (1) The term "developer" shall mean a person, corporation, partnership, or other entity which undertakes to purchase and improve real estate.
- (2) The term "frontage" means the distance, in feet, that a lot borders on a public road, measured from one corner of a lot intersecting the right-of-way to the farthest corner of the lot which intersects the right-of-way. The distance may be the aggregate of more than one side of a corner lot or an irregular lot.
- (3) The term "land division" means a division of a lot, parcel or tract of land by the owner thereof or the owner's agent for the purpose of sale or building development or

23.04 Road Standards.

- (1) All public roads constructed to serve lots created in Juneau County shall meet the following minimum standards and any other standards adopted by the city, village or town in which the road is located. These standards do not require that any existing roads be upgraded, except that existing roads may be required to be upgraded at the discretion of a local government where a land division or subdivision necessitates such an upgrade.
- (2) Right-of-way. The road shall have at least four rods (66 feet) of right-of-way dedicated to the public.
- (3) Road surface. The road shall have at least 20 feet of hard surface, with three-foot shoulders on each side. Shoulders may be grassed or vegetated surfaces or gravel, depending on soil conditions prevailing in the area.
- (4) Grade. The maximum grade of a road shall be 11 percent.
- (5) Construction. The road shall have an 8-inch gravel base, compacted and stabilized. Paving shall consist of a 2-inch asphalt mat, or a double coat of gravel with seal coating. If a town, city or village chooses to require use of a sub-base, the 8-inch gravel base requirement may be satisfied by a combination of sub-base and base which is at least 8 inches thick..
- (6) Roads should be laid out to be through streets if possible. If cul-de-sacs are used, the cul-de-sac shall have a right-of-way diameter of at least 60 feet with a paved surface having a radius of 40 feet.
- (7) If needed to convey surface water, roads shall have ditches and culverts sized and designed to carry surface water in a manner consistent with the natural flow of the water. Generally, ditches and culverts will not be required in areas with flat terrain and adequate surface water percolation.
- (8) Utility services, including electrical, natural gas, water, sewer, telephone, cable, telecommunications, and other common carrier media, shall be run underground along the right-of-way unless the utility indicates the services cannot be run underground.

23.05 Road Development.

- (1) The cost of construction of new roads shall be borne by the developer of lots served by the new road, and not by the public.
- (2) Before road construction may commence, a developer shall execute an agreement with the local town, village or city to secure completion of the road, including a performance bond.
- (3) Before a road is accepted for dedication by a town, village or city, it shall be inspected by the governing body or its designee and approved as to suitability.
- (4) Every developer of a new public road shall warrant the road to be free of defects and deficiencies for a minimum of one (1) year from the date it is accepted by the local town, city or village.
- (5) No lots may be sold, nor building permits issued for construction on a lot, until the gravel base of a road has been completed and accepted by the local unit of

Article Two: This ordinance shall take effect upon its publication, and shall apply to lots created on or after that date. Fees received for review of land divisions during the remainder of 2000 shall be credited to the general fund.

Dated: October 17, 2000.

LAND USE PLANNING COMMITTEE

Sharon Halverson, Chairperson

Art Jahncke

Jerry Niles

Adopted by the County Board of Supervisors of Juneau County this 17th day of October, 2000.

County Clerk