



Land Use Regulations Update

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Access Management

Principal Arterials 24 VAC 30-72-10 *et seq*
All Other Highways 24 VAC 30-73-10 *et seq*

Access Management Legislative Background

2006 General Assembly: Budget bill directs VDOT to develop access management proposal

2007 General Assembly: Chapter 863 creates new § 33.1-198.1 in the Code which directs the VDOT Commissioner to develop and implement access management regulations and standards for state highways, to be effective July 1, 2008; development is exempt from Administrative Process Act

2008 General Assembly: Chapter 274 directs VDOT to phase access management implementation

Phase I: Principal Arterials

- Regulations & standards developed during 2007 take effect July 1, 2008 for principal arterial highways

Phase II: Minor Arterials, Collectors, Local Streets

- Regulations & standards to undergo extensive public review in accordance with the Administrative Process Act
- Take effect October 1, 2009

§ 33.1-198.1: Access Management Legislative Goals

Goals for access management regulations & standards are to:

Reduce traffic crashes

Reduce traffic congestion

- Reduces fuel consumption and air pollution

Preserve critical roadway capacity

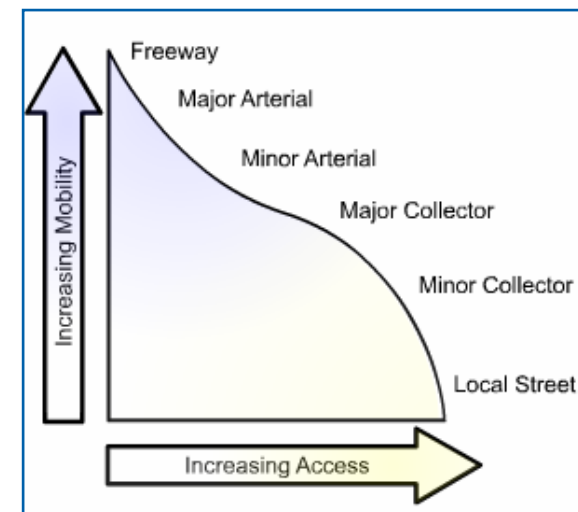
- Reduces the need for new highways and adding lanes to highways

Support economic development

- Enhances the market reach of businesses

Respect property owners rights to reasonable access

Access management does this by separating entrances, limiting conflict points, and reducing speed differentials, all in accordance with each highway's purpose (as set out by the highway's functional classification)



Development of Access Management Regulations

- **Rough draft developed by Technical Committee**
 - VDOT divisions, districts, and field offices
- **Rough draft modified by Policy Advisory Committee**
 - **Industry groups**
 - Commercial Real Estate, Home Builders, VASITE
 - **Other interested parties**
 - VACO, Piedmont Environmental Council
- **Public comment period held (1 month)**
 - Received over 250 comments
- **Proposed regulations and standards modified based upon comments**
- **Initial regulations adopted by December 31, 2007, to be effective July 1, 2008**
- **Regulations were amended again based upon 2008 General Assembly action**
 - Limited to Principal Arterial Highways

Commercial Entrance Requirements

- **VDOT to permit reasonably convenient access to parcels**
 - Applicant to demonstrate safety and operational impact of proposed entrance
 - If entrance will affect safety, increase delay, or reduce capacity, must submit plan to mitigate such impacts
 - If impacts are not mitigated, entrance limited to right-in and right-out movements (reduced crash potential, less impact on traffic)
- **Encourage shared entrances, circulation between adjoining parcels**
- **Existing entrances to be maintained in good condition**
- **Stricter locality entrances standards will continue to govern**
- **Vested property rights are respected**
- **Appeal and exception procedures**
 - To District Administrator (Commissioner for sight distance)
 - Deadlines for VDOT decisions (within 60 days of receipt)

Access Management Regulations: Principal Arterials 24 VAC 30-72

Commercial Entrance Standards

•Entrance design

- Sight distance (same as old requirements)
- Entrance throat length
- Entrance width and radii
- Turn lanes
- Channelization

•Entrance location

- Entrances prohibited in functional area of intersection
- Corner clearance (225 ft)
- Intersection spacing
- Entrance spacing
- Median crossover spacing
- Signal spacing

Summary of Entrance Throats	
Number of Egress Lanes (left, thru and right)	Minimum Throat Length (feet)
1	30
2	75
3	200
4	300

Spacing Standards for Commercial Entrances and Intersections on Principal Arterials				
Highway Functional Classification	Legal Speed Limit (mph)	Centerline to Centerline Spacing in Feet		
		Signalized Intersections	Unsignalized Intersections & Full Access Entrances	Partial Access Two Way Entrance
Urban Principal Arterial	≤ 30 mph	1,760	1,050	270
	35 to 45 mph	2,640	1,320	325
	≥ 50 mph	2,640	1,320	510
Rural Principal Arterial	≤ 30 mph	2,640	1,320	270
	35 to 45 mph	2,640	1,320	440
	≥ 50 mph	2,640	1,760	585

Exceptions to access management spacing rules

- Applicant may use the appeals process to request an exception to the spacing standards
 - Provide a traffic engineering study to show highway operation and safety will not be impacted
- Entrances in existing developed commercial corridors
 - Within area where spacing pattern already set and cannot meet current requirements due to adjoining development
- Locality/VDOT access management corridor plans
 - Such plan may allow for spacing standards that differ from the access management spacing standards

Implementation

- **Currently receiving public comments**
 - Held 4 public hearings (Fairfax, Chesterfield, Augusta, Pulaski)
 - Public comment period ends December 15, 2008
- **At end of comment period, revise draft based upon comments**
- **Review/approval by**
 - Commissioner and Secretary of Transportation
 - Attorney General
 - Department of Planning and Budget
 - Governor
- **Repeal of Minimum Standards of Entrances to State Highways by CTB**
- **Training and outreach**
- **Take effect October 2009**

Traffic Impact Analysis Regulations (Chapter 527)

24 VAC 30-155-10 *et seq*

Traffic Impact Analysis Legislative Background

2006 General Assembly: Chapter 527 creates new § 33.1-2222.1 in the Code which directs the VDOT Commissioner to develop and implement traffic impact analysis regulations for development proposals that will have a significant impact on state highways, to be effective July 1, 2007; development is exempt from Administrative Process Act

2007 General Assembly: Chapter 792 allows VDOT to phase implementation and extends Administrative Process Act exemption to July 1, 2008

Phase I: Northern Virginia, Richmond, and Salem Districts

- Comprehensive plans and larger rezonings/site plans start July 1, 2007
- Full implementation January 1, 2008

Phase II: Culpeper, Fredericksburg, and Staunton Districts

- Comprehensive plans and larger rezonings/site plans start January 1, 2008
- Full implementation July 1, 2008

Phase III: Bristol, Lynchburg, and Hampton Roads Districts

- Comprehensive plans and larger rezonings/site plans start July 1, 2008
- Full implementation January 1, 2009

§ 15.2-2222.1

Directs localities to submit to VDOT for review and comment a traffic impact analysis for development proposals that would significantly impact the state transportation system

Objective: improve coordination between land use and transportation planning across Virginia by:

- **Provide information regarding traffic impacts of proposed land-use decisions to decision makers and citizens**
- **Ensure traffic impacts, both local and regional, are considered when land use decisions are made**
- **Regulations establish uniform standards for traffic impact analysis data to provide accurate and consistent information**

Development of TIA Regulations

- **Rough draft developed by Technical Committee**
 - VDOT divisions, districts, and field offices
 - Goochland County, City of Chesapeake, VACO, and VA PDC Assoc
- **Rough draft modified by Policy Advisory Committee**
 - Local governments
 - Goochland & Prince William Counties, City of Roanoke
 - Industry groups
 - Commercial Real Estate, Homebuilders
 - Other interested parties
 - VACO, High Growth Localities, VA PDC, Piedmont Environmental Council
- **Public comment period held (1 month)**
- **Peer review**
 - Delaware, Florida, Maryland, North Carolina, Oregon, Washington, MWCOG
- **Practitioner Review**
 - Landmark Design Group, T3 Design, DRW Consultants
- **Initial regulations adopted by December 31, 2006, to be effective July 1, 2007**
- **Regulations were amended based upon experience gained in initial phases and comments by practitioners; modifications were implemented on July 1, 2008**

Land development proposals to be submitted

- “Significant impact to state controlled highways” based upon traffic volume, dependent upon
 - Submission type
 - Comprehensive Plan or Plan Amendment
 - Rezoning or Special Use Permit
 - Site Plan, Subdivision Plat, Plan of Development
 - Type of development
 - Residential
 - Non-residential
 - Location
 - Within 3,000 ft of VDOT-maintained highway or not
 - Connects to existing low-volume road

Traffic Impact Analysis Regulations 24 VAC 30-155

Required elements

- **Scope of study dependant upon amount of traffic generated but generally includes**
 - Existing and proposed land use
 - Existing traffic and Level of Service (LOS)
 - Expected future traffic and LOS (without proposed development)
 - Expected future traffic and LOS (with proposed development)
 - Recommendations for traffic impact mitigation measures

Default assumptions and methodology

- **Are conservative, but may be modified based upon results of scoping meeting**
 - Data collection
 - Trip generation
 - Modal split
 - Internal capture and pass-by trip rates
 - Level of service calculation

Current Status

- **Guidance document and website updated based upon amended regulations**
 - <http://www.virginiadot.org/projects/chapter527/default.asp>
- **Public access to LandTrack on VDOT website**
 - Access to studies and VDOT responses
 - VDOT on-time performance
- **All districts now covered (Bristol, Lynchburg & Hampton Roads still in initial period until January 1, 2009)**
 - 2 on-call consultants available to supplement VDOT staff
 - 186 reviews completed before deadline
 - 3 reviews completed late
 - Two at 3 days and one at 9 days past deadlines

Secondary Street Acceptance Requirements

24 VAC 30-92-10 *et seq*

§ 33.1-70.3

2007 General Assembly: Chapter 382 creates new §33.1-70.3 to the *Code* , directing Commonwealth Transportation Board to create Secondary Street Acceptance Requirements, which shall replace the Subdivision Street Requirements; development is exempt from Administrative Process Act

Objectives:

- Improve connectivity of road and pedestrian networks
- Minimize stormwater runoff and impervious surface area
- Update performance bonding and cost recovery fees

SSAR Development

- Implementation Plan
 - Technical and implementation committees formed
 - Rough draft prepared by technical committee
 - Concepts modified based on implementation committee input
 - Concepts further modified based upon CTB input
 - Conduct initial public outreach and refine draft regulation
 - Public comment period to be held
 - Draft to be modified based upon comments received
 - Conduct additional public outreach
 - CTB, Secretary, and Governor to approve final draft
 - Guidance documents to be created and training sessions held

SSAR Development (cont'd)

- Secretary of Transportation formed two committees
 - Technical Committee (VDOT and Secretary's Staff)
 - Implementation Advisory Committee, with representation from
 - **Local Governments**
 - VACO
 - Coalition of High Growth Communities
 - Botetourt and Fairfax Counties
 - City of Suffolk
 - **Other Interested Groups**
 - Homebuilders Association of Virginia
 - Southern Environmental Law Center
 - Virginia Professional Firefighters
 - Thomas Jefferson Planning District Commission
 - **Private Firms**
 - East-West Partners of Virginia
 - McGuire Woods

SSAR Development (cont'd)

- **Implementation Advisory Committee has met 6 times to date, with in-depth discussion of:**
 - Area type thresholds
 - Connectivity requirements and exceptions
 - Pedestrian accommodations
- **Input continuing to be received from CTB**
- **Public comment period ended with almost 300 comments from 62 submitters**
- **Expected to be approved by CTB December 18, 2008**
- **6 month “phase-in” period**

SSAR Regulations: Overview of Concepts

- **Area types**
 - Compact, suburban, and rural: different connectivity requirements for different areas
- **Connectivity requirements**
 - Based upon a ratio of street segments to intersections/street ends
 - Number of street segments divided by number of intersections (and street ends), external connections give bonus
 - Must use external connections to achieve part of target score
 - Reduction of target score based upon site constraints included
- **Pedestrian facility requirements based upon development density**
- **Design standards and supplemental material under development**
 - Revised street design standards
 - Improved guidance on stormwater facilities and pavement
 - New inspection manual

Land Use Permit Regulations

24 VAC 30-151-10 *et seq*

Land Use Permit Background

- **Land Use Permit Manual (24 VAC 30-150)**
 - **Land use permits required for any activity (except travel) on R/W**
 - Utility installations
 - Landscaping
 - Entrances *
 - Surveying
 - Parades and races
 - **Current regulations (Land Use Permit Manual) adopted in 1983**
- **Revision History**
 - **Attempts to update LUPM started in 1992**
 - **Current proposed Land Use Permit Regulations based upon 2004 draft**
 - Incorporates Utility Accommodation Policy and Roadside Memorial Policy
 - Public comment period held in 2006
 - Entrance section pulled out (due to Access Management effort)
 - Revisions made based upon public comments
 - 2008 General Assembly bill introduced (then pulled) on behalf of telecom industry
 - Additional revisions made to address telecom industry issues

Elements

- **District-wide permits**
 - Utility service connections
 - Logging entrances (temporary)
 - Surveying
- **Utility permits**
 - **Requirements**
 - Depth: 36" (with exceptions)
 - Height: 21' over limited access R/W, 18' crossing non-limited access highways, NESC otherwise
- **Assorted activities**
 - **Parades and races that block or stop traffic**
 - **Signs**
 - Firehouse/rescue squads
 - School speed limits
 - Fire safety
 - Chesapeake Bay drainage marking
 - Welcome signing
 - **Bus stop shelters**



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