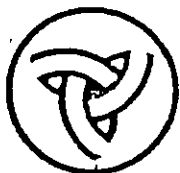


Access to State highways



Illinois Department of Transportation
Division of Highways

Handbook for the Policy on Permits for Access Driveways to State Highways

May 1, 1990



Illinois Department of Transportation
Division of Highways

POLICY ON PERMITS FOR ACCESS DRIVEWAYS
TO STATE HIGHWAYS

TABLE OF CONTENTS

	PAGE
I. Purpose and Definitions	1
A. Purpose	
B. Definitions	
II. General Access Requirements	5
A. Procedures for Obtaining an Access Permit	
B. Conditions and Limitations of Permits	
C. Access Along Freeways	
D. Local Regulations	
E. bonds	
F. Agreements	
G. Policy Variance	
H. High Design Locations	
I. Illegal Access	
III. Highway Considerations	13
A. Turning Lanes	
B. Median Crossovers	
C. Shoulders	
D. Traffic Controls	
E. Lighting	
F. Drainage	
G. Safety	
IV. Requirements for Noncommercial Access	18
A. The Application	
B. The Access Facility	
C. Entrance Design Requirements	
V. Requirements for Commercial Access	22
A. The Application	
B. The Site Facility	
C. The Access Facility	
D. Entrance Design Requirements	
VI. Requirements for Proposed Streets and Roads	31
A. The Application	
B. The Access Facility	
C. Entrance Design Requirements	

VII. Access to Plats

37

- A. Public Act 85-500
- B. Procedure for Review

Illustration	1	Illinois Department of Transportation District Boundaries With Office Locations
Illustration	2	Location of Driveways Along Public Road Intersecting a Freeway With Partial Access Control
Illustration	3	Table of Layout Requirements for Access Facilities
Illustration	4	Noncommercial-Rural
Illustration	5	Noncommercial-Urban
Illustration	6	Commercial-Rural Combined Entrance/Exit
Illustration	7	Commercial-Rural Separate Entrance/Exit
Illustration	8	Commercial-Urban Combined Entrance/Exit
Illustration	9	Commercial-Urban Separate Entrance/Exit
Illustration	10	High-Volume Commercial Traffic Generator
Appendix 1		Highway Permit
Appendix 2		Access Agreement
Appendix 3		Individual Highway Permit Bond
Appendix 4		Blanket Bond for Highway Access Permits
Appendix 5		Illinois Statutes Pertaining to Adoption and Observance of Access Policy

I. Introduction

A. Purpose

This policy which establishes procedures for securing permits for access to State highways, has been developed by the Illinois Department of Transportation for the following purposes:

- 1) To provide for motorist and pedestrian safety through the orderly control of traffic movements on to and off of State highways.
- 2) To maintain the traffic carrying capacity of State highways, thus protecting the public interest in these facilities.
- 3) To assure uniform standards and practices for access throughout the State.

The standards that have been developed to carry out this policy take into account differences between noncommercial and commercial access, between rural and urban areas, between relatively low and high traffic volume facilities and the types of vehicles using the facilities. These standards require that both private entrances and public road connections be designed for the traffic that will use the facilities. In cases involving high-volume entrances, design standards as high as, or sometimes higher than, road connections may be required. All permit work, however, shall utilize the same minimum structural design standards, materials and construction as would be used by the Department for nonpermit work.

Consideration will be given to all factors affecting the operation of both the access facility and the highway. These factors include, but are not limited to, the location and geometrics of the access facility, turning lane requirements, capacity of the highway, driveway and highway drainage, environmental considerations and land use. Access facilities should be designed to provide good service to users while at the same time minimizing interference to the safe and efficient movement of highway traffic.

B. Definitions

The following words or phrases when used in this policy shall have the meanings ascribed to them as follows:

- 1) Access - The ability to move vehicles to and from property abutting a State highway.
- 2) Access Facility - A driveway, entrance or sideroad approach facilitating vehicular movement between abutting property or right-of-way and a State highway. Normally includes only the part of the driveway, entrance, or sideroad that lies within the established right-of-way limits of the State highway.
- 3) Access Facility Types

Noncommercial Entrance - Provides access to a single family residence, or to not more than two single family residences on

adjacent properties served by a common entrance or to agricultural land (including field entrances but excluding entrances used for the sale of agricultural products to the general public.)

Commercial Entrance - Provides access to property being used for more than a single family residence or for commercial or industrial purposes.

A high traffic volume commercial generator is a development with substantially more trips than average commercial generators, that is characterized by large parking areas, high-type access facilities, and traffic volumes of sufficient magnitude to have a pronounced effect on the safety and capacity of adjacent streets and highways. Some examples of high volume commercial generators are shopping centers, industrial parks, office parks and sports stadiums.

Street and Road Approach - Provides a direct connection between a State highway and an intersecting public road.

- 4) Department - The Illinois Department of Transportation, usually acting through its District Engineers. (See Illustration 1.)
- 5) Driveway - An access facility that provides a direct connection for vehicular movements between abutting property and the highway.
- 6) Flare - The area of the driveway surface outlined by the edge of the highway, the edge of the nominal width or through part of the driveway, and the normally curved outer edge connecting the two. The edge of the flare is defined by a radius, a 3-centered curve, or a straight edge.
- 7) Freeway - A highway designated as a freeway in accordance with Article 8 of the Illinois Highway Code, which includes both full and partial access-controlled facilities unless otherwise specified.
- 8) Frontage - The distance along the highway right-of-way line in front of the owner's property, which is normally determined by projecting perpendicular lines from the center line of the roadway to the corner points of the property on the right-of-way line.
- 9) Frontage Road - A public road, auxiliary to and normally located alongside and parallel to a State highway, for the purposes of providing access to abutting property, maintaining local road continuity, and controlling access. The term as used in this policy includes service drives.
- 10) Fully Access-Controlled Freeway - A highway with full control of access allowing access only at grade-separated interchanges.
- 11) Island - A defined area between traffic lanes for control of vehicle movements or for pedestrian refuge. Within an intersection a median or an outer separation is considered an island.
- 12) Median - The portion of a divided highway or divided driveway separating the traveled ways for traffic in opposite directions.

- 13) Partially Access-Controlled Freeway (Expressway) - A highway where at-grade access is allowed for public roads and non-commercial access at specified locations but all other access is prohibited.
- 14) Permit - A Highway Permit (Form BT 1045) to allow construction, operational maintenance or reconstruction of an access facility in accordance with the provisions thereon, granted by the Department in accordance with this policy. The form may also be used for other permit work.
- 15) Public Road - A road constructed on land acquired for or dedicated for right-of-way and accepted by a public agency.
- 16) Right-of-Way Line - The boundary between the land acquired for or dedicated to highway use and adjacent property.
- 17) Roadway - That portion of a highway improved, designed or ordinarily used for vehicular travel.
- 18) Rural Area - All locations outside an urban area.
- 19) Service Drive - A frontage road open only at one end.
- 20) Shoulder - The portion of the highway contiguous with the traveled way for the accommodation of stopped vehicles and for emergency use.
- 21) State Highway - Any highway that is part of the State highway system prescribed in Section 2-101 of the Illinois Highway Code. ~~Basically,~~ those highways that are maintained by the State or State routes maintained by a local agency under the terms of a Local Agency-State Maintenance Agreement.
- 22) Subdivision - Land subdivided by an owner into two or more parts, any of which is usually less than 5 acres, except as otherwise provided in Chapter 109 of the Illinois Revised Statutes (The Plats Act).
- 23) Temporary Traffic Control and Work Site Protection - Traffic control devices for work zones including signs, signals, lighting units, pavement markings, delineators, channelizing units, hand signaling signs and portable barriers used to warn, guide or regulate traffic and to protect workmen. All such devices shall conform to the Manual on Uniform Traffic Control Devices and to the Illinois Highway Standards. Placement and erection shall be the responsibility of the applicant in accordance with the approved permit.
- 24) Traffic Control Devices - All signs, signals, markings, and devices that conform to the Illinois Manual on Uniform Traffic Control Devices, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.
- 25) Turning Lane - An auxiliary lane, including tapered areas, primarily for the acceleration or deceleration and storage of vehicles entering or leaving the through traffic lanes.
- 26) Urban Area - An area, either incorporated or unincorporated that has

been developed primarily for residential and/or business purposes (Section 1-214.1, Illinois Vehicle Code). The speed limit is generally 40 miles per hour or less, the street or highway is normally curbed, and at least 50 percent of the frontage on one side of the highway within one-half mile of the driveway location is developed with residences and/or businesses.

II. General Access Requirements

A. Procedures for Obtaining an Access Permit

A permit is required for the construction of any new access facility or the revision of any existing access facility within the right-of-way along a State highway. Permits are needed when the work is to be done by any person or agency other than the Department or a local governmental agency utilizing State-administered or Federal-aid funds, although even in the latter cases the proposed work must be reviewed to assure general conformance with access policies. This permit is generally issued by the appropriate District Office of the Department. In some cases where the curbing along a State highway is maintained by a municipality, permits for access work may be issued by that municipality with the State's concurrence. The District offices will advise an applicant of the appropriate issuing authority. In all cases where the access is to a State highway, final jurisdiction concerning the permit will remain with the Department. Illustration 1 lists the addresses and telephone numbers of the District Offices and the map illustrates the jurisdictional boundaries of these offices.

An access facility constructed under a permit, including required additions to the highway facility, must be done by or for the permittee at their expense. An exception to this requirement for certain work at public road connections is outlined in Section VI-A. Subsequent revisions to the access facility required because of changes in the zoning or land use must also be made at the property owners expense. However, existing entrances may be altered, relocated, or, after contact with the property owner, eliminated by the Department, at its expense, when highway reconstruction or changing conditions warrant.

The application for an access permit, which may be a letter or other form of written request, shall include the location and a description of the proposed work. The request shall be accompanied by plans, drawings, or a sketch. This information may vary from a simple sketch for a residential driveway to a site plan and a survey plat for a large commercial development. The application must also include the name, address, and telephone number of the applicant and the owner of record of property served by the access facility. In addition, the application shall indicate the intended land use that the planned access will serve (single family residence, drive-in restaurant, etc.).

Following receipt of the permit request, the District Office will review the application to determine if the proposed construction, the location of the access facility on the property, and the development of the property being served are in conformance with the provisions of this policy. Normally a meeting will be required between the applicant and a representative of the Department. When all requirements are met, the permit forms will be prepared for processing.

Copies of the formal permit will be mailed to the applicant for signing. All of these copies must be returned to the appropriate District Office for execution on behalf of the Department. Approved copies will be returned to the applicant. No work shall be undertaken on State right-of-way until the approved copy has been received by the applicant and notice given to the permit office.

The applicant is cautioned that proper access to property is a key factor to successful development, whether noncommercial or commercial, and that an access permit should be obtained prior to any building construction and preferably before any site design is finalized. If a permit request is denied, the Department will notify the applicant and explain the reason for the denial. The permit request may then be resubmitted with those changes necessary for compliance with this policy.

B. Conditions and Limitations of Permits

All work performed on a State highway under the terms of a Highway Permit (Form BT 1045) is subject to the conditions on the permit itself and all accompanying plans, drawings, sketches, or other attachments. The Highway Permit form is illustrated in Appendix 1. The permittee or contractor shall have a copy of the approved permit available at the site during construction.

A single permit can be issued both for access work and other highway related work at the same location, provided the work is all to be done by the same person or contractor.

During the period of time the access facility is being constructed, care must be taken to ensure the protection of workers and traffic. The work shall be accomplished in a manner that will minimize interference with normal highway operations. The third condition on the back of the Highway Permit form specifies when the work may be done. All temporary traffic control devices shall be in compliance with the latest edition of the Illinois Manual on Uniform Traffic Control Devices. Also, traffic control standards may be attached to the permit, indicating to the permittee the manner in which traffic must be protected and controlled during construction operations. The permit may specify that a Traffic Control Authorization Request (Form BT 725) be submitted before work commences.

Special care must be taken during the construction of access facilities and development of the property to avoid tracking mud or other hazardous material onto the highway as prohibited by Section 11-1413 of the Illinois Vehicle Code. Also, care must be taken to control erosion during construction of the facility. Storage of construction material or vehicles on State right-of-way is prohibited.

Property owners having access to a State highway are fully responsible for the maintenance of their access facility. This maintenance responsibility includes the removal of snow and ice and keeping the portion of the entrance within the highway right-of-way free of potholes and in a safe condition for the general public. Where the owner of a commercial or industrial property is required to construct turning lanes on the State highway, the Department may in the interest of public convenience provide maintenance and remove snow and ice on the portions of those lanes constituting an integral part of the highway. However, work may be performed after the through traffic lanes are cleared.

Culverts properly installed on the right-of-way under the provisions of an access permit, become public property in accordance with Article 9-105 of the Illinois Highway Code and are maintained by the Department.

In preparing a permit for access to a large property that is to be developed commercially or subdivided, it may be necessary to assure that the entrance or side road connections will not subsequently be altered, as parcels of the original property may be sold to other owners. To accomplish this, an Access Agreement (BT 1363), illustrated in Appendix 2, may be required and, if so, shall be executed and filed in the county recorder's office. Access to any individual parcels subsequently established will need to be by means of internal circulation, so the integrity of the access layout along the State highway will be maintained.

Permits may be issued for the construction and operation of access facilities for a specific period of time. Such permits will clearly indicate that the access is temporary and will be removed at the expense of the holder of the permit at the end of the specified time period. A bond will be required to assure the proper removal of the access facilities and restoration of the highway right-of-way.

When a change in the type or intensity of development significantly affects the requirements of an access facility, another access permit request must be submitted. The developer/owner, their successors or assigns, are responsible for notifying the Department when such development changes occur. Increased development may require higher type access facilities whereas reduced development may call for closing of some access facilities.

C. Access Along Freeways

The designation of an existing highway as a freeway in accordance with Article 8 of the Illinois Highway Code, may bring about special problems in connection with the issuance of access permits subsequent to the date of the Freeway Order. This is particularly true where the physical conversion of the highway is delayed for some period of time after the designation order, and access rights have not been acquired by the Department or other governmental agency.

When a permit request is received for access to an existing highway that has been declared a freeway and the access rights have not been acquired, the Department may take one of the following courses of action.

- 1) The District may elect to acquire access rights to the property for which the permit has been requested, consistent with the eventual plans for converting the highway to a full or partial access-controlled facility.
- 2) Consistent with long-range plans, the District may initiate action to have the Freeway Order revised or rescinded in such a manner that the requested access facility is no longer to a designated freeway. A standard access permit may then be issued in accordance with the provisions of this policy.
- 3) The District may not be in a position to acquire access rights or wish to revise the Freeway Order. In that case, a normal or temporary permit will be issued, even though such access facility may subsequently need to be eliminated or relocated to a frontage road or service drive.

If a permit request is received for noncommercial access to a partially access-controlled freeway where access rights have been acquired, a temporary permit may be issued providing it is in accordance with the conditions specified in the conveyance of access rights. Also, requests for either commercial or noncommercial access to such facilities may be considered if the District wishes to initiate action to have the Freeway Order revised or rescinded in such a manner that the requested access is no longer to a designated freeway. However, prior to consideration of the permit request, the requester must enter into an agreement for restoration of access rights to the affected property by legislative action, subject to payment of appraised value for said restoration of access rights, to be coordinated with and processed by the District Bureau of Land Acquisition.

Where access rights have been acquired, permits may be granted for connections to new sideroads or streets that will become part of a system of existing or planned public roads after revising the Access Control Plan.

Requests for revisions in access control after the construction of a freeway has been completed should be submitted to the District, who will forward it to the Central Bureau of Traffic together with adequate information for review of the request. If the access rights were acquired with Interstate funds, the information will be forwarded to the Federal Highway Administration for their approval of a change in the Access Control Plan. Permits for connections may be issued by the Districts after they have been advised by the Central Bureau of Traffic that an access control change has been approved. Appropriate environmental considerations must also be taken into account when there is a change in the Access Control Plan.

Requests for such connections must meet the following conditions:

- 1) Permit applications must be presented by and issued in the name of the local public agency that is to be responsible for the maintenance of the access facility upon its completion.
- 2) Evidence should be presented that the proposed road will become an integral part of an existing or planned public road system, rather than merely becoming a provision for internal circulation within a particular piece of property. If only a portion of the road is to be constructed initially, the evidence required may be action such as the hearing required by Section 6-305 of the Highway Code for laying out a township or district road. In some cases a subdivision type bond may be required to assure completion of the road.

Public road connections will be subject to the spacing restrictions established for median crossovers, as outlined in the Bureau of Location and Environment's "Manual of Policies and Procedures". Where feasible, the connection to a State highway having an existing median, should be located at an existing or preplanned opening, unless an engineering study indicates otherwise.

In those situations where Location Study Reports are necessary and/or when Department construction funds are to be used in a proposed action

requiring access control revisions, provisions outlined in Departmental Policy LEN-10 shall be utilized.

Permits for access to existing frontage roads under State jurisdiction are governed by the same policies as outlined for access to other State highways with the following exception. Frontage roads are generally designed for the extent and type of land development that exists or can be anticipated at the time they are constructed. If proposed entrances are for development beyond that scope, the developer may be requested to upgrade the frontage road to accommodate the traffic that will be generated.

Where a frontage road has not been constructed, no part of a driveway entering a sideroad that intersects the partially access-controlled freeway at grade shall be closer to the near edge of the through-traffic lane of the freeway than 100 feet for noncommercial driveways or 200 feet for commercial driveways. Minimum distances shall be measured at right angles to the highway pavement (See Illustration 2). Some locations with turn lanes near intersections may require location of driveways at greater distances from partially access-controlled freeways for adequate storage of vehicles.

In many instances, access control has been acquired by the State for some distance along crossroads or streets intersecting a freeway. In those cases no permit for access within these limits will be issued.

D. Local Regulations

The applicant is responsible for insuring compliance with local land use and zoning plans, building codes, setback regulations, minimum lot sizes, density of buildings, provisions for adequate parking, historic preservation requirements, and other ordinances and regulations.

Local planning and zoning agencies may be provided an opportunity to comment on whether or not commercial driveway applications meet local regulations. Permits will not be granted if the Department is advised a development does not conform to their land use or zoning plans.

Permits issued by the Department do not release the applicant from compliance with local regulations nor from obtaining the required local approvals or permits.

E. Bonds

To protect the Department against the cost of completing or removing construction or correcting deficiencies, a surety bond in an amount and for a period (5 years minimum) specified by the Department will often be required. Where required, the bond will be made a part of the permit. Either an individual bond for a specific permit or a blanket bond covering all permits issued to a person or firm throughout the State may be used. The bonds may be obtained from any surety company licensed in Illinois. Generally, a surety bond is not required for the construction of a noncommercial access facility. However, a bond in an amount and for a period specified by the Department shall be executed and become a part of a permit issued for access facilities serving a commercial property.

Form BT 1046, Individual Highway Permit Bond, which is illustrated in Appendix 3, will be used for individual bonds. The amount of the bond is dependent upon the amount of work to be done within the highway right-of-way. Such bonds will be kept in effect the minimum period of five years to protect the Department against any latent damage to existing highway facilities or failure of the construction within that period. In some cases, an extension of the bonding period may be justified. Individual Highway Permit Bonds will be executed in the District Offices, and those offices will determine the amount and duration of the bond after reviewing the plans.

In some cases where the bonds are large to cover extensive work on the State highway (i.e. turning lanes and traffic signals), the District may consider reducing the amount of the bond for the remainder of its effective period upon completion and acceptance of a portion of the construction work.

The Blanket Bond for Highway Access Permits form illustrated in Appendix 4, will be used for all blanket bonds. The amount of the bond will be based on the anticipated number of annual permit applications, with a minimum of \$10,000 to cover approximately 10 ordinary commercial entrance permits. The maximum amount will normally not exceed \$50,000. However, should the issuing District determine that the amount of a blanket bond is not sufficient surety for any single permit or group of concurrent permits, additional individual surety may be required of the permittee.

Blanket bonds will be kept in effect indefinitely as long as the principal anticipates additional permit applications. These bonds do not have on their face a specific life or expiration date. However, any bonded obligation undertaken is, by the language in the bond, for the same five-year period contained in the Individual Highway Permit Bond, Form BT 1046. Cancellation of the blanket bond, or the expiration of the premium payment period, do not affect any of the obligations assumed prior to that date. It is not necessary, therefore, to require, as a condition for cancellation, substitute surety for permits then in effect.

The issuance of blanket bonds for highway access permits will be handled in the Central Bureau of Traffic in Springfield. The Districts will notify the Central Bureau of the access permit number and date of issuance of all permits issued with blanket bonds as surety. The Central Bureau will distribute and keep current a list of blanket bonds in effect.

A rider form will be provided upon request which, when executed, will cancel individual bonds issued previous to the approval to the blanket bond.

Occasionally, a "continuous blanket bond" for utility permits approved by the Central Bureau of Maintenance will include a rider extending coverage to include highway access permits. Records and notification in these instances are the responsibility of that Bureau.

Bonds may be required of permittees to ensure fulfillment of future permit obligations, such as the construction of turning lanes, the installation of traffic signals, or, as mentioned in Section II-C, completion of a public road connecting to a freeway. Generally, the time at which these future improvements are required will be defined in

agreements with the Department. Benchmarks, such as certain levels of development, accident experience, or future traffic volumes will be used as a basis for determining when these improvements will be required. In some instances, fulfillment of such future obligations may also be guaranteed with an irrevocable letter of credit from the permittee, or through establishment of an escrow account.

In the event construction guaranteed by bond is not completed in accordance with permit requirements or within the prescribed period of time, the Department may invoke the bond. However, the Department will make reasonable efforts to resolve such problems before this action becomes necessary.

F. Agreements

When access facilities or other related projects are to be constructed at the owner's expense, in conjunction with improvements being made to a state highway by a State contractor, a formal agreement between the owner and the Department will normally be necessary. Major commercial developments and high volume traffic generators often have a variety of special access requirements, and each agreement must therefore be individually developed and tailored to fit the particular situation. The District will prepare a draft of the agreement after discussing the details with the developer. The draft, together with appropriate plans and other pertinent information, will be forwarded to the Central Bureau of Design when the work is to be included in a State Funded highway improvement contract. Drafts of agreements for traffic signals or other improvements at an entrance where the State is not making a highway improvement are to be submitted to the Central Bureau of Traffic, although a permit will generally suffice in such cases if no State funds are involved.

The draft and plans will be reviewed by appropriate Central Bureaus and returned to the District with their comments. The agreement may then be finalized and executed by the owner of record, the applicant (if other than the owner of record), and the Department. The agreements will include the following information:

- 1) The location description of the work to be done.
- 2) Who will make the surveys and prepare plans, usually the State at the developer's expense. However, where the property owner wishes to expedite plan preparation, plans and specifications prepared by a consulting engineer and approved by the Department may be considered satisfactory.
- 3) Who will furnish the construction engineering (usually the State at the developer's expense).
- 4) How the construction costs will be paid and the amount (usually by the State with reimbursement by the developer in the form of a certified check).
- 5) Who will maintain the facilities.
- 6) A clause that advertising signs or other encroachments will not be permitted on the right-of-way.

7) Details pertaining to any dedication or purchase of right-of-way.

8) Responsibility for future improvements.

Construction inspection for contracts let by the Department will normally be accomplished under the control of District Construction personnel. Costs of construction engineering are normally the responsibility of the applicant, and at the discretion of the District, this engineering may be done by a consultant working under the supervision of a Resident Engineer assigned by the Department.

Highway permits may be issued by the District in cases where there will also be an agreement, in order to provide a record of the access points constructed under the agreement. However, if all the work to be done within the right-of-way is done under a contract let by the Department, the normal requirement for a permit may be suspended, at the discretion of the District.

Agreements may also be used to assure that required future improvements will be completed.

G. Policy Variances

Requests for variances from the provisions of this policy may be considered where unusual conditions are present. Such requests will be reviewed on an individual basis and may be allowed only where extreme, unique, or unusual circumstances would make compliance impractical or unreasonable. Exceptions will not be allowed if they would jeopardize public safety or the traffic carrying capacity of the State highway.

H. High Design Locations

Above minimum design standards for access facilities may be required at some locations to reduce the potential for traffic accidents and to minimize congestion. The need for these higher standards is evidenced by analysis of specific factors such as accident rates, geometrics, highway classification, traffic characteristics and proximity to major intersections.

I. Illegal Access

Owners or developers of property who construct access facilities not in accordance with an access permit or without an access permit, will be given at least 30 days to comply with the law unless the illegal access constitutes an immediate hazard, in which case, the owner/developer will be required to remove the illegal access as soon as possible. Otherwise, the owner/developer will be given an opportunity to comply with the law and work with the appropriate District Office to remove or to return the access facility in question to an acceptable condition.

If illegal access is not corrected or removed within a specified period of time, the Department will cause the removal or closure of the access facility at the owner's expense.

III Highway Considerations

A. Turning Lanes

It may be necessary to construct turning lanes for right and/or left-turns into an access facility for safety and capacity reasons if highway speeds or traffic volumes are high, or if there are substantial turning volumes. Turning lanes may be required for some or all access facilities into a major development. The developer shall have a traffic engineering study made to determine where turning lanes are needed and furnish a copy of this study to the Department for review. The final decision concerning the need for turning lanes will rest with the Department.

Turning lanes consist of a taper and a full width auxiliary lane. The design of the lanes is based primarily on the speed at which drivers will turn into the lane, the speed to which drivers must reduce in order to turn into the driveway after traversing the deceleration lane, and the amount of vehicular storage that will be required. Other special considerations are the volume of trucks that will use the turning lane and the steepness of an ascending or descending grade.

The cost of providing turning lanes for entrances into private developments is the responsibility of the property owner. The financial responsibility for turning lanes into public road connections will be as specified in Section VI-A. The lanes must be constructed in accordance with State standards and specifications. Where the width of the highway right-of-way is insufficient to allow the construction of a needed turning lane, the property owner shall provide by donation, any necessary additional right-of-way to the Department. Right-turn lanes should normally be constructed entirely within the frontage of the property being served. On an undivided highway or on a divided highway with a median width inadequate for a left-turn lane, the applicant may be required, if a left-turn lane is necessary, to widen the highway in order to provide for the turning lane. Where construction of left-turning lanes is not feasible, it may be appropriate to construct bypass lanes. However, use of bypass lanes is not generally encouraged.

The need for, and location of, turning lanes will affect the location of the access facilities. Standards for design of turning lanes are contained in the Bureau of Location and Environment's "Manual of Policies and Procedures".

B. Median Crossovers

Where a divided highway has been constructed with a median, crossovers in the median for new entrances will not normally be permitted. Left-turn access into and out of the property should be accomplished by use of entrances to sideroads or streets adjacent to the property, or by use of a frontage road.

The layout of entrances to a large development should be done in such a manner as to take advantage of existing or preplanned median crossovers where feasible. In such cases, the construction of left-turn lanes must be considered. When it becomes necessary to provide new median crossovers they should be located where safety to vehicular traffic will

not be sacrificed. Spacing between median crossovers will depend on such factors as the volumes of turning traffic, vehicle speeds on the highway, and location of other crossovers, streets, and intersecting roads. Median crossovers along partially access-controlled and non access-controlled highways shall be located in accordance with provisions contained in the Bureau of Location and Environment's "Manual of Policies and Procedures."

C. Shoulders

The highway shoulders adjacent to entrances constructed under permit shall be reconstructed to at least match the shoulders in the immediate area. Where more than one surfaced entrance is being constructed, the District Office issuing the permit may allow or require the shoulder area between the entrances to also be surfaced. In order to establish well-defined traffic flow patterns, curbing may be required at the edge of the shoulder and/or along the existing right-of-way line between driveways, or between driveways and property lines. Standards for curb and gutter, as appropriate, shall be in accordance with standards contained in the Bureau of Design's "Highway Standards".

The shoulder in the area of the driveway shall not be used as an auxiliary lane. The property owner shall assist in prohibiting the parking or commercial use of the roadway shoulder or right-of-way.

D. Traffic Controls

Short-duration high-volume traffic generated by a facility, such as a sports stadium, may require special traffic control at entrances to a State highway. Either uniformed deputized officers on the highway or other personnel off the highway may be needed to regulate traffic during times of high volume ingress or egress. Officers directing traffic shall not unduly delay traffic on the highway, and frequent breaks in traffic from the commercial facility shall be made for the benefit of through traffic. Such operations shall be under the general supervision of the appropriate police agency, which shall take suitable action to protect the rights of through traffic.

It may be desirable where short-duration high-volume traffic exists to utilize an appropriate warning sign with an 8-inch amber flashing light mounted above the sign. Such flashing lights shall be activated only during the times when the high traffic volumes would be entering or leaving the site. Flashing lights may be installed only when determined necessary by the Department. The installation may either be done by the State, under the terms of an agreement at the expense of the property owner, or by a private contractor under the conditions of a permit.

Some high traffic volume traffic generators, such as shopping centers, may generate traffic volumes that either meet the standard warrants for traffic signals or substantially exceed the minimum hourly requirements for shorter periods of time. Traffic signals may be installed at locations on State highways, satisfying the standard warrants prescribed in the Illinois Manual on Uniform Traffic Control Devices, subject to the following provisions:

- 1) Agreements - An agreement will normally be required between the Department and a local or private agency when there is to be some

financial participation by the State in some highway improvements to be done in conjunction with the installation of private benefit signals or when the State will be maintaining these signals, with reimbursement by the local or private agency.

- 2) Permits - When an agreement is not necessary because there is no State participation, a permit issued by the Department is required for the installation and maintenance of commercial-industrial signals. Within the corporate limits of a municipality, the permits are generally issued to the municipality upon a request in the form of a resolution. Outside a municipality, such permits may be issued directly to the private agency.

The entire cost for the installation, modernization, adjustment, maintenance, and energy charges of the signals; any interconnection and coordination equipment; and any necessary associated roadway work for entrances into private developments shall be the responsibility of the local or private agency. These entrances may be either privately owned or be public roads or streets that exist essentially to provide access to developments such as shopping centers or industrial, institutional, or office sites.

Signals installed at private entrances are not eligible for Federal-aid participation, nor may Motor Fuel Tax funds be used.

The agreement or permit shall provide that the Department shall not be held liable for accidents or damages sustained in connection with the operation of the signals. The Department may require the removal of the signals for any significant reason upon 30 days notice in writing. Improper use, lack of enforcement, failure to maintain or pay maintenance costs, failure to modernize the signals when required, or a significant reduction in traffic volumes will be considered as sufficient reason to require removal. The signals shall be maintained either by the Department, with full reimbursement by the local or private agency, or by a municipality that is capable of proper traffic signal maintenance.

The costs of installing and operating signals at an intersection of a proposed public road that will be an integral part of a public road system and that meets the standard signal warrants will be shared by the local agency as provided in Part 544 of the Department's Rules and Regulations.

The design and operation of the signals shall conform to the requirements set forth in the Illinois Manual on Uniform Traffic Control Devices for Streets and Highways. They shall be coordinated with other traffic signals along the State route where determined necessary by the Department in order to maintain or establish a traffic signal progression.

If determined necessary by the Department, other traffic control devices, such as regulatory or warning signs, delineators, pavement markings, etc., may be required to be installed at the expense of the permittee. All such devices shall be in accordance with the Illinois Manual on Uniform Traffic Control Devices.

E. Lighting

Lighting commercial and high traffic volume access facilities used extensively after dark may be helpful to assist motorists in easily locating and using these facilities. Such lighting must be erected on private property, unless the access permit specifically provides for units to be located on the right-of-way.

Lights on commercial premises must not constitute a nuisance to passing motorists. Such lights must not be similar to traffic control devices (i.e., signals or flashing beacons). No flashing, oscillating, or rotating lights visible from any public highway may be placed on any building or structure within 200 feet of the highway (Illinois Highway Code, Article 9-112.2). No signs may have lights that are not effectively shielded so as to prevent light rays from causing glare or impairing the vision of motorists.

In the case of some major commercial developments, it may be determined necessary to have the developer place highway or street lighting units to illuminate a part of the highway facility. Provisions for such lighting may be included in the permit and/or agreement. These provisions must assign the responsibility for the cost of installation, relocation or modernization, maintenance and energy. Also, the units must meet standards and specifications approved by the Department.

F. Drainage

Access facilities must be constructed so they do not adversely affect highway drainage. The drainage and the stability of the highway subgrade must not be impaired by driveway construction or roadside development. In no case shall the construction of an access facility cause water to flow across the highway pavement, or to pond on the shoulders, or in the ditch, or result in erosion within the right-of-way. No sewage, including the effluent from septic tanks or from other sewage treatment devices, or industrial wastes shall be discharged or emptied onto the State highway system.

Drainage collected by ditches, gutters, or pipes on private property shall not be discharged into the highway drainage system unless expressly approved by the Department. The permittee may be required to submit a drainage study to the Department justifying the drainage system proposed and the pipe or sewer sizes to be used. Natural drainage laws and practices and all local ordinance requirements must be observed. Proposed drainage structures shall meet the applicable State standards and specifications.

Storm water detention must be provided on private property to insure that runoff which enters the State's drainage system does not exceed that which naturally occurs from the property to be developed. Outletting of diverted flow into the State's system shall not be allowed unless written permission is obtained from the property owner at the outlet of the State's drainage system.

Drainage design shall conform to the Bureau of Location and Environment's "Permits for Drainage Outlets." However, local drainage requirements must be used when such requirements are more restrictive. The Bureau of

Location and Environment's "Manual on Policies and Procedures" contains additional Department policy for roadway drainage at intersections.

The Department issues drainage permits for private drainage systems that discharge into State highways. However, if such discharge is in conjunction with a request for an access permit, a single permit will generally be issued covering both access and drainage work. A single bond may be used in such cases. The review of a request for an access permit that also involves drainage discharge into the State highway will take additional time to process and applications should, accordingly, be submitted as early as possible.

Where the construction of an access facility necessitates crossing a highway ditch, a culvert pipe shall be installed in the ditch by the permittee. The low point of the driveway profile shall be at or close to the ditch line. Under no circumstances shall existing ditches or gutters be filled without adequate alternate provisions for drainage being made.

Pipe culverts shall be a size adequate to carry the anticipated flow in the ditch as approved by the Department. The normal minimum pipe culvert size shall be 15 inches, inside diameter, or equivalent.

The structural material, gauge, and cover of the driveway culvert pipe shall be adequate to withstand the loads from the anticipated vehicular traffic across the driveway. The culvert shall meet the requirements of the Department's "Standard Specifications for Road and Bridge Construction." The length of a culvert with an end section may be determined as the sum of the width of the driveway (surfaced width and shoulder) measured along the ditch line and the length needed to accommodate the side slope from the grade to the top of the end section. However, the culvert length may be different for cross-sections with curb and gutter. Generally, pipe culverts will be required to have end sections. However, if no end sections are required by the Department, the length of the culvert shall be calculated to include the side slope from the driveway grade to the bottom of the ditch. Driveway side slopes shall be no steeper than one vertical to three horizontal on low speed facilities. On high speed facilities (above 45 mph), driveway side slopes shall match the design slope of the facility or shall be one vertical to four horizontal, whichever is flatter.

G. Safety

Consideration shall be given to providing a safe roadside by the proper treatment of side slopes and drainage appurtenances for access facilities. Guidelines are contained in the Department's "Design Manual" and the "Guide for Selecting, Locating, and Designing Traffic Barriers" published by the American Association of State Highway and Transportation Officials (AASHTO) that show when protective measures, such as guardrails, are required.

Where property is being developed by an owner on both sides of a State highway, consideration must be given to pedestrian safety. A pedestrian overpass may be necessary if the volume of pedestrian crossings is such that it impedes the flow of vehicular traffic. Such a facility may be erected at the property owner's expense, under the terms of a permit issued by the Department. An air rights agreement is also necessary for construction of a pedestrian overpass over a State route.

IV. Requirements for Noncommercial Access

A. The Application

A permit request for residential or general noncommercial access requires the least amount of time to process. However, the Department receives a large number of such requests, and they are processed in the order in which they are received. Therefore, the applicant should not wait until he is ready to start work to apply for a permit.

The permit request should include a specific description of the proposed land use and must be accompanied by a plan, drawing, or sketch of the property site to be served by the access. For most noncommercial access requests, a simple sketch will suffice.

Normally, only one driveway will be permitted for noncommercial access to each residential property. Where the noncommercial driveway is along a high-speed highway, the property owner is strongly urged to provide facilities off the right of way to permit cars to turn around and avoid backing onto the highway. Where the need for additional driveways can be substantiated operationally and adequate frontage exists, the Department may grant permission for additional driveways.

General procedures for obtaining an access permit are contained in Chapter II.

B. The Access Facility (Illustrations 3, 4, and 5)

The access facility or facilities must be located so as to provide:

- 1) The most favorable vision, grade, and alignment conditions for motorists using the proposed access facility and the highway.
- 2) No undue interference with the free and safe movement of highway traffic.
- 3) Maximum safety and convenience for pedestrians and other users of highway rights-of-way.

In the interest of public safety and convenience, the Department may restrict the placement of an access facility to a particular location along the owner's frontage. Driveways should be located so that sufficient sight distance is available to enable motorists entering the highways to determine when gaps in the traffic stream are sufficient to permit safe left- or right-turning movements.

Normally, no part of a driveway, including the flare, should encroach on the frontage of the adjacent property in rural areas. However, an exception may be granted if the adjacent property owner agrees in writing to allow driveway or flare encroachment. Where the driveway serves a corner property, a minimum distance shall be maintained to the public road intersecting the highway. This distance shall be measured parallel to the edge of pavement or curb of the highway from the edge of the intersecting road to the beginning of the driveway flare. For rural locations, this distance shall be a minimum of 50 feet, and for urban locations, it shall be a minimum of 30 feet. In both rural and urban areas, no part of the driveway, including the flare, may be closer than 5 feet to the extension of the near right-of-way line of the

intersecting road. It is desirable to exceed these minimum values for improved operations.

C. Entrance Design Requirements

- 1) Grades - All driveways constructed in rural locations shall have a grade that slopes downward and away from the highway surface at a rate equal to the slope of the shoulder, but not less than 3/16-inch nor greater than 1-inch per foot. This slope shall continue for a minimum distance of 10 feet or to the center line of the ditch, whichever is less. Beyond that point, the grade of rural driveways within the right-of-way should not exceed 12 percent for noncommercial driveways. The slopes of all drives constructed in urban locations shall be compatible with the provisions for drainage of the existing designed cross section, but should not exceed 8 percent for noncommercial driveways. The grade used shall permit facilities that will accommodate the flow of the drainage in the vicinity of the driveway. For further information on drainage see Section III-F of this policy.

Where a sidewalk is located close to the curb line and the driveway opening is to be provided across a depressed or cut curb, the sidewalk shall be removed and replaced with driveway pavement and be warped to conform to the driveway profile. One or both edges of the sidewalk may be depressed across the driveway, provided the resulting sidewalk cross slope does not exceed 1/2-inch per foot. Where an existing sidewalk is far enough from the curb that it does not have to be warped to fit the driveway, it may remain if it is compatible with the Structural requirements of the new driveway. In some cases, it may be necessary to discontinue the sidewalk across the driveway and to construct a curb along each driveway edge. However, curbed driveways must meet the necessary requirements established to allow for wheelchairs. These requirements along with wheelchair ramp designs are contained in the Bureau of Location and Environment's "Manual of Policies and Procedures" and in the Bureau of Design's "Highway Standards."

Where curbs are cut for the construction of driveways, the entire curb and gutter section shall be removed. The removal of only the raised portion of the curb and paving over the broken section will normally be allowed only with Department approval of the method used for the removal and a determination that the results of such work will be satisfactory. Ends of driveway curbs shall be tapered from the full height to ground level in a distance of approximately 2 feet where applicable. Where drainage is carried along the depressed curb, the driveway shall be constructed with a short upgrade to prevent runoff from spilling into private property and the flowline of the gutter through the driveway shall be restored.

- 2) Cross-Section and Material - Driveways shall be surfaced and well maintained to ensure that the original profile is retained, that operational speeds are not reduced by pot holes or rough surfaces, and that no damage to or deterioration of the highway pavement is caused by the condition of the driveway. All driveways shall be surfaced from the edge of the highway pavement to the right-of way line. Unsuitable material must be removed and replaced with the

proper base material. The type of material and thickness will be specified in the permit.

Noncommercial rural driveways will be required, as minimum, to be surfaced with a specified thickness of compacted gravel or crushed stone. In urban areas, a bituminous or concrete surface will normally be specified for noncommercial drives.

- 3) Width - The width of driveways should permit vehicles to enter and exit with a minimum of interference to through traffic. The widths of driveways will be based primarily on the speeds of traffic on the highway and the types of vehicles using the access facilities. The effective width will also vary with the angle of the driveway. The width should be restrictive enough to discourage maneuvers that would cause conflicts. On the other hand, driveways must be wide enough so that no vehicular conflicts occur in the driveway or on the highway. The width of a driveway will be measured at right angles to the center line of the driveway and will be exclusive of the flare. The width will be considered edge to edge of pavement, except where a monolithic curb, combination curb and gutter, or concrete curb is used, in which case the width will be measured from face to face of curbs.

All noncommercial driveways shall normally have a width between 12 feet and 24 feet. The width may be increased by permissible radii to allow for smooth ingress and egress at the highway connection. Where a driveway is to be used by large farm equipment, at least a 20 foot width should be provided and entrances up to 30 feet wide may be permitted. Permits may also be issued for common residential entrances to serve adjacent properties. These entrances shall be centered on the property line and shall not exceed the 24-foot maximum width. The permit will be issued jointly to the two owners and must be executed by both parties.

- 4) Flare - The flare used to connect the driveway to the edge of the highway pavement shall normally fall entirely within the right-of-way. However, under some circumstances, such as a narrow right-of-way, this requirement may be waived. The radii for noncommercial driveways should be between 10 and 40 feet in rural areas and 5 to 25 feet in urban areas and adequate to accommodate the proposed vehicle usage. In cases where the right-of-way is narrow, traffic volumes are large, or highway speeds are high, radii outside these ranges may be permitted to allow for efficient use of the driveway. Additional flares between the roadside flare and the right-of-way line will not be permitted.

While the outside edge of an entrance flare is generally curved around a radius point, a straight edge may be acceptable. Such triangular flares may be desired where the distance between the edge of the highway and the sidewalk or right-of-way is small and only the minimum radius could be used. Such flares may also be desirable to simplify construction.

- 5) Angular Placement - The driveway center line should generally be at a right angle to the pavement edge and follow this angle from the roadway to the right-of-way line or, in rural areas, to a distance of

40 feet from the edge of pavement, whichever is less. However, no driveway shall be placed that will have a center line angle measured from the roadway less than 60° except that one-way driveways in urban areas may be permitted with an angle not less than 45° .

V. Requirements for Commercial Access

A. The Application

A permit for commercial access requires a longer time to process than a permit for noncommercial access; therefore, the request should be submitted as early as possible. Access for a commercial traffic generator may also require a formal agreement, which will necessitate additional time for review and execution by the Central Office of the Department. The permit request should include a specific description of the proposed land use and must be accompanied by a plan or drawing of the property site to be served by the access. Plans for commercial access are reviewed for compliance with regulations pertaining to land usage, and a meeting will normally be required between the applicant and a representative of the Department. The local planning and zoning agencies may be provided an opportunity to comment on commercial access applications as may other State agencies. General procedures for obtaining an access permit are contained in Chapter II.

Generally, the plans for a commercial access facility that accompany the permit request should include the following information on the existing conditions and proposed work:

- 1) Existing Conditions - Width of highway pavement and right-of-way; geometrics of adjacent driveways and street or sideroad approaches; storm drainage layout (the layout should be extended outside the site area in order to show the relationship of the existing drainage facilities to the proposed work); location of curb, sidewalk, shoulders, and ditches; location of utility poles, street lights, traffic signals, hydrants, and trees; location of underground mains and cables; and location of right-of-way and property lines.
- 2) Proposed Work - Geometrics of sideroads, driveways, street returns, and pavement widening, cross-section and profile of driveway grades; lateral and longitudinal location of proposed mains and sewers; detailed internal site plan showing parking, buildings, and drainage; and material specifications, such as size, thickness, diameter, weight, gauge, type, class, etc., of proposed work.

The access layout drawings should be drawn to a scale of 1 inch = 20 feet, unless specified otherwise by the District.

Applicants for permits to drive-in service facilities will be required to furnish the following data, in addition to other necessary information:

- 1) Traffic flow pattern for the facility.
- 2) The total number of off-street storage spaces for the operation.
- 3) Information regarding the type of facilities, including the expected hourly output.
- 4) The number of vehicles accommodated during peak periods.
- 5) The hours and days of operation for large facilities.

To protect the Department against the cost of completing construction, correcting deficiencies or removing the work and restoring the right-of-way a bond in an amount and for a period specified by the Department will be executed and become a part of a permit issued for access facilities serving a commercial property. Information on bonding procedures is contained in Section II-E.

B. Site Requirements

In most cases, Department personnel will need to meet with representatives of the developer to discuss the internal development of the property and the relationship of the development to the highway, as well as the layout and details of the entrances themselves and the on-site storm water detention plan. Most commercial access design elements are directly related to the layout of the parking area, amount of vehicle reservoir space (for drive-in service facilities), type of loading facilities, type of vehicles utilizing the development, circulation pattern, and the size and placement of buildings within the site.

Where traffic control devices are required as part of the site development, the cost of the devices and their installation is the responsibility of the developer. This requirement will be included in the agreement or permit when appropriate. Further information on traffic control devices is contained in Section III-D.

Perhaps the single most important factor in developing an access plan for a commercial facility is a determination of the potential volume and type of traffic that will be generated by the facility. Access facilities serving commercial developments represent an important element in the efficiency and safety of the highway onto which traffic enters and exits from the development. In order to properly accommodate traffic from such access facilities, the anticipated traffic volumes must be determined. It may be necessary to submit these volumes to the Department for review, along with the other documents comprising the permit request. The Institute of Transportation Engineers' (I.T.E.) "Guidelines for Driveway Design and Location" contains a section on traffic generation and includes a table of traffic generation rates. The I.T.E. also publishes a report entitled "Trip Generation" that contains additional information on the subject.

When the projected traffic volumes are available, other critical site and highway requirements may be determined, such as the number of entrances, the size of the parking area, the length of the storage lanes for traffic entering and leaving the development, and the internal traffic circulation pattern. Highway facilities that are the responsibility of the developer, such as turning lanes, are discussed in Chapter III.

The parking area of a commercial development must be designed to reduce interference with traffic using driveways. The District may require that a permanent physical barrier (i.e., concrete curbing, landscaping, or guardrail) extend into private property to obtain proper entrance control. This would minimize interference between vehicles circulating within the lot and those leaving or entering the highway. The length of this section may be determined from the largest amount of storage required for the anticipated vehicular volumes. A curbed division island in the center of the access roadway may be required to preserve this storage length.

When a commercial development includes office spaces, the exit facility should be designed to accommodate this addition to the peak hour flow.

Adequate storage shall be provided on commercial sites so that vehicles do not wait on the highway. This problem is most evident with drive-in service facilities that require drivers to remain in their vehicles while being served or until service begins. Such facilities shall be carefully analyzed to assure the proposal provides for proper storage. The layout of a site used as a fast food restaurant, car wash, drive-in bank, theater, etc., shall provide storage for all waiting vehicles off the right-of-way.

Adequate storage space is a function of the demand volume, vehicle service time per facility, and the number of service facilities available. The geometrics of the internal circulation control a portion of the service time. The service time is dependent upon the time required to maneuver into position and the time necessary to obtain the service. The radii of internal curves should be as large as possible. An approach lane width of 11 to 12 feet and traffic patterns as straight as possible should be provided in advance of each area. The lane widths may be reduced to between 8.5 and 9 feet at the point of service. The positioning of the service facilities so that maneuvers to the exit driveway are reduced will maximize the use of storage area.

For drive-in theaters, a storage area between the ticket booths and the highway shoulders should be provided for 10 percent of the rated vehicle capacity of the theater. This storage may be determined on the basis of approximately 150 square feet per vehicle.

Studies have indicated the space requirements for storage at drive-in banks should be based on serving an average of 30 vehicles per hour per window. Automatic car washes having a multibay design generally require storage reservoirs of 150 feet or greater in length for each bay. For single-lane drive-through car washes, storage to accommodate a minimum of 12 cars should be provided. Approximately five storage spaces per bay should be allowed for self-service car washes. These minimum requirements are provided for general guidance only, and specific storage areas shall be determined on an individual basis.

The site shall be developed in such a manner that there are no encroachments of commercial activities or of the parking lot onto the highway right-of-way. Sufficient room should be allowed between the first parking space and the existing right-of-way line to provide an area for backing vehicles to maneuver without blocking the access facility and without causing vehicular conflicts on the highway. Also, signs and other advertising material shall not be placed on or overhang the highway right-of-way.

The site of a service station shall be laid out to provide that the distance from the highway right-of-way line to the near edge of the pump island, underground storage tanks or distribution lines shall be at least 20 feet at the closest point for clearance purposes. A greater distance is recommended to permit free movement of large vehicles and to insure they are entirely off the right-of-way while being serviced, as required by Section 9-113.1 of the "Illinois Highway Code". Lesser distances of no less than 13 feet may be approved provided the permit applicant obtains a waiver from the State Fire Marshal's Office.

Commercial sites shall be laid out to create the minimum amount of hazard to passing traffic. As an example, the position of the screen of a drive-in theater should be located so the picture is not visible from the highway.

Junkyards or scrap-processing facilities must comply with all State laws and local ordinances before an access permit will be issued for a property with this type of operation. Landfill operations and similar activities shall be conducted in such a manner as to avoid tracking or spilling material on the highway. A fence may be required to retain blowing debris (e.g. paper).

C. The Access Facility (Illustrations 3, 6, 7, 8, 9, and 10)

1) Location - The access facility or facilities shall be located so as to provide:

- a) The most favorable vision, grade, and alignment conditions for motorists using the proposed access facility and the highway.
- b) No undue interference with the free and safe movement of highway traffic.
- c) Maximum safety and convenience for pedestrians and other users of highway rights-of-way.

In the interest of public safety and convenience, the Department may restrict the placement of an access facility to a particular location along the owner's frontage. The location of entrances along acceleration or deceleration lanes or lane tapers should be avoided. Proposed access facilities near bridges and railroad crossings will be critically reviewed to assure that adequate sight distance is available.

Access facilities should be located so that sufficient sight distance is available to enable motorists to determine when gaps in the traffic stream are sufficient for safe entry. Adequate sight distance will be based on the recommended distances contained in the Bureau of Location and Environment's "Manual of Policies and Procedures".

If safe access to corner property cannot be provided from a State route, access may be limited to a side road or side street entrance or a side street alley. An alley may be used for alternate access only if approval is received from the appropriate local governmental agency.

Where more than one access facility is requested for a commercial property, and where the need for these additional entrances can be substantiated operationally and adequate frontage exists, the Department may grant permission for additional entrances. However, circulation between driveways serving a single property shall be accomplished within the property, on a frontage road, or by means of other facilities permitting circulation off the through lanes of the State highway. Also, minimum distances must be provided between access facilities and property lines, intersecting public roads and other access facilities.

Existing or proposed highway features, such as median openings, turning lanes, intersections, drainage facilities, and traffic signals, should all be considered in determining the location of access facilities. Further information on these highway considerations is contained in Section III.

- 2) Lateral Placement - In urban situations, a curb length of at least 3 feet shall be left undisturbed between the property line and the edge of the driveway flare to allow for the construction of an adequate island between drives should the adjacent property owner desire to build an entrance. In rural locations, the access facility flare may terminate at the property line. High traffic volume generator entrances shall be located to provide a minimum distance of 10 feet between a property line and any part of the access facility flare. The distance from the property line is measured from a line extended from the property corner perpendicular to the centerline of pavement to the beginning of the driveway flare.

All commercial driveways shall be located to provide a specified minimum distance from an adjacent public road. This minimum distance, which is measured between the beginning of the driveway flare and the edge of the adjacent public road, shall be 50 feet in rural locations and 30 feet in urban locations. Also, at both rural and urban locations, the minimum distance between the beginning of the driveway flare and the extended right-of-way line of the adjacent public road shall be 5 feet. All distances shall be measured along a line parallel to but not greater than 5 feet from the pavement edge of the State highway.

Where a separate right-turn lane is provided, no part of the lane taper shall encroach on the flare of an intersecting sideroad.

The curb along a State highway between a commercial driveway and the adjacent public road may be set back up to 5 feet from the edge of the pavement.

The distance between the beginning of the flare of a high traffic volume generator and the near edge of an adjacent roadway intersecting the State highway shall be at least 100 feet. Where volume projections indicate a need, sufficient distance from adjacent public roads or property lines should be allowed for the construction of a right or left-turn lane.

A distance of at least 440 feet, and preferably 660 feet, will generally be required between the center lines of entrances into shopping centers and similar developments that generate high traffic volumes. However, closer spacing between entrances may be permissible at some locations where these entrances will not be signalized presently or in the future or a traffic engineering study indicates the reduced spacing is adequate. Service drives into such centers not used by the general public may be closer than 440 feet as long as they do not encroach on turning lanes and do not provide easy access to the abutting development.

When multiple entrances are provided for a high traffic volume generator, sufficient distance must also be allowed between these entrances for the construction of turning lanes. This will also

result in separating the points of conflict created by such entrances and will encourage internal circulation. Circulation between access facilities serving a single property must be accomplished within the property, on a frontage road, or by means of other facilities permitting circulation off the through lanes of the State highway.

D. Entrance Design Requirements

- 1) Grades - All driveways constructed in rural locations shall have a grade that slopes downward and away from the highway surface at a rate equal to the slope of the shoulder, but not less than 3/16-inch nor greater than 1-inch per foot. This slope shall continue for a minimum distance of 10 feet or to the center line of the ditch, whichever is less. The initial slope within the shoulder area of all drives constructed in urban locations shall be compatible with the provisions for drainage of the existing cross section. The grade used shall accommodate the flow of the drainage in the vicinity of the driveway and should be designed so that future widening of the highway would not require major reconstruction of the driveway.

Beyond the shoulder, the grade of rural commercial driveways within the right-of-way should not exceed 10 percent. The slopes of all drives constructed in urban locations shall be compatible with the provisions for drainage of the existing designed cross section, but should not exceed 6 percent for commercial driveways.

Where a sidewalk is located close to the curb line and the driveway opening is to be provided across a depressed or cut curb, the sidewalk shall be removed and replaced with driveway pavement and be warped to conform to the driveway profile. One or both edges of the sidewalk may be depressed across the driveway, provided the resulting sidewalk cross slope does not exceed 1/2-inch per foot. Where an existing sidewalk is far enough from the curb that it does not have to be warped to fit the driveway it may remain if it is compatible with the structural requirements of the new driveway. In some cases, it may be necessary to discontinue the sidewalk across the driveway and to construct a curb along each driveway edge. However, curbed driveways must meet the necessary requirements established to allow for wheelchairs. These requirements along with wheelchair ramp designs are contained in the Bureau of Location and Environment's "Manual of Policies and Procedures" and in the Bureau of Design's "Highway Standards."

Where curbs are cut for the construction of driveways, the entire curb and gutter section shall normally be removed. The removal of only the raised portion of the curb and paving over the broken section will be allowed only with Department approval of the method used for the removal and a determination that the results of such work will be satisfactory. Ends of driveway curbs shall be tapered from the full height to ground or surface level in a distance of approximately 2 feet where applicable. Where drainage is carried along the curb, the driveway shall be constructed with a short upgrade to prevent runoff from spilling into private property and the flowline of the gutter through the driveway shall be maintained or restored. Information on drainage is contained in Section III-F.

Grades of high traffic volume entrances should be as flat as practicable and should be similar to side streets or roads rather than driveways.

- 2) Cross Section and Material - Commercial entrances shall be surfaced and well maintained to ensure that the original profile is retained, that operational speeds are not reduced by pot holes or rough surfaces, and that no damage to or deterioration of the highway pavement is caused by the condition of the driveway. All driveways shall be surfaced from the edge of the highway pavement to the right-of-way line. Unsuitable material shall be removed and replaced with the proper base material. The type of material and thickness will be specified in the permit and will depend primarily on the intended use of the driveway, as well as the proposed volume and types of vehicles using the entrances. Commercial driveways shall be required to have a bituminous or portland cement concrete surface on an approved base material. Surfacing the shoulder area between driveways may also be required.

If the State highway does not have a paved bituminous concrete or portland cement surface, the applicant may be permitted to construct a driveway surface equal to the existing roadway surface.

The materials used in constructing access facilities shall meet applicable standards contained in the Department's "Standard Specifications for Road and Bridge Construction."

- 3) Width - The widths of access facilities will be based primarily on the speeds and volumes of traffic on the highway and the types and volumes of vehicles using the facilities. The effective width will also vary with the angle of the driveway. The width should be restrictive enough to discourage parallel entry into the traffic stream and other maneuvers that would cause visibility restrictions or other conflicts. Access facilities with excessive width or with large open areas offer poor protection to pedestrians, as well as promote haphazard parking and circulation. On the other hand, entrances must be wide enough so that no vehicular conflicts occur in the driveway or on the highway.

The width of an entrance will be measured at right angles to the center line of the driveway or sideroad and will be exclusive of the flare. The width will be considered edge to edge of pavement, except where a curb or curb and gutter is used, in which case the width will be face to face of curbs.

Commercial driveways that are to provide for two-way traffic must be wide enough to accommodate two lanes without conflict. However, commercial driveways shall be limited to a maximum width of 35 feet measured at right angles to the center line of the drive, exclusive of flares, at the right-of-way line and/or at the end of radii curves.

Multiple access facilities shall be separated by an island area. Where the island is less than 25 feet long or 10 feet wide, it must be outlined by curbing or by other raised edging where curbing is not present. At some locations, curbing or raised edging may also be required for larger islands. Sufficient room should be allowed

between the first parking space and the existing right-of-way line to provide an area for backing vehicles to maneuver without blocking the access facility and without causing vehicular conflicts on the roadway.

High traffic volume access facilities that are to provide for two-way traffic must be wide enough to accommodate two lanes without conflict. An access facility for these types of development shall have a maximum width of 35 feet when undivided or may consist of two 24-foot drives, one for entering and one for exiting traffic, divided by a curbed median. The entrance to the development shall be designed to avoid backing up traffic on the highway so that traffic waiting to enter into the development blocks through traffic. The number of lanes exiting from the development and turning in one direction shall not exceed the number of available traffic lanes on the highway in that direction. For example, if the exit is on a two-lane, two-way pavement, no more than one lane will be allowed to exit at the same time in each direction. Where an entrance having a curbed median separating entering and exiting traffic is utilized, the median shall be between 4 and 18 feet wide and extend into the property as far as necessary to promote smooth traffic patterns. The median shall begin at the edge of the normal shoulder in an uncurbed section or 4 to 10 feet from the face of the curb in a curbed section.

- 4) Flare - Flares for commercial access facilities should permit vehicles to enter and exit with a minimum of interference to through traffic. In rural locations, the radii for access facilities should be between 20 and 50 feet, while in urban locations they should be between 15 and 40 feet. In special cases radii outside these ranges may be permitted to allow for the efficient use of an access facility.

The flares shall be selected after considering factors such as right-of-way width, anticipated volumes, types of vehicles, roadway speeds, parking regulations, entrance width, entrance angle, type of land use to be served, and volume and character of highway and access facility traffic.

Radii in angles less than 90° will generally be in the lower part (minimum) of the range given in this policy. Radii in angles over 90° will be toward the upper (maximum) limit. Along a high-speed highway, the flare for traffic leaving the highway may need to be greater than for traffic entering onto the highway.

The selection of the return radius for a development with a large volume of truck traffic will require special consideration of the geometrics. The use of three-centered curves or other compound curves and/or islands may be necessary to accommodate these anticipated truck movements.

The flare used to connect a driveway to the edge of the highway pavement should normally fall within the right-of-way. However, the flare may continue outside the right-of-way if raised curbing extends in to the private property. Additional flares between the roadside flare and the right-of-way line will not be permitted.

All flares used at commercial developments in urban areas should be defined with concrete curbs from the curb line to at least the right-of-way, except across sidewalks. The Department may also specify that radii used at commercial developments in rural areas be defined with concrete curbs from a point 10 feet from the edge of the roadway pavement to at least the right-of-way line, except across sidewalks.

Additional curbs may be necessary on private property as determined by the Department to provide adequate storage for the anticipated traffic volumes. The layout of driveways for emergency vehicles may be altered from these requirements as necessary to accommodate these special vehicles.

While the outside edge of a flare is generally curved around a radius point, a straight edge may be acceptable. Such triangular flares may be used in lieu of a curved flare especially where the distance between the edge of the highway and the sidewalk or right-of-way is small and only the minimum radius could be used. Such flares may also be desirable to simplify construction. Triangular flares will increase the surfaced area since they should start at the beginning of the normal curved flare along the highway to the point where the curve would end along the edge of the driveway.

The radii of flares for high traffic volume generator access facilities should permit vehicles to enter and exit with a minimum of interference to through traffic. The radii will generally be between 25 and 60 feet or may utilize three-centered curves or other compound curves. In special cases, after consideration of the right-of-way width, proposed volumes, types of vehicles, speeds on the roadway, and parking regulations, radii outside these ranges, may be permitted to allow for the efficient use of the access facility.

- 5) Angular Placement - The center line of a single two-way entrance that services a commercial property should generally be at a right angle to the roadway or parallel to the property line. This angle may be reduced to 60° for two-way driveways or 45° for multiple access facilities where the driveways will be used for one-way traffic. The reduced angles for two-way entrances will be considered only in extreme or very special circumstances.
- 6) Islands - Where a commercial establishment is serviced by more than one driveway, an island separator shall be provided and maintained between drives. The back edge of this island measured along the right-of-way line should have a minimum length of 10 feet for rural and 6 feet for urban locations. Where an island in an urban location is less than 25 feet long or less than 10 feet wide, it shall be defined by the use of concrete curb, or other raised edging to restrict the path of vehicles using the driveways. In rural locations, an island less than 25 feet long shall be defined accordingly. At some locations, curbing or raised edging may also be required for larger islands.

VI. Requirements for Proposed Streets and Roads

A. The Application

- 1) When Permits are Required - Local public street and road improvements that involve a connection to a State highway are usually done by the local agency with Motor Fuel Tax or Federal-aid funds. Permits from the Department will not be required in such cases since it has an opportunity to review the plans and is assured the contractor is adequately bonded.

However, when such improvements are being done in conjunction with property development (such as a new subdivision) and other funding, public or private, is being used, the work must be authorized by permit. It is preferable to issue the permit to the local agency, but it may be issued to the developer, except where the connection is to a freeway. The design of such a facility must meet the requirements of appropriate local agencies and will be reviewed by the Department as a public street or road connection rather than a driveway.

If the application is for only a portion of a public road to be connected to a State highway and initially the construction will involve expenditure of Department funds, evidence must be presented that the road will become an integral part of an existing or planned public road system, rather than merely becoming a provision for internal circulation within a particular piece of property.

Applications for these types of permits may involve considerable review and processing time; therefore, the permit request should be submitted as early as possible. Public street or road connections that are to a freeway or involve an agreement will require action by the Central Office of the Department necessitating additional lead time. General procedures for obtaining an access permit or agreement are contained in Chapter II.

- 2) Application Information - Plans of the proposed work that contain the following information on existing conditions and proposed work should accompany the permit application:
 - a) Existing Conditions - Width of highway pavement and right-of-way; geometrics of adjacent driveways and street or side road approaches; storm drainage layout (the layout should be extended outside the intersection area in order to show the relationship of the existing drainage facilities to the proposed work); location of curb, sidewalk, shoulders, and ditches; location of utility poles, street lights, traffic signals, hydrants, and trees; location of underground mains and cables; and property lines.
 - b) Proposed Work - Geometrics of street or side road, related driveways, and any improvements to State highway; cross-section and profile of street or side road grades; lateral and longitudinal location of proposed mains and sewers; internal site plan for developments such as subdivisions; and material specifications, such as size, thickness, diameter, weight, gauge, type, class, etc. of proposed work.

The access layout drawings should be drawn to a scale of 1 inch = 20 feet unless specified otherwise by the District.

- 3) General Permit Requirements - The Department has various policies, standards, and requirements that may be applicable to a permit request for public street or road approaches. Many of these are described in some detail or a specific reference is given later in this section. The Bureau of Local Roads and Street's "Administrative Policies" manual and the Bureau of Location and Environment's "Manual of Policies and Procedures" contain various general and geometric requirements. Several Departmental Orders from these Bureaus and the Bureau of Traffic contain requirements covering matters such as traffic signals and connections to freeways.

Since the volume of traffic on these streets and roads may vary greatly, the standards to which they must be constructed will also vary widely. If the volumes are comparable to a high volume traffic generator, the street or road should be built to the same high standards as would be required for those facilities. If they will be low volume facilities, they may utilize the minimum requirements of a commercial entrance as determined by the District.

The requirements included in the permit will generally cover only the part of the street or road approach within the State highway right-of-way. However, information pertaining to the street or road and the proposed land use beyond the right-of-way limits will be reviewed to assure there are not features that would have a negative effect on the proper operation of the connection (e.g., vehicles backing up and delaying exiting from the State highway).

Permits issued to a property owner or developer for the connection of a proposed public road will specify they are responsible for the expense of designing and constructing the connection and all turning lanes, signals, and other needed highway improvements required to accommodate traffic utilizing the new connection and that they furnish the Department a statement signed by the local agency that the agency will be responsible for the future maintenance of the road within the limits of the highway right-of-way. Traffic control and lighting requirements will be in general accordance with Sections III-D and E respectively. Permits issued to local governmental agencies will be treated similarly, with the following exceptions for proposed connections where evidence has indicated to the satisfaction of the Department that the proposed construction will be an integral part of a public road system:

- a) The costs of installing and operating signals that meet the signal warrants will be shared by the State and the local agency as provided by the Department's policy on "Financing of Traffic Control Signal Installation, Modernization, Maintenance, and Operation of Streets and Highways Under State Jurisdiction".
- b) Highway improvements within the edges of the traffic lanes of the State highway will be the responsibility of the State as provided in Departmental Policy DES-4.

- c) The State reserves the option of undertaking the work for which it is partially or totally responsible as funds become available. If the local agency desires to accelerate construction of the required additional facilities, it may enter into an agreement with the State for the purpose of establishing the financial participation and schedule of construction acceptable to both parties.

If improvements on the State highway are not needed initially but may be required in the short-range future as a result of the development, an agreement or bond may be necessary to define responsibilities of the developer for these improvements. A subdivision bond may be required to assure the later completion of work that will only be partially completed during the initial construction stage.

- 4) Bonding - To protect the Department against the cost of completing or removing a partially constructed approach or correcting deficiencies, a bond in an amount and for a period specified by the Department shall be executed and become a part of a permit issued for access facilities. Information on bonding procedures is contained in Section II-C.

As noted earlier in this section, permits may be omitted if the work is being done under contract with MFT or Federal-aid funds. Bonds may also be omitted in those cases since an adequate bond is a standard requirement of those contracts.

When a permit is being issued to a local governmental agency and the work is to be done by a contractor, the bond may be issued to the contractor. A permit bond will be required even though the contractor may have a performance bond filed with the local governmental agency.

B. The Access Facility

- 1) Anticipated (Design) Traffic Volumes - Perhaps the single most important factor in developing an access plan for a street or side road connection to a State highway is a determination of the potential volume and type of traffic that will utilize the facility. Streets and sideroads represent an important element in the efficiency and safety of the highway onto which their traffic enters and exits. In order to properly accommodate traffic from such facilities, the anticipated traffic volumes must be determined. It may be necessary to submit these volumes to the Department for review, along with the other documents comprising the permit request.

The anticipated average daily traffic volumes will be used to determine various general and geometric requirements as described hereafter. However, peak traffic flow, such as from commercial or industrial development, must also be accommodated by the design.

Other factors that must be considered in determining the design requirements include whether urban or rural standards will apply. The definitions of urban and rural areas in Section I-B should be used in making this determination. Also, the design speed must be

established. The Bureau of Location and Environment's "Manual of Policies and Procedures" includes sections that cover design speed selection on both rural roads and urban streets.

When the projected (design) traffic volumes are available, highway requirements such as turning lanes and traffic control can be determined. These considerations are contained in Chapter III.

- 2) Location - The access facility shall be located so as to provide:
 - a) The most favorable vision, grade, and alignment conditions for motorists using the proposed access facility and the highway.
 - b) No undue interference with the free and safe movement of highway traffic.
 - c) Maximum safety and convenience for pedestrians and other users of highway rights-of-way.

Proposed access facilities will be reviewed to assure adequate sight distance is available to motorists entering or leaving the highway. Proposed facilities near bridges and railroad crossings will be given special attention. Adequate sight distance will be based on the recommended distances contained in the Bureau of Location and Environment's "Manual of Policies and Procedures".

If multiple new streets or roads are to be provided (e.g., as into a subdivision), or if a new street or road is in the vicinity of an existing public road or major high volume traffic generator entrance, sufficient spacing shall be provided to allow for the construction of any turning lanes required initially or anticipated in the future. This will also separate the points of conflict created at each of the intersections. The specific distance between the roads or entrances should be based on a traffic engineering analysis.

- 3) Subdivision Access - Internal circulation from subdivisions shall be directed to one or more central common access facilities, depending on the volumes. Direct access from single lots of a new subdivision to a State highway will not be allowed. The Access Agreement described in Section II-F (and illustrated in Appendix 2) may be used to assure future compliance with this requirement.
- 4) Access into Commercial-Industrial Sites - Access facilities into commercial-industrial sites must meet the same requirements specified for those facilities regardless of whether or not they are to be private or public roads.
- 5) Access onto a Freeway - Section II-C contains requirements for a proposed public street or side road connection to a partial access-controlled freeway. Although as noted earlier in this section, permits for street or side road connections may be issued to a developer, in the case of such connections to freeways, the permit application must be presented by and issued in the name of the local agency which is to have jurisdiction of the facility upon completion of its construction. This is to assure such access will not be

merely a commercial entrance since these are not permitted along a freeway where the access rights were purchased.

C. Design Requirements

- 1) Alignment - Intersecting roadways are points of conflict and hence are potentially hazardous. Intersections on curved alignment or on grades tend to increase this potential. Since some hazards are experienced while turning and braking on a curved alignment, particularly on wet pavements, flat horizontal and vertical controls should be the objective.

It is desirable for proposed streets or roads to intersect State highways at right angles. However, if the intersection must be skewed, it is desirable the angle not be less than 75 degrees with an absolute minimum of 60 degrees.

Stop-controlled approaches to State highways on curved alignment require special attention, especially in rural areas. The Bureau of Location and Environment's "Manual of Policies and Procedures" contains guidelines regarding alignment at such intersections.

- 2) Grades - All side road connections in rural locations shall have a grade that slopes downward and away from the highway pavement surface at a rate of not less than 1/8 inch nor more than 1/2 inch per foot. This slope should continue for 50 to 100 feet or, as a minimum, to the beginning of the radius returns on the side road. When the State highway is being intersected on a curve and the pavement is superelevated, the maximum desirable "breakover" (algebraic difference between the pavement and the side road slopes) is 6%. A maximum of 10% "breakover" is permissible when field conditions warrant.

The grades of street approaches in urban locations shall be compatible with the provisions for drainage of the existing designed cross section. The grade used shall accommodate the flow of drainage in the vicinity of the connection and should be designed so that future widening of the highway would not require major reconstruction of the intersection.

Beyond the initial slope away from the State highway, the grades are to be within the maximums for rural roads in the Bureau of Local Roads and Street's policies and for urban streets in the Bureau of Location and Environment's policies.

- 3) General and Geometric Requirements - Other requirements for urban streets and rural roads may be found in the Bureau of Local Roads and Street's "Administrative Policies" manual. However, within the limits of the State highway right-of-way, the minimum rural cross-section shall be a 24-foot roadway surface with 4-foot shoulders and a 30-foot minimum roadway surface for an urban cross section. Also, in both rural and urban areas, the roadway and flare shall be either portland cement concrete or bituminous plant mix on a suitable base course. The specific type of material and thickness will be specified in the permit. The surfacing shall extend to the right-of-way line or 50 feet from the edge of the pavement, whichever is less, but must include the entire radius return.

The Department may also specify that radii used in rural areas be defined with concrete curbs from a point 10 feet from the edge of the roadway pavement to at least the right-of-way line, except across sidewalks.

- 4) Drainage - Street and road approaches should be built in accordance with the drainage requirements contained in Section III-F). However, the normal minimum pipe culvert size shall be 15 inches, inside diameter unless otherwise approved by the District.

VII. Access to Plats

A. Public Act 85-500

This Act, effective January 1, 1988, amends Paragraph 2, Chapter 109 of the Illinois Statutes so that most local agencies cannot approve a plat for property adjacent to highways under State jurisdiction unless the Department has first approved access to the property from the State highway.

This addition the Statutes can be a means of resolving many potential access problems early in a project's development process. However, while access may be approved, it may ultimately be necessary to refuse to issue an access permit because the plan itself is unacceptable. This rejection of a proposed access plan will be based on its failure to meet provisions contained in this access policy, and the statutory authority upon which this policy is based.

B. Procedure for Review

Insofar as the Department is concerned, the required review relates only to roadway access. This review will be performed by the District.

The applicant shall understand that approval of access to the plat does not mean the access permit will automatically be issued.

The standard wording that will be used for approval of access to the plat is as follows:

This plat has been approved by the Illinois Department of Transportation with respect to roadway access pursuant to Ill. Rev. Stat. 1987, ch. 109, par. 2. However, a Highway Permit for access is required by the owner of the property. A plan that meets requirements contained in the Department's "Policy on Permits for Access Driveways to State Highways" will be required by the Department.

District Engineer

10/10/2010

10/10/2010

10/10/2010

10/10/2010

10/10/2010

ILLINOIS DEPARTMENT OF TRANSPORTATION
DISTRICT BOUNDARIES WITH OFFICE LOCATION

DISTRICT 1

201 WEST CENTER COURT
SCHAUMBURG, ILLINOIS 60196-1096
PHONE: 847/705-4000

DISTRICT 2

819 DEPOT AVENUE
DIXON, ILLINOIS 61021-3546
PHONE: 815/284-2271

DISTRICT 3

700 EAST NORRIS DRIVE
P. O. BOX 697
OTTAWA, ILLINOIS 61350-0697
PHONE: 815/434-6131

DISTRICT 4

401 MAIN STREET
PEORIA, ILLINOIS 61602-1111
PHONE: 309/671-3333

DISTRICT 5

STATE HIGHWAY BUILDING
13473 IL Hwy. 133
P. O. BOX 610
PARIS, ILLINOIS 61944-0610
PHONE: 217/465-4181

DISTRICT 6

126 EAST ASH STREET
SPRINGFIELD, ILLINOIS 62704-4792
PHONE: 217/782-7301

DISTRICT 7

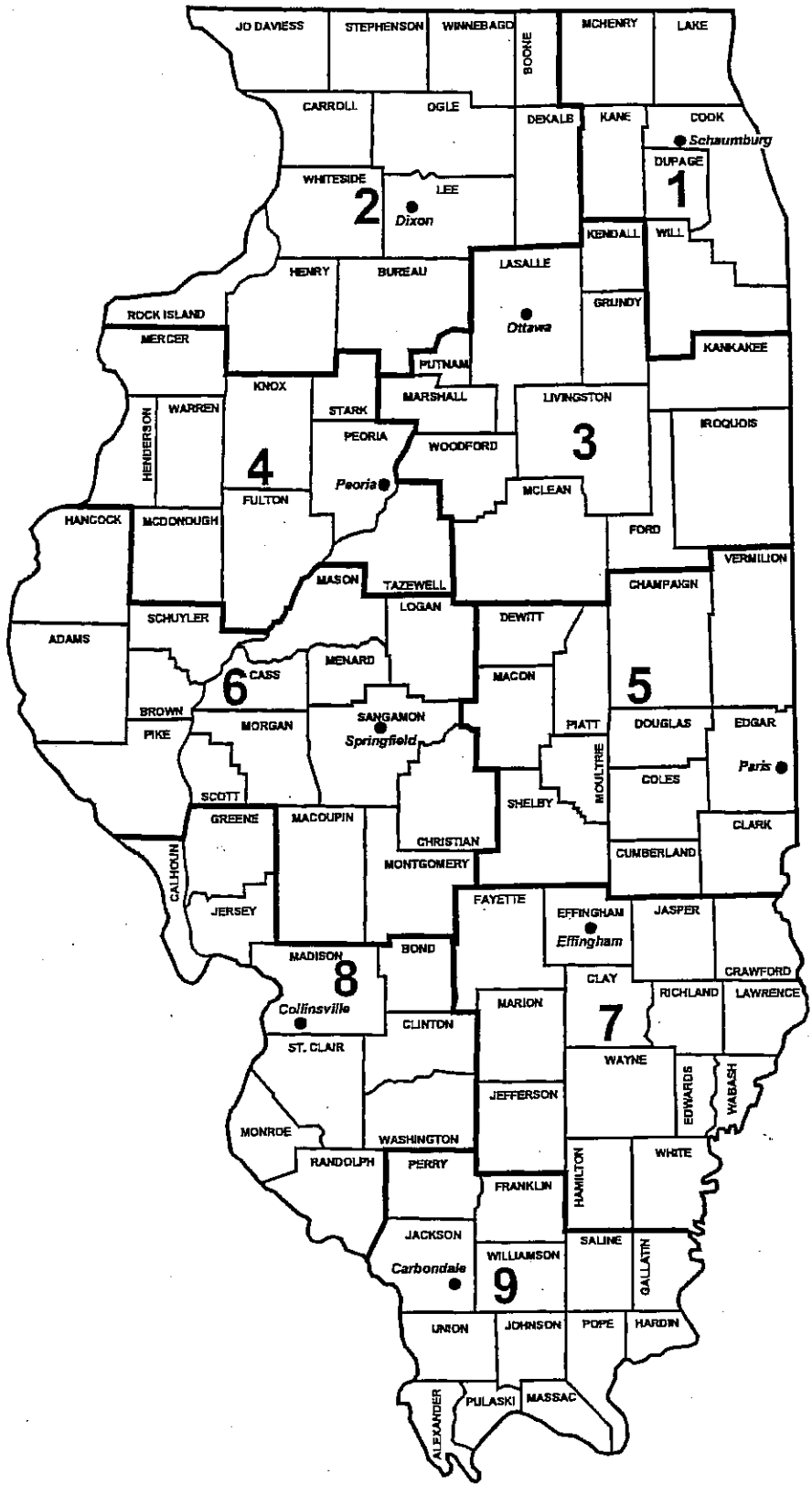
STATE HIGHWAY BUILDING
400 WEST WABASH
EFFINGHAM, ILLINOIS 62401-2699
PHONE: 217/342-3951

DISTRICT 8

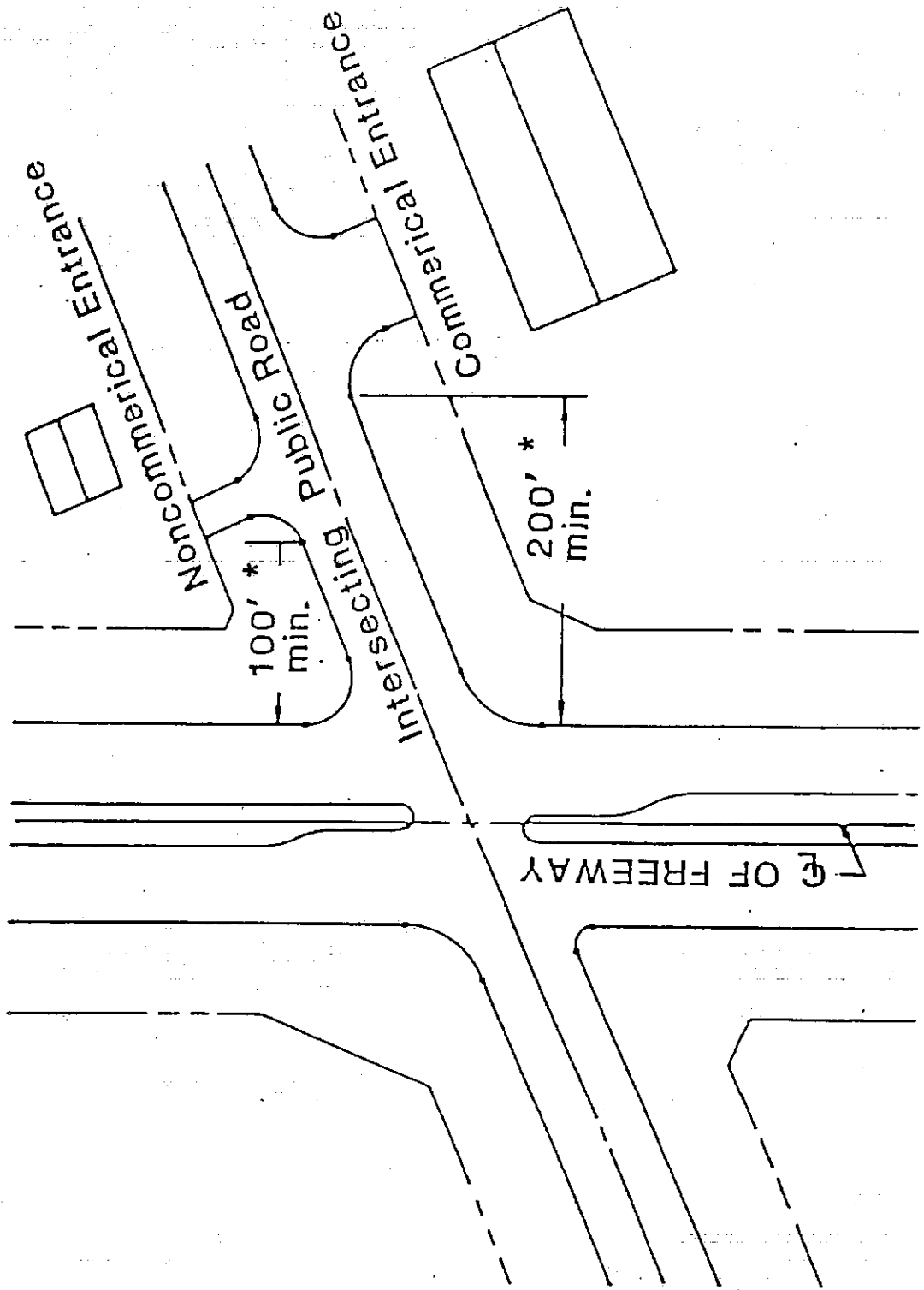
1102 EASTPORT PLAZA DRIVE
COLLINSVILLE, ILLINOIS 62234-6198
PHONE: 618/346-3100

DISTRICT 9

STATE HIGHWAY BUILDING
P. O. BOX 100
CARBONDALE, ILLINOIS 62903-0100
PHONE: 618/549-2171



LOCATION OF DRIVEWAYS ALONG PUBLIC ROAD INTERSECTING A FREEWAY WITH PARTIAL ACCESS CONTROL



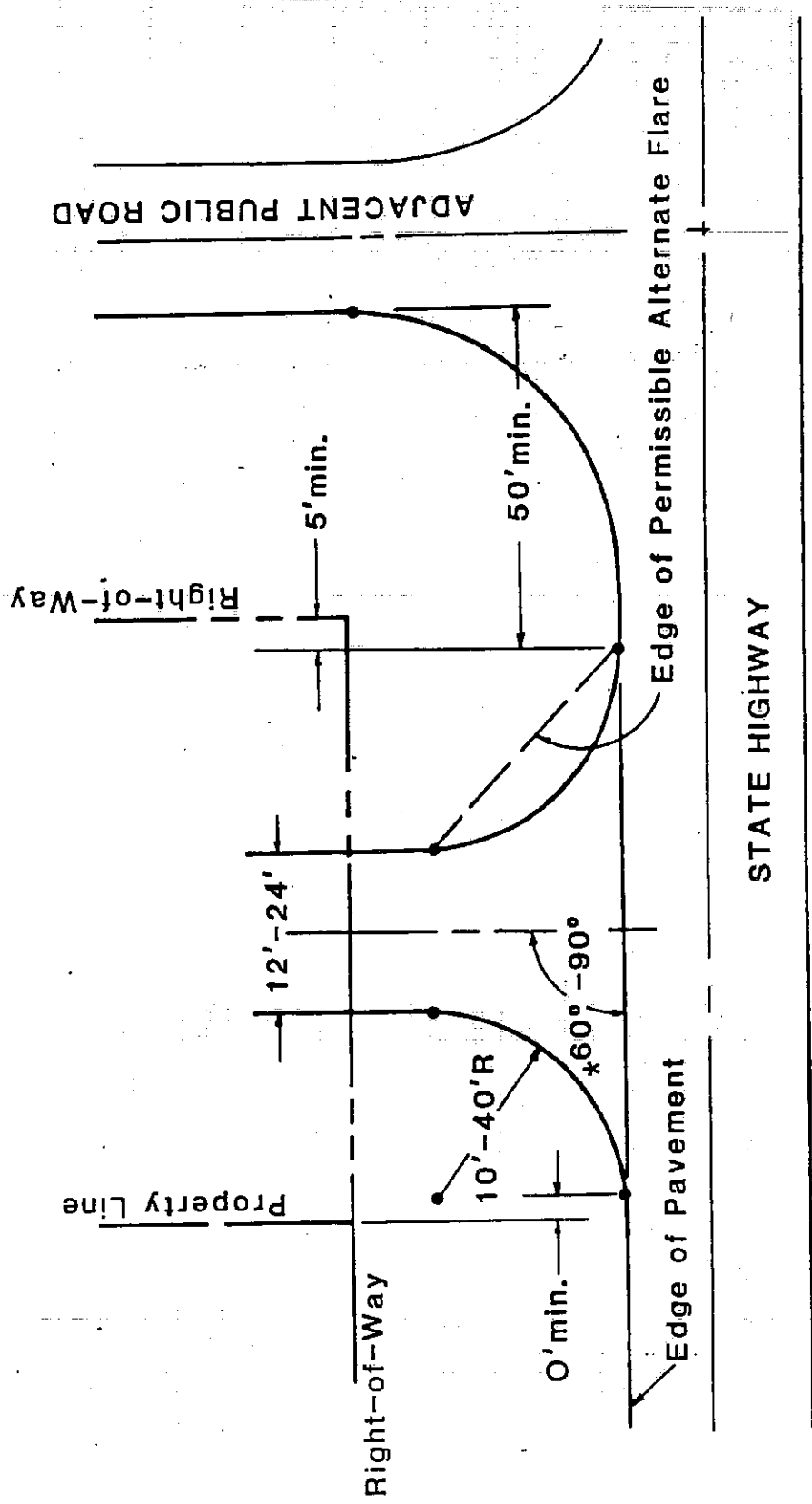
* Required where access control limits are less than these values.

TABLE OF LAYOUT REQUIREMENTS FOR ACCESS FACILITIES

	NONCOMMERCIAL RURAL		NONCOMMERCIAL URBAN		COMMERCIAL RURAL		COMMERCIAL URBAN		HIGH-VOLUME COMMERCIAL		STREETS AND SIDEROADS	
WIDTH OF DRIVE (At Property Line or Termination of Road)	12' Min.	24' Max.	5' Min. 25' Max.	14' Min., 24' Max. 24' Min., 35' Max.	15' Min. 40' Max.	2 at 24' Max. w/ median or 35' Max. w/o median	25' Min., 60' Max. 3-Centered Curve, or other compound curve.	30' Min. (Urban) 24' Min. (Rural)				
RADI OF FLARE	10' Min. 40' Max.	45° - 90° for 1-Way Operation 60° - 90° for 2-Way Operation										
ANGLE OF DRIVE												
ISLAND AREA												
DISTANCE FROM PROPERTY LINE	0' Min.	0' Min.	0' Min.	0' Min.	3' Min.	10' Min.	4'-18' Wide Curbed Median					
DISTANCE FROM ADJACENT ROAD OR STREET	50' Min.*	30' Min.*	50' Min.*	50' Min.*	30' Min.*	100' Min.*						
DISTANCE BETWEEN DRIVES					0' Min.	440' Min. 660' Desirable						

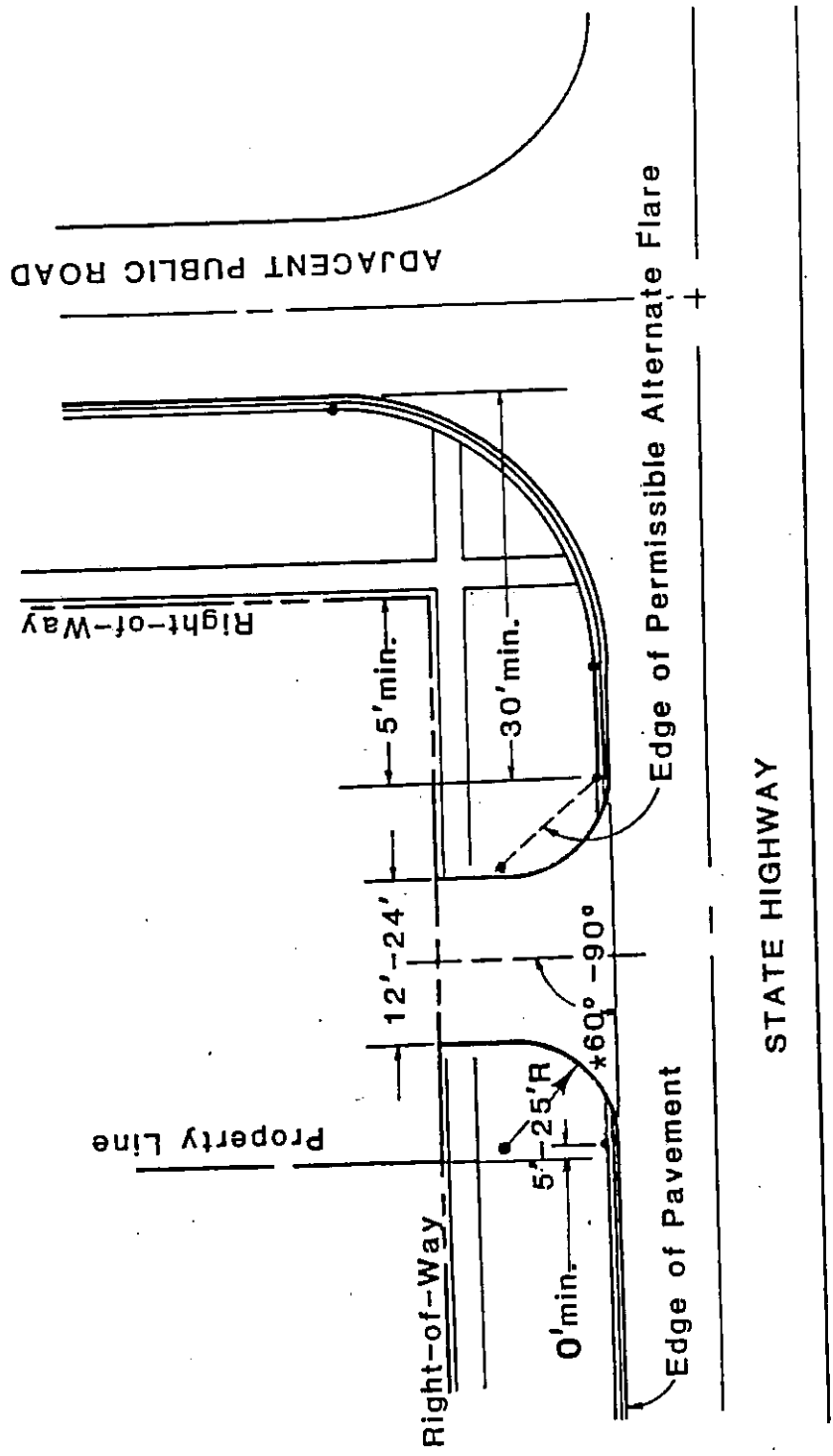
* From edge of adjacent road or street to beginning of driveway flare.

** Measured along a line parallel to but not greater than 5 feet from the edge of pavement.



* 45° Minimum for 1-way operation

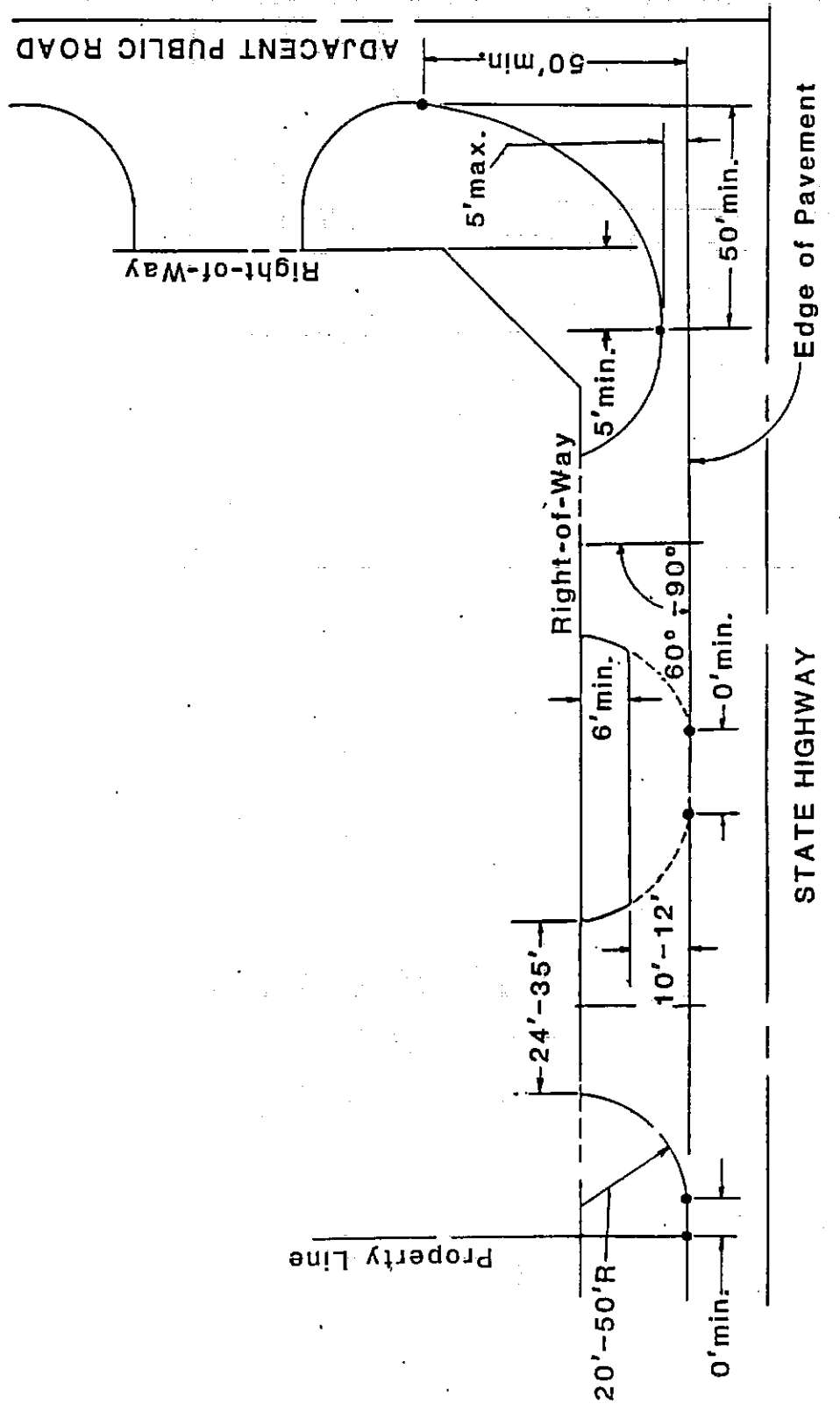
NONCOMMERCIAL - URBAN



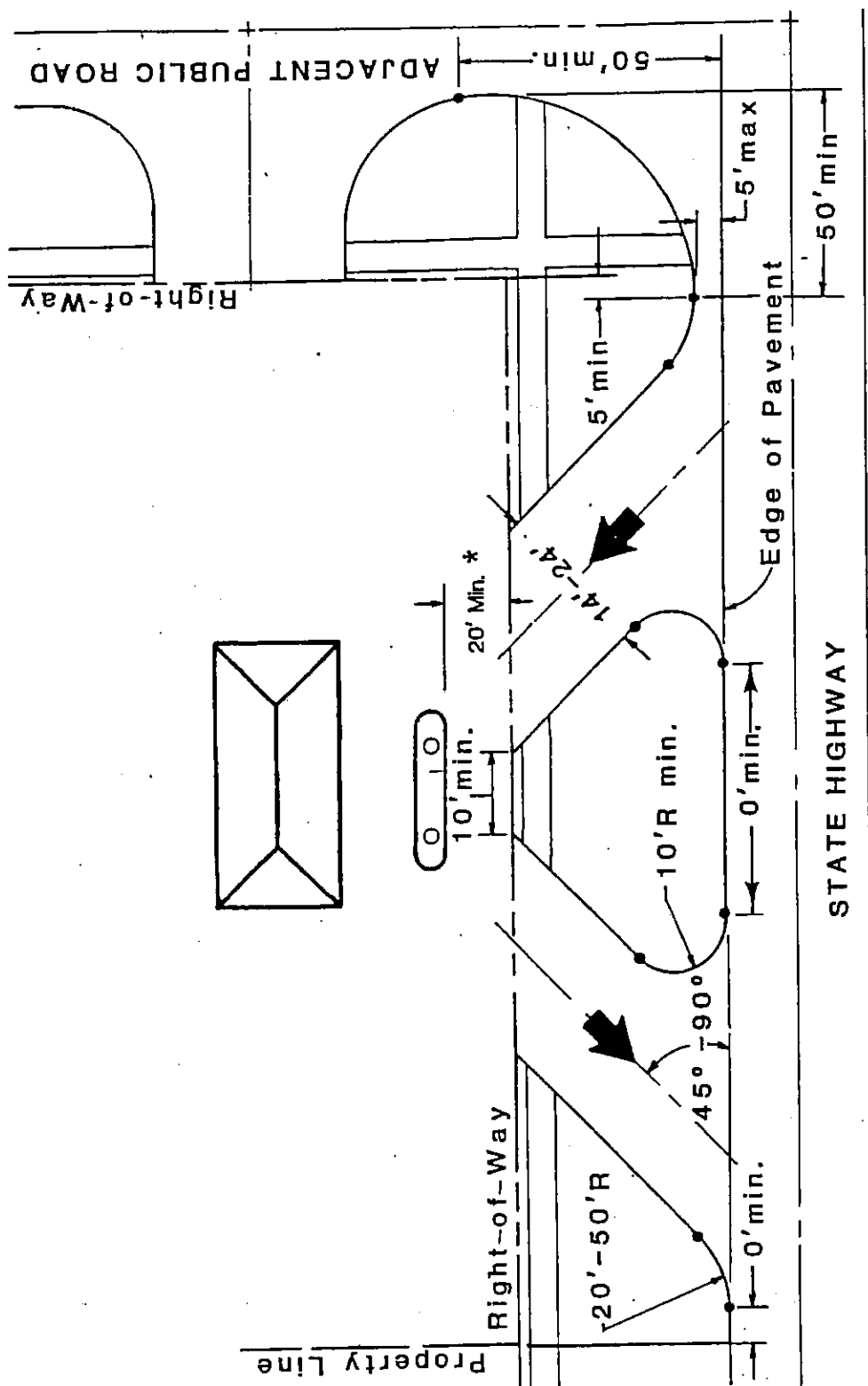
* 45° Minimum for 1-way operation

ILLUSTRATION 6

COMMERCIAL RURAL Combined Entrance/Exit



When the Island between driveways is less than 25 feet, (measured along right-of-way line) it shall be defined by curbs or other raised edging. Curbs or raised edging shall be no closer than 10 feet from the edge of the roadway pavement.

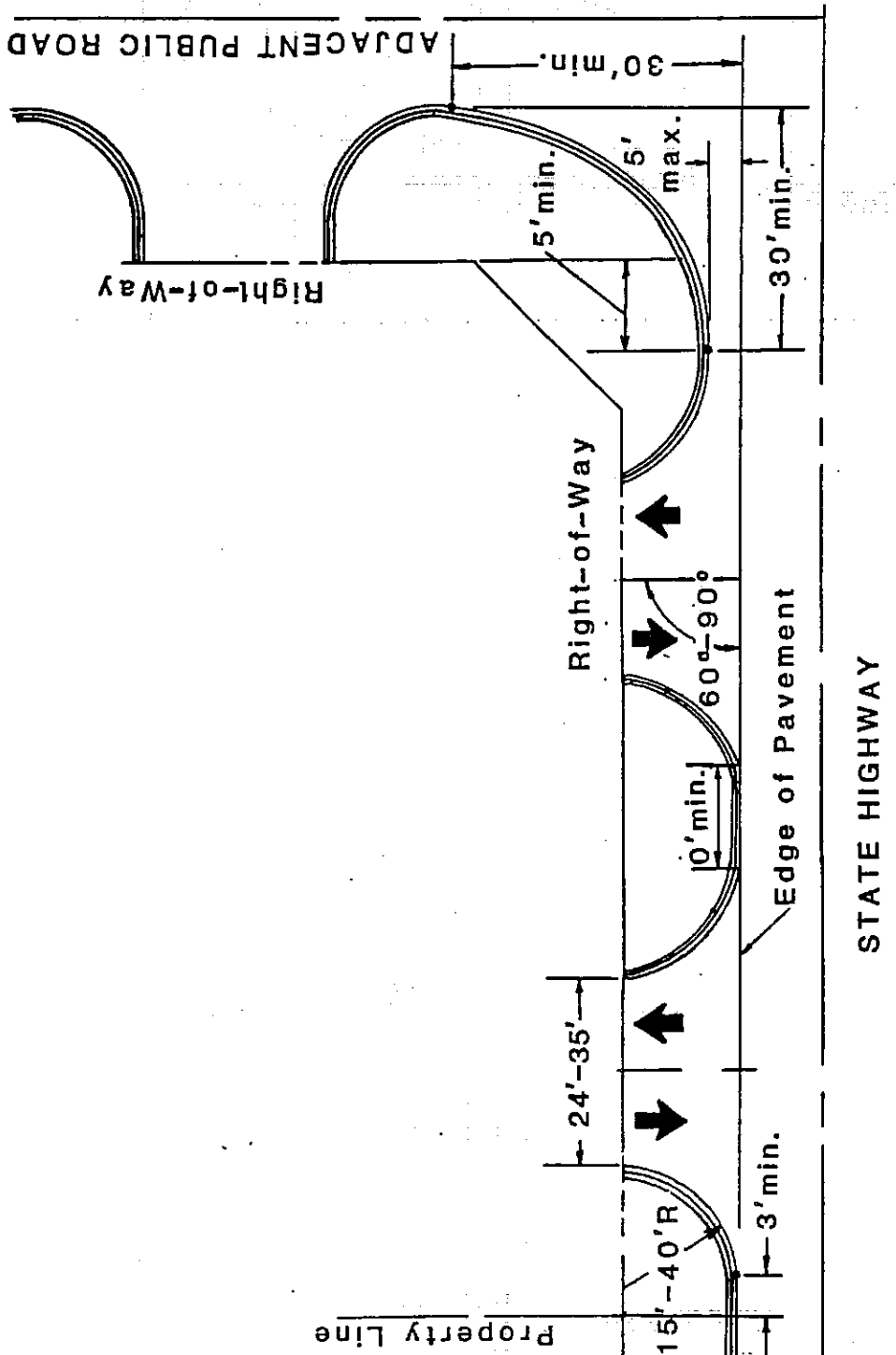


When the Island between driveways is less than 25 feet, (measured along right-of-way line) it shall be defined by curbs or other raised edging. Curbs or raised edging shall be no closer than 10 feet from the edge of the roadway pavement.

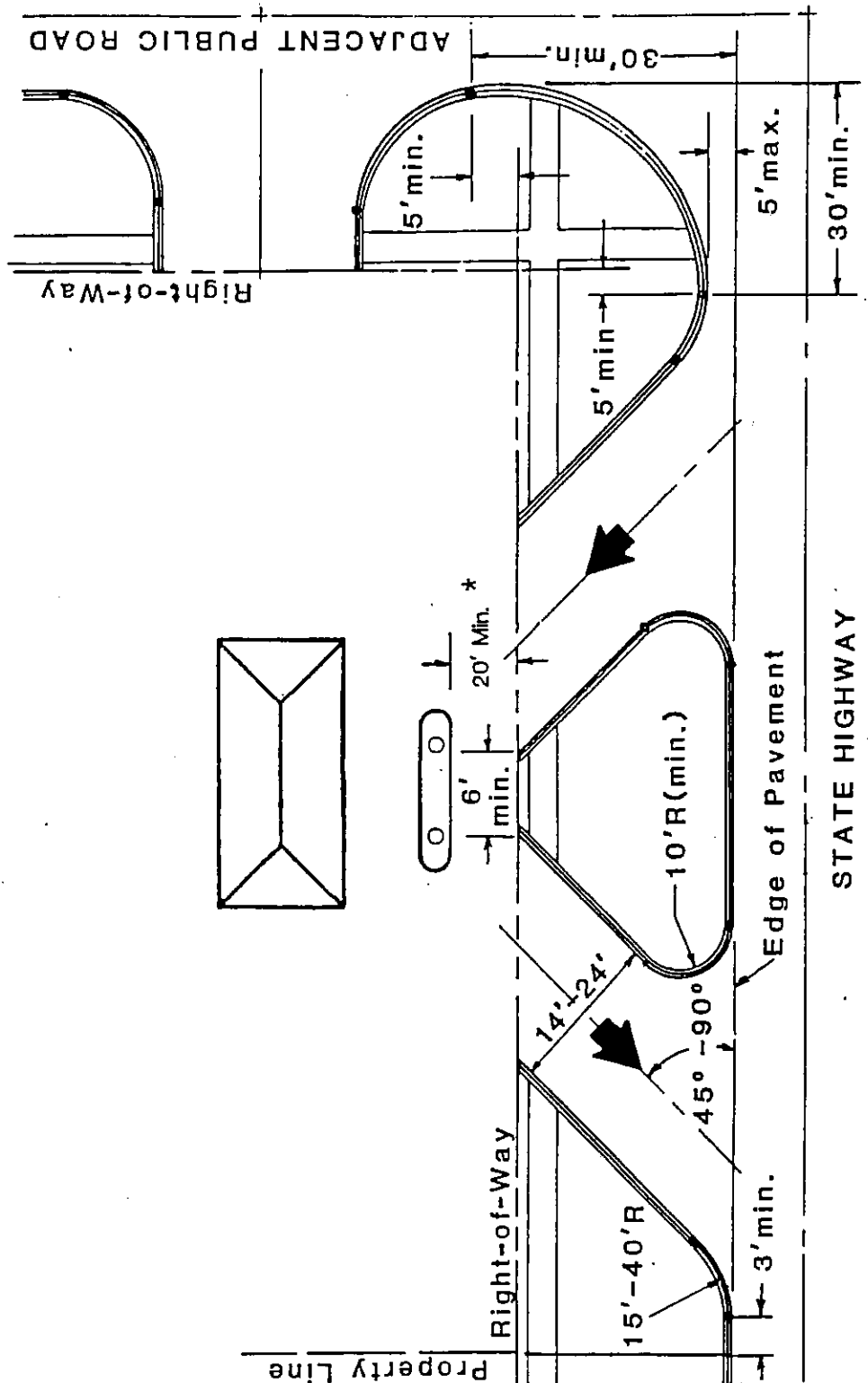
* 13' min. provided waiver is obtained by the permit applicant from the State Fire Marshal's office.

ILLUSTRATION 8

COMMERCIAL URBAN Combined Entrance/Exit



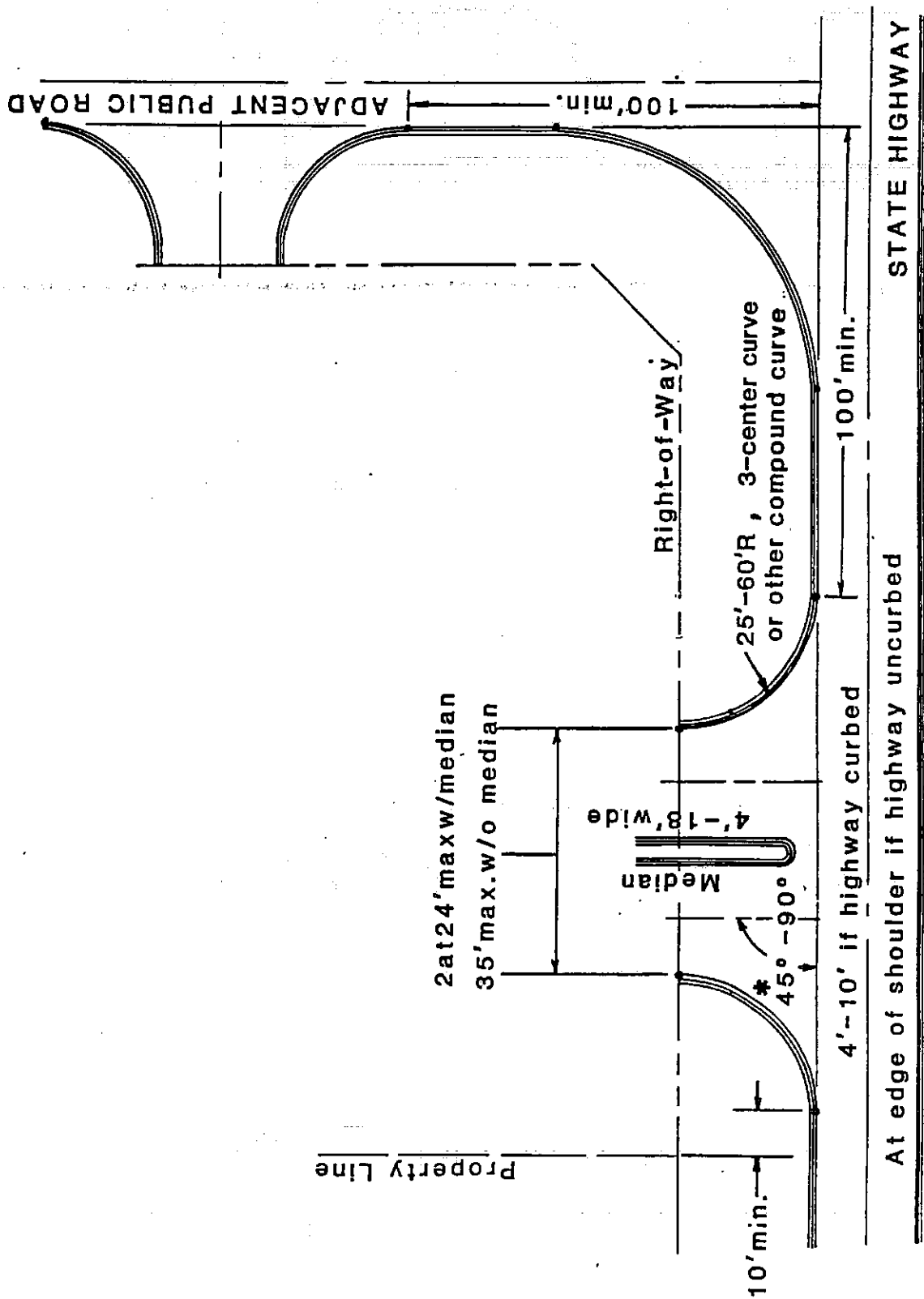
When the Island between driveways is less than 25 feet wide (measured along right-of-way line) or the distance between the edge of pavement and the right-of-way line is less than 10 feet, it shall be defined by curbs or other raised edging.



When the Island between driveways is less than 25 feet wide (measured along right-of-way line) or the distance between the edge of pavement and the right-of-way line is less than 10 feet, it shall be defined by curbs or other raised edging.
 * 13' min. provided waver is obtained by the permit applicant from the State Fire Marshal's office.

ILLUSTRATION 10

HIGH-VOLUME COMMERCIAL TRAFFIC GENERATOR



A minimum of 440 feet shall be maintained between center lines of adjacent driveways.
 45° min. angle permitted only for one-way driveways. 60° min. angle for two-way driveways.



District Serial No. _____

Whereas, I (We) _____ (Name of Applicant) _____ (Mailing Address)

_____ hereinafter termed the Applicant, _____ (City) _____ (State) request permission and authority to do certain work herein described on the right-of-way of the State Highway known as _____ Route _____, Section _____ from Station _____ to Station _____ _____ County. The work is described in detail on the attached sketch and/or as follows:

It is understood that the work authorized by this permit shall be completed within _____ after the date this permit is approved, otherwise the permit becomes null and void.

This permit is subject to the conditions and restrictions printed on the reverse side of this sheet.

This permit is hereby accepted and its provisions agreed to this _____ day of _____

Witness _____ Signed _____ Applicant

_____ Mailing Address _____ Mailing Address _____ City _____ State _____ City _____ State

SIGN AND RETURN TO: District Engineer _____

Approved this _____ day of _____

Department of Transportation

BY: _____ District Engineer

First: The Applicant represents all parties in interest and shall furnish material, do all work, pay all costs, and shall in a reasonable length of time restore the damaged portions of the highway to a condition similar or equal to that existing before the commencement of the described work, including any seeding or sodding necessary.

Second: The proposed work shall be located and constructed to the satisfaction of the District Engineer or his duly authorized representative. No revisions or additions shall be made to the proposed work on the right-of-way without the written permission of the District Engineer.

Third: The Applicant shall at all times conduct the work in such a manner as to minimize hazards to vehicular and pedestrian traffic. Traffic controls and work site protection shall be in accordance with the applicable requirements of Chapter 6 (Traffic Controls for Highway Construction and Maintenance Operations) of the Illinois Manual on Uniform Traffic Control Devices for Streets and Highways and with the traffic control plan if one is required elsewhere in the permit. All signs, barricades, flaggers, etc., required for traffic control shall be furnished by the Applicant. The work may be done on any day except Sunday, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. Work shall be done only during daylight hours.

Fourth: The work performed by the Applicant is for the bona fide purpose expressed and not for the purpose of, nor will it result in, the parking or servicing of vehicles on the highway right-of-way. Signs located on or overhanging the right-of-way shall be prohibited.

Fifth: The Applicant, his successors or assigns, agrees to hold harmless the State of Illinois 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 Applicant shall not trim, cut or in any way disturb any trees or shrubbery along the highway without the approval of the District Engineer or his duly authorized representative.

Seventh: The State reserves the right to make such changes, additions, repairs and relocations within its statutory limits to the facilities constructed under this permit or their appurtenances on the right-of-way as may at any time be considered necessary to permit the relocation, reconstruction, widening or maintaining of the highway and/or provide proper protection to life and property on or adjacent to the State right-of-way. However, in the event this permit is granted to construct, locate, operate and maintain utility facilities on the State right-of-way, the Applicant, upon written request by the District Engineer, shall perform such alterations or change of location of the facilities, without expense to the State, and should the Applicant fail to make satisfactory arrangements to comply with this request within a reasonable time, the State reserves the right to make such alterations or change of location or remove the work, and the Applicant agrees to pay for the cost incurred.

Eighth: This permit is effective only insofar as the Department has jurisdiction and does not presume to release the Applicant from compliance with the provisions of any existing statutes or local regulations relating to the construction of such work.

Ninth: The Construction of access driveways is subject to the regulations listed in the "Policy on Permits for Access Driveways to State Highways." If, in the future, the land use of property served by an access driveway described and constructed in accordance with this permit changes so as to require a higher driveway type as defined in that policy, the owner shall apply for a new permit and bear the costs for such revisions as may be required to conform to the regulations listed in the policy. Utility installations shall be subject to the "Policy on the Accommodation of Utilities on Right-of-Way of the Illinois State Highway System."

Tenth: The Applicant affirms that the property lines shown on the attached sheet(s) are true and correct and binds and obligates himself to perform the operation in accordance with the description and attached sketch and to abide by the policy regulations.

STATE OF ILLINOIS
DEPARTMENT OF TRANSPORTATION

APPENDIX 2

ACCESS AGREEMENT

This agreement covers the entire property served by entrance(s) described in Highway Permit, District Serial No. _____ . The entrance(s) to be constructed (is) (are) to provide access to the following described property.

The undersigned applicant (whether one or more) represents that he (they) is (are) the sole and only owner(s) of the above described land and does (do) hereby covenant and agree that the above described driveway(s) shall be the sole and only ingress from the egress to the State highway for any or all of the above described land whether same may now or hereafter be subdivided or owned in separate tracts or parcels. Applicants further agree that the Department or its successors or assigns may enforce such covenant by any proceedings deemed desirable at law or in equity in addition to any other rights or privileges the Department has or may have.

Approved this _____ day of _____,
A. D. 19 _____.

STATE OF ILLINOIS
Department of Transportation

By _____
District Engineer

This agreement is hereby accepted and its provisions agreed to this _____ day of _____ 19__

SIGNED _____
Applicant

Mailing Address

City State

STATE OF _____)
_____)) SS
COUNTY OF _____)

I, _____, a Notary Public in and for said County and State aforesaid, do hereby certify that _____

who _____ personally known to me to be the same person whose name _____ subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said instrument as _____ free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the rights of homestead.

Given under my hand and notarial seal this _____ day of _____, A.D. 19__.

Notary Public

(SEAL)

My Commission expires _____, 19__.



Address _____ District _____

City / State _____ Bond No. _____

KNOWN ALL MEN BY THE PRESENTS, That I (We) _____ (Name of Applicant)

_____ (Mailing Address)

as Principal, and _____ (Surety Company)

a corporation organized and existing under the laws of the State of _____ and licensed to do business in the State of Illinois, are held firmly bound unto the people of the State of Illinois in the penal sum of _____ Dollars

(\$ _____) lawful money of the United States well and truly to be paid unto said people of the State of Illinois, for payment of which we bind ourselves, our successors and assigns, jointly, severally, and firmly by these presents.

WHEREAS, Highway Permit No. _____ Issued by the Department of Transportation

of the State of Illinois grants to _____ permission and authority to construct, locate, operate, and maintain the work described in said Permit, upon or adjacent to _____ Route _____ in _____ County as more fully

described in said Permit and Sketch, which by this reference are made a part hereof as if written herein at length, in and by which Permit and Sketch the said Principal has promised and agreed to perform said described operation and related activities in accordance with the terms and conditions of and description in said Permit and Sketch.

NOW, THEREFORE, if the said Principal shall well and truly perform said operations in accordance with the terms and conditions of and description in said Permit and Sketch to the satisfaction of said Department, and shall perform no other work or construction at said location without first applying for and receiving another permit from said Department, then no claim or demand will be made against the above obligation. Otherwise, this bond or so much thereof as may be necessary shall insure to the said Department as cost and expense to change and correct, during a period of five years from the date of approval of this bond by the Department, said construction to conform to the terms and conditions of and description in said Permit and Sketch.

IN WITNESS WHEREOF, WE HAVE DULY EXECUTED THE FOREGOING

This _____ Day of _____

Principal _____

Surety _____

Address _____

Address _____

City / State _____

City / State _____

Telephone () _____

By _____

By _____

(Seal) Attorney in Fact

(Seal)

Agent for Surety _____

Department of Transportation

Address _____

By _____

City / State _____

District Engineer

By _____



Illinois Department of Transportation

Blanket Bond for Highway Access Permits

Bond No. _____

KNOW ALL MEN BY THESE PRESENTS, that I (we) _____

as Principal and _____

a corporation organized and existing under the laws of the State of _____ and licensed to do business in the State of Illinois, as Surety, are held and firmly bound unto the People of the State of Illinois in the penal sum of _____ Dollars(\$ _____), lawful money of the United States, well and truly to be paid unto said People of the State of Illinois, for payment of which we bind ourselves, our heirs, administrators, successors and assigns, jointly, severally and firmly by these presents.

THE CONDITION OF THE FOREGOING OBLIGATION IS SUCH THAT; WHEREAS, the Department of Transportation of the State of Illinois may, from time to time, issue to said Principal the right, permission and authority to construct access driveways and appurtenances thereto from private properties to and on State highways, as fully described in each Permit and Permit Sketch, which by this reference are each and every one made a part hereof as if written herein at length, in and by which Permits and Permit Sketches, the said Principal, has promised and agreed to construct said access driveways and appurtenances thereto in accordance with the terms and conditions of said Permits and Permit Sketches.

NOW, THEREFORE; if the said Principal shall well and truly perform said construction in accordance with the terms and conditions of said Permits and Permit Sketches to the satisfaction of said Department, and shall perform no other work or construction at any of said locations without first applying for and receiving other permits from said Department, then no claim or demand will be made against the above obligation; otherwise, so much of this bond as may be necessary shall inure to the benefit of said Department as cost and expense to change or correct, during a period of five years from the date of issuance of any applicable Permit(s), said construction to conform to the terms and conditions of the Permit and Permit Sketch.

This bond may be cancelled as to the assumption of future obligations upon sixty (60) days notice to the Illinois Department of Transportation. However, all obligations related to Permits issued during the five (5) years prior to the cancellation date shall remain in effect until a period of five (5) years from the date of Permit issuance has elapsed. Continuity of Surety shall be certified biennially on the anniversary date of the execution of this obligation to the Engineer of Operations, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois 62764.

IN WITNESS WHEREOF, we have duly executed the foregoing this _____ day of _____

Surety _____ Principal _____

Address _____ Address _____

City/State _____ City/State _____

By _____ (Seal) Attorney in Fact By _____ (Seal)

Authorized Resident Agent for Surety

Department of Transportation

Address _____

City/State _____

By: _____

Engineer of Operations 2300 South Dirksen Parkway Springfield, Illinois 62764



Illinois Department of Transportation

Rider Blanket Bond for Highway Access Permits

Bond No. _____

Whereas, the State of Illinois acting through the Department of Transportation, has from time to time granted its consent to construct access driveways and appurtenances thereto on and to State highways under a permit; and,

Whereas, the Department required that a satisfactory bond be filed with certain permits; and,

Whereas, _____

Corporation did as Principal file with the Department Blanket Bond Number _____ executed by the _____ on _____ and approved by the Department on _____ in the amount of _____ thousand (_____) dollars thousand (_____) dollars, said blanket bond to cover all access permits issued to the said Principal that were approved by the Department subsequent to the date the said blanket bond was approved; and,

Whereas, it is the desire of said principal that said blanket bond be extended to cover all access permits previously issued prior to the date on which the blanket bond became effective, said access permits being more definitely described as follows:

Any existing highway access permits issued prior to the date last noted above and having, as surety, Highway Permit Blanket Bond No. _____ by the _____

Now, therefore, it is mutually agreed by and between the Principal and Surety of the above obligation and the Department of Transportation of the State of Illinois, that said Blanket Bond Number _____ shall extend to and cover bonded access permits approved by the Department prior to _____

In witness whereof, we have duly executed the foregoing this _____ day of _____

Surety _____ Principal _____

Address _____ Address _____

City/State _____ City/State _____

By _____ (Seal) Attorney in Fact By _____ (Seal)

Authorized Resident Agent for Surety

Department of Transportation

Address _____

City/State _____

By: _____

Engineer of Operations
2300 South Dirksen Parkway
Springfield, Illinois 62764

Illinois Statutes Pertaining to Adoption and Observance of Access Policy as Contained in 605 ILCS and 765 ILCS.

(605 ILCS 5/4-209) (from Ch. 121, par. 4-209)

Sec. 4-209. No person shall wilfully cut, excavate or otherwise damage that portion of any highway under the jurisdiction and control of the Department, including the hard-surfaced slab, shoulders and drainage ditches, either within or without the corporate limits of a municipality without a permit so to do from the Department. The Department shall issue its permit when such cutting, excavating or damaging is reasonably necessary, but it is the duty of the person securing a permit to make such repairs to the highway as will restore it to substantially the same condition as it was originally. Permits with regard to entrances to and exits from State highway rights-of-way and roadways shall also be subject to the provisions of Sections 4--210, 4--211 and 4--212. To insure the proper repair, the Department may, before issuing its permit, require the person applying for a permit, to enter into a bond payable to the People of the State of Illinois in a sum commensurate, in the opinion of the Department, with the injury to be done to the highway, conditioned for its proper restoration within such time as the Department may prescribe. The violation of this section is a petty offense.

(Source: P. A. 77-2238.)

(605 ILCS 5/4-210) (from Ch. 121, par. 4-210)

Sec. 4-210. Except where the right of access has been limited by or pursuant to law every owner or occupant of property abutting upon any State highway shall have reasonable means of ingress from and egress to the State highway consistent with the use being made of such property and not inconsistent with public safety or with the proper construction and maintenance of the State highway for purposes of travel, drainage and other appropriate public use. The Department is authorized to adopt and to amend reasonable and necessary rules, regulations and specifications covering standard entrance or exit driveways to serve residential, farm, commercial, industrial, and roadside service establishments and other uses of property abutting upon State highways including specifications for drainage and other structures appurtenant to such driveways. No permit shall be issued by the Department for the construction of any such driveway which does not conform to the applicable standard prescribed by the Department unless the application therefor is accompanied by drawings of and specifications for the proposed construction and a showing of reasonable need for departure from the applicable standard type of driveway prescribed by the Department nor unless it is made to appear that the proposed construction and the use thereof will not be inconsistent with public safety and use nor with the proper construction and maintenance of the highway and its drainage and other facilities.

(Source: Laws 1959, p. 196.)

(605 ILCS 5/4-211) (from Ch. 121, par. 4-211)

Sec. 4-211. Any permit issued by the Department to construct an entrance or exit, or both, under the provisions of Section 4-209 shall designate the location and design of such construction. All such permits shall be subject to the right of the Department to relocate, at the Department's expense, any entrance or exit when reasonably required for public safety or because of highway reconstruction or changed traffic conditions. The Department shall make frequent inspections and take such action as is necessary to require compliance with such rules, regulations and specifications and the provisions of Sections 4-209, 4-210 and 4-211 of this Code.

APPENDIX 5 (Continued)

Any entrance or exit which was in place on July 10, 1953 which does not conform to the rules, regulations and specifications adopted by the Department may be made to conform to such rules, regulations and specifications by the Department at the expense of the Department.

If any entrance or exit is constructed after July 10, 1953, for which no permit has been secured the adjoining landowner or occupant, or his authorized representative, whose property such entrance or exit serves shall within 30 days following notification by the Department apply for a permit. The permit issued as a result of such application shall specify that the existing entrance shall be made to conform to the provisions of the permit within 90 days from the date of issuance of the permit or, if no permit is granted, be removed at the expense of the landowner or occupant.

Any entrance or exit constructed after July 10, 1953 for which a permit has been secured but which does not conform to the provisions of the permit issued for its construction shall within 90 days of notification by the Department to the adjoining property owner or occupant, or his authorized representative, whose property such exit or entrance serves be made to conform to the provisions of the permit.

Any person adversely affected by any rule, regulation, specification or decision of the Department issued pursuant to Sections 4-209, 4-210 or 4-211 or by any failure of the Department to act upon an application for a permit thereunder shall be entitled to judicial review under the provisions of the Administrative Review Law.

(Source: P.A. 85-559.)

(605 ILCS 5/8-102) (from Ch. 121, par. 8-102)

Sec. 8-102. When an existing highway has been designated and established as a freeway as provided in this Article, no owner of or person having interest in land abutting such freeway shall lay out, provide or construct any new means or enlarge or extend any existing means of ingress to or egress from said abutting land from or to the freeway except upon written consent of the Department, any county board or the corporate authorities of any municipality, as the case may be, and the Department, county board, or the corporate authorities of any municipality, as the case may be, shall have full authority to deny their respective consent or to specify and enforce the terms and conditions under which new means of ingress or egress may be provided or existing means enlarged or extended. The Department, the county board, or the corporate authorities of any municipality, as the case may be, shall also have authority to extinguish by purchase or condemnation any existing rights or easements of access, crossing, light, air or view to, from or over the freeway vested in abutting land, in the same manner as the Department, county board, or corporate authorities of any municipality now is or hereafter may be authorized by law to acquire private property and property rights in connection with highways under their respective jurisdiction and control.

(Source: Laws 1959, p. 196.)

(605 ILCS 5/8-103) (from Ch. 121, par. 8-103)

Sec. 8-103. When a proposed highway is designated and established as a freeway as provided in this Article, the Department, the county board, or the corporate authorities of any

APPENDIX 5 (Continued)

municipality shall have the right to acquire by purchase or condemnation, in the manner the Department, county board, or corporate authorities of any municipality now is or hereafter may be authorized by law, all property and property rights necessary for the location, construction, maintenance and use of such freeway, including any rights or easements of access, crossing, light, air or view to, from or over the freeway vested in property not so taken and abutting the freeway. However, the Department, county board, or corporate authorities of any municipality, as the case may be, may designate by agreement or stipulation points at which access will be permitted from the abutting property to the freeway and specify and enforce the terms and conditions thereof.

(Source: Laws 1959, p. 196.)

(605 ILCS 5/9-105) (from Ch. 121, par. 9-105)

Sec. 9-105. In constructing a public highway, if a ditch is made at the junction of highways, or at the entrance of gates or other openings of adjoining premises, the highway authorities shall construct good and sufficient culverts or other convenient crossings. New entrance culverts or crossings or additions to existing entrance culverts or crossings along an existing public highway or street where there is a ditch may be made with the consent of the highway authorities, provided the applicant for such entrance culvert or crossing constructs at the applicant's expense a good and sufficient culvert or other convenient crossing of the type and size specified by the highway authorities, which structure shall then become the property of the public.

(Source: Laws 1959, p. 196.)

(605 ILCS 5/9-117) (from Ch. 121, par. 9-117)

Sec. 9-117. If any person injures or obstructs a public highway by felling a tree or trees in, upon or across the same, or by placing or leaving any other obstruction thereon, or encroaching upon the same with any fence, or by plowing or digging any ditch or other opening thereon, or by turning a current of water so as to saturate, wash or damage the same, or by plowing in or across or on the slopes of the side gutters or ditches, or by placing any material in such ditches, or in any way interfering with the free flow of water therein, or leaves the cuttings of any hedge thereon for more than 10 days, without the permission of the highway authority having jurisdiction over such highway, he shall be guilty of a petty offense and fined for every such offense not less than \$50 nor more than \$500; and in case of placing any obstruction on the highway, an additional sum of not exceeding \$50 per day for every day he allows such obstruction to remain after he has been ordered to remove it by the highway authority having jurisdiction over such highway. Any person feeling himself aggrieved or any such highway authority may make a complaint under this Section.

The highway authority having jurisdiction over such highway, after having given 10 days' notice to the owners of the obstruction or person so obstructing, or plowing, or digging ditches upon such highway or interfering with the free flow of water in the side gutters or ditches, of the obstruction, plowing or digging of ditches, interfering with drainage, or of the encroachment of any fence, may remove any such fence or other obstruction, fill up any ditch or excavation except ditches necessary to the drainage of an adjoining farm emptying into a ditch upon the highway, or regrade such side gutters or ditches, and recover the necessary cost of such removal or filling of any such ditch or excavation, or regrading of such side gutters or ditches from such owner or other person obstructing or damaging such

APPENDIX 5 (Continued)

highway aforesaid, to be collected by the highway authority having jurisdiction of the highway whereon such offense was committed. Any such cost recovered shall be deposited in the road fund of the political division having jurisdiction over the highway adjudged to have been obstructed or injured, and shall be used only for maintenance or construction of public highways under the jurisdiction of that division.

The 10 day notice requirement of this Section is not required for any obstruction to traffic flow including non-adherence to the provisions of a permit issued by the highway authority having jurisdiction under Section 4-209, 5-413, or 9-113 of this Code.

However, this section shall not apply to any person who shall lawfully fell any tree for use and shall immediately remove the same out of the highway, nor to any person through or along whose land a public highway may pass, who shall desire to drain his land, and who shall give due notice to the proper highway authority of such intention, and who shall first secure from such highway authority written permission for any work, ditching or excavating he proposes to do within the limits of the highway.

(Source: P.A. 93-177, eff. 7-11-03.)

(765 ILCS 205/2) (from Ch. 109, par. 2)

Sec. 2. The plat must be completed, a statement from a Registered Land Surveyor attached and acknowledged by the owner of the land, or his attorney duly authorized, in the same manner as deeds of land are required to be acknowledged. The plat must be submitted to the city council of the city or board of trustees of the village or town or to the officer designated by them, for their or his approval, if the land subdivided is located within the corporate limits of any such city, village or town or within contiguous territory which is affected by an official plan, or part thereof, of any city, village or town. If the land subdivided is located outside the corporate limits of any city, village or town and is not affected by such official plan, or part thereof, the plat must be submitted to the county board of the county in which the land is located for its approval. Within 3 business days after a plat is submitted for approval, the city council, board of trustees, designated officer, or county board shall notify the president of the school board of each school district in which any of the subdivided land is located that the plat has been submitted for approval and that it is available for inspection. The notice shall also give the date, time, and place of the hearing on approval or disapproval of the plat. The notice shall be served by certified mail, return receipt requested, or by personal delivery. Failure to notify the school board as required by this Section does not invalidate the plat.

Neither the city council of the city, the board of trustees of the village or town or the officer designated by them, or the county board of the county shall approve such plat, unless, in addition to any other requirements of such council, board of trustees or county board or the officer or officers designated by them, the topographical and profile studies to be submitted with the subdivision plat have on their face the signed statement of a Registered Professional Engineer, and the owner of the land or his duly authorized attorney, to the effect that to the best of their knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right

to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision. The topographical and profile studies required herein shall not be recorded, but shall be retained and filed by city, village or county to which submitted for approval of the subdivision plat, as permanent public documents.

Neither the city council of the city, the board of trustees of the village or town or the officer designated by them, or the county board of the county shall approve such plat, unless, in addition to any other requirements of such council, board of trustees or county board or the officer or officers designated by them, the plat has been approved in writing (i) except in municipalities with a population of 1,000,000 or more, by the Illinois Department of Transportation with respect to roadway access where such access is to a state highway, (ii) by the relevant local highway authority with respect to all other roadway access, and (iii) by the local health department, if one exists, with respect to sewage disposal systems if any part of the platted land will not be served by a public sewer system. An applicant shall simultaneously file with the Illinois Department of Transportation, relevant local highway authority, or local health department, as appropriate, a copy of the application for preliminary approval of a proposed plat that is filed with the municipality or county. The department or authority receiving the application shall review the application based solely upon safety or access control standards and provide written approval or disapproval to the municipal or county plan commission and to the municipal or county corporate authorities not later than 90 days from the date the application is received. The 90 day period may be changed by mutual agreement. If disapproved, the department or authority shall provide reasons for the disapproval related to safety or access control standards and identify improvements that will remove the disapproval. The municipal or county corporate authorities may approve the plat once the improvements have been incorporated into the application or in the event that the department or authority fails to respond in writing to the municipality or county within the 90 day period or other period established by mutual agreement. The failure of the city council of a municipality with a population of 1,000,000 or more to obtain approval of a plat in writing by the Illinois Department of Transportation with respect to roadway access where such access is to a State highway, prior to the approval of any such plat as required by this Section, where such failure occurred on or after January 1, 1988 and before the effective date of this amendatory Act of 1989, shall not affect the validity of such plat, and any such plat otherwise complying with the provisions of this Section is validated.

The statement of the Registered Land Surveyor and of acknowledgment, together with the plat, must be recorded by the Land Surveyor who prepared the plat, or a person designated by that Land Surveyor, or upon the death, incapacity, or absence of that Land Surveyor, by the owner of the land or his or her representative, in the recorder's office of the county in which the land is situated, or if the title to the land is registered under the Land Titles Act, must be filed in the office of the registrar of titles for the county, and such acknowledgment and recording or such acknowledgment and filing as aforesaid, shall have like effect and certified copies thereof and of such plat, or of any plat heretofore acknowledged and certified according to law, may be used in evidence to the same extent and with like effect, as in case of deeds. The recorder or registrar of titles shall not record or register a plat offered for recording or registration after October 1, 1977, unless such plat is at least 8 1/2 inches by 14 inches but not more than 30 inches by 36 inches. In counties of 1,000,000 or more population the recorder or the registrar of titles must not record or register the plat

APPENDIX 5 (Continued)

unless the persons submitting the plat for recording or registration simultaneously therewith deliver to the recorder or registrar of titles 6 true and exact copies thereof. In all counties, the recorder or registrar of titles shall not record or register a plat, unless the plat states the current mailing address of the person submitting the plat for recording or registration. Any changes to the unrecorded plat as may be desired or required by any party must be made by the Registered Land Surveyor who prepared the original plat, and in the event of the death, incapacity, or absence of that Land Surveyor, by another Registered Land Surveyor who shall specifically identify the change or changes made on the face of the plat.

An original plat, having been properly certified, acknowledged, approved and recorded or filed as above provided in this Section, may be retained as the permanent record by the recorder or registrar.

(Source: P.A. 86-284; 86-768; 86-1028; 86-1238; 86-1349; 86-1475; 87-705.)

Illinois Statutes Pertaining To Adoption and Observance of Access Policy As Contained in Chapter 121 of the Illinois Revised Statutes (Illinois Highway Code) and Chapter 109 (Plats)

4-209. Cutting or damaging State highways-Permit-Bond)

4-209 No Person shall wilfully cut, excavate or otherwise damage that portion of any highway under the jurisdiction and control of the Department, including the hard-surfaced slab, shoulders and drainage ditches, either within or without the corporate limits of a municipality without a permit so to do from the Department. The Department shall issue its permit when such cutting, excavating or damaging is reasonably necessary, but it is the duty of the person securing a permit to make such repairs to the highway as will restore it to substantially the same condition as it was originally. Permits with regard to entrances to and exits from State Highway rights-of-way and roadways shall also be subject to the provisions of Sections 4-210, 4-211 and 4-212. To insure the proper repair, the Department may, before issuing its permit, require the person applying for a permit, to enter into a bond payable to the People of the State of Illinois in a sum commensurate, in the opinion of the Department, with the injury to be done to the highway, conditioned for its proper restoration within such times as the Department may prescribe. The violation of this Section is a petty offense. Amended by P.A. 77-2238, 1, eff. Jan. 1, 1973.

4-210. Ingress and egress by owners or occupants of property abutting upon State highway-Rules, regulations and specifications.)

4-210. Except where the right of access has been limited by or pursuant to law every owner or occupant of property abutting upon any State highway shall have reasonable means of ingress from and egress to the State highway consistent with the use being made of such property and not inconsistent with public safety or with the proper construction and maintenance of the State highway for purposes of travel, drainage and other appropriate public use. The Department is authorized to adopt and to amend reasonable and necessary rules, regulations and specifications covering standard entrance or exit driveways to serve residential, farm, commercial, industrial, and roadside service establishments and other uses of property abutting upon State highways including specifications for drainage and other structures appurtenant to such driveways. No permit shall be issued by the Department for the construction of any such driveway which does not conform to the applicable standard prescribed by the Department unless the application therefore is accompanied by drawings of and specifications for the proposed construction and a showing of reasonable need for departure from the applicable standard type of driveway prescribed by the Department nor unless it is made to appear that the proposed construction and the use therefore will not be inconsistent with public safety and use nor with the proper construction and maintenance of the highway and its drainage and other facilities.

4-211. Permits for entrance or exit-Judicial review or appeal

4-211. Any permit issued by the Department to construct an entrance or exit, or both, under the provisions of Section 4-209 shall designate the location and design of such construction. All such permits shall be subject to the right of the Department to relocate, at the Department's expense, any entrance or exit when reasonably required for public safety or because of highway reconstruction or changed traffic conditions. The Department shall make frequent inspections and take such action as is necessary to require compliance with such rules, regulations and specifications and the provisions of Sections 4-209, 4-210 and 4-211 of this Code.

Any entrance or exit which was in place on July 10, 1953 which does not conform to the rules, regulations and specifications adopted by the Department may be made to conform to such rules, regulations and specifications by the Department at the expense of the Department.

If any entrance or exit is constructed after July 10, 1953, for which no permit has been secured the adjoining landowner or occupant, or his authorized representative, whose property such entrance or exit serves shall within 30 days following notification by the Department apply for a permit. The permit issued as a result of such application shall specify that the existing entrance shall be made to conform to the provisions of the permit within 90 days from the date of issuance of the permit or, if no permit is granted, be removed at the expense of the landowner or occupant.

Any entrance or exit constructed after July 10, 1953 for which a permit has been secured but which does not conform to the provisions of the permit issued for its construction shall within 90 days of notification by the Department to the adjoining property owner or occupant, or his authorized representative, whose property such exit or entrance serves be made to conform to the provisions of the permit.

Any person adversely affected by any rule, regulation, specification or decision of the Department issued pursuant to Sections 4-209, 4-210 or 4-211 or by any failure of the Department to act upon an application for a permit thereunder shall be entitled to judicial review under the provisions of the Administrative Review Law¹.

Amended by P.A. 85-559, 1, eff. Sept. 18, 1987.

8-102. Access by abutting owners - easements.)

8-102. When an existing highway has been designated and established as a freeway as provided in this Article, no owner of or person having interest in land abutting such freeway shall lay out, provide or construct any new means or enlarge or extend any existing means of ingress to or egress from said abutting land from or to the freeway except upon written consent of the Department, any county board or the corporate authorities of any municipality, as the case may be, and the Department, county board, or the corporate authorities of any municipality, as the case may be, shall also have authority to extinguish by purchase or condemnation any existing rights or easements of access, crossing, light, air or view to, from or over the freeway vested in abutting land, in the same manner as the Department, county board, or corporate authorities of any municipality now is or hereafter may be authorized by law to acquire private property and property rights in connection with highways under their respective jurisdiction and control.

8-103. Acquisition of property.)

8-103. When a proposed highway is designated and established as a freeway as provided in this Article, the Department, the county board, or the corporate authorities of any municipality shall have the right to acquire by purchase or condemnation, in the manner the Department, county board, or corporate authorities of any municipality now is or hereafter may be authorized by law, all property and property rights necessary for the location, construction, maintenance and use of such freeway, including any rights or easements of access, crossing, light, air or view to, from or over the freeway vested in property not so taken and abutting the freeway. However, the Department, county board, or corporate authorities of any municipality, as the case may be, may designate by agreement or stipulation points at which access will be permitted from the abutting property to the freeway and specify and enforce the terms and conditions thereof.

9-105. Entrance culverts.)

9-105. In constructing a public highway, if a ditch is made at the junction of highways, or at the entrance of gates or other openings of adjoining premises, the highway authorities shall construct good and sufficient culverts or other convenient crossings. New entrance culverts or crossing or additions to existing entrance culverts or crossings along an existing public highway or street where there is a ditch may be made with the consent of the highway authorities, provided the applicant for such entrance culvert or crossing constructs at the applicant's expense a good and sufficient culvert or other convenient crossing of the type and size specified by the highway authorities, which structure shall then become the property of the public.

9-117. Injuring or obstructing highways.)

9-117. If any person injures or obstructs a public highway by felling a tree or trees in, upon or across the same, or by placing or leaving any other obstruction thereon, or encroaching upon the same with any fence, or by plowing or digging any ditch or other opening thereon, or by turning a current of water so as to saturate, wash or damage the same, or by plowing in or across or on the slopes of the side gutters or ditches, or by placing any material in such ditches, or in any way interfering with the free flow of water therein, or leaves the cuttings of any hedge thereon for more than 10 days, without the permission of the highway authority having jurisdiction over such highway, he shall be guilty of a petty offense and fined for every such offense not less than \$10 per day for every day he allows such obstruction to

remain after he has been ordered to remove it by the highway authority having jurisdiction over such highway. Any person feeling himself aggrieved or any such highway authority may make a complaint under this Section.

The highway authority having jurisdiction over such highway, after having given 10 days' notice to the owners of the obstruction or person so obstructing, or plowing, or digging ditches upon such highway or interfering with the free flow of water in the side gutters or ditches, of the obstruction, plowing or digging of ditches, interfering with drainage, or of the encroachment of any fence, may remove any such fence or other obstruction, fill up any ditch or excavation except ditches necessary to the drainage of an adjoining farm emptying into a ditch upon the highway, or regrade such side gutters or ditches, and recover the necessary cost of such removal or filling of any such ditch or excavation, or regrading of such side gutters or ditches from such owner or other person obstructing or damaging such highway aforesaid, to be collected by the highway authority having jurisdiction of the highway whereon such offense was committed. Any such cost recovered shall be deposited in the road fund of the political division having jurisdiction over the highway adjudged to have been obstructed or injured, and shall be used only for maintenance or construction of public highways under the jurisdiction of that division.

However, this section shall not apply to any person who shall lawfully fell any tree for use and shall immediately remove the same out of the highway, not to any person through or along whose land a public highway may pass, who shall desire to drain his land, and who shall give due notice to the proper highway authority of such intention, and who shall first secure from such highway authority written permission for any work, ditching or excavating he proposes to do within the limits of the highway. Amended by P.A. 77-2238, 1, eff. Jan. 1, 1973.

Ch. 109, par. 2. (Plats)

Sec. 2. The plat must be completed, a statement from a Registered Land Surveyor attached and acknowledged by the owner of the land, or his attorney duly authorized, in the same manner as deeds of land are required to be acknowledged. The plat must be submitted to the city council or the officer designated by them, for their or his approval, if the land subdivided is located within the corporate limits of any such city, village or town or within contiguous territory which is affected by an official plan, or part thereof, of any city, village or town. If the land subdivided is located outside the corporate limits of any such city, village or town and is not affected by such official plan, or part thereof, the plat must be submitted to the county board of the county in which the land is located for its approval. Neither the city council of the city, the board of trustees of the village or town or the officer designated by them, or the county board of the county shall approve such plat, unless, in addition to any other requirements of such council, board of trustees or county board or the officer or officers designated by them, the topographical and profile studies to be submitted with the subdivision plat have on their face the signed statement of a Registered Professional Engineer, and the owner of the land or his duly authorized attorney, to the effect that to the best of their knowledge and belief the drainage of surface waters will not be changed by the construction of such subdivision or any part thereof, or, that if such surface water drainage will be changed, reasonable provision has been made for collection and diversion of such surface waters into public areas, or drains which the subdivider has a right to use, and that such surface waters will be planned for in accordance with generally accepted engineering practices so as to reduce the likelihood of damage to the adjoining property because of the construction of the subdivision. The topographical and profile studies required herein shall not be recorded, but shall be retained and filed by city, village, or county to which submitted for approval of the subdivision plat, as permanent public documents.

Neither the city council of the city, the board of trustees of the village or town or the officer designated by them, or the county board of the county shall approve such plat, unless, in addition to any other requirements of such council, board of trustees or county board or the officer or officers designated by them, the plat has been approved in writing by the Illinois Department of Transportation with respect to roadway access where such access is to a state highway or by the relevant local highway authority with respect to all other roadway access and by the local health department, if one exists, with respect to sewage disposal systems if any part of the platted land will not be served by a public sewer system.

The statement of the Registered Land Surveyor and of acknowledgement, together with the plat, must be recorded in the recorder's office of the county in which the land is situated, or if the title to the land is registered under the Land Titles Act, must be filed in the office of the registrar of titles for the county, and such acknowledgment and recording or such acknowledgment and filing as aforesaid, shall have like effect and certified copies thereof and of such plat, or of any plate heretofore acknowledged and certified according to law, may be used in evidence to the same extent and with like effect, as in case of deeds. The recorder or registrar of titles shall not record or register a plat offered for recording or registration after October 1, 1977, unless such plat is at least 8 1/2 inches by 14 inches but not more than 30 inches by 36 inches. In counties of

1,000,000 or more population the recorder or the registrar of titles must not record or register the plat unless the persons submitting the plat for recording or registration simultaneously therewith deliver to the recorder or registrar of titles 6 true and exact copies thereof.

An original plat, having been properly certified, acknowledged, approved and recorded or filed as above provided in this Section, may be retained as the permanent record by the recorder or registrar of titles, as the case may be, or such officer may use a photographic reproduction of such original plat as the permanent record if such reproduction is securely fixed to a page of the plat book. The film used for any such photographic reproduction must comply with the minimum standards of quality approved for permanent photographic records by the National Bureau of Standards and the device used to reproduce such plat on film must be one which accurately reproduces the content of the original plat.



