



**McKenzie County**  
1300 12<sup>th</sup> Street SE, Suite 240  
Watford City, ND 58854  
Ph. 701-444-2600  
[county.mckenziectomy.net](http://county.mckenziectomy.net)

**MCKENZIE COUNTY ROAD AND BRIDGE DEPARTMENT**  
**APPROACH PERMIT POLICY**

**POLICY**

The purpose of the Approach Permit Policy is to regulate the location and general design of a public or private access to a County and/or Township road or a section line, whether improved or unimproved. An Approach Permit is required from the McKenzie County Road and Bridge Department whenever an Applicant desires to install an access. The guidelines herein are provided to create consistent guidelines for reasonable access, promote safety for roadway users, and protect the public road system within McKenzie County.

**GENERAL REQUIREMENTS**

General Conditions:

1. Except as otherwise permitted, construction, reconstruction, change in use or intensity, or relocation of any new or existing access in the right of way shall not commence until an application for a permit has been made and such permit granted. Installation of said access without a valid permit could result in additional fees, removal of said access, and future permit applications being denied.
2. For purposes of this policy, the following are defined as:
  - a. Right of way shall mean the right of way as it exists on the date of execution of the permit and for Major Collectors shall also include that area within seventy-five feet of the center of the right of way over which the Board of McKenzie County Commission has control pursuant to North Dakota Century Code 24-01-42.
  - b. An unimproved section line is a section line where no road exists at the time of Application. Two track or sodded trails do not constitute a roadway.
  - c. The clear zone is:
    - i. 15 feet from the edge of the roadway for roads with speed limits of less than 45 mph.
    - ii. 20 feet from the edge of the roadway for roads with a speed limit of 45 mph or more.
    - iii. Unimproved section lines shall not have a clear zone, but the existing travelled way must not be impeded.
3. Safety is important when accommodating access within the right of way. Accesses must not adversely affect roadway constructability, operations, maintenance, and safety.
4. Accesses must be designed and located to avoid disturbing existing roadway drainage or drainage facilities.
5. Accesses are to be staked prior to Applicant submitting a Permanent Approach Permit. A description of how the access is staked should be provided at the time of application. Internal field reviews will not occur until an access is staked. Additional fees will be assessed if the County attempts to conduct a field review of an access and it is not staked.
6. Applicant must pay for all damage to the existing roadway caused by its activities and is responsible for restoring and reclaiming any damage to its original condition.
7. Applicant shall be responsible to pay for all costs associated with the construction of the access.
8. The review and approval of a permit does not relieve the Applicant of the responsibility to comply with all Federal, State, and Local laws and regulations.



## McKenzie County

1300 12<sup>th</sup> Street SE, Suite 240

Watford City, ND 58854

Ph. 701-444-2600

[county.mckenziecounty.net](http://county.mckenziecounty.net)

9. Permanent Approach Permits are valid for one year upon approval. If an access is not installed after one year, the Applicant must reapply for the permit. Fees are nonrefundable.
10. Temporary Approach Permits are valid for one year upon approval. If an access is not installed after one year, the Applicant must reapply for the permit. Fees are nonrefundable.

### Traffic Control and Safety:

1. All traffic control devices used during the installation or maintenance of an access within the right of way must conform to the current edition of the "Manual on Uniform Traffic Control Devices", and to all current applicable standard drawings of the North Dakota Department of Transportation.
2. No materials shall be stored, equipment parked, unattended excavation trenches left open, or excavation piles placed in the clear zone or travelled way. All equipment not in use shall be parked at the outer limits of the right of way. Heavy equipment, particularly tracked equipment, should not be loaded, unloaded, or operated within the travelled way. Rubber tracked or rubber-tired heavy equipment equal to or less than 20,000 lbs GVW may operate within the travelled way when conducting work within the permitted area.
3. Reference drawings may be found here:
  - a. Guide: [https://www.dot.nd.gov/manuals/design/utilities/utilitypermits/TTC\\_Handbook.pdf](https://www.dot.nd.gov/manuals/design/utilities/utilitypermits/TTC_Handbook.pdf)
  - b. Standard Drawings: <https://www.dot.nd.gov/dotnet2/view/std drawings.aspx>

### Erosion Control:

1. Erosion and Sediment Control: Erosion control measures must be implemented in order to prevent sediment runoff into waterways, lakes, wetlands, etc. As applicable, appropriate erosion control devices must be placed before work starts. The surface area disturbed by the installation of the access must be kept to a minimum.
  - a. Within 30 days after installation, maintenance, or removal of an access within the right of way, all disturbed areas must be restored to their original condition and reseeded or resodded as specified in the permit. Do not place seed on frozen ground or between July 15<sup>th</sup> and August 10<sup>th</sup>. If seed is unable to be placed due to seasonal limitations, ensure that seeding occurs as soon as the seasonal limitations are completed. Seed mix should be per the NDDOT Standard Specifications for Road and Bridge Construction, unless otherwise specified by another governmental entity. The Applicant shall be responsible for restoring vegetative growth on all disturbed areas.
  - b. The track out of mud or debris onto public roadways should be limited. Applicant is to clean the roadway as necessary, without damaging the road. If Applicant is asked to clean the roadway by the County, the roadway should be cleaned within twenty-four (24) hours of being notified.

### Application Submittals:

1. The following documents shall be submitted with the Approach Permit Application:
  - a. North Dakota State Contractor's License Number.
  - b. Certificate of Insurance with McKenzie County listed as a Certificate Holder.
  - c. Landowner Permission Forms.
  - d. Organized Township Permission Forms, if applicable.
  - e. Map of access including, but not limited to, access location, access width, access radii, and access surfacing.
  - f. Proposed grading contours adjacent to the right of way, if requested.



## **ROADWAY CATEGORIES**

The types of roadways under the County's jurisdiction include:

1. Major Collectors
  - a. Major Collectors are high priority County roads that are on the federal aid network. Generally, posted speed limits are between 45 mph and 55 mph. Major collectors are to accommodate both higher travel speeds and direct property access.
2. Rural Local Roads
  - a. Rural Local roads are primarily Township roads. In unorganized Townships, the roads are considered County roads. Rural Local roads posted speed limits are generally less than 45 mph and primarily serve to provide access to adjacent land.
3. Urban Local Roads
  - a. Urban Local roads are located in the Watford City Extraterritorial Area (ETA) and Unincorporated Communities which are Grassy Butte, East Fairview, Cartwright, Keene, and Tobacco Gardens. Urban Local roads primarily serve to provide access to adjacent land.
4. Section Lines
  - a. Section lines may be improved or unimproved. Section lines primarily serve to provide access to adjacent land.
  - b. Roads developed on sections lines may or may not be maintained by the County or Township. Section lines that have been improved by the oil and gas industry may be reclaimed at the end of the life of the facility that they were constructed for. Applicants shall work with the entities that improved the road to understand any maintenance and reclamation requirements for the road.

## **ACCESS TYPES**

The Access Type is based on the traffic volume served by the access. The County relies on four Access Types which are:

1. Type 1: Single Family or Field Access
  - a. Includes accesses that serve up to three single-family homes or provide field access.
2. Type 2: Low Volume Access < 100 Trips/Day
  - a. Includes accesses that serve small commercial, industrial, and multiple residences.
3. Type 3: High Volume Access > 100 Trips/Day
  - a. Includes accesses that serve small commercial, industrial, and multiple residences.
4. Type 4: Public and/or Private Street
  - a. Part of an integrated network that serves multiple properties.

## **ACCESS LOCATION CONSIDERATIONS**

The County's policy on access location is designed to respect the legal rights of abutting property owners while preserving safety and mobility. When designating the location and design of an access, the following items should be considered:

1. Number of Accesses to Parcel
  - a. For parcels forty acres or less, the need for multiple driveways serving the same lot should be reviewed on a case-by-case basis. Generally, one driveway per parcel is sufficient to provide reasonably convenient and suitable access.



- b. Typically, one field access to a property under the same ownership or controlling interest may be granted and additional openings shall only be granted if topographical or business activities necessitate.
  - c. The County desires to have no net gain accesses, particularly along Major Collectors. If a new access is desired at a parcel, the Applicant may be requested to remove an existing access to accommodate the goal of no net gain accesses.
2. Sight Distance
- a. All accesses should have adequate sight distance to ensure that a vehicle entering the highway from a street or driveway can safely perform the maneuver while having a minimum impact on through-traffic.
  - b. Sight distance is to be based on the following table for Type 1, Type 2, and Type 3 accesses.

*Access Sight Distance*

<b>Posted Speed Limit (mph)</b>	<b>Sight Distance (feet)</b>
Below 45	305
45 and Above	500
Major Collector	500

- c. Sight distance for Type 4 accesses is to be based on Intersection Sight Distance.
  - d. When the recommended sight distance cannot be met, the access should be located where the best possible sight distance can be achieved. Additional efforts to obtain the recommended sight distance may include:
    - i. Grading the slope or clearing a sight triangle.
    - ii. Installing warning signs along the highway.
    - iii. Recommending the construction of a turn lane.
    - iv. Developing a shared driveway with an adjacent parcel at a location where adequate sight distance exists.
2. Spacing Between Accesses
- a. Spacing between access shall be measured from the near edges of each access. The accesses may be on the same side of the roadway or on opposing sides.
  - b. For Major Collectors, Rural Local Roads, and Section Lines:
    - i. Access Type 1 and Type 2: The spacing between low-volume driveways should provide a safe landing area for errant vehicles.
    - ii. Access Type 3: The spacing between high-volume driveway should provide adequate stopping sight distance for the posted speed of the highway.
    - iii. Access Type 4:
      - 1. Major Collectors: Generally, Type 4 accesses should be located on full, half, and quarter section lines and Type 4 accesses should have 1,320 ft of spacing.
      - 2. Local Roads: Type 4 accesses should have 660 ft of spacing.



**McKenzie County**  
1300 12<sup>th</sup> Street SE, Suite 240  
Watford City, ND 58854  
Ph. 701-444-2600  
[county.mckenziecounty.net](http://county.mckenziecounty.net)

*Minimum Spacing between Adjacent Accesses*

<b>Posted Speed Limit (mph)</b>	<b>Type 1 &amp; Type 2 Spacing Between Adjacent Accesses (feet)</b>	<b>Type 3 Spacing Between Adjacent Accesses (feet)</b>
Below 45	50	350
45 and Above	150	500
Major Collector	150	500

- c. For Urban Local Roads:
  - i. In the Watford City ETA and in Unincorporated Communities, spacing shall be per the City of Watford City's Driveway and Access Management Guidelines which may be found here:  
<https://www.cityofwatfordcity.com/Department/Engineering/Driveway-and-Access-Management-Guidelines>.
- 3. Offset Accesses
  - a. Type 3 and Type 4 accesses should be aligned with one another to the extent practical, or they should be offset to minimize overlapping left turns and other maneuvers that could result in safety or operational problems.
- 4. Roadway Category
  - a. Accesses are preferred to come off of the lower category roadway to the extent practical.

**ACCESS DESIGN**

Installation of an access within the right of way shall be per the current version of the *McKenzie County Design Standards for New Construction or Reconstruction of Roads*. The access shall be designed and installed to minimize impacts to the existing road.

- 1. Surfacing:
  - a. Gravel Roads:
    - i. If an access connects to a gravel road, the surfacing in the right of way should meet a McKenzie County Class 13 Modified (Class 13M) gradation.
  - b. Scoria Roads:
    - i. If an access connects to a scoria road, the surfacing in the right of way may be scoria or Class 13M.
  - c. Asphalt Roads
    - i. If a Type 1 or Type 2 access connects to an asphalt road, the surfacing in the right of way may be Class 13M or recycled asphalt.
    - ii. If a Type 3 access connects to an asphalt road, the surfacing to the end of the radius may be asphalt or recycled asphalt.
    - iii. If a Type 4 access connects to an asphalt road, the surfacing to the end of the radius should be asphalt.
  - d. An access is to be constructed in a manner that limits track out and run off onto the travelled way of the roadway.
- 2. Width:
  - a. The minimum top width of an access shall be 24 feet and the maximum top width of an access shall be 40 feet.



**McKenzie County**  
1300 12<sup>th</sup> Street SE, Suite 240  
Watford City, ND 58854  
Ph. 701-444-2600  
[county.mckenziecounty.net](http://county.mckenziecounty.net)

- b. The top width of a Type 4 access shall be as determined by the Engineering Director and the current version of the *McKenzie County Design Standards for New Construction or Reconstruction of Roads*.
- 3. Inslopes:
  - a. Access inslopes within the right of way shall be a maximum of an 8:1.
- 4. Drainage:
  - a. Existing drainage patterns are to be maintained. It is the Applicant's responsibility to ensure that, if a culvert is needed, it is properly sized.
    - i. Type 1, Type 2, and Type 3 access culverts along all roads are to be designed for the 10-year event.
    - ii. Type 4 access culverts are to be designed per the current version of *McKenzie County Design Standards for New Construction or Reconstruction of Roads*.
  - b. The minimum culvert diameter to be installed within the right of way is 18 inches.
  - c. The County is not responsible for improper culvert sizing and installation.

### **SECTION LINE AND ROAD IMPROVEMENTS**

An access requested along a section line or road may require the section line or road to be improved. Also, grading adjacent to the right of way shall not extent within the right of way. Guidelines for improving section lines, roads, and right of way are within the County's policy "*McKenzie County Road and Bridge Department Section Line and Road Improvements by Private Entity Policy*".

### **TEMPORARY ACCESSSES**

Temporary accesses are accesses that are needed by an Applicant for less than nine (9) months. Existing access points do not need to be permitted via a Temporary Approach Permit if the change of use or intensity is less than nine (9) months long. A Temporary Approach Permit is required and must be granted prior to the installation of a temporary access. Installation of said temporary access without a valid permit could result in additional fees and removal of said access. Once constructed, a Temporary Approach Permit expires after nine (9) months. Upon expiration, the temporary access must be removed and reclaimed within 30 days.

### **FEES**

The Approach Permit fee schedule is as follows:

- Permanent Approach	\$250.00
- Temporary Approach	\$100.00
- Unauthorized Approach	\$1,000.00
- Field Review Attempt with No Stake	\$200.00

**ADOPTED DATE:** March 5, 2024