
Appendix C

Examples of Relevant Highway Policy Practice

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■ Access Management

Overview

The statutory authority for access management is generally granted to a state department of transportation through the state code or general statutes. This may be accomplished through adoption of a specific statute relative to access management by the state legislature. Alternatively, the section of the state code specifying the authority of the department of transportation includes the ability to regulate access. The state statutes directing access management generally apply expressly to state highways. Non-state highways (county and local/municipal roads) fall under the jurisdiction of local governments. The access management program of state departments of transportation is commonly administrated in two ways; either through centralized state-level offices or through district offices.

The implementation of state-level access management programs varies substantially from state to state, but generally includes similar components. These components commonly include a documented set of standards for access design onto state highways, a permit process for access to a state highway, a system for revoking a permit or closing a driveway, a process for purchase of access rights, and a public information or outreach program.

Examples of State Statutory Authority and Administrative Structure

Colorado

The Colorado access management code is promulgated under the Colorado Department of Transportation (CDOT) rule making authority granted through the state legislature. The code was first adopted in 1981 and has been amended as recently as 1998. Colorado does not have a specific access management act.

The Colorado access management program is centralized within a state-level program office. Administrative procedures, access classifications, and design criteria are contained in one document.

Delaware

The Delaware access management program is implemented through the Delaware Department of Transportation (DelDOT) rule making authority granted through the state legislature. Delaware does not have a specific access management act.

DelDOT has a both a centralized Corridor Capacity Preservation Program administered through the Development Coordination Section of the Division of Planning and a decentralized highway access permit program. The Development Coordination Section reviews access proposed as part of development applications (zoning and subdivision) forwarded to them by local jurisdictions, and takes responsibility for administering acquisition of access rights. However, the highway access permit process is administered through the office of the Permit Supervisor in each state highway district.

Florida

The Florida access management program was established through a specific statute enacted in 1988 and amended in 1992. Requirements and authority for access management are spelled out in the statute. The statute makes a distinction between significant and “not-significant” increases in traffic generation for the purposes of regulating access.

The access management program in Florida is decentralized. The seven Florida Department of Transportation (FDOT) district offices have authority and responsibility for administering the program. Permit applications are made to the district maintenance offices. However, where an application requires more extensive technical review, it is forwarded to the District Permits Office and district permits engineer.

New Jersey

Authority for access management in New Jersey is established through the State Highway Access Management Act adopted in February 1989.

The New Jersey Department of Transportation (NJDOT) has a specific staff assigned to access and development. This staff is administratively centralized in the state-level office, but many individuals are located in district offices. There is a separate bureau for major access permits, while minor access permits are processed in the district offices.

Examples of State Access Management Program Structure

Colorado

The CDOT program includes:

- Formal procedures for purchase of access rights.
- Functional access classification of state highways.
- Procedures for issuing access permits. Permits can be revoked for failure to adhere to the terms of the access permit.
- Regulatory provisions allowing for denial or closure of direct access to a state highway when alternative access to a secondary roadway is available.
- The CDOT can, within its own initiative and expense, reconstruct or relocate an access when required by changes in roadway operations, design, and safety.
- Information on the access management program on the CDOT web site.

Delaware

The DelDOT program includes:

- Formal departmental policies and regulations for access management.
- A corridor capacity preservation program that provides for the purchase of access rights, development rights, or acquisition of properties in whole.
- A process for review of local zoning and subdivision applications that could have impacts to the State roadway system.
- An entrance-permit program that includes controlling location of access points and requiring compliance with access guidelines.
- Citizen guidebooks to the access management program, accessible through the DelDOT web site.

Florida

The FDOT program includes:

- Formal policies and administrative rules/directives. These include the administrative process, permit requirements, fee structures, and procedures for driveway closures.
- Defined design criteria for access, contained in the FDOT Standard Index, which includes standard plan sheets for the design of Florida highways.
- Field inspections are conducted to ensure driveways are being constructed as allowed by a permit.
- Information/educational documents and FDOT conducts extensive state staff training.
- Extensive use of informal public hearings and one-on-one meetings with property owners.

New Jersey

The NJDOT program includes:

- The State Highway Access Management Code (NJAC) (1992) that serves as a master plan, establishing policy and implementation procedures for the program.
- The NJAC limits redevelopment of a lot having access to a state highway based on whether or not the projected increase in traffic generation is significant (an increase in peak-hour trips of 100 or more and a 10 percent increase in ADT).
- Functional classification of all State highways.
- A specific set of access standards appropriate to each designated functional classification, including standards for geometric design and spacing.

- A procedure for issuing, amending, and revoking access permits. Permits are classified as major or minor based on estimated increase in traffic generation.
- A procedure for closure of driveways.

References

1. Access Management Manual, Transportation Research Board, 2003.
2. Access Management, Location and Design; NHI Course No. 15255, National Highway Institute, June 1998.
3. National Transportation Library – <http://ntl.bts.gov/data/policy-plan/access>.
4. Delaware Department of Transportation web site – <http://www.deldot.net>.
5. Colorado Department of Transportation Access Permits web site – <http://www.dot.state.co.us/AccessPermits/index.htm/>.
6. Florida Department of Transportation web site – <http://www11.myflorida.com/planning/systems/sm/accman/>.
7. New Jersey Department of Transportation web site – <http://www.state.nj.us/transportation/business/accessmgt/>.

■ **Corridor Planning**

Overview

A corridor plan is a long-range plan for managing and improving transportation facilities. Many states undertake corridor planning as an outgrowth of the strategic planning directives of the Intermodal Surface Transportation Efficiency Act of 1991 (known as ISTEA) and in association with the development of statewide transportation plans. Corridor plans assist in the identification of important transportation projects for implementation as included in each state's Statewide Transportation Improvement Plan (STIP).

Roadway corridors in need of a long-range plan are initially identified by state departments of transportation as part of statewide system planning or by local jurisdictions, regional planning agencies, or metropolitan planning organizations. Recommendations for corridor planning projects may be included in local and regional transportation plans, which are, in turn, incorporated in state transportation plans. Priorities for which corridor plans should be developed are commonly determined within the context of written strategies for statewide transportation system enhancements. Priority corridors are often identified based on the need to resolve major planning issues, to protect transportation investment, to preserve transportation rights-of-way, and to respond to Federal and state planning requirements. A

key element of corridor planning is consideration of the interrelationship between land use and transportation.

Examples

Case Study 1. Connecticut

The transportation system in Connecticut is described in the *2001 Master Transportation Plan* (Connecticut Department of Transportation [ConnDOT], 2001) as being comprised of numerous corridors. These corridors consist of highways as well as other transportation systems. The recommendations for corridor improvements normally evolve from corridor studies and/or other types of studies related to specific modes or problems.

The emphasis of the corridor planning process in Connecticut is to develop strategies that focus on resolving the most critical transportation problems while meeting broader ConnDOT goals. A number of corridor planning studies are currently underway for various congested highway corridors in Connecticut. The need for these studies was identified in the long-range plans prepared by the regional planning organizations (RPO). While ConnDOT has the lead responsibility for most of these studies, some are being led by the RPOs. In either situation, however, the corridor planning effort is a collaboration among ConnDOT, the RPOs and the towns affected by the corridor.

The corridor plans lay out an integrated plan of transportation improvements for each corridor, including the scheduling and prioritizing of projects for implementation over a 20-year period. Most of the studies also include access management plans for the corridor towns. The towns actively participate in the process through Corridor Advisory Committees.

Case Study 2. Minnesota

The Minnesota Department of Transportation (Mn/DOT) began identifying key transportation corridors in 1999 as part of the development of the State Transportation Plan (STP). The key corridors were included in the designation of an Interregional Corridor System (ICS), formally adopted as part of the STP in January 2000. In conjunction with the identification of the ICS, Mn/DOT undertook a policy study to establish a “core transportation philosophy” for the ICS. The adopted policies correlate to the Mn/DOT’s four Smart Growth Principles. These guiding principles provided a framework for adoption of the seven interregional corridor planning policies.

Mn/DOT has published a corridor planning guidebook entitled *Interregional Corridors – A Guide for Plan Development and Management* (2000). The guide is intended for use by Mn/DOT staff as well as other agencies and local units of government to provide a framework for preparing a corridor plan. Mn/DOT notes that key features of the interregional corridor planning process that may be different from traditional corridor planning approaches include:

- Performance-based planning approach;
- Management and analysis based on longer corridors;
- Implementation based on longer timeframes; and
- Ongoing corridor management teams.

Case Study 3. Oregon

In response to ISTEA, the state-level Oregon Transportation Commission (OTC) adopted the *Oregon Transportation Plan* (OTP) in 1992. The OTP established goals and policies to guide state and local transportation system development in an effort to “balance highways with other means of transportation, and transportation with other resources and community values.” The Oregon Department of Transportation (ODOT) develops plans for transportation corridors identified in the OTP as being of statewide importance, generally for urban area arterial roads and interchange areas where development pressures have or are threatening operations. The OTP defines transportation corridors as “major or high-volume routes for moving people, goods and services from one point to another.”

Corridor planning in Oregon is a three-phase process. In Phase 1, transportation facilities and systems in each corridor are identified and analyzed for present and future performance. In addition, characteristics of the corridor and the role it plays in the region are described in terms of land use, social, environmental, and economic development impacts. From these analyses come key findings and conclusions regarding the present and future performance and impact of the corridor. These findings and conclusions are the basis for a formal corridor strategy. Phase 1 corridor planning concludes with the endorsement of an “interim corridor strategy” by cities, counties and metropolitan planning organizations within individual corridors, and by the OTC.

During Phase 2, a “corridor improvement and management element” of each corridor plan is developed to establish implementation priorities. At the conclusion of Phase 2, the interim corridor strategy is refined to reflect the implementation decisions made. The corridor improvement and management element, together with the corridor strategy, is adopted by OTC as the “corridor plan.”

Some portions of corridors may require refinement planning during a Phase 3 to resolve particular land use, access management, or other issues that require more in-depth analysis. Corridor plans may then be amended to incorporate the products of these refinement plans.

Federal and state agencies, tribal representatives, and transportation service providers in Oregon have been invited to participate in a standing Statewide Agency Coordinating Committee to facilitate their involvement in corridor planning. A statewide stakeholders group also facilitates public involvement in corridor planning at the state level. Those interested in a specific corridor can participate directly in corridor planning through involvement on a corridor planning management team.

References

1. Connecticut Department of Transportation 2001 Master Transportation Plan.
2. National Transportation Library web site – <http://ntl.bts.gov/data/policy-plan/access>.
3. Oregon Department of Transportation Access Management web site – http://www.odot.state.or.us/tdb/planning/access_mgt/.

■ Acquisition of Access Rights

Overview

One of the mechanisms used by many state departments of transportation for controlling access onto state highways is the acquisition of access rights. This means the state department of transportation may be authorized to purchase the right of access to a property, acquire an easement across a property, implement eminent domain, or purchase property in part or in whole for the purposes of managing access. So that property owners are not denied use of their land, in situations where access or development rights are purchased, property access to a state highway may be entirely eliminated only when some other access to a public street is possible.

The intent of acquiring access rights is twofold. Access rights may be acquired to reserve options for the State to develop future access points along a state highway. Access rights also may be acquired to prevent access from property abutting a state roadway. The effect is to control or limit the number of access points. In conjunction with this, whole properties may be acquired when access limitations imposed by the state creates unreasonable hardship for a property owner in terms of use or sale of his property. Funding for acquisition may be incorporated into a roadway construction budget or, in some states, may be included as a separate package in the state's six-year capital transportation funding program for corridor preservation.

Examples

Case Study 1. Delaware

Access rights are acquired in Delaware through the Corridor Capacity Preservation Program. Highlights of this program include:

- The Corridor Capacity Preservation Program objectives are documented in the Delaware State Code. These objectives include focusing development towards existing locations, reducing the need for expansion of the transportation system, and enhancing quality of life for Delaware residents.

- Four corridors have been identified along the SHS within which access management and capacity preservation are primary objectives.
- Funding for corridor preservation and acquisition of rights-of-way within the identified corridors is included in the state's six-year Capital Transportation Program.
- If a property owner is denied an entrance permit due to the Corridor Capacity Preservation Program, DelDOT must compensate the property owner through purchase of access rights, purchase of development rights, easements, or a fee simple acquisition. The property owner is expected to initiate the acquisition process.
- DelDOT negotiates with individual property owners to tailor the program to each situation.

Case Study 2. Wisconsin

Wisconsin's program for acquisition of access rights is described in the Wisconsin Department of Transportation (WisDOT) report, *Corridor Preservation and Access Management Guidance* report (January 1994). The primary purpose of the program is to acquire access rights to preserve rights-of-way for future transportation system needs. Highlights of the WisDOT program include:

- WisDOT may undertake negotiated purchase of additional rights-of-way at the time of initial roadway construction. Purchased land may then be leased back to former owners or others until such time as it is needed for project construction. The cost of purchase of access rights is part of the overall construction budget.
- WisDOT purchases easements within which no development can be undertaken.
- WisDOT may purchase access restrictions that prohibit driveways from changing from their current use. Such a restriction disallows the use of a driveway for any change in property use that increases traffic generation in excess of existing volumes.
- WisDOT collaborates with local jurisdictions in the official mapping of future transportation corridors. When a future corridor is officially mapped, the governmental entity having authority over the roadway has full control over access to the planned facility.

Impacts of Access Rights Acquisition on Property Values

Several states were contacted to inquire how their program of purchase of rights-of-way and access rights impacted property values. None of the states responding have formally tracked the impact of access acquisition activities on property values. However, the states surveyed have not observed that the purchase of access rights have clearly devalued or increased the value of adjacent properties. In fact, acquisitions have been associated with both increases and decreases in property values, indicating that the importance of access

to property value is very variable and dependent upon many factors. The following observations are relevant to this issue:

- Factors influencing changes in property values include the functional classification of the abutting roadway, property location relative to other developments, zoning controls, and growth trends in the geographic area.
- An appraisal is prepared for each property where access rights are to be acquired in some way. These appraisal reports do not usually identify of the value of access as a distinct part of the overall property value, but rely on traditional appraisal techniques. Such techniques include examining property sales in the surrounding area and value of improvements on the property.
- Florida usually only purchases access rights around interchanges. FDOT reports that the result in urban and suburban areas is often the enhancement of property values. However, this is not due to the purchase of access rights per se, but to the anticipated increase in access created by the new interchange.
- WisDOT notes in its *Corridor Preservation and Access Management Guidance* report that they at times purchase a property before it is actually needed for a project in order to fairly compensate a landowner, because knowledge that the land will be required for a future roadway project has had a negative affect on the property's marketability. This process is referred to as hardship acquisition.

References

1. National Transportation Library web site – <http://ntl.bts.gov/data/policy-plan/access>.
2. Corridor Preservation and Access Management Guidance; Guidelines to Assist Metropolitan Planning Organizations in Addressing Corridor Preservation and Access Management Concerns in their Communities, Wisconsin Department of Transportation, January 1994.
3. Corridor Capacity Preservation Policy, Delaware Department of Transportation, 2002, http://www.deldot.net/static/pubs_forms/manuals/corr_cap/toc.html.
4. Survey of Purchase of Development and/or Access Rights, AASHTO, 2002 (<http://www.transportation.org/community/right-of-way>).

