

12/31/2007

**CHAPTER 72.**

**24 VAC 30-72-10. Definitions**

“Access management” means the systematic control of the location, spacing, design, and operation of entrances, median openings, traffic signals, and interchanges for the purpose of providing vehicular access to land development in a manner that preserves the safety and efficiency of the transportation system.

"Commercial entrance" means any entrance serving land uses other than two or fewer individual private residences. (See “private entrance.”)

“Commissioner” means the individual who serves as the chief executive officer of the Department of Transportation or his designee.

“Commonwealth” means the Commonwealth of Virginia.

“Crossover” or “median opening” means an opening in a non-traversable median (such as a concrete barrier or raised island) that provides for crossing and turning traffic.

“Design speed” means the selected speed used to determine the geometric design features of the highway.

“District” means each of the nine areas in which VDOT is divided to oversee the maintenance and construction on the state-maintained highways, bridges and tunnels within the boundaries of the area.

"District administrator" means the VDOT employee assigned to supervise the district or his designees.

**ACCESS MANAGEMENT REGULATIONS****12/31/2007**

“Entrance” means any driveway, street, or other means of providing for movement of vehicles to or from the highway.

“Frontage road” means a road that generally runs parallel to a highway between the highway right-of-way and the front building setback line of the abutting properties and provides access to the abutting properties for the purpose of reducing the number of entrances to the highway and separating the abutting property traffic from through traffic on the highway.

“Functional area” means the area of the physical highway feature, such as an intersection, roundabout, railroad grade crossing, or interchange, plus that portion of the highway that comprises the decision and maneuver distance and required vehicle storage length to serve that highway feature.

“Functional area of an intersection” means the physical area of an at-grade intersection plus all required storage lengths for separate turn lanes and for through traffic including any maneuvering distance for separate turn lanes.

“Functional classification” means the federal system of classifying groups of highways according to the character of service they are intended to provide and classifications made by the Commissioner based on the operational characteristics of a highway. Each highway is assigned a functional classification based on the highway’s intended purpose of providing priority to through traffic movement or adjoining property access. The functional classification system groups highways into three basic categories identified as (1) arterial, with the function to provide through movement of traffic; (2) collector, with the function of supplying a combination of through movement and access to property; and (3) local, with the function of providing access to

**12/31/2007**

property. Collector and arterial highways located within an urbanized area with a population of 50,000 or more, or an urban place (small urban area) as designated by the Bureau of the Census having a population of 5,000 or more and not within any urbanized area are considered urban collectors and highways.

“Highway,” “street,” or “road” means a public way for purposes of vehicular travel, including the entire area within the right-of-way.

“Intersection” means any at-grade connection with a highway including two highways or an entrance and a highway.

“Legal speed limit” means the speed limit set forth on signs lawfully posted on a highway or in the absence of such signs the speed limit established by Title 46.2, Chapter 8, Article 8 of the Code of Virginia.

“Level of service” means a qualitative measure describing the operational conditions within a vehicular traffic stream, generally in terms of such service measures as speed, travel time, freedom to maneuver, traffic interruptions, and comfort and convenience. “Level-of-service” is defined and procedures are presented for determining the level of service in the Highway Capacity Manual (see 24 VAC 30-72-170).

“Limited access highway” means a highway especially designed for through traffic over which abutting properties have no easement or right of light, air, or access by reason of the fact that their property abuts upon the limited access highway.

“Median” means the portion of a divided highway that separates opposing traffic flows.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

“Operating speed” means the speed at which drivers are observed operating their vehicles during free-flow conditions with the 85<sup>th</sup> percentile of the distribution of observed speeds being the most frequently used measure of the operating speed of a particular location or geometric feature.

“Permit” or “entrance permit” means a document that sets the conditions under which VDOT allows a connection to a highway.

“Permit applicant” means the person or persons, firm, corporation, government, or other entity that has applied for a permit.

“Permittee” means the person or persons, firm, corporation, government, or other entity that has been issued a permit.

“Preliminary subdivision plat” means a plan of development as set forth in § 15.2-2260.

“Private entrance” means an entrance that serves up to two private residences and is used for the exclusive benefit of the occupants or an entrance that allows agricultural operations to obtain access to fields or an entrance to civil and communication infrastructure facilities that generate 10 or fewer trips per day such as cell towers, pump stations, and stormwater management basins.

"Professional engineer" means a person who is qualified to practice engineering by reason of his special knowledge and use of mathematical, physical and engineering sciences and the principles and methods of engineering analysis and design acquired by engineering education and experience, and whose competence has been attested by the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects through licensure as a professional engineer.

**12/31/2007**

“Reverse frontage road” means a road that is located to the rear of the properties fronting a highway and provides access to the abutting properties for the purpose of reducing the number of entrances to the highway and removing the abutting property traffic from through traffic on the highway.

“Right-of-way” means that property within the systems of state highways that is open or may be opened for public travel or use or both in the Commonwealth. This definition includes those public rights-of-way in which the Commonwealth has a prescriptive easement for maintenance and public travel.

“Roadside” means the area adjoining the outer edge of the roadway. The median of a divided highway may also be considered a “roadside.”

“Roadway” means the portion of a highway, including shoulders, for vehicular use. A divided highway has two or more roadways.

“Shared entrance” means a single entrance serving two or more adjoining parcels.

“Sight distance” means the distance visible to the driver of a vehicle when the view is unobstructed by traffic.

"Site plan" and "subdivision plat" mean a plan of development approved in accordance with § 15.2-2286 and §§ 15.2-2241 through 15.2-2245.

“Stopping sight distance” means the distance required by a driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the highway becomes visible, including the distance traveled during the driver’s perception and reaction times and the vehicle braking distance.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

“Systems of state highways” means all highways and roads under the ownership, the control, or the jurisdiction of VDOT, including but not limited to, the primary, secondary and interstate highways.

“Traveled way” means the portion of the roadway for the movement of vehicles, exclusive of shoulders and turn lanes.

“Trip” means a single or one-directional vehicle movement either entering or exiting a property; a vehicle leaving the property is one trip and a vehicle returning to the property is one trip.

“Turn lane” means a separate lane for the purpose of enabling a vehicle that is entering or leaving a highway to increase or decrease its speed to a rate at which it can more safely merge or diverge with through traffic; acceleration and deceleration lanes.

“Urban” means an abbreviation for the term “urban area” which is defined as an urbanized area with a population of 50,000 or more, or an urban place (small urban area) as designated by the Bureau of the Census having a population of 5,000 or more and not within any urbanized area. The Federal Highway Administration defines “urban area” in more detail based on the Federal-aid highway law (Section 101 of Title 23, U.S. Code).

“VDOT” means the Virginia Department of Transportation, its successor, the Commonwealth Transportation Commissioner, or his designees.

**24 VAC 30-72-20. Authority to regulate entrances to highways.**

A. VDOT’s authority to regulate highway entrances and manage access to highways is provided in §§ 33.1-13, 33.1-197, 33.1-198, 33.1-198.1, and 33.1-199 of the Code of Virginia, and its authority to make regulations concerning the use of highways generally is provided in § 33.1-12

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

(3) of the Code of Virginia. Each proposed highway entrance creates a potential conflict point that impacts the safe and efficient flow of traffic on the highway; therefore, private property interests in access to the highway must be balanced with public interests of safety and mobility. Managing access to highways can reduce traffic congestion, help maintain the levels of service, enhance public safety by decreasing traffic conflict points, support economic development by promoting the efficient movement of people and goods, reduce the need for new highways and road widening by improving the performance of existing highways, preserve the public investment in new highways by maximizing their efficient operation, and better coordinate transportation and land use decisions.

B. Where a plan of development with the specific location of an entrance or entrances was proffered pursuant to §§ 15.2-2297, 15.2-2298, or 15.2-2303 prior to the effective date of this regulation such entrances shall be exempt from the spacing standards for entrances and intersections in Appendix C of the Road Design Manual provided the requirements of § 15.2-2307 have been met. Entrances shown on a subdivision plat, site plan, preliminary subdivision plat that is valid pursuant to §§ 15.2-2260 and 15.2-2261 approved in accordance with § 15.2-2286 and §§ 15.2-2241 through 15.2-2245 prior to the effective date of this regulation shall be exempt from the spacing standards for entrances and intersections in Appendix C of the Road Design Manual.

C. The Commonwealth Transportation Board has the authority to designate highways as limited access and to regulate access rights to those facilities as provided in § 33.1-58 of the Code of Virginia. No private or commercial entrances shall be permitted within limited access rights-of-

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

way except as may be provided for by the regulation titled Change of Limited Access Control (see 24 VAC 30-72-170).

D. Notwithstanding Article IV of the Land Use Permit Manual (see 24 VAC 30-72-170), after the effective implementation date as set forth in 24 VAC 30-72-30 of this chapter the district administrators are authorized to issue private entrance permits and commercial entrance permits in accordance with the provisions of this chapter.

E. In cases where the provisions and requirements of this chapter conflict with the Land Use Permit Manual (see 24 VAC 30-72-170), the provisions and requirements of this chapter shall govern.

**24 VAC 30-72-30. Implementation.**

A. VDOT shall implement this chapter for commercial entrances in phases based on the functional classification of the highway, beginning on July 1, 2008, so that it is in full effect by July 1, 2009.

1. Implementation shall begin on July 1, 2008 for highways with a functional classification as a principal arterial.
2. Implementation shall begin on January 1, 2009 for highways with a functional classification as a minor arterial.
3. Implementation shall begin on July 1, 2009 for highways with a functional classification as a collector or local.

B. Prior to the application of this chapter to a highway based on its functional classification, commercial entrance permits to the highway shall be governed by the provisions of the Land Use

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

Permit Manual and the Minimum Standards of Entrances to State Highways (see 24 VAC 30-72-170).

C. The Commissioner shall annually update and publish maps of the Commonwealth which show all highways with a functional classification as a principal arterial, minor arterial and collector.

**24 VAC 30-27-40. Administrative procedures and rules for obtaining commercial and private entrance permits.**

All applications for entrance permits shall be obtained from and submitted to the residency office for the county in which the work is to be performed. The permit applicant shall submit the permit application form, and the entrance permit, if approved, will be issued in accordance with the applicable administrative rules, requirements and procedures of this chapter and the Land Use Permit Manual (see 24 VAC 30-72-170).

**24 VAC 30-72-50. Appeal and exception procedure.**

A. The permit applicant may appeal denial or revocation or conditions imposed by a permit in writing to the Commissioner with a copy to district administrator and the chief administrative officer of the locality where the entrance is proposed.

1. All appeals must be received within 30 days of receipt of written notification of denial or revocation or issuance of a permit with contested conditions and must set forth the grounds for the appeal and include copies of all prior correspondence with any local government official and VDOT representatives regarding the issue or issues. The permit

**12/31/2007**

applicant may request a meeting with the Commissioner concerning the appeal and the Commissioner will set a date, time, and location for such meeting.

2. After reviewing all pertinent information, the Commissioner will advise the permit applicant in writing regarding the decision on the appeal within 60 days of receipt of the written appeal request or such longer timeframe jointly agreed to by the parties, with a copy to the district administrator and the chief administrative officer of the locality where the entrance is proposed.

B. The Commissioner may grant an exception to the required sight distance, after a traffic engineering investigation has been performed.

1. If a sight distance exception is requested, the permit applicant shall provide such request in writing to the Commissioner with a copy to the district administrator and the chief administrative officer of the locality where the entrance is proposed and shall furnish the Commissioner with a traffic engineering investigation report, prepared by a professional engineer. The methodology and format of the report shall be in conformance with requirements set forth in the Manual on Uniform Traffic Control Devices (see 24 VAC 30-72-170).

2. The Commissioner will advise the permit applicant in writing regarding the decision on the sight distance exception request within 60 days of receipt of the written exception request or such longer timeframe jointly agreed to by the parties, with a copy to the district administrator and the chief administrative officer of the locality where the entrance is proposed.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

**24 VAC 30-72-60. General provisions governing commercial and private entrances.**

A. No entrance of any nature may be constructed within the right-of-way until the location has been approved by VDOT and an entrance permit has been issued. The violation of any provision of this chapter and any condition of approval of an entrance permit shall be subject to the penalties for violations specified in the Land Use Permit Manual (see 24 VAC 30-72-170).

B. VDOT shall grant at least one entrance per parcel of record subject to the conditions of this subsection.

1. If a parcel is served by more than one road in the systems of state highways, the district administrator shall determine upon which road or roads the proposed entrance or entrances is or are to be constructed.

2. VDOT will permit reasonably convenient access to the parcel; VDOT is not obligated to permit the most convenient access, nor is VDOT obligated to approve the permit applicant's preferred entrance location or entrance design.

C. When two or more properties are to be served by the same entrance, the permit applicant shall ensure that there is a recorded agreement between the parties specifying the use and future maintenance of the entrance. A copy of this recorded agreement shall be included in the entrance permit application submitted to the district administrator. The shared entrance shall be identified on any site plan or subdivision plat of the property.

D. The district administrator may require the permit applicant to alter any proposed entrance location or design, whether private or commercial, to obtain the best possible operational characteristics including but not limited to sight distance and entrance spacing.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

E. Entrance standards established by localities that are stricter than those of VDOT shall govern.

**24 VAC 30-72-70. Commercial entrance design.**

A. All commercial entrance design and construction shall comply with the provisions of this chapter and the standards in the Road Design Manual (see 24 VAC 30-72-170), the Road and Bridge Standards (see 24 VAC 30-72-170), the Road and Bridge Specifications (see 24 VAC 30-72-170), other VDOT engineering and construction standards as may be appropriate, and any additional conditions, restrictions, or modifications deemed necessary by the district administrator to preserve the safety, use and maintenance of the systems of state highways.

Entrance design and construction shall comply with applicable guidelines and requirements of the Americans with Disabilities Act of 1990 (42 USC 12101 et seq.). Ramps for curb sections shall be provided as required in § 15.2-2021 of the Code of Virginia. The standard drawing for depressed curb ramp as shown in the Road and Bridge Standards (see 24 VAC 30-72-170) shall be utilized in the design.

1. In the event an entrance is proposed within the limits of a funded roadway project that will ultimately change a highway, the permit applicant may be required to construct, to the extent possible, entrances compatible with the roadway's ultimate design.
2. All entrance design and construction shall accommodate pedestrian and bicycle users of the abutting highway in accordance with the Commonwealth Transportation Board's "Policy for Integrating Bicycle and Pedestrian Accommodations".
3. All entrance design and construction shall accommodate transit users of the abutting highway where applicable and provide accommodations to the extent possible.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

4. Based on the existing and planned developments, the district administrator will determine the need for curb and gutter, sidewalks, or other features within the general area of the proposed entrance in accordance with the requirements of this chapter and the design standards in Appendix C of the Road Design Manual (see 24 VAC 30-72-170).

5. Sites accessed by an entrance shall be designed so as to prevent unsafe and inefficient traffic movements from impacting travel on the abutting highway. At the request of the district administrator, the permit applicant shall furnish a report that documents the impact of expected traffic movements upon the function of the abutting highway during the peak hours of the abutting highway.

B. It is essential that entrance and site design allow safe and efficient movements of traffic using the entrance while minimizing the impact of such movements on the operation of the systems of state highways.

1. The permit applicant shall supply sufficient information to demonstrate to the satisfaction of the district administrator that neither the entrance, nor the proposed traffic circulation patterns within the parcel, will compromise the safety, use, operation, or maintenance of the abutting highway. A rezoning Traffic Impact Statement or a site plan/subdivision plat Supplemental Traffic Analysis submitted for a proposed development of a parcel in accordance with the Traffic Impact Analysis Regulations (see 24 VAC 30-72-170) may be used for this purpose, provided that it adequately documents the effect of the proposed entrance and its related traffic on the operation of the highway to be accessed.

ACCESS MANAGEMENT REGULATIONS

12/31/2007

2. If the proposed entrance will cause the systems of state highways to experience degradation in safety or an increase in delay or a significant reduction in capacity beyond an acceptable level of service, the applicant shall be required to submit a plan to mitigate these impacts and to bear the costs of such mitigation measures.

3. Proposed mitigation measures must be approved by the district administrator prior to permit approval. Mitigation measures that may be considered include but are not limited to:

- a. Construction of auxiliary lanes or turning lanes, or pavement transitions/tapers;
- b. Construction of new crossovers, or the relocation, removal, or consolidation of existing crossovers;
- c. Installation, modification, or removal of traffic signals and related traffic control equipment;
- d. Provisions to limit the traffic generated by the development served by the proposed entrance;
- e. Dedication of additional right-of-way or easement, or both, for future road improvements;
- f. Reconstruction of existing roadway to provide required vertical and horizontal sight distances;
- g. Relocation or consolidation of existing entrances; or

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

h. Recommendations from adopted corridor studies, design studies, other access management practices and principles, or any combination of these, not otherwise mentioned in this chapter.

4. If an applicant is unwilling or unable to mitigate the impacts identified in the traffic impact analysis, the entrance shall be physically restricted to right-in or right-out movements or both or similar restrictions such that the public interests in a safe and efficient flow of traffic on the systems of state highways are protected.

**24 VAC 30-72-80. Minimum sight distance for commercial entrances.**

A. No less than minimum intersection sight distance shall be obtained for any commercial entrance. Sight distances shall be measured in accordance with VDOT practices, and sight distance requirements shall conform to VDOT standards as described in Appendix C of the Road Design Manual (see 24 VAC 30-72-170). The legal speed limit shall be used unless the design speed is available and approved for use by VDOT.

B. The operating speed may be used in lieu of the legal speed limit in cases where the permit applicant furnishes the district administrator with a speed study prepared in accordance with Manual on Uniform Traffic Control Devices (see 24 VAC 30-72-170) methodology that demonstrates the operating speed of the segment of highway is lower than the legal speed limit and, in the judgment of the district administrator, use of the operating speed will not compromise safety for either a driver at an entrance or a driver on the abutting highway.

C. VDOT may require that the vertical or horizontal alignment of the existing roadway be adjusted to accommodate certain design elements of a proposed commercial entrance including,

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

but not limited to, median openings, crossovers, roundabouts, and traffic signals, where adjustment is deemed necessary. The cost of any work performed to adjust the horizontal or vertical alignment of the roadway to achieve required intersection sight distance at a proposed entrance shall be borne by the permit applicant.

**24 VAC 30-72-90. Private entrances.**

A. The property owner shall identify the desired location of the private entrance with the assistance of the district administrator. If the minimum intersection sight distance cannot be met, the entrance should be placed at the location with the best possible sight distance as determined by the district administrator. The district administrator may require the property owner to grade slopes, clear brush, remove trees, or conduct other similar efforts, or any combination of these, to provide the safest possible means of ingress and egress that can be reasonably achieved.

B. The property owner shall obtain an entrance permit and, on shoulder and ditch section roads, shall be responsible for installing the private entrance in accordance with VDOT policies and engineering standards. The property owner may request VDOT to perform the stabilization of the shoulder and installation of the entrance pipe. In such cases, VDOT may install the private entrance pipe and will stabilize the shoulder at the property owner's expense. If VDOT installs these portions of the entrance, a cost estimate for the installation will be provided to the property owner; however, VDOT will bill the property owner the actual cost of installation. The property owner shall be responsible for all grading beyond the shoulder.

C. Grading and installation of a driveway from the edge of the pavement to the right-of-way line shall be the responsibility of the property owner.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

D. Installation of a private entrance on a curb and gutter street shall be the responsibility of the property owner.

E. Maintenance of private entrances shall be by the owner of the entrance, except that VDOT shall maintain:

1. On shoulder section roadways, that portion of the entrance within the normal shoulder portion of the roadway.
2. On roadways with ditches, the drainage pipe at the entrance.
3. On roadways with curb, gutter, and sidewalk belonging to VDOT, that portion of the entrance that extends to the back of the sidewalk. If a sidewalk is not present, to the back of the curb line.
4. On roadways with curb, gutter, and sidewalk not belonging to VDOT, only to the flow line of the gutter pan.
5. On roadways with shoulders, ditches, and sidewalk belonging to VDOT, that portion of the entrance that extends to the back of the sidewalk.

**24 VAC 30-72-100. Commercial entrances – coordination with local governments.**

A. For all commercial entrances, the permit applicant shall contact and coordinate with appropriate local government agencies to identify possible conflicts with local, state or federal regulations and plans, including but not limited to local zoning and subdivision regulations, environmental regulations, land use plans, transportation plans, corridor studies, and access management plans.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

B. If local governments have established site plan/subdivision plat approval processes for developments, VDOT will not approve a commercial entrance permit for the development prior to the local government's approval of the site plan or subdivision plat for the development. If neither a local government site plan nor a subdivision plat approval process is applicable, VDOT will not approve a commercial entrance permit for the development prior to the local government's approval of any applicable land use authorization for the development.

C. Any transportation-related funds, real property, or improvements committed to or received by a local government through the land use regulatory process does not release the applicant from fees and improvements required by VDOT. When a local government requires improvements to the abutting state highway in accordance with the locality's adopted transportation plan, VDOT may require additional improvements to ensure the safety and capacity of the proposed entrances and to manage existing entrances along the highway.

**24 VAC 30-72-110. Tenure of commercial entrances.**

A. The tenure of a commercial entrance to any highway is conditional. Reconstruction, relocation, commercial entrance consolidation, or upgrading, or a combination of these, may be required at the owner's cost when the district administrator determines after review that one of the conditions listed below exists. If the necessary changes are not made, the entrance may be closed at the direction of the district administrator.

1. Safety - When the entrance has been found to be unsafe for public use in its present condition because of physical degradation of the entrance, increase in motor vehicle traffic, or some other safety related condition.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

2. Use - When traffic in and out of the entrance has changed significantly to require modifications or reconstruction, or both. Such changes may include, but are not limited to, changes in traffic volume or operational characteristics of the traffic.

3. Maintenance - When the entrance becomes unserviceable due to heavy equipment damage or reclamation by natural causes.

B. VDOT will maintain the commercial entrance only within the normal shoulder of the roadway or to the flow line of the gutter pan. The owner shall maintain all other portions of the entrance, including entrance aprons, curb and gutter, culvert and drainage structures.

C. Commercial entrances may also be reviewed by the district administrator when any of the following occur:

1. The property is being considered for rezoning or other local legislative action which involves a change in use of the property.
2. The property is subject to a site plan or subdivision plat review.
3. There is a change in commercial use either by the property owner or by a tenant.
4. Vehicular/pedestrian circulation between adjoining properties becomes available.

These periodic reviews are necessary to provide both the driver and other highway users with a safe and operationally efficient means of travel on state highways.

**24 VAC 30-72-120. Commercial entrance access management.**

A. As commercial entrance locations and designs are prepared and reviewed, appropriate access management regulations and standards shall be utilized to ensure the safety, integrity and operational characteristics of the transportation system are maintained. The proposed

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

commercial entrance shall meet the access management standards contained in Appendix C of the Road Design Manual (see 24 VAC 30-72-170) and the regulations in this chapter to provide the users of such entrance with a safe means of ingress and egress while minimizing the impact of such ingress and egress on the operation of the highway. As part of any commercial entrance permit review, the district administrator will determine what improvements are needed to preserve the operational characteristics of the highway, accommodate the proposed traffic and, if entrance design modifications are needed, incorporate them accordingly to protect the transportation corridor. If the location of the entrance is within the limits of an access management plan approved by the local government and VDOT, the plan should guide the district administrator in determining the appropriate design and location of the entrance. Access management requirements, in addition to the regulations in this chapter, include but are not limited to:

1. Restricting commercial entrance locations - To prevent undue interference with free traffic movement and to preserve safety, entrances to the highways shall not be permitted within the functional areas of intersections, roundabouts, railroad grade crossings, interchanges or similar areas with sensitive traffic operations. Only the Commissioner may grant an exception to this requirement on a highway with a functional classification as an arterial in accordance with the procedures set for in 24 VAC 30-72-50 B. of this chapter. To request an exception to this requirement on highways with a functional classification as a collector, see subdivision B of this section.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

2. Entrances shared with adjoining properties - To reduce the number of entrances to state highways, the district administrator shall require that shared entrances be created and designed to serve adjoining parcels on a highway with a functional classification as an arterial or collector unless the permit applicant submits compelling evidence that a reasonable agreement cannot be reached with adjoining property owners. A copy of the property owners' recorded agreement to share use of and maintain the entrance shall be submitted with the permit application for a shared entrance. The shared entrance shall be identified on any site plan or subdivision plat of the property. A permit applicant shall not be required to follow the procedures for an appeal set forth in 24 VAC 30-72-50 of this chapter to receive an exception to the requirements of this subdivision.

3. Spacing of entrances and intersections - The spacing of proposed entrances and intersections shall comply with the spacing standards for entrances and intersections in Appendix C of the Road Design Manual (see 24 VAC 30-72-170) except as specified below.

a. On older, established business corridors of a locality where existing entrances and intersections did not meet the spacing standards prior to the effective date of this chapter for highways with a functional classification as an urban arterial or urban collector, spacing for new entrances and intersections may be allowed by the district administrator that is consistent with the established spacing along the highway, provided that reasonable efforts are made to comply with the other access management requirements of this section including restricting entrances within the functional areas

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

of intersections, sharing entrances with and providing vehicular and pedestrian connections between adjoining properties, and physically restricting entrances to right-in or right-out or both movements.

b. Where a developer proposes a development within a designated Urban Development Area in accordance with 15.2-2223.1 of the Code of Virginia and other comparable local designations that fully incorporates principles of new urbanism and traditional neighborhood development, which may include but need not be limited to (i) pedestrian-friendly road design, (ii) interconnection of new local streets with existing local streets and roads, (iii) connectivity of road and pedestrian networks, (iv) preservation of natural areas, (v) satisfaction of requirements for stormwater management, (vi) mixed-use neighborhoods, including mixed housing types, (vii) reduction of front and side yard building setbacks, and (viii) reduction of subdivision street widths and turning radii at subdivision street intersections, the district administrator may approve spacing standards for entrances and intersections internal to the development that differ from the otherwise applicable spacing standards provided that such entrances and intersections meet the intersection sight distance standards specified in Appendix C of the Road Design Manual (see 24 VAC 30-72-170).

c. Where a development's second or additional commercial entrances are necessary for the streets in the development to be eligible for acceptance into the secondary system of state highways and such commercial entrances cannot meet the spacing standards for highways the following shall apply.

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

- 1) For highways with a functional classification as a collector, the district administrator may approve spacing standards that differ from the otherwise applicable spacing standards to allow the approval of the entrance or entrances. Such commercial entrances shall be required to meet the intersection sight distance standards specified in the Road Design Manual (see 24 VAC 30-72-180).
- 2) For highways with a functional classification as a minor arterial, the district administrator shall, in consultation with the developer and the locality within which the development is proposed, either approve spacing standards that differ from the otherwise applicable spacing standards to allow the approval of the entrance or entrances, or waive such state requirements that necessitate second or additional commercial entrances.
- 3) For highways with a functional classification as a principal arterial, the district administrator shall waive such state requirements that necessitate second or additional commercial entrances.
4. Vehicular/pedestrian circulation between adjoining properties - To facilitate traffic circulation between adjacent properties, reduce the number of entrances to the highway, and maximize use of new signalized intersections, the permit applicant shall be required on a highway with a functional classification as an arterial highway, and may be required by the district administrator on a highway with a functional classification as a collector, to record access easements and to construct vehicular connections (which may include

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

frontage roads or reverse frontage roads) in such a manner that affords safe and efficient future access between the permit applicant's property and the adjoining properties. Where appropriate the permit applicant also shall construct pedestrian connections to the boundary lines of adjoining undeveloped properties.

- a. Such connections shall not be required if there are physical constraints to making such connections between properties including but not limited to topography, environmentally sensitive areas, and hazardous uses.
- b. At such time that a commercial entrance permit application is submitted for the adjoining property, a condition of permit issuance shall be to extend such vehicular/pedestrian connections into the proposed development.
- c. If a permit applicant cannot or does not wish to comply with this requirement, the permit applicant's entrance shall be physically restricted to right-in or right-out movements or both or similar restrictions such that the public interests in a safe and efficient flow of traffic on the systems of state highways are protected.
- d. Development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall provide a unified access and circulation system between the sites.

5. Traffic signal spacing – To promote the efficient progression of traffic on highways, commercial entrances that are expected to serve sufficient traffic volumes and movements to require signalization shall not be permitted if the spacing between the entrance and at least one adjacent signalized intersection is below signalized intersection

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

spacing standards in Appendix C of the Road Design Manual (see 24 VAC 30-72-170).

If sufficient spacing between adjacent traffic signals is not available, the entrance shall be physically restricted to right-in or right-out movements or both or similar restrictions such that the public interests in a safe and efficient flow of traffic on the systems of state highways are protected and preserved.

6. Limiting entrance movements – To preserve the safety and function of certain highways with a functional classification as arterial or collector, the district administrator may require an entrance to be designed and constructed in such a manner as to physically prohibit certain traffic movements.

B. A request for an exception from the access management requirements subsection A of this section shall follow the procedures for an appeal set forth in 24 VAC 30-72-50 of this chapter.

In addition such request shall include specific and documented reasons based on a traffic engineering investigation report prepared showing that highway operation and safety will not be adversely impacted by the requested exception.

C. VDOT may work with a locality or localities on Access Management Corridor Plans. Such plans may allow for spacing standards that differ from the spacing standards for entrances and intersections in Appendix C of the Road Design Manual (see 24 VAC 30-72-170), subject to approval by the Commissioner. Such plans shall supersede the spacing standards for entrances and intersections in Appendix C of the Road Design Manual (see 24 VAC 20-72-170).

**24 VAC 30-72-130. Drainage.**

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

A. Commercial and private entrances shall be constructed so as not to impair drainage within the right-of-way and so that surface water shall drain from the roadway.

B. Where deemed necessary by the district administrator, a commercial entrance applicant shall provide copies of a complete drainage layout based on a drainage study by a licensed design professional. This layout shall clearly show how the permit applicant proposes to handle the drainage and run-off from applicant's development.

C. Pipe ends of culverts shall be reviewed independently by the district administrator and grading or treatment at pipe ends shall minimize any hazard the pipe ends or structures may present to an errant vehicle.

**24 VAC 30-72-140. Drive-in theaters.**

A drive-in theater is a specialized commercial entrance. In addition to the commercial entrance regulations set forth in this part, the conditions set forth in § 33.1-12 (15) of the Code of Virginia shall be satisfied in order to construct entrances to drive-in theaters.

**24 VAC 30-72-150. Temporary entrances (construction/logging entrances).**

A. Construction of temporary construction or logging entrances upon the systems of state highways shall be authorized in accordance with the provisions in the Land Use Permit Manual (see 24 VAC 30-72-170). The permit applicant must contact the appropriate district administrator to approve the location prior to installing an entrance or utilizing an existing entrance. The district administrator shall also be contacted to arrange and conduct a final inspection prior to closing a temporary construction or logging entrance. In the event that adequate sight distance is not achieved, additional signage that meets the Manual on Uniform

## ACCESS MANAGEMENT REGULATIONS

12/31/2007

Traffic Control Devices standards (see 24 VAC 30-72-170) and certified flaggers shall be used to ensure safe ingress and egress.

B. Entrances shall be designed and operated in such a manner as to prevent mud and debris from being tracked from the site onto the highway's paved surface. If debris is tracked onto the highway, it shall be removed by the permittee immediately as directed by the district administrator.

C. The permittee must restore, at the permittee's cost, all disturbed highway rights-of-way, including, but not limited to, ditches, shoulders, roadside and pavement, to their original condition when removing the entrance. All such restorations are subject to approval by the district administrator.

**24 VAC 30-72-160. Access to public waters.**

VDOT may grant the use of portions of the highway right-of-way for access to public waters upon written request from the Executive Director of the Virginia Department of Game and Inland Fisheries to the Commissioner. The district administrator may require that a commercial entrance permit be obtained in accordance with the provisions of this chapter for entrances that will provide access to landings, wharves, and docks.

**24 VAC 30-72-170. Listing of documents (publications) incorporated by reference.**

Requests for information pertaining to the availability and cost of any of these publications should be directed to the address indicated below the specific document. Requests for documents available from VDOT may be obtained from the department's division and representative indicated; however, department documents may be available over the Internet at

**ACCESS MANAGEMENT REGULATIONS**

**12/31/2007**

www.vdot.virginia.gov. Documents with a Virginia Administrative Code (VAC) number may be accessed from the Internet at: <http://leg1.state.va.us/000/srr.htm>.

A. Road Design Manual (effective January 1, 2005).

Note: Appendix C (“Access Management Design Standards for Entrances and Intersections”) contains the access management standards referenced in Chapters 863 and 928 of the 2007 Acts of Assembly.

Location and Design Division (VDOT)

Location and Design Engineer

1401 E. Broad Street

Richmond, Virginia 23219

B. Road and Bridge Specifications (effective 2008).

Scheduling and Contract Division (VDOT)

State Contract Engineer

1401 E. Broad Street

Richmond, Virginia 23219

C. Road and Bridge Standards (effective February 1, 2001).

Location and Design Division (VDOT)

Location and Design Engineer

1401 E. Broad Street

Richmond, Virginia 23219

**ACCESS MANAGEMENT REGULATIONS**

**12/31/2007**

D. The Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD)

(effective December 22, 2003).

Federal Highway Administration

Superintendent of Documents

U.S. Government Printing Office

P.O. Box 371954

Pittsburgh, PA 15250-7954

E. A Policy on Geometric Design of Highways and Streets.

American Association of State Highway and Transportation Officials (AASHTO)

444 North Capitol St. N.W., Suite 225

Washington, D.C. 20001

F. Change of Limited Access Control, 24 VAC 30-401.

Traffic Engineering Division (VDOT)

1401 E. Broad St.

Richmond, VA 23219

G. Land Use Permit Manual, 24 VAC 30-150.

Asset Management Division (VDOT)

1401 E. Broad St.

Richmond, VA 23219

H. Policy for Integrating Bicycle and Pedestrian Accommodations

Asset Management Division (VDOT)

**12/31/2007**

1401 E. Broad St.

Richmond, VA 23219

I. Highway Capacity Manual

Transportation Research Board

500 Fifth Street, NW

Washington, DC 20001

J. Traffic Impact Analysis Regulations, 24 VAC 30-155

Asset Management Division (VDOT)

1401 E. Broad St.

Richmond, VA 23219

K. Minimum Standards of Entrances to State Highways, 24 VAC 30-71

Traffic Engineering Division

1401 E. Broad St.

Richmond, VA 23219

#### FORMS

LUP-A - Land Use Permit Application (revised 1/2005).

LUP-SP - Special Provisions (Notice of Permittee Liability) (revised 11/2007).

LUP-CSB - Corporate Surety Bond (revised 1/2005).

LUP-LC - Irrevocable Letter of Credit Bank Agreement (revised 1/2005).

LUP-SB - Surety Bond (revised 1/2005).