

## ARTICLE 32

### ROAD STANDARDS

**SECTION 32.010, PURPOSE:** The purpose of this article is to manage access to land development while preserving the flow of traffic in terms of safety, capacity, functional classification, and level of service. This article shall also provide specifications and standards required when constructing, maintaining or improving roads. All road improvements shall be governed by the standards and specifications set forth by this article, which are consistent with the Wallowa County Transportation System Plan. However, this article applies only to roads constructed or substantially improved after the date of its adoption.

Except for Section 32.015, Wallowa County/Nez Perce Salmon Habitat Recovery Plan, the following are exempt from the requirements of this article:

01. Roads, driveways, trails, cat roads, stock driveways, and other non-conforming access features existing prior to the adoption date of this article,
02. Driveway and private road improvements not resulting in an increased traffic flow of 10% or greater;
03. Driveways less than 100 ft. in length;
04. Roads built to the standards of the Forest Practices Act for purposes of forest practices as per Article 16, Timber/Grazing and Article 27 Timber/Commercial; and
05. Roads built for farm uses as defined in Article 1, Introductory Provisions.

**32.015, WALLOWA COUNTY/NEZ PERCE SALMON HABITAT RECOVERY PLAN:** Any road that is constructed or substantially improved and is subject to review for erosion or other adverse impacts to watershed and habitat prior to development, shall be found to conform to the provisions of the Wallowa County/Nez Perce Salmon Habitat Recovery Plan, and Article 36, Salmon Habitat Restoration, WCLDO.

**SECTION 32.020, DEFINITIONS:** In addition to definitions listed in Article 1, 1.065, the following definitions shall apply to this Article. In the event of a conflict, the definitions in this article shall apply. Unless specifically defined, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this

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article its most reasonable application.

**Access:** The place, means, or way by which pedestrians, bicycles, vehicles, or other lawful means of transportation shall have ingress or egress to a property or use.

**Access Classification:** A ranking system for roadways used to determine the appropriate degree of access management. Factors include functional classification, the local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.

**Access Connection:** Any driveway, street, turnout, or other means of providing for the movement of vehicles to or from the public roadway system.

**Access management:** The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity and speed.

**Accessway:** A walkway that provides pedestrian and/or bicycle passage between streets or from a street to a building or other destination such as a school, park, or transit stop.

**Bikeway:** Any road, path, or way that is in some manner specifically open to bicycle travel. Bikeways may be shared with other transportation modes.

**Corner Clearance:** The distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

**Corner Lot:** Any lot having at least two contiguous sides abutting upon one or more streets, providing that the two sides intersect at an angle of less than 135 degrees.

**Cross Access:** A service drive providing vehicular access between two or more contiguous sites so the vehicle need not enter the street system.

**Cul-de-sac:** A minor public road, serving more than two lots or parcels, having only one outlet for vehicular traffic with a turn around at the opposite end, which is not intended to be extended or continued to serve future subdivision or development on adjacent lands.

**Driveway:** A privately owned and maintained road which provides access from the edge of a property to a dwelling or other building within that property.

**Easement:** A grant of the right of the public, a person, or an entity to use the property of another for a specific purpose. An easement may be appurtenant or in gross.

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**Flag Lot:** A lot-where the frontage width is equal to or less than the minimum frontage requirement, but in no case is less than 30 feet and where access to the public road is by a narrow, private right-of-way,.

**Frontage Road:** A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. (See also Service Roads)

**Functional Area (Intersection):** That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.

**Functional Classification:** A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

**Half Street:** A street having only a portion of its width provided in one property with the remainder of its width to be provided from adjacent property.

**Joint (or Shared) Access:** A driveway connecting two or more contiguous parcels or lots to the public street system.

**Lot:** A parcel, or area of land, legally established and recognized, which has frontage upon a public or private street and complies with the dimensional requirements of the WCLDO. Normally within a subdivision.

**Lot Depth:** The average distance from the front lot line to the rear lot line.

**Lot Frontage:** That portion of a lot extending along a street right-of-way line.

**Nonconforming Access Features:** Features of the property access that existed prior to the date of adoption of this article and which do not conform with its requirements.

**Parcel:** A unit or area of land, legally established and recognized, which was created by partitioning land and which complies with the dimensional requirements of the Wallowa County Land Development Ordinance (WCLDO). Normally not within a subdivision.

**Pedestrian Facilities:** (Walkway) A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths, and trails.

**Plat:** A final map, diagram, drawing replat, or other writing containing all descriptions, locations, specifications, dedications, provisions, and information concerning a subdivision as specified by the WCLDO.

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**Private Road:** The entire right-of-way of any roadway for vehicular or other legal means of travel which is privately owned and maintained and which provides the principle means of access to abutting parcels or lots. A private road does not provide for continuous unrestricted public access, unless the road is dedicated to provide public access. Easements may provide specific access rights.

**Public Road:** A road under the jurisdiction of a public body that provides the principle means of access to abutting properties.

**Reasonable Access:** The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway.

**Right-of-Way:** The land between the boundary lines of a highway, street, road, alley, walkway, drainage facility, easement, or other transportation facility.

**Rural Road:** Any road which is outside urban growth boundaries and subdivisions.

**Significant Change in Trip generation:** A change in the use of a property, including land, structures or facilities, or an expansion of the size of the structures or facilities causing an increase in the trip generation of the property exceeding: (1) County - 10% more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads under County jurisdiction; or (2) State - exceeding 25% more trip generation (either peak or daily) and 100 vehicles per day more than the existing use for all roads under state jurisdiction.

**Stub Out:** (Sub-street or Stubbed Street) A portion of a street or cross access drive having only one outlet for traffic, used as an extension to an abutting property that may be developed in the future.

**Substantially Improved or Extended:** A 20% increase in existing square footage, a relocation, an upgrade in classification or capacity, or a change in the design function of a road, except for improvements to existing driveways.

**Taper Length:** The distance along a road where the road expands out to or contracts from a turnout.

**Through Lot:** (double frontage lot) A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lots.

**Transportation Provider:** A provider of public transportation, including the provider of the

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roadway itself. May also include but is not limited to the operators of: buses, taxis, or vans.

**SECTION 32.025, PERMITTED USES:** Except where otherwise specifically regulated by this article, the following improvements are permitted uses, requiring a permit to be issued prior to the activity permitted, and shall conform to Section 32.015:

01. Installation of culverts, pathways, medians, fencing, guardrails, lighting, and similar types of improvements within the existing ODOT right-of-way, subject to ministerial review.
02. Projects specifically identified in the Transportation System Plan as not requiring further land use regulation, subject to ministerial review.
03. Acquisition of right-of-way for public roads, highways, and other transportation improvements designated in the Transportation System Plan except for those that are located in exclusive farm use, timber/grazing, or timber/commercial zones, subject to administrative review.
04. Construction of a street or road as part of an approved subdivision or land partition approved consistent with the applicable land division article, subject to ministerial review.
05. Exceptions to the permitting process, not requiring a permit, are: Normal operation, maintenance, repair, and preservation activities of existing transportation facilities and landscaping as part of a transportation facility.
06. Emergency measures necessary for the safety and protection of property also do not require a permit, but shall be coordinated, when reasonable and appropriate, with the Wallowa County Road Department, and the Wallowa County Planning Department.

**SECTION 32.030, USES PERMITTED CONDITIONALLY:** All uses shall conform to Section 32.015.

01. Construction, reconstruction, or widening of highways, roads, bridges or other transportation projects that are: (1) not improvements designated in the Transportation System Plan or (2) not designed and constructed as part of a subdivision or planned development subject to site plan and/or conditional use review, shall comply with the Transportation System Plan and applicable standards, and shall address the following criteria. For State projects that require an Environmental Impact Statement (EIS) or EA (Environmental Assessment), the draft EIS or EA may be reviewed and used as documentation for findings to comply with all the following criteria:
  - A. The project is designed to be compatible with existing land use and social patterns, including noise generation, safety, and zoning.
  - B. The project is designed to minimize avoidable environmental impacts to the following identified resources: wetlands, wildlife habitat, air and water quality, cultural, and scenic.

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- C. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.
  - D. The project includes provision for bicycle and pedestrian circulation as consistent with the comprehensive plan and other requirements of this article.
- 02. Construction of rest areas, weigh stations, temporary storage, and processing sites.
  - 03. If review under this Section indicates that the use or activity is inconsistent with the Transportation System Plan, the procedure for a plan amendment shall be undertaken prior to or in conjunction with the conditional permit review.
  - 04. Uses conditionally permitted in Article 15, Exclusive Farm Use, Section 15.020 (26)-(29) and Article 16, Timber / Grazing, Section 16.020(23)-(26).

**SECTION 32.035, REVIEW PROCEDURE:**

- 01. Work shall not commence until plans have been reviewed for adequacy and approved by the review authority. As part of the review, affected transportation providers shall be notified and given appropriate time to review and respond to the proposal.
- 02. Road improvements shall be completed in accordance with the specifications and standards as set forth in this article, which are consistent with the Wallowa County Transportation System Plan.
- 03. Once roads have been completed to standards as set forth in this article and are approved by the review authority, they are to be offered to the Wallowa County Board of Commissioners for approval as a public road. A public road may or may not be maintained by the County (see paragraph 04, below).
- 04. The Wallowa County Board of Commissioners may, upon recommendation of the road master, accept the road as a County maintained road. Acceptance as a County maintained road must be requested in addition to the normal subdivision or partition procedures, and such acceptance cannot be construed from approval of a subdivision or partition plat. The petitioning for acceptance process, separate from the approval of a subdivision or partition, must be initiated by the subdivider. Maintenance of County roads within the County road maintenance system shall conform to the County road maintenance plan.
- 05. The review authority may require road improvements to existing roads when deemed necessary to accomplish the purpose and intent of standards as set forth in this article.

**SECTION 32.040, REVIEW CRITERIA:** The following are specifications and standards for construction of new roads and substantial improvements to existing roads.

- 01. **GENERAL:** The location, width, and grade of roads shall be considered in their relation to existing and planned roads, topographical conditions, public convenience, maintenance costs and safety, and the proposed use of the land to be served by the road.

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02. **ALIGNMENT:** As far as practical, roads shall be in alignment with existing roads by continuations of center lines thereof. Staggered road alignment resulting in T intersections shall, whenever practical, leave a minimum distance between the center lines of roads having approximately the same direction, as determined by the spacing standards in the adopted TSP, Chapter 7.
03. **EXISTING ROADS:** Whenever existing roads adjacent to or within a tract are of substandard width, additional right-of-way shall be provided at the time of the subdivision or partition in accordance with the standards prescribed in this article.
04. **FUTURE EXTENSION OF ROADS:** Where necessary to give access to or permit a satisfactory future subdivision of adjoining lands, roads shall be extended to the boundary of the subdivision, and the resulting dead end roads must be provided with cul-de-sacs.
05. **CUL-DE-SACS:** Cul-de-sacs shall not have a length of more than 600 feet and shall terminate with a turn around with a radius of not less than 40 feet, to be increased to 50 feet with on street parking. The maximum grade for a cul-de-sac turn around shall be 4%. Cul-de-sacs may be used as part of a development plan; however, through streets are encouraged except where topographical, environmental, or adjacent land use constraints make connecting streets not feasible.
06. **ACCESSWAYS:** Where required, accessways for pedestrians and bicyclists shall be 10 feet wide and located within a 14 foot wide right-of-way or easement. Rights-of-way or easements may be reduced in width to a minimum of 12 ft via the Variance procedure. Accessway width may be appropriately increased by the review authority if necessary to accommodate equestrian use. Accessways for pedestrians and bicyclists shall be provided at mid-block where the block is longer than 600 feet. Where cul-de-sacs are planned, the review authority may require that accessways be provided to connect the ends of cul-de-sacs to each other, to other streets, or to neighborhood activity centers.

The Review Authority may determine, based upon evidence in the record, that an accessway is impracticable. Such evidence may include but is not limited to:

- A. Physical or topographic conditions make an accessway connection impractical. Such conditions include but are not limited to extremely steep slopes, wetlands, or other bodies of water where a connection cannot reasonably be provided.
- B. Buildings or other existing development on adjacent lands physically preclude a connection now or in the future, considering potential for redevelopment.
- C. Where accessways would violate provisions of leases, easements, covenants, restrictions, or other agreements existing as of May 1, 1995

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that preclude a required accessway connection.

07. **HALF-STREETS:** Half streets proposed adjacent and parallel to the boundary line of the subdivision or partition, while generally not acceptable, may be approved where essential to the reasonable development of the subdivision or partition when in conformity with other requirements of this article and when the review authority finds it will be practical to require the dedication and improvement of the other half streets when the adjoining property is subdivided. Half streets shall not be permitted where lots would front on such streets. Where half streets are provided, a performance bond may be required to insure full improvements at such time as the remaining half street on adjacent property is dedicated and improved. Whenever an existing half street is adjacent and parallel to the boundary line of a proposed subdivision or partition, the subdivider or partitioner shall dedicate and improve such additional right-of-way as may be necessary to meet the standards prescribed in this article for the type of street involved.
08. **STREET NAMES:** Except for continuations of existing streets, street names shall conform to Wallowa County Road Naming and Rural Addressing Ordinance 90-001.
09. **PRIVATE ROADS:** Any road that is to be constructed for access serving a partition or subdivision shall at a minimum, meet the applicable road standards of this article and may be required by the review authority to provide public access.  
The review authority may allow non-dedicated private roads, built to the applicable road standards, where it has been determined:
  - A. The private road would not violate the provisions of the land use plan and land development ordinances.
  - B. There are no needs for public right-of-way acquisition in the area, either now or in the future.
10. **DRIVEWAY AND PRIVATE ROAD STANDARDS:**  
Some private roads and driveways are exempt from the standards of this article (see section 32.010). Private roads and driveways not exempted from this article shall be 14 ft wide with 3 ft shoulders on either side and shall meet the standards of Table 1, Road Standards.  
However, the review authority may allow a lesser width, down to 12 ft, with turnouts or other mitigation to be determined. For example, where a 14 ft width with shoulders is not feasible, a segment of road 12 ft wide without shoulders might be allowed provided that a turnout is provided at either end of the segment or within line of sight, whichever is shorter.  
In addition:
  - A. For private roads and driveways greater than 100 ft. in length, a turning radius of 30 ft. shall be at the terminus of the driveway in the vicinity of the dwelling (this assumes parking in the turn around). "T", "Y", or Hammerhead turnarounds may also be used, but they must meet width and load standards, have a minimum connecting radius of 25 ft., and be

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at least 30 ft. in total length. See attached illustration of alternative turnarounds.

- F. Where required, Turnouts shall be large enough to accommodate emergency equipment (be 12 ft wide and meet load standards, have a minimum taper length of 25 ft., and be at least 100 ft. long, including tapers).
11. **ROAD DESIGN STANDARDS:** Standards are delineated in Table 1, "ROAD STANDARDS." State highways must meet State and County standards as shown in the adopted TSP.

**SECTION 32.045 ACCESS MANAGEMENT:**

01.General

The intent of this section is to manage access to land development to preserve the transportation system in terms of safety, capacity, and function. This section shall apply to all arterials and collectors within Wallowa County and to all properties that abut these roadways and is adopted to implement the access management policies of Wallowa County as set forth in its Transportation System Plan.

02.Corner Clearance

- A. Corner clearance for connections shall meet or exceed the minimum connection spacing requirements for that roadway found in the adopted TSP.
- B. New connections shall not be permitted within the functional area of an intersection or interchange as defined by the connection spacing standards of the adopted TSP, unless no other reasonable access to the property is available.
- C. Where no other alternatives exist, the county may allow construction of an access connection along the property line farthest from the intersection. In such cases, directional connections and signage (i.e., right in/out, right in only, or right out only) may be required.

03.Joint and Cross Access

- A. Adjacent commercial or office properties classified as major traffic generators (i.e., shopping plazas, office parks), shall provide a cross access drive and pedestrian access to allow circulation between sites, without entering the street system.
- B. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:
  - 1. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.
  - 2. A design speed of 10 mph and a maximum width of 20 feet to accommodate

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two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

3. Stub-outs and other design features to make it visually obvious that the abutting properties are cross accessed via a service drive;
  4. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
  5. Shared parking areas shall permit a reduction in required parking spaces if peak demands will not occur during the same time periods.
- C. Pursuant to this section, property owners shall:
1. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drives;
  2. Record an agreement with the deed that remaining access rights along the roadway will be dedicated to the county and pre-existing driveways will be closed and eliminated after construction of the joint use driveway;
  3. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.
- E. The County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
1. Joint access driveways and cross access easements are provided in accordance with this section.
  2. The site plan incorporates a unified access and circulation system in accordance with this section.
  3. The property owner enters into a written agreement with the county, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.
- F. The county may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

#### 04. Access Connection and Driveway Design

- A. Except where exempted (see section 32.010), driveways shall meet the design standards in Section 32.040(10).
- B. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the

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potential for vehicular weaving conflicts.

- C. The minimum length of driveways shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing into the flow of traffic on the public road or causing unsafe conflicts with on site circulation.

#### 05. Requirements for Phased Development Plans

- A. In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this article. The number of access points permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. The owner and all lessees within the affected area are responsible for compliance with the requirements of this article.
- B. All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

#### 06. Nonconforming Access Features

- A. Legal access connections in place, as of the date of adoption of this article, that do not conform with the standards herein are considered nonconforming features and shall be brought into compliance with applicable standards under the following conditions:
  - 1. When new access connection permits are requested;
  - 2. The connection causes a significant change in trip generation.

#### 07. Reverse Frontage (Through Lots)

- A. A through lot shall be required to locate motor vehicle accesses on the road with the lower functional classification.
- B. When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road. Access rights of these lots to the arterial shall be dedicated to Wallowa County and recorded with the deed. A berm or buffer yard may be required at the rear of through lots to buffer residences from traffic on the arterial. The berm or buffer yard shall not be located with the public right-of-way.

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## 08. Flag Lot Standards

- A. Flag lots shall not be permitted when the result would be to increase the number of properties requiring direct and individual access connections to the State Highway System.
- B. Flag lots may be permitted for residential development when necessary to achieve planning objectives, such as reducing direct access to roadways, providing internal platted lots with access to a residential road, or preserving natural or historic resources, under the following conditions:
  - 1. Flag lot driveways shall be separated from each other by at least twice the minimum frontage requirement of that zoning district.
  - 2. The flag lot driveway shall meet the design standards of Section 32.040(10).
  - 3. In no instance shall flag lots constitute more than 10 percent of the total number of building sites in a recorded or unrecorded plat, or three lots, whichever is greater.
  - 4. The review authority shall determine if the lot area occupied by the flag driveway shall be counted as part of the required minimum lot area of that zoning district.
  - 5. The review authority shall determine if more than one flag lot shall be permitted per private right-of-way or access easement.

## 09. Lot Width-to-Depth Ratios

- A. To provide for proper site design and prevent the creation of irregularly shaped parcels, parcels shall be located and laid out to properly relate to adjoining or nearby lots or parcel lines, utilities, streets, or other existing planned facilities, unless there are existing topographical, environmental or man made constraints.

## 10. Shared Access

- A. Subdivisions with frontage on the state highway system shall be designed to share access points to and from the highway. Normally a maximum of two accesses shall be allowed regardless of the number of lots or businesses served. If access off of a secondary road is possible, then access should not be allowed onto the state highway. If access off of a secondary road becomes available, then conversion to that access is encouraged, along with closing the state highway access.
- B. New direct access from State highways to individual one and two family dwellings shall require ODOT approval and conform to spacing standards from the adopted TSP.

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## 11. Connectivity

- A. The road system of proposed subdivisions shall be designed to connect with existing, proposed, and planned roads outside of the subdivision as provided in this section.
- B. Wherever a proposed development abuts unplatted land or a future development phase of the same development, road stubs, meeting the standards of Section 32.040(11), shall be provided to provide access to abutting properties or to logically extend the road system into the surrounding area. All road stubs shall be provided with a temporary turn around unless specifically exempted by the Wallowa County Road Department, and the restoration and extension of the road shall be the responsibility of any future developer of the abutting land.
- C. Minor collector and local residential access roads shall connect with surrounding roads to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local roads. Appropriate design and traffic control such as four way stops and traffic calming measures are the preferred means of discouraging through traffic.

### **SECTION 32.050, VARIANCES:**

- 01. Variances shall be processed in accordance with Article 10, Variance Procedure.
- 02. Applicants for a variance from access standards shall include proof that:
  - A. Indirect or restricted access cannot be obtained;
  - B. No reasonable engineering or construction solutions can be applied to mitigate the condition; and
  - C. No alternative access is available from a road with a lower functional classification than the primary roadway.

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