

RESOLUTION

WHEREAS, the Ozark Special Road District is charged with the responsibility of the construction, improvement, and repair of public streets and roads within its boundaries with the Christian County; and

WHEREAS, the recent growth in development within the boundaries of the Ozark Special Road District has prompted many cases in which developers and political subdivisions have called upon the District to either fund the design and/or construction of new roads, the expansion of existing roads, construct new intersections, and other improvements, or some combination; and

WHEREAS, the number of requests would require expenditures that exceeds the budget of the District, which thus requires prudent and conservative decisions upon how to best pay for needs with existing funds; and

WHEREAS, this growth in development also lies within the City limits of the City of Ozark, in which the District retains jurisdiction of various streets and roads due to a Cost Share Agreement the District and City entered into in 2011, and which remains in force and effect; and

WHEREAS, the consideration of this development with the streets and roads which will service it requires the application of the traffic engineering principles of access management to properly consider and expend funds upon streets and roads in a prudent and conservative manner;

WHEREAS, in particular, the City of Ozark has opened access of documents to the District's engineers through the City's "Smart Gov" portal, for the purpose of permitting the District engineers to comment upon, permit, or recommend against specific construction design and activity that impacts the streets and roads dedicated to the District under the Cost Share Agreement previously mentioned; and

WHEREAS, the application of access management principles is also necessary to consider how to construct, improve, and repair the District's streets and roads that lie within unincorporated areas of Christian County; and

WHEREAS, the District is required to protect its existing streets and roadways in which builders and developers wish to connect new streets, roads, or driveways with those existing streets and roadways; and

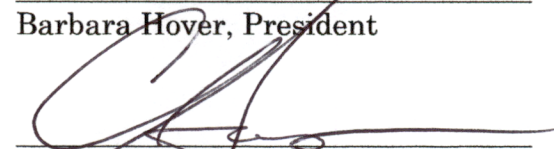
WHEREAS, the Commissioners of the District have been studying this subject for over one year with District Engineers in order to publish a comprehensive policy that states how the District can best serve its statutory mission of the construction, improvement and repair of streets and roads.

IT IS HEREBY RESOLVED that the Access Management Policy, attached to this Resolution as Exhibit A, is approved, and serves as the current policy of the District.

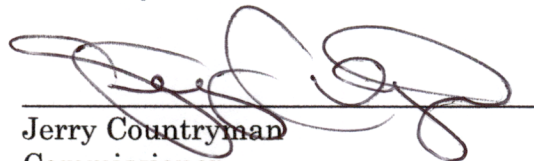
So approved this 13th day of March, 2024.



Barbara Hover, President



Chris Somers
Secretary



Jerry Countryman
Commissioner



ACCESS MANAGEMENT POLICY

Effective March 13th, 2024

PREAMBLE

Access management is an initiative-taking method that decides upon access points by motor vehicles to land parcels and to other streets and roads. Its use is recognized by the Federal Highway Administration, state and local governments, and traffic engineers and is considered a reliable method of managing traffic. It addresses several factors in the immediate vicinity, including the location of facilities, existing intersections and interchange spacing, driveway spacing, traffic signal spacing, median locations, turning lanes, and street connections. Access management can be just as important for common driveways. Factors to consider driveways include the adjacent speed limits, volume, and types of traffic, spacing of existing driveways, property lines of nearby real estate tracts, and traffic impacts from the property.

The advantages of access management include increased roadway capacity; reduced collisions; and shortened travel time for motorists, brought about by strategies such as access spacing, such as spacing between signalized intersections and distance between driveways; the proper location of turning lanes, including dedicated left and right turn lanes, indirect left turn lanes, U-turns, and roundabouts; and the location of medians.

The growth of both commercial and residential development inside the city limits of Ozark and north of the City limits, as found by the City of Ozark in its 2019 Comprehensive Plan, is all the more evidence that access management is an important function for the streets and roads maintained by the Ozark Special Road District. This growth in development has, if anything, increased over time rather than decreased or remained stable.

This may require the District to charge fees for the review of traffic management in certain commercial and residential developments since the District normally budgets upon known and regular maintenance schedules and cannot budget for reviews of development projects filed without prior notice to it. Many access management decisions will concern connections to existing District streets and roads and require their protection. Such decisions do not mean that the District is a zoning or general regulatory building authority. These decisions instead mean that the District must manage traffic upon, and protect, its streets and roads.

Therefore, the District finds that the principles and methodology of access management substantially serve vital public interests within the statutory charge of the District and reserves the right to use access management to various developments and situations within the District territory. It also reserves the right to assess reasonable engineering and related fees for the time spent in the research, analysis, and decision making for access management. The applicant, and/or agent or representative of the applicant, who signs the application for the access to streets, roads, and real estate tracts shall be the party responsible for payment of the services.

This Preamble shall assist in the interpretation of the District's Access Management Policy should there be any questions concerning its meaning.

CRITERIA

The following access management criteria are hereby set forth and adopted by OSRD to serve as the OSRD Access Management Policy. This Policy shall be administered and interpreted by the OSRD Commission or its designee. The policy is as follows:

1. No person, firm, corporation, or other entity, public or private, shall construct or cause to be constructed or allow any driveway, highway, road, alley, street, other roadway, or any aspect or part thereof, to connect to or otherwise access or allow motor vehicle traffic on or onto any part of the OSRD road system including OSRD rights-of-ways, without first applying for and obtaining an access/driveway permit from OSRD, acting by and through the OSRD Commission or its designee;
2. All access and access/driveway permits to OSRD-maintained roadways shall be subject to the approval by OSRD or its designee. No access/driveway permit will be granted or approved which does not properly address drainage, sight distance, emergency access, and other safety criteria, including, but not limit to, proper lane widths, guardrail, front and back slopes, right-of-way encroachments, or pavement buildup to support anticipated future traffic on the public roadways system at affected points, as established and determined to be appropriate by OSRD or its designee;
3. A Traffic Impact Study may be required and reviewed by OSRD's on-call engineer to determine what, if any, improvements are necessary to accommodate the proposed access point, and any traffic generated as a result of the connection to OSRD's roadway;

4. Compliance with all requirements of the access/driveway permit are the responsibility of the property owner, developer, or entity applying for the access. Construction and material requirements shall be consistent with OSRD requirements (City of Ozark or Christian County requirements, depending on jurisdiction having authority). Driveways for individual residences as well as larger developments must comply with these access procedures and requirements;
5. All subdivisions of real property and all developments, along, adjacent to, or accessing existing paved or unpaved OSRD roads, and any person or entity seeking to connect a highway, street, alley, road, or other public or private way, thereto, shall be required to improve and upgrade such existing public road and connecting roads, and associated drainage facilities, to the extent required by OSRD, its designee, or on-call engineer. These improvements may include, but are not limited to, the construction of additional lanes to increase capacity, turn lanes, acceleration and/or deceleration lanes, guardrail, clear zones, or other improvements deemed necessary by OSRD's on-call engineer. The existing road system may be required to be upgraded in order to provide for future anticipated traffic demand and/or traffic volume increases. In addition to these requirements, subdivisions located on or accessing OSRD roadways shall have the following limitations to include frontage lots:
 - a. Residential lots shall be subject to stopping sight distance requirements based on the design speed or posted speed of the roadway (whichever is greater) and site conditions. Access for lots generating more vehicles per day than the amount generated by two (2) single family homes will be subject to intersection sight distance requirements based on the design speed or posted speed of the roadway (whichever is greater) and sight conditions. Access points fronting on any OSRD roadway classified as a collector or arterial roadway (per Ozarks Transportation Organization's [OTO] Major Thoroughfare Plan [MTP]) shall also be required to be spaced in accordance with OTO's design requirements.
 - b. Residential lots which are proposed denser than the requirements in 5.a. shall be allowed a shared driveway to serve a maximum of two (2) lots. These access points must still comply with all sight distance and spacing requirements listed in 5.a. All roadways/drives shall be constructed in accordance with Christian County or City of Ozark (whichever is the jurisdiction having authority) requirements.
 - c. Residential or commercial lots on routes classified as arterials may be required to have limited access through service roads, access easements, or equivalents.
 - d. Existing lots (as of the dates of the adoption of this policy) shall be grandfathered or exempt from spacing requirements of 5.a., provided the lot configuration does not change. If a subdivision of the existing lot occurs or is proposed, the new lot(s) must meet the criteria established herein.
 - e. Turn lane requirements will be on a case-by-case basis, as determined by the OSRD Commission or their designee. Design of the turn lane widths, lengths, tapers, etc. will be according to nationally recognized engineering best practices. A Traffic Impact Study may also provide necessary turn lane lengths/tapers, depending upon queue lengths, design speeds, turning movement volumes, etc. It is encouraged that those seeking access to OSRD's roadway first meet with the OSRD Commission or their on-call engineer to establish expectations for what will be necessary to fulfill the requirements of this policy.

All costs associated with Section 5. are to be borne by the developer or owner;

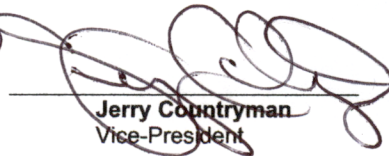
6. Existing drainage structures, including culverts, bridges, ditches, inlets, and curbs maybe required to be upgraded or replaced, as determined by the OSRD Commission or its designee;
7. Any utility installation that is required to serve the subdivision or development that must be relocated as a result of the required roadway or drainage improvement is the responsibility of the owner or developer thereof. Utility installation or relocation must be performed in accordance with the requirements of OSRD's on-call engineer. All costs associated with the installation or relocation of utilities must be borne by the developer or owner;
8. Additional right-of-way may be required by OSRD in order to properly construct the required roadway and drainage improvements or utilities. Additional right-of-way may also be required in order to comply with OTO's MTP, and future planned widenings of a particular corridor. The developer, traffic generator, or applicant for an access permit is not necessarily entitled to exclusive use of any excess capacity of the existing roadway or any right-of-way that may be available and suitable for construction or any right-of-way in excess of that which is necessary to construct improvements required by OSRD or its designee. The developer, owner, or applicant for the access/driveway permit is responsible for all costs associated with acquiring additional right-of-way;
9. Design and construction plans which show all of the proposed access and improvements must be submitted to OSRD's on-call engineer for review and approval. All such plans shall bear the signature and seal of a professional engineer licensed to practice in the State of Missouri;
10. Prior to approval, an estimate of all costs of the proposed improvements impacting OSRD's infrastructure (including roadway, stormwater, etc.) shall be submitted by the applicant to OSRD's on-call engineer or their designee for review and approval; and upon approval of the estimate, an escrow in the amount of not less than 150% of the approved cost must be made and posted

by the access/driveway permit applicant (per Escrow Public Improvement Policy) with OSRD to assure proper and timely completion of the improvements specific. Standard residential driveway approaches will not typically require escrow, unless requested by OSRD Commission or its designee. Commercial driveways may require public improvement plans, depending on the extent of any other improvements that may be necessary to accommodate the proposed development, in which case, public improvement plans and escrow will be required. Construction of any public improvements or any construction in the right-of-way must not commence until written approval has been granted by OSRD or their designee. Construction notification and inspection requirements shall be in accordance and consistent with Christian County or City of Ozark standards (whichever is the jurisdiction having authority);

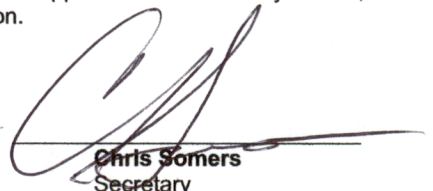
11. If construction is not substantially commenced within one (1) year from the date of the issuance of the access/driveway permit, or if commenced and the applicant fails to continuously and satisfactorily work toward completion of the project according to the approved construction plans, the application and approval thereof will be void and application for an access permit must be resubmitted. Any resubmitted application for an access permit and approval or rejection thereof would take into consideration any additional improvements or change in construction or design based on conditions which the OSRD's on-call engineer deems necessary;
12. OSRD will not provide plan review approval of any Christian County or City of Ozark building permits, plats, or other development permits, without access approval from OSRD, in cases where the driveway or roadway provided ingress/egress accesses or connects to an OSRD road;
13. Regardless of any provisions contained herein to the contrary, an individual seeking access for the purpose of ingress and egress to only one (1) single family residence shall be required to obtain an access/driveway permit issued by OSRD, but shall not be required to present engineering studies and detailed construction plans, unless OSRD's on-call engineer determines that such is necessary due to particular safety, engineering, or other concerns associated with that specific point of intended access;
14. In the event any person or entity shall gain, establish, allow access to or otherwise connect or allow connection of any public or private highway, street, alley, road, or other public or private facility to any part of OSRD's roadway system, in violation of any part of this policy or without first obtaining an access/driveway permit as herein provided, and without the express written permission of OSRD, OSRD shall have the additional right to place impassable barricades between the traveled portion of the OSRD roadway or right-of-way and the point of unpermitted access, thus preventing entry onto the OSRD road system and ingress/egress thereto. The OSRD Commission also realizes that it may, in some cases, be required to remove items place on the public right-of-way, without permission of its owner, if it poses a safety threat to the traveling public;
15. Any person, firm, corporation, or entity which violates any part or portion of this policy or otherwise connects or allows the connection to any OSRD roadway or right-of-way of any portion of the OSRD system in violation of the aforementioned requirements, or any portion, section, or aspect thereof, without first obtaining a written access permit to access the same, as provided herein, shall in addition to all other remedies available to OSRD, including, but not limited to, injunction and assessment of damages, be subject to and liable for the payment of civil penalties and reimbursement to OSRD in an amount equal to all costs or damages incurred by OSRD or it's on-call engineer in order to bring said access point and use of the OSRD roadway system into compliance with the provisions hereof and the costs, including, but not limited to, the cost of design, construction, and installation of all necessary improvements to comply with the requirements herein, and for the cost of physically preventing ingress and egress to and from the OSRD roadway system. Nothing contained herein shall, however, be interpreted to limit OSRD to anyone or more available legal remedies, and the provisions herein providing for remedies shall be cumulative to all other remedies available now or in the future;
16. The requirements hereof shall be cumulative to any other legally imposed conditions or requirements provided by law, OSRD, or its engineers.
17. The provisions of this policy are severable. If any portion hereof shall be declared invalid by any court of competent jurisdiction, such declaration shall not affect the remaining portions hereof;
18. The provisions hereof shall become effective immediately upon adoption by the OSRD Commission. Christian County, City of Ozark, and Village of Fremont Hills shall be advised of the adoption hereof, and be requested to withhold any and all permits for developments accessing OSRD's roadway system until such access/driveway permits have approved and issued by OSRD, acting by and through OSRD's on-call engineer or other designee of the OSRD Commission.



Barbara Hover
President



Jerry Countryman
Vice-President



Chris Somers
Secretary

References:

United States, Lee County, AL, Highway Department, et al. *Access Management Policy*, Lee County, Alabama, 2022, pp. 1-7.