

**THE OFFICIALLY PUBLISHED COPY OF THE  
LAKE COUNTY HIGHWAY  
ACCESS REGULATION  
ORDINANCE**

As Adopted by the  
LAKE COUNTY BOARD  
April 12, 1988

***Amended November 20, 1990***  
***Amended November 12, 1996***  
***Amended December 11, 2001***  
***Amended November 12, 2002***  
***Amended February 9, 2010***

Lake County Division of Transportation  
600 W. Winchester Road  
Libertyville, Illinois 60048

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# Lake County Highway Access Regulation Ordinance

## CHAPTER 1 Title, Introduction, Purpose, and Commentary

### 1.1 Title

This Ordinance shall be known as and may be referred to as the "Lake County Highway Access Regulation Ordinance," hereinafter referred to as the Ordinance.

### 1.2 Introduction

The owner of a parcel of land abutting a County Highway has a property right to reasonable access to that County Highway. However, this right does not guarantee the right to access the County Highway at any and/or all points along a property's frontage on the County Highway. The County, through the use of its police power, may restrict access or require the use of indirect access to serve a property.

Through the authority granted by the laws of the State of Illinois, the County may, in accordance with regulations adopted by the County Board, regulate the access to County Highways. To provide for the efficient movement of traffic, safeguard the motoring public, and reduce congestion on the public ways, it is hereby declared to be the policy of the County to regulate access to County Highways for public and private use through the standards and specifications established by this Ordinance. The standards and specifications contained in this Ordinance were developed to minimize the frequency and severity of conflicts between those vehicles using a County Highway and those vehicles entering or exiting at approved access ~~facilities~~locations. The review of a request for access to a County Highway will involve the consideration of all factors affecting the operation, capacity, and safety of the County Highway and the proposed access ~~facility~~location.

### 1.3 Purpose

The primary function of County Highways is to carry large volumes of through traffic. A secondary and subservient function is to provide access to abutting property.

The absence of reasonable controls and regulations for access results in a reduction of roadway capacity and safety. Unregulated access substantially increases delay and congestion to the motoring public using the County Highway system.

Conflicts between vehicles using a County Highway and vehicles entering and exiting via access ~~facilities-locations~~ are minimized through the application of appropriate design standards. Therefore, the application of the regulations and standards contained in this Ordinance will promote consistent driver expectations, resulting in maximum operational efficiencies and safety, and protect the public investment in County Highways.

This Ordinance is adopted for the following purposes:

1. To protect and provide for the public health, safety, and general welfare of the County.
2. To preserve an acceptable level of service on County Highways.
3. To minimize conflicts between vehicles using County Highways and vehicles entering and leaving via access ~~facilities-locations~~ on County Highways.
4. To promote and ensure the safety of the motoring public using County Highways.

5. To preserve the ability of the County to provide adequate and safe highway facilities to serve the general public.

6. To establish reasonable regulations and procedures to ensure that any public or private utilities and facilities are either placed in easements outside of the right-of-way or are placed within existing rights-of-way such that future expansion of the County Highway can be ~~accomplished~~ accomplished at no additional cost to the County to relocate or remove such utilities or facilities.

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7. To provide for the proper location and limit the number of access ~~facilities~~ locations to regulate safe and reasonable access from County Highways to abutting property and to provide sufficient spacing between access points to minimize interference with traffic using adjacent access ~~facilities~~ locations.

8. To establish reasonable standards and design specifications for access ~~facility~~ improvements on County Highways to protect the public investment.

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9. To minimize congestion and delay on County Highways which are the results of providing access to abutting property.

10. To prohibit the use of a County Highway as a portion of the internal circulation system of abutting property, to prohibit backing onto County Highways, and to prohibit parking on County Highway rights-of-way.

11. To provide for the establishment of sufficient pavement, right-of-way, and easement widths.

12. To establish reasonable requirements for performance and maintenance guarantees, to ensure the proper construction of required improvements, and

to ensure that required improvements are completed in an expeditious manner in accordance with accepted engineering and geometric standards and specifications.

~~11. To provide regulations and procedures for the temporary use or closure of a County Highway.~~

#### **1.4 Commentary**

Whenever a section of this Ordinance requires additional explanation to clarify the intent, subsections prefaced "COMMENTARY" are included. They are intended solely as a guide for both officials and the general public to aid in the administration and interpretation of this Ordinance.



## **CHAPTER 2 Definitions**

### **2.1 Purpose**

It is the purpose of this Chapter to define words, terms, and phrases contained in this Ordinance.

### **2.2 General Word Usage**

In the interpretation of this Ordinance, the following provisions shall be observed and applied except when the context clearly requires otherwise:

1. Words used or defined in one tense or form shall include other tenses and derivative forms.
2. Words in the singular shall include the plural, and words in the plural shall include the singular.
3. The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
4. The word "shall" is mandatory.
5. The word "must" is mandatory.
6. The word "may" is permissive.
7. The word "should" is advisory.
8. In the event of any difference of meaning or implication between the text of this Ordinance and any caption, illustration, or table, the text shall control.

### 2.3 Abbreviations

Abbreviations are used in this Ordinance and shall have the meanings as set forth in Section 2.4.

### 2.4 Definitions

Words, terms, and phrases underlined in the definitions are those, which are themselves defined in this Section. The following words, terms, and phrases are hereby defined and shall be interpreted as such throughout this Ordinance.

**A.A.S.H.T.O.:** The American Association of State Highway and Transportation Officials.

**ABANDONED UTILITY OR FACILITY:** Any utility or facility not in use or operation and with no immediate plans for repair or replacement to serve the same function.

**ABUTTING:** Having a common border with, or being separated from such common border by an alley, easement, or right-of-way.

**ACCESS:** A private or public way for providing means of vehicular entry to or exit from abutting a property abutting a street or highway.

**ACCESS CONTROL OFFICER:** A member of the Lake County Division of Transportation staff designated by the County Engineer to oversee and administer this Access Regulation Ordinance as provided for by this Ordinance.

**ACCESS FACILITY:** ~~A private or public driveway or road providing service to and/or from abutting property to a highway.~~

**ACCESS ORDINANCE:** The “Lake County Highway Access Regulation Ordinance,” as amended, of Lake County, Illinois.

**ACCESS PERMIT:** A permit issued by the LCDOT granting access to a County Highway from abutting property and allowing construction or reconstruction of an access locationfacility in accordance with the provisions of this Ordinance.

**ACCESS POINT:** The location of access.

**ACTUATION:** The initiation of a change in, or extension of, a traffic signal phase through the operation of any type of detector.

**ADJACENT ACCESS POINT:** An adjoining access locationfacility which may be on either side of the highway and either upstream or downstream of a proposed access point.

**ARTERIAL:** A highway generally characterized by its ability to quickly move relatively large volumes of traffic but often with restricted capacity to serve abutting properties. The arterial system typically provides for high travel speeds and long trip movements. The rural and urban arterial systems are connected to provide continuous through movements at approximately the same level of service.

**ADMINISTRATIVE POLICIES MANUAL:** The current Manual of Administrative Policies as published by the Illinois Department of Transportation Bureau of Local Roads.

**APPLICANT:** A Local Agencymunicipality, person, or utility company that makes application for a permit. For access permit projects, the applicant is the property owner and becomes the permitteepermittee.

**APPURTENANCES, HIGHWAY:** In highway terms, all of the constituent components subordinate to but none the less necessary for the operation, function and/or maintenance of a roadway such as storm sewers, lighting, signage, and traffic control devices, etc. Also, called highway assets.

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**APPURTENANCES, NON-HIGHWAY:** All of the constituent components subordinate to but none the less necessary for the operation, function and/or maintenance of a utility or facility such as utility poles, pedestals, transformers, valves, vaults, and manholes, etc.

**APPURTENANCE:** Any item that bears a direct relationship to or is necessary for a highway facility or utility/facility to operate. ~~Any accessory that is a feature of, bears a direct relationship to, or is necessary for the maintenance or operation of a highway, utility or facility.~~

**AVERAGE DAILY TRAFFIC (ADT):** The number of vehicles using a road (in both directions) during a twenty-four (24) hour period, specified as the average traffic by the Illinois Department of Transportation or the Lake County Division of Transportation.

**BERM:** A manmade, small hill or embankment-like facility made by the placement of earth, sand, gravel, rock, organic material, or other similar material usually linear in nature and used for screening or landscaping purposes and/or in conjunction with drainage facilities.

**BERM, TOE OF:** The point at which the bottom edge or slope of a berm meets the existing grade of the ground.

**BUREAU OF DESIGN AND ENVIRONMENT MANUAL:** The current Bureau of Design and Environment Manual as published by the Illinois Department of Transportation.

**BUREAU OF LOCAL ROADS AND STREETS MANUAL:** The current Bureau of Local Roads and Streets Manual as published by the Illinois Department of Transportation.

**CALENDAR DAY:** Every day shown on the calendar.

**CASH BOND:** A certified check or bank cashier's check payable to the County of Lake Treasurer held by or deposited by the Lake County Division of Transportation to insure that all permitted work will be completed in compliance with this Ordinance and the conditions of the permit.

**CERTIFY OR CERTIFICATION:** The act or process of attesting that the specific inspections, calculations, or tests, where required, have been performed and that they comply with the applicable requirements of this Ordinance.

**CERTIFICATE OF INSURANCE:** An executed, completed, original document providing evidence that the owner or contractor has insurance in the amounts required inclusive of any additional required criteria.

**CLEAR ZONE:** An unobstructed, relatively flat area provided beyond the edge of the traveled way for the recovery of errant vehicles. The clear zone includes any shoulders or auxiliary lanes.

**COMMON OWNERSHIP:** A shared interest in real property by the same person or any persons related by marriage, adoption, or blood within an immediate family, including parents, spouses, siblings, and children.

**CONDITIONAL ACCESS:** An access ~~location~~ facility permitted for a period of six months. Such access may be granted for preliminary site work or a temporary access for special events or any other non-permanent use. Typically used as a construction access entrance to a site.

**CONTRACTOR:** Any person or firm engaged in construction, landscaping, or maintenance on a contract basis.

**CORNER OR RETURN RADII:** The pavement radius of the arc between the edge of pavement of the access location facility and the edge of pavement of the abutting road used to facilitate vehicular turning movements.

**COUNTY:** County of Lake, Illinois, also Lake County, Illinois.

**COUNTY BOARD:** The County Board of Lake County, Illinois.

**COUNTY CLERK:** The County Clerk of Lake County, Illinois.

**COUNTY ENGINEER:** The Lake County County Engineer, also the Lake County Director of Transportation.

**COUNTY HIGHWAY:** A public road as defined by the Illinois Highway Code as part of the County Highway System, including municipal extensions of County Highways and any proposed roads as yet un-built but designated as a part of the County Highway System.

**COUNTY RECORDER:** The Recorder of Deeds of Lake County, Illinois.

**COUNTY TREASURER:** The Treasurer of Lake County, Illinois.

**CROSS ACCESS EASEMENT:** Shared access between adjacent parcels to allow the interaction of traffic without impacting public roadways.

**CROSS DRAIN STRUCTURES:** A culvert or structure that crosses under a roadway, typically perpendicular to the highway, and is used for the relief or conveyance of roadside drainage.

**CULVERT:** A sewer pipe or drain that crosses under a roadway, driveway, or embankment and is used for the conveyance of roadside drainage and/or watershed

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drainage.

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**DEDICATION:** The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

**DESIGN SPEED:** The speed to which a road is being or has been designed.

**DETENTION BASIN:** A manmade facility for the temporary storage of stormwater runoff with controlled release during or immediately following a storm.

**DEVELOPER:** The legal or beneficial owner of a lot or parcel of any land proposed for inclusion in a development, including the holder of an option or contract to purchase.

**DEVELOPMENT:** The division of a parcel of land into two (2) or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any buildings; any use or change in use of any buildings or land; any extension of any use of land or any clearing, grading, excavation, or other movement of land.

**DIRECTOR OF TRANSPORTATION:** See County Engineer.

**DISCHARGE:** The outflow of water, silt, or other mobile substances passing along a conduit, watercourse, or a channel, or released detention storage.

**DRAINAGE:** The removal of surface water or groundwater from land by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during or after development and includes the means necessary for prevention or alleviation of flooding.

**DRAINAGE AREA:** The area contributing runoff water to a watercourse, drainage system, or detention basin. Also commonly referred to as a watershed.

**DRAINAGEWAY:** A watercourse identified by the presence of an intermittent or perennial flow of water.

**DRIVEWAY:** A private or public way for the use of vehicles providing service between a highway and abutting property.

**DRIVEWAY THROAT:** The width between points on a driveway at which the corner returns are tangent to the driveway.

**EASEMENT:** A right to use or control the property of another for designated purposes, such as for drainage or placement of utilities. This may be temporary or permanent.

**EMERGENCY ACCESS:** An access which is designated and utilized solely by emergency vehicles.

**ENCUMBRANCE:** Prior easement, rights, or other legal constraint that would limit or prohibit use of dedicated right-of-way by the Lake County Division of Transportation or others.

**ENGINEER:** A registered See Professional Engineer licensed to practice in the State of Illinois.

**ENGINEERING PLANS:** A set of design plans, specifications, and estimates of cost containing all engineering elements necessary to construct an access location facility or highway improvement.



**ENTITY:** See Person

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**EROSION:** The detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

**EXCAVATION:** An act by which organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting there from.

**FACILITY:** A non-roadway object, structure, or device, manmade or natural, that is designed, and constructed, located, or placed to serve a specific function or purpose or perform a particular service. Facilities include, but are not limited to, sidewalks, bike paths, sewer lines, water lines, street lighting, signage, trees, public transportation shelters, or any other non-highway appurtenance.

**FENCE:** An artificial barrier constructed of any material or combination of materials erected to enclose or screen areas of land.

**FREEWAY:** A highway designated by the County Board as a freeway in accordance with Article 8 605 ILCS 5/8-101 et. seq. of the Illinois Highway Code. A freeway can be either a full or partial access controlled facility.

**FRONTAGE:** The distance, as measured along the highway right-of-way line, between the property lines of the abutting property.

**FRONTAGE ROAD:** A road which is adjacent to or included in the right-of-way of a highway or railroad, and which provides access to abutting properties and separation from through traffic.

**FULL ACCESS:** An access to a highway or other roadway that allows movements to and from a roadway in all directions without geometric restrictions.

~~**GRADING EASEMENT:** A temporary easement outside the right-of-way when grading outside the right of way is needed for roadway related improvements.~~

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~~**GENERAL NOTES:** Notes included in the first few pages of an engineering plan set which apply to the overall project and may provide direction to the Contractor.~~

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**GEOMETRIC PLAN:** A preliminary plan identifying proposed roadway improvements as warranted by the traffic study.

**GRADING:** The contouring of land to a specified level or slope.

~~**GRADING EASEMENT:** A temporary easement outside the right-of-way when grading outside the right-of-way is needed for roadway ~~construction~~-related ~~or other~~ improvements.~~

**HIGHWAY:** See County Highway.

**HIGHWAY CAPACITY MANUAL:** The most recent edition of the Highway Capacity Manual and all amendments thereto and successor documents as published by the Transportation Research Board.

~~**HIGHWAY STANDARDS:** Drawings published by the Illinois Department of Transportation or the Lake County Division of Transportation that show the details of various construction items and are used in conjunction with the Standard Specifications, General Notes or Special Provisions. ~~The applicable standards are referenced on the cover sheet of the plans.~~~~

**IDOT:** The Illinois Department of Transportation.

**ILCS:** Illinois Compiled Statutes

**ILLINOIS HIGHWAY CODE:** The laws of the State of Illinois relating to roads.

**IMUTCD:** The current Illinois Manual on Uniform Traffic Control Devices for Streets and Highways as adopted by IDOT in accordance with 625 ILCS 5/11-301.

**IMPROVEMENTS:** Any manmade changes to any land, structure, utility, facility or highway.

~~**IMPROVEMENTS, PUBLIC:** Any improvement necessary to provide for public needs.~~  
**INFLUENCE AREA:** The area associated with the function of an intersection, auxiliary lanes and access point(s).

**INTERSECTION:** The general area where an access location facility and a road or two or more roads or two access locations facilities join or cross.

**INTERSECTION SIGHT DISTANCE:** The distance, either right or left, at which a driver stopped at an intersection can see an approaching vehicle and can enter the road and reach the posted speed limit without an approaching vehicle changing or altering from the posted speed limit.

**ISLAND:** A defined area between traffic lanes for control of vehicle movements or for pedestrian refuge.

**ITE:** The Institute of Transportation Engineers.

**ITE TRIP GENERATION:** The most recent edition of and any supplements thereto of the informational report ITE Trip Generation, and any successor documents.

ITS: Intelligent Transportation System. The use of computer and communication technology to monitor traffic flow, control the operation of traffic control devices and provide information to travelers about roadway conditions. (See PASSAGE).

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**LAKE COUNTY STORMWATER MANAGEMENT COMMISSION (SMC):** The Lake County Stormwater Management Commission established and pursuant to 55 ILCS 5/5-1062 et. seq. for the purposes of developing, revising, and implementing a countywide stormwater management plan.

**LAKE COUNTY WATERSHED DEVELOPMENT ORDINANCE:** A part of the adopted Lake County Comprehensive Stormwater Management Plan. Its purpose is to allow management and mitigation of the effects of urbanization on stormwater drainage.

**LAND-USE:** See Use.

**LAND-USE DENSITY:** An intensity measurement usually expressed in terms of the number of units or square feet of a particular land-use permitted to be built, constructed, or placed on a defined parcel of land.

**LCDOT:** The Lake County Division of Transportation.

**LEVEL OF SERVICE:** Qualitative measure describing operation conditions within a traffic stream as defined in the Highway Capacity Manual.

**LOCAL AGENCY:** A local unit of government organized and existing under the laws of the State of Illinois. Local Agencies include, but are not limited to, fire protection districts, forest preserve districts, municipalities, park districts, school districts, townships and township road districts.

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~~**LOCAL AGENCY:** A local unit of government organized and existing under the laws of the State of Illinois. Local Agencies include, but are not limited to, fire protection~~

districts, forest preserve districts, IDOT, municipalities, park districts, school districts, and townships.

**LOT:** A single legally divided parcel of land. A lot of record which is part of a subdivision, the plat of which has been duly authorized and recorded in the office of the Recorder of Deeds of Lake County, Illinois.

**LOT, CORNER:** A lot abutting on two roads at their juncture.

**MAINTENANCE EASEMENT:** A permitted, platted easement outside of the right-of-way for the maintenance of roadway related improvements.

**MAINTENANCE GUARANTEE:** A financial guarantee in the form of an Irrevocable Letter of Credit or cash bond, used to replace the Performance Guarantee upon acceptance of the permitted and constructed work by the Lake County Division of Transportation (LCDOT).

**MAJOR ACCESS:** An access which serves property abutting a County Highway and has an anticipated daily two-way traffic volume of more than 50 trips ~~or,~~ and has regular use by vehicles or vehicle combinations of three axles or more (personal recreational vehicles excluded).

**MEDIAN:** A portion of a divided highway or divided driveway separating the traveled ways for traffic flowing in opposite directions. A median can either be raised or flush.

**MEDIAN OPENING:** A gap in a median provided for crossing and turning vehicles.

**MINOR ACCESS:** An access which serves property abutting a County Highway, has an anticipated normal daily two-way traffic volume (total number of entrance and exit trips by vehicles using the access) of no more than 50 trips, and has no regular use

by vehicles or vehicle combinations of three axles or more (personal recreational vehicles excluded).

**MODIFICATION:** Any alteration to an existing access location facility.

**MONTH:** A total of thirty (30) consecutive days.

~~**MUTCD:** The current Manual on Uniform Traffic Control Devices for Streets and Roads~~ Highways as adopted by the Federal Highway Administration.

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**OTHER STREET:** A road under the jurisdiction of another public agency and not under the jurisdiction of the County.

**OWNER:** The person or local agency having the right of legal title or beneficial or controlling interest in or a contractual right to purchase a lot or parcel of land, utility or facility.

**PARCEL:** Any legally described piece of land.

**PASSAGE:** Lake County PASSAGE. Name for Lake County's ITS project – a Program for Arterial Signal Synchronization and TrAvel GuidancE.

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**PASS-BY TRIPS:** Trips that are made as intermediate stops on the way from an origin to a primary trip destination without a route diversion. Pass-by trips are attracted from traffic passing the site on an adjacent street or roadway that offers direct access to the generator.

**PAVEMENT:** The bituminous or concrete hard surface of a highway used for vehicular traffic. The pavement includes the through traffic lanes, turning lanes, bypass lanes and paved shoulders.

**PEAK-HOUR VOLUME:** The highest hourly vehicular volume observed, or anticipated, at the point of analysis during a normal day.

**PERFORMANCE/MAINTENANCE GUARANTEE:** A financial guarantee to ensure that all ~~highway improvements, access facilities~~access-related improvements, or work required by this Ordinance will be completed ~~or maintained~~ in compliance with this Ordinance.

**PERMIT:** A formal, written document authorizing an access point onto a County Highway and authorizing certain work to be performed within the right-of-way of a County Highway which sets forth the terms and conditions applicable to the access point and of said work in conformance of this Ordinance.

**PERMITEE:** Any owner to whom a permit is issued.

**PERSON:** Any ~~individual, public or private firm or corporation, the State of Illinois and its agencies or political subdivisions, and the United States of America, its agencies, and instrumentalities, and any agent, servant, officer, or employee of any of the foregoing person, firm, partnership, association, public or private corporation, organization or business or charitable trust.~~

**PLAT:** A plat is a survey which defines the boundaries of a parcel of land.

**POSTED SPEED:** The speed limit of the County Highway as indicated on the regulatory sign.

**PRELIMINARY PLAN:** A plan, preliminary in nature, showing proposed development, driveway, and road intersection geometrics, and all engineering and physical planning elements.

**PRIVATE ROAD:** A road in which there is no public interest and for which no public agency has jurisdictional or maintenance responsibilities.

**PROFESSIONAL ENGINEER:** An Engineer registered in the State of Illinois under the Illinois Professional Engineering Act.

**PROFESSIONAL LAND SURVEYOR:** A Surveyor registered in the State of Illinois under the Illinois Land Surveyor Act.

**PUBLIC IMPROVEMENTS:** Any improvement necessary to provide for public needs.

**PUBLIC UTILITY COMPANY:** Utility company subject to the regulation of the Illinois Commerce Commission.

**PUBLIC WORKS AND TRANSPORTATION COMMITTEE:** The Public Works and Transportation Committee of the Lake County Board or its successor committee.

**RECAPTURE AGREEMENT:** An agreement authorizing the owner of a property upon which an access location facility is constructed to recapture a pro-rata portion of the cost of that access from the owners of properties served by the access. (These are generally regulated by the municipality, not the County.)

**RED MARKED SET:** The engineering plan set submitted by the owner and/or engineer as reviewed by the LCDOT and returned to the owner and/or engineer for revisions.

**RESIDENT ENGINEER:** An Engineer as designated by the owner to be the responsible party to insure the construction of the developer's improvement per the approved engineering plans.



**RESTRICTED ACCESS:** An access that has geometric restrictions that limit specific traffic movements to and from the roadway.

**RETENTION BASIN:** A manmade facility designed to completely retain a specified amount of stormwater runoff without release except by means of evaporation, infiltration, or pumping.

**RIGHT-OF-WAY:** A strip of land occupied or intended to be occupied for public road purposes.

**RIGHT-OF-WAY LINE:** The boundary between the land acquired for or dedicated to highway use and abutting property.

**ROAD:** An approved place or way, private or public, however designated, for vehicular travel which affords a principal means of access to abutting property or other street, including rights-of-way, bridges, drainage structures, signs, guardrails, protective structures and all other structures and appurtenances necessary or convenient for vehicular traffic.

**ROADWAY:** That part of the highway that includes the pavement and shoulders.

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**SHARED ACCESS:** An access location facility used jointly by two or more properties.

**SHARED ACCESS EASEMENT:** An easement appurtenance permitting common access from and through adjacent properties pursuant to specified terms and conditions.

**SHOULDER:** The portion of the highway contiguous with the traveled way for the accommodation of stopped vehicles and for emergency use.

**SIGHT DISTANCE STUDY:** A comprehensive collection and analysis of all information necessary to accurately evaluate the effect of the sight distance at the proposed access location.

**SIGHT TRIANGLE:** Specified areas along intersection approach legs and across their included corners that ~~should~~ shall be clear of obstructions that might block a driver's view of potentially conflicting vehicles. The dimensions of the legs of the sight triangles depend on the design speeds of the intersecting roadways and the type of traffic control used at the intersection.

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**SITE PLAN:** A plan of the proposed development as required by the governmental agency having land use regulatory authority. If the property is scheduled for phased development, the site plan would include the proposed layout of the total projected development ~~shall be indicated~~.

**SMC:** Lake County Stormwater Management Commission.

**SPECIAL PROVISION:** A specification or document which supplements information contained in the engineering plans and provides details and requirements of items that are unique to a project

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**STANDARD SPECIFICATIONS:** ~~The~~ ~~The current~~ "Standard Specifications for Road and Bridge Construction", "Supplemental Specifications and Recurring Special Provisions", ~~"Standard Specifications for Traffic Control Items,"~~ or its successor document or documents, as adopted by the Illinois Department of Transportation; and the ~~The~~ "Standard Specifications for Water and Sewer Main Construction in Illinois" or its successor document or documents, as adopted by the Illinois Environmental Protection Agency.

**STATE'S ATTORNEY:** The State's Attorney of Lake County, Illinois.

**STOPPING SIGHT DISTANCE:** The distance, assumed for design purposes, that a vehicle traveling at the posted speed can stop before reaching a specific point along a road.

**STORM SEWER:** A closed conduit for conveying stormwater.

**STORMWATER DRAINAGE FACILITY:** Any element in a stormwater drainage system which is made or improved by people.

**STORMWATER DRAINAGE SYSTEM:** All facilities used for conveying stormwater to, through, or from a drainage area to the point of final outlet.

**STRATEGIC REGIONAL ARTERIAL (SRA):** An arterial street designated by the Illinois Department of Transportation to accommodate long-distance regional traffic. Additional right-of-way, increased pavement thickness and/or additional access restrictions may be required on SRA's.

**STREET:** See Other Street.

**STRUCTURAL ENGINEER:** An Engineer who is licensed and registered to practice in structural engineering in the State of Illinois under the Illinois Structural Engineering Act and whose principal professional practice is in the field of structural engineering.

**STRUCTURE:** Anything constructed, erected, or placed which has location in or on the ground or is attached to something having a location on the ground such as buildings, cellular towers, and parking lots, etc.

**SUBDIVIDER:** Any person subdividing land.

**SUBDIVISION:** Any division or redivision of a parcel of land into two or more parts by means of mapping, platting, conveyance, change, or rearrangement of boundaries.

**SURVEYOR:** See Professional Land Surveyor. A registered professional land surveyor licensed to practice in the State of Illinois.

**"T" INTERSECTION:** An intersection consisting of three approaches.

**TEMPORARY ACCESS:** An access location facility permitted for a specific time period and with restrictions on usage. Such access may be granted for emergency access or as a access until such time as indirect access to another right-of-way can be provided.

**TRAFFIC CONTROL DEVICES:** All signs, signals, markings, and devices, which 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.

**TRAFFIC ENGINEER:** An Engineer whose primary work experience has been in Traffic Engineering.

**TRAFFIC IMPACT STUDY:** A comprehensive collection and analysis of all information necessary to accurately evaluate the effect and impact of traffic generated by a development on the current and future road network surrounding the development.

**TRAFFIC SIGNAL WARRANT STUDY:** A study conducted to determine if a proposed traffic signal meets the warrants based on the most recent edition of the IMUTCD and if the installation of such a signal will improve the overall safety and/or operation of the intersection.

**TRANSPORTATION RESEARCH BOARD:** The Transportation Research Board is a unit of the National Research Council, which serves the National Academy of Sciences and the National Academy of Engineering.

**TRAVELED WAY:** The portion of the roadway, for the movement of vehicles, exclusive of shoulders.

**TURNAROUND:** An area utilized by vehicular traffic to change direction outside of the right-of-way.

**TURNING LANE:** An auxiliary lane, including tapered areas, primarily for the deceleration and queuing of vehicles leaving the through lanes.

**TURNING MOVEMENT:** Vehicles making a designated turn.

**USGS:** The United States Geological Survey.

**USE:** The purpose or activity for which land, or any structure thereon, is designed, arranged, or intended, or for which it is occupied or maintained.

~~**UTILITY:** A unit, either publicly or privately owned, composed of one or more pieces of equipment or constructed materials connected or a part of a structure or system and designed to provide a service, including, but not limited to, fiber optic cable, coaxial cable, electric cable, utility, or gas lines.~~ **UTILITY:** A unit, either publicly or privately owned, composed of one or more pieces of aerial or underground related equipment or constructed materials connected or a part of a structure or system designed to provide a service, including, but not limited to, fiber optic cable, coaxial cable, electric cable, telecommunication cable, or gas lines.

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**UTILITY EASEMENT:** A platted easement, inside or outside of the County Highway right-of-way that is for the use or benefit of a public or private utility to accommodate their utilities as defined by this Ordinance.

**WORKING DAYS:** Any calendar day except Saturdays, Sundays, or legal holidays as observed by the County.

## CHAPTER 3 Administrative Provisions

This Chapter sets forth the administrative provisions for this Ordinance.

### 3.1 Authority

The Illinois Compiled Statutes, as amended, provide for the County Board and the County Engineer to have authority over supervision of County Highways. This Ordinance is hereby adopted to preserve and protect the public safety, health, and general welfare as they relate to the operation and use of County Highways, and their associated right-of-way.

605 ILCS 5/5-413 et. seq. of the Illinois Compiled Statutes, as amended provides for access roads and driveways for public and private use to be allowed onto a County Highway only upon the issuance of a permit by the County Engineer in accordance with regulations adopted by the County Board. This Ordinance implements that law but does not limit nor restrict the County insofar as other sections of the Illinois Highway Code pertaining to access to and use of County Highways.

765 ILCS 205/~~9-2~~ et. seq. of the Illinois Compiled Statutes, as amended, requires that written approval be obtained from the appropriate local highway authority regarding highway access prior to final approval and recording of a plat by a municipality or county. For County Highways, the authority shall be the County Engineer.

605 ILCS 5/8-101 et. seq. ~~and 605 ILCS 5/8-102 et. seq.~~ of the Illinois Compiled Statutes, as amended, grants County Boards the authority to designate highways under their jurisdiction as freeways. ~~605 ILCS 5/8-102 et. seq. gives T~~he County Board ~~is~~ the sole authority to grant or deny any new points of access, or allow the modification, change, or enlargement of any existing points of access.

~~Illinois Highway Code 605 ILCS 5/9-115.1 of the Illinois Compiled Statutes, as amended, requires that drainage facilities for the purposes of detention or retention of~~

water may not be constructed within a distance of ten (10) feet plus one and one-half (1-½) times the depth of the drainage facility adjacent to the right-of-way of any public highway without the written permission of the highway authority having jurisdiction over the public highway. The toe of any earthen berm may not be constructed nearer than ten (10) feet to the right-of-way of any public highway without the written permission of the highway authority having jurisdiction over the public highway.

### 3.2 Jurisdiction

This Ordinance shall apply to all access ~~facilities~~ locations providing, or proposed to provide, service from and/or to a County Highway to any property after the enactment of this Ordinance by the County Board. This includes any land in any township or municipality located partially or entirely within the County.

This Ordinance shall not be construed in any manner or form to limit or restrict the power or authority of the County or the County Engineer to maintain, operate, improve, construct, reconstruct, manage, widen, or expand any County Highway as may be best determined, as provided by law, including the modification, restriction, or elimination of any access location ~~facility~~ permitted under this Ordinance or any access location ~~facility~~ permitted prior to the adoption of this Ordinance.

### 3.3 Plat Approval

The County Engineer shall have the authority to approve or disapprove, in writing, plats with respect to highway access to County Highways.

COMMENTARY: ~~Public Act 85-0500~~ 765 ILCS 205/~~29~~ et. seq. of the Illinois Compiled Statutes, as amended, requires that written approval be obtained from the appropriate local highway authority regarding highway access prior to final approval and recording of a plat by a municipality or county. For County Highways, the authority is the County Engineer. The LCDOT's sole concern is access to a County Highway. The responsibility for determining land-use requirements rests solely with the governmental authority having the land-use regulatory authority.

Comment [JRM1]: PA 85-0500 not associated with the Plat Act



To obtain written approval for access to a County Highway, the final plat of subdivision shall include the following signature certificate:

STATE OF ILLINOIS )  
 )SS  
COUNTY OF LAKE )

This plat is hereby approved this \_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_ by the County Engineer of Lake County pursuant to 765 ILCS 205/29 et. seq. of the Illinois Compiled Statutes, as amended, as to roadway access to County Highway \_\_\_ also known as \_\_\_\_\_. Direct access either to or from County Highway \_\_\_ shall be restricted as shown on this plat and shall be subject to the Lake County Highway Access Regulation Ordinance which requires, in part, that application be made and an access permit be obtained from the County Engineer of Lake County prior to any access installation.

\_\_\_\_\_  
County Engineer

To obtain written approval for a subdivision with prohibited access to a County Highway, the final plat of subdivision shall include the following signature certificate:

STATE OF ILLINOIS )  
 )SS  
COUNTY OF LAKE )

This plat is hereby approved this \_\_\_ day of \_\_\_\_\_, A.D., 20\_\_\_ by the County Engineer of Lake County pursuant to 765 ILCS 205/2 et. seq. of the Illinois Compiled Statutes, as amended, as to roadway access to County Highway \_\_\_ also known as \_\_\_\_\_. Direct access either to or from County Highway \_\_\_ is prohibited as shown on this plat.



## 3.6 Interpretation and Separability

### 3.6.1 Interpretation

The County Engineer shall render any interpretations of this Ordinance, which are necessary to promote efficient administration and review of access requests. This Ordinance shall be interpreted strictly and in accordance with the standards set forth herein. Whenever any provision of this Ordinance overlaps, contradicts, or covers the same subject matter as any other provision of this Ordinance or any other County Ordinance regulation, or rule, the more restrictive or higher standard shall control.

### 3.6.2 Separability

Each chapter, section, subsection, paragraph, subparagraph, sentence, clause, phrase, word, provision, rule and regulation, or restriction established by this Ordinance or any amendments thereto is hereby declared to be separable and independent, in accordance with the following.

- a. If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any provision of this Ordinance not specifically included in the judgment.
- b. If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular property, access, highway improvement, or access location~~facility~~, such judgment shall not affect the application of the provisions to any property, access, highway improvement, or access ~~facility~~location not specifically included in the judgment.

### 3.6.3 Law Governing

In any controversy or dispute under this Ordinance or in any claims arising hereunder or related hereto, whether in contract or tort, they shall be governed

by the laws of Illinois. Any suit regarding requirements of this Ordinance must be brought in a court of competent jurisdiction in Lake County, Illinois.

#### 3.6.4 Enforcement

##### 3.6.4.a Compliance

No new access ~~facility~~ shall be approved or constructed, and no existing access ~~facility~~ shall be modified, which does not comply with the provisions set forth in this Ordinance. Should an access be illegally placed within the County right-of-way it shall be removed by the ~~LCDOT Maintenance Department at the owner's expense.~~ owner. If the owner refuses or fails to remove an illegal access upon written notice, LCDOT shall have the right, but not the duty, to remove the illegal access and invoice the owner for the cost of the removal. Notice from LCDOT will be given in writing, via certified mail, and shall allow the owner a minimum of ~~thirtyten (310) calendar~~ working days from receipt of the notice to remove the illegal access. Removal shall include restoration of the County right-of-way to an equal or better condition than existed before construction.

##### 3.6.4.b Division of Transportation: Powers and Responsibilities

By authority of the County Board and adoption of this Ordinance, through powers vested through the Illinois Compiled Statutes, as amended, and all other applicable laws, statutes, orders, and regulations of the State of Illinois and the County of Lake, the County Board of Lake County hereby grants to the County Engineer and the Lake County Division of Transportation the following powers and responsibilities regarding enforcement of this Ordinance:

1. To review, approve, and/or disapprove access permits for access ~~facilities~~ locations on County Highways.

2. To issue access permits and maintain records thereof.
3. To develop and set in place application procedures for such permits.
4. To develop and set forth the types, extent and nature of the studies, drawings, sketches, plans, engineering plans, forms, applications, types of permits or any other types of documents that are needed for the administration and implementation of this Ordinance and to change, modify and/or revise the nature and extent of said studies, drawings, sketches, plans, engineering plans, forms, applications, types of permits or any other types of documents as needed.
5. To review, approve, disapprove, or cause changes and modifications to be made to all studies, drawings, engineering plans, and other documents that are required by this Ordinance as they relate to access ~~facilities~~ locations and highway improvements.
6. To conduct inspections and field investigations as necessary to ensure compliance with the rules, regulations, and specifications of this Ordinance.
7. To institute any appropriate action as set forth in the Illinois Compiled Statutes, as amended, or this Ordinance and to request that the State's Attorney institute any proceedings to prevent unlawful construction, reconstruction, alteration, modification, enlargement, conversion, and/or unlawful use of an access ~~facility~~ pointlocation providing service to a County Highway after the adoption of this Ordinance.

8. To advise the County Board on all proposed amendments to this Ordinance.
9. To develop and place into use any forms, applications, sketches, drawings, and/or permits to be used for the administration and implementation of this Ordinance and to change, modify, and/or revise these forms, applications, sketches, drawings, and permits as needed.
10. To designate an "Access Control Officer" within the LCDOT to oversee and administer the day-to-day implementation of this Ordinance.
11. To grant and approve variations from the provisions of this Ordinance in accordance with the standards as set forth in Section 3.9.
12. To render interpretations of this Ordinance in accordance with the provisions set forth in Section 3.6.1.
13. To approve and disapprove plats in accordance with Section 3.3.
14. To hear and decide appeals from any decisions of the Access Control Officer or any other administrative officials made in the performance of their duties under the provisions of this Ordinance.
15. To perform other such duties as are required by this Ordinance.

16. To designate and supervise agents to operate in the County Engineer's capacity to perform such duties as are assigned by this Ordinance.
17. To coordinate the requirements and provisions of this Ordinance with the governmental authority having land-use regulatory authority over a development taking access to a County Highway.
18. To collect, deposit in the County Highway Tax Fund, and expend such funds as may be derived from any fees collected pursuant to the administration of this Ordinance.
19. To administer and carry out the provisions of this Ordinance in a reasonable time given staffing levels, workload, and budgeting constraints.

20.20. To act at the direction of the Public Works and Transportation Committee in those matters relating to access ~~facility~~ improvements and programmed or ongoing highway improvements, including the preparation of joint agreements; recommending donation amounts; establishing escrow accounts for future highway improvements; and collecting, depositing, and expending donations and other such funds for County Highway purposes.

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21. To cause to be printed a codified version of this Ordinance with a suitable cover.

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### **3.7 Amendments**

#### **3.7.1 County Board Action**

In order to promote the public health, safety, comfort, and general welfare, the County Board may from time to time amend the regulations imposed by this Ordinance. These amendments shall not be adopted without the advice of the County Engineer.

#### **3.7.2 Standards for Amendments**

Amendments to this Ordinance shall demonstrate compliance with the following standards:

- a. The proposed amendment to this Ordinance shall state in particular the chapter, section, subsection, paragraph, sentence, and word sought to be amended.
- b. The proposed amendment shall contain the specific language of the proposed amendment and shall recite the specific reasons for such a change.
- c. The proposed amendment shall be consistent with the intent and purpose of this Ordinance and with its various provisions.
- d. The proposed amendment shall not be detrimental to the safety, operation, or capacity of a County Highway.
- e. The proposed amendment shall in no manner limit, restrict, alter, diminish, or unduly impede the County in its, or the County Engineer in his or her, statutory authority as it relates to County Highways.



### **3.8 Types of Access**

The following types of access, described more fully in Chapter 4, are hereby established: (a) Minor Access, (b) Major Access, (c) Designated Freeway Access, (d) Conditional Access, and (e) Temporary Access.

### **3.9 Variations**

#### **3.9.1 General**

Where the County Engineer finds that extraordinary hardships or practical difficulties may result from strict compliance with this Ordinance, the County Engineer may approve variations to the requirements of this Ordinance so that substantial justice may be done and the public interest subserved thereby, provided that such variations shall not have the effect of nullifying the intent and purpose of this Ordinance.

The County Engineer may require that a Traffic Impact Study as set forth in Section 4.6.4 or other information, studies, or data be submitted when reviewing a request for a variation from the provisions of this Ordinance.

#### **3.9.2 Variation Requests**

A petition for any variation shall be submitted in writing to the County Engineer by the owner. The owner must prove that the variation will not be contrary to the public interest and that a practical difficulty or unnecessary hardship will result if it is not granted. In particular, the owner shall establish and substantiate that the variation conforms to the requirements and standards as set forth in Section 3.9.3.

#### **3.9.3 Standards for Variations**

No variation in the strict application of the provisions of this Ordinance shall be granted unless it is found that the following relevant requirements and

conditions are satisfied. The County Engineer may grant variations whenever it is determined that all of the following have been met.

- a. The granting of the variation shall be in harmony with the general purpose and intent of the regulations imposed by this Ordinance and shall not result in undue delay or congestion or be detrimental to the safety of the motoring public using the County Highway.
- b. There must be proof of unique or existing special circumstances or conditions where the strict application of the provisions of this Ordinance would deprive the owner of reasonable access. Circumstances that would allow reasonable access by a road or street other than a County Highway, circumstances where indirect or restricted access can be obtained, or circumstances where engineering or construction solutions can be applied to mitigate the condition shall not be considered unique or special.
- c. There must be proof of practical difficulty or unnecessary hardship. It is not sufficient to show that greater profit or economic gain would result if the variation would be granted. Furthermore, the hardship or difficulty cannot be self-created or self-imposed; nor can it be established on this basis by the owner who purchases with or without knowledge of the provisions of this Ordinance. The difficulty or hardship must result from the strict application of this Ordinance and it must be suffered directly and solely by the owner of the property in question.
- d. The variation is the least deviation from the provisions of this Ordinance which will mitigate the hardship or practical difficulty.

#### 3.9.4 Action by the County Engineer

Upon receipt of ~~all the~~ the required variance application form, all supporting documentation, data, studies and other requested information, and upon payment of all related variance fees, relevant information, facts, data, and upon a review by the County Engineer, the County Engineer shall render a decision in writing to the owner. The County Engineer may, in the decision for a variation, stipulate conditions or impose requirements in granting of a variation from the provisions of this Ordinance. The written decision of the County Engineer is valid for a period of 1 (one) year.

### 3.10 Appeals Procedure

#### 3.10.1 Access Control Officer

All objections to any action or decision concerning access shall be filed in writing with the Access Control Officer. The Access Control Officer shall consider the objections, and after a decision has been made shall inform the owner in writing of the action taken on said objection.

#### 3.10.2 County Engineer

If the owner is dissatisfied with the action or decision of the Access Control Officer, a written objection may be filed with the County Engineer. The County Engineer will consider the objection and formulate a response, which will be communicated in writing. The County Engineer may modify or overturn any previous action or decisions.

### 3.11 Fees

All fees required for this Ordinance shall be established, by and amended from time to time, by a separate resolution of the County Board.

### 3.12 Violations and Penalties

Whoever shall construct, or cause to be constructed, any access-~~facility-related~~ improvements in violation of the requirements of this Ordinance shall be subject to a

fine of not less than \$100.00 and not more than \$500.00 for each access facility location so constructed. Each day that the access facility location is in place in violation of this Ordinance shall constitute a separate offense, subject to the above penalties. A violation shall also include any access ~~facilities-related improvements~~ to County Highways built without approval, and a permit as required by this Ordinance as well as approved facilities-access-related improvements built with substandard designs and specifications.

The Lake County Division of Transportation shall have the authority to stop any and all work that it determines is proceeding in an unsafe or substandard manner, or poses any danger to the public or the County Highway. In the event any aspect of the ~~permittee~~ permittee's construction, placement, maintenance, repair, use or operation of the County Highway at any time violates or is forbidden by any law, statute, rule, regulation, order, or requirement of any governmental authority, the ~~permittee~~ permittee shall immediately discontinue such operations and at its own expense take all necessary corrective action.

~~Whenever it shall come to the knowledge of the County Recorder that any of the provisions of this Ordinance have been violated, as they relate to plats, it shall be the County Recorder's duty to notify the County Engineer and the State's Attorney.~~

The provisions of this Ordinance shall not be deemed exclusive and shall not be deemed to prevent the maintenance of any other action or proceeding in law or equity to enforce the provisions of this Ordinance or to vacate and remove any access facility-related improvements constructed in violation of this Ordinance.

Whenever it shall come to the knowledge of the County Recorder that any of the provisions of this Ordinance have been violated, as they relate to plats, it shall be the County Recorder's duty to notify the County Engineer and the State's Attorney.

The County Engineer shall have the authority to delay the issuance of permits to an applicant due to the failure of the applicant to comply with the provisions of other permits issued to the applicant. The County Engineer shall also have the authority to delay the issuance of permits if the property served by the permitted work or facility is in violation of or has not complied with the provisions of the Access Ordinance or any other ordinance, statute, regulation or administrative order that may apply to such property. The County Engineer shall also have the authority to revoke any active permit issued to the applicant due to the failure of the applicant to comply with the provisions of other permits or the failure of the applicant to comply with the provisions of this Ordinance.

### **3.13 Inactivity**

An application for any permit under this Ordinance will be considered inactive if no response is provided by the applicant, their agent, or their engineer within six (6) months from the date of the last written review comments received from LCDOT. If that time period has lapsed, the application will be considered null and void, and the permit process must be re-initiated. If that time period has lapsed, the application will be considered invalid and the applicant must reapply and comply with any and all new conditions, policies, standards or Ordinances that may be in effect at the time of the re-submittal. It shall be the permittee's responsibility to contact the Lake County Division of Transportation to determine the status of any permit submittals.

### **3.13.14 Responsibility for Damage Claims**

The owner shall indemnify, and save harmless and defend the LCDOT and the County, its officers, agents, and employees against all loss, damage, or expense that it or they may sustain as a result of any suits, actions, or claims of any character brought on account of property damage, injury to or death of any person or persons, including all persons performing any work under the access permit, which may arise in connection with the work to be performed under the access permit.

The access permit is not intended by any of the Provisions of any part of the access permit to make the public or any member thereof a third party beneficiary of the Access Permit, or to authorize any one not a party to the access permit to maintain a suit for personal injuries or property damage pursuant to the terms or provisions of the access permit. The duties, obligations, and responsibilities of the parties to the access permit with respect to third parties shall remain as imposed by law.

## CHAPTER 4 Classification of Access Types and General Requirements

The location and overall control of access points, whether full or restricted, is necessary to provide efficient, productive and safe highway operations for motorists using the County Highways. The use of frontage roads, joint access and interconnection to other adjacent properties, whether existing or proposed, or indirect access to the County Highway System via other existing or proposed roads, whether State, County, Township or municipal roads, may be required and be used as the sole means of access to a property. In all cases, the operational characteristics of the new access point must meet traffic engineering criteria for safe traffic operations as required by this Ordinance. In many cases, roadhighway improvements including, but not limited to turning lanes, medians, turning restrictions, and traffic signals may be required and shall be funded and constructed by the permitteepermittee in order to ensure safe traffic operations and visibility.

An access permit shall be required for the construction of any new access facility or the modification of any existing access facility within the right-of-way of a County Highway when the work is to be done by any person or public agency other than Lake County or when the use of an existing facility is changed. An access permit shall not be required for a public agency when a joint agreement covers the work involved therein or at such times as the County Engineer is exercising statutory supervisory authority. The Access Control Officer may, upon written request, extend the term of an access permit for such a period as the Access Control Officer may determine. The access type corresponds to specific design standards and specifications. The owner must specify the type of access being requested. If the access type is unknown or ambiguous, the owner shall consult the Access Control Officer. The County Engineer has the responsibility and final authority for determining the access type. The various access types are described below.

~~If a project has initiated the Access Permit process and a period of 6 (six) months has elapsed following the most recent submittal, the project will be considered null and void and the project will be required to re-initiate the Access Permit Process.~~

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An access permit shall also be required when a change in the use of the access location or a change in the land use or land use density occurs and the continued use of an existing access location is proposed. Changes in land use or land use density may result in a significant change in the number of or type of vehicles using an access location facility. Therefore, modifications, improvements, additional right-of-way dedications or revisions may be required to the access facility location and/or the County Highway to accommodate the change in traffic.

COMMENTARY: Redevelopment of an existing gas station to include a convenience store and car wash is an example of a change in land use density and use. Expansion of a commercial building to include additional stores, or offices is another example of a change in land use density.

#### **4.1 Minor Access**

A Minor Access is one which serves property abutting a County Highway, has an anticipated normal daily two-way traffic volume (total number of entrance and exit trips by vehicles using the access) of no more than 50 trips, and has no regular use by vehicles or vehicle combinations of three axles or more (personal recreational vehicles excluded).

COMMENTARY: Examples of land-uses served by a Minor Access include farm entrances, a small residential community (e.g., one to four houses), and an apartment complex with eight or fewer units, or an office building with less than 3,000 gross square feet.

#### **4.2 Major Access**

A Major Access is one, which serves property abutting a County Highway and has an anticipated daily two-way traffic volume of more than 50 trips, and/or has regular use by vehicles or vehicle combinations of three axles or more (personal recreational vehicles excluded). ~~Since a higher~~ Higher volume access ~~facilities~~ locations to highways have an impact on the capacity, use, and traffic flow of the highway, and



because of the uniqueness of the traffic generation and characteristics of each access ~~facility location~~, ~~it is difficult to establish universal standards or requirements for such access facilities. It is the responsibility of the owners to design their access facilities to suit their needs and those of the County Highway in accordance this Ordinance. it is required to schedule a pre-application meeting Preliminary meetings~~ between the owner and the Access Control Officer ~~should be held~~ to discuss locations, basic requirements, and future changes or plans for the County Highway.

COMMENTARY: Examples of land-uses served by a major driveway access facilities include regional shopping centers, multiple-unit, single-family, multifamily residential developments, office, industrial complexes, public, religious, education or recreation uses.

#### 4.3 Designated Freeway Access

605 ILCS 5/8-101 et. seq. Illinois Compiled Statutes, as amended, grants the authority to a County Board to designate particular highways on the County Highway System as freeways for the purpose of promoting the safety and convenience of highway traffic by regulating access to the freeway. This designation may also apply to approach roads which intersect or approach the freeway. A permit for an access facility to such freeways shall be termed a "Designated Freeway Access Permit." The County Board has the sole authority to grant or deny new points of access or changes, modifications, and/or revisions to existing points of access in accordance with 605 ILCS 5/8-102 et. seq. as amended. A designated freeway access facility shall be considered a Major Access.

COMMENTARY: As of ~~December 2004~~ January 2010, there are currently two such designated freeways on the County Highway System. They are: (1) Washington Street (County Highway 45) from U.S. 41 to IL 21, and (2) Peterson Road (County Highway 20) from U.S. 45 to IL 60.

#### 4.4 Conditional Access

A Conditional Access is one, which serves property abutting a County Highway and is valid for six months or less. A Conditional Access shall be located at the final access location. Circumstances under which Conditional Access may be granted include construction work at abutting properties, temporary facilities for special events, or any other nonpermanent uses. A Conditional Access permit may be extended upon written approval by the Access Control Officer. A written request is required to consider such action. A Conditional Access ~~facility~~ may be either a Major Access or a Minor Access, depending on the daily traffic volumes. The volume standards are discussed in Sections 4.1 and 4.2 as now existing or hereafter amended.

A Conditional Access shall not be permitted if permanent access to a County Highway will not be granted unless good and substantial reason is submitted in writing to the Access Control Officer. In those instances the Access Control Officer may stipulate reasonable requirements and conditions on any Conditional Access Permit so issued.

#### 4.5 Temporary Access

A Temporary Access is one, which serves property abutting a County Highway until such time as indirect access (refer to Section 10.3 Indirect Access) to a County Highway can be provided by another road, but which road has not been built at the time access to the County Highway is requested for the abutting property. At such time as access to the property can be provided from another road, indirect access shall be required and the Temporary Access ~~facility-related improvements~~ shall be removed and the County Highway right-of-way restored. A Temporary Access ~~facility~~ may be either a Minor Access or a Major Access depending on the daily traffic volumes as established in Sections 4.1 and 4.2 as now existing or hereafter amended.

A Temporary Access can also be an access granted for the sole use of emergency response providers. The applicant for the emergency access must be a municipality, Township, or a fire district. Issuance of this type of temporary access will be done

on a case by case basis taking into account site specific conditions and constraints. Emergency access driveways shall be gated with a locking mechanism and shall be designed to discourage use by unauthorized vehicles. The gates and other related appurtenances shall be located outside of the County Highway right-of-way. This access shall be removed at the request of the County Engineer, at no cost to the County, if its intended use is violated or deemed no longer necessary.

#### 4.6 General Requirements

The following requirements shall apply to all types of access facilities, locations, permits:

##### 4.6.1 Joint Highway Improvements

###### 4.6.1.a Programmed Improvements

In certain circumstances, the LCDOT may have a highway improvement programmed for the section of County Highway for which aan owner is applying for access and the owner, in accordance with the provisions set forth in this Ordinance, is required to construct highway improvements to accommodate the proposed access facility. The County Engineer may recommend that both improvements proceed simultaneously and as a coordinated joint improvement.

For joint improvement projects, the County Engineer shall have the option to require a formal joint agreement to be approved by the County Board. The joint agreement shall be prepared by the LCDOT and shall specifically provide for the responsibilities and obligations of the County and the owner as related to the joint improvement. Nothing in this section shall be construed to relieve the owner of any financial responsibilities related to an access facility-related improvement.

If the owner or the County Engineer determines a joint agreement for a joint improvement is not appropriate, the County Engineer shall specify the conditions to be made a part of the access permit so that

construction of the access ~~facility-related improvement~~ shall not interfere with the proposed County Highway improvement project.

4.6.1.b Ongoing Improvements

In certain circumstances, the LCDOT may have a highway improvement under construction for the section of County Highway for which an owner, in accordance with the provisions set forth in this Ordinance, is required to construct highway improvements to accommodate a proposed access ~~facility~~. The County Engineer may recommend that the highway improvements for the access ~~facility location~~ be incorporated into the ongoing County Highway improvement project by means of a formal joint agreement or by a donation of money to be made a part of the access permit. If a formal joint agreement is recommended, the parties shall proceed as in Section 4.6.1.a.

If a donation of money is recommended by the County Engineer, the owner shall have the option to agree in writing to an amount determined by the LCDOT. This amount shall be sufficient to cover the cost of the required access improvement, including engineering costs and construction supervision, as part of the ongoing County Highway improvement project. The donation shall be subject to acceptance by the Public Works and Transportation Committee, in accordance with 605 ILCS 5/5-101.7 et. seq., as amended.

If the Public Works and Transportation Committee, elects not to proceed with a donation, the County Engineer shall specify the conditions to be made a part of the access permit so that construction of the access improvement by the owner required for the access ~~facility~~ shall not interfere with the ongoing County Highway improvement project.

Nothing in this section shall be construed to relieve the owner of any financial responsibilities as related to an access ~~facility location or access related improvements~~.

4.6.1.c Donations

The Public Works and Transportation Committee, in accordance with, 605 ILCS 5/5-101.7 et. seq., as amended, shall have the authority to accept money or right-of-way ~~or additional detention or compensatory floodplain storage~~ donated from any source and to use the same for County Highway purposes ~~to mitigate the impacts to the County Highway system from the proposed development~~.

4.6.2 Coordination of Development

- a. If property abutting a County Highway is being developed and access is requested to the County Highway, it shall be the responsibility of the owner to effect any coordination necessary to comply with the requirements and provisions of this Ordinance and the requirements of the governmental authority having land-use regulatory authority.
- b. If two or more owners of property abutting a County Highway are being developed during the same time period, the Access Control Officer may require each owner to effect any coordination necessary to comply with the requirements and provisions of this Ordinance. ~~This may include constructing their respective roadhighway access improvements as a joint and coordinated effort as one construction project.~~
- c. The issuance of an access permit by the LCDOT shall not be construed to relieve an owner of any responsibility to secure any other permits or comply with any requirements of any other governmental authority having any jurisdictional responsibilities as it relates to a development. The owner shall also be responsible for securing any

permits or complying with any other requirements of any governmental authority as they may relate to the construction of an access ~~facility~~ or highway improvement.

4.6.3 Costs of Access ~~Facilities~~ Locations and Improvements to County Highways

The owner shall be solely responsible for paying all costs associated with the design and construction of an access ~~facility~~ and all costs associated with the design and construction of any improvements to a County Highway as required by this Ordinance to accommodate the access ~~facility~~ and the traffic using the access ~~facility~~. Costs to the owner shall include but are not limited to the following:

- a. Preparation of any plans, studies, information, or data required by the LCDOT to review an access request and any revisions thereto.
- b. Obtain traffic counts and classification counts.
- c. Preparation of a Traffic Impact Study and any revisions thereto.
- d. Preparation of preliminary plans and any revisions thereto.
- e. Preparation of a geometric plan.
- f. Preparation of a traffic signal warrant analysis and any revisions thereto.
- g. Preparation of engineering plans and specifications, including estimates of costs and any revisions thereto.
- h. Traffic control signage.

- i. Traffic signalization.
- j. Pavement markings and markers and all other traffic control devices.
- k. Relocation of utilities and facilities out from underneath the existing or proposed pavement.
- l. Relocation of above ground utilities and facilities including utility poles to the proposed right-of-way line and outside of the clear zone.
- m. Removal of objects in the right-of-way (See Section 4.6.6.f).
- n. All easements and right-of-way necessary to construct improvements required by this Ordinance and the preparation of any plats and other legal documents.
- o. Obtaining and posting Performance Guarantees, Certificates of Insurance, and Maintenance Guarantees.
- p. Fees and other charges as required by this Ordinance.
- q. All other costs associated with an access facility and improvements to a County Highway as required in this Ordinance.

#### 4.6.4 Right-of-Way Requirements

This section sets forth right-of-way requirements, including minimum widths, restoration, and prohibition of objects in the right-of-way.

##### 4.6.4.a Right-of-Way Widths

The right-of-way widths for County Highways shall be a total of 100 to 120 feet, 50 to 60 feet half right-of-way width, as designated by the County Engineer. If the property abutting a

County Highway is to be subdivided or a major access facility is being requested, the owner shall dedicate, at no cost to the County, sufficient land to satisfy this right-of-way requirement.

If additional right-of-way is needed in order to construct the major access ~~related improvements facility~~ or is needed to accommodate a future improvement to a County Highway, due to the particular circumstances of the nature of the major access facility, the additional right-of-way shall be dedicated by the owner at no cost to the County. This would may include additional right-of-way required to obtain the required sight distance at the proposed access location. If the additional right-of-way needed is from property not controlled by the owner, the owner shall obtain the additional right-of-way in the name of the County at no cost to the County.

4.6.4.b Minimum Right-of-Way Widths at Major Intersections and to Accommodate Future County Bike Paths

At certain major intersections and along County Highways where future County Bike Paths will be constructed as identified by the County Engineer the minimum total right-of-way width required shall be 120 feet, 60 feet half right-of-way width. If the abutting property is being subdivided or a major access facility is being requested, the owner shall dedicate, at no cost to the County, sufficient land to satisfy this right-of-way requirement.

4.6.4.c Radius at the Intersection of Right-of-Way Lines

A minimum radius of 35 feet shall be provided at intersecting right-of-way lines. For major intersections as described in



Section 4.6.64.b, the minimum radius at the intersecting right-of-way lines shall be 50 feet.

4.6.4.d Wording on Plat

The following wording shall be used to dedicate right-of-way<sub>1</sub> on a plat of subdivision or plat of dedication: HEREBY DEDICATED FOR PUBLIC ROAD PURPOSES.

4.6.4.e Restoration of Right-of-Way

Upon completion of any construction work within the right-of-way, the right-of-way shall be restored in accordance with the permitted plans acceptable to the LCDOT.

4.6.4.f Objects in the Right-of-Way

~~No~~In general, no new objects, trees, plantings, bushes, landscaping, fences, signs, rocks, debris, berms, detention or retention facilities, or any such materials shall be permitted within the right-of-way. Trees may be allowed to be planted within the right-of-way, if a Municipality will accept maintenance of these trees via the Municipal Acceptance form or via an agreement. In those instances where additional right-of-way is being dedicated as required by this Ordinance, brush, fences, signs, rocks, landscaping, objects, berms, detention facilities, wetlands, floodplains, and other such obstacles shall be removed or relocated beyond the new right-of-way line and clear zone. All affected existing utility poles shall be relocated to the new right-of-way line along the entire frontage of the development.

4.6.4.g Right-of-Way Encumbrances

All right-of-way to be dedicated shall be free and clear of any existing encumbrances, which would render the right-of-way in

any manner or form unusable for road purposes or would in any manner or form, result in any extraordinary costs to the County at such time as said right-of-way is to be used for road purposes. This would include the mitigation and/or fee for future mitigation of any wetlands within the proposed right-of-way.

#### 4.6.4.h Right-of-Way Monumentation

All new right-of-way boundary corners, points of curvature and points of tangency shall be monumented with iron pipes or rods that are a minimum of 1/2" diameter by 24" long or with other acceptable types of monuments that are in compliance with the Illinois Professional Land Surveyor Act of 1989 Section 1270.56, Minimum Standards of Practice, paragraph 5. The type of monuments found or set shall be noted on the plat.

COMMENTARY: The additional right-of-way required in this section is needed to accommodate future highway improvements that are needed because of the cumulative traffic generation of developments and to accommodate access facilities related improvements. The right-of-way widths are also needed to accommodate roadway drainage, snow storage, and utilities and facilities, and to provide for traffic and pedestrian safety.

#### 4.6.5 Coordination with Other LCDOT Permits

After the engineering plans, specifications, estimate of cost, payment of fees, performance guarantee, and certificate of insurance are received and approved by the LCDOT, the plat of subdivision will be signed by the County Engineer. Also at this time any utility/facility permits that have been applied for can be issued with the issuance of the access permit. ~~Gas, electric and telephone service permits will also be released with the issuance of the access permit.~~ Construction may then commence in accordance with the rules, regulations, and specifications of this Ordinance.

## CHAPTER 5 ~~Requirements for~~ Minor Access Facilities

### 5.1 Administrative Requirements

1. All submittals received by the LCDOT will be reviewed within ~~45~~10 working days or as deemed a reasonable time period given manpower, workload, and budgeting constraints.
2. The initial submittal shall include a cover letter explaining what documents are enclosed. All resubmittals shall include a cover letter with a detailed disposition of comments, two sets of all documents, and previously reviewed red marked submittals.

### 5.2 Permit Process and Requirements

The process for a Minor Access Permit consists of the following steps:

1. The owner of the parcel shall submit a copy of the plat of survey with the proposed access location shown. The distances from the property lines to the proposed driveway shall be indicated. The location of the property with respect to the nearest cross street should also be provided. The owner shall mark the centerline of the proposed driveway with a stake so it may be verified by LCDOT.
2. The LCDOT will verify the access location in the field and determine if the location will provide safe ingress and egress to the lot. At this time the determination of the need for such items as culverts and mailbox turnouts will be made.
3. The owner shall sign and submit the application form, completed, signed, and notarized with the appropriate application/permit fee. Additionally, a

performance guarantee (See Chapter 14) in the form of a cashier's check, surety bond or irrevocable letter of credit shall be submitted. Proof of insurance shall also be submitted (See Chapter 15). Upon approval by the Access Control Officer, the owner's contractor may provide the performance guarantee and proof of insurance.

4. Upon issuance of the Minor Access Permit, construction may commence. Construction must begin within six (6) months and be completed within eighteen (18) months of the date that the permit is issued. At least two (2) inspections shall be required: after the culvert and gravel are placed (but prior to paving) culvert location and after the final restoration of the County Highway right-of-way. The applicant is responsible for scheduling the inspections. After a satisfactory final inspection, the access work is accepted by the LCDOT and the performance guarantee is returned to the applicant.

### **5.3 Design Standards**

The Access Control Officer may, at his or her discretion, require additional engineering information, per Sections 6.2, if more extensive work must be done within the right-of-way or within the pavement of the County Highway for a Minor Access and its related utility or facility connections.

## CHAPTER 6 ~~Requirements for~~ Major Access Facilities

### 6.1 Administrative Requirements

1. All submittals received by the LCDOT will be reviewed within 15 working days or as deemed a reasonable time period given manpower, workload, and budgeting constraints. All submittals that require review by LCDOT Departments outside of the Permitting Department may require more than 15 working days for the review to be completed by all parties.
2. The initial submittal shall include a cover letter ~~explaining what documents are enclosed~~ and a site plan showing the desired access location. After the initial review, the owner will be contacted to set up a pre-application meeting. The owner should have his Engineering professionals attend as well. The LCDOT shall, at their discretion, invite any other governmental agency that may have input into the proposed project. All resubmittals shall include a cover letter with a detailed disposition of comments, two sets of all documents, and previously reviewed red marked submittals.

### 6.2 Permit Process and Requirements

The process for a Major Access Permit consists of the following steps:

1. The owner shall submit a copy of the site plan with the proposed access location shown. After submittal of the site plan, ~~the owner or~~ the LCDOT may request a meeting to discuss access location, permit process, requirements, and future changes or plans for the County Highway in relation to the area of the proposed development. The LCDOT will provide the application package at the meeting.

COMMENTARY: The land-use information required in a site plan is only needed to ensure an adequate review of the proposed access as it relates to trip generation issues and the requirements for the access ~~facility~~. The

Division of Transportation's sole concern is the access to the County Highway. The responsibility for determining land-use requirements rests solely with the governmental agency having the land-use regulatory authority.

2. The owner shall sign and submit an application and application fee.
3. The Access Control Officer may require other additional studies, plans, and information in order to review and evaluate the owner's application. The owner shall provide the following studies, plans, and information:
  - Traffic Impact Study
  - Traffic Signal Warrant Analysis
  - Sight Distance Study
  - Geometric Plan
  - Pavement Design
  - Drainage Study
  - Water Quality Plan
  - Erosion Control Plan
  - Engineering Plans for all work to be performed within the County Highway right-of-way
  - On-site Engineering Plan
  - Plat of Subdivision/Plat of Dedication
  - Cost Estimate
  - Photographs of the existing right-of-way at 100 foot intervals. All photographs must be taken along, not perpendicular to, the right-of-way.

All submitted documents shall be signed and sealed by a professional engineer.

~~Specific direction will be given at the initial meeting or in the initial review letter.~~

4. Upon approval of the engineering plans, the owner shall provide: four final sets of approved engineering plans; [a digital copy of the approved plans](#); a copy of on-site plans approved by the appropriate municipality or the County; performance guarantee; certificate of insurance; permit and inspection fees; resident engineer contact information; and a plat of dedication. ~~of their utilities as part of the Major Access Permit construction project must submit their applications for the relocation prior to the release of the Major Access Permit.~~

~~All utility company permit applications, associated with the major access permit related improvements, must be submitted and approved prior to the release of the major access permit.~~

Should the owner request the plat of subdivision be signed before the Major Access Permit is issued, the owner must submit a performance guarantee equal to one hundred ten percent (110%) of the engineer's estimate of cost based upon the approved geometric plan; the dedication of all right-of-way required for a Major Access Permit; and proof of insurance in accordance with Chapter 15 prior to the signing of the plat of subdivision

5. Upon receipt and approval of the items listed in Section 6.2.4, the Major Access Permit and all Utility or Facility Permits will be issued.
6. The final plat of subdivision may be submitted for the County Engineer's signature.



7. Construction must begin within six (6) months and be completed within twenty-four (24) months of the date that the Major Access Permit is issued.
8. When all construction work is completed, per the approved plans, the resident engineer shall notify the LCDOT, in writing, to request an inspection.
9. When construction work, inspections, and punch list items are completed, the Major Access Permit work will be accepted by the LCDOT.
10. Upon acceptance of the Major Access Permit work, the owner shall provide as-built plans and the Maintenance Guarantee. Any outstanding invoices are payable at this time. The performance guarantee will then be released.

### **6.3 Design Standards**

Refer to Chapter 11.

## CHAPTER 7 Designated Freeway Access

### 7.1 Administrative Requirements

1. All submittals received by the LCDOT will be reviewed within 15 working days or as deemed a reasonable time period given manpower, workload, and budgeting constraints.
2. The initial submittal shall include a cover letter ~~explaining what documents are enclosed and a site plan showing the desired access location. After the initial review, the owner will be contacted to set up a pre-application meeting. The owner should have his Engineering professionals attend as well. The LCDOT shall, at their discretion, invite any other governmental agency that may have input into the proposed project.~~ All resubmittals shall include a cover letter with a detailed disposition of comments, two sets of all documents, and previously reviewed red marked submittals.

### 7.2 Permit Process and Requirements

#### 7.2.1 Description of Project

The owner shall submit a written request to the County Engineer stating that access to a County Highway designated as a freeway is being requested. The written request shall include a detailed description of the proposed use for which access is being requested and shall state the reason for initiating the request.

#### 7.2.2 Submission of Documents

The owner shall submit a site plan and a traffic impact study as described in Section 10.1. These documents and any other information required by the LCDOT shall be submitted to the County Engineer.

### 7.2.3 Review

The information required in Section 7.2.2 shall then be reviewed by the Access Control Officer, who will prepare a report on the proposed access and a formal recommendation to the County Engineer.

### 7.2.4 Meetings

During the review of the access request, a meeting may be held between the owner and the Access Control Officer to discuss any details concerning the request for access.

### 7.2.5 Review by County Engineer

The County Engineer shall review the report and recommendation of the Access Control Officer and present a report on the request for access to the Public Works and Transportation Committee.

### 7.2.6 Public Works and Transportation Committee

The Public Works and Transportation Committee shall prepare a recommendation in the form of a resolution to the County Board.

### 7.2.7 County Board

The County Board shall consider the recommendation of the Public Works and Transportation Committee and take formal action.

### 7.2.8 Access Approval

Upon determination by the County Board, the County Engineer shall implement the decision of the County Board. If approved by the County Board, a Designated Freeway Access Permit shall be issued upon compliance with Section 6.2 (Major Access Permit Process).

## **CHAPTER 8 Conditional Access**

### **8.1 Administrative Requirements**

1. All submittals received by the LCDOT will be reviewed within 15 working days or as deemed a reasonable time period given manpower, workload, and budgeting constraints.
2. The initial submittal shall include a cover letter explaining what documents are enclosed. All resubmittals shall include a cover letter with a detailed disposition of comments, two sets of all documents, and previously reviewed red marked submittals.

### **8.2 Permit Process and Requirements**

Before a Conditional Access request is considered, the Major Access Permit process must be started. The Major Access application and application fee shall be submitted. Additionally, the following studies, plans, and information must be submitted and approved. The Access Control Officer may require other additional studies, plans, and information in order to review and evaluate the owner's application.

- Traffic Impact Study
- Traffic Signal Warrant Analysis
- Sight Distance Study
- Geometric Plan
- Pavement Design
- Drainage Study
- Water Quality Plan
- Erosion Control Plan
- Engineering Plans
- On-site Engineering Plan

- Plat of Subdivision/Plat of Dedication
- Cost Estimate
- Photographs of the existing right-of-way at 100 foot intervals. All photographs must be taken along, not perpendicular to, the right-of-way.

The application and application fee for a Conditional Access are required at the time of the Conditional Access request. The permit is valid until the Major Access Permit is issued for the Development or a maximum of six (6) months, whichever is less. The location of the Conditional Access shall be at the location of the Major Access. Should the Access Control Officer approve the request for a Conditional Access, the Applicant must submit: a performance guarantee equal to one hundred ten percent (110%) of the engineer's estimate of cost based upon the approved geometric plan; a plat of dedication, which dedicates all the right-of-way required for a Major Access Permit; and proof of insurance in accordance with Chapter 15 prior to the issuance of a Conditional Access Permit.

### **8.3 Design Standards**

Refer to Chapter 11.

## CHAPTER 9 Temporary Access

### 9.1 Administrative Requirements

1. All submittals received by the LCDOT will be reviewed within 15 working days or as deemed a reasonable time period given manpower, workload, and budgeting constraints.
2. The initial submittal shall include a cover letter explaining what documents are enclosed. All resubmittals shall include a cover letter with a detailed disposition of comments, two sets of all documents, and previously reviewed red marked submittals.

### 9.2 Permit Process and Requirements

As a Temporary Access may be a Major or a Minor Access, the appropriate application process shall be followed. The owner shall be directed how to initiate the permit process. In cases where the Temporary Access Permit will be for an emergency access, the appropriate municipality, [township](#) or fire district must be the [applicant](#) [Permittee](#).

COMMENTARY: An example of a Temporary Access Permit is an emergency access. Another example of a Temporary Access Permit is a permit issued for access to a County Highway where the property has frontage on an unimproved public or private right-of-way. At such time as the unimproved right-of-way is improved, the access would be moved at the property owner's expense to the now improved right-of-way. The temporary access shall be removed and the right-of-way restored at the property owner's expense.

### 9.3 Design Standards

Refer to Chapter 11.

## CHAPTER 10 Access Policies

Any owner of property abutting a County Highway has the right of reasonable access. The following policies shall be applied to all types of access.

### 10.1 Access Criteria

This Section describes criteria applicable to all types of access~~access facilities~~. The criteria presented include the maximum number of access facilities~~points~~ and their permissible location with respect to adjacent access facilities~~points~~ and intersecting streets.

COMMENTARY: The number of access facilities~~locations~~points along a County Highway should be limited and spaced far enough apart so that conflicting movements are minimized and safe operation is promoted.

#### 10.1.1 Maximum Number of Access Points

Each development or property regardless of the number of parcels shall be limited to one access point, except as provided for otherwise in this Ordinance. One additional access point may be granted if it can be demonstrated that the level of service at the approved access point would be substantially improved by the addition of one access point. In this instance, the level of service at the approved access point must be improved by a minimum of one level of service. This level of service improvement must provide a noticeable improvement, i.e. a level of service improvement from B to A would not warrant an additional access. However, if the approved access point is to be signalized, no additional full access facility shall be permitted.

The Access Control Officer may permit one additional restricted access point permitting right-turns in and right-turns out only, provided that the owner

clearly demonstrates a substantial need and complies with all the applicable provisions of this Ordinance. This option will only be considered where the enforcement of this restricted movement will be possible.

Upon review and approval by the Access Control Officer, a one-way pair of access points may be permitted in place of a single major access point. The location, driveway separation, engineering design, and geometrics of the access ~~facility and highway related~~ improvements shall be determined by the LCDOT on a site-specific basis.

COMMENTARY: Where additional access points are requested, first consideration shall be given to supplemental access points, which restrict turning movements. Shared access points or indirect access from adjacent public streets is encouraged.

#### 10.1.2 Alignment With Existing Access ~~Facilities-Locations~~ or Roads

Where an existing access ~~facility location~~ or road is on the opposite side of the County Highway from an abutting property for which access is being requested, the proposed access ~~point~~ shall be aligned with the existing access ~~facility location~~ or road whenever possible. Given site specific characteristics or operational considerations on the County Highway, the Access Control Officer may waive this requirement under the following conditions:

- a. The abutting property for which access is being requested has insufficient frontage to allow for the proper alignment with the existing access ~~facility location~~ or road.
- b. The proposed point of access would not comply with other provisions and requirements set forth in this Ordinance.



- c. The alignment of the proposed access point with an existing access ~~facility~~-location or road would be detrimental to traffic flow, result in undue delay, impede traffic operations, or impair traffic safety on the County Highway.

In the event that a proposed access point is not aligned as provided for in this Section, the spacing of access points with existing adjacent access points and roads shall comply with the provisions in Sections 10.1.3 and 10.1.4.

#### 10.1.3 Spacing of Adjacent Access Points

To function effectively, adjacent access points shall be spaced to ensure safe and efficient traffic movements and operations.

The minimum distance between adjacent access points shall be determined by the distance required to provide full left-turn tapers and storage bays along the County Highway for inbound turning movements to each access ~~facility~~-location regardless of the present need for said tapers and storage bays. The geometric standard can be found in the LCDOT Standard Details. ~~A copy of the typical turn lanes detail is provided in the access permit packages.~~

If a property has inadequate frontage to meet this spacing requirement, the Access Control Officer shall determine the location of the access point using the standards and provisions established by the Ordinance. The Access Control Officer may require that the access ~~facility~~ be shared, that indirect access be used, or that the access ~~facility~~ restrict turning movements.

#### 10.1.4 Distance From Intersecting Streets

To enhance traffic safety and operation on County Highways, access points shall be located a sufficient distance from intersecting streets.

The minimum distance between an access point and an intersecting street shall be determined by the distance required to provide full left-turn tapers and storage bays along the highway for both the access point and the intersecting street, regardless of the present need for said tapers and storage bays.

If a property has inadequate frontage to meet this minimum distance requirement, the Access Control Officer shall determine the location of the access point using the standards and provisions established by this Ordinance. The Access Control Officer may require that the access ~~facility~~ be shared, that indirect access be used, or that the access ~~facility~~ restrict turning movements.

#### 10.1.5 Proximity to Adjacent Intersections and Access ~~Facilities~~ Points

If construction of an access ~~facility~~ requires the widening of and improvements to the abutting County Highway, and an existing intersection or access ~~facility~~ falls within the limits of construction, then such widening or improvements shall extend through and beyond the intersection or access ~~facility~~ before tapering down to the existing pavement width. Exclusive left-turn lanes shall be provided at the existing intersection or access ~~facility~~.

The Access Control Officer shall determine the limits of the construction of widening and improvement to a County Highway.

## 10.2 Restricted Turning Movements

In certain instances, turning movements may be restricted. Conditions under which turning movements may be restricted are listed below:

1. Where numerous low-volume access points exist and the spacing between them does not permit adequate left-turn tapers and storage bays for inbound vehicles without blocking adjacent access points.
2. At access points close to an intersection where inbound or outbound left turns would have to be made within areas where traffic is queued during any period of the day.
3. Where other conditions, such as sight distance, prevent left turns in or left turns out from being made safely.
4. Where a particular parcel is provided with more than one access point and volumes do not justify left-turn access into and/or from both access points, restrictions may be required at one or both access points.
5. When a parcel has access provided by both a signalized access point and an unsignalized access point, left turns in and left turns out shall be prohibited at the unsignalized location.
6. When the median opening for left-turning vehicles would be too close to another median opening, left turns may be prohibited at one of the access points.
7. When other capacity, delay, operational, or safety conditions make specific left turns in or left turns out detrimental to the public interest. These conditions will be identified on a site-specific basis.

Turning movement restrictions shall be enforced with barrier median channelization or driveway channelization. The Access Control Officer shall determine the type of channelization on a case-by-case basis. Signing shall also be required. The signing shall conform to the provision of the IMUTCD and the policies of the LCDOT.

### 10.3 Indirect Access

#### 10.3.1 Access to Other Streets

Access to a County Highway may be prohibited when a property abutting a County Highway has frontage on one or more other streets and reasonable access can be provided from said streets. The Access Control Officer shall determine, on a site-specific basis whether access will be permitted to the County Highway.

#### 10.3.2 Access to Property ~~Being Subdivided or Developed for Residential or Commercial~~Non-Residential Subdivisions

When property abutting a County Highway is to be subdivided or developed, direct access to a County Highway shall not be used in lieu of an adequate internal traffic circulation system. Indirect access to individual lots shall be required from an internal traffic circulation system which itself provides access to the County Highway or other street. The Access Control Officer shall determine, on a site-specific basis, which lots abutting the County Highway may have direct access and which lots shall have indirect access.

COMMENTARY: As an area develops and subdivisions are platted contiguous to one another, the internal street system should interconnect. Such interconnection permits local movement between subdivisions without forcing trips between subdivisions to use major roads such as County Highways as part of an internal circulation system.

For ~~commercial-non-residential~~ developments, outlots and service to individual businesses should be provided by-via cross easements, frontage roads or other an internal circulation system. The purpose of major roads such as County Highways is to carry traffic to and from such sites, not to augment or be a part of an internal circulation system.

#### 10.3.3 Wording on the Plat of Subdivision

When indirect access is required and there is a plat of subdivision, the following note shall be placed on the plat of subdivision:

Direct Access to [County Highway name] Road, County Highway [County Highway number], from Lots [Lot numbers] is prohibited.

This note shall be placed on all plats that have additional lots or outlots along the County Highway frontage that will not take direct access to the County Highway.

### 10.4 Changes in Land-Use

Changes in land-use or land-use density are situations that would require application for access due to a change in the number or type of vehicles using the existing access; therefore, modifications, improvements, or revisions may be required to the access point and/or the County Highway to accommodate the change.

If a change in land-use or land-use density occurs and an existing access facility-point is proposed to be used, the owner shall make application to the LCDOT to continue use of the existing access facility-point. The application for use of the existing access facility-point shall be reviewed as if it were a new access facility-point and all the provisions of this Ordinance shall apply.

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If a property is being re-subdivided or redeveloped, the existing access point(s) may require relocation, reconstruction, or the number of access points reduced to comply with the requirements of this Ordinance.

~~COMMENTARY: Changes in land use or land use density result in a change in the number of vehicles using an access facility point; therefore, modifications, improvements, or revisions may be required to the access facility point and/or the County Highway to accommodate the change. Examples of changes in land use may be the conversion of an office space to a medical office space, or an office space to a commercial retail space. Examples of changes in land use density may be the installation of additional parking spaces and/or the expansion of a building on a property with an existing access.~~

### **10.5 Turnarounds and Parking**

No access shall be permitted if such access would require backing or turning maneuvers onto a County Highway. Provisions for turnarounds shall be made outside the County Highway right-of-way.

No access shall be permitted if such access would result in parking on a County Highway or within the right-of-way of a County Highway. Provisions for parking shall be made outside of the right-of-way of a County Highway.

### **10.6 Access to Corner Lots**

The following standards shall govern access to corner lots:

1. For access to an abutting property located at the intersection of two County Highways, one access point shall be permitted on the County Highway

having the lower volume of traffic. The Access Control Officer shall determine which highway has the lower volume of traffic. The requirements for the access point shall comply with the provisions set forth in this Ordinance.

The Access Control Officer, on a case-by-case basis may allow an access point on the County Highway with the higher volume of traffic provided the left turns into the site are not counter to and are in the same direction as the left turn movements at the intersection with the cross street.

2. For corner lots at an intersection where only one of the abutting roads is a County Highway, access shall be provided from the road having the lower volume of traffic. The Access Control Officer shall determine which road has the lower volume of traffic. If the Access Control Officer determines that the County Highway has the lower volume of traffic, one access shall be permitted, and the requirements for the access point shall comply with the provisions of this Ordinance.

If access has previously been granted by another highway authority having jurisdiction over the road having a higher volume of traffic than the County Highway, then access to the County Highway shall not be permitted.

3. If access is being requested to both roads and one or both roads is a County Highway, the owner may apply for a variation from this section. In addition to the provisions set forth in Section 3.10 of this Ordinance, a Traffic Impact Study (see Section 10.1) shall be required.

#### **10.7 Access to Subdivided or Previously Platted Parcels**

Access to land subdivided prior to the adopted date of this Ordinance, April 12, 1988, shall comply with the requirements of this Ordinance to the extent possible. Owners of such property for which access is being requested and for which compliance with this

Ordinance cannot be attained may request the Access Control Officer to grant access. Such access granted by the Access Control Officer shall be the least deviation from the rules, regulations, and specifications of this Ordinance.

COMMENTARY: Many older existing subdivisions were platted with small lots fronting on County Highways. In these instances shared access or indirect access can be used to reduce the number of access points on a County Highway.

### **10.8 Shared Access**

Certain geometric, land-use, and site conditions may require shared access among two or more developments or properties. This would occur when frontages are **small limited** and each development or property is unable to meet the requirements of this Ordinance. In these instances, shared access shall be provided to adjacent developments or properties. The Access Control Officer shall determine on a site-specific basis when shared access shall be required.



## CHAPTER 11 Design Standards

The design of highway access-related improvements and access facilities shall comply with the standards and specifications set forth in this Ordinance and as used by LCDOT. Any deviations from these specifications must be filed as a variation (refer to Section 3.10 for procedure) unless otherwise specified. In the absence of specific guidance in this Ordinance, the policies of the following various IDOT and AASHTO manuals, most recent editions of, and any supplements thereto or any successor document or documents, shall govern.

### IDOT Publications

1. Standard Specifications for Road and Bridge Construction.
2. Supplemental Specifications and Recurring Special Provisions.

~~3. Standard Specifications for Traffic Control Items.~~

3. Illinois Manual on Uniform Traffic Control Devices for Streets and Highways.
4. Bureau of Design and Environment Manual (Bureau's of Design and Programming).
5. Bureau of Local Roads and Streets Manual Federal Aid Procedures for Local Highway Improvements Manual (Bureau of Local Roads and Streets)

~~6. Administrative Policies (Bureau of Local Roads and Streets).~~

~~7.6.~~ Coded Pay Item Book (Bureau of Design and Environment).

~~8.7.~~ Highway Standards Manual.

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### **AASHTO Publication**

A Policy on Geometric Design of Highways and Streets, ~~1994-2004~~ edition (AASHTO "Green Book").

### **ITE Publications**

1. ITE Trip Generation, ~~8th Edition~~ current edition: An ITE Informational Report
2. ITE Trip Generation Handbook, ~~2nd ed.~~ current edition: An ITE Recommended Practice

### **Lake County Publications**

1. Lake County Highway Utility and Facility Placement Ordinance.
2. Lake County Unified Development Ordinance.
3. Lake County Watershed Development Ordinance.
4. Lake County Stormwater Management Commission Technical Reference Manual.

#### **11.1 Design Speed**

The design speed to be used for designing improvements under the provisions of this Ordinance shall be ~~equal to or exceed~~ 5 MPH above the posted or regulatory speed of the County Highway to which the improvement is being made.

#### **11.2 Sight Distance Requirements**

The access ~~facility~~ shall be at a location along the property frontage that meets or exceeds the requirements of Table 11.1. Should this not be obtainable, then the access shall be at a location that provides the distance closest to that required in Table 11.1, provided the requirements of Table 11.2 are met or exceeded.

An access point shall be located at the point of maximum sight distance along a property frontage. Placement of an access facility in a horizontal curve along a highway or just below the high point of a crest vertical curve on a highway shall be avoided.

Any movement for which sight distance is inadequate shall be prohibited by use of signs, pavement markings, and restrictive design features, as required by the LCDOT. If safe sight distance is not available at any point along the frontage of a property, shared access or indirect access shall be obtained.

**Table 11.1**

**INTERSECTION SIGHT DISTANCE REQUIREMENTS FOR HIGHWAY ACCESS**

<u>Posted Speed Limit</u>	<u>Design Speed (mph)</u>	<u>Distance Required</u> <u>(feet)</u>
30		<del>410</del> <u>335</u>
35		<del>540</del> <u>390</u>
40		<del>540</del> <u>445</u>
45		<del>660</del> <u>500</u>
50		<del>805</del> <u>555</u>
55		<u>610</u>
60		<u>665</u>

Notes:

1. Driver's eye height shall be 3.5 feet above existing pavement edge.
2. Driver's eye shall be ~~15~~ 17 feet from ~~the proposed~~ existing pavement edge.
3. Object height (approaching vehicle) shall be ~~4.25~~ 3.5 feet ~~3.5~~ feet above center of traffic lane.
4. Design speed is considered to the posted speed limit plus five (5) mph.

5. This chart is based upon Case B1 – Left turn from the minor road onto a two-lane highway with no median. For other site conditions the time gap must be adjusted and the required sight distance recalculated.

Source: 1994-2004 AASHTO "Green Book." (Fig. IX-Exhibit 9-55)-41)

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**Table 11.2**

**STOPPING SIGHT DISTANCE FOR INTERSECTIONS**

Posted Speed Limit (mph)	Distance Required (feet)
30	<del>230</del> <u>200</u>
35	<del>280</del> <u>250</u>
40	<del>280</del> <u>305</u>
45	<del>380</del> <u>360</u>
50	<del>460</del> <u>425</u>
<u>55</u>	<u>495</u>
<u>60</u>	<u>570</u>

Notes:

1. Driver's eye height shall be 3.5 feet above existing pavement edge.
2. Driver's eye shall be ~~47-15~~ feet from ~~existing~~ the proposed pavement edge.
3. Object height (approaching vehicle) shall be ~~4.25~~2.0 feet above center of traffic lane.
- ~~3-4.~~ Design speed is considered to the posted speed limit plus five (5) mph.

Source: ~~1994-2004~~ AASHTO "Green Book." (~~Table III-1~~)(Exhibit 9-55)

Access to a property shall be denied when minimum safe sight distance cannot be attained. When access is denied, access may be allowed, at the owner's expense, in one of the following ways:

1. Negotiating with adjacent property owners to acquire access to the subject ~~parcel~~ property through easements.
2. Constructing a frontage road serving the subject property and connecting with the highway where safe access can be provided.

3. Redesign or reconstruction of the existing highway to correct sight distance deficiency.
4. Additional roadway easement or right-of-way may be necessary and shall be dedicated or obtained by the owner to obtain adequate Intersection Sight Distance. The sight distance requirements in this instance shall be as shown in Table 11.1.

### 11.3 Access ~~Facility Standards~~ Design Requirements

This Section describes the access ~~facility standard~~ design requirements, including grade, angular placement, width, lane usage, and corner radii.

#### 11.3.1 Access ~~Facility~~ Grade, Length, and Angular Placement

The grade for any access ~~facility~~ shall be two percent sloped down from the highway pavement to the ultimate right-of-way line, except in a superelevated section of highway where the grade shall match the superelevation. No major access shall be located on horizontal curves where the superelevation exceeds three percent.

The ~~access facility~~ onsite storage bay for the proposed access shall be of sufficient length to store exiting or entering vehicles clear of the parking and on-site circulation area and off of the abutting highway.

All ~~accesses facilities~~ shall be constructed perpendicular to the existing roadway.

### 11.3.2 Access ~~Pavement Facility~~ Widths and Return Radii

#### 11.3.2.a Minor Access Facility

1. The maximum throat width shall be 24 feet and the minimum shall be 10 feet.
2. The maximum flare width along the highway pavement shall be 36 feet. If there is curb and gutter along the highway pavement, the maximum flare width shall be 28 feet with a 2-foot curb transition extending beyond each end.
3. The minimum return radii shall be 2 feet.
4. Should a culvert pipe be required under the proposed driveway the minimum diameter is 15 inches. The ends of the culvert must extend 4 (four) feet beyond each edge of the driveway before the mandatory flared end sections are added.
5. Should a mailbox turnout be required, it must be constructed per the current LCDOT standard.

Refer to the most recent LCDOT standard for minor access ~~facilities~~.

#### 11.3.2.b Major Access Facility

1. The maximum throat width shall be ~~35-36~~ feet for a driveway and the minimum shall be 16 feet.
2. The maximum flare width along the highway pavement for a driveway shall be 85 feet.
3. The minimum return radii for a driveway shall be 10 feet.

4. The minimum throat width for a road shall be 24 feet.

5. The minimum return radii for a road shall be 35 feet.

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Refer to the most recent LCDOT standard for major access ~~facilities~~.

For large developments such as regional shopping centers, industrial complexes, and large office developments, the Access Control Officer shall determine on a site-specific basis the maximum throat and flare widths for driveways.

#### 11.3.3 Channelizing Islands and Medians

At high-volume access ~~facilities~~locations, it may be desirable to control particular maneuvers. This shall be achieved through regulatory signage and by installing channelizing islands and/or medians.

Channelizing islands and medians at access ~~facilities~~locations shall be designed to the same standards as islands and dividers installed at street intersections. These islands and medians shall not be within the County Highway right-of-way.

#### 11.4 Highway Widening Improvements

This section describes the highway widening improvements required for the construction or modification of an access ~~facilities~~. This encompasses provisions for exclusive right- or left-turn lanes, bypass lanes, deceleration lanes, transition tapers, median openings, lane drops, ~~and~~ gaps between widening improvements, and additional improvements for developments adjacent to existing traffic signals.



#### 11.4.1 Through Lane Widths

All improved highways shall have lane widths of 12 feet. At improvements of intersections with existing lane widths less than 12 feet, the improvement will include the widening of all lanes to 12-feet.

#### 11.4.2 Left-Turn Lane Requirements

##### 11.4.2.a Standards

The type of left turn lane improvement is determined using Figure 11.1. For specific standards regarding radii, bypass lane geometrics, storage, and taper lengths, refer to current LCDOT policies.

##### 11.4.2.b Instructions for Use of Figure 11.1

Enter into the graph the peak-hour approach volumes (left turns and through movements) and corresponding peak-hour opposing flow. The point of intersection will fall into one of the three treatment types. This is the treatment that shall be required. If the point of intersection falls on a dividing line, the higher level treatment shall be used. The total peak-hour volumes to be used shall be projected to the date of the ultimate buildout.

The lowest level treatment requires only an increased corner radius. The next level of treatment is a bypass lane to provide through vehicles the opportunity to pass on the right side of vehicles stopped to make left turns. The highest treatment level is an exclusive left-turn lane. The storage length shall be determined by a capacity analysis, subject to a 125-foot minimum **at unsignalized intersections and 150 feet at a signalized intersection.**

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Should the number of left-turn movements be less than 20, a left-turn lane may not be required. Each development will be studied on a

case-by-case basis and evaluated on the basis of size of the development, existing traffic flow, existing lane configuration of the County Highway, existing geometry of the County Highway, and existing sight distance.

11.4.2.c Use of Bypass Lanes

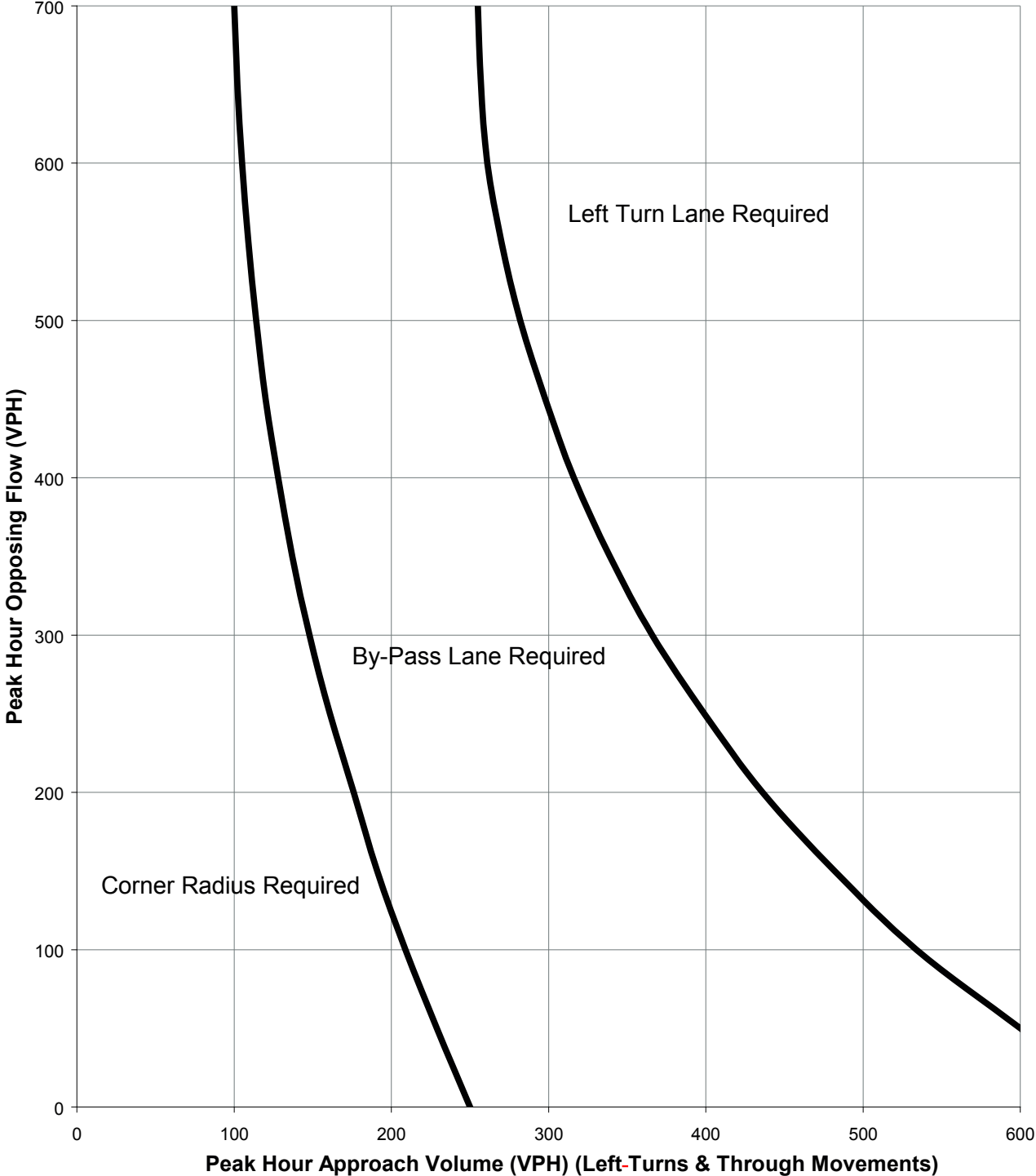
Bypass lanes shall only be permitted at locations creating "T" intersections. When traffic volumes require construction of a bypass lane as determined in Figure 11.1 and a bypass lane cannot be constructed due to operational conflicts or right-of-way constraints, then a left-turn lane shall be required.

When a proposed access ~~facility~~ is to be aligned with an existing access ~~facility~~, which has a bypass lane, left-turn lanes shall be required for both the proposed access ~~facility~~ and the existing access ~~facility~~.

A bypass lane will not be permitted if there will be three or more existing minor access driveways and/or one major access within the proposed bypass lane.

Figure 11.1

### Left Turn Treatments For Various Volumes



### 11.4.3 Right-Turn Lane Requirements

#### 11.4.3.a Standards

The type of right turn lane improvement is determined using Figure 11.2. For specific standards regarding radii, storage, and taper lengths, refer to current LCDOT policies.

#### 11.4.3.b Instructions for Use of Figure 11.2

Enter into the graph the total peak-hour approach through volumes plus the right-turn volumes and corresponding peak-hour right-turn volumes. The point of intersection will fall into one of the two treatment types. This is the treatment that shall be required. If the point of intersection falls on the dividing line, the higher treatment shall be used. The lower level of treatment involves increasing curb radii to facilitate the right-turn movement. The higher treatment level involves a full-width right-turn lane, including tapers. The storage length shall be determined by a capacity analysis, subject to a 125 foot minimum at an unsignalized intersection and 150 feet at a signalized intersection. The total peak-hour volumes to be used shall be projected to the date of the ultimate buildout of the development.

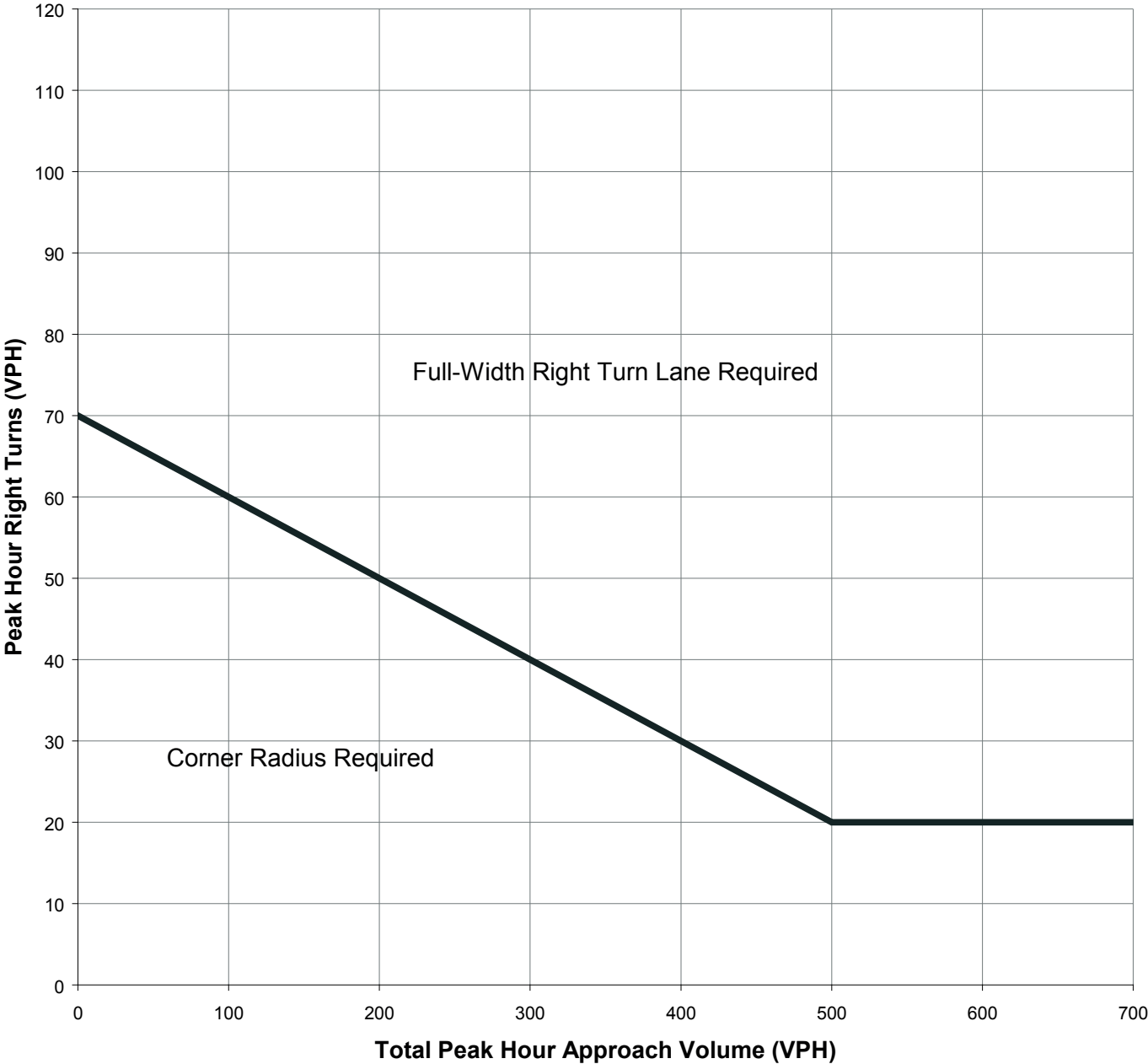
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#### 11.4.3.c Right-Turn Requirements for a Four-Lane Highway

For determining the right-turn requirements for a four-lane highway, Figure 11.2 shall be used. The approach volume considered should be half the approach volume using the highway.

Figure 11.2

### Right Turn Treatments For Various Volumes: Two-Lane Highway



#### 11.4.4 Lane Drops

Highway improvements incorporating lane drops (e.g., merging lanes) must follow the current IMUTCD and LCDOT policies.

#### 11.4.5 Gaps Between Widening Improvements

If the limits of construction on a County Highway to provide a widening and improvement for an access facility falls within 250 feet of an existing widened section of County Highway, the widening and improvement required for the access facility shall be extended to connect with and meet the existing widened section of County Highway to maintain continuity and lane alignment.

The Access Control Officer shall determine the limits of the construction of widening and improvement to a County Highway.

#### 11.4.6 Additional Required Improvements

The existing traffic operations on the County Highway shall not be negatively impacted as a result of the proposed access and related traffic. The Permittee shall be responsible for making any required improvements to existing adjacent intersections to ensure that the level of service letter grade does not decrease and that the volume to capacity ratio (v/c) does not significantly degrade as a result of a proposed development.

The following shall be analyzed for the proposed access facility and adjacent impacted intersections:

1. Intersection level of service (existing + site + background) shall remain the same as existing conditions.
2. Volume to capacity ratios for through lane groups and critical lane groups shall not exceed 0.85 (or 10% of the existing v/c ratio, not to exceed 1.0, whichever is greater).

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3. If the existing through lane group and/or critical lane group is operating below level of service "D", allowable delays for those lane groups shall not increase more than 10%.

The Access Control Officer shall determine the limits of the improvements.

### 11.5 Drainage Provisions

Detention basins, berms, or detention outlet facilities shall not be allowed within the right-of-way of a County Highway. These facilities shall be located in accordance with the Lake County Highway Utility and Facility Placement Ordinance. Storm sewer systems shall be located outside the pavement and curblines. Culvert pipes in excess of 100 feet in length shall consist of concrete storm sewer pipe. Those equal to or less than 100 feet may be of corrugated metal, subject to approval by the LCDOT.

Access ~~facilities~~ ~~locations~~ ~~pavement~~ shall drain away from the County Highway.

The Access facilities shall be designed to prevent water from ponding on the access ~~facility~~ ~~pavement~~, on the County Highway, or Highway right-of-way. Access-~~related~~ ~~facilities~~ ~~locations~~ ~~improvements~~ shall not impede or adversely alter area drainage.

No private storm sewer systems shall be located within the right-of-way.

All storm sewer culvert pipe ends must include a flared end section.

All flared end sections 24 inches or greater must be grated.

All proposed structures within the right-of-way must be identified on the plan and profile sheets by structure type, size, frame, grate or lid type, and all invert elevations.

They must also include a station and offset from the centerline of survey.

## 11.6 Pavement Markings and Raised Pavement Markers

Pavement markings and raised pavement markers shall be installed in accordance with the IMUTCD and LCDOT requirements.

## 11.7 Crown

The pavement crown shall be ¼ inch per foot.

## 11.8 Signage within the Right-of-Way

Standard signs and signage, as specified in the IMUTCD, shall be used. The type, size, and location of all traffic control signage shall be determined by the LCDOT. All traffic control signage shall be installed by the LCDOT for all access [facilities](#) [locations](#) [improvements](#) requiring signage.

~~Any signage not approved by the LCDOT shall not be placed in the right-of-way of a County Highway.~~

As per the provisions of Section 4.6.3, the developer shall be responsible for all costs associated with traffic control signage required for an access [facility](#) [location](#) [improvement](#). Upon receipt of an invoice billing from the LCDOT, the developer shall reimburse LCDOT for all costs incurred.

Any signage not approved by the LCDOT shall not be placed in the right-of-way of a County Highway.

## 11.9 Shoulders

### 11.9.1 Width

Adjacent to through lane: 8 feet.



Adjacent to right-turn lane: 8 feet desirable, 6 feet minimum.

Adjacent to bypass lane: 8 feet desirable, 4 feet minimum.

Adjacent to curb and gutter: 4 feet 5 inches minimum from back of curb.

The minimum distances noted in this section shall only apply where adequate right-of-way is not available.

#### 11.9.2 Paved Shoulders

The LCDOT may require that a portion of the shoulder be paved.

#### 11.9.3 Slope

The shoulder slope shall be ½ inch per foot.

#### 11.9.4 Guard Rails

Guard rails shall be installed, as required by the LCDOT as designed per the Bureau of Design and Environment Manual.

### 11.10 Earth Slopes

Earth slopes shall be no steeper than 4:1 except as approved by the LCDOT.

### 11.11 Erosion Control and Water Quality

Erosion control and water quality measures shall be designed per the Watershed Development Ordinance.

### 11.12 Mailbox Turnouts

Turnouts for mailboxes shall be constructed as required for all roadside mailbox locations within the limits of a highway improvement in accordance with LCDOT policies.

### **11.13 Existing Survey Monuments**

Existing right-of-way markers and survey monuments within the right-of-way of the County Highway that are affected by a permit project shall be replaced according to current LCDOT policies.

### **11.14 Utilities and Facilities**

No utilities shall be located under the pavement. Utility and facility placement shall be governed by the Lake County Highway Utility and Facility Placement Ordinance, latest edition. No Utility or Facility Permit shall be issued by the LCDOT prior to issuance of an Access Permit by the Access Control Officer.

Open cuts of the pavement shall be in accordance with Section 65.8 of the Lake County Highway Utility and Facility Ordinance.

All utility crossings of County Highways shall be in accordance with Section 65.9 of the Lake County Highway Utility and Facility Ordinance.

## CHAPTER 12 Studies and Plan Preparation

This chapter outlines the requirements for the traffic impact study, traffic signal warrant analysis, sight distance study, soil surveys, environmental assessments, drainage study, and engineering plan submittals to the LCDOT. All documents must be signed and sealed by a professional engineer.

### 12.1 Traffic Impact Study Requirements

#### 12.1.1 Conditions Under Which a Traffic Impact Study is Required

All applications for a major access permit shall include a the the submittal of a traffic impact study. The owner is applying for a major access permit. In addition, Any any proposed variation from the provisions of this Ordinance as determined by the County Engineer will require the submittal of a traffic impact study.

#### 12.1.2 Preparation of a Traffic Impact Study

The owner shall be responsible for the costs of preparing a Traffic Impact Study and any revisions thereto. The Traffic Impact Study shall be prepared by a licensed Professional Engineer whose principal practice is traffic engineering traffic engineer. The Traffic Impact Study shall bear the name, signature and seal of the Professional Engineer who prepared the study. The LCDOT shall review the study, data sources, methods, and findings. Revisions to the Traffic Impact Study may be required. All revisions shall be made prior to submitting a final report to the LCDOT. The County Engineer Access Control Officer shall approve the final Traffic Impact Study prior to acceptance.

#### 12.1.3 Traffic Impact Study Format

- a. Introduction

This shall include a brief description of the size of the property or development, the location, the political jurisdiction in which the development is located (including an area location map), the principal highways and roads in the site vicinity, the boundary or limits of the study area, and any other general information that would assist in the review of the development's traffic impact.

b. Land-Uses

Existing and proposed land-uses of the development shall be described. All land uses shall be defined. If several alternative land-uses are being proposed, the land-use that generates the most trips will govern.

c. ~~Read Network~~Study Area

Traffic volumes (average daily traffic volumes and weekday AM./PM. peak hour), road geometrics, intersection geometrics, and traffic control devices shall be shown or described in the site vicinity. The influence area shall be determined by the traffic generated from the site, the trip distribution of the traffic, and the trip assignment of the traffic generated by the development over the surrounding area road network. In general, the road network to be studied shall be to the next signalized intersection in each direction from the proposed access location. If no signalized intersections exist within 1 mile of the proposed access location, then the next adjacent intersections within 0.5 mile shall be analyzed.

~~Given the unique characteristics of certain land use types, the Access Control Officer may require average daily traffic volumes (24 hour~~

~~traffic counts) and AM/PM peak hour traffic counts on other than a typical weekday.~~

d. Peak-Hour Trip Generation Rates and Volumes

A summary table shall be prepared listing each type of proposed land-use, the size or area for each type of land-use, the average trip generation rates (both average daily traffic volumes and weekday AM./PM. peak hour of the adjacent street traffic) for each type of land-use, and total number of trips generated. The trip generation rates, both average daily traffic volumes and AM./PM. peaks, shall be calculated from the latest data available contained in the Institute of Transportation Engineers' ITE Trip Generation Manual.

Given the unique characteristics of certain land use types, the Access Control Officer may require average daily traffic volumes (24 hour traffic counts) and AM/PM peak hour traffic counts on other than a typical weekday. Any commercial retail development will require a Saturday midday peak hour traffic count in addition to the weekday AM/PM peak hour counts.

The Traffic Impact Study must be submitted within 6 months of the date the data was collected.

Trip generation rates other than those contained in the ITE Trip Generation Manual may be used provided that the following criteria and information are submitted to the Access Control Officer for review and approval:

1. Five studies of trip generation rates for each land-use under consideration.
2. At least three of the five studies must have been conducted within the County, while the remaining two studies must have been conducted in the suburban area of the six-county Chicago metropolitan area. The five studies must be from differing geographic areas.
3. All five studies must have been conducted within the last two years.
4. The entire study, including traffic counts, summaries, and results, shall be submitted for each of the five studies.
5. The average total daily traffic and the AM./PM. peak-hour volumes shall be calculated based on the average of the three highest rates obtained among the five studies.

e. Trip Distribution

Both a figure and table shall be presented to show the directional distribution of site-generated traffic approaching and departing the site on the area road network. An explanation of the rationale behind the trip distribution shall also be included.

f. Trip Assignment

The technical analysis, methods, and assumptions used in the assignment shall be clearly stated. The trip distribution and

subsequent assignment shall represent the most logically traveled routes.

g. Existing and Projected Traffic Volumes

The following traffic volumes for access ~~facilities~~locations, intersections, and the area road network within the area of influence shall be provided in a graphic map format.

1. AM and PM weekday peak-hour of adjacent street traffic for the site generated traffic volumes.

~~2. P.M. weekday peak-hour of adjacent street traffic for the site generated traffic volumes.~~

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2. AM and PM weekday peak-hour existing traffic volumes within the site vicinity.

~~4. P.M. weekday peak hour existing traffic volumes within the site vicinity.~~

3. AM and PM weekday peak-hour total traffic volumes.

~~6. P.M. weekday peak hour total traffic volumes.~~

4. ~~7. ———~~ Existing average daily traffic within the site vicinity.

5. Projected average daily traffic within the site vicinity.

6. Should the peak hour trip generation rate not occur on a weekday, a weekend peak hour must be provided, i.e. restaurant, shopping center, churchplace of worship, and other land uses as determined by the Access Control Officer.

All maps of traffic volumes shall show both entering and exiting traffic at the proposed access points, as well as all turning movement volumes and through traffic at critical intersections. Total traffic refers to the background traffic plus site-generated traffic. Projected volumes are those expected at ultimate buildout of the development. Background growth shall be calculated as 3% per year, non-compounded. Pass-by trips may be considered in accordance with the ITE Trip Generation Handbook.

- h. Capacity Analyses

Capacity analyses shall be conducted at proposed access points and impacted intersections within the traffic study area. These analyses shall follow the techniques described in the most recent edition of the Highway Capacity Manual.

Analyses of projected conditions shall include the effects of any committed developments within the influence area. In designing an access facility or operation of impacted intersections, consideration must be paid to the existing and projected levels of service and the adequacy of storage for projected queue lengths.

- i. Traffic Control Measures



The type and extent of traffic control measures shall be examined. These may include, but are not limited to, signage, signalization, and pavement markings.

j. Additional Highway Access Facilities

A request for additional ~~accesses facilities~~ other than that allowed in Section 10.1 shall be analyzed. Consideration in the analysis shall be paid to the standards set forth in this Ordinance; the operation of the County Highway to which access is being requested; other forms of access including restricted access, indirect access and access to other streets or roads; signalized versus unsignalized access ~~facilities~~locations, and any other factors on which a determination can be made concerning the number of access ~~facilities~~points.

k. Conclusions and Recommendations

A clear, concise description of the findings shall be presented. These findings shall include all improvements for the proposed access facilitieslocation, intersections, and the area road network as required per the Access Ordinance. The recommendations shall be limited to the improvements based upon Section 11.4.2 (Left Turn Lane Requirements), ~~and~~ Section 11.4.3 (Right Turn Lane Requirements) and any other improvements as required under Section 11.4.4 through Section 11.4.6.

#### 12.1.4 Improvements Based on Traffic Impact Study

All highway improvements recommended in the findings of the Traffic Impact Study that are a direct result of the proposed development shall be

constructed or caused to be constructed by the owner. The total costs for these improvements shall be borne solely by the owner.

## 12.2 Traffic Signal Warrant Analysis

### 12.2.1 Warrants

Traffic signals shall only be installed if the warrants established by the IMUTCD are met. A Traffic Signal Warrant Analysis shall be prepared to determine if signalization warrants are met. In addition to the provisions required in Section 12.1.3, the Traffic Signal Warrant Analysis shall clearly demonstrate that the traffic signal will not impede coordinated traffic flow, result in undue delay, or impair traffic operations or safety.

A traffic signal may be installed, as part of ~~an access facility~~the permitted access-related improvements, if the projected traffic generated by development would meet the warrants established by the IMUTCD. This must be documented as part of a Traffic Signal Warrant Analysis.

Satisfying traffic signal warrants does not guarantee that a traffic signal may be installed. The County Engineer shall make the final determination if traffic signals are to be installed.

In no case shall a new traffic signal be located any closer to an existing traffic signal than one-quarter (1/4) mile.

### 12.2.2 Traffic Signal Costs

All costs associated with a traffic signal installation shall be the sole responsibility of the ~~developer~~permittee (Section 4.6.3). Prior to ~~approval~~the issuance of an access ~~facility permit~~with a traffic signal, the ~~developer~~County shall ~~enter into~~prepare a formal joint agreement ~~with~~with the Local

~~Agency, County, Municipality or public entity.~~ The joint agreement shall delineate the responsibilities of the County and the responsibilities of the Local Agency~~developer~~ Municipality as related to the future signal ~~installation~~maintenance. The responsibilities of the Local Agency~~developer~~ Municipality shall include, but not be limited to, paying, or causing to be paid, all perpetual costs for the energy and maintenance of a traffic signal; paying, or causing to be paid, all costs for any future upgrading, revisions, modifications, and/or modernizations; providing the County with indemnification; and meeting other provisions related to the traffic signal ~~installation~~maintenance. The ownership of a traffic signal shall rest with the County. If a traffic signal is required to be a part of an interconnected traffic signal system, the ~~developer~~ permittee~~permittee~~ shall also be responsible for all costs associated with the interconnection as part of the traffic signal installation.

#### 12.2.3 Intersection Design Study (IDS)

An IDS shall be required for any of the following: any new traffic signal, when auxiliary lanes are added to an existing signalized intersection, and for an existing signalized intersection when less than one-half (1/2) mile from a new traffic signal. An IDS shall be prepared as outlined in IDOT's Bureau of Design and Environment Manual.

An IDS shall also be required for any existing signalized intersection when a new signal is to be interconnected to the existing traffic signals.

### 12.3 Sight Distance Study Analysis

A Sight Distance Study is required for all Major Access locations and in those instances when the Access Control Officer determines any access location may not meet sight distance requirements. When a Sight Distance Study is required, the sight distance study shall include the following:

1. A sight distance study shall be prepared on a 24 inch by 36 inch sheet size.
2. The stationing of the sight distance study shall be the same as the original construction plans for those highways the LCDOT originally constructed or as provided.
3. The study must be prepared on a plan and profile sheet at a horizontal scale of 1 inch = 50 feet.
4. The location of the driver's eye shall be 157 feet from the ~~existing~~-proposed pavement edge and shall be 3.5 feet above the existing pavement edge at the proposed access location.
5. Based upon the intersection sight distance, the location of the object height (approaching vehicle) must be shown on the plan view. The location of the object height (approaching vehicle) shall be ~~4.25~~353.5 feet above the center of the traffic lane and must be shown on the profile view.
6. The intersection sight distance (Table 11.1) must be shown on both the plan and profile views.
- ~~6-7.~~ The sight distance study shall show all appurtenances within the sight triangle such as, but not limited to trees, large signs, and utility poles.

#### **12.4 Geometric Plan**

A geometric plan shall be submitted and approved by the LCDOT prior to the submittal of an engineering plan. The plan shall be prepared using the current LCDOT geometric standards and shall include, but not be limited to, storage bay lengths, tapers and radii. All proposed lane and shoulder widths, tapers, turning radii

shall be dimensioned. All existing driveways and street intersections shall be shown. Mailbox turnouts shall be provided at all driveways with existing mailboxes. The geometric plan shall be prepared on a 24 inch by 36 inch sheet. The plan shall use the County Highway stationing that is the same as on the original construction plans for the ~~those~~ highways the LCDOT originally constructed or approved by LCDOT. The plan shall be at a scale of 1 inch equals 20 feet. The geometric plan shall show the existing striping and lane markings in the proposed project area and extend 300 feet beyond the proposed project area in each direction.

### **12.5 Soil Surveys**

For a major access ~~facility~~, soil surveys shall be conducted prior to the completion of the final engineering plans and specifications to determine the existence of unsatisfactory subgrade materials or the need for remedial underground drainage. Soil surveys shall be required when widening an existing pavement by six (6) feet or more. The results of the soil survey shall be submitted to the LCDOT for review.

### **12.6 Environmental Assessment**

The owner shall provide any and all environmental subsurface investigation reports that were conducted for all properties adjacent to the County Highway right-of-way. In those instances where LCDOT has valid concerns that environmental conditions exist and remediation may be needed, the Access Control Officer may require that an environmental assessment be conducted. All environmental conditions shall be remediated prior to the dedication and acceptance of any right-of-way that is required by this Ordinance.

### **12.7 Pavement Design**

Pavement design shall be in accordance with the IDOT Bureau of Local Roads pavement design policy as issued by LCDOT.

## 12.8 Drainage Study

Drainage for the access ~~facility-related improvements~~ shall be designed in accordance with the requirements of the IDOT [Bureau of Local Roads and Streets Design Manual](#) ~~and the Lake County Watershed Development Ordinance~~ ~~and the "Guide to the Hydraulic Design of Bridges and Culverts on Local Systems."~~ A drainage study shall be submitted for LCDOT review and shall include, but not be limited to, the following:

1. U.S.G.S. Topographic Map delineating the site and the boundaries and area of all watershed and subwatershed areas affecting the site.
2. Drainage plan of the site delineating existing and proposed watershed and subwatershed areas; proposed drainage facilities; and design volumes and velocities of all structures, systems, and ditches.
3. Computations supporting the design of all proposed facilities, including, but not limited to, drainage areas, runoff coefficients, frequencies, volumes, velocities, methods of design, and others, as required.

The design of the on-site detention facilities shall include detention required for the highway widening impervious areas of the access ~~facility-related~~ improvements.

## 12.9 Engineering Plan Requirements, Specifications, and Cost Estimate

The engineering plans and specifications for the access ~~facility-related improvements~~ shall include the following:

- 12.9.1 The engineering plans shall be prepared on a 24 inch by 36 inch sheet size.

12.9.2 A cover sheet showing the following information: index of sheets; a location map; the stationing and length of the improvement; the name, address, and telephone number of the engineer who prepared the plans; the seal of the preparing engineer with the engineer's signature affixed over the seal; the name of the development or project; the name and address of the owner; the date of plans and subsequent revision dates; legend; general notes and specifications; summary of quantities (work items shall conform to the pay items established by the IDOT and used by the LCDOT as contained in the Standard Specifications and Coded Pay Item books); and any other general information required.

12.9.3 The following note shall be placed on the cover sheet of the final plans:

"The review and approval of these final engineering plans and specifications by the Lake County Division of Transportation does not constitute a release from or grant of variation from the standards and specifications required in the Lake County Highway Access Regulation Ordinance, latest edition. The owner, the owner's designated representatives, and/or all successors and assigns shall be solely responsible for all work and improvements within the limits of the County Highway right-of-way. Unless otherwise specified, approved in writing by the Lake County County Engineer, and on file with the Lake County Division of Transportation, all work and materials necessary to construct access-related improvements ~~highway, access facility,~~ and drainage improvements within the limits of the County Highway right-of-way shall be in conformance with the provisions and requirements of the Lake County Highway Access Regulation Ordinance, latest edition."

The following General Notes shall also be added to the coversheet or typical section sheet of the engineering plans:

- The construction, including materials used, of this ~~access-facility~~ related improvement shall be in accordance with the applicable portions of the most recent editions of the "Standard Specifications for Road and Bridge Construction", "Supplemental Specifications and Recurring Special Provisions", and the "Illinois Manual on Uniform Traffic Control Devices for Streets and Highways", ~~and "Standard Specifications for Traffic Control Items"~~; including all amendments and successor documents to the aforementioned documents as published or adopted by the Illinois Department of Transportation and/or LCDOT unless otherwise stated in these engineering plans.
- The construction of ~~of this access facility~~ the access-related improvements shall also be in accordance with the "Lake County Highway Access Regulation Ordinance," latest edition.
- The Lake County Division of Transportation shall not be held liable for any errors or omissions in these engineering plans or for any additional work, which may be needed due to errors or omissions in these engineering plans.
- The ~~Permittee~~ permittee shall be responsible for any additional work, and all costs thereof, required because of errors or omissions in these engineering plans and for the correction of any construction, maintenance, or safety problems, which become apparent during construction or by inspections made by the Resident Engineer or the Lake County Division of Transportation.
- The Resident Engineer shall be responsible for establishing the proper lines and grades for all construction work including earthwork, paving, curbing, and drainage. The Resident Engineer shall also be



responsible for all other engineering work including inspections and any testing required by the Lake County Division of Transportation. An inspector, as provided or approved by the Resident Engineer, shall be present during critical phases of the construction work.

- The Resident Engineer shall note any changes from these engineering plans and shall notify the Permit Department of the Lake County Division of Transportation about any changes that deviate from the intent of the engineering plans such as changes in drainage, geometric plan, or grading work.

[The Lake County Division of Transportation “Special Conditions for Construction within a County Highway Right-of-Way” shall be included in the engineering plans.](#)

12.9.4 A detailed traffic control plan to be implemented during construction, including but not limited to, road closure, temporary runaround, and detouring traffic.

12.9.5 Complete detailed construction plans prepared on plan and profile sheets at a horizontal scale of 1 inch equals 20 feet and a vertical scale of 1 inch equals 5 feet. The stationing of the engineering plans shall be the same as the original construction plans for those highways the LCDOT originally constructed or as provided. The following items must be shown on the plan and profile sheets: pavement widths and lane use (existing and proposed); drainage (existing and proposed); right-of-way and property lines (existing and proposed); survey monuments; utilities and facilities (existing and proposed); adjustment to utilities and facilities; topography i.e. driveways, intersections, shoulders, trees, bush lines, fences, berms, detention ponds

adjacent to the right-of-way line; elevations and grades, drainage systems, culverts and inverts (existing and proposed); ditch flow lines.

The plan and profile sheets shall show all existing trees within the right-of-way along with their diameter. Trees within the right-of-way to remain shall be protected. Trees to be removed as a result of work in the right-of-way for the access improvements shall be labeled for removal and replacement trees may be planted on the development site in accordance with the tree requirements of the municipality in which the project develops for all trees 6" (six inches) in diameter or greater. The municipality must submit a Municipal Acceptance Form for any trees planted within the County Highway right-of-way as per the Lake County Utility and Facility Placement Ordinance.

12.9.6 A cross section sheet is required for all engineering plans. The cross sections shall be taken at 50-foot intervals and additional cross sections taken at the centerline of the proposed access, all existing cross road culverts, intersecting streets, and all ~~driveways except~~ single familiesy driveways. The cross sections shall be shown at a scale of 1 inch equals 5 feet vertically and 1 inch equals 5 feet or 1 inch equals 10 feet horizontally. The following items must be shown on the cross sections: existing County Highway pavement; existing shoulder, ditches, ditch slopes and drainage; existing topography, i.e. utility poles, trees, fences; proposed pavement widening and shoulders, ditches and drainage; existing and proposed right-of-way lines; utilities and facilities (existing and proposed); inverts of storm sewers, culverts and ditchlines; slope rates for proposed slopes.

12.9.7 The pavement marking sheet is required when the intersection improvement requires changes to the existing pavement markings. Existing pavement markings shall be shown 300 feet beyond the end of the proposed pavement markings. The pavement marking detail shall be at a scale of 1 inch equals

50 feet. The sheet shall also include the pavement marking specifications for thermoplastic and the summary of quantities. The following note shall also be placed on this sheet:

Pavement Smoothness for Bituminous Pavements:

1. The following smoothness requirements shall apply to the surface course:
  - a. For mainline traffic lanes the pavement surface shall not vary more than  $\frac{1}{8}$  inch in a 10-foot distance as measured along the wheel path.
  - b. For turning lanes, including by-pass lanes, the pavement surface shall not vary more than  $\frac{1}{4}$  inch in a 10-foot distance as measured along the wheel path.
2. In order to satisfy the above smoothness requirements for a pavement overlay, the existing pavement may need leveling binder or cold milling in order to provide a proper base for the bituminous binder course. The Resident Engineer shall determine if leveling binder or cold milling will be necessary.
3. The Lake County Division of Transportation shall, at its discretion, test pavements for smoothness. For any such testing, the bituminous contractor shall provide construction signing and two flaggers. A representative of the bituminous contractor and the Resident Engineer (or representative) shall be present during testing. Any pavement areas that do not pass the above smoothness requirements shall be removed by the grinding method to a ~~2 $\frac{1}{4}$~~  inch minimum depth and

resurfaced with Bituminous Concrete Surface Course, Class I Hot-Mix Asphalt Surface Course of the mix design specified.

- 12.9.8 A site plan of the entire development drawn at a scale of 1 inch equals 100 feet showing the layout of the site, the drainage of the site, the grading of the site and utilities on the site.
- 12.9.9 A traffic control details sheet with the following items included: Copies of the current Illinois Department of Transportation construction signing standards from the Highway Standards Manual and/or Part VI of the Manual of Uniform Traffic Control Devices and/or Lake County Traffic Control Devices that apply to the project's construction.
- 12.9.10 A detail sheet including the LCDOT and IDOT Highway Standards. Details shall be provided for all applicable items, including but not limited to, drainage structures and curb and gutter.
- 12.9.11 An erosion control plan as per the Watershed Development Ordinance requirements.
- 12.9.12 Any revisions required by the LCDOT shall be made prior to acceptance of final engineering plans and specifications. Upon completion of all revisions, the County Engineer shall approve the final engineering plans, specifications, and estimate of cost.

#### **12.10 Estimate of Cost**

A detailed estimate of cost is required for major access permits and shall be prepared by an engineer. The estimate of cost shall be based on unit prices for individual work items. The minimum amount for unit prices for individual work items shall be the average amount for the unit prices for individual work items as

paid for by the LCDOT for the previous twelve (12) month period for County Highway improvements. Work items shall conform to the pay items established by the IDOT and as used by the LCDOT as contained in the Standard Specifications and Coded Pay Item books. All changes and revisions shall be made as required by the LCDOT prior to acceptance and approval by the LCDOT. Design and Construction Engineering Supervision shall be seventeen percent (17%) of the total estimate of cost. Traffic Control shall be 5% of the total estimate of cost or a minimum amount as set by the County Engineer

### 12.11 Pavement Widening

When portions of existing highways are to be widened to accommodate proposed access\_ facilities related improvements, the following requirements shall be met:

1. The existing edge of pavement to be widened shall be sawcut full depth to obtain a clean vertical face. The existing paved shoulder, including the white edgeline, must be removed.
2. When the widening will alter through traffic travel paths, the existing pavement shall be resurfaced with a minimum of 1½ inches of Hot-Mix Asphalt Surface Course of the mix design specified ~~Bituminous Concrete Surface Course, Class I~~, to obliterate existing wheel paths and pavement markings.
3. Strip Reflective Crack Control Treatment shall be installed over the joint of widened pavement.
4. When the highway to be improved is on the LCDOT Five-Year Highway Improvement Program as requiring an improvement, the treatment of the existing pavement shall be in accordance with the program recommendations.

**12.12 Pavement Resurfacing**

Milled pavement shall be resurfaced within ten (10) calendar days.

## CHAPTER 13 Construction Requirements

### 13.1 Notification of Utility Companies

The County and all utility companies and J.U.L.I.E. (the Joint Utility Locating Information for Excavation) must be notified before construction work commences.

### 13.2 Access to Highways with Curb and Gutter

Before an access-~~facility-related improvement~~ is constructed on a curbed highway, the existing curb and gutter shall be removed in the area of the access ~~facility~~location. The curb-cut area shall be of sufficient width to accommodate the required width and curb returns, as well as any turning lane and approach treatment that is being installed.

Depressed curb and gutter shall be reinstalled at minor access ~~facilities~~ driveways and may be required at other access ~~facility~~ types.

Removing only the back of a curb and paving over the broken curb section is not acceptable, since this practice results in an exposed face that is highly susceptible to spalling or raveling. On highways with mountable curbs, it is not acceptable to simply pave to the back of the curbing and require motorists to drive over the curbing.

### 13.3 Modifications to Plans

Any modifications to approved engineering plans prior to permit issuance must be submitted and approved by the LCDOT.

### 13.4 As-Built Engineering Plans

As-built drawings depicting actual construction shall be required. These drawings shall be in a reproducible format. These drawings shall show any deviations from the approved engineering plans referenced in the permit. As-built drawings shall be the

sole and exclusive property of the LCDOT. The as-built drawings shall also be submitted in digital format.

### 13.5 Traffic Control

Traffic control and protection measures are required during the construction phases. A traffic control plan shall be submitted to LCDOT with the engineering plans and specifications. Should adequate traffic control measures not be in place, a representative of the LCDOT has the authority, but not the duty to halt the construction until such time as the traffic control measures are in place to safely and efficiently move traffic through the construction area.

The first infraction will result in the halting of construction until such time as traffic control measures are corrected. The second infraction will result in the halting of construction for the remainder of that day. Traffic control measures must be established prior to the start of the next workday. Should there be a third infraction, the permit shall be revoked and there shall be a meeting with the owner, Resident Engineer, and LCDOT to discuss what measures will be taken to reinstate the permit.

The LCDOT shall have the ability to assess a fine in accordance with Section 3.12 of this Ordinance for any infraction of Traffic Control requirements.

There will be no construction allowed that involves closing a travel lane before 9:00 a.m. or after 3:00 p.m. weekdays. The Resident Engineer shall notify the LCDOT Transportation Management Center (commonly named PASSAGE), of any lane closure and when the lane re-opens. This will be a condition on all access permits.

There will be no parking or storage of vehicles, materials or equipment within the County right-of-way.



## 13.6 Responsibility for Improvements

### 13.6.1 Owner

Regardless of contracts, agreements, or inspections performed, the responsibility for the installed improvements required by this Ordinance shall rest solely with the owner.

### 13.6.2 Owner's Resident Engineer

The owner shall provide a full-time Resident Engineer for the construction and inspection of the work per the access permit. Said Resident Engineer shall have the appropriate training and experience to ensure the quality of construction of all aspects of the project. The Resident Engineer shall be present at all times during critical phases of the construction and the Resident Engineer shall transmit weekly progress reports to the LCDOT Permit Department. Said Resident Engineer shall prepare all construction reports on said construction in accordance with the Motor Fuel Tax (MFT) guidelines for such reports as required by the Illinois Department of Transportation.

The Resident Engineer or surveyor shall be responsible for establishing the proper lines and grades for all earthwork, paving, drainage facilities, and locations of all pavement markings. The Resident Engineer shall be responsible for all other engineering work, all inspection, and at the completion of the improvements, as required by this Ordinance, shall certify in writing to the Access Control Officer that all work and improvements have been completed in accordance with the requirements of this Ordinance and the approved engineering plans and specifications.

The LCDOT may at any time require a written report on inspections made by the Resident Engineer. Construction work shall be subject to inspection and testing at all times by the LCDOT.

## **13.7 Construction of Improvements**

### **13.7.1 General Requirements**

Construction of improvements required by this Ordinance shall be in accordance with the rules, regulations, and specifications as set forth in this Ordinance.

The construction of any improvements within the right-of-way shall not commence until an access permit is issued.

The construction of improvements must begin within six months of the date of issuance of an access permit and must be completed within twenty-four (24) months of the issuance of an access permit. These time periods may be extended by the County Engineer upon receipt of a written request detailing sufficient cause.

### **13.7.2 Field Modifications**

During the construction phase, the Resident Engineer shall note any conditions or unforeseen circumstances that may involve departures from the approved engineering plans and specifications. The Resident Engineer must request in writing to the LCDOT approving the departure from the approved engineering plans and specifications. Revised plan sheets shall accompany the written request.

### **13.7.3 Maintenance During Construction**

#### **13.7.3.a Emergency Work**

If any emergency repairs or actions are required of the LCDOT on a County Highway due to construction of an improvement as approved by this Ordinance, the LCDOT may perform such emergency repairs or actions and charge the owner for all the costs associated with such work. The Resident Engineer shall

be present for such emergency repairs and shall be responsible for any changes or modifications necessary in the traffic control.

13.7.3.b Debris Removal

The owner shall be responsible for cleaning and maintaining the right-of-way of the County Highway. Sewers and drains shall be kept free of debris, trash, and other extraneous material. The pavement surface shall be kept clean and free of mud, gravel, debris, trash, and other extraneous material at all times. Should the owner fail to keep the pavement clean and free of mud and debris or the drainage functioning properly, the County shall have the right, but not the duty to clean the pavement and restore drainage to maintain a safe and passable highway. The owner shall be responsible for all costs incurred by the County for the pavement cleaning.

Persistent failure by the owner to comply with this section will result in LCDOT revoking the permit and taking any action necessary to keep the pavement clean and drainage functioning properly. Should the permit be revoked, there shall be a meeting with the owner, Resident Engineer, and LCDOT to discuss what measures will be taken to reinstate the permit.

13.7.3.c Damage to Utilities

Any damage caused to any utilities during construction shall be repaired at the owner's expense to the satisfaction of the authority owning such utility. The LCDOT shall be notified immediately after notification of the owner of the utility, that damage has occurred, and outline the steps to be taken to repair the facility.

13.7.3.d Winter Maintenance

No construction involving the widening of a County Highway will be allowed to commence after October 1<sup>st</sup>. Construction may resume when the asphalt plants open the following spring.

Prior to the suspension of construction for the winter months, the owner shall contact the LCDOT. The LCDOT shall perform a field inspection to identify any potential winter maintenance problems. The owner shall correct any problems identified by the LCDOT to the satisfaction of the LCDOT. The owner shall be solely responsible for all costs to correct any problems identified by the LCDOT.

**13.8 Final Inspection and Acceptance**

Upon written notification by the owner or the Resident Engineer that the construction has been completed and the submission of all required reports, the LCDOT shall perform a final inspection. Prior to final approval and acceptance by the LCDOT, the owner shall correct any deficiencies noted by the LCDOT and provide one set of reproducible as-builts for the LCDOT records.

At such time as all work has been done to the complete satisfaction of the LCDOT and the maintenance guarantee provided, the performance guarantee shall be released.

Unless otherwise approved, final inspections for release of the Performance or Maintenance Guarantee shall not be performed prior to May 1st nor later than November 1st in any year.

## **CHAPTER 14 Performance Guarantees, Maintenance Guarantees, and Escrow Accounts**

### **14.1 Performance Guarantees**

An acceptable Performance Guarantee to protect the County Highway System and to ensure compliance with this Ordinance and with issued permits shall be provided prior to the issuance of a permit as provided for in this Ordinance. A Performance Guarantee shall be in the form of an irrevocable letter of credit for all Major Access, including any major Conditional Access, major Temporary Access, or Designated Freeway Access. A Performance Guarantee shall be in the form of a cash bond, irrevocable letter of credit, or surety bond for all Minor Access, including any minor Conditional Access or minor Temporary Access. The County Engineer shall be, and is hereby authorized to act for the County in all matters relating to Performance Guarantees. The County Engineer may, upon receipt of written application from a property owner substantiating good and reasonable cause, waive this requirement for certain minor accesses. The Performance Guarantee must contain the permit application number or the project name and County Highway name on the Guarantee.

#### **14.1.1 Irrevocable Letter of Credit**

All irrevocable letters of credit shall be equal to one hundred ten percent (110%) of the estimated cost of construction. This amount shall include the County's cost of administering the completion of improvements in the event the owner defaults, as per Section 14.1.4.

All irrevocable letters of credit shall be posted for a period of two years from the date of the issuance of an access permit. However, when an access permit is issued between and inclusive of November 15 and March 31 said irrevocable letter of credit shall be posted due to expire on May 1 following the

two-year period. Said irrevocable letters of credit shall be submitted to the County Engineer.

Every irrevocable letter of credit provided pursuant to this Section shall be from a bank acceptable to the County Engineer, having capital resources of at least \$50,000,000.00, having an office in the Chicago Metropolitan Area that will also accept any presentation of a demand letter and sight draft, and being insured by the Federal Deposit Insurance Corporation. Each irrevocable letter of credit shall, at a minimum, provide that (i) it shall expire no earlier than two years after the date of issuance and, in no event, until 60 days after written notification of such expiration has been given by the issuing bank to the LCDOT; and (ii) it shall not require the consent of the owner prior to any draw on it by the LCDOT. The format and language of the irrevocable letter of credit shall be determined by the County Engineer as advised by the State's Attorney.

#### 14.1.2 Cash Bond

All cash bonds posted shall be in an amount equal to one hundred ten percent (110%) of the estimated cost of construction of the improvements. This amount shall include the County's cost of administering the completion of improvements in the event the owner defaults, as per Section 14.1.4. The cash bond shall be made payable to the County Treasurer and shall be submitted to the County Engineer. The type of cash bond provided may be a Cashier's Check, Bank Draft, Certified Check, or Bank Money Order. A Certificate of Deposit is not acceptable. The County Engineer may deposit a cash bond with the Treasurer of Lake County. No interest shall be paid on any such cash bond so deposited.

#### 14.1.3 Surety Bond

All surety bonds shall be issued by a surety or insurance company authorized by the Illinois Department of Insurance to sell and issue sureties in the State

of Illinois and shall be in an amount equal to one hundred ten percent (110%) of the estimated cost of construction of the improvements. This amount shall include the County's cost of administering the completion of improvements in the event the owner defaults, as per Section 14.1.4. The discharge of the surety under all surety bonds shall be conditioned upon the installation and construction of the improvements in strict conformance with the provisions of this Ordinance and any permit issued hereunder within two years from the date of the issuance of an access permit. Said surety bonds shall be payable to the payable to the County Treasurer and shall be submitted to the County Engineer. The format and language of the surety bond shall be determined by the County Engineer as advised by the State's Attorney.

#### 14.1.4 Default

If the owner fails to perform the work with sufficient work force and equipment or with sufficient materials to insure the completion of said work within the specified time, or performs the work unsuitably as determined by the County Engineer, or neglects or refuses materials or performs anew such work as shall be rejected as defective and unsuitable, or discontinues the execution of the work, or for any other cause whatsoever does not carry on the work in an approved manner, the County Engineer shall give notice to the owner and the owner's bank or surety, if any, of such delinquency, said notice to specify the corrective measures required. After said notice, the County Engineer shall draw on the Performance Guarantee to have the work completed in accordance with the terms of the Ordinance, the permit, and the Performance Guarantee. The County Engineer shall deliver any funds drawn upon to the County Treasurer and request deposit in the appropriate fund. The County Engineer may then take over the work, including any or all materials or equipment on the ground as may be suitable and acceptable and may complete the work with his own forces or any such other methods as, in his opinion, shall be required for the completion of the work in an acceptable manner.

## 14.2 Maintenance Guarantee

### 14.2.1 Improvements

A Maintenance Guarantee shall be submitted by the owner to the County Engineer upon satisfactory completion of all improvements and release of the Performance Guarantee. The term of the Maintenance Guarantee shall be for two years following completion, approval, and acceptance of the improvements. All failures that occur during the two-year period shall be corrected by the owner and restored to a satisfactory condition, subject to the approval of the County Engineer. The amount of the Maintenance Guarantee shall equal fifteen percent (15%) of the original amount of the Performance Guarantee. This requirement may be waived upon review by the County Engineer if he deems it unnecessary. The County Engineer shall be, and is hereby authorized to act for the County in all matters relating to Maintenance Guarantees

A Maintenance Guarantee shall be in the form of an irrevocable letter of credit for all Major Access, including any major Conditional Access, major Temporary Access, or Designated Freeway Access. A Maintenance Guarantee shall be in the form of a cash bond, irrevocable letter of credit, or surety bond for all Minor Access, including any minor Conditional Access or minor Temporary Access. The format and language of any letter of credit or surety bond permitted hereunder shall be determined by the County Engineer as advised by the State's Attorney. All Maintenance Guarantees shall be payable to the County Treasurer, delivered to LCDOT and, with respect to any irrevocable letter of credit or surety bond permitted hereunder, originate from a bank or surety/insurance company that satisfies the requirements of Sections 14.1.1 and 14.1.3.



#### 14.2.2 Default

If the owner fails to restore to satisfactory condition the pavement or other improvements, within the specified time, or shall perform the work unsuitably as determined by the County Engineer, or for any other cause whatsoever shall not carry on the restoration in a suitable manner, the County Engineer shall give notice to the owner and the owner's bank or surety, if any. Said notice shall specify the corrective measures involved. If the owner, within a period of 10 days after said notice, does not proceed in accordance therewith, the County Engineer shall draw on the Maintenance Guarantee to have the work completed in accordance with the Ordinance, the permit, and the terms of the Maintenance Guarantee. The County Engineer shall deliver any funds drawn upon to the County Treasurer and request deposit in the appropriate fund.

#### 14.3 Escrow Accounts

In case future improvements to the County Highway may be necessary as the result of construction of an access ~~facility~~ related improvement, the County Engineer may require that funds for said future improvements be deposited with the County Treasurer in escrow to pay such costs. The owner shall be responsible for all costs of a future improvement to a County Highway as a result of ~~an access~~ the issued access permit ~~facility~~. The parties shall proceed as described in Section 4.6.1.c of this Ordinance.

The amount to be in the escrow shall be equal to the current estimated cost of the improvement plus thirty percent (30%) of the cost for the County to administer the improvement. A Cashier's Check, Bank Draft, Certified Check, or Bank Money Order in the amount equal to one hundred thirty (130%) of the current estimate of costs of the improvement shall be made payable to the County Treasurer and shall be submitted to the County Engineer for deposit in an escrow account to be used only for the improvement specified. A Certificate of Deposit shall not be acceptable.

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If, within a period of six (6) years from the date of the issuance of an access permit, the funds deposited in the escrow account, as well as any interest income earned during that time, have not been used to pay for the specified improvement, the funds in the escrow account, plus any interest income earned, shall be returned to the owner and any further obligation of the owner for the specified improvement shall be terminated.

The period of time, as specified herein, may be extended upon the written approval of the County Engineer and the owner.

COMMENTARY: An example of a future improvement requiring escrow funding would be a staged or phased development over a period of several years. The Traffic Impact Study would typically show that a traffic signal is not currently warranted but would be warranted as subsequent development stages or phases are completed.

## **CHAPTER 15 Indemnification**

The County Engineer shall determine the minimum acceptable amounts for the following types of insurance--(1) Bodily Injury Liability and (2) Property Damage Liability. There shall be no restrictions on occurrence limits.

The owner shall cease, or cause to be ceased, operations, work, and construction of an improvement if the insurance is canceled or reduced below the required minimum amount of coverage as determined by the County Engineer.

### **15.1 Certificates of Insurance**

Certificates of Insurance, for all forms of insurance required by this Ordinance, shall be provided to the LCDOT prior to the issuance of an access permit for the construction or reconstruction of all types of access as provided for in this Ordinance.

The County Engineer may, at his sole and exclusive discretion, upon receipt of written application from the property owner substantiating good and reasonable cause, allow the indemnification to be provided by someone other than the property owner for a single family homeowner, not for profit organization, or local agency. The Certificate of Insurance must include the Permit Number or the Project Name and County Highway location on the Certificate.

Certificates of Insurance acceptable to the LCDOT shall be filed with the LCDOT prior to the issuance of a permit. A copy of one type of acceptable insurance certificate can be found on the Division's website and will also be provided upon request.

The Certificate(s) shall contain a provision that coverages afforded under the policies will not be canceled or, non-renewed, and that restrictive modification cannot be added until at least 30 days after written notice has been given to LCDOT. A mere intent to notify LCDOT of cancellation IS NOT ACCEPTABLE.

Insurance coverages which are to remain in force and effect after completion of the construction will require an additional Certificate(s) evidencing continuation of such coverages.

Such additional Certificate(s) shall be submitted upon completion and acceptance of the construction improvements and upon one year thereafter. If any information concerning reduction of coverage is not furnished by the insurer, it shall be furnished by the owner with reasonable promptness in accordance with the owner's information and belief. Any acceptance of insurance certificates by the LCDOT shall in no way limit or relieve the owner of the duties and responsibilities assumed by the owner. Acceptance of insurance certificates not in compliance with the provisions of these requirements by LCDOT shall not affect a waiver of these requirements.

#### **15.2 Additional Insured Endorsements**

With respect to Commercial General Liability Policies and/or its equivalent form, the County of Lake and its officers, agents, and employees, and the Lake County Division of Transportation, and its officers, agents and employees, shall be designated by endorsement as an additional insured under said policy(ies). The Additional Insured endorsement must be approved by the County Engineer, or a person designated by the County Engineer to approve said endorsement. The endorsement must demonstrate, in a manner acceptable to LCDOT, that the endorsement has been bound by the insurance company. Examples of Additional Insured endorsements may be found on the Division's website and will also be provided upon request.

#### **15.3 General Insurance Conditions for all Required Policies**

With respect to all forms of insurance required per this Ordinance, the owner shall purchase from and maintain in a company or companies lawfully authorized to do business in the State of Illinois, with an A.M. Best's Rating of at least A-Class VIII, such insurance as which will protect the owner from claims set forth below which may arise out of or result from the owners's operations under the permit and for which the

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owner may be legally liable, whether such operations be by the owner or by a contractor or subcontractor or by anyone directly or indirectly employed by any of them, or for anyone for whose acts any of them may be liable.

Any deductible and/or self-insured retention shall be the responsibility of the owner.

All policies shall contain a provision that coverages afforded under the policies will not be canceled or, non-renewed, and that restrictive modification cannot be added until at least 30 days after written notice has been given to LCDOT. A mere intent to notify LCDOT of cancellation IS NOT ACCEPTABLE.

#### **15.4 Workman's Compensation Insurance**

Prior to the issuance of a permit by the LCDOT, the owner shall furnish to the LCDOT certificates of insurance covering Workman's Compensation, or satisfactory evidence that this liability is otherwise taken care of in accordance with Section 4.(a) of the "Workman's Compensation Act of the State of Illinois" as amended.

##### **15.4.1 Duration of Coverage**

Such insurance, or other means of protection as herein provided, shall be kept in force until all work to be performed under the terms of the permit has been completed and accepted, and it is hereby understood and agreed that the maintenance of such insurance or other protection, until acceptance of the improvement by the LCDOT, is part of the permit. Failure to maintain such insurance, cancellation by the Industrial Commission of its approval of such other means of protection as might have been elected, or any other act which results in lack of protection under the said "Workman's Compensation Act" may result in the revocation of the permit.

#### **15.5 Employer's Liability**

The owner shall obtain and maintain "Employer's Liability Insurance" to respond to claims because of bodily injury, occupational sickness or disease or death of the owners's employees.

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#### 15.5.1 Duration of Coverage

The insurance described in Paragraph 10.5 above shall be maintained for the duration of the operations performed by or on behalf of the owner.

### 15.6 Commercial General Liability Insurance

The owner shall obtain and maintain commercial general liability (C.G.L.) insurance on an occurrence basis as provided by the Commercial General Liability Coverage Form CG 00 01 (12 04), Insurance Services Office, Inc. or its equivalent or successor form or an equivalent policy of insurance. The Lake County Risk Management Department may, at its sole and exclusive discretion, determine what form(s) and policy(ies) are equivalent to the CGL ISO form. No restrictive endorsements pertaining to premises/operations insurance, contractual liability insurance, products and completed operations insurance or independent contractor's coverage may apply. The policy should respond to claims for damages because of "Bodily Injury" including death, "Property Damage," "Ongoing Operations," "Completed Operations" "Personal Injury" and "Advertising Injury."

#### 15.6.1 Duration of C.G.L. Coverage

The insurance described above shall be maintained for the duration of the operations performed by or on behalf of the owner. In addition, the owner shall continue to carry "Complete Operations" liability insurance for at least twenty-four (24) months after the construction is complete. The owner shall furnish the LCDOT evidence of such insurance at completion of construction and one year thereafter after its acceptance by the LCDOT.

#### 15.6.2 C.G.L. Insurance Conditions

The Lake County Division of Transportation and its officers, agents and employees; Lake County and its officers, agents and employees shall be named as additional insureds by endorsement per the requirements of section 10.2 set forth above. Said insurance shall be written on an occurrence basis. The owner's insurance shall be primary and non-contributory. The policy shall contain the

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standard Separation of Insureds condition. The policy shall be endorsed to allow the General Aggregate Limit under LIMITS OF INSURANCE of the policy to apply separately to each project and each location.

### **15.7 Automobile Liability**

The owner shall obtain and maintain business auto liability insurance as provided by the Business Auto Coverage Form CG 00 01 12 07, Insurance Services Office, Inc., or its equivalent or successor form. The policy should respond to claims for damages because of bodily injury, death of a person or property damage arising out of the ownership, maintenance or use of a motor vehicle. This policy shall be written to cover any auto whether, owned, leased, hired, or borrowed.

#### **15.7.1 Duration of Coverage**

The insurance described in Paragraph 10.1.6 above shall be maintained for the duration of the operations performed by or on behalf of the owner.

#### **15.7.2 Insurance Conditions**

The policy shall contain the standard Severability of Interests provisions.

### **15.8 Minimum Limits of Liability**

The owner's commercial general liability insurance, business automobile liability insurance and employer's liability insurance as required by the preceding paragraphs shall be written with limits of insurance not less than the following:

#### **Commercial General Liability Insurance:**

<u>General Aggregate Limit*</u>	<u>\$2,000,000</u>
<u>Products-Completed Operations Aggregate Limit</u>	<u>\$2,000,000</u>
<u>Personal &amp; Advertising Injury Limit</u>	<u>\$1,000,000</u>
<u>Each Occurrence Limit</u>	<u>\$1,000,000</u>

\*The policy shall be endorsed for the general aggregate on a "per project" basis as well as a "per location" basis.

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Employer's Liability Insurance:

<u>Bodily Injury by Accident (Each Accident)</u>	<u>\$1,000,000</u>
<u>Bodily Injury by Disease (Each Employee)</u>	<u>\$1,000,000</u>
<u>Bodily Injury by Disease (Policy Limit)</u>	<u>\$1,000,000</u>

Automobile Liability Insurance:

<u>Bodily Injury, Property Damage and Covered Pollution Cost or Expense (Each Occurrence Limit)</u>	<u>\$1,000,000</u>
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**15.9 Self-Insurance**

Any organization seeking a permit under the Ordinance which is self-insured, must meet and/or exceed the requirements of the Illinois Department of Insurance and the Illinois statute(s) for self insurers. Qualified legal counsel must provide a provision to be inserted within any self insured documents and/or trust, which provides that the protection afforded the Lake County Division of Transportation, its officers, agents and employees and Lake County, its officers, agents and employees will be the equivalent of the insurance protection required of those organizations which do purchase the required insurance coverages.

LCDOT is not obligated to accept self-insurance by an organization in lieu of any or all of the insurance policies or coverages delineated above. The decision to accept or reject an organization's self-insurance shall be made solely and exclusively by the County Engineer at the County Engineer's discretion.

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**HIGHWAY ACCESS REGULATION ORDINANCE**  
**PERMIT FEE SCHEDULE**  
Revised November 13, 2007  
Effective December 01, 2007

**MINOR ACCESS PERMIT**

The following fees shall be required for each Minor Access:

- Application Fee..... \$150.00

*PERMIT FEE:*

- Private driveway to one (1) single family resident or one (1) field entrance: ..... No Permit Fee
- All other Minor Access Permits: .....\$300.00

All fees are non-refundable.

**MAJOR ACCESS PERMIT**

The following fees shall be required for each Major Access:

- Application Fee.....\$300.00

*PERMIT FEE:*

- No highway improvement required: .....\$450.00
- Restricted access: .....\$525.00
- Right turn lane required: .....\$600.00
- By-pass lane required: .....\$750.00
- Right turn lane and by-pass lane required: ..... \$1,050.00
- Left turn lane required: ..... \$1,500.00
- Right turn lane and left turn lane required:..... \$2,250.00
- Traffic signal installation: ..... \$1,500.00  
plus the fee amount based on the type of highway improvement required

All fees are non-refundable.

**DESIGNATED FREEWAY ACCESS PERMIT**

The following fees shall be required for each Designated Freeway Access:

- Application Fee for access: .....\$900.00
- For each Designated Freeway Access: . . . . The amount of the Designated Freeway Access Permit fee shall be determined by the highway improvement required. The fee schedule shall be the same amounts as required for a Major Access Permit based on the highway improvement required.

All fees are non-refundable.

**CONDITIONAL ACCESS PERMIT**

Only an application fee shall be required for each Conditional Access:

- Application Fee for each access: .....\$450.00

The amount of the Application Fee for a Conditional Access Permit shall be in addition to the required fee amounts for a Minor Access Permit or a Major Access Permit as applicable.

All fees are non-refundable.

**TEMPORARY ACCESS PERMIT**

A Temporary Access is either a Minor Access or a Major Access and the applicable application fee schedule shall apply.

The following fees shall be required for each Temporary Access:

- Permit Fee for access (single family house driveway):.....\$450.00
- Permit Fee for other access types: .....\$750.00

All fees are non-refundable.

**VARIATION**

The following fees shall be required for each Variation:

- Each Variation in relation to a Minor Access: .....\$150.00
- Each Variation in relation to a Major Access: ..... \$1,500.00

All fees are non-refundable.

**FINAL INSPECTION**

The following fees shall be required for a Final Inspection:

- First Final Inspection for the release of the Performance Guarantee:.....\$525.00
- Each subsequent Final Inspection for the release of the Performance Guarantee:.....\$300.00
- First Final Inspection for the release of the Maintenance Guarantee:.....\$300.00
- Each subsequent Final Inspection for the release of the Maintenance Guarantee:.....\$225.00

All fees are non-refundable. Fees for each first inspection (Performance and Maintenance) are paid at time of permit issuance.

**HIGHWAY ACCESS REGULATION ORDINANCE DOCUMENT**

The following cost shall be required for a copy of the Highway Access Regulation Ordinance document:

- Each document:.....\$30.00

This cost is non-refundable.