

Effective Strategies for Comprehensive Corridor Management

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16. Abstract Despite the increasing importance of comprehensive corridor management at the state and local government level, questions remain regarding effective methods for developing and implementing corridor management plans. Further insight is also needed into how best to coordinate FDOT and local government policies and procedures. Obtaining answers to these questions is important to managing land development and access on the Florida's newly design Strategic Intermodal System (SIS) and other state highways. This study documents success stories in comprehensive corridor management and identifies best practices that can be applied by the Florida Department of Transportation, metropolitan planning organizations, and local governments. The emphasis is on policy, regulatory, and funding strategies to accomplish alternative access and other important corridor management objectives.			
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INTRODUCTION

The Florida Transportation Plan directs the Florida Department of Transportation (FDOT) to maintain the efficiency, capacity and safety of the state highway system. In 2003, the Florida Legislature formally established the Florida Strategic Intermodal System (SIS) and provided for its development and implementation. The SIS is composed of facilities of statewide and interregional significance and is intended to efficiently serve the mobility needs of Florida's citizens, businesses, and visitors and help Florida become a worldwide economic leader. As the backbone of the state's interregional transportation system, the SIS will provide the primary means for long-distance movement of residents, tourists and goods. FDOT has also adopted a systems management goal for the Florida transportation system aimed at applying corridor management strategies to extend the life and improve the operation of the existing system. Such strategies are of particular importance in light of constrained budgets and escalating transportation improvement costs.

In recognition of the safety and operational benefits of access management, several corridor access management plans have been or are currently being prepared by FDOT Districts in coordination with local governments and metropolitan planning organizations (e.g. US Highway 19 in Citrus County, FDOT District 7 and US Highway 98 in Polk County, FDOT District 1). These plans address median openings, auxiliary lanes, and typically call for the provision of alternative access via service roads, supporting street networks, shared driveways, and inter-parcel connections.

Despite the increasing importance of comprehensive corridor management at the state and local government level, questions remain regarding effective methods for developing and implementing corridor management plans. Of particular importance is the need for further insight into how best to coordinate FDOT and local government policies and procedures to accomplish alternative access and other important corridor management objectives. Obtaining answers to these questions is important to managing land development and access on the SIS as well as the remainder of Florida's State Highway System (SHS).

This study documents success stories in implementing comprehensive corridor management and identifies best practices that can be applied by FDOT, MPOs, and local governments throughout the state. The emphasis is on policy, regulatory, and funding strategies for comprehensive corridor management that can be directly applied by communities alone, or in coordination with state transportation agencies and MPOs. The study also addresses policy issues in comprehensive corridor management and recommends changes in current practice that will assist the FDOT, MPOs and local governments in managing access to the SIS and other important state highways.

METHODOLOGY

The project involved the following research approach:

- Review the literature and current policies in Florida and other states, if applicable, as they relate to the implementation of comprehensive corridor management and other corridor issues.
- Identify and document specific case studies of successful corridor management practices, with an emphasis on practices used by various FDOT Districts and local governments in Florida with regard to implementing comprehensive corridor management.
- Summarize lessons learned and best practices techniques that can benefit FDOT and local governments throughout the state.

REVIEW OF CURRENT PRACTICE

As communities grapple with development or redevelopment pressures on their major arterials, many of them are turning to corridor management strategies to maintain or improve the safety and operation of their roadways. Strategies include redesign of medians allowing full or restricted turning movements, establishing driveway connection spacing, and promoting alternative access through shared driveways, service roads and street connectivity. Newer techniques include roundabouts and ITS improvements—specifically network surveillance, surface street control, traffic information dissemination, and incident management. Implementing comprehensive corridor management is dependent on authorizing policies, intergovernmental coordination, and implementation techniques.

Policy and Planning in Corridor Management

The cases reviewed for this study indicate that corridor management in Florida takes on a variety of forms tailored to the policies and desires of the affected local governments and each respective FDOT District. Some local governments have worked independently or with FDOT to create individual local ordinances, others have worked with FDOT to prepare corridor management plans, while still others combine these approaches. Alternatively, most FDOT Districts have pursued corridor management through project development and access permitting, but some Districts have pursued the development of corridor access management plans in coordination with local governments. The impetus for developing corridor access management plans in these Districts appears to have come largely from the local government level in the context of an impending roadway improvement project or development pressure.

In Florida, specialized corridor access management plans for state highways may be developed in conformance with the procedural requirements of Rule 14-97.004(5) (Rule). The Rule provides for the development of corridor access management plans by the FDOT, in cooperation with affected local governments, for specific segments of the state highway system. These plans allow for site-specific access management classifications based on engineering analysis, special circumstances of the roadway, and adjacent land use characteristics. When completed, the Rule requires plans to “specify the highway, termini, and the specific standards for connections, medians, intersections, and signals that shall apply.”

The Rule establishes the following procedural requirements. The Department must formally notify the affected local governments and abutting property owners prior to adoption of the plan and hold a public hearing. After consideration of public input, “the Department shall, in cooperation with the affected local government, finalize the plan.” When the plan is adopted, through signature of the District Secretary, then the Department must notify each of the affected local governments that it has been adopted.

Upon adoption, the plan would serve as the official set of access management standards for that section of the state highway system and would guide District connection permitting decisions accordingly. In practice, this process is highly interactive with the FDOT, local governments and affected property owners participating. The corridor access management plan has been slowly gaining local government attention in Florida as communities begin to see it as a way to reduce traffic congestion, improve safety and maximize roadway capacity.

The FDOT has had success in restricting the number and location of new median openings and closing nonconforming median openings during reconstruction projects, as well as controlling driveway connection spacing using the Florida State Highway System Access Management Classification System and Standards (Rule 14-97 or Access Management Rule). However, the case examples reveal that corridor management plans offer benefits not available through reconstruction projects and access permitting alone. For example, corridor management plans provide the ability to integrate land use and transportation plans for the corridor and thereby to locate and design access features so they provide the most safety and operational benefits in light of actual characteristics of the corridor. They also create an opportunity for local governments to work proactively with the FDOT to create alternative access throughout the corridor.

Perhaps the greatest benefit of developing a corridor access management plan is a stronger ability to control connections or access points on the corridor. Connection spacing objectives are often difficult to achieve as existing property lines and lot size dictate driveways in many cases. FDOT is constrained in its ability to accomplish alternative access through the driveway connection permit process, due to lack of authority over land use and transportation decisions beyond the right-of-way of the state highway system. In addition, 1992 amendments to the Florida Access Management statute constrain the ability of the Department to “deny reasonable access” to the state highway system, as follows:

Florida Statute 335.181

(2) It is the policy of the Legislature that:

(a) Every owner of property which abuts a road on the State Highway System has a right to reasonable access to the abutting state highway but does not have the right of unregulated access to such highway. The operational capabilities of an access connection may be restricted by the department. However, a means of reasonable access to an abutting state highway may not be denied by the department, except on the basis of safety or operational concerns as provided in s. 335.184.

(b) The access rights of an owner of property abutting the State Highway System are subject to reasonable regulation to ensure the public's right and interest in a safe and efficient highway system. This paragraph does not authorize the department to deny a means of reasonable access to an abutting state highway, except on the basis of safety or

operational concerns as provided in s. 335.184. Property owners are encouraged to implement the use of joint access where legally available.

FDOT District permitting officials indicated that the statutory changes have limited their ability to deny access to nonconforming lots, even where secondary access to an off-state system roadway is available. In such cases, a District will often permit a driveway onto the state system in the absence of an official corridor access management plan or local government frontage road ordinance which requires alternative access.

Intergovernmental Coordination in Corridor Management

Implementing comprehensive corridor management requires proactive coordination between governmental agencies. Communication gaps occur between corridor management plans and the implementation mechanisms at the state level. While the Access Management Rule is implemented at the time connection permits are issued through FDOT District operations offices, corridor management plans are developed by District planning offices. Connection permits are issued through an engineer in the operations and maintenance functional area of the FDOT. On the other hand, an engineer in the systems planning functional area is responsible for access management. These factors make internal coordination important.

An additional concern regarding future coordination within the state regarding the issuance of connection permits is the current trend toward outsourcing maintenance and operation of the State Highway System (SHS) to the private sector. Because FDOT access permitting is housed in District maintenance offices, it is slated for outsourcing as well. Outsourcing the access permitting function raises additional coordination concerns,

Under the statewide access management program, FDOT Districts have a general, informal understanding that local governments will not issue a building permit without a valid connection permit from the FDOT. This avoids situations where developers insist on a driveway permit based on site plans/building plans already permitted by local governments. Similarly, FDOT will not issue a final access permit without evidence of development approval from the local government.

Although the Access Management Rule 14-97 provides specific standards for median openings and access connections, these decisions are still highly influenced by existing conditions and development pressures. Corridor access management plans are providing FDOT Districts and local government staff with a tool to address those pressures, while benefiting developers by providing greater predictability as to planned access locations. An added benefit of a corridor-specific plan is increased communication and coordination between the local government(s) and the appropriate FDOT District.

Although FDOT District field offices do the majority of driveway permitting, each District has a consistent number of cases that must be decided by the District Access Review Committee or Variance Committee, which is made up of various District representatives such as the Traffic Operations Engineer, the Design Engineer, the Maintenance Engineer and/or a member of the Planning Office. The Access Review Committee meets regularly to review all disputed access issues within the respective Districts. Developers unable to obtain a permit through the normal driveway permitting process may present their case before this Committee followed by FDOT

staff who presents their opposition. The Committee then renders an opinion or offers a compromise position allowing the developer access to the state system. An example of a District 4 Variance Committee finding is located in Appendix A1 in which the variance request was disapproved and the applicant was provided with an alternative limiting the requested vehicular access connection to right-in only.

Officials interviewed for the study indicated that developers commonly complain about feeling blindsided by FDOT requirements for mitigation after spending months working out access compromises with a local government. District officials indicated that they work with local governments to minimize developer confusion. For example, in FDOT District 2, a task team, made up of representatives from the District and the City of Jacksonville, has developed a formal process to spell out expectations from both the FDOT and the city very early in the development process (Appendix A2). This PUD/Site Impact Analysis & Review Process, still in draft form at the time of this writing, includes a coordination process, guidelines for submittal of traffic studies, and driveway connection permit application guidelines.

Another example is in FDOT District 4, where a written Permit Application Procedure has been in place since 1995. District 4 also has an informal website to assist developers with the process that begins with the Pre-application Review, a 25-minute meeting to establish:

- (1) *The category and general location and design of VACs [Vehicular Access Connection],*
- (2) *whether or not a traffic engineering study is required, and*
- (3) *whether or not approval of the VAC permit request may be contingent upon the findings of the District Variance Committee (1).*

To prevent scheduling problems, these meetings are held back-to-back on Thursdays only. Key to the success of the Pre-application Review concept is the documentation of the meeting that is provided to the applicant outlining comments and findings from the meeting (Appendix A3). The documentation states that the Pre-application Finding is not a permit and expires after one year.

Implementation Techniques in Corridor Management

Effective corridor management is implemented throughout Florida using a variety of strategies. Case studies for this report revealed the use of corridor management plans, an action plan, “frontage road” ordinances, and intergovernmental agreements. A key element of these strategies is alternative access. Many communities have developed corridor management plans and programs that involve the provision of service roads, shared driveways, and inter-parcel or inter-roadway connections that reduce the need for individual sites to have direct, driveway access to a major arterial. In addition, roundabouts are now being considered as an effective corridor management tool. Although accomplishing alternative access can be challenging in today’s development environment, outlined below are policy, regulatory, and funding strategies for alternative access that can be used by communities alone, or in coordination with FDOT and MPOs.

Roundabouts

Used in Europe for decades, roundabout use is now on the rise in the United States. In 2000, the Federal Highway Administration (FHWA) published Roundabouts: An Informational Guide to “provide a comprehensive source of information on modern roundabouts (2).” The Florida Department of Transportation had already taken the lead in this area when it published the Florida Roundabout Guide in 1998 to provide guidance for the installation of roundabouts in Florida.

Roundabouts are an alternative form of traffic control that usually takes the place of traffic signals or stop signs. Benefits attributable to roundabouts include increased safety (reduction of conflict points), increased vehicular capacity (up to 50%), reduced fuel consumption and improved air quality, lower cost (construction, operation, and maintenance), aesthetics (landscaped median), easy U-turns, and traffic calming (3). In light of their many benefits, roundabouts are another important corridor management tool.

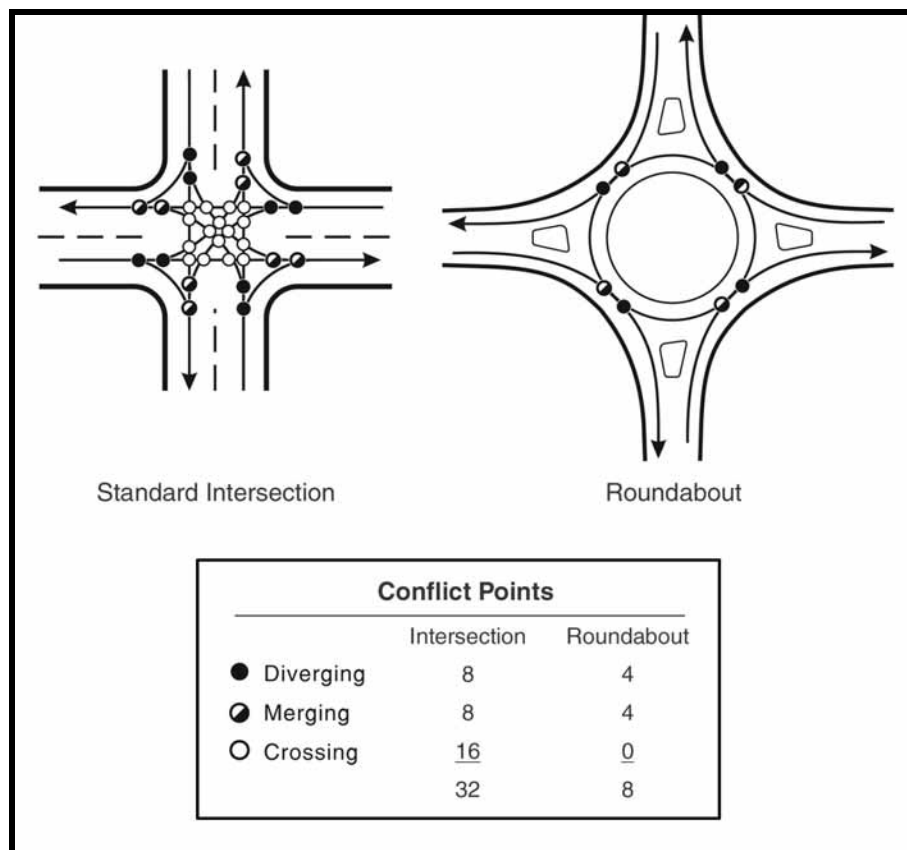


Figure 1: Vehicle conflict point comparison (2).

Roundabouts also reduce conflict points, defined by FHWA as “a location where the paths of two vehicles, or a vehicle and bicycle or pedestrian, merge, diverge, cross or queue behind each other (4).” A conventional intersection may contain up to 32 conflict points (Figure 1), whereas a single-lane roundabout contains only eight conflict points, including diverging and merging conflicts that can result in slow-speed sideswipes and rear end crashes. By eliminating the need

for left turns, which account for the majority of access-related crashes, roundabouts can offer clear safety benefits over traditional intersection designs.

When roundabouts are combined with raised median treatments, the safety and operational benefits can be extended to an entire corridor. Because even large vehicles can safely make a U-turn at the roundabout, all access to uses along the corridor can be accommodated using safe right-in/right-out driveways. For example, a roundabout having an outside diameter of 130 feet can accommodate semi trailer trucks with a wheel base of up to 60 feet. The use of a roundabout rather than a signalized intersection can better accommodate the U-turns created by a median. The raised median removes the opportunity to make left-turns across travel lanes thereby eliminating severe right angle crashes and greatly reducing the potential for head on crashes.

Another benefit of roundabouts is that vehicles must slow down on the approach to check for circulating vehicles. This slower speed contributes to the lower rate and severity of crashes as well as to increased pedestrian safety. The FHWA estimates up to a 90% reduction in fatalities, a 76% reduction in injury crashes, and a 30-40% reduction in pedestrian-related crashes is possible with the use of roundabouts (4). The slow speeds and right-turning movements are also safe and easy for drivers with slower reflexes, such as the elderly.

In addition to safety benefits, an increase in traffic capacity as well as a decrease in corridor travel time may be attributed to roundabouts. The FHWA estimates that roundabouts can provide a 30-50% increase in traffic capacity at a given intersection allowing a per lane volume increase from 800 to 1,200 vehicles per lane (4).

Between 1998 and 1999, the City of Golden, Colorado installed a series of four roundabouts on South Golden Road (5). Despite merchant and public opposition in the beginning, most users have grown to appreciate the roundabouts. The facility has experienced a decrease in both the number (-40%) and severity of accidents, as well as a decrease in average speed and corridor travel time. The South Golden Road roundabouts are discussed in the case studies section of this report.

Service Roads

Service roads are local or collector roads that generally provide alternative access to small commercial tracts along a major roadway (6). They are often referred to as frontage roads, reverse frontage roads or even backage roads. Frontage roads are a type of service road that parallels an arterial roadway or freeway between the roadway right-of-way and the front building setback line. Frontage roads can work well for light office or single family residential developments, where they begin and end between major road intersections. However, continuous frontage roads can lead to crashes and operational problems if they connect too close to a major roadway intersection. Providing buildable sites between the service road (or reverse frontage/backage road) and the major road right-of-way thereby moving the service road to the rear of individual sites creates a safer condition.

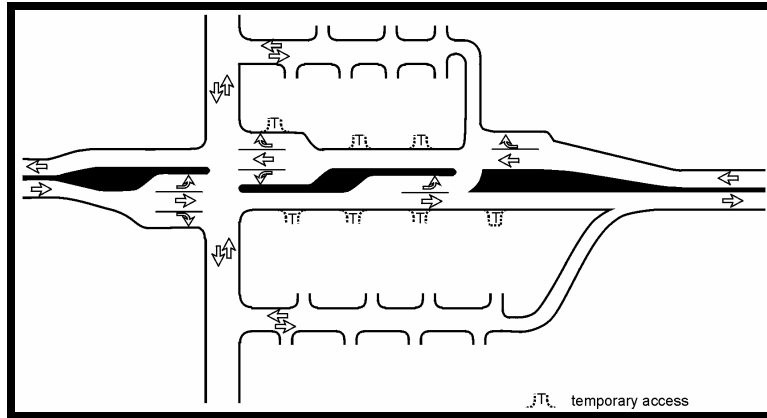


Figure 2: Sample service road configuration (6).

Some local governments have successfully implemented alternative access on major roads through “frontage road” ordinances. In the case studies that follow, the Hernando County (FL) Frontage Road Ordinance is discussed in detail. The Board of County Commissioners adopted a frontage road ordinance in 1986 (Ordinance 86-8), due to concerns about rapid development and future traffic congestion on U.S. 19. The ordinance applies to U.S. 19 and several other major roads within the county, and requires each developer of property adjacent to major arterial highways to provide for the funding and construction of frontage roads upon demonstration of need and demand by the County (7).

The double median or “Parisian Boulevard” is another type of road where local traffic is separated from through traffic. This road “has a central roadway for through traffic separated on either side from local traffic and pedestrian ways by tree-lined medians (8).” While this “livable” style of street provides good access and a pedestrian-friendly environment, there are some safety issues at intersections. “The Boulevard Book” by Allan B. Jacobs, Elizabeth Macdonald, and Yodan Rof details this type of street including design and safety guidelines.

Opportunities to partner with the state transportation agency or MPO can increase the ability of smaller communities to create service roads on state highways. The small City of Hays, Kansas, located at the crossroad of Interstate 70 and US Highway 183 (Vine Street), is one example. Discussed later as a detailed case study, city officials and KDOT developed a Corridor Master Plan that called for the creation of alternative access for existing and future development, installation of parallel facilities and reverse access roads (9).

Street Network and Connectivity

Many communities have developed in strips or ribbons along major arterial roadways. Local and collector street networks are often underdeveloped and major highways are used as access roads. The resulting conflicts between higher speed traffic and turning vehicles, bicycles, and pedestrians, have led not only to unsafe conditions but also to greater dependence on driving. These problems can be addressed through policies that promote activity centers and a connected network of local and collector streets.

Smaller blocks and a balanced, connected network of streets and sidewalks make an area more pedestrian, bicycle, and transit friendly, while increasing opportunities for alternative access. Therefore, corridor access management plans should include measures to improve the connectivity of local street networks. Although local streets help reduce the need for driveway access, too many minor street connections on major roadways can lead to the same safety and operational problems as having too many driveways. One way to address this issue is to evaluate all proposed street connections to major arterial roadways to assure that they conform to adopted access spacing standards or would otherwise pose no safety or operational concerns.

Existing local street systems provide a framework for a corridor access management plan. Where the local street system is not adequate, a long-range plan could be developed to identify preferred future street locations. Side streets may be laid out in a general grid pattern or branch out to accommodate terrain or other natural features. A system of parallel roads or service roads could run behind corridor properties with side streets intersecting the arterial at reasonably spaced intervals.

An example in practice is Fort Collins, Colorado, which promotes a supporting street network on arterials through street spacing and connectivity requirements in its land development code (10). The requirements are implemented mainly in developing areas through the development review process and applicants are required to submit an access management plan that advances the standards. The code ties street spacing with access spacing criteria, as follows:

Spacing of Full Movement Collector and Local Street Intersection with Arterial Streets. Potentially signalized, full-movement intersections of collector or local streets with arterial streets shall be provided at least every one thousand three hundred and twenty (1,320) feet or one-quarter (¼) mile along arterial streets, unless rendered infeasible due to unusual topographic features, existing development, or a natural area or feature. State Highway Access Control Code or specific access control plan adopted according to that code shall determine the location of collector or local street intersections with state highways [Section 3.6.3 (C)].

Spacing of Limited Movement Collector or Local Street Intersections with Arterial Streets. Additional non-signalized, potentially limited movement, collector or local street intersections with arterial streets shall be spaced at intervals not to exceed six hundred and sixty (660) feet between full movement collector or local street intersections, unless rendered infeasible due to unusual topographic features, existing development, or a natural area or feature [Section 3.6.3 (D)].

The Model Regulations and Plan Amendments for Multimodal Transportation Districts (MMTDs) applies concepts similar to those of Fort Collins (11). The model is aimed at achieving a more walkable, transit friendly environment, but has the added benefit of improving street networks and connectivity. Although these policies and regulations are designed for application in multimodal transportation districts, as defined in Florida law, they can be used as strategies to reinforce alternative modes of transportation, while helping to reduce traffic conflicts and congestion on major roadways.

Alternative Access in Subdivision Regulations

Alternative access is best accomplished when new lots are being created on major roadways or land is being subdivided for development. Unmanaged subdivision activity on major roadways is a key constraint to accomplishing alternative access. Even communities with effective subdivision regulations can face access problems from minor land divisions that are exempted from plat requirements.

Platting exemption problems can be avoided by enacting a few basic changes to common development requirements. One such change is to increase the minimum lot frontage requirement for properties abutting major transportation routes. A variation of this technique is to tie minimum lot frontage to connection spacing standards, where they exist. (Note – the term “connection” includes spacing standards for driveways and street connections.) Property owners could then be allowed to further subdivide the parcel into smaller frontages, but only where each lot is served by alternative access (e.g. a local street, cross access easement, or service road).

For example, Levy County, in rural west central Florida, established a requirement for its primary arterial (U.S. Highway 19), by tying minimum lot frontage to the 660 ft access spacing requirement of the Florida Department of Transportation. A similar example is a prohibition on the creation of new lots that fail to meet adopted access spacing criteria, as in the following regulation currently under consideration in Tallahassee, Florida:

Section 2.3 New lots or parcels on arterial and collector roadways.

No new lot or parcel shall be created along arterial or collector roadways in the City of Tallahassee or Leon County that would result in connection spacing that does not comply with the connection spacing or corner clearance standard(s) for the abutting roadway(s) due to inadequate lot frontage, or the lack of alternative access where smaller lots are proposed.

All lots and parcels that are proposed on or after the effective date of this ordinance must be reviewed for conformance with this section by the jurisdiction where they are proposed and approved, prior to being recorded in the property records of Leon County.

Another important provision common to most subdivision ordinances is a requirement that residential subdivisions on major roads provide access to individual lots from a local street rather than the major arterial. Most communities require all new lots to have access to a public road and to meet minimum lot size and frontage requirements. Reviewing new lots for conformance with these provisions is an opportunity to evaluate whether the proposed lots should provide for alternative access in accordance with other local policies. A streamlined review process for lot splits and other minor subdivision activity that may otherwise be exempted from subdivision review helps assure that lots have appropriate access, without placing an unnecessary review burden on the property owner.

Unified Access to Shopping Center Sites

Another alternative access issue relates to shopping center outparcels – lots created along thoroughfare frontage of shopping center sites and leased or sold separately due to their high

value location. If treated separately in development review and site planning, these lots could each have individual driveways on a major road, sometimes with no internal connection to the surrounding development resulting in a great number of conflict points (Figure 3).

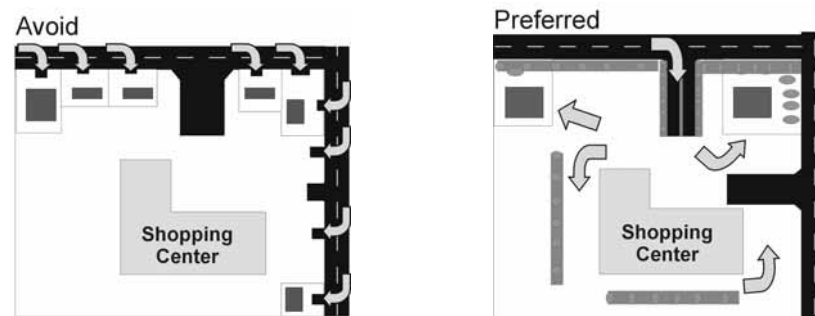


Figure 3: Promote internal access to shopping center outparcels (6).

To avoid this problem, local governments can establish a requirement that properties consolidated for development or those under common ownership, will be treated as one property for the purposes of access review. Citrus County (FL) limits access to one per ownership unless the properties meet spacing requirements (12). Regulations should also require outparcels to be tied into the on-site circulation system of the larger shopping center.

Funding

Although corridor management strategies can positively influence safety and capacity on major arterials, funding for gaps in street networks or to facilitate service roads continues to be a challenge for local governments. The FDOT, through the maintenance of its active and widely applied access management program, recognizes the benefit of applying appropriate access management strategies and techniques as individual roadway and other conditions allow. The FDOT also routinely funds access management related improvements as part of broader corridor improvement projects such as road widening or resurfacing.

Funding improvements off of the state system is what proves most challenging. Most federal and state funding sources do have provisions for the expenditure of funds off of the state highway system; however, scarce funding for major improvements makes off-system expenditures rare. Local governments will need to continue the exploration and use of local funding sources. The following review of funding sources touches on federal and state sources and highlights local funding possibilities for off-system improvements. While there are a number of possibilities discussed, the case studies examined for this report reveal that many local governments rely on direct construction by the developer to accomplish most off-system improvements.

The 2004 Legislature enumerated guidelines for designating Strategic Intermodal System (SIS) components as well as its funding. Since components of the SIS and SIS connectors can include facilities owned and operated by public and/or private entities other than the FDOT (off-system), the Legislature modified state laws to allow the use of State Transportation Trust Fund (STTF) monies to be used to pay the cost of projects on the SIS and to match federal-aid funds allocated for projects not located on the State Highway System. Additionally, STTF funds can be used to pay the cost of county or municipal road projects selected in accordance with the Small County

Road Assistance Program and the Small County Outreach Program (75% of project costs on a county road). Funds from the STTF and/or federal-aid funds could be used to purchase advance right-of-way for preservation purposes for a facility identified in a Comprehensive Plan or an MPO LRTP as a planned future SIS connector and a funding priority.

Other state funding sources occasionally used for funding off-system improvements include the County Incentive Grant Program (35% of project costs for local projects that relieve congestion on the SHS) which receives sporadic funding in the FDOT work program and the Economic Development Transportation Fund, managed by a public-private partnership consisting of the Governor's Office of Tourism, Trade and Economic Development (OTTED) and Enterprise Florida, also provides funding for transportation-related projects such as access roads.

For example, the City of Brooksville has taken a proactive role in working with property owners and the local economic development department to implement a frontage road on SR 50, using right-of-way donations, economic development funds, and Community Development Block Grant funds. The City has also been successful in obtaining State money for the project through the now-defunct Transportation Outreach Program (TOPS).

Perhaps more feasible is the use of the myriad of funding options provided by the Florida Legislature to local governments for capital improvement needs, particularly transportation. Potential funding sources available to Florida counties and municipalities include the Local Option Gas Tax, the local Government Infrastructure Surtax, the Ninth Cent Gas Tax, transportation impact fees and developer contributions.

A local option gas tax of up to six cents per gallon (by a simple majority vote of county commissioners) may be levied for transportation expenditures on state or local highway systems with proceeds of the tax to be shared with municipalities. An additional five cents per gallon local option gas tax was adopted by the 1993 legislature requiring a majority plus one vote of the county commissioners with the caveat that local governments may only use revenues from the tax for transportation expenditures needed to meet the requirements of the capital improvement element of an adopted comprehensive plan.

The Ninth-Cent Gas Tax (one cent per gallon on highway fuels) can be adopted by a county's governing body to impose the tax by a majority plus one vote of its membership. The Local Government Infrastructure Surtax or Local Option Sales Tax can be levied by county governing bodies at a rate of .5% or 1% and applies to only the first \$5000 in value of all purchases subject to the regular 6 percent sales tax. Tax proceeds can be expended ONLY to plan and construct infrastructure, or to acquire land for public recreation, conservation or for the protection of natural resources.

Finally, transportation impact fees or developer contributions, implemented by ordinance, require new development to pay a fair share fee for costs of improving existing roads or constructing new roads made necessary by developments. An impact fee schedule is typically based on trip generation, the cost of additional lane construction and existing capacity. In reviewing case studies, it can be noted that the majority of local governments rely on transportation impact fees and developer contributions or outright construction to fund incremental corridor management improvements, particularly alternative access off the state highway system.

CASE STUDIES

Eight case examples from four FDOT Districts in Florida, one from Colorado and one from Kansas were documented for this report. The first case study briefly documents the installation of a series of roundabouts in Golden, Colorado. The next three cases are on U.S. 19 in Pasco, Hernando and Citrus Counties in FDOT District 7 with each county pursuing a different method for managing the corridor including an action plan and concurrency rules, a frontage road ordinance and a corridor management plan. The fifth case study is a non-state facility, University Parkway, located in Sarasota and Manatee Counties in District 1. These counties employed a series of interlocal agreements and corridor studies to construct and manage the corridor. The sixth example is on U.S. 98 in Polk County, also in FDOT District 1, where a corridor access management plan was recently adopted.

The seventh case study is in FDOT District 4 where 14 local government jurisdictions and seven agencies have established a collaborative for the economic and aesthetic improvement of S.R. 7 in Broward County. The final case study looks at U.S. Highway 183 in Hayes, Kansas where a partnership between the city and the state led to a corridor master plan. Details of these corridor management programs are provided below.

South Golden Road

Golden, Colorado

(Note: This case study is adapted from “Roundabouts for Urban Design” by Alex Ariniello and Dan Hartman.)



Figure 4: South Golden Road prior to reconstruction (5).

citizens to demand improvements to ease traffic concerns at the South Golden Road/Utah Street intersection where the store was proposed.

One of Golden, Colorado’s primary commercial roads is South Golden Road. Until 1998, the road was a standard four-lane arterial with a center turn lane and wide shoulder with some sidewalks adjacent to the road. South Golden Road had standard corridor problems including excessive driveways leading to left-turn conflicts, significant signalized intersection delay, speeding and a generally poor aesthetic and pedestrian environment. In fact, as early as 1993, the City of Golden sought ways to improve the corridor design but failed due to “access concerns of businesses.” Development pressure (a grocery store) in 1998 caused

The City of Golden developed the following objectives for improvements to the road:

- *Reduce vehicular conflicts and increase safety;*
- *Create a more aesthetically pleasing area;*

- *Create a more pedestrian-friendly environment;*
- *Reduce delays for entering traffic at Utah Street;*
- *Reduce queue delays to reduce travel time (5).*

One of the alternatives for meeting the objective was “narrow the roadway, provide medians and wide detached sidewalks, and install a new signal at Utah Street.” The other alternative was to “narrow the roadway, provide medians and wide detached sidewalks, and construct two roundabouts at Utah Street and Ulysses Street.” Eventually, two more roundabouts at Johnson Road and Lunnahaus Drive were added to this plan. The City, residents and even businesses embraced the roundabout concept after an extensive public education campaign by city staff and project consultants. Only the proposed grocery store owners that instigated the road improvement discussion were skeptical of the roundabout concept; finally, the City’s offer to tear out the roundabout in front of the store if sales were affected prompted their agreement with the plan.

The single-lane roundabout at Ulysses Street was constructed and opened to traffic in late 1998. Public reaction was so positive that the City accelerated construction of the remaining three two-lane roundabouts, opening for traffic in late 1999. This time, however, public reaction was very mixed due to driver confusion in navigating the roundabouts that had no final pavement, striping or directional signs. Buses and other large vehicles had the most difficulty causing the school and emergency services officials to complain to the City. Buses and other large vehicles found it difficult to stay in one lane through a roundabout, however, once the final pavement was added, “the road felt 3’ to 4’ wider because the lip at the concrete curb was eliminated.” Improvements to this 3/4 –mile stretch of South Golden Road included four roundabouts, roadway reconstruction, medians, detached sidewalks, utility relocation, design and landscaping.

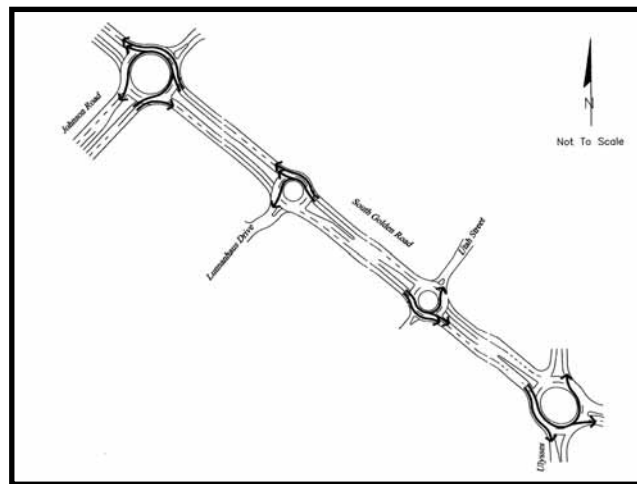


Figure 5: South Golden Road plan (5).

From an operational perspective, the South Golden Road roundabouts showed improvements in several areas when data from prior to the installation was compared with data 23 months after the roundabouts were in operation (13). The 85th percentile speed was reduced from 47 mph to 33 mph while the average travel time between Johnson Road and Ulysses Street was reduced from 78 seconds to 68 seconds. It had been estimated that if an additional signal were installed, travel time for the segment would have increased to 103 seconds. Additional data from three years prior to the installation was compared to data from 3-1/2 years afterwards by the Public Works Director showing continued positive operational results (14). Accidents were reduced by 40% from 4.39 per month to 2.66 per month; additionally, accident severity decreased. Accident injuries were reduced from 31 to just 2, a 95% reduction. Even bicycle and pedestrian injuries have been reduced from 1 per year prior to the roundabouts to none since their installation.



Another measure pointing to the positive results of the roundabout installation on the South Golden Road corridor is the increase in tax revenue during 2003. Operational improvements could be attributed to the improvements made to South Golden Road because no other parallel facilities received significant improvements over the time period. Installation of the roundabouts allowed the City to meet its objectives for a more aesthetically pleasing and pedestrian-friendly environment, a reduction in vehicle conflicts and delays, and an overall increase in safety.

Figure 6: South Golden Road reconstructed (5).

U.S. 19

U.S. 19, a corridor in the Florida Strategic Intermodal System, is well-known for its traffic congestion and high crash history throughout the Tampa Bay region. Various local governments, through which U.S. 19 passes, grapple with ways to ease congestion and to increase safety on the facility. Each one has chosen slightly different methods.

U.S. 19 is a six-lane highway that serves regional travel along the west coast of Florida. Due to tremendous residential and commercial growth along the corridor over the past twenty years, many segments of U.S. 19 have evolved into highly urbanized areas serving both commuter traffic and local trips. Commercial development within the urban counties, Pinellas and Pasco Counties, has largely occurred along the 4-6 lane facility without adequate access management, and has resulted in numerous curb cuts, entry signs, and median openings that have adversely affected the safety, efficiency, and character of this important highway. U.S. 19 also serves as the primary artery for commercial activity in some smaller cities and rural counties in west central Florida, including Hernando, Citrus, and Levy Counties, where the roadway is predominately a 4-lane divided arterial.

U.S. 19 in Pasco County, Florida

FDOT District 7

In Pasco County, sections of this 19.7-mile stretch of U.S. 19 are considered “strip commercial” and have been plagued with traffic problems and safety concerns due to high speed, high volume commuter traffic competing with tourist and local traffic entering and exiting the roadway. Between 1999 and 2001, U.S. 19 has accounted for approximately 21 percent of all Pasco County crashes and accident rates were consistently higher than the statewide average for six-lane divided urban arterials (15).

In response to growing concerns, the Pasco County Metropolitan Planning Organization (MPO) created the U.S. 19 Task Force in 2003. Charged with identifying problems and possible solutions, the Task Force was composed of state and local transportation representatives, local enforcement agencies, elected officials, concerned citizens, and businesses owners. The Task Force detailed many issues contributing to safety and operational problems along U.S. 19, including aggressive driving, lack of readable address numbers and signs, unsafe turns, traffic stacking in the medians, and lack of joint/cross access between properties. Solutions to each issue were identified and prioritized within the US 19 Task Force Action Plan. Many solutions have funding



Figure 7: U.S. 19 in Pasco County (15).

commitments over the next five years or are being addressed on an ongoing basis by local agencies.

Currently, ITS improvements, specifically network surveillance, surface street control, traffic information dissemination, and incident management are being applied along the entire corridor. Funding was obtained through an \$8 million loan from Pasco County to the Florida Department of Transportation. Results are expected to improve traffic flow and yield a travel time savings of 10%. Other programmed improvements include roadway widenings on nearby north-south corridors and median improvements along congested segments. Over \$13 million is reserved for these improvements with funds being generated from the county's local option sales tax.

Other actions were identified by the Task Force as Tier One "top priority" or a Tier Two "lesser priority" in the US 19 Task Force Traffic Management Project Chart (15). Tier One recommendations included installing additional signage, eliminating specific median openings, and channelizing other medians. Tier Two actions included developing joint/shared driveways between proposed and existing developments, constructing pedestrian bridges and related facilities, and constructing urban interchanges at feasible locations.



Figure 8: Pedestrian on U.S. 19 in Pasco County (15).

The Action Plan also called for a review of the county's transportation concurrency management system. In 2004, Pasco County adopted Ordinance 04-07 (Appendix B1), essentially revising their concurrency management ordinance, to further correct existing capacity and safety deficiencies, accommodate future development, and encourage redevelopment. The County allows property owners along U.S. 19 to proceed with development even though transportation concurrency requirements may not be met and adopted level of service standards are exceeded. In these cases, property owners are assessed "a fair share of the cost, or provide a binding commitment to Pasco County to pay the fair share of the cost of providing the transportation facilities to serve the proposed development." Certain developments are exempt, including vested developments and projects that involve the replacement or redevelopment of existing structures having the same or lesser impact on public facilities as the original structure (16).

According to Ordinance 04-07, all developments along U.S. 19 must obtain a transportation concurrency certificate in conjunction with final plat or construction approval. Certificates are issued to developments that do not degrade the adopted level of service standard or "mitigate concurrency impacts (16)." For those developments that generate less than 2,500 trips, "mitigation" is defined as:

- payment of a "fair share fee" established by the County;
- designing and constructing all transportation facilities necessary to restore any intersection or link impacted by the development to the adopted levels of service (for example, a retail space less than 50,000 square feet in size would have to contribute \$2,206 per 1,000 square feet); or
- a combination of both.

For those single developments that exceed 2,500 trips or 5% of the average existing capacity, development may only proceed “upon design and construction of all transportation facilities necessary to restore any intersections or links impacted by the development to adopted levels of service.” All concurrency mitigation measures are to be outlined in a local government development agreement approved by the Board of County Commissions. All fair share fees are deposited into a fund that is earmarked solely for capacity and safety improvements along the corridor.

Using a combination of the U.S. 19 Task Force Action Plan and Ordinance 04-07, Pasco County is taking decisive steps to implement comprehensive corridor management. Involving a myriad of state and local government agencies, public officials and citizens, the Task Force is responding to concerns regarding traffic congestion and safety along the corridor.

Transferring the Practice

Key to the effectiveness of Pasco County strategies is cooperation of all entities through the MPO process. By establishing a Task Force through the Pasco County Metropolitan Planning Organization, all affected parties could influence the process that resulted in the Action Plan, and remain involved through the implementation process. This collaboration has taken the burden of managing U.S. 19 off of local jurisdictions and allowed them to pool their resources toward corridor-wide solutions to traffic congestion.

One direct result of the Action Plan was the revision of the county’s concurrency management ordinance (Ordinance 04-07) that now specifically addresses the U.S. 19 corridor. Other local governments seeking ways to meet concurrency requirements can look to the county’s ordinance as an example for requiring new development to contribute to the cost of improving a specific roadway.

U.S. 19 in Hernando County, Florida

FDOT District 7

U.S. 19 also runs through Hernando County, which was ranked as the second fastest growing county in the U.S. during the late 1980’s. Visionary members of the Hernando County Commission took note of the rapid development and resulting traffic congestion on U.S. 19 in Pasco County to the south and were compelled to take action to prevent the same problems from happening in Hernando County. The county teamed up with the Florida Department of Transportation to establish frontage roads along several state roads throughout the county and is seeing results from its 18-year-old frontage road ordinance. In fact, the frontage road concept has become such an accepted practice that

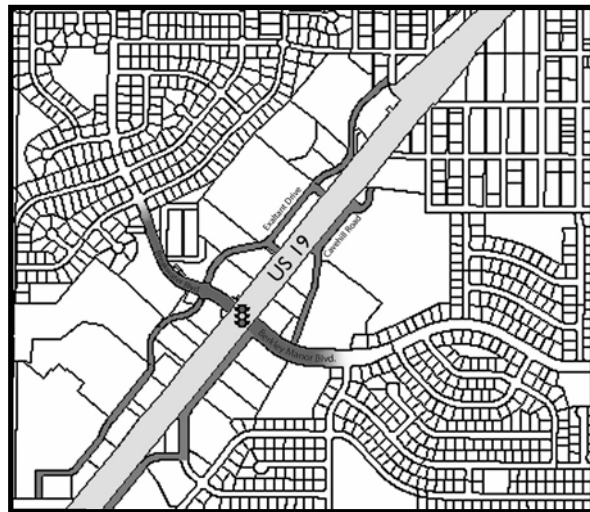


Figure 9: U.S. 19 frontage roads in Hernando County (17).

some developers show frontage roads in their plans along facilities where they are not required. One of the U.S. 19 frontage roads in Hernando County, Exaltant Drive (Figure 9), has been in place for nearly 18 years and serves as evidence that the frontage road ordinance works. It is the longest frontage road connecting two signalized intersections and extending to a third intersection. In addition, the road connects residential and commercial development.

Managing the Corridor through Policy

The Hernando County's concerns about rapid development and pending traffic congestion on U.S. 19 inspired the county to draft a frontage road ordinance. On May 6, 1986, the Hernando County Board of County Commissioners adopted Ordinance 86-8 establishing frontage roads not only for U.S. 19, but also U.S. 301, U.S. 98, U.S. 41, C.R. 485 and S.R. 50 within the county.

Ordinance 86-8

Ordinance 86-8, "enacted under the Home Rule power of the County for the purpose of providing transportation improvements in the interest of the public health, safety, and welfare of the citizens of Hernando County," requires each developer of property adjacent to Hernando County's major arterial highways to provide for the funding and construction of frontage roads upon demonstration of need and demand by the County (Appendix B2) (7).

Hernando County's initial concerns were echoed in the beginning of the ordinance as a part of the very reason for adopting it:

"...WHEREAS, the major arterial grid is becoming congested by increased traffic and the provision of more and more driveway cuts with little regard to the overall effect upon the major transportation arterials; and ...

WHEREAS, development adjacent to major arterials are a prime generator of local traffic..."(7).

The portion of the ordinance now codified in Section 24.2 of the Hernando County Code of Ordinances is short and to the point containing less than 1,000 words. Beginning with definitions, the ordinance places responsibility for frontage roads on the developer; the developer is "the person or entity responsible for increasing the traffic demand upon the arterial system by either building a new building, expanding the capacity of an existing building, changing of the approved use, or subdividing real property to create additional building lots"(7). The frontage road requirement is triggered when development causes the daily trip generation to increase by more than ten trips per day as determined using the Institute of Transportation Engineers (ITE) Trip Generation Manual.

The 'meat' of the ordinance is located in the General Requirements where developers are required to install frontage roads at their expense and road specifications are outlined. The section further requires that funds are to be provided to the County for the construction of the frontage road with construction occurring at the county's discretion. Finally, it establishes that any driveway permits directly connecting to the arterial are considered interim and will be revoked when the frontage road is constructed. The actual wording in the ordinance is as follows:

“General Requirements. Developers of properties adjacent to the major arterial highway grid must provide at the developer's expense a frontage road from property line to property line parallel to the arterial highway upon demonstration of need and demand by the county.

The frontage road is to be designed to county designated specifications. The developer shall furnish to the county sufficient funds for the engineering and construction of the frontage road across the property when the county indicates that sufficient length is available to construct a link in the frontage road system.

All driveway cuts issued to developers of properties adjacent to arterial highways shall be considered temporary and subject to removal when the frontage road link is constructed across the property”(7).

Comprehensive Plan

Furthering the frontage road concept, the Hernando County Comprehensive Plan adopted in 1989 addresses the frontage road ordinance in Section A, Chapter 3: Transportation in an objective under Goal 2.04: “To assure the adequacy of transportation capacity in order to accommodate the anticipated growth of Hernando County.” The objective and related policies state:

OBJECTIVE 2.04D: FULLY IMPLEMENT A FULLY INTEGRATED FRONTAGE ROAD SYSTEM IN THE URBAN SECTIONS OF THE FLORIDA INTRA-STATE HIGHWAY SYSTEM (FIHS) ARTERIAL NETWORK.

POLICY 2.04D(1): Continue to require new development adjacent to state arterials to comply with the County’s Frontage Road Ordinance.

POLICY 2.04D(2): Provide for the completion of missing links in the frontage road network by incorporating these projects into the Short and Long Range Elements MPO’s cost affordable Long Range Transportation Plan.

Policy 2.04D(2) is a key feature that ties the development of the frontage road system into the MPO process, and, therefore, possible funding where needed.

A Legal Challenge

The frontage road ordinance was upheld under court scrutiny in *Hernando County v. Budget Inns of Florida, Inc.*, 555 So. 2d 1319 (Fla. 5th DCA 1990). In this case, Budget Inns claimed that the Hernando County requirement – to dedicate right-of-way and build the frontage road as a condition of granting a building permit - constituted a taking. The court did not determine that a taking occurred; however, it found that there was no demonstrated present or reasonable immediate future need for the frontage road. In other words, there was no rational nexus for requiring the improvement. Although the frontage roads are specifically shown in the adopted comprehensive plan, the County has developed no other method of showing present or future need of the frontage roads.

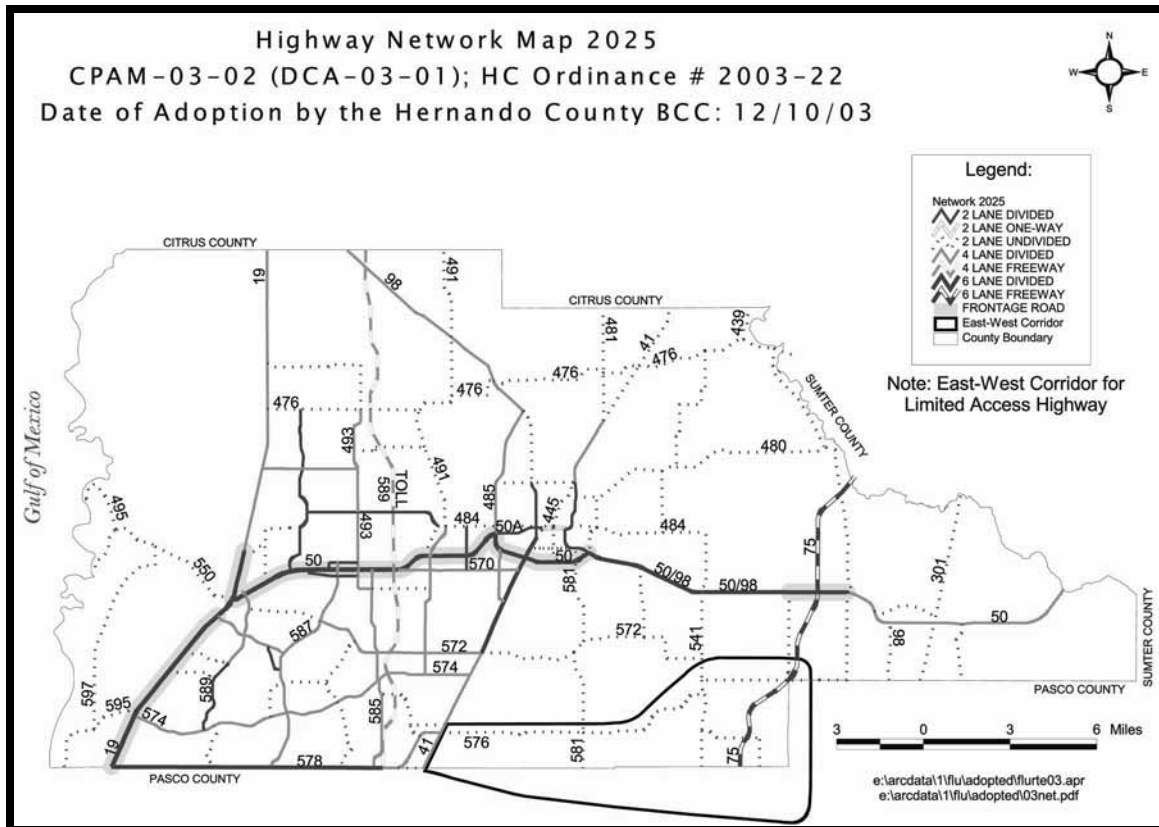


Figure 10: Hernando County Highway Network Map 2025 showing frontage roads (17).

According to staff, the frontage road concept was envisioned in segments (18). At the time, the Florida Department of Transportation was requiring one-quarter mile intersection spacing, so the county mimicked this practice requiring construction of one-quarter mile segments of frontage road (18). This practice created a logical segment size that related to intersections on the facility. The Board approved a frontage road concept map early in the process; these were aerial photographs with conceptual frontage roads highlighted in marker. Today, the Highway Network Map 2025 in the comprehensive plan illustrates the frontage road locations as shown in Figure 10.

Managing the Corridor through Practice

The frontage road ordinance is implemented on a day-to-day basis through the Hernando County Zoning Regulations and the Facility Design Guidelines as applied to each building permit application. The frontage road typical section and driveway spacing illustrations are in Appendix B3. The property owner is required to obtain a County driveway permit prior to applying for the state permit. The Hernando County Zoning District Regulations require a one hundred twenty-five (125) feet front yard setback along U.S. 19, S.R. 50, U.S. 41, U.S. 98, U.S. 301, C.R. 578, C.R. 485 and C.R. 50 in order to accommodate the frontage roads. This works well for established lots in partially developed areas. In commercial areas, the first developer can choose whether to locate the frontage road in the front of the property or to the rear; later developers must follow suit.

The County's Facility Design Guidelines contain a frontage road cross-section to be used in designing the facilities. If a property is developed in a location where no adjacent properties are developed, the developer must show the future frontage road location on the site plans; interim access is granted directly to the state facility. At such time, adjacent properties are developed providing frontage road access off of the state facility, the interim driveway permit is revoked and the property owner must build the required access road.

Frontage roads held in private ownership must be maintained by the property owner in accordance with County road maintenance standards; alternatively, the property owner may dedicate the frontage road to the County to include the private frontage road in the County roadway maintenance system.

FDOT Perspective

The Florida Department of Transportation (FDOT) worked with Hernando County in the developing stage of the frontage road ordinance in 1986 and, today, remains a partner in the implementation of the ordinance. In accordance with Chapter 14-96 FAC, each developer must obtain a permit to access the state highway system consistent with the standards outlined. The FDOT may issue a Notice of Intent to Approve or deny a request for access (19). In Hernando County, the FDOT reviews each request to determine if the property abuts a highway where frontage roads are required. If it does not, the request is processed pursuant to the Access Management Rule. If it does and a frontage road exists, access is permitted on the frontage road only. If the property abuts a highway where a frontage road is required but does not yet exist, an interim permit is issued that includes conditions requiring the property owner to remove the driveway connection to the frontage road when it is constructed. Any permitted connections are required to share access with adjacent properties. An example of a shared access easement agreement is in Appendix B4.

The FDOT District 7 Permits and Contracts Engineer for Hernando County has established good communication with the Engineering Department and the Transportation Planning Coordinator in the County. The FDOT requires the developer to submit a site plan acceptable to the local government then checks with the County to ensure that each of them is reviewing identical plans from the applicant. Any site plan or development proposal received by one of the parties is shared with the other as soon as possible to avoid attempts by a developer pit to one agency against the other.

New Issues

The gradual construction of frontage roads is evidence of the ordinance's success, although along with the frontage road system are new challenges. For example, traffic stacking at intersections with U.S. 19 has become a problem. County staff has noticed that the longer a frontage road segment, the more likely it will experience a stacking problem at intersections with the arterial.

In the past, the County required 125 feet of spacing from the edge of pavement on the arterial to the edge of pavement on the frontage road. Currently, the county is asking for 300 feet in hopes of warding off future stacking problems.

Another issue is the difficulty in connecting frontage road segments. Because the frontage roads often do not connect, the county connects them using a zigzag pattern (18). The frontage road system that resulted from implementation of the ordinance is irregular; some roads have commercial frontage with residential uses in the rear and others are all residential or all commercial.

Because no funds were earmarked to acquire additional right-of-way or build gaps in frontage roads or to provide enhancements like turn lanes or sidewalks where necessary, funding is an ongoing issue (18). Another issue is the lack of a specific frontage road plan or map which staff believes would actually help to guide development (18). A waiver of frontage road requirements to non-profit organizations, such as churches, is another issue identified (18). This practice can compound the very problems the frontage roads were designed to mitigate, such as congestion problems from daycare centers, schools, and mid-week evening activities, and contributes to costly gaps in the system.

Hernando County staff has drafted an access management ordinance that addresses some of the issues identified. Although the draft ordinance has made little progress toward adoption, the discussion of access management issues has served to further educate county staff regarding the benefits of access management and, thus, increased implementation of existing requirements.

One question looming before the County is in regard to the frontage road system—because the frontage roads are planned and designed to run parallel to the existing system and provide access to parcels, is it necessary to break up the system at intervals to prevent through traffic? Are the frontage roads local roads providing access to residences and businesses, or collector roads running parallel to the arterial for long distance traffic movement? Hernando County staff recommends defining the purpose of frontage roads early in the process to avoid confusion later. In addition, it is necessary to determine how frontage roads will be classified in the county's functional classification system. Inclusion in the functional classification system makes them eligible for funding through impact fees as well as any applicable FDOT funding.

Transferring the Practice

Many local governments believe that service roads could help prevent congestion problems on their arterial system but are at loss regarding how to implement them. In order for service roads to be constructed, the local government must first and foremost adopt an implementing ordinance. It does not have to be perfect, it just has to exist. Hernando County had the will and foresight to adopt an ordinance in 1986 that established a frontage road system along U.S. 19 and other state roads in the County despite resistance and obstacles. Issues such as gaps in the system will inevitably arise, but can be addressed through a variety of funding and partnering measures.

The state and local government must have a close and cooperative relationship to prevent developers from circumventing the system. Hernando County worked closely with the FDOT to develop their ordinance, creating buy-in from both parties and the communication avenues needed for continued coordination. Other areas may benefit from a cooperative agreement or a written protocol to formalize the coordination process.

In this case, the practice has already been transferred to the City of Brooksville, Florida located within Hernando County. The City adopted a frontage road ordinance on June 18, 2003 that emulates the Hernando County ordinance. According to Bill Geiger, the Community

Development Director, using the Hernando County ordinance as a guide not only made sense because the city is located within the county but, more importantly, because the ordinance works.

The Brooksville ordinance includes provisions that are notable additions to the Hernando ordinance. One addition is a provision to exempt developers from the frontage road requirement if the City has not made a determination of need within ten years. Another provision extends frontage road requirements to some collector roads stating: “The frontage road requirement may also be applied to collector roads for a distance of up to 600 feet from their intersection with an arterial highway, which will provide for greater safety by effectively looping frontage road traffic away from the intersection of the collector road and the arterial highway system.” Finally, there are several provisions outlining specific amendments to the Land Use/Zoning Regulations establishing building setbacks for new development and providing for joint access for redevelopment. The ordinance also specifically states: “Frontage road standards and setbacks will not be applied to property located within the Central Business District as delineated in the City’s adopted Comprehensive Plan.”

The City is taking a proactive role to work with property owners, the city economic development department, and Community Development Block Grant (CDBG) funds to implement a frontage road on SR 50. Coordination with the FDOT is limited to where the frontage road intersects with the state road. The city has been successful in receiving state money for the project through Florida’s now-defunct Transportation Outreach Program (TOPS). The city hopes to obtain future funding through the MPO process as well.

U.S. 19 in Citrus County, Florida

FDOT District 7

U.S. 19 is the major north-south route running along the western portion of Citrus County, traveling through Crystal River and Homosassa Springs, and connecting Levy County to the north with Hernando County to the south. Except for six-lanes within the City of Crystal River and the two-lane segment bridging the Cross Florida Barge Canal, it is a four-lane divided arterial. It is within Crystal River in Citrus County that U.S. 19 changes from being a part of the SIS to being a part of the Emerging SIS.

Throughout the County, U.S. 19 currently has regular median openings at 900-1000-foot intervals and few left-turn lanes. As with Hernando County, Citrus County officials feared that U.S. 19, if left alone, would become a traffic congestion problem as it had in Pasco County. In an effort to protect the corridor through Citrus County, officials elected to prepare an access plan for the entire length of the U.S. 19, with the exception of the 4-mile segment within the City of Crystal River.

They engaged the expertise of a consultant to assist them with an access management plan. According to the project consultant, Citrus County has been experiencing development pressure along the U.S. 19 corridor, especially with vacant large parcels. Rather than address each property and median access incrementally, the County chose to develop and implement a comprehensive approach to controlling access as well as to maintaining and improving safety on the corridor. The objectives of the plan were:

- Provide safe property access while maintaining highway capacity;
- Focus on vacant properties or properties with high potential for redevelopment;
- Minimize access to environmentally sensitive areas; and,
- Provide direction to property owners and developers regarding acceptable access criteria.

Although U.S. 19 runs through Crystal River, that segment was not included in the study area for U.S. 19. Officials were primarily interested in future development and redevelopment in the unincorporated county rather than the developed portion within the city.

Managing the Corridor through Policy and Practice

Ordinance 2003-A19

The Citrus County Board of County Commissioners adopted the Access Management Plan (Access Plan) in September 2003 in Ordinance 2003-A19 (Appendix B5) addressing U.S. 42, U.S. 19/98, U.S. 98, S.R. 200 and S.R. 44 with general access standards and specific standards for U.S. 19. The Access Plan and accompanying maps for Phases 1 and 2 on U.S. 19 describe the “locations for planned median openings, auxiliary turn lanes and planned frontage/reverse frontage roads along the U.S.-19 corridor” (20).

The regulations, outlined in the Access Plan and codified in the County’s Land Development Code, are divided between the property abutting the 8-mile segment of U.S. 19 north of Crystal River to the Levy County Line and the 13-mile segment south of Crystal River to the Hernando County Line. The Plan specifies that “Annexation by a municipality of any property shall not affect the applicability of the Access Plan.” FDOT Access Management Standards are included in the Plan to establish the minimum spacing of access points.

The Plan then establishes a number of general standards for the segment north of Crystal River. All proposed developments, expansion of existing uses, or changes in use, must prepare an access management plan that addresses “access improvements, driveway spacing, and turning movement safety.” As an incentive, the County awards an increase in the density and intensity of development permitted on lots of record that eliminate existing access points or to developers that dedicate cross access easements that eliminate additional access to U.S. 19.

Notably, the number of access points is limited by ownership and required access spacing rather than property boundaries as stated in the Ordinance, “Access to US-19 is limited to one access per ownership existing as of the effective date of adoption of CPA-BCC 92-05, Ordinance 92-A72 (December 8, 1992), unless said ownership is of sufficient size to meet the spacing requirements. This also applies to multiple lots of record, as defined by Citrus County, such that only one access is granted per ownership” (12). In addition, the Ordinance states, “No new or additional access rights will be permitted for properties that are created as the result of parcel or lot splits subsequent to the enactment of this Ordinance.” The lot split provisions and other subdivision measures have effectively stopped U.S. 19 from being stripped with individual residential lots.

Cross-access easements are required “allowing general cross-access to and from adjacent properties” (12). A boilerplate agreement is in Appendix B6. Along planned frontage roads abutting U.S. 19, individual sites must be designed to provide for coordinated or joint parking

areas, unified access and circulation systems, and stub-outs that make it “visually obvious” that the abutting properties may eventually be tied in.

Ownership is used again as criteria for requiring a master plan, “Where abutting properties are in the same ownership, no subdivision or site plan shall be approved without a master plan. All building sites within the affected area shall be made subject to the necessary easements, agreements and stipulations as required and the same shall be recorded as binding” (20). On the other hand, if abutting properties are under different ownership, “cooperation is encouraged” through the use of “easements, agreements, and stipulations” to “promote a unified access and circulation system.”

To the south of Crystal River, the Access Plan sets forth specific guidelines not only for the placement of driveways, medians, median openings, and auxiliary turn lanes, but also frontage and reserve frontage roadways (access roads) along this 13-mile segment. The Access Plan also clarifies the intent and purpose among other things as “a peremptory planning instrument to mitigate future traffic congestion and vehicular safety concern resulting from future development and background traffic growth along the US-19 corridor, among other things, by limiting and minimizing the number of traffic conflict points and locations.”

For those properties that are “adjacent to or in close proximity” to a frontage or reverse frontage road as depicted in the Plan, a development plan “must provide for the construction of the section of frontage road or reverse frontage road that provides access to US 19 ...” Other criteria established for this segment include provisions for joint and cross access including stub-out construction. Continuous right turn lanes access several properties are prohibited while the use of shared, joint, or cross access and interconnected parking lots and frontage roads is required. The Plan calls for specific throat distances based on trip generation:

Driveway Throat Distances: The minimum length of driveways, or throat distance, shall vary based upon the proposed land use for the particular parcel of land and the projected daily and peak hour traffic volumes for the proposed development on the property. To minimize potential vehicle stacking that would present a traffic operational or safety concern on US-19, the minimum throat distance for any driveway subject to the Access Plan shall be the following (20):

- a. Sites generating up to 50 peak hour trips and with a right-turn lane - 40 feet;*
- b. Sites generating up to 50 peak hour trips and no right-turn lane - 60 feet;*
- c. Sites generating from 51 to 99 peak hour trips and with a right-turn lane - 75 feet;*
- d. Sites generating from 51 to 99 peak hour trips and no right-turn lane - 100 feet;*
- e. Sites generating 100 or more peak hour trips with a right-turn lane - 150 feet;*
- f. Sites generating 100 or more peak hour trips and no right-turn lane - 200 feet.*

Another notable aspect of the Access Plan is its control of access on corner properties stating, “Properties located at the intersection of a roadway and U.S.-19 are considered isolated corner properties and development on such properties may be permitted to have only right-in and right-out driveway access on U.S.-19 with all driveways located as far as feasible, consistent with sound and generally accepted engineering practices and principles, away from the roadway intersection” (20).

The Access Plan has accommodated commercial nodes and avoided wetland/environmentally sensitive areas stating, “Environmentally sensitive areas have been tentatively identified in the Access Plan and access to these areas has been reasonably limited” with specific procedures for disturbing any environmentally sensitive lands. The Plan establishes also minimum lot widths of 100 feet for residential lots and 150’ for nonresidential lots, and limits the lot depth stating, “The dept of any lot shall not exceed three times its width.” Any access point or median opening that does not comply with the Access Plan is labeled as an “Interim Access.” At the time the property is capable of being served by an alternate means of access, the interim access point is eliminated or altered at the developer’s cost. Adopted via Ordinance 2003-A19 were Phase 1 and 2 maps of the Access Management Plan consisting of aerial photographs with median locations and planned frontage roads clearly depicted. The County will use these as a guide for implementing the Access Plan.

FDOT Perspective

The Florida Department of Transportation District 7 Median Review Committee reviewed the Access Plan and provided comments to the County. Some modifications were made based on their comments. FDOT District 7 did give formal approval to the Access Plan as well as Phases 1 and 2 of the map and will review Phase 3 of the Access Plan when it becomes available. As part of the State of Florida effort to privatize many of its functions, all FDOT maintenance functions on federal and state roads in Citrus County are in the process of being transferred to an asset management contractor. Therefore, the asset management contractor will also be in charge of access permits to U.S. 19 in Citrus County.

Implementation

All developers are required to comply with the Access Plan through the commercial site plan review process in Citrus County. Large developers participate with the county and the FDOT in a pre-application conference to discuss access issues as well as other impacts to the transportation system. According to project consultant Greg Kern, DRMP, “Any future modifications or variance requests by property owners or developers will go through the County’s variance procedures, then be forwarded to the District’s variance procedures.”

New Issues

As of this writing, Phase 3 (from north of Crystal River to the Levy County Line) of the Access Plan is being developed (Note: Adoption hearing is scheduled for September 14th – final results will be incorporated). A revised ordinance is being developed that eliminates the general standards for that segment that were established as a stopgap measure in Ordinance 2003-A19. The more specific provisions that were laid out for the segment south of Crystal River to the Hernando County Line are recommended for the remaining segment.

The revised ordinance also contains a provision designed to directly address the potential future connection of a portion of the Suncoast Parkway (part of Florida’s Turnpike). This provision states (21):

Interchange Management Area: At the time of adoption of this ordinance, Florida’s Turnpike Enterprise is evaluating the feasibility of the extension of the Suncoast

Parkway, which currently terminates at US 98 in south Citrus County. The feasibility evaluation includes the termination of the proposed Suncoast Parkway extension at US-19 north of County Road 488 near Basswood Avenue. If this proposed termination is determined to be feasible, and subsequent planning and design activities are funded by Florida's Turnpike Enterprise, Citrus County will implement sound and generally accepted growth management and transportation engineering practices to this interchange area to mitigate potential traffic congestion and vehicular safety concerns resulting from the interchange and potential development within the interchange area. The specific provisions to be utilized within the generally defined boundary of the Suncoast Parkway and US-19 Interchange Management Area will be consistent with the provisions stated in this ordinance for the US-19 corridor. For purposes of access management planning, the limits of the Interchange Management Area shall be a minimum of 2,640 feet north and south of end of the interchange ramp tapers at US-19.

Of particular interest is the requirement placing “the limits of the Interchange Management Area” at “a minimum of 2,640 feet north and south of end of the interchange ramp tapers at US-19.”

Neither Citrus County nor the FDOT have plans to make immediate physical changes to the U.S. 19 medians outside of the development process. In the long term, however, the FDOT is preparing a project development and environmental study (PD&E) for the eventual six-laning of U.S. 19 from south of U.S. 8 to CR 488. If the FDOT moves forward with this project in the future, some aspects of the plan such as median closures may be implemented as part of the project. In addition, any other projects, such as safety projects, intersection improvements or resurfacing may also include some of the median closures indicated in the plan.

According to Cynthia Dixon, a planner in the Citrus County Community Development Department, the county has not yet had to enforce the frontage road provisions of the ordinance because no developer has come forward on any of the affected parcels. The cross access easement requirements have been in place for some time and are regularly shown on site plans. In addition, the adjacent property owners affected by the cross-access easement enter into a written agreement.

Transferring the Practice

Local governments anticipating major road widening, reconstruction or future development pressures would benefit from a corridor access management plan that establishes specific median opening locations. The development of a corridor access management plan, with FDOT support, also provides a legally defensible framework for accomplishing alternative access along state highway corridors to accommodate desired development. Limiting access to one per existing parcel or lots under common ownership is an effective way of forcing the issue of internal streets and cross access easements.

University Parkway

FDOT District 1

University Parkway to the west of Interstate 75, bordering Sarasota and Manatee Counties, is a major arterial in a nearly built-out area that serves as a gateway to both counties. Formerly a short, two-lane road known as County Line Road, University Parkway today is a six-lane facility with full signalized intersection locations 1/2-mile apart. University Parkway is 5.5 miles in length and meanders along the line between Sarasota and Manatee Counties in southeastern Florida.

While these Counties have spent over two decades guiding all aspects of development along this important roadway corridor, this discussion will focus on those aspects directly related to access. Although University Parkway is not a state road, the methods used to control access to the facility are transferable to any roadway within any jurisdiction. Methods of control, ultimately contained in each County's development control tools, directly result from a series of interlocal agreements between the Counties. A chronology of events in the development of this corridor is in Appendix C1.

Managing the Corridor through Policy

In the early 1980's, the governments of Sarasota and Manatee Counties could see that the land and, therefore, the incomplete and partially paved road between the two counties was ripe for development. In addition, it was apparent that because the road meandered in and out of each County that the involvement of both Counties was crucial not only to the construction of the roadway but to its successful operation as a major arterial.

Interlocal Agreements

On October 19, 1982, Sarasota and Manatee Counties entered into an Interlocal Agreement "assigning Manatee County maintenance responsibilities for University Parkway and requiring Sarasota County to reimburse Manatee County for one-half the cost of said maintenance, and providing for restrictions to direct access to University Parkway by adjoining land uses..." (22). The second Interlocal Agreement followed shortly thereafter on June 14, 1983, providing for an overall plan for the construction of improvements to University Parkway. These Interlocal Agreements were the beginning of an evolving process for guiding the development of the University Parkway corridor.

In 1988, the Sarasota Board of County Commissioners adopted Sector Plan 87-01-SP specifically related to the University Parkway/Lockwood Ridge Road Village Activity Center. The Sector Plan outlined specific access allowed to the Activity Center including, "one full-movement intersection and two right-turn in/right-turn out driveways along Lockwood Ridge Road – all located within 880 feet of the intersection" (23). The Sector Plan also required the dedication of right-of-way for the future extension of 59th Street which would serve as access to parcels to the east of the Activity Center (23). This was the first sector plan specifically implementing the access restrictions set forth in the December 19, 1982 Interlocal Agreement.

On December 3, 1991, the Counties adopted an Interlocal Agreement to reconstruct University Parkway as a six-lane facility from new U.S. 301 to Interstate 75 assigning specific duties and responsibilities to each County.

Section 8 of the Interlocal Agreement, key to controlling access on the facility, established specific guidelines for access to University Parkway, stating, “Manatee and Sarasota Counties agree that no permanent street intersections other than those listed in Table 1 and/or depicted on the construction plans and specifications attached hereto as Exhibit “A” to this Agreement, shall be constructed along University Parkway between new U.S. 301 and Interstate 75.” The contents of Table 1 referenced in the Interlocal Agreement are illustrated in Figure 11.

Approved Intersections With University Parkway	
<u>Street Intersection</u>	<u>Improvement Status</u>
Shade Avenue	intersection exists (south approach only)
Tuttle Avenue	intersection exists
Lockwood Ridge Road	intersection exists
Conservatory Road	intersection exists
Whitfield Road	intersection exists (north approach only)
DeSoto Road	intersection exists
(northerly extension through Longwood Run Development; Formerly McIntosh Road)	
Saunders Road (ext)	no improved approaches
Honore Avenue	no improved intersection approaches
Coopers Creek Road	intersection under construction (north approach only)

Figure 11: List of University Parkway intersections from the Interlocal Agreement (23).

The Section further required both counties to “maintain the function of University Parkway as a controlled access facility through enforcement of the access limitations specified herein and through their respective Comprehensive Plans, Land Development Regulations or Codes, and other appropriate regulations...” Intersections (access points) not specified in the agreement would stay in place “unless and until such time as traffic generated by the existing development or activity (if any) served by such street intersection(s) is significantly increased.” The intersection could then stay in place “until such time as a development permit authorizing construction or commencement of any portion of the development or activity precipitating the increase in traffic has been issued.”

Finally, Section 8 provided for instances where intersections with University Parkway not included in this Agreement could be constructed requiring demonstration that “no legal and reasonable means of access to University Parkway by way of those approved street intersections can be utilized or developed” (24) New access connections are limited to right-in/right-out movements. This straightforward Section clearly established where each intersection on University Parkway would be located before the construction of the facility had even begun.

Another important element of the Interlocal Agreement is contained in Section 11. that calls the for University Parkway Corridor Study, previously authorized by the joint Commissions on October 24, 1989, to “be prepared expeditiously” because over two years had passed since the study was initially authorized (24). The pending six-laning of the roadway necessitated the

completion of the corridor study to guide forthcoming development. The Corridor Study was to be prepared by Sarasota and Manatee County staffs with a status report due to both the Sarasota and Manatee County Boards of County Commissioners by April 1, 1992.

In addition to the original elements to be addressed by the study including future land use, transportation and related infrastructure and service needs, access control, architectural and landscaping design concepts, environmental and drainage systems, and development impacts and mitigation requirements and opportunities, the Boards added signage, level-of service, capacity allocation, and impact fee credits.

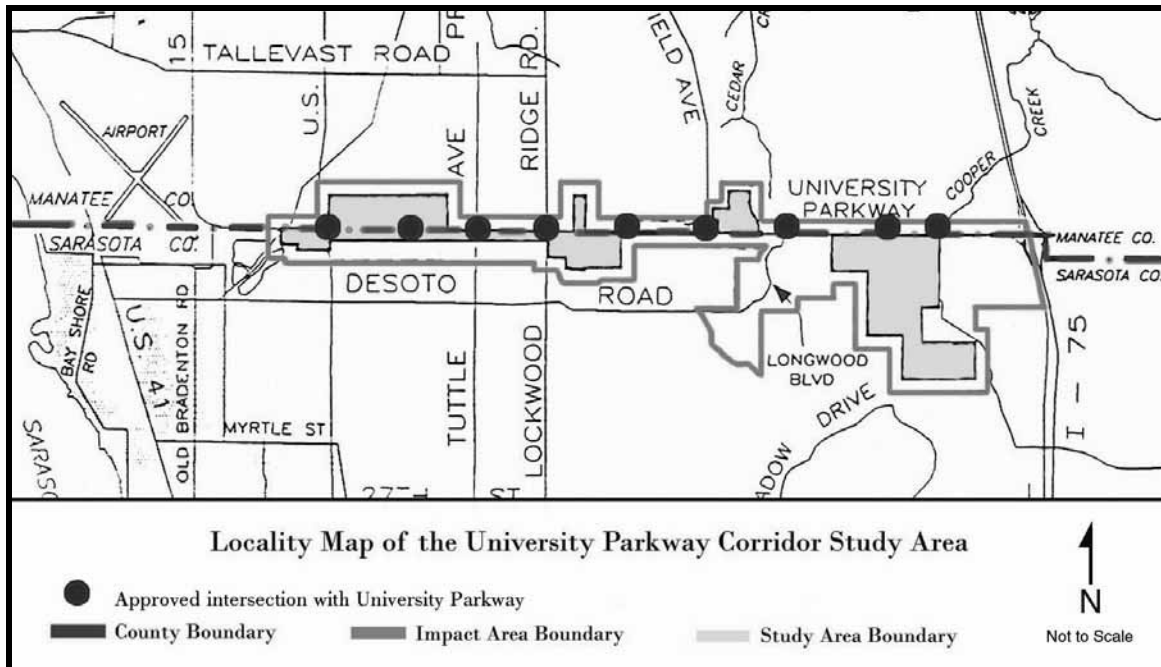


Figure 12: Locality Map of the University Parkway Corridor Study Area (25).

Boundaries and Criteria Report

On July 28, 1992, the Sarasota County Board of County Commissioners officially adopted the Boundaries and Criteria Report as the precursor to the Sarasota County and Manatee County University Parkway Corridor Study (Corridor Study No. 92-01-SP), hereinafter Boundaries and Criteria Report. The Boundaries and Criteria Report set up the parameters for the pending corridor study which would encompass “a five and five tenths (5.5) mile segment of the University Parkway corridor (approximately one quarter mile wide on each side of the corridor), located in northern Sarasota County and southern Manatee County, extending from five tenths (.5) mile west of New U.S. 301 to Interstate 75...” that would become known as the Primary Study Area (25).

Of particular importance to managing access to the corridor, the Boundaries and Criteria Report acknowledges that, as a major arterial, University Parkway would need to move large volumes of traffic, and in order to accomplish that traffic movement, direct access to the roadway must be limited. Access to land uses would have to be provided off of the major arterial at key locations.

To that end, the Report specified a Transportation Impact Area beyond the Primary Area of the Corridor Study. Various Study Issues were identified in the Report, including to, “Develop criteria to provide adequate and coordinated access and circulation to serve existing and future land uses within the Primary Area” (25).

With the December 3, 1991 Interlocal Agreement and the subsequent Boundaries and Criteria Report complete, the Counties simultaneously worked on the construction of University Parkway as a six-lane facility and the corridor study to guide its development. Construction of the roadway was completed in early 1993 with access being controlled by Section 8 the December 3, 1991 Interlocal Agreement.

Corridor Studies

Each jurisdiction carried out their own corridor studies for their respective sides to University Parkway. In January 1994, Manatee County completed the University Parkway Corridor Study, Manatee County, Florida (hereinafter Manatee Study). The Manatee Study “generally set forth the development plans and actions required for the coordination of development within the University Parkway Corridor” (26). Both Manatee County and Bi-County findings were included in the report. Manatee County Transportation findings and subsequent solutions included identifying locations within the study area where alternative access would be needed and identifying potential facilities such as Broadway and Shade Avenue, Conservatory Drive, and an additional right-in, right-out access point to the University Parkway Shopping Center (26). In addition, Manatee County Urban Design findings and solutions also addressed provision of bicycle and pedestrian facilities including bike lanes and sidewalks (26).

Sarasota County Corridor Study-West

On April 5, 1994, the Sarasota County Board of County Commissioners adopted the University Parkway Corridor Plan – West (No. 92-01-SP-West) (hereinafter UPCP – West) that encompassed the 2.4 mile segment from West University Parkway/Old US 301 and the western boundary of Cedar Creek subdivision (23).

At the time the UPCP-West was being written, Sarasota County staff was in the process of developing access management standards for the entire county. In the meantime, access management standards developed by the Florida Department of Transportation and spelled out in Administrative Rule 14-97 were used as a guideline (23). Staff decided that the “FDOT access standards for class three arterials provide the most restrictive spacing of median openings and direct access to adjacent parcels of land” (23).

Staff’s review of the existing development patterns and lot depth along the roadway resulted in a determination that construction of a service road was not feasible (23). After determining that “access limitations are significant barriers to the development and redevelopment of parcels fronting University Parkway, between U.S. 301 and Lockwood Ridge Road,” staff made specific recommendations for access providing “for internal access easements and widely spaced marginal access points along University Parkway” (23). Application of these standards would require the staff of each county to recommend a specific amendment to the Interlocal Agreement to ease congestion problems at the Lockwood Ridge Road intersection (23).

Perhaps the most important feature of the UPCP- West was the establishment of Conditions for Development Approval (Appendix C2) “intended to be used in evaluating and coordinating all future development requests within the Primary Study Area.” Some of the conditions are designed for use at the time of a rezoning request while others are applicable later in the development review process. The study further stated, “The implementation of access management techniques within the University Parkway Corridor will be addressed through the development review process. For example, as a condition of rezoning, an applicant may be responsible for the installation and all associated costs for acceleration and deceleration lanes along University Parkway” (23).

One drawback to the University Parkway Corridor Plan occurred when the Plan was split into a West portion and an East portion; some properties were not included in either plan, essentially, because it was assumed that there would be no change in use for those properties. Additional driveways resulted from this unfortunate omission.

Sarasota County Corridor Study-East

Three years after the UPCP-West was adopted the University Parkway Corridor Study – East was adopted. This study established a plan for this segment of University Parkway including future land uses. The plan provided for temporary driveways to University Parkway to be permitted “where no other legal and reasonable means of access to University Parkway could be developed.” The plan also provided for the protection of the extension of Honore Avenue and the future extension of DeSoto Road through the use of “internal access easements and widely spaced access connections” (27).

Amendments to the Interlocal Agreement

Only five amendments have been made to the Interlocal Agreement adopted in 1991. Upon adoption of the UPCP-West in 1994, an amendment to the Interlocal Agreement was adopted allowing right-in/right-out access at specific locations outlined in the study “providing that minimum spacing criteria are met and cross access is provided to adjoining properties.” (27). These temporary right-in/right-out driveways would be provided until new development on the parcel generates traffic that exceeds 75 vehicle trips per day. Developments that generate more than 75 vehicle trips per day must grant cross access easements to adjacent parcels and any temporary right-turn intersection must be eliminated when access is available to a median opening or a permanent access point (permanent right-turn intersection). Approved median openings and allowable permanent right-turn intersection locations were identified by tables within the Amendment. The remaining amendments address specific adjustments to the Tables and/or temporary right-in/right-out driveways.

Managing the Corridor through Practice

Coordination

Having the Interlocal Agreement and their respective corridor studies, the staff of both Sarasota and Manatee County set about implementing their plans. Sarasota County reviews all development applications against the University Parkway Corridor Studies while Manatee County has incorporated provisions directly into its Land Development Code (Appendix C3). Per joint

recommendations to “allow each County to determine the possible impact, if any, on the roads and/or resources within the other County” the responsible staff members keep in regular contact regarding any development plans along the facility (27).

Although development within the Primary Study Area has occurred more slowly than the Counties had anticipated, positive changes are occurring over time. For example, the section of land along the south side of University Parkway between US 301 and Lockwood Ridge Road was designated for Office use in the UPCP-West to provide a buffer between the roadway and existing homes. These office uses were each required to provide an access road for connection to a major access point designated in the Agreement. Many of these access roads have been constructed and are now in service. In addition, Lockwood Ridge Road, 3¾-mile, \$19.5 million county project from University Parkway to SR 70, was completed by Manatee County in May 2002. This roadway provided much needed perpendicular access from University Parkway to the north.

DRI Approval Process

Development continues to occur along University Parkway to the east of Interstate 75. At this point, the road frontage on both sides is located within Sarasota County. Most development occurs within Developments of Regional Impact that have development orders with specific provisions regarding access to the facility.

Transferring the Practice

Local governments can that this series of Interlocal Agreements, Corridor Plans, land development regulations and conditions of development approval provide for an effective means of corridor management for University Parkway. With only five amendments to the Interlocal Agreement adopted in 1991, the local governments have remained steadfast in their commitment to controlling access through the development process. The University Parkway case study once again illustrates that one of the most important factors of implementing a corridor management plan of this magnitude is to establish the first legal document furthering the goal; in this case, it was the initial interlocal agreement. Documentation and methods can be adapted to changing circumstances over time.

Further, the creation of the interlocal agreements, corridor studies, level-of-service analysis and even initial road construction took consistent and sometimes intense coordination between the local governments. This coordination continues today as staffs from both counties regularly contact one another regarding proposed developments along the corridor.

U.S. 98 in Polk County, Florida

FDOT District 1

US 98 between SR 60A in Bartow, FL and East Main Street in Lakeland, FL is a 4-lane divided highway with an abandoned railroad right-of-way running adjacent to the east side of the highway. The access management needs and requirements of US 98 vary significantly within the study area. From SR 60A in Bartow to the Polk Parkway (SR 570), US 98 is part of the Florida Intrastate Highway System (FIHS), which requires higher access management standards than does the remainder of the study corridor. South of SR570, with the exception of approximately a one-mile segment through Highland City, adjacent land is predominantly vacant. North of SR 570, adjacent properties along the US 98 study corridor are generally developed with commercial, industrial or residential land-uses.

In 2001, as development pressures began north of the long-established city limits of Bartow on US 98 (Bartow Road), local government officials saw the need to take action to prevent access and congestion issues along the previously undeveloped corridor. The Polk County Transportation Planning Organization (TPO), the metropolitan planning organization for the region, drafted a Memorandum of Understanding (MOU) in response to the TPO Board's recognition of the need to provide orderly and efficient access to a portion of US 98 (Appendix D1). The MOU led to a Corridor Access Management Plan for the facility.

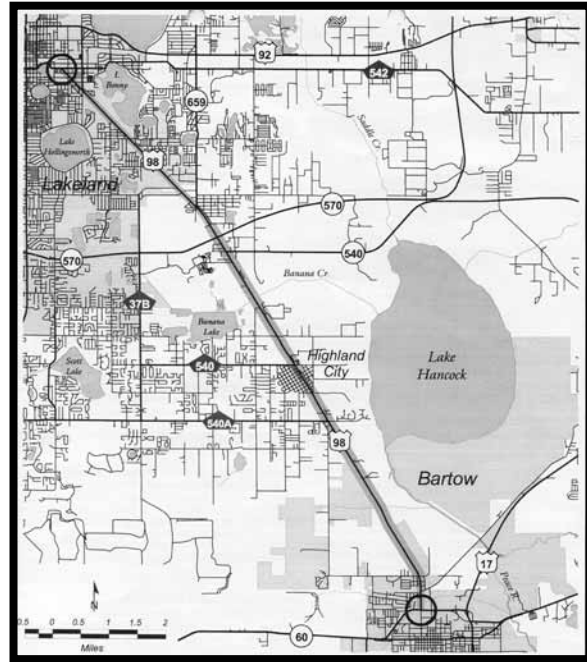


Figure 13: U.S. 98 CAMP Study Area (28).

Managing the Corridor through Policy

Memorandum of Understanding

This MOU, signed by the Florida Department of Transportation (FDOT), the City of Bartow, the City of Lakeland, and Polk County first establishes the basis for the widening of US 98 to six lanes, provision of transit service and development of a multi-use recreational trail along the US 98 corridor. These improvements are detailed in the Polk County 2025 Long-Range Transportation Plan. The MOU also outlines state and local objectives that can be met for the roadway through land development and subdivision regulations. Finally, the MOU discusses Florida Statutes in relation to corridor management. Section 337.273, Florida Statutes, provides that local governments may designate a transportation corridor for management by including the corridor in the transportation element of the local comprehensive plan, and may thereafter adopt a

corridor management ordinance to include criteria to manage the land uses within and adjacent to the transportation corridor.

The MOU then outlined four areas of cooperation:

- The intention of all three local government parties (the City of Bartow, the City of Lakeland and Polk County) to amend their respective comprehensive plans designating US 98/Bartow Road from SR 60 to East Main Street (in Lakeland) as the US 98 Transportation Corridor pursuant to Section 337.273, Florida Statutes;
- The FDOT would develop and adopt a Corridor Access Management Plan (CAMP);
- The local governments agreed to amend their respective land development regulations to implement the CAMP; and,
- All land development and permitting activities within the corridor will be reviewed by a committee comprised of representatives of all parties prior to the adoption of the CAMP.

Corridor Access Management Plan

A Steering Committee consisting of appointees from each party was formed to oversee the development of the CAMP after the adoption of the MOU in December of 2001. The CAMP was developed through a lengthy process that included a review of national and Florida examples, a review of local comprehensive plans; meetings with the public, and workshops with staff from the FDOT, the Turnpike Authority, the Cities of Bartow and Lakeland, and Polk County. Issues causing delay included lack of agreement between property owners regarding proposed median openings and a need for technical assistance on how to implement service road requirements in the plan. The document was adopted in accordance with Rule 14-97.004(5) by the Florida Department of Transportation on July 6, 2004.

While the FDOT's preference is to merely adopt a series of maps as the actual plan, local government Steering Committee members pushed for more details of implementation to be contained in the CAMP. Key to the usefulness of the final document is a series of tables that provide convenient reference regarding median openings and driveway connections that do not meet the standards (Appendix D2 and D3) for city and county staff. In addition, the CAMP contains recommended policies for local government comprehensive plans. These proposed policies address substandard driveways and joint access, as well as, provision for service road right-of-way. These proposed policies specifically state (29),

“New and redevelopment proposals for properties with in the US 98 Transportation Corridor shall be reviewed for conformity with the Adopted US 98 CAMP, including opportunities to close substandard driveways as identified in the CAMP and opportunities to promote shared or joint access.”; and

“New or redevelopment proposals along US 98 (Bartow Road) between Lyle Parkway and CR 540A shall dedicate adequate right-of-way for the development of a continuous service road system as delineated by the City of Bartow and Polk County. Right-of-way dedications for service roads shall be eligible for impact fee credits.”

The CAMP requires that all nonconforming driveways be closed at the time of redevelopment and further states, “...when parcels are too narrow to provide a driveway connection that meets

the minimum spacing standards, cross-access easements should be required such that a shared use (joint use) driveway connection that meets the standards can be implemented.” Access to US 98 is provided via interim driveway connections to be removed at such time “the service road system is sufficiently developed to provide individual developments with access to and from US 98.”

In establishing future service roads on the west side of US 98, the CAMP requires two-way traffic movement, a minimum 450-foot separation from US 98 at intersections and a minimum 40-foot roadway separation (between service road and US 98).

Managing the Corridor through Practice

With the adoption of the US 98 CAMP in July, 2004, all parties are moving forward toward updating appropriate plans and policies to implement the Plan. The City of Lakeland is currently drafting changes to the Transportation Element of the City of Lakeland Comprehensive Plan and also intends to update the city’s land development regulations (LDRs). In addition, the City is in the process of preparing access management standards for incorporation into their LDRs. Although they had begun the access management standards prior to the commencement of the US



Figure 14: Planned Wilson Avenue Extension (30).

98 CAMP, they have found that the discussions surrounding the CAMP have provided much-needed education on the topic to both elected officials and the general public.

Polk County has incorporated the CAMP into their US 98 Selected Area Study and is currently developing appropriate land development regulations. Finally, the City of Bartow is in the process of implementing the first frontage road along the east side of US 98. The frontage road will be an extension of Wilson Avenue, a city street paralleling US 98, to the north accessing the new hospital and the car dealership. Because the original access

driveway to be constructed by the hospital had a less than ideal connection to the city street system, Community Redevelopment Agency (CRA) funds were used to purchase some right-of-way that allowed the connection to become the extension of an existing street. As a result, a very functional frontage road is anticipated.

Transferring the Practice

The Corridor Access Management Plan for US 98 (SR 35) sets a good example for other communities to follow. A good portion of the corridor is not yet developed, providing the opportunity for implementation of the CAMP as properties are developed or redeveloped from low traffic generators to high generators. The proposed service road system will provide access to and between businesses accommodating more “local traffic” while allowing through traffic on the arterial.

There is some concern that the length of time it took to adopt the CAMP caused it to lose some of its momentum. In retrospect, more education and communication with both elected officials and property owners may have prevented delays. In one recent instance, it was discovered that emergency rescue operations weren't all aware of the plan and that some median closures may pose problems.

Notwithstanding, all parties consider the continued operation of the Steering Committee to be an important element to implementing the CAMP. The Committee meetings are held when one of the parties asks the FDOT to call the group together to discuss specific details regarding how a proposed development should comply with the CAMP. Support from the committee is crucial to staff members experiencing political pressure to deviate from the CAMP.

SR 7/US 441 in Broward County, FL

FDOT District 4

State Road 7/ US 441 in Broward County links 14 jurisdictions and was the focus of major commercial investment during the 1970s, but has been deteriorating and suffering from disinvestment since the 1990s. This 26-mile north-south arterial roadway in Florida that runs through the center of Broward County has become the focus of an effort to improve the aesthetics and the economics of the corridor.

Managing the Corridor through Policy

Local governmental leaders formed the State Road 7/U.S. 441 Collaborative in 2000, with technical assistance and organizational support from the South Florida Regional Planning Council, in a desire to reverse the negative image of the corridor and to coordinate their improvement efforts.

The State Road 7/ U.S. 441 Collaborative formalized its efforts by entering into the State Road 7 Partnership Agreement in 2001 (Appendix E1). The agreement was signed by 14 participating jurisdictions and seven agencies, including the Florida Department of Transportation District 4, the Broward County Metropolitan Planning Organization, the South Florida Regional Planning Council, the Broward County School Board, the South Florida Water Management District, the Treasure Coast Regional Planning Council and the Florida Department of Community Affairs. The purpose of this cooperative agreement for the State Road 7 Partnership (Florida) was to provide a framework for multi-jurisdictional cooperation on the redevelopment and revitalization of this corridor and to “*signify the cooperative intent of the parties*” with a common goal “to coordinate local resources and planning to promote the economic vitality, aesthetic improvement, community redevelopment, and safety of the corridor.

The Partnership Agreement outlined twelve issues designed to be the focus of cooperative activities ranging from establishment of the Partnership Committee to creating a collective vision to cultivating “a link between redevelopment, access and expansion of public transit systems.”

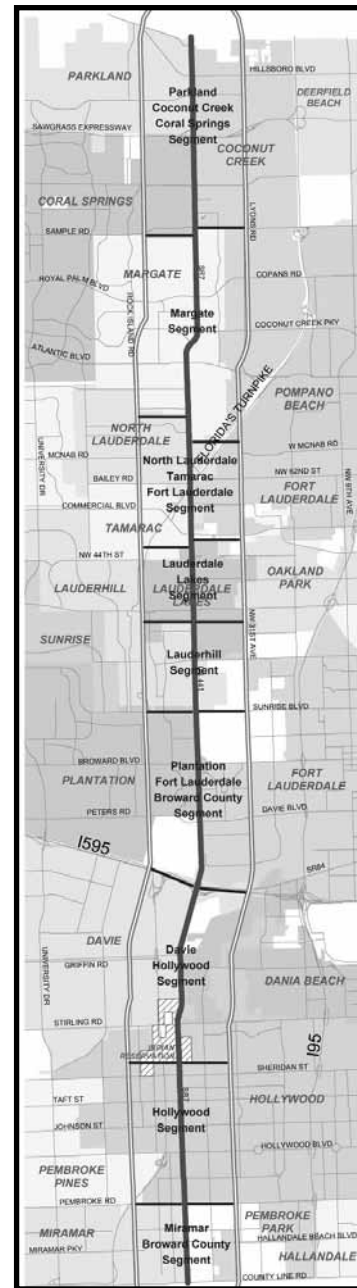


Figure 15: S.R. 7/U.S. 441 in Broward County (31).

The Collaborative set about achieving these goals through a membership and meeting process designed to ensure that:

- All jurisdictions who want to be involved in the redevelopment and upgrade of the corridor have a seat at the table and an equal voice in discussions;
- Decisions are made by collaboration and consensus, not by single rule;
- Citizens are empowered through inclusion in the development of a Corridor Master Plan and have a voice in the decision-making process;
- Discussions and decisions are in full view of the public and recorded in reports that are in the public record.

The Collaborative was successful in obtaining federal funding for the creation of a Strategic Master Plan for the corridor, along with a variety of other grants and resources. The Master Plan process that began in 2003 includes design charrettes to identify redevelopment potential along the corridor and to gather feedback on the desires of corridor residents with completion scheduled for June 2005. According to the August 2004 State Road 7 Newsletter, “The plan will create a vision for each of the fourteen independent jurisdictions that share the corridor and reflect local style, character and preference” (32).



Figure 16: Bus stop on SR 7/US 441 (32).

The Strategic Master Plan will address a myriad of issues including land use, economic development, redevelopment, schools, beautification and trafficways. Currently supporting the County’s highest transit-ridership rates, the Plan will capitalize on further development of the system by implementing a Rapid Bus System by 2006 and a Bus Rapid Transit System (BRT) by 2012. In addition, the FDOT is seeking an east-west transit route through the county and further west and plans to work with the Collaborative to interconnect this route with the Bus Rapid Transit System thereby providing transit access to an even greater area.

Road expansion is also in the plans; however, members of the Collaborative are currently reconsidering the amount of future right-of-way actually needed. The Broward County Trafficways Plan reserves up to 200 feet along the corridor even though there are constrained areas where the maximum right-of way may be limited to 120 feet. The Collaborative wants to strike a balance between providing appropriate transportation, providing land for development, and creating a pedestrian- and transit-friendly community.

Managing the Corridor through Practice

The Collaborative has done a tremendous amount of work to date that includes obtaining \$1.5 million from the Broward County Metropolitan Planning Organization MPO for the initial development of Bus Rapid Transit for the corridor. In 2003 and 2004, as a result of joint submission and support of all 14 jurisdictions, the MPO awarded the Collaborative a total \$1,000,000 for landscaping through the FDOT Transportation Enhancement Program.

In March 2004, the Collaborative commissioned the Urban Land Institute (ULI) to conduct a market assessment and development review for the State Road 7 Corridor in Broward County. Broward County government has also agreed to proceed with a new mixed-use land use category that will guide State Road 7 redevelopment as transit-oriented development. One of the ULI recommendations is “the formation of a more prominent Collaborative that would facilitate planning, infrastructure funding, coordination of land uses and allocations, and financial assistance while maintaining local control, authority, and character.” This would involve the creation of a special regional district (SRD) per Chapter 189 of the Florida Statutes. This multi-jurisdictional district would be able to deal with issues across boundaries including applying for an Areawide Development of Regional Impact. These sweeping recommendations would take the Collaborative to a new level and open the door for redevelopment to occur with fewer regulatory impediments.

Transferring the Practice

The State Road 7 Collaborative is an extensive partnership attempting to tackle an issue that is common to many areas—the need to revitalize and redesign older arterial highways serving declining commercial corridors. To date, the Collaborative has proven successful in marshalling resources and individual efforts toward a common goal. This success can be attributed to the parameters established in the original partnership agreement—the use of a single source for coordination (the South Florida Regional Planning Council) and the desire of each jurisdiction to improve the corridor and work toward a common vision. This is an effort that local governments and agencies should be watching for ideas and innovations.

U.S. Highway 183 (Vine Street)

KSDOT District 3



Figure 17: Welcome to Hays (33).

Located in northwest Kansas, the City of Hays is the largest municipality in the region with a population of 20,000 residents. The City centers at the crossroad of two major roadways, Interstate 70 and US Highway 183 (Vine Street) (33). Being the only major north/south corridor in the region, U.S. Highway 183 plays a critical role in the regional movement of traffic.

Within the City of Hays, U.S. Highway 183 is a 4-lane road serving an intensely developed commercial zone with numerous signalized and unsignalized intersections. As early as 1997, the City of Hays, Ellis County and the Kansas

Department of Transportation has entered into a Memorandum of Understanding regarding necessary changes to U.S. Highway 183 to improve the safety and operation of the facility.

Managing the Corridor through Policy

In 1998, city, county and state officials developed and adopted the Corridor Master Plan, US-183/US-183 Alternate Corridor, Ellis County, Kansas (Appendix F1) augmenting a previous Memorandum of Understanding “by defining parameters for transportation management, access management, land use and development characteristics” (9). General standards for corridor management were laid out for defined segments of the corridor specifically addressing planning, through zoning and site plan requirements and access, and operations, through retrofits and improvements. Notably, the Corridor Master Plan called for the creation of alternative access for existing and future development (33). The Plan also specified implementation parameters including, “The City and County agree to adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Plan.”

The City and the Kansas Department of Transportation took measures to improve conditions along U.S. Highway 183 in 1999. Improvements were made to a one-mile segment from of the roadway 27th Street to I-70 that included curb and gutter replacement, concrete pavement, median landscaping, storm sewer installation, street lighting, and the addition of three traffic signals with the costs shared by the City and KDOT (34). However, state and local officials concluded without some retrofitting and a higher level of management, greater development pressure would “jeopardize operational efficiency and would likely increase the magnitude of safety issues” (35).

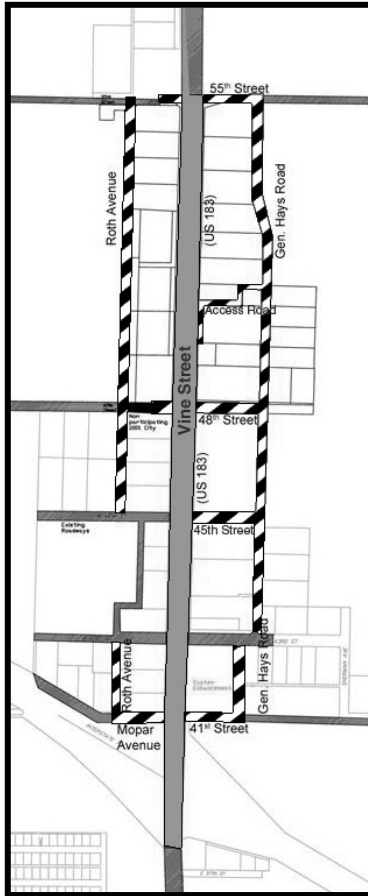


Figure 18: U.S. 183 alternative access projects (36).

With support from city officials, the Kansas Department of Transportation identified the corridor as a “Protected Corridor” within the agency’s Corridor Management Plan in May 2000 (Appendix F2). The designation defines corridors “in need of an increased level of management to preserve capacity and functional integrity.” As stated in the Corridor Management Plan, US Highway 183 was designated “because of its critical role in north-south movement of people and goods in the region and because of the pressures of development in the city of Hays.” To formalize coordination efforts, KDOT implemented Kansas Statute (KSA) 68-169 that authorizes the Kansas Secretary of Transportation’s “to enter into written agreements with political subdivisions of the State for highway purposes, including establishment of access control” (35). This partnering agreement establishes a mutual commitment to management of the corridor, particularly in relation to access and right-of-way issues. Most importantly, with the previously adopted Corridor Master Plan in place, the roadway was eligible for state project funding under the System Enhancement Program and the Corridor Management Program.

Managing the Corridor through Practice

U.S. Highway 183 widening from I-70 north to 55th Street was funded as part of the state’s System Enhancement Program in which projects are selected based on potential economic impact, traffic volume, safety and design. Funding responsibilities are shared by both state and local agencies. In 2003, the Hays City Commission passed Resolution No. 423 authorizing the City to participate in KDOT’s Corridor Management Grants Program

that would outline funding sources for acquiring additional right-of-way and associated improvements to US Highway 183.

Concurrent with the U.S. Highway 183 System Enhancement project, the City of Hays, Ellis County, and KDOT also worked to create alternative access along the corridor. Development pressures on the corridor north of I-70 required the City to devise alternative access approaches.

Using KDOT Corridor Grant funding, the City will construct a reverse access road between 45th and 55th Street (Roth Avenue). Forty-eighth Street will also be extended to the east to intersect with the extension of General Hayes Road. The few businesses abutting US Highway 183 will gain temporary access through frontage roads along the roadway. By 2006, KDOT plans to remove the frontage roads and allow access solely from the newly constructed reverse frontage access roads. Roth Avenue, General Hayes Road and 48th Street were designated “main trafficways” by the City of Hays to comply with Corridor Grant guidelines.

In order to provide the 1/3 local match required by the Corridor Grant, the City persuaded property owners to dedicate public right-of-way across their property for the purpose of constructing reverse access roads. With a project cost of \$4.6 million; the City’s \$515,000 share would be offset by the dedicated land value combined with some inspection services to be

provided by the city. Although there is a cap of \$250,000 per grant, the City made numerous grant applications to obtain the necessary funding. Another alternative access road located further south along the U.S. Highway 183 corridor is the extension of General Hays Road from 22nd Street to Cody Avenue and is also funded through Corridor Grants.

Improvements to U.S Highway 183 were important to the City of Hayes from traffic congestion and safety perspectives as well as an economic perspective. From the experience, the City has proceeded to take on smaller corridor management projects along other roadways within the City.

Transferring the Practice

The Kansas Department of Transportation has developed a grant program to monetarily assist communities in managing transportation corridors, including the provision of alternative access. Using a variety of transportation funding programs provided by the state, the City of Hayes is able to move forward with a number of transportation improvements that improve the operation of the U.S. Highway 183 corridor, provide alternative access to existing and developing areas surrounding a major interchange, and improve the economic viability of properties within the corridor. In particular, local matching funds made up of property contributions and ad valorem taxes allowed Hayes to take advantage of the Corridor Grant Program to provided significant off-system improvements through a series of service roads that connect to and expand the existing street network.

The Corridor Management Policy and Program adopted on July 1, 1997, led to a procedure for designating highway corridors in high growth areas as critical corridors by the District Engineer. A Memorandum of Understanding, that identifies the partners and the protected corridor, first affirms this partnership. Next, a Corridor Master Plan is signed that establishes a vision for the future of the corridor and identifies phases of developments and retrofits to achieve that vision. The Corridor Master Plan is a contract document, binding upon all signatory parties and their successors in office.

A set-aside fund created by legislative mandate and codified in the Kansas State Code supports small-scale improvement and retrofit projects off the Kansas State Highway System within corridors covered by a Corridor Master Plan. The set-aside funding started in Fiscal Year 1998 at \$1 million, topped out at \$5 million in Fiscal Year 2002, and will be funded on a continuing basis at that funding level. The corridor management program has proven popular and successful with local partners. This program has helped the KDOT meet its access management goals and objectives by creating a reliable and convenient source of funds for off-system improvements that improve on-system access conditions.

KDOT has several other grant programs to assist municipalities. The “KLINK” Resurfacing Program provides funds for resurfacing roads that connect state highways but are maintained by the municipality, called City Connecting Links. The Geometric Improvements Program provides funds for geometric improvements to City Connecting Links. Finally, the Economic Development Program provides funds for highway and bridge construction for promoting economic development throughout the state. More detailed information regarding these grant programs is available on the KDOT website (<http://www.ksdot.org/burlocalproj/BLPdocuments/blpdocuments.html>).

As in the Kansas case example, FDOT could consider seeking legislative authority to establish a special fund to implement service roads and make other access improvements off the SHS that advance state access management goals and objectives. Metropolitan planning organizations could also consider earmarking funds for such purposes. Even small grants and limited financial assistance could serve as important leverage in facilitating the ability of local governments to accomplish alternative access on major highway corridors.

CONCLUSIONS AND RECOMMENDATIONS

A major barrier to effective corridor management is the often cited disconnect between land use and transportation planning. Yet through intergovernmental agreements, joint planning, and coordinated review and permitting, the FDOT, Florida Department Community Affairs (DCA), metropolitan planning organizations, regional planning councils, and local governments are accomplishing lasting solutions to seemingly insurmountable transportation and land use problems.

The case studies reviewed for this research reveal that significant steps have been made in Florida and other states toward more comprehensive approaches to corridor management. They also offer numerous lessons. Key among these is the importance of proactive planning and state and local coordination in accomplishing alternative access and other corridor management objectives. Comprehensive corridor management clearly cannot be achieved without transportation *and* land use solutions and therefore requires both state and local government involvement.

The corridor access management plans discussed in several of the case studies are an excellent tool to facilitate such coordination. Through this process FDOT and local governments work together on a common plan for improving the safety and operation of the primary roadway. The planning process generally begins with a cooperative agreement indicating mutual support for development of a corridor management plan, and proceeds with a detailed evaluation of transportation and development issues and needs. A plan is then developed through extensive stakeholder involvement and education on needed changes in access and development. Such changes may involve medians, signal location, auxiliary lanes, site access, land use concepts, and improvements to the supporting roadway network.

As established in state access management policy [Rule 14-97.004(5)], the final plan must be ratified through a formal adoption process and signed by the FDOT District Secretary. It is also adopted by each participating local government. Once adopted, the corridor access management plan provides an official basis for future permitting and roadway improvement decisions. The plan also serves as a vehicle for changes to land development regulations needed to implement corridor management, such as subdivision controls and service road requirements.

These corridor access management plans can help overcome limitations of the FDOT access permitting process that were identified in the current practice review. Specifically, FDOT has no authority at present to review and influence decisions related to subdivision of land along state highways, and access permitting staff indicated they generally cannot deny access to lots of record under separate ownership that do not conform with access spacing standards – even if alternative access is available. Exceptions are where a corridor access management plan is in place to guide state and local permitting or where a local government has enacted the necessary policies and ordinances to require alternative access, as in the Hernando County example.

Local service road ordinances that implement state access management standards can also provide a basis for FDOT to incorporate alternative access conditions in the access permit and facilitate proactive coordination in development review and access permitting. In the case study of Hernando County, however, the lack of a comprehensive corridor management plan to identify the desired location and design for service roads on state highways was identified as an

impediment to accomplishing a continuous network and has also resulted in design problems in some locations.

An added benefit of the planning process, noted in the case studies, was that it educated stakeholders on the importance of corridor management and helped staff and officials better understand how best to refocus their policies or practices to achieve lasting solutions to identified problems. Corridor management planning can also lead to multi-jurisdictional partnerships for tackling more sweeping corridor management issues, such as that demonstrated in the SR7/US 441 case study.

Ultimately, the defining characteristic of a successful corridor access management plan is the level of cooperation achieved among affected property owners and agencies involved in managing the corridor. The planning process can be a vehicle for effective stakeholder involvement, which can reduce the potential for adverse community impacts and increase public support. Where a state highway is involved, local government cooperation is necessary to accomplish needed changes to land use and subdivision practices and street networks. It is best, therefore, if the cooperation and agreement of each local government is secured at the onset and that each participating agency commits to assisting with public involvement for the plan.

A continuing impediment to corridor management on the SIS and other important highways is the lack of adequate local street networks. Examples abound in Florida of where local governments have allowed land division and development along important state highways without new collector and local streets. Local traffic in these areas has contributed to traffic congestion on major roadways due to a poorly connected street network off the arterial system. Today many communities now realize the importance of access management and yet it will be difficult to correct past mistakes through (re)development alone. Local governments will need to incorporate some improvements to local street networks into their capital improvement plans and programs or identify other funding mechanisms.

Through corridor access management planning, local governments can evaluate the need for improvements to their street network along major roadways, and identify gaps and needed connections or parallel relievers. They can also adopt policies and regulations requiring new development to contribute to the local street network or obtain alternative access. Many (real-world or workable or effective) examples of local government ordinances and policies can be found in the appendices of this report. Another resource on street network standards for Florida local governments is the report *Model Regulations and Plan Amendments for Multimodal Transportation Districts (11)*.

The construction of service roads or interconnecting streets is often difficult for local governments, however, due to a lack of funding sources. Although a few programs exist to support capital improvements, (i.e. County Incentive Grant Program, Economic Development Transportation Trust Fund), funding is extremely limited. The Kansas example showed how FDOT or other state agencies could also assist by providing modest matching grants to local governments to help in developing alternative access on major roadways. Another Kansas example of earmarked funds is the “KLINK” or Geometric Improvements Funds that dedicate funds for resurfacing and geometric improvements to city streets that connect portions of the state highway system.

Regardless of state funding possibilities, local governments must also look to other sources and the private sector to accomplish this important corridor management objective. The Florida Legislature has provided local governments with a number of options to be used for major capital improvements including gas taxes, sales taxes, and impact fees. It is incumbent on local government to exercise these options to accommodate local transportation needs. Although some local governments have exercised these options to obtain funding for necessary transportation expenditures, many still have not.

It is also within the purview of local government to require new development to pay a fair share of costs. Through such vehicles as impact fee and concurrency ordinances, developers can be required to make fair share contributions to the alternative access system as a condition of development approval. In addition, impact fee credits can be provided to facilitate private contributions to the network.

In sum, corridor management will be increasingly important for the Strategic Intermodal System (SIS) and other important highways in Florida, particularly in light of funding constraints and rapid growth. The SIS provides the primary means for long-distance movement of residents, tourists and goods and includes intrastate highways that are essential to the state's economy—these highways must be effectively managed. Effective strategies for comprehensive corridor management are also critical for non-SIS arterials which, although important to local and regional transportation, are of less priority for state funding. The FDOT, DCA, MPOs, regional planning councils and local governments in Florida would benefit greatly from the development of corridor access management plans for SIS/FIHS roadways and other important arterials as well as specific guidance for developing effective corridor management plans.

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APPENDICES

Appendix A: Florida Department of Transportation Documents

A1: District 4 Variance Committee Finding

District Four - Permits Office
3400 West Commercial Boulevard
Fort Lauderdale, Florida 33309-3421
954-777-4383, 1-866-336-8435, Fax: 954-677-7893
clark.turberville@dot.state.fl.us

April 1, 2004

Mr. Terry McCaghren, P.E.
DeRose Design Consultants
470 S. Andrews Avenue, Suite 206
Pompano Beach, Florida 33069

Dear Mr. McCaghren:

Subject: Variance Committee Review No. 550V for Category D Vehicular Access Connection (VAC)
State Section 93005, State Road 794, Access Class 5
Posted Speed 40 mph, Urban
Date of Pre-application Review: February 12, 2004
Location: West of State Road 5
Property Owner: Coneca Commercial Properties
Applicant: Coneca Commercial Properties
Business Name & Address: N/A, 351 Yamato Road Office Center

Your Variance Request: Right-in, right-out VAC 305 feet east of proposed VAC 1 and 40 feet west of an existing VAC.
The Proposed location VAC 2 implies a variance of Standard 245 feet – Proposed 40 feet = 205 feet or 84%.

The request is: Approved ☐ Disapproved ☒ Conditionally Approved ☐ Ruling Deferred ☐

Comments: VAC 1 is approved and VAC 2 must be right-in only VAC.

A ruling by the Variance Committee only defines the number and type of access points and associated features that may be permitted and is not the final action in your VAC permit process. Committee approval or other favorable ruling generally means that the property owner may develop plans complying with the ruling and submit them, within six months, to the Department for permit processing. Earlier Department decisions on this request shall stand unless expressly negated herein. Permit application must be accompanied by local government site development approval. Department permits personnel have the duties of checking the viability of the design plans in terms of standards compliance and constructibility and also of assuring that the plans substantially comply with the engineering drawings approved by the Committee. Committee approvals or rulings which are at variance with Department rules or standards are not binding in the permitting process for more than six months.

Please submit a copy of this letter with your permit application.

THE DISTRICT VARIANCE COMMITTEE

With the above ruling I:

Agree Disagree

Richard Creed Howard Webb, P.E. District Design Engineer	X	_____	April 1, 2004
Mark Plass, P.E. District Traffic Operations Engineer	X	_____	April 1, 2004
Cleo Marsh, P.E. District Maintenance Engineer	X	_____	April 1, 2004

Cc: Clark D. Turberville, P.E.
Heslop Daley/Alan Rothmann/Paul Blanchard, P.E.

File s:\permit_d\permits\variance\0000-04-01-04

Page 6

A2: District 2 PUD/Site Impact Analysis & Review Process

DRAFT
FLORIDA DEPARTMENT OF TRANSPORTATION
DISTRICT-II

PUD/Site Impact Analysis & Review Process
Guidelines for submittal of Traffic Studies

Coordination & Participation:

- Developer/Owner
- Planning (FDOT)
- Permits Engineer (FDOT)
- Traffic Operations (FDOT)
- Consultant and/or Traffic Engineer
- City/County Representative

Date:.....Revised-July 28, 2004

PUD/Site Impact No./Name.....
.....

Review Team.....
.....

PLANNING, PERMITS & TRAFFIC OPERATION COORDINATION PROCESS

Step 1: Received request to review: Plan amendment, PUD or Access Permit

- ❑ Planning receives a PUD, a site plan, a call for a meeting;
- ❑ Permits receives a Permit application, a call or a schedule for a meeting.

Step 2: Planning Review

- ❑ Planning will review proposed development, and the proposed land uses and estimate the Number of trips using the ITE Trip Generation, 7th edition, to determine (if/when) need for submittal of a traffic study (consistent with Rule 14-96 and 14-97);
- ❑ List the State Roads, FIHS, Interchange or ramps adjacent to the proposed development;
- ❑ Existing LOS of State road (Consistent with Rule 14-94 and FDOT's Standards).
- ❑ cursory review of Access, median, intersections etc.

Step 3: Planning and Traffic Operations Analysis

- ❑ Based on the number of estimated trips per day (determined by Planning) a traffic study will be required as follows:
 - Project/Site estimated to generate less than 600 trips per day; Project will be exempted from submitting traffic study, but, should comply with the requirements of Sections I shown hereafter.
 - Project/Site estimated to generate between 600 to 1200 trips per day; Project will be exempted from some of the requirements listed in Section II, if the applicant can show that the information would have no significant bearing on the permitting process, but applicant must comply with the requirements in Sections I and II listed hereafter.
 - Project/Site estimated to generate more than 1200 trips per day; Applicant will be required to submit a full traffic study with all requested information contained in Sections I, II and III listed hereafter.
 - Traffic Operations:
 - ❑ Identify Area of Influence;
 - ❑ Determine need for Pre-Application Meeting
 - ❑ Identify the Existing/Proposed access(s) points;
 - ❑ Identify the Existing/Proposed Median opening(s);
 - ❑ Identify Existing/Proposed Turning lanes on what State road;
 - ❑ Identify intersection(s) and/or signal(s) at a State road.

Step 4: Department's Response/Planning:

- ❑ Continue with Section I requirements, Permit application requirements; Contact FDOT Permit Engineer.
- ❑ Continue with Sections I and II, Permit application with limited traffic study requirements to include intersection/signal analysis if applicable; Contact Permit and Traffic Operation;
- ❑ Continue with Sections I, II and III, Permit Application and full traffic study, and signal/intersection analysis as deemed necessary. A traffic methodology meeting may be required to be consistent with FDOT's requirements. Applicant will contact Planning, Permits and Traffic Operation; and
- ❑ Planning sends written comments to City/County, Developer, Engineer and FDOT staff with the following documents attached; Applicant will follow FDOT's recommendations consistent with the requirements of sections I, II and/or III as stated in the written comments.

Step 5: Traffic Operations--Engineering Plans/Review Process

- ❑ TO and Permits receives Design plans directly from City Engineers;
- ❑ TO coordinates with Permits and Planning the review;
- ❑ A Pre-Application meeting will be scheduled as needed;
- ❑ Comments will be coordinated in house;
- ❑ Permits sends written comments to City Engineer, Property owner and their consultants with the attached requirements of the appropriate sections: I, II, and/or III as deemed necessary.

Step 6: Permitting Review Process

- ❑ Applicant submits a Permit Application to the Department;
- ❑ A Pre-Application meeting may be required;
- ❑ Submit (4) four copies of the corresponding traffic study to FDOT Permit Engineer in accordance with the requirements addressed above.
- ❑ FDOT Permit Engineer will coordinate the review with the division of Planning, Traffic Operations and Permits and others as deemed necessary.
- ❑ FDOT will review the application and the accompanied traffic study and provide comments to applicant in a reasonable time (within 30 days) of application submittal.
- ❑ Applicant will provide corrected analysis to complete the review (consistent with the above requirements);
- ❑ FDOT will issue the necessary Notice of Intent to grant the Permit or deny with explanation;
- ❑ Applicant may choose to go before the Access Management Review Committee for additional issues. FDOT will issue permit (or deny) accordingly.

Section I-----MAINTENANCE / PERMITS

DRIVEWAY CONNECTION PERMIT APPLICATION GUIDELINES

The Department has developed standards, guidelines, policies and recommended practices for corridor access management and site access planning. These standards are provided in the F.A.C Rules: 14-94, (LOS standards), 14-96 (driveway permits) and 14-97 (Access Management standards). The Department's goal is to ensure the safe and efficient flow of traffic through the road system and to minimize conflict points. Prior to issuing a driveway permit the Department will examine all the relevant material (presented hereafter) to insure consistency with the Department's standards and procedures.

Developer is responsible to mitigate all traffic operational impacts created by the proposed development. Operational impacts include but are not limited to intersection delay and corridor LOS.

A Permit Application Submittal must include the following information in order for the Florida department of Transportation (FDOT) to properly review your Permit Application.

1. Permit Application: Four (4) complete copies of the "Driveway/Connection Application" with original signatures.
2. Payment: Review Fee or Fee Waiver request. The full payment of fees shall be made by cashiers check, certified check, or money order and be made payable to: The State of Florida, Department of Transportation. This fee is non-refundable. Scale is as follows:

Description/Projected Vehicle Trips per Day	Application Fee
Category A – Uses to 20 VTPD	\$ 50.00
Category B – 21 to 600 VTPD	\$ 250.00
Category C – 601 to 1,200 VTPD	\$ 1,000.00
Category D – 1201 to 4,000 VTPD	\$ 2,000.00
Category E – 4001 to 10,000 VTPD	\$ 3,000.00
Category F – 10,001 to 30,000 VTPD	\$ 4,000.00
Category G – 30,001+ VTPD	\$ 5,000.00

3. Notarized Letter of Authorization: If the property owner desires to have a representative sign, file and handle the details of the permitting process, a letter of authorization from the property owner designating the applicant and the authorized representative must be included with the application package.
4. Responsible Officer: When the owner or applicant is a company, corporation or other public agency; the name, address and telephone number(s) of the responsible officer must be included in the application package.
5. NPDES Addendum: Signed and accompanied with calculations as required.
6. Cost Estimate/Bond: When proposed connection includes modification or addition of additional features such as turn lanes, median openings or signalized intersections; a signed and sealed cost estimate must be submitted for

Departmental review and approval; once the cost estimate is approved a Bond or Letter of Credit must be delivered to the Department prior to approval of permit

7. Owners Affidavit: Affidavit of property control/ownership (Drainage Permits Only).
8. Engineers Certification: (Drainage Permits Only).
9. Statement of Contiguous Property Interest: (Drainage Permits Only).
10. Plans: Four (4) sets of signed/sealed and dated plans which must include the following:
 - A. Key Sheet with current area site map and legend.
 - B. Neighboring connection plan inclusive of the location and type of connections on both sides of the roadway, all median openings in area, closest intersecting side streets/intersections and traffic signals within the following distances from the proposed site property lines:
 - i) 660 ft. for roadways with speed of 45mph or less
 - ii) 1320 ft. roadways with speed of more than 45 mph.
 - C. Construction Plan inclusive of:

Site Plan must include the following:

 - ☐ Physical features (existing and/or proposed);
 - ☐ Onsite Parking with traffic circulation plan;
 - ☐ All right-of-way and property lines clearly defined; including any easements.
 - ☐ Any existing and/or proposed joint access or cross-access connection features;

Access Connection Location and Design Information must include the following:

 - ☐ Demolition Plan of existing features located in the Department's right-of-way being removed.
 - ☐ Connection Details:
 - i. Location
 - ii. Width
 - iii. Ingress/egress radii and angle of connection to the State Roadway.
 - iv. Profile of connection from edge of pavement to right-of-way line depicting elevations, lengths and slope of connection in

its entirety. Max. ADA slope of 2% must be maintained through crosswalk area of proposed connection(s).

- ❑ Design and cross-section (to the R-O-W line) of auxiliary lanes and pavement serving the proposed access connection. Include depiction of the required Clear Recovery Zone based upon the speed limit and average daily traffic of the roadway.
- ❑ Location and type of traffic control devices proposed (if applicable including all design calculations for mast-arms and footers).
- ❑ Proposed pavement marking and signage;
- ❑ Location and type of existing/proposed drainage features within the FDOT's R-O-W (separate permit may be needed along with drainage design calculations);
- ❑ Median opening design and cross section for any new or modified median opening;
- ❑ Identify existing and proposed utilities (Separate permit may be required for any new installations);
- ❑ Pavement material and design;
- ❑ A Maintenance of Traffic Plan for all work being performed within FDOT's right-of-way.
- ❑ Horizontal and Vertical curvature of abutting roadways (if necessary where severe topography or sight distances warrant).
- ❑ ADA design information for sidewalk facilities. Including the appropriate Curb Ramp number (as applicable) and including references to the Standard Index 304 and 310;
- ❑ In areas where new sidewalk is to be added to the right-of-way where none currently exists a section must be included in the plans that clearly depict the profile (elevations and distances) from the edge of roadway to the right-of-way line. The proposed sidewalk must meet all slope, drop-off and clear-zone requirements.

General Notes to be included in the plans:

- ❑ All work performed within the Florida Department of Transportation Right-of-Way shall conform to the following:
 - Standard Specifications for Road and Bridge Construction (2004 English).
 - FDOT Standards Index (2004 English)
 - FDOT Plans Prep Manual (January 2003)

- FDOT Flexible Pavement Design Manual for New Construction and Pavement Rehabilitation

Should a conflict arise between the details shown in the plans and the Department of Transportation Standards the Engineer/ Permittee shall immediately confer with the Department's Engineer in order to resolve the discrepancy. In no case will anything less than the Department's minimum standard be allowed.

- All traffic striping and markings are to be lead-free, non-solvent based thermoplastic.
- Removal of existing striping shall be accomplished using the "hydro-blast" method.

Section II-----TRAFFIC OPERATIONS

1. Traffic Operation Review requirements:

FDOT's Traffic Operation division will review Permit Applications, site plans, PUDs and traffic studies with the accompanied intersections and Signal analysis (as necessary) consistent with the Department's Access Management Rules 14-96 and 14-97.

The following issues will be reviewed and analyzed consistent with FDOT's standards and the 2000 Highway Capacity Manual and Programs. Coordination with Permits and Planning is necessary.

- Site Design
- Access Design
- Left Turn, Right Turn and Right Turn lanes
- Median opening & Median modification
- Intersection analysis
- Signal Warrant analysis
- Ramp analysis.
- Parking.
- Sidewalks/Bike lanes.
- Safety Issues

2. Applicant will provide the following:

- Analysis must be provided with all corresponding documentations and electronic files, including existing data, background and projections.
- Traffic Counts and Turning movement counts must be consistent with the requirements contained in the FDOT's LOS 2002 Handbook.
- The methodology for analyzing Intersections and Signal warrants, time delay studies and LOS analysis must be approved by the Department, and final submittal must be accompanied by supporting documentation, (all computer programs must be approved by the Department i.e. HCS, Syncro, etc) prior to submittal).

3. Final report must include the following:

- List the impacted facilities (roads and intersections etc.);

- List of proposed improvements to mitigate the impacted facilities.
- Final design plans with Schedule for improvements consistent with the Department's Standards/requirements.

4. Traffic Operation will provide written recommendations/comments to Permits and provide a copy to Planning.

Section III----TRAFFIC STUDY

PUD/Site Impact Analysis & Review Process:

- 1) Methodology Development:
 - Pre-application meeting with Developer/consultant/attorney;
- 2) Existing Conditions Analysis:
 - Site location, boundaries, geometry, area of influence;
 - Transportation Network (#lanes, facility type, speed, area type);
 - Planned and programmed improvements;
 - Traffic data—AADT, Traffic volumes, LOS and turning movements;
 - R-O-W (Geometry);
 - Sidewalks, ped/bike lanes;
- 3) Background Traffic:
 - FDOT AADT—daily, PM Peak, AM Peak;
 - Growth Rates based on Historic trends; or
 - Model analysis based on socio economic data;
- 4) Trip generation:
 - ITE Trip generation 7th edition for all land uses by project phase;
 - Internal Capture and Pass-by based on FDOT's TIPS program;
- 5) Trip Distribution:
 - Manual and/or Model (distribution map);
- 6) Trip Assignment:
 - Distribute and assign trips to roadways by development phase (Map);
 - Calculate Turning Movements Volumes at each Driveway;
- 7) Future Conditions/ Future Analysis:
 - LOS analysis— FDOT Generalized LOS Tables;
 - MSV analysis (ART_Plan);
 - FIHS issues (IMR/IJR);
- 8) Site Access, Geometry, traffic circulation and parking:
 - Access Management standards—spacing standards;
 - Median openings spacing and/or closures;
 - Connection throat lengths/depth etc..
 - Right Turn/Left Turn lanes;
 - Parking, sidewalks, bikeways, transit connections;
 - Proposed access modifications;
- 9) List of Improvements & Mitigation:
 - Roadways improvements-lane capacity;
 - Access/turn lane improvements;

- Signal warranted;
 - Developer is responsible to mitigate all operational impacts to the State Highway System that their development caused. Operational impacts include but not limited to intersection delay and corridor LOS.
- 10) Final Review for approval/recommendations and Permitting:
- Permit with/without conditions.

**** Final Action ****

Pursuant to the appropriate steps addressed in the above Sections: I, II and III, following the approved traffic study and conclusions, the Department and Applicant will reach final approval inclusive of the following requirements:

1. Applicant will list the impacted facilities;
2. Applicant and FDOT will agree upon the list of recommended improvements to mitigate the impacted facilities.
3. Applicant will provide final set of design plans consistent with the Department's recommendations;
4. Applicant will provide time schedule for improvements consistent with the Department's final recommendations.
5. FDOT will issue the appropriate permit with and/or without conditions.

A3: District 4 Pre-application Finding

District Four- Permits Office
3400 West Commercial Boulevard, Fort Lauderdale, Florida 33309-3421
Telephone: 954-777-4383, Fax: 954-677-7893
Toll-Free: 866-336-8435
clark.turberville@dot.state.fl.us
February 12, 2004

**THIS PRE-APPLICATION FINDING MAY NOT BE USED AS A BASIS FOR PERMIT APPROVAL
AFTER FEBRUARY 12, 2005
THIS DOCUMENT NO. 479P IS NOT A PERMIT APPROVAL**

Mr. Terry McCaghren, P.E.
DeRose Design Consultants
470 S. Andrews Avenue, Suite 206
Pompano Beach, Florida 33069

Dear Mr. McCaghren:

RE: Pre-application Review for Category D Vehicular Access Connection (VAC) permit request
Palm Beach County, Urban
State Section 93005, State Road 794, Approx. M.P. 2.780, Location: State Road 5
Posted Speed 40 mph, Access Class 5
Request: (1) Right-in, right-out, left-in VAC 612 feet west of State Road 5.
(2) Right-in, right-out VAC 305 feet east of proposed VAC 1 and 40 feet west of an existing VAC.

Applicant: Coneca Commercial Properties, Property Owner: Coneca Commercial Properties
Business Name & Address: 351 Yamato Road Office Center

A Pre-application Review of the subject project was conducted at your request February 12, 2004 and category of VACs to the State highway. This document becomes a part of any ensuing approved permit. If you believe the category assigned above is incorrect, please provide supporting data. We have given the plan, as presented, as thorough a review as possible at this point and our comments or findings are as follows:

- We approve the concept for VAC 1 as for VAC 2 with the following considerations.
- Please include a copy of this letter with your request for continued pre-application review or permit application.
- Applicant did provide current survey ☐ site plan ☒ traffic study ☐ relating existing ☐

Conditions: VAC 1 to serve as joint use through existing recorded easement. Provide design plans for review for turn lane on State Road 5.
The Proposed location VAC 2 implies a variance of Standard 245 feet - Proposed 40 feet = 205 feet or 84 %.

- Mitigation for drainage impacts is required.
- SWPPP must be submitted with the permit application.
- Any approved median use is subject to revision with subsequent projects.
- Fixed objects in control zones must meet construction criteria
- Dimensions between features are from the near edge of each feature unless otherwise indicated.

Favorable review of the proposal generally means that you may develop plans complying with the Review comments and submit them, within six months, to the Department for permit processing. When permit requests are submitted subsequent to a Pre-application Review, Department permits personnel have the duties of checking the viability of the design plans in terms of standards compliance and constructibility. Permit application must be accompanied by local government site development approval. The Department will attempt to abide with the Review comments favorable to your plan to the extent that necessary discretion is available to the Permits Engineer. Unfavorable review generally means that a permit application based on the design proposal would likely be denied.

If you should have any questions please contact us at the telephone number or e-mail address shown above. Thank you for visiting with us.

Sincerely,

Clark D. Turberville, P.E.
District Permits Engineer

CDT/hmk

Cc: Heslop Daley/Alan Rothmann/Paul Blanchard, P.E./Eric Thorne

File: s:\permit_d\permits\conceptu\Palmbeac\Coneca Commercial - SR 794

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Appendix B: U.S. 19 Case Study

B1: Pasco County Ordinance 04-07 (Concurrency Ordinance)

BY COMMISSIONER _____ ORDINANCE NO. _____

AN ACT TO BE ENTITLED

AN ORDINANCE BY THE BOARD OF COUNTY COMMISSIONERS OF PASCO COUNTY, FLORIDA, AMENDING THE PASCO COUNTY LAND DEVELOPMENT CODE, ORDINANCE 89-21, AS AMENDED ARTICLE 400; PROVIDING FOR SPECIAL TRANSPORTATION CONCURRENCY REQUIREMENTS AND PROCEDURES FOR THE U.S. 19 REDEVELOPMENT/CONCURRENCY AREA; ESTABLISHMENT OF A U.S. 19 REDEVELOPMENT/CONCURRENCY FUND; PROVIDING FOR INCLUSION IN CODE; SEVERABILITY; AN EFFECTIVE DATE AND FOR MODIFICATION THAT MAY ARISE FROM CONSIDERATION OF THE ORDINANCE AT PUBLIC HEARING.

WHEREAS, U.S. 19 is a Federal and State designated roadway in Pasco County extending 19.7 miles from Pinellas County to Hernando County; and

WHEREAS, growth in Pasco County's population, development, and traffic on U.S. 19 over the last twenty years has resulted in growing concerns over mobility and safety on U.S. 19; and;

WHEREAS, a general analysis of crash data for U.S. 19 within Pasco County was completed for the years 1995 through 2001; and

WHEREAS, the crash rate on U.S. 19 through Pasco County was consistently higher than the statewide average for six-lane divided urban arterials for all years analyzed; and

WHEREAS, over the seven-year analysis period, there were an average of 814 crashes per year on U.S. 19 that resulted in an average of 1,002 people injured and 19 people killed annually; and

WHEREAS, between 1999 and 2001, U.S. 19 accounted for approximately 21 percent of all Pasco County crashes, 19 percent of Pasco County injury crashes, 24 percent of pedestrian and bicycle crashes, and 35 percent of Pasco County's crash fatalities; and

WHEREAS, in response to growing concerns from the public and planning officials about traffic congestion and safety on U.S. 19, the Pasco County Metropolitan Planning Organization (MPO) created the U.S. 19 Task Force on February 13, 2003; and

WHEREAS, on July 10, 2003, the Pasco County MPO approved a resolution declaring that U.S. was the top priority roadway for safety improvements in Pasco County, and urged Federal and State funding to be assigned to the roadway; and

WHEREAS, the U.S. 19 Task Force developed the US 19 Task Force Action Plan in September of 2003; and

WHEREAS, the U.S. 19 Task Force Action Plan calls for a review of the concurrency system and potential development on U.S. 19 and an evaluation of requirements to develop/enhance U.S. 19, including the installation of added lanes, channelized medians, bicycle and pedestrian facilities, and urban interchanges at SR 54, Ridge Road, SR 52, and the Hernando County Line; and

WHEREAS, the existing Concurrency Table 7-2 of the Transportation Element of the Pasco County Comprehensive Plan contains growth multipliers and adjusted future service capacities for U.S. 19 that are not based on planned or funded future improvements to U.S. 19 that would increase the capacity of U.S. 19 or allow U.S. 19 to operate at the FDOT and Pasco County adopted minimal operating level of service of D by the year 2015, as required by Objective 2.4 and Policy 2.4.2 of the Transportation Element; and

WHEREAS, there are no major roadway capacity improvements planned or funded for U.S. 19 in the Pasco County 2025 Cost-Affordable Long Range Transportation Plan; and

WHEREAS, on May 6, 2003, the Board of County Commissioners directed that an ordinance be drafted to adopt new concurrency rules for the U.S. 19 area to prevent the further degradation of the capacity of U.S. 19 and U.S. 19 intersections, and further directed that a traffic study be performed to establish the current operating level of service for U.S. 19 and U.S. 19 intersections; and

WHEREAS, Pasco County, with FDOT's assistance, conducted a detailed transportation analysis of the current operating level of service (LOS) of the segments and signalized intersections on U.S. 19; and

WHEREAS, the transportation analysis revealed that a number of segments and signalized intersections on U.S. 19 are currently operating at level of service D, E or F, particularly on the portion of U.S. 19 between S.R. 54 and S.R. 52; and

WHEREAS, on July 1, 2003, the Board of County Commissioners transmitted a Comprehensive Plan Amendment to the Department of Community Affairs which modified Concurrency Tables 7-2 and 7-3 and directed that the capacities for U.S. 19 in the U.S. 19 area be established by Ordinance based on the detailed transportation analysis, rather than the existing Table 7-2 and 7-3; and

WHEREAS, on April 14, 2004, the Board of County Commissioners will adopt a Comprehensive Plan Amendment which (1) establishes a specific geographic area near U.S. 19 as an urban infill/urban redevelopment/transportation concurrency exception area pursuant to Section 163.3180(5)(b), Florida Statutes (hereinafter referred to the "U.S. 19 Redevelopment/Concurrency Area"), (2) requires the creation of an urban infill and redevelopment area and plan for the U.S. 19 Redevelopment/Concurrency Area pursuant to Section 163.2517, Florida Statutes by January 1, 2006, (3) modifies Concurrency Tables 7-2 and 7-3 to be consistent with (a) the most recently approved MPO 2025 Long-Range Transportation Plan, (b) the 2002 FDOT Level of Service Handbook, and (c) the detailed transportation analysis for U.S. 19, (4) removes the growth multipliers and adjusted service

capacities within the U.S. 19 Redevelopment/Concurrency Area; and (5) adopts and revises the levels of service for the links and signalized intersections on U.S. 19 for the U.S. 19 Redevelopment/Concurrency Area; and

WHEREAS, the County, FDOT, and the federal government have not planned or identified funding sources for any major capacity improvements to U.S. 19 that will significantly improve the levels of service on U.S. 19; and

WHEREAS, Section 163.3180(2)(c), Florida Statutes, requires that transportation facilities designated as part of the Florida Intrastate Highway System needed to serve new development be in place or under actual construction not more than 5 years after issuance by the local government of a certificate of occupancy or its functional equivalent, and requires that other transportation facilities needed to serve new development be in place or under actual construction no more than 3 years after issuance by the local government of a certificate of occupancy or its functional equivalent, consistent with the public welfare and subject to certain exceptions set forth in Section 163.3180, Florida Statutes; and

WHEREAS, Section 163.3180(5)(d), Florida Statutes requires the County to establish guidelines within the U.S. 19 Redevelopment/Concurrency Area, and the Board of County Commissioners desires to set forth the required guidelines in this Ordinance; and

WHEREAS, Section 163.3180(11), Florida Statutes permits local governments to allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy transportation concurrency, when the factors set forth in Section 163.3180(11)(a)-(e) are shown to exist; and

WHEREAS, the Board of County Commissioners finds that the factors in Section 163.3180(11)(a)-(c) presently exist, and desires to set forth in this Ordinance a means by which some landowners can be assessed a fair share of the cost, or provide a binding commitment to Pasco County to pay the fair share of the cost, of providing the transportation facilities to serve the proposed development as permitted by Section 163.3180(11)(d) and (e), Florida Statutes; and

WHEREAS, the Board of County Commissioners finds that developments having a greater than two thousand five hundred (2,500) daily trip impact on U.S. 19, or approximately five percent (5%) of the average existing capacity of U.S. 19, will have a substantial negative impact on roadway links and intersections on U.S. 19 that cannot be mitigated solely through an assessment of the fair share of the cost of providing transportation facilities to serve the proposed development; and

WHEREAS, the County desires to enact special transportation concurrency rules for the U.S. 19 Redevelopment/Concurrency Area to help evaluate and correct existing capacity and safety deficiencies on U.S. 19 and accommodate future development in the U.S. 19 Redevelopment/Concurrency Area; and

WHEREAS, the County desires to enact special transportation concurrency rules for the U.S. 19 Redevelopment/Concurrency Area that will attempt to (1) prevent further degradation of and improve the existing levels of service of the U.S. 19 Redevelopment/Concurrency Area, (2) obtain additional funds for capacity and safety improvements for U.S. 19 and for urban infill and redevelopment planning and implementation for the U.S. 19 Redevelopment/Concurrency Area, and (3) encourage redevelopment within the U.S. 19 Redevelopment/Concurrency Area; and

WHEREAS, there are many planned developments within the U.S. 19 Redevelopment/Concurrency Area that will make the traffic conditions of this corridor even worse and more of a danger to public health, safety and welfare, if action is not taken at this time to preserve the corridor's existing capacity until improvements can be addressed; and

WHEREAS, all applicable substantive and procedural requirements of the law have been met.

NOW THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Pasco County, Florida, as follows:

SECTION 1 RECITAL

The whereas clauses set forth above are hereby incorporated by reference and adopted as findings of fact.

**SECTION 2 AMENDMENTS TO ARTICLE 400 OF THE LAND
DEVELOPMENT CODE ESTABLISHING SPECIAL
TRANSPORTATION CONCURRENCY REQUIREMENTS AND
PROCEDURES FOR THE U.S. 19
REDEVELOPMENT/CONCURRENCY AREA**

Article 400 of the Land Development Code is hereby amended to add the following new subsection 402.10:

**402.10 Special Transportation Concurrency Review and Procedures for U.S. 19
Redevelopment/Concurrency Area**

A. **Applicability/Geographic Area.** Except for the exemptions listed in subsection 402.10.D., the requirements and procedures of this Section 402.10 shall be applicable to all development, improvements, development orders and approvals within unincorporated Pasco County affecting any lot, tract or parcel of land lying wholly or partially within the geographic area depicted on Exhibit "A" attached hereto, or upon any lot, tract or parcel of land that obtains, through direct connection or through use of a private roadway, access to U.S. 19 (hereinafter

referred to as the "U.S. 19 Redevelopment/Concurrency Area").

B. Procedures and Required Approvals. Prior to any non-exempt development occurring within the US 19 Concurrency Area, a developer shall obtain a transportation concurrency certificate. A transportation concurrency certificate will be issued at the time the Final Plat or Construction Plans (where a record plat is not required) are approved. The transportation concurrency certificate will only be issued if (1) the development can demonstrate, through a traffic impact study, that the development does not degrade the level of service of any roadway segment or intersection on U.S. 19 below the adopted levels of service for roadway segments and intersections on U.S. 19 set forth in Table 7-2 and Table 7-3 of the Comprehensive Plan, or (2) the development has mitigated its concurrency impacts in accordance with Section 402.10.C.1. A traffic impact study is not required for developments eligible to pay and electing to pay the fair share fee set forth in Exhibit "B"; however, such developments may elect to demonstrate through a traffic impact study that the development does not degrade the level of service of any roadway segment or intersection below the adopted levels of service. The requirements for the traffic impact study shall be adopted by separate resolution. The transportation concurrency certificate issued at the time of Final Plat or Construction Plan approval will remain valid indefinitely.

C. 1. Prohibition on Development/Mitigation. No non-exempt development shall be allowed within the U.S. 19 Redevelopment/Concurrency Area that degrades the level of service of any roadway segment or intersection on U.S. 19 below the adopted levels of service for roadway segments and intersections on U.S. 19 set forth in Tables 7-2 and 7-3 of the Comprehensive Plan, unless such degradation has been adequately mitigated. Where the level of service of any roadway segment or intersection is projected to be below the adopted levels of service standards in Tables 7-2 and 7-3 of the Comprehensive Plan, any single development at or below the thresholds set forth in Exhibit "C" may fully mitigate its transportation concurrency impacts and proceed with development (1) upon payment to the County of the applicable fair share fee set forth on Exhibit "B" attached hereto, or (2) upon design and construction of all transportation facilities necessary to restore any intersections or links impacted by the development to the adopted levels of service, as determined by the County in accordance with the adopted traffic impact study requirements, or (3) a combination of (1) and (2) if approved by the Board of County Commissioners pursuant to a local government development agreement, which shall provide for credit for expenditures made pursuant to (2) against the applicable fair share fee. A single development above the thresholds set forth in Exhibit "C" may only mitigate its concurrency impacts and proceed with development upon design and construction of all

transportation facilities necessary to restore any intersections or links impacted by the development to the adopted levels of service, as determined by the County in accordance with the adopted traffic impact study requirements. For purposes of this paragraph, a "single development" shall include any development, parcel of land, lot, or tract, and contiguous or nearby developments, parcels, lots or tracts that are (1) developed by the same or a related development or landowner or (2) developed as part of the same zoning plan, preliminary plan, preliminary site plan, plat or other unified or common plan of development, as determined by the County Administrator or his designee consistent with the purpose and intent of this Ordinance. The mitigation required by this Section is in addition to, and not creditable against, any fees or mitigation required by the Pasco County Transportation Impact Fee Ordinance, applicable access management requirements, or other transportation or site-access mitigation required pursuant to applicable development approvals or development orders. The U.S. 19 Concurrency Fair Share Fee Technical Support Document prepared by Tindale-Oliver and Associates, Inc. dated February 26, 2004, which is the basis for the fair share fees set forth in Exhibit "B", is adopted herein by reference. The adopted levels of service for roadway segments and intersections on U.S. 19 from Tables 7-2 and 7-3 of the Comprehensive Plan are attached hereto as Exhibit "D" and specifically adopted herein by reference.

All required concurrency mitigation other than payment of the fair share fee shall be set forth in a local government development agreement approved by the Board or County Commissioners. Where concurrency mitigation requirements are set forth in a local government development agreement, default of any such agreement by any party other than the Pasco County shall be a basis for reconsideration and, if necessary, invalidation of the development order and certificate of concurrency for any development that has relied upon the concurrency mitigation requirements set forth in the development agreement.

2. U.S. 19 Redevelopment/Concurrency Fund.

A U.S. 19 Redevelopment/Concurrency Fund is hereby established. All fair share fees or payments collected by the County pursuant to Section 402.10.C.1. of this Ordinance shall be deposited in the U.S. 19 Redevelopment/Concurrency Fund. The fees and payments deposited into the U.S. 19 Redevelopment/Concurrency Fund shall be earmarked and expended solely for (1) capacity and safety improvements (including all necessary design, right-of-way acquisition, and construction costs) for U.S. 19 that serve development within the U.S. 19 Redevelopment/Concurrency Area, and (2) all costs associated with the creation of an urban infill and redevelopment area and plan for the U.S. 19 Redevelopment/Concurrency Area pursuant to Section 163.2517, Florida Statutes, and as required by Policy 3.4.1 of the Future

Land Use Element of the Pasco County Comprehensive Plan, and all costs associated with the implementation of such plan.

D. **Exemptions.** The following forms of development, improvements, development orders and approvals shall be exempt from the requirements of Subsection 402.10 (but shall continue to be subject to all other applicable requirements of the Land Development Code, including Section 402):

(1) Any development for which a valid Level of Service Compliance Certificate has been issued and remains in effect as of the adoption date of this ordinance.

(2) Any development exempt from concurrency requirements pursuant to Section 402.9 of the Land Development Code.

(3) All valid, unexpired final development of regional impact (DRI) development orders which were issued prior to adoption of this ordinance except where:

a. Development conditions or stipulations applicable to concurrency or the provisions of adequate public facilities concurrent with the impacts of development, exist in the DRI development order.

b. Substantial deviations are sought for a DRI development order, and then, this ordinance shall apply only to those portions of the development for which the deviation is sought.

c. An overriding concern for public health, safety, or welfare exists.

d. The county can demonstrate pursuant to F.S. § 380.06, that substantial changes in the conditions underlying the approval of the development order have occurred or the development order was based on substantially inaccurate information provided by the developer or that the application of this ordinance to the development order is clearly established to be essential to the public health, safety and welfare.

(4) Any development or project that is deemed to be "vested" according to the common law as established by the Florida Courts.

(5) Improvements or additions to a single-family residence.

(6) Replacement or redevelopment of existing structures which have the same or lesser impact on public facilities as the original structure. For purposes of this exemption, the exempt portion and transportation impact of existing structures shall be calculated in the same manner as the County calculates credits for existing structures under the County's applicable transportation impact fee ordinance.

(7) Amenities such as pools, fences, walls and signs.

(8) Temporary construction trailers.

- (9) Wells and septic tanks.
- (10) Remodeling such as moving a wall, if no change in use, addition of units, or interior completion of a "shell only" structure is involved.
- (11) Driveway or parking lot repaving.
- (12) Changes of electrical service.
- (13) Reroofing of existing structures.
- (14) Repair or replacement of mechanical systems, wiring or plumbing.
- (15) Right-of-way use permits that do not increase the needed capacity of public facilities.
- (16) Permits for historical documentation.
- (17) Sign permits.
- (18) Utilities such as telephone switching stations, electrical power substations and radio towers that create no additional impact on public facilities.
- (19) Tree removal permits.
- (20) Any development required by the Pasco County Zoning/Code Compliance Division, the Construction Code Enforcement Board, or any court of law to abate any violation or alleged violation of this Land Development Code.
- (21) Accessory uses and structures, such as but not limited to, pool enclosures, swimming pools, cabanas, boat docks and other minor accessory structures.
- (22) Public facilities necessary for the protection of the health, safety, or welfare of the general public, including but not limited to, fire stations, sheriff sub-stations, emergency medical service stations, public educational facilities, wastewater treatment plants, water aeration and treatment plants and solid waste facilities.
- (23) Those uses for which all required permits have been issued.
- (24) Routine repair or maintenance of an existing structure or remodeling of such existing structure that does not result in any structural additions or modifications such as an increase in height or building footprint or an increase in density or intensity; or
- (25) The replacement or repair of an existing use/structure occasioned by casualty loss or damage such as fire, flood, storm event, wind, earthquake, bombings, terrorist acts or the like.

SECTION 3 **INCLUSION IN THE CODE**

It is the intent of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of Pasco County Land Development Code as a new Section 402.10, and that the Sections of this Ordinance may be renumbered or relettered

and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 4 **SEVERABILITY**

It is declared to be the intent of the Board of County Commissioners of Pasco County, Florida, that if any section, subsection, sentence, clause or provision of this ordinance shall be declared invalid, the remainder of this ordinance shall be construed as not having contained said section, subsection, sentence, clause or provision, and shall be no affected by such holding.

SECTION 5 **MODIFICATION**

It is the intent of the Board of County Commissioners that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed by the Clerk to the Board pursuant to Section 6.

SECTION 6 **EFFECTIVE DATE**

A certified copy of this Ordinance shall be filed in the Office of the Department of State by the Clerk of the Board within ten (10) days of adoption, and shall take effect upon filing.

SECTION 7 **RELATIONSHIP TO COMPREHENSIVE PLAN**

Pursuant to Section 163.3194(1), Florida Statutes, to the extent any portion of this Ordinance is deemed to be inconsistent with the most recently adopted Comprehensive Plan, the provisions of the most recently adopted Comprehensive Plan shall govern any action taken in regard to an application for a development order until such time that the Comprehensive Plan and the inconsistent portion(s) of this Ordinance are brought into conformity.

DONE AND ADOPTED THIS ____ day of _____, 2004.

(S E A L)

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF PASCO COUNTY, FLORIDA

JED PITTMAN, CLERK

PETER ALTMAN, CHAIRMAN

APPROVED AS TO LEGAL FORM AND SUFFICIENCY
OFFICE OF THE COUNTY ATTORNEY

BY: _____
COUNTY ATTORNEY

B2: Hernando County Ordinance 86-8 (Frontage Road Ordinance)

ARTICLE I. IN GENERAL

Frontage roads

Sec. 24-2. Frontage roads.

(a) *Authority for enactment and application.* This section is enacted under the Home Rule power of the county for the purpose of providing transportation improvements in the interest of the public health, safety and welfare of the citizens of Hernando County. This section shall apply and be in force in all areas of Hernando County not within the boundaries of any municipality.

(b) *Definitions.* The following definitions shall apply in the interpretation and enforcement of this section:

Arterial highway. Those streets which are used primarily for fast or heavy traffic which convey traffic from local streets to expressways and other collector streets. Arterials are classified as either major or minor depending on the intermittency of traffic. For purposes of this section, the following Hernando County Roads are classified as arterial highways subject to the terms and provisions of this section: US 301, US 98, US 41, US 19, CR 485 and SR 50.

Developer. The person or entity responsible for increasing the traffic demand upon the arterial system by either building a new building, expanding the capacity of an existing building, changing of the approved use, or subdividing real property to create additional building lots. Development shall be considered to have occurred when any of the above activities have been accomplished with a projected subsequent average daily traffic increase of more than ten (10) average daily traffic counts (ADT) derived from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, Third Edition (as amended).

Frontage road link. A length of frontage road approximating an optimum design distance of one thousand three hundred twenty (1,320) linear feet. In cases where existing streets intersect the frontage road area, the link may be significantly less than one thousand three hundred twenty (1,320) linear feet.

Frontage road segment. A length of frontage road running concurrent to the right-of-way of the arterial highway from property line to property line of any given property owner along the arterial highway. A frontage road segment may or may not constitute a link or links.

(c) *General requirements.* Developers of properties adjacent to the major arterial highway grid must provide at the developer's expense a frontage road from property line to property line parallel to the arterial highway upon demonstration of need and demand by the county.

The frontage road is to be designed to county designated specifications. The developer shall furnish to the county sufficient funds for the engineering and construction of the frontage road across the property when the county indicates that sufficient length is available to construct a link in the frontage road system.

All driveway cuts issued to developers of properties adjacent to arterial highways shall be considered temporary and subject to removal when the frontage road link is constructed across the property.

(d) *Permitting.* Property owners of property adjacent to arterial highways as defined by this section shall be required to obtain a county permit for driveway cut(s) to the property prior to and in addition to any state or federal permits. Application shall be made to the county agency established by the board of county commissioners for the enforcement of the terms and provisions of this section. This county permit shall be taken to the state and/or federal agency as a recommendation from the county.

(e) *Maintenance.* All frontage roads created under the provisions of this section shall be maintained in a passable condition to current county maintenance standards by the property owner upon whose property the road is constructed. The property owner may contract with the county to provide for the maintenance of the roadway or dedicate the roadway and right-of-way to the county for inclusion into the county roadway maintenance system. If the dedication is accepted by the board of county commissioners, the property owner will no longer have the obligation to maintain the roadway.

(f) *Enforcement.* The board of county commissioners of Hernando County shall establish the enforcing agency which shall be charged with the duty of administering the provisions of this section and securing compliance therewith. In furtherance of this responsibility, the enforcing agency shall:

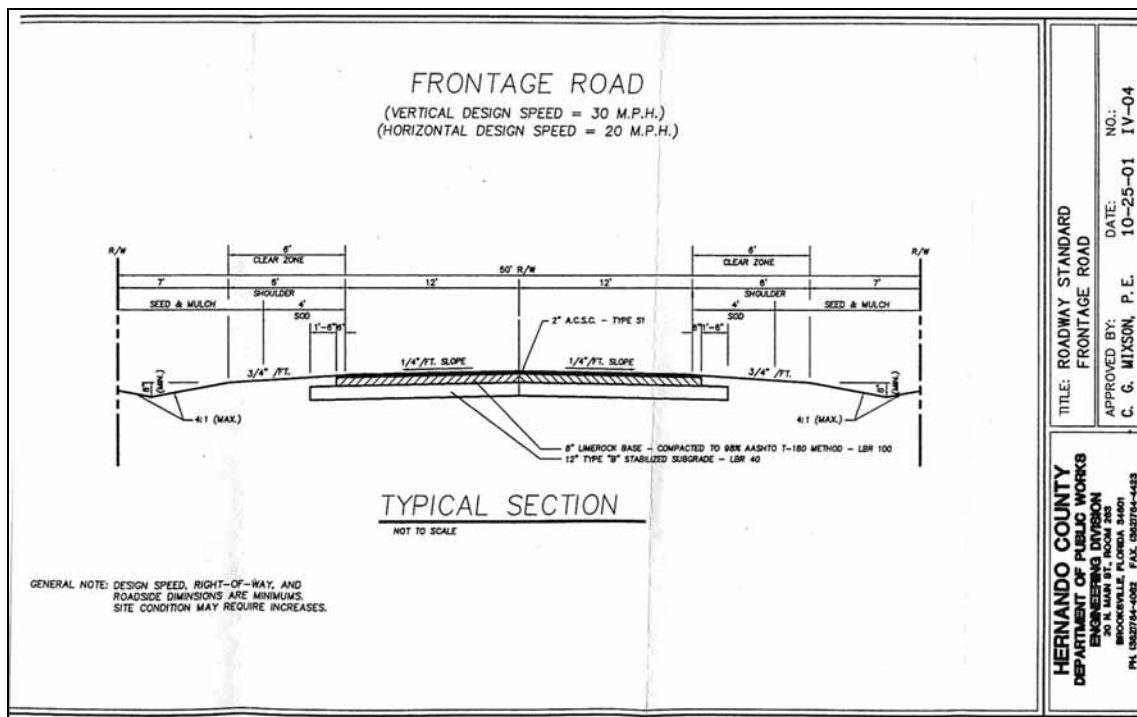
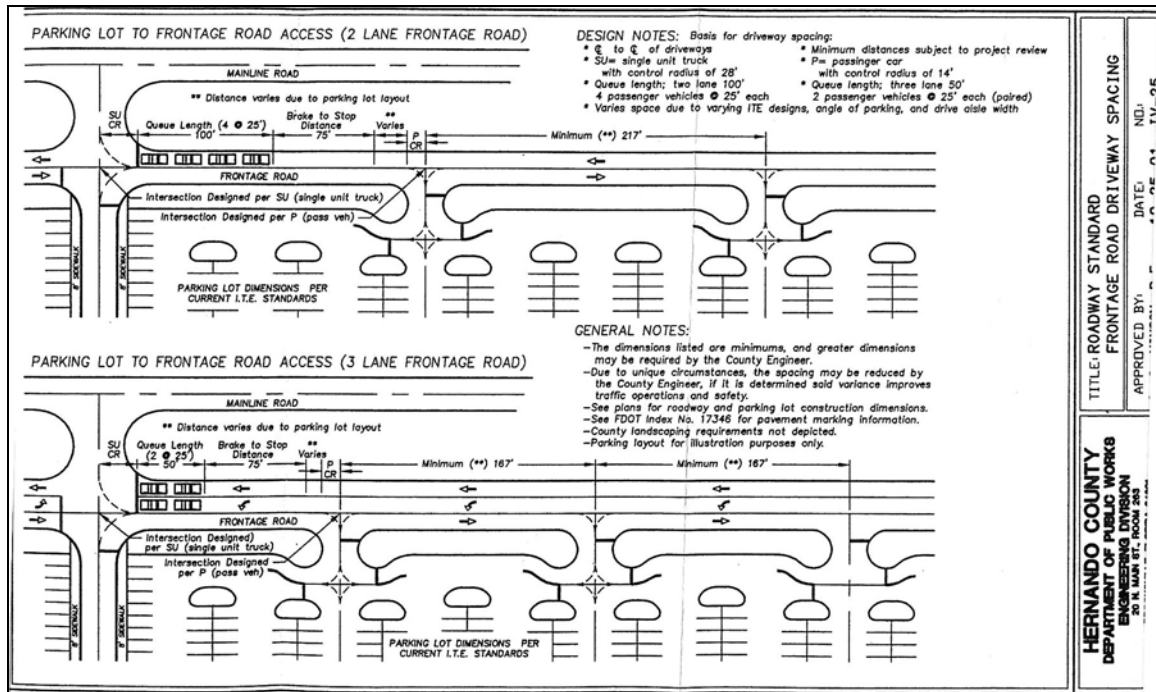
- (1) Issue permits required by this section.
- (2) Make such inspections as may be necessary to carry out the purpose and intent of this section and to initiate appropriate action to bring about compliance with this section if such inspections disclose any instance of noncompliance.
- (3) Request the assistance of the county attorney in taking appropriate legal action upon the failure of the responsible party to comply with such violation order at the time specified therein.

(g) *Penalties.* Any person, firm or corporation found guilty of violating any of the provisions of this section shall be guilty of a second degree misdemeanor, which, upon conviction, shall be punishable by a fine not to exceed five hundred dollars (\$500.00) and up to sixty (60) days in jail. Each day that an offense or violation of this section continues shall be deemed a separate offense.

(h) *Appeals.* Any person, firm or corporation aggrieved by a determination that such entity is subject to the application of this section by virtue of being a developer, as herein defined, may appeal such determination to the board of county commissioners. An appeal shall be filed in writing with the board of county commissioners within thirty (30) days from the date such determination is made by the enforcing agency established pursuant to paragraph (f) hereof.

(Ord. No. 86-8, §§ 1--8, 5-6-86) . Editor's note: Ordinance No. 86-8, adopted May 6, 1986, amended the Code, but did not specify the manner of inclusion. At the editor's discretion, therefore, §§ 1--8 of Ord. No. 86-8 have been codified as § 24-2.

B3: Hernando County Facility Guidelines



B4: Hernando County Access Easement Agreement

2.00 PREPARED BY AND RETURN TO: SAINT SEBASTIAAN BELGIAN MICROBREWERY 1434 Cornell Avenue Spring Hill, FL 34609 (352) 686-5713 <i>Roll</i>	01-A-798-0029 COPY ** OFFICIAL RECORDS ** BK: 1648 PG: 492 FILE# 2003-020871 HERNANDO COUNTY, FLORIDA RCD 04M 04 2003 03:24pm KAREN NICOLAI, CLERK
SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY	
<u>AMENDED ACCESS EASEMENT AGREEMENT</u> This Access Easement Agreement (the "Agreement") is dated as of the <u>4th</u> day of April, 2003, ("the Effective Date") by SAINT SEBASTIAAN BELGIAN MICROBREWERY-RESTAURANT SPRING HILL, LLC, a Florida Limited Liability Company ("Grantor"). WITNESSETH WHEREAS, Grantor is the owner of a certain parcel of land located in Spring Hill, Hernando County, Florida, more particularly described on Exhibit "A" attached hereto and made a part hereof ("Grantor's Tract"); and WHEREAS, adjoining Grantor's parcel of land is that certain parcel of land located adjacent to Grantor's Tract and more particularly described on Exhibit "B" attached hereto and made a part hereof ("Grantee's Tract"); and WHEREAS, the Florida Department of Transportation (FDOT) has required, pursuant to the Notice of Intent to Issue Permit Application No. 01-A-798-0029, a cross access easement over, through, upon and across certain paved entrances and drives to be constructed upon Grantor's Tract, so as to provide pedestrian and vehicular ingress (only) access to Grantee's Tract, across and through Grantor's Tract to U.S. Highway 19 ("Access Easement Area"). Said Access Easement Area is more particularly described on Exhibit "C" attached hereto and made a part hereof and shown on the Site Plan attached hereto as Exhibit "D" and made a part hereof; and WHEREAS, Grantor desires to grant the foregoing easement in accordance with the terms and conditions more particularly set forth hereinbelow. *This Agreement is being re-recorded to correct the legal description at Exhibit "C" in accordance with FDOT instructions. Amended Access Easement Agreement St. Sebastiaan Page 1 of 9	

NOW, THEREFORE, for and in consideration of the above recitals, the mutual promises and covenants contained hereinbelow and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed:

1. **Grant of Easement.** Grantor hereby bargains, sells, grants and conveys, subject to the terms, conditions, limitations and restrictions more particularly set forth hereinbelow, the Access Easement Area to and for the benefit of the owner of Grantee's Tract ("Grantee"), the businesses now or hereafter located thereupon, and their agents, employees, laborers, supplies, invitees, guests and/or customers ("Grantee's Parties"). Said Access Easement Area shall be perpetual, non-exclusive easement (the "Easement").
2. **Use of Easement Area.** Grantor may restrict use of the Access Easement Area to passenger vehicles, light trucks and pedestrian traffic only. No heavy trucks and/or construction equipment shall use the Access Easement Area without first obtaining the prior written consent of Grantor, which approval may be withheld, in the sole discretion of Grantor.
3. **Grantee Connection with the Improvements.** Grantor shall not be responsible for constructing any Improvements on Grantee's property.
4. **Cross-Parking Prohibition.** Nothing contained herein shall be deemed to confer upon Grantee any rights to use the parking areas located on Grantor's Tract.
5. **Maintenance of the Improvements.** During the term of this Agreement, Grantee shall, at no cost or expense to Grantor, keep and maintain the Improvements located within the Access Easement Area in a state of good condition and repair and shall maintain the paved surfaces of the same in a level, smooth and evenly-covered condition with the type of surfacing material originally installed.
6. **Repairs.** During the term of this Agreement, Grantee shall cause to be made such repairs as are necessitated or occasioned by the acts, omissions or negligence of Grantee and Grantee's Parties, or required by any law, ordinance, order or regulation of any governmental authority. Grantor may commence repair in the case of any emergency or upon twenty-one (21) days' notice to Grantee. All costs shall be borne by Grantee. Except as provided herein, Grantor shall not be obligated to make repairs or improvements of any kind to the Access Easement Area or to any equipment, facilities or fixtures contained therein.
7. **Storage and Deliveries.** Grantee may not store any object or otherwise block the Access Easement Area. Grantee may not dump any trash and refuse in the Access Easement Area. Grantee shall remove all objects, vehicles or trash which is left within the Access Easement Area by Grantee or Grantee's parties.
8. **Insurance.** During the term of this Agreement, Grantee shall maintain, with responsible companies authorized to do business in Florida and approved by Grantor, liability insurance to protect against all claims, demands or actions for property damage, injury to or death related to Grantee's use of the Access Easement Area in amounts reasonably necessary to protect Grantee and Grantor from said claims.

9. **Fees and Expenses.** During the term of this Agreement, Grantee shall pay upon demand any expenses incurred by Grantor (including reasonable attorneys' fees and disbursements) incurred in enforcing any obligation of this Agreement.

10. **End of Term.** This Access Easement Agreement shall automatically terminate and expire if : (1) Grantee obtains alternate access to its premises from U.S. Highway 19; or (2) Grantee is in material breach of the terms and conditions of this Agreement.

11. **Rules and Regulations As to Use.** During the term of this Agreement, neither Grantee nor Grantee's Parties shall overload, deface or otherwise damage the Access Easement Area or any part thereof or permit any equipment or installation therein or commit any nuisance, or permit the emission of any objectionable noise or odor, or use or permit the use of any advertising medium, including, without limitation, flashing lights, search lights, loudspeakers, televisions, phonographs, radios, sound amplifiers or other devices in a manner so as to constitute a nuisance or be heard or experienced outside the Access Easement Area, or burn any trash or refuse within the Access Easement Area, or sell, display or distribute any alcoholic liquors or beverages, conduct business at, in, on, about or from all or any part of the Access Easement Area, violate any statutes, laws, regulations or ordinances of the State of Florida or any governmental authority having jurisdiction over the Access Easement Area, or do or permit any other act which is improper, offensive or contrary to any law or ordinance or reasonable rules and regulations of Grantor as may be promulgated from time to time, or which will invalidate or increase the cost of any of Grantor's insurance.

12. **Assignment, etc.** This Agreement may not be assigned by operation of laws or otherwise. No Grantee may sell, mortgage, pledge or in any manner, directly, or indirectly, transfer this Access Easement Agreement or sub-let the Access Easement Area or any part(s) thereof, or grant any concession or license or otherwise permit occupancy of all or any part thereof by any person, firm or corporation without the Grantor's express written consent which Grantor may withhold in its sole discretion.

13. **Signs.** No signs shall be permitted in the Access Easement Area.

14. **Indemnification.** Grantee, by using the Access Easement Area, shall be deemed to agree to indemnify and hold Grantor harmless, from and against any and all liability, damage, loss, expense, causes of action, suits, judgments and/or claims of whatsoever kind and/or nature, including, but not limited to, claims for personal injury, death or property damage arising out of or in connection with Grantee and Grantee's Parties' use and enjoyment, negligent or otherwise, of the Improvements and the Access Easement Area.

15. **Relocation.** Subject to final plan approval from the FDOT, Grantor reserves the right to modify or relocate the Improvements and/or the Access Easement Area provided that such modification or relocation does not materially restrict or prevent ingress to Grantee's Tract.

16. **Public Grant.** Nothing contained herein shall be used or construed as a grant of any rights to the general public and/or any governmental authority or agency.

17. **Duration.** The agreements contained herein and all the rights granted hereby shall run with Grantee's Tract and shall bind and inure to the benefit of the parties hereto and their respective heirs, successors and assigns.

18. **Headings.** The headings of the sections contained herein are intended for reference and convenience purposes only and shall not be used to interpret the agreements contained herein or the rights granted hereby.

19. **Amendment and Waiver.** This Agreement may not be modified, changed, amended or waived except by an instrument in writing, duly executed by the parties hereto, and no waiver of compliance with any provision or condition hereof and no consent provided herein shall be effective unless evidenced by an instrument in writing, duly executed by the party hereto sought to be charged with such waiver or consent. In the event that any non-written waiver should be found and enforced by a court of competent jurisdiction, no such waiver of any one or more provisions shall operate as a future waiver of those provisions or any other provisions. Similarly, the failure by either party hereto to enforce one or more of the provisions of this Agreement shall not operate as any subsequent waiver to those or any other provisions hereof.

20. **Governing Law.** All questions, issues, litigation, mediation or disputes arising out of or under this Agreement shall be governed by the laws of the State of Florida and state court venue and jurisdiction is hereby agreed by the parties to be only in Hernando County, Florida, and federal court venue and jurisdiction is hereby agreed by the parties to be only in the Middle District of Florida, and all federal litigation or mediation will be filed and litigated only in Tampa, Hillsborough County, Florida. In the event suit is commenced to enforce this Agreement, costs of said suit, including reasonable attorneys' fees in all proceedings, trials and appeals, and in any bankruptcy proceeding or administrative proceeding, shall be paid to the prevailing party by the other party.

21. **Separability of Provisions.** The invalidity or unenforceability of any particular provision hereof shall not affect the remaining provisions of this Agreement, and this Agreement shall be construed in all respects as if such invalid or unenforceable provision were omitted.

01-A-798-0029

** OFFICIAL RECORDS **
BK: 1648 PG: 486

COPY

IN WITNESS WHEREOF, Grantor has caused its name to be hereunto subscribed and its corporate seal to be hereunto affixed by its officers thereto duly authorized.

ATTEST:

GRANTOR:

Saint Sebastiaan Belgian Microbrewery-
Restaurant Spring Hill, LLC

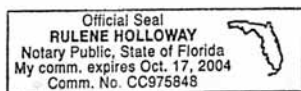
By: [Signature]
Name: MARLEEN STERKENS
Title: Secretary

By: [Signature]
Name: Marleen Sterkens
Title: President

STATE OF FLORIDA }
COUNTY OF HERNANDO }

The foregoing instrument was executed and acknowledged before me this 24th day of April, 2003, by Marleen Sterkens, as the President of Saint Sebastiaan Belgian Microbrewery-Restaurant Spring Hill, LLC, who is personally known to me or who produced as identification.

[Signature]
Notary Public



RULENE HOLLOWAY

Print, Type or Stamp Commissioned
Name of Notary Public

** OFFICIAL RECORDS **
BK: 1648 PG: 497

COPY

EXHIBIT "A"

01-A-798-0029

Lot 3, Block 2, South Hernando U.S. #19 Commerce Center, as per plat thereof recorded in Plat Book 17, pages 11 through 16, of the Public Records of Hernando County, Florida, LESS that portion of said Lot 3 described in OR Book 673, page 372 of said public records,

AND

Lot 4, Block 2, South Hernando U.S. #19 Commerce Center, as per plat thereof recorded in Plat Book 17, pages 11 through 16, of the Public Records of Hernando County, Florida.

 **COPY**
** OFFICIAL RECORDS **
BK: 1648 PG: 498

EXHIBIT "B"

Lot 5, Block 2, South Hernando U.S. #19 Commerce Center, as per plat thereof recorded in Plat Book 17, pages 11 through 16, of the Public Records of Hernando County, Florida.

01-A-798-0029

** OFFICIAL RECORD **
BK: 1648 PG: 499

COPY

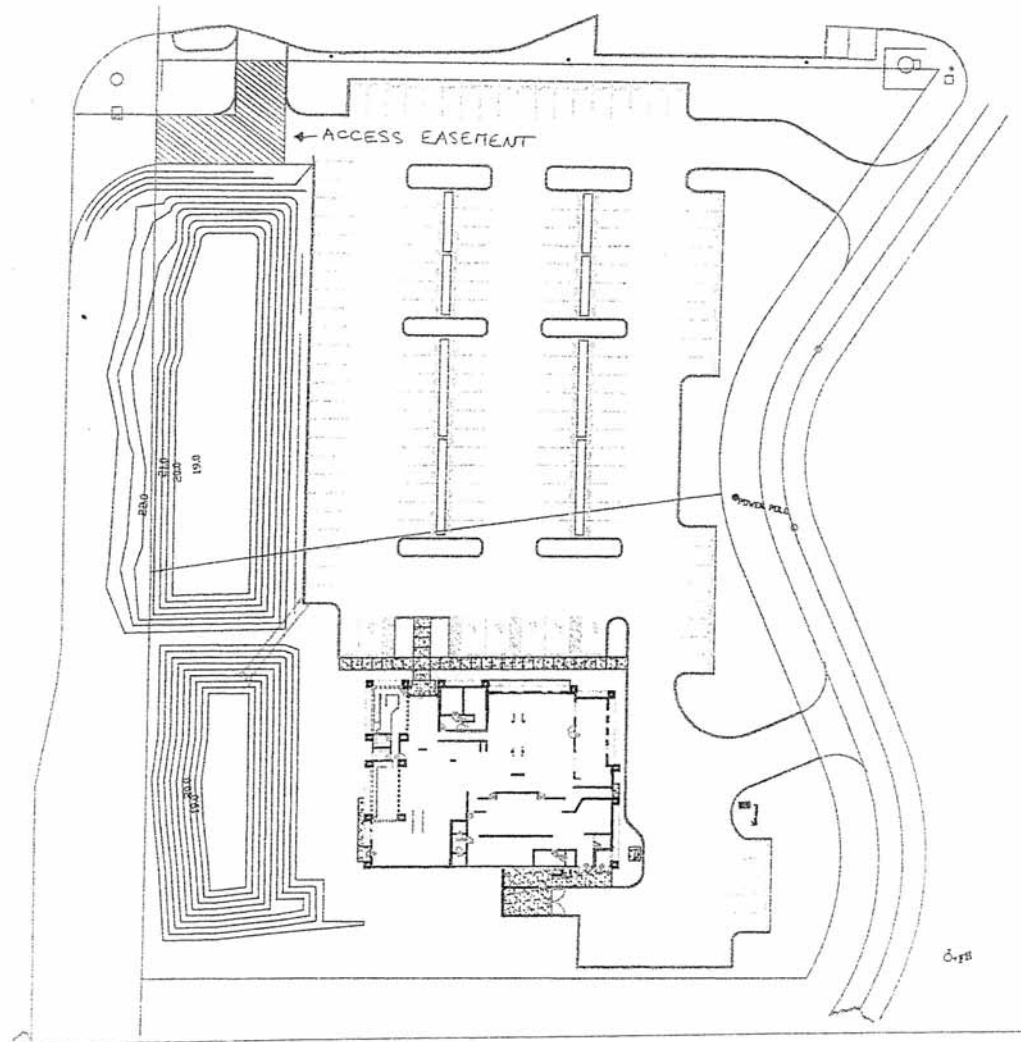
EXHIBIT "C"

Beginning at the Northwest Corner of Lot 4, Block 2, South Hernando U.S.19 Commerce Center, as recorded in Plat Book 17, pages 11 through 16, inclusive, of the Public Records of Hernando County, Florida, thence S66°25'00"E, 35 feet to the point of beginning, thence S66°25'00"E 24 feet, thence S23°35'47"W 50 feet, thence N66°25'00"W 59 feet, thence N23°35'47"E 24 feet, thence S66°25'00"E 35 feet, thence N23°35'47"E 26 feet, to the point of beginning.

01-A-798-0029

EXHIBIT "D"

01-A-798-0029



Amended Access Easement Agreement
St. Sebastian

Page 9 of 9

B5: Citrus County Ordinance 2003-A19 (Access Management Plan)

ORDINANCE NO. 2003 A19

AN ORDINANCE TO REVISE AND AMEND ORDINANCE 90-14, THE CITRUS COUNTY LAND DEVELOPMENT CODE, RELATING TO ACCESS MANAGEMENT PERTAINING TO STATE HIGHWAYS; PROVIDING FOR ACCESS SPACING RELATIVE TO DRIVEWAY, MEDIANS, MEDIAN OPENINGS, AND OTHER MATTERS; PROVIDING FOR THE ADOPTION OF THE US-19 ACCESS MANAGEMENT PLAN STANDARDS; PROVIDING FOR LEGISLATIVE FINDINGS AND THE INCORPORATION OF EXHIBITS; PROVIDING FOR LIBERAL CONSTRUCTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND PROVIDING FOR EFFECTIVE DATE.

WHEREAS, sound planning and land use practices mandate that the Board of County Commissioners of Citrus County provide for reasonable access management standards pertaining to the highways and roads located within the jurisdictional limits of the County; and

WHEREAS, the Board of County Commissioners of Citrus County desires to coordinate its actions with those of the Florida Department of Transportation (FDOT) for the benefit of the citizens of Citrus County and the traveling public; and

WHEREAS, the provisions of Florida law provide for the authority to regulate access to State roads within the jurisdictional limits of Citrus County; and

WHEREAS, the Board of County Commissioners of Citrus County has determined that the provisions of this Ordinance protect the public health, safety and welfare and are in the best interests of the citizens of Citrus County and the general traveling public; and

WHEREAS, the provisions of this Ordinance are consistent with the provisions of State law to include, but not be limited to, Chapters 125, 163, 187, and 335, Florida Statutes, Chapter 14-97, Florida Administrative Code (F.A.C.), and other applicable law; and

WHEREAS, the provisions of this Ordinance are consistent with the Citrus County Comprehensive Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Citrus County, Florida, as follows:

SECTION 1. LEGISLATIVE FINDINGS/EXHIBITS/CONSTRUCTION.

- (a) The recitals set forth above in the whereas clauses to this Ordinance are hereby adopted as legislative findings relating to the enactment of this Ordinance.
- (b) The exhibits attached to this Ordinance (Numbers "1" through "13") depict the US-19 corridor, the locations for planned median openings, auxiliary turn lanes and planned frontage/reverse frontage roads along the US-19 corridor and are hereby incorporated herein by this reference and made a material part of this Ordinance.
- (c) The provisions of this Ordinance shall be liberally construed to accomplish the objectives set forth herein for the benefit of the citizens of Citrus County and the traveling public.

SECTION 2. AMENDMENT TO SECTION 4224.STATE HIGHWAY ACCESS MANAGEMENT, of the Citrus County Land Development Code (LDC), is hereby amended to read as follows:

4224. State (Florida Department of Transportation (FDOT)) Highway Access Management Standards

- A. Standards for minimum spacing of access points for all arterial highways shall be by posted speed, in accordance with Chapter 14-97, F.A.C., FDOT Access Management Standards. The access spacing shall be as follows:

FDOT ACCESS MANAGEMENT CLASSIFICATIONS

STATE HIGHWAY	FROM	TO	CLASS
US-41	Hernando County Line	CR 48	4
	CR 48	SR-44 and Highland Blvd.	5
	SR-44 and Highland Blvd.	Montgomery Ave.	6
	Montgomery Ave.	Marion County Line	3
US-19 and 98	Hernando County Line	CR- 44/W. Fort Island Trail	3
	CR-44/ W. Fort Island Trail	SR-44/ NE 5th St.	6
	SR-44 / NE 5th St.	NW 7th St.	4
	NW 7th St.	Levy County Line	3
SR-200	US-41	Marion County Line	3
SR-44	US-19 and 98	Joyner Rd.	6
	Joyner Rd.	680 feet West of CR-581	3
	680 feet West of CR-581	US-41/ N. Florida Ave.	6
	US-41/ N. Florida Ave.	US-41/ S. Florida Ave.	6
	US-41/ S. Florida Ave.	Sumter County Line	3
US-98	Hernando County Line	US-19	4- <u>3</u>

FDOT ACCESS MANAGEMENT SPACING

ACCESS DESIGN CLASS FEATURES	OPENING SPACING	ACCESS DIRECTIONAL MEDIAN SPACING	MINIMUM FULL MEDIAN SPACING (In Miles)	MINIMUM SIGNAL SPACING (In Miles)
2 Restrictive with service roads	1320'/660'*	1320'	0.5	0.5
3 Restrictive	660'/440'*	1320'	0.5	0.5
4 Nonrestrictive	660'/440'*	N/A	N/A	0.5
5 Restrictive	440'/245'*	660'	0.5/0.5*	0.5/0.5*
6 Nonrestrictive	440'/245'*	N/A	N/A	0.25
7 Both	125'	330'	0.125	0.25

* Note: Greater than 45 MPH/Less than or = 45 MPH

B. US-19 Study Area Standard

The following general standards are established for all development within the US-19 Study Area from the north city limits of the City of Crystal River to the Levy County Line as it exists as of the adoption date of this ordinance:

1. The owner must provide an access management plan in accordance with the applicable requirements of FDOT, Chapter 14-97, F.A.C., and Comprehensive Plan Policy 10.1.9. This plan shall address access improvements, driveway spacing, and shall address access improvements, driveway spacing, and turning movement safety based upon accepted professional engineering standards and the adopted standards of the Comprehensive Plan. This shall also apply to expansion of existing use or a change of use.
2. For every existing access closing on a lot of record the owner shall be allowed an additional 0.05 ISR and FAR.
3. For every cross access easement that effectively eliminates additional access to US-19, the owner shall be allowed an additional 0.05 ISR and FAR.
4. Access to US-19 is limited to one access per ownership existing as of the effective date of adoption of CPA-BCC 92-05, Ordinance 92-A72 (December 8, 1992), unless said ownership is of sufficient size to meet the access spacing requirements. This also applies to multiple lots of record, as defined by Citrus County, such that only one access is granted per ownership.
5. No subdivision, site plan, or other development shall be approved unless the property owner shall grant an easement, running with the land, allowing general cross-access to and from adjacent properties. Such easements shall be recorded in the Public Records of the County. All easements shall be indicated in the LDC Atlas.

ORDINANCE NO. 2003-A19

6. Wherever frontage roads have been designed, the individual sites within the affected area shall be designed as to provide for mutually coordinated or joint parking, access and circulation systems, and shall include stub-outs and other design features as necessary to make it visually obvious that the abutting properties may be tied in to create a unified system.
7. As each property develops, it shall be designed to ensure that its parking, access, and circulation may be easily tied in to adjacent properties as they develop. In the event that a vacant property is to be developed next to an already developed property, it shall be so designed as to tie into the existing developed property through parking, access, and circulation, unless the County determines that this would be impractical.
8. Where abutting properties are in the same ownership, no subdivision or site plan shall be approved without a master plan. All building sites within the affected area shall be made subject to the necessary easements, agreements and stipulations as required and the same shall be recorded as binding.
9. Where abutting properties are in different ownership, cooperation between owners is encouraged. As properties develop they shall be subject to easements, agreements, and stipulations prior to the issuance of building permits that will promote a unified access and circulation system.

C. US-19 Access Management Plan Standards

The following access management standards for development activities are hereby established as the US-19 Access Management Plan standards for all development abutting the US-19 corridor commencing at the Hernando County line and terminating at the south City Limits of the City of Crystal River as it exists as of the adoption date of this ordinance.

1. **Access Plan Intent and Purpose:** The intent and purpose of the US-19 Access Management Plan (hereinafter referred to as the Access Plan) is to, consistent with State law, guide the specific placement of driveways, medians, median openings, auxiliary turn lanes, and frontage and/or reverse frontage roadways along the US-19 corridor. This Access Plan, in concert with the goals, objectives and policies of the Citrus County Comprehensive Plan and sound and generally accepted growth management and transportation engineering practices and principles, is designed as a peremptory planning instrument to mitigate future traffic congestion and vehicular safety concerns resulting from future development and background traffic growth along the US-19 corridor by, among other things, limiting and minimizing the number of traffic conflict points and locations. The Access Plan is intended to shorten queues of traffic, reduce vehicular congestion and balance the need to access property with the need of adequate traffic circulation and mobility on transportation facilities. Additionally, the intent of the Access Plan is to minimize access to environmentally sensitive lands. The planning of access management and adoption of access standards pertaining to the US-19 corridor will provide guidance relative to the location of driveways, medians, median opening locations, turn lane configurations, and driveway spacing, thereby improving the predictability of the development review process and otherwise enhance the process of reviewing development proposals.
2. **Plan Runs with the US-19 Corridor:** The Access Plan shall apply, to the maximum extent permitted by law, to the US-19 corridor commencing at the Hernando County line and terminating at the south City Limits of the City of Crystal River as it exists as of the adoption date of this ordinance. The Access Plan shall be applicable, to the maximum extent permitted by State law, regardless of the local governmental jurisdiction of the properties located in the US-19 corridor. Annexation by a municipality of any property shall not affect the applicability of the Access Plan.

ORDINANCE NO. 2003-A19

3. **Access Classification:** The FDOT has classified the roadway section specifically included in the Plan as an Access Class 3 facility. A Class 3 facility has restrictive (raised) medians, directional median opening minimal spacing of 1,320 feet, and full median opening minimal spacing of 2,640 feet. The Access Plan utilizes these standards as guidelines for the placement of median openings.
4. **Frontage or Reverse Frontage Roads:** Parcels that are adjacent to or in close proximity to frontage or reverse frontage roads as depicted in the Access Plan shall provide a connection to this roadway. As a condition of development approval, a development plan must provide for the construction of the section of frontage road or reverse frontage road that provides access to US-19 as identified in the Access Plan. This shall be accomplished as practical and may necessitate an escrow of funds and/or development agreement for future construction.
5. **Joint and Cross Access:** Each development plan shall provide for appropriate stub-outs to support cross access between adjacent parcels.
6. **Driveway Spacing Standards:** The minimum separation distance between adjacent driveways shall conform to the FDOT Access Management standards according to the assigned access design classification. The County shall require a minimum driveway spacing of 660 feet where feasible and practicable consistent with sound and generally accepted engineering practices and principles.
7. **Driveway Throat Distances:** The minimum length of driveways, or throat distance, shall vary based upon the proposed land use for the particular parcel of land and the projected daily and peak hour traffic volumes for the proposed development on the property. To minimize potential vehicle stacking that would present a traffic operational or safety concern on US-19, the minimum throat distance for any driveway subject to the Access Plan shall be the following:
 - a. Sites generating up to 50 peak hour trips and with a right-turn lane - 40 feet;
 - b. Sites generating up to 50 peak hour trips and no right-turn lane - 60 feet;
 - c. Sites generating from 51 to 99 peak hour trips and with a right-turn lane - 75 feet;
 - d. Sites generating from 51 to 99 peak hour trips and no right-turn lane - 100 feet;
 - e. Sites generating 100 or more peak hour trips with a right-turn lane - 150 feet;
 - f. Sites generating 100 or more peak hour trips and no right-turn lane - 200 feet.
8. **Isolated Corner Properties:** Properties located at the intersection of a roadway and US-19 are considered isolated corner properties and development on such properties may be permitted to have only right-in and right-out driveway access on US-19 with all driveways located as far as and feasible, consistent with sound and generally accepted engineering practices and principles, away from the roadway intersection.
9. **Continuous Right Turn Lanes:** Development plans shall avoid the use of continuous right-turn lanes that access several contiguous properties. The use of shared, joint or cross access and interconnected parking lots and frontage roads shall be maximized in each development plan to accomplish property access along the US-19 corridor. Appropriate easements and other rights shall be deeded to the County, when appropriate, to implement this requirement.
10. **Commercial Nodes:** The Access Plan has been developed to be consistent with and compatible to the provisions of the Citrus County LDC, Sections 4922, 4923, and 4924 for Community, General, and Regional Commercial Nodes, respectively. Full median openings depicted on the Access Plan within these nodes have been located to meet, to the greatest extent feasible and practicable

ORDINANCE NO. 2003-A19

consistent with sound and generally accepted engineering practices and principles, the spacing requirement of 2,640 feet as specified in the aforementioned Sections.

11. **Wetland/Environmentally Sensitive Areas:** Environmentally sensitive areas have been tentatively identified in the Access Plan and access to these areas has been reasonably limited. Consistent with the objective of preserving environmentally sensitive lands, access over properties identified as such lands is prohibited; provided, however, that the owner or developer may apply for a variance pursuant to the provisions of this Ordinance and as otherwise provided in the Citrus County LDC. The specific limits of the environmentally sensitive areas shall be verified and depicted in each development plan prior to the review and approval of the development plan. The intent of the Access Plan is to minimize any disturbance of all environmentally sensitive lands while providing for the reasonable use of developable property and reasonable access to property.
12. **Minimum Lot Widths:** The depth of any lot shall not exceed three times its width. In addition, the minimum lot width for purposes of this plan shall be 100 feet for residential lots and 150 feet for nonresidential lots. Lot aggregation for purposes of proposed development plans shall be encouraged for any parcels of record that do not meet this requirement and cause adverse impacts to traffic circulation.
13. **Lot Splits:** No new or additional access rights will be permitted for properties that are created as the result of parcel or lot splits subsequent to the enactment of this Ordinance.
14. **Deviations/Variations from Standards:** The applicant for any development plan shall have the burden of providing substantial competent evidence including, but not limited to, evidence from a licensed Florida professional engineer or other expert in the field of transportation/land use planning, demonstrating hardship and unique conditions that prohibit a development plan from conforming with the requirements of the Access Plan. The applicant must provide compelling data and analysis to the County that a requested variance would improve traffic circulation and efficiency of and the general safety of the citizens of Citrus County and the traveling public on US-19; that no alternative access exists from a street with a lower functional classification than US-19; and that there is no possible access from a joint and cross access agreement, shared driveway, frontage road or reverse frontage road. The deviations from standards process shall be consistent with the County's Level 2 review process, and shall include a public notification process approved by appropriate County staff. Decisions from the County's Level 2 review process shall be forwarded to the FDOT, District 7, Access Management Review Committee, for review and consideration.
15. **Interim Access:** Any access point or median opening that does not comply with one (1) or more provisions of this Subsection may be designated as Interim Access upon approval by the Planning and Development Review Board (PDRB) or Community Development Director based upon the requisite and competent evidence being submitted by the applicant and accepted by the County. In all cases where the access is designated as Interim Access, such access shall be specifically noted on the site plan or subdivision plan submitted for approval. The requirement to provide subsequent alternative access shall run with the property and be a condition of development approval. The future planned alternative access shall be specifically identified. When the property is capable of being served by an alternate means of access, the Community Development Director or PDRB shall require that the Interim Access be eliminated or altered, at the cost of the applicant, and that the property utilize the new access location which is consistent with the provisions of this Subsection.

ORDINANCE NO. 2003-A19

SECTION 3. CONFLICTS.

- (a) The provisions of Section 335.184, Florida Statutes, and the rules of the Florida Department of Transportation as set forth in Chapter 14-97, Florida Administrative Code, are applicable in the jurisdictional limits of Citrus County, Florida, and supersede this Ordinance in the event of any irreconcilable conflict.
- (b) All ordinances or part of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. SEVERABILITY. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, the remainder shall nevertheless be given full force and effect, and to this end the provisions of this Ordinance are declared severable.

SECTION 5. CODIFICATION. This Ordinance shall be codified in the Land Development Code of Citrus County. The Code codifier is granted authority to change the words "Ordinance" and other words to reflect the Part, Section, Article, etc., assigned in the Code, except that Sections 3, 4, 5, and 6 shall not be codified. The recitals, except for the last recital, to this Ordinance shall be codified as the legislative intent for the enactment of this Ordinance. The Exhibits to this Ordinance shall be codified.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective in accordance with the provisions of Section 125., Florida Statutes.

DONE AND ADOPTED at a duly called session of the Board of County

Commissioners of Citrus County, Florida, this 23 day of September, 2003.


for Betty Striffler, D.C.
BETTY STRIFFLER, CLERK

BOARD OF COUNTY
COMMISSIONERS OF
CITRUS COUNTY, FLORIDA

Jim Fowler
By: JIM FOWLER
Chairman

APPROVED AS TO FORM
AND CORRECTNESS:

Robert B. Battista
COUNTY ATTORNEY
Robert B. Battista

B6: Citrus County Cross Access Easement Agreement

CROSS ACCESS EASEMENT AGREEMENT

BY THIS CROSS ACCESS EASEMENT AGREEMENT made this ____ day of _____, _____, for and in consideration of the sum of _____ (\$_____) and other good and valuable consideration, _____, whose mailing address is _____ hereinafter called the GRANTOR, hereby creates for the benefit of _____ who mailing address is _____; hereinafter called GRANTEE, a Cross Access Easement, including the right to construct, reconstruct, replace, remove, and maintain and use GRANTEE's traffic access and circulation infrastructure to include all necessary and proper fixtures for use in connection with and enjoyment of said shared access points across the following described real property, situate in Citrus County, Florida, more particularly described in Exhibit "A" attached hereto and incorporated herein by reference, and as generally depicted within the site plan attached hereto as Exhibit "B" incorporated herein by reference.

Concomitant coextensive with this right is the further right in the GRANTEE or its agents for ingress and egress over and on that portion of GRANTOR's land described in Exhibit "A" attached hereto, as necessary to effectuate the purposes of the easement herein granted. Such right shall be exercised over the route that occasions the least practicable damage inconvenience to the GRANTOR.

GRANTEE shall repair any damage caused by it to GRANTOR's lands, both within the grant of easement and any off-site area approximately caused by the GRANTEE's use of the rights granted herein.

The granting of this Easement to the above-named GRANTEE is perpetual and shall inure to the benefit of GRANTEE's heirs, successors, titles, and assigns.

WITNESS

GRANTOR

WITNESS

STATE OF FLORIDA)
COUNTY OF CITRUS)

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by _____, who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

NOTARY PUBLIC

WITNESS

GRANTEE

WITNESS

STATE OF FLORIDA)
COUNTY OF CITRUS)

The foregoing instrument was acknowledged before me this ____ day of _____, _____, by _____, who is personally known to me or who has produced _____ as identification and who did/did not take an oath.

NOTARY PUBLIC

F:/shared/DDS /Bldg/forms/019CrossAccess

Appendix C: University Parkway

C1: Chronology of Events

University Parkway Chronology:

- October 19, 1982 – BOCC of both Counties adopted Interlocal Agreement regarding University Parkway maintenance responsibilities and providing for restrictions to direct access to University Parkway by adjoining land uses
- June 14, 1983 – Interlocal Agreement providing for an overall plan for the construction of improvements to University Parkway
- 1988 - Sarasota County BOCC adopts Sector Plan 87-01-SP regarding the University Parkway/Lockwood Ridge Road Village Activity Center specifically prohibiting direct access to University Parkway
- 1989 – Adoption of Comprehensive Growth Management Plans in both Counties requiring University Parkway to be re-constructed as a 6-lane facility from US 301 to I-75
- October 24, 1989 – BOCC of both Counties authorized preparation of a Bi-County corridor study AND conceptually agree to terms regarding the joint reconstruction of University Parkway
- December 3, 1991 – BOCC of both Counties adopted Interlocal agreement to reconstruct University Parkway as a six-lane facility from new U.S. 301 to Interstate 75 assigning specific duties and responsibilities to each
- March 26, 1992 - Manatee County BOCC authorizes the staff to proceed with the University Parkway Corridor Study
- July 28, 1992 – Sarasota County BOCC adopts the Boundaries and Criteria Report
- 1992-1993 – University Parkway constructed as a 6-lane facility
- January 1994 – Manatee County completes its University Parkway Corridor Study
- February 3, 1994 – Sarasota County Planning Commission voted to split the University Parkway Corridor Study in two and transmit only the western portion to the BOCC
- April 5, 1994 – Sarasota County BOCC Adopted the University Parkway Corridor Plan – West to provide a comprehensive and coordinated Bi-County planning effort for the University Parkway Corridor
- May 3, 1994 - BOCC of both Counties adopt Amendment #1 to the Interlocal Agreement for University Parkway
- January 14, 1997 - Sarasota County BOCC amended the University Parkway Corridor Plan – West per a request for a land use change from Office to Commercial
- 1997 – Sarasota County BOCC adopted the University Parkway Corridor Plan – East
- September 14, 1999 - BOCC of both Counties adopt Amendment #2 to the Interlocal Agreement for University Parkway
- November 8, 2000 - BOCC of both Counties adopt Amendment #3 to the Interlocal Agreement for University Parkway
- June 13, 2001 - Sarasota County BOCC amended the University Parkway Corridor Plan – East per a request for a land use change from Low Density Residential to Commercial
- March 12, 2002 - BOCC of both Counties adopt Amendment #4 to the Interlocal Agreement for University Parkway
- May 27, 2003 – BOCC of both Counties adopt Amendment #5 to the Interlocal Agreement for University Parkway

C2: Conditions of Development Approval, University Parkway Corridor Plan – West

From University Parkway Corridor Plan – West (No. 92-01-SP-West) Adopted on April 5, 1994. Sarasota County Planning Department.
Section II. Conditions of Development Approval, p. 2-10,

Transportation

17. *In order to promote safe, convenient, and efficient traffic circulation within the Primary Study Area, all access onto University Parkway shall be regulated through the following access standards:*

- Median intersections shall be consistent with access standards contained within the Interlocal Agreement for University Parkway between Sarasota and Manatee County or any successor agreements.

-Major access points shall be consistent with the Access Management Plan as shown on Figure 2B and with access limitations contained in Attachment A. The distance between major access points depicted on Figure 2B shall be a minimum of 660 feet.

18. *Modifications to the Access Management Plan as shown on Figure 2B may be approved during the rezoning process if it can be demonstrated to and approved by the Sarasota County Transportation Department that access as proposed in the Access Management Plan is unworkable or that an alternative approach is superior in controlling access.*

19. *As a condition for rezoning, all parcels along University Parkway, west of Lockwood Ridge Road, that are designated Light Office on Figure 2A shall provide reasonable assurance that access onto the parcel can be provided, consistent with Conditions No. 17 and No. 18.*

20. *Owner(s) of any parcel(s) along University Parkway within the “window area” where a major access point is permitted, shall record the necessary easement at the time of rezoning approval by Sarasota County, to build the major access point into said parcel(s), as well as provide the 30 foot access easement connecting the parcels to the east and west (See Figure 2B).*

21. *As a condition for rezoning, all applicants with property along University Parkway designated Light Office shall have recorded, a 30 foot access easement which shall connect with a major access point, consistent with the Access Management Plan (See Figure 2B). Note: The location of the 30 foot access easement may be modified to allow for greater site planning flexibility after review and approval by the Sarasota County Transportation and Planning Departments. The following conditions, however, shall apply:*

A. *The access easement shall be generally located 20 feet south of the northern property line (to allow for the required landscape buffer) and no greater than 70 feet south of the northern property line. The location of the access easement shall be depicted on all concept plans submitted in the rezoning application and shall be coordinated to the greatest extent possible with any plans for adjacent properties to the east and west to establish a mutually acceptable location.*

B. *Property owners shall record a deed restriction in the Public Records of Sarasota County. It shall be generally referred to in all Condominium Documents. Said deed restriction shall reserve the 30 foot access easement.*

C. *The access easement shall be paved at the time a certificate of occupancy is issued by Sarasota County for any use on any lot where building modification or construction is required.*

22. *Additional access to parcels within the Sector Plan area shall be as follows:*

-One (1) median (full-movement) access intersection on Lockwood Ridge Road at 61st Street. The developer(s) of the southeastern portion of the Sector Plan area shall be responsible for the installation (and all associated costs) of a traffic signal at this access location (if warranted) at such time as deemed necessary by the County Transportation Department; and (Adapted from a portion of the original Condition No. 11, from Resolution No. 88-428 for Sector Plan No. 87-01-SP).

-One (1) right-turn in/right-turn out access point on University Parkway. The centerline of the access point shall be located not less than 1,078 feet east of the centerline of Lockwood Ridge Road.

23. *The developer(s) of the shopping center in the southeast quadrant of the University Parkway and Lockwood Ridge Road shall be responsible for the construction of a frontage road parallel to (south of) University Parkway from the right-turn in/right-turn out frontage access intersection on Lockwood Ridge Road to the eastern boundary of the Sector Plan area for purposes of providing direct access from Lockwood Ridge Road to the parcel(s) east of the Sector Plan area. (Adapted from a portion of the original Condition No. 12 from Resolution No. 88-428 for Sector Plan No. 87-01-SP).*

24. *It is intended that Sarasota County will at its expense extend 59th Street as a 50 foot wide public right-of-way from Lockwood Ridge Road to the parcels east of the University Parkway/Lockwood Ridge Road Village Activity Center as shown on Figure 2B. The owner of the westerly residential tract shown on Figure 2B shall not be required to dedicate such right-of-way but may be required to indicate the future extension on a conceptual plan as part of a rezoning petition. The location of the extension as depicted on Figure 2B is conceptual, and the ultimate alignment shall be established in a location that will conserve as much developable land as possible. Notwithstanding the foregoing, Sarasota County shall not be required to include the 59th Street extension in any annual road construction or Capital Improvements program, but may do so at the discretion of the Board of County Commissioners.*

C3: Manatee County Land Development Code

740.5

LAND DEVELOPMENT CODE

The standards to which this street will be reviewed is dependent upon the type of street proposed, as described in 740.3.

740.6. Amendment to Approved Private Street. Any amendment to an approved private street, except for those private streets approved by the Rural Subdivision process, pursuant to Section 902.1.2, that either increases or decreases the number of lots being served by the private street without increasing or decreasing the length of the street, shall be approved by submittal of: 1. a revised private street application indicating the lot splits or combinations; 2. a revised survey showing the new lots receiving access; and 3. revised affidavits and agreements between the property owners guaranteeing access for all intended parties meeting the requirements of 740.2.4.2. Any amendment to a private street, including those approved through the Rural Subdivision process, that results in an increase or decrease in the length of the street shall be required to go through the entire private street approval process.

(Ord. No. 91-29, § 3, 11-20-91; Ord. No. 92-60, § 3, 12-14-92; Ord. No. 94-09, § 3(I), 6-16-94; Ord. No. 94-37, § 2, 8-2-94; Ord. No. 98-18, § 3, 9-1-98; Ord. No. 98-19, § 3, 12-15-98)

Section 741. Limited Access on Major Thoroughfares.

741.1 Applicability: These regulations apply to all property fronting on or taking access from any of the following listed major thoroughfares:

University Parkway, between U.S. 301 and SR 70 (including future construction);

State Road 70 between Interstate I-75 and Verna Bethany Road;

State Road 64 between Interstate I-75 and County Road 675 (Waterbury Road); and

U.S. Highway 41 between 49th Street East (Experimental Farm Road) and the north Manatee County Line

U.S. 301 between I-75 and Fort Hamer Road

741.2. Purpose and Intent:

To implement the Interlocal Agreement for University Parkway, between Manatee County and

Sarasota County, which designates University Parkway as a controlled access facility, and to implement Comprehensive Plan Policy 5.2.2.3.

741.3. University Parkway

741.3.1. Definitions: The following terms are defined for the purposes of Section 741.3.

Median Opening Intersection shall mean any opening within the University Parkway median that allows any intersection crossing and turning movements for vehicles to any street or driveway connecting to University Parkway.

Right Turn Intersection shall mean any access connection (Street or driveway) to University Parkway not creating a Median Opening Intersection and allowing only right run in/right turn out ingress to or egress from University Parkway.

Temporary Right Turn Intersection shall mean, any access approved prior to January 1, 1994, that provides vehicular ingress to and/or egress from University Parkway; or any new right turn intersection not meeting the Right Turn Intersection location criteria.

741.3.2. Provisions:

- **Cross Access Easement:** When vehicular traffic is projected to exceed seventy-five (75) vehicle trips per day on the subject property, a thirty (30) foot wide vehicular cross access easement(s) to adjacent parcels shall be granted to adjoining property owners and the public in a location acceptable to the Manatee County Planning Department.

- **Median Opening Intersection:** Median Opening Intersections shall be allowed only at the following University Parkway intersections:

Kentucky/28th Street Court East
Shade Avenue
Tuttle Avenue
Lockwood Ridge Road
Conservatory Drive
Whitfield Avenue

Supp. No. 21

742

DeSoto Road/Park Boulevard (extension through Longwood Run Development, former McIntosh Road)
 Saunders Road (extension)
 Honore Avenue
 Cooper Creek Road/Brown Road
 or as otherwise approved by the Board

Median Opening Intersections, are limited to a minimum average of one-half ($\frac{1}{2}$) mile spacing.

- *Right Turn Intersections*: Right Turn Intersections shall include adequate deceleration and acceleration traffic lanes upon University Parkway.

Right Turn Intersections Prohibited:

Between Interstate 75 and State Road 70,

Right Turn Intersections shall not be permitted; and Projects shall provide a thirty-foot wide vehicular cross-access easement or frontage road to adjoining parcels, generally to run parallel to University Parkway.

Right Turn Intersections shall be a minimum of six hundred and sixty (660) feet from a Median Opening Intersection or another Right Turn Intersection.

A Right Turn Intersection shall be permitted within each area as indicated below,

1. Between US 301 and Shade Avenue. None
2. Between Shade Avenue and Tuttle Avenue, located on a centerline six hundred sixty (660) feet west of the centerline of Tuttle Avenue.
3. Between Shade Avenue and Tuttle Avenue, on a centerline one thousand and six hundred sixty (1,660) feet west of the centerline of Tuttle Avenue and equally positioned on a property line common to the parcels known as the "Whitcomb" and "County Line Groves" parcels or within two hundred (200) feet east or west of the common property line, provided that if not located on the com-

mon property line, then a mutually agreed upon unified development plan and access plan for the two (2) parcels shall be required.

4. Between Tuttle Avenue and Lockwood Ridge Road beginning at seven hundred (700) feet west of the west right-of-way line of Lockwood Ridge Road and extending an additional two hundred twenty-eight (228) feet westward.
5. Between Tuttle Avenue and Lockwood Ridge Road beginning at eight hundred (800) feet east of the centerline of Tuttle Avenue and extending an additional two hundred (200) feet.
6. Between Lockwood Ridge Road and Conservatory Drive beginning at eight hundred sixty-five (865) feet west of the east right-of-way line of Lockwood Ridge Road and extending an additional four hundred thirty (430) feet eastward.
7. Between Conservatory Drive and Honore Avenue beginning at one thousand one hundred forty (1,140) feet west of the centerline of Honore Avenue and extending an additional one hundred (100) feet westward.
7. Between Honore Avenue and I-75 beginning at eight hundred fifty (850) feet east of the centerline of Honore Avenue and extending an additional two hundred (200) feet eastward.

• **Temporary Right Turn Intersections:**

A new single Temporary Right Turn Intersection, approved after January 1, 1994, for any parcel shall be permitted until the traffic generated by the development exceeds seventy-five (75) vehicles per day based on latest edition of the Institute of Transportation Engineers' Trip Generation Manual.

• **Discontinuation of use:**

Temporary Right Turn Intersections shall be eliminated when access be-

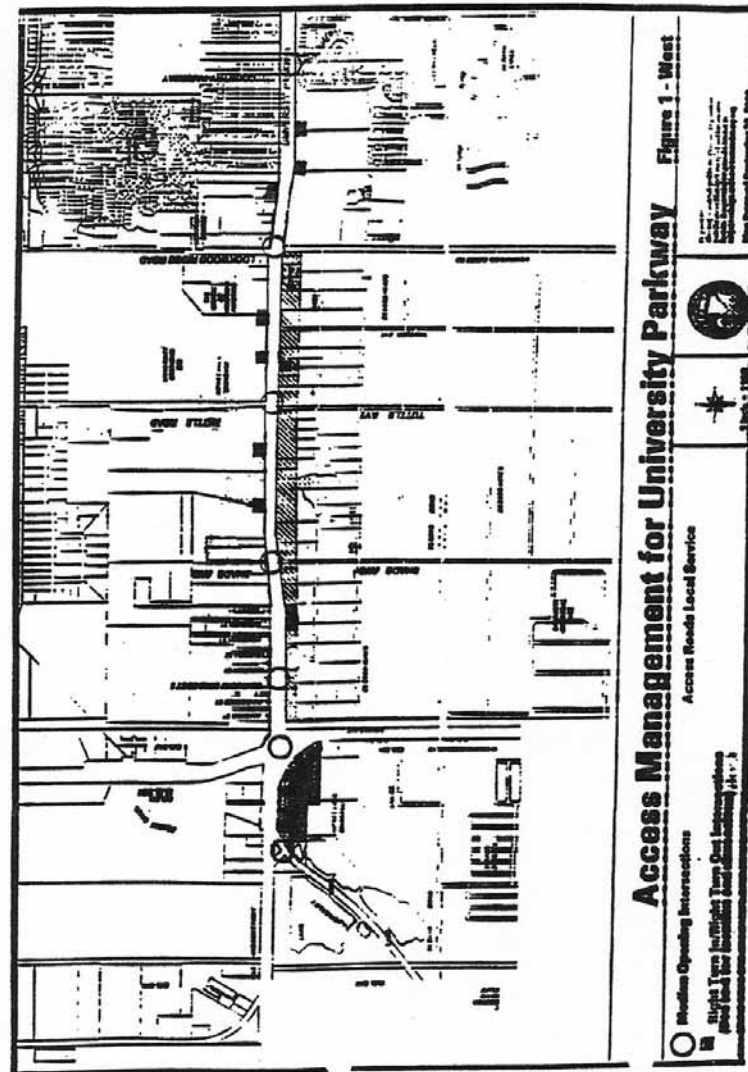
comes available to a Median Opening Intersection, Right Turn Intersection, or by a vehicular cross access easement to the above.

741.4 Other Listed Thoroughfares.

741.4.1. All new direct and indirect access points shall be coordinated with the Planning Department, Transportation Department and the Florida Department of Transportation.

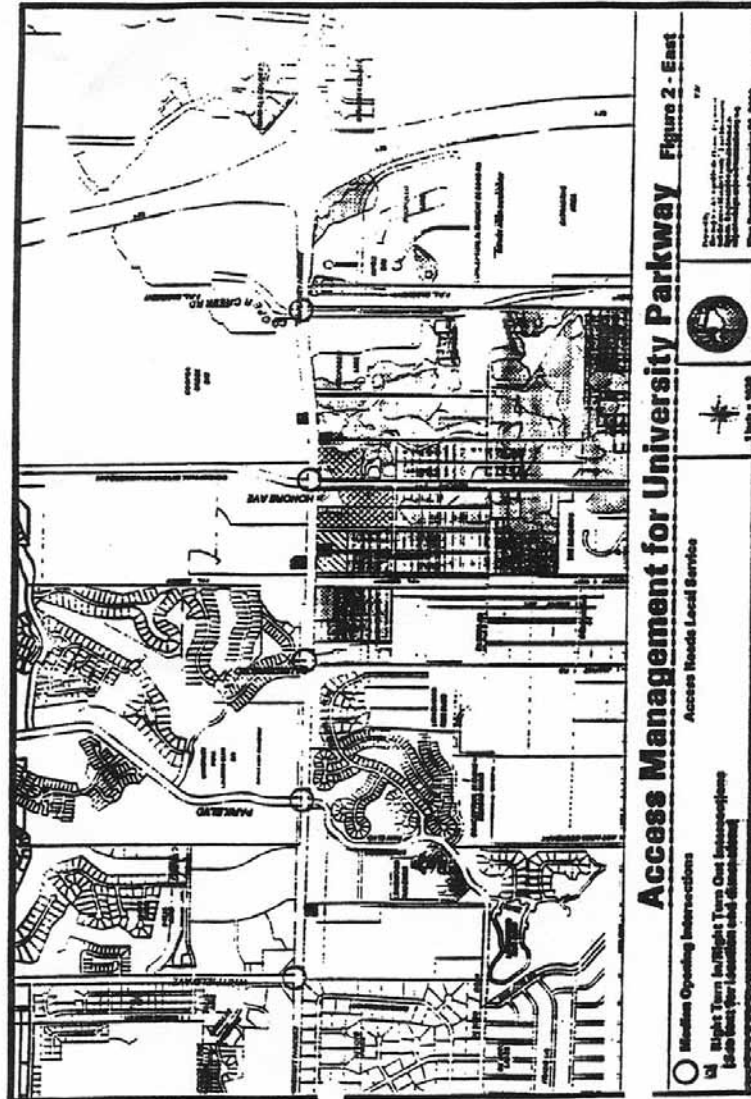
741.4.2. Approval of such access points shall include provision of sufficient right-of-way for parallel frontage roads or other means of facilitating cross-access between parcels.

(Ord. No. 92-57, § 3, 10-12-92; Ord. No. 94-09, § 3(I), 6-16-94; Ord. No. 98-19, § 3, 12-15-98; Ord. No. 99-44, § 2, 11-16-99; Ord. No. 01-10, § 2, 1-9-01; Ord. No. 02-18, § 2, 3-26-02)



Supp. No. 21

745



Appendix D: U.S. 98 Corridor Access Management Plan (CAMP)

D1: Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

US 98/BARTOW ROAD TRANSPORTATION CORRIDOR

WHEREAS, US 98 between State Road 60A (Van Fleet Drive in Bartow) and State Road 570 (Polk Parkway) is a component of the Florida Intrastate Highway System, statewide system of limited access and controlled access facilities that allow for high-speed, high-volume traffic movement within the State, as designated by the Florida Department of Transportation ("DEPARTMENT") and adopted by the Legislature; and

WHEREAS, the Polk Transportation Planning Organization ("TPO") adopted the *Polk County 2025 Long-Range Transportation Plan* which identifies the following multi-modal transportation uses and improvements in the US 98/Bartow Road corridor:

- a) the widening of US 98/Bartow Road from four (4) to six (6) lanes;
- b) Category I and II Transit Services within the defined Urban Transit Service Area; and
- c) the development of the Ft. Fraser Trail, a proposed multi-use trail between Bartow and Lakeland to serve non-motorized uses such as walking, hiking, and bicycling; and

WHEREAS, a *US 98 Trail Master Plan* has been prepared for the proposed Fort Fraser Trail that will link the City of Bartow with the City of Lakeland's Lake-to-Lake Connector, the Van Fleet State Trail, and the larger regional and state trail system; and

WHEREAS, land development and subdivision regulations can be applied to achieve the following state and local objectives:

- a) reduce traffic accidents, personal injury, and property damage attributable to poorly designed access systems;
- b) protect the substantial public investment in the existing transportation system and reduce the need for expensive remedial measures;
- c) further the orderly layout and use of land; and
- d) promote well-designed road and access systems that help protect community character and conserve natural resources; and

WHEREAS, Section 337.273, *Florida Statutes*, states that the designation and management of transportation corridors and the planning and development of transportation facilities within transportation corridors will substantially assist in alleviating traffic congestion and transportation facility overcrowding, aid in the development of an effective transportation system that is coordinated with land use planning, assist in planning for future growth, enable compliance with concurrency requirements, and alleviate the heretofore described health, safety, and welfare liabilities to the public; and

WHEREAS, Section 337.273, *Florida Statutes*, provides that local governments may designate a transportation corridor by including the corridor in the entity's comprehensive plan transportation element and may adopt a transportation management ordinance to include criteria to manage the land uses within and adjacent to the transportation corridor; and

WHEREAS, the parties desire that the US 98/Bartow Road and adjacent lands be developed in a manner consistent with Section 337.273, *Florida Statutes*, the State Highway System Access Management Act, Section 335.18, *Florida Statutes*, as amended; Chapter 14-96 and 14-97, Rules of the Department of Transportation; and policy and planning directives of the federal Transportation Equity Act for the 21st Century, and

WHEREAS, there is a recognized need to provide orderly and efficient transportation access to US 98/Bartow Road that supports the land uses and multi-modal transportation facilities within the corridor.

NOW, THEREFORE, the parties agree to cooperate with each other on the following matters:

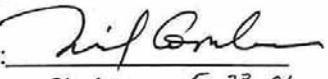
1. Before December 31, 2001, the City of Bartow, the City of Lakeland and Polk County (LOCAL GOVERNMENTS) intend to amend their respective comprehensive plans to designate the portion of US 98/Bartow Road from State Road 60A (Van Fleet Drive in Bartow) to East Main Street in Lakeland as shown in Exhibit A as the "US 98 Transportation Corridor" pursuant to Section 337.273, *Florida Statutes*.

2. The DEPARTMENT will develop a Corridor Access Management Plan (hereinafter referred to as the "CAMP") pursuant to Rule 14-97, F.A.C., for the US 98 Transportation Corridor. The Department will adopt the CAMP after the LOCAL GOVERNMENTS have amended their respective comprehensive plans as described in Paragraph 1.

3. Subsequent to the designation of US 98 Transportation Corridor and the adoption of the CAMP, the LOCAL GOVERNMENTS agree to amend their respective land development regulations to implement, as applicable, the policies set forth in Section 337.273, Florida Statutes, and the access management standards and requirements contained in the CAMP.

4. Prior to the adoption of land development regulations for the US 98 Transportation Corridor, all development and permitting activities within the US 98 Transportation Corridor will be discussed by a committee comprised of representatives from the LOCAL GOVERNMENTS, the DEPARTMENT, and TPO. This committee will discuss alternatives relating to the development or permitting activity for the permitting jurisdiction/agency to alleviate traffic congestion and transportation facility overcrowding, aid in the development of an effective transportation system that is coordinated with land use planning, assist in planning for future growth, enable compliance with concurrency requirements, and to be consistent with the CAMP.

POLK COUNTY

By: 

Chairman 5-23-01

CITY OF BARTOW

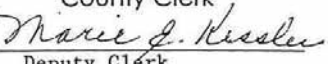
By: 

Mayor

ATTEST:

Richard M. Weiss

County Clerk

By: 

Deputy Clerk

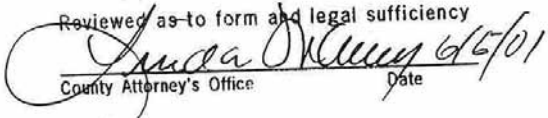
ATTEST:



City Clerk

Page 3

Reviewed as to form and legal sufficiency


County Attorney's Office

Date

5/23/01

CITY OF LAKELAND

By: *Gregory D. Dufek*
Mayor

ATTEST:

Dee Dee Koor
City Clerk



STATE OF FLORIDA DEPARTMENT OF
TRANSPORTATION

By: *[Signature]*
District Secretary

ATTEST:

Jennifer L. Parfitt
Executive Secretary

D2: Median Tables

TABLE 1 (page 1 of 2)
RESULTS OF THE EVALUATION OF EXISTING MEDIAN OPENINGS

	Location	Median Opening Type		Comment
		Existing	Recommended	
1.	SR 60A	Full	Full	
2.	Mile Post 0.655 (700' N/O SR 60A)	Full	SB Directional	
3.	Scotty's (1160' N/O SR 60A)	Full	NB Directional	Close existing opening
4.	Manor Dr.	Full	Full	Operate Manor Dr and
5.	Old Winterhaven Rd.	Full	Full	Old Winterhaven Rd. as system
6.	Lucile St.	Full	None	
7.	Ethelene St.	Full	Directional	
8.	Lyle Parkway	Full	Full	Meets standard
9.	Bartow Mem. Hospital Bartow Road	Full	Full	Meets standard
10.	Bartow Ford	Full	Full	Meets standard/Location of Bartow Ford
11.	Mile Post 2.705 5955' N/O hospital	Full	Full	Meets standard
12.	Mile Post 3.139 8245' N/O hospital	Full	Full	Existing crossing of railroad corridor
13.	Mile Post 3.744 2660' S/O E.F. Griffin	Full	Full	Meets standard
14.	Mile Post 4.048 1060' S/O E.F. Griffin	Full	None	Close existing opening
15.	E.F. Griffin Rd.	Full	None	Close existing opening
16.	Central Barn Rd. (CR 540A)	Full	Full	Meets standard
17.	Commercial Blvd.	Full	None	Close Median Opening
(1)	Mile Post 4.618 1500' S/O Hancock Ave.	None	Directional	500' S/O Hillside Height Drive; Permitted in conjunction with new residential subdivision
18.	Hancock Ave.	Full	Full	Meets standard
19.	Cypress Ave.	Full	None	Close existing opening
20.	Cedar Ave.	Full	None	Close existing opening
21.	Magnolia Ave.	Full	None	Close existing opening
22.	Palmetto Ave.	Full	Full	Extend Palmetto Ave. east across Trail
23.	Laurel Ave.	Full	None	Close existing opening
24.	Central Ave.	Full	None	Remove Trail Crossing
25.	Lime Ave.	Full	None	Close existing opening
26.	Orange Ave.	Full	None	Close existing opening
27.	Clubhouse Rd. (CR 540)	Full	Full	Meets standard
28.	Wallace Rd.	Full	SB Directional	Alternative access available
29.	Mile Post 5.870 1085' N/O Wallace Rd.	Full	NB Directional	
30.	Colbert Rd.	Full	Full	Meets standard
31.	Mile Post 6.366 1600' N/O Colbert Rd.	None	None	Existing full opening closed during study
32.	Cemetery Rd./Gatorland	Full	Full	Meets standard
33.	Mile Post 6.761 1335' N/O Cemetery Rd.	Full	NB Directional	
34.	Mile Post 7.117 1400' N/O Banana Creek	Full	None	Close existing opening
35.	PCC/USF Entrance	Full	Full	Meets standard
36.	Mile Post 7.539 1570' N/O PCC/USF Entrance	Full	Directional	Widen shoulder for SB to NB truck U-turns
37.	Mile Post 7.680 785' S/O Winter Lake Rd.	Full	None	Close existing opening
38.	Winter Lake Rd.	Full	Full	Meets standard
39.	SR 570 EB ramps	Directional	Directional	Meets standard

(1) New directional median opening permitted at the beginning of study

TABLE 1 (page 2 of 2)
RESULTS OF THE EVALUATION OF EXISTING MEDIAN OPENINGS

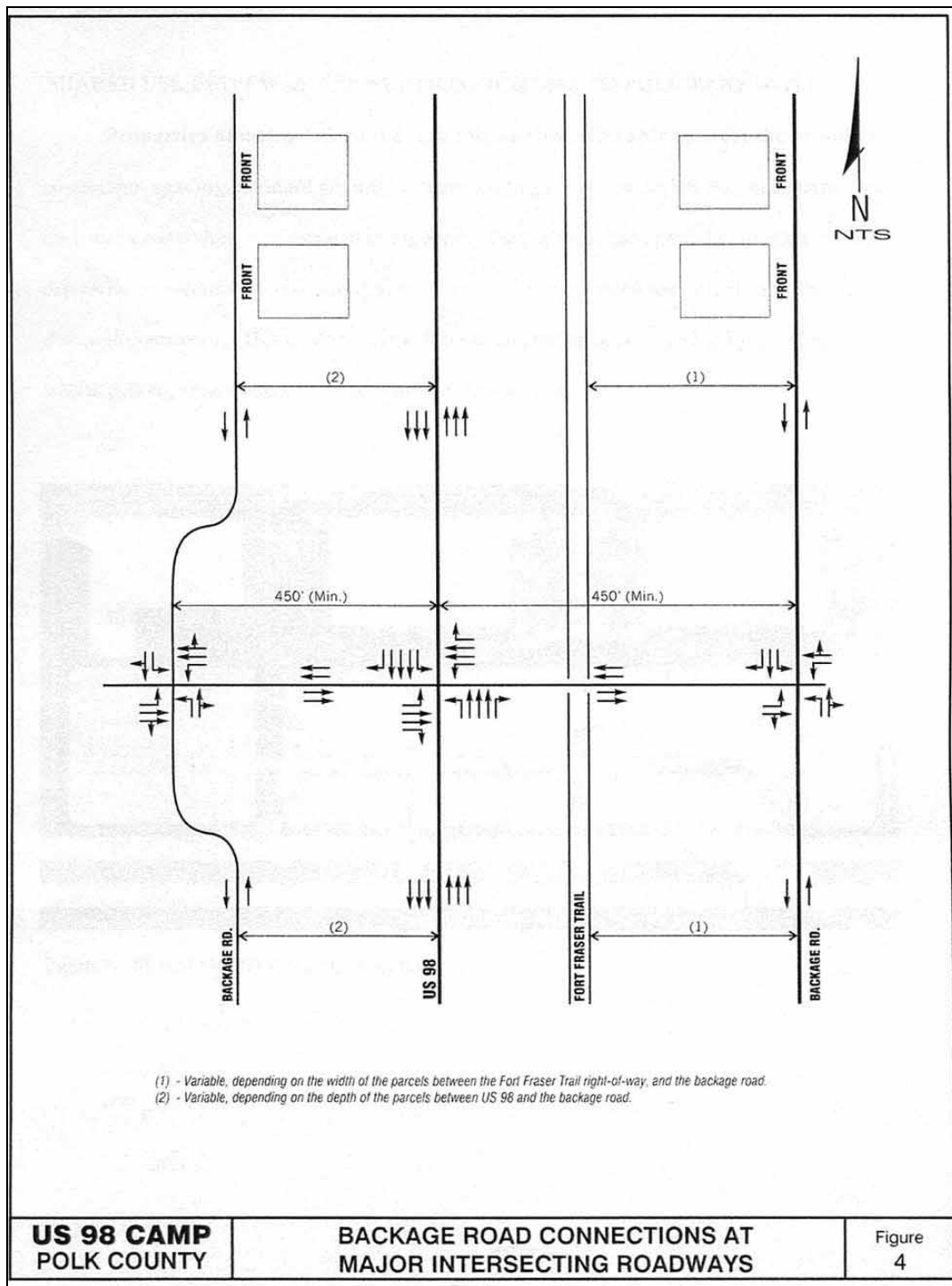
Location		Median Opening Type		Comment
		Existing	Recommended	
40.	SR 570 WB ramps	Directional	Directional	Meets standard
41.	Illinois Ave.	Full	Full	Truck access required
42.	Combee Rd.	Full	Full	Meets standard
43.	Linden Ave.	Directional	Directional	Meets standard
44.	Edgewood Dr. South	Full	NB Directional	Alternative access to Edgewood Drive
45.	Edgewood Dr.	Full	Full	Meets standard
46.	Mile Post 9.417 500' N/O Edgewood Dr.	Full	None	Close existing opening
47.	Mile Post 9.473 800' N/O Edgewood Dr.	Full	NB Directional	
48.	A-Z Park Rd.	Full	Full	Does not meet standard, however full connection needed
49.	Mile Post 9.651 (Cemetery Entrance) 770' N/O A-Z Park Rd.	Full	NB Directional	
50.	Sylvester Rd.	Full	Full	Existing signalized intersection
51.	Coolidge Rd.	Full	Full	Close to 90% of standard, truck access needed
52.	Lynn Crest Rd.	Full	None	Close existing opening
53.	Salem Rd.	Full	None	Close existing opening
54.	Richmond Rd.	Full	Directional	
55.	S. Crystal Lake Rd.	Full	Full	Meets standard
56.	Mile Post 10.358 520' N/O S. Crystal Lake Rd.	Full	None	Close existing opening, alternate access available
57.	Crystal Lake Dr.	Full	Full	Does not meet standard, arterial street
58.	Winthrop Ave.	Directional (Left turn out)	None	Close existing opening, alternate access available
59.	Mockingbird Ln.	Full	Directional	
60.	Skinner St.	Full	None	Close existing opening
61.	Mile Post 10.82 630' N/O Skinner St.	Full	NB Directional	
62.	New Jersey Rd.	Full	Full	Meets standard
63.	Holley Chevrolet	Full	Full	
64.	Bonny Park	Full	Full	Meets standard
65.	Hollingsworth Ave.	Full	Full	Meets standard
66.	Walnut St/Clayton Ave	Full	None	Close existing opening
67.	Lime St.	Full	Full	Meets 90% of standard
68.	Orange St.	Full	NB Directional	
69.	Ingraham Ave.	Full	Full	Does not meet standard, arterial street
70.	Lemon St.	Full	None	Close existing opening
71.	E. Main St.	Full	Full	

D3: Driveway Table & Backage Road

TABLE 2

**DRIVEWAY CONNECTIONS THAT DO NOT MEET
CURRENT ACCESS MANAGEMENT STANDARDS
(Direction: North on US 98 from SR 60A)**

	Location	East or West Approach	Comment
1.	180' N/O SR 60A	West	Joint use driveway serving Hardee's and adjacent property could be constructed
2.	40' N/O Manor Dr.	West	Enters into signalized intersection
3.	100' S/O Old Winterhaven Rd.	East	Second driveway to south provides adequate access
4.	50' N/O Old Winterhaven Rd.	East	Too close to intersection, not essential to access
5.	70' N/O Lucie St.	East	Adequate access available from Lucie St.
6.	110' S/O Lyle Parkway	East	Adequate access available from Lyle Parkway
7.	200' S/O Lyle Parkway	West	Site has two driveways to US 98, one is adequate
8.	60' S/O Lyle Parkway	West	Site has two driveways to US 98, one is adequate
9.	150' S/O Combee Rd.	West	Site has two driveways to US 98, one is adequate
10.	300' N/O Combee Rd.	West	Site has three driveways to US 98, one is adequate
11.	380' N/O Combee Rd.	West	Site has three driveways to US 98, one is adequate
12.	360' S/O Linden Ave.	West	Site has two driveways to US 98, one is adequate
13.	170' S/O Linden Ave.	West	Site has two driveways to US 98, one is adequate
14.	30' N/O Linden Ave.	West	Site has two driveways to US 98, one is adequate
15.	340' N/O Linden Ave.	West	Site has two driveways to US 98, one is adequate
16.	450' N/O Linden Ave.	West	Site has two driveways to US 98, one is adequate
17.	150' S/O Edgewood Dr. S.	West	Site has adequate access from Edgewood Dr. S.
18.	400' N/O Edgewood Dr.	West	Site has two driveways to US 98, one is adequate
19.	660' S/O A-Z Park Rd.	West	Site has two driveways to US 98, one is adequate
20.	380' S/O A-Z Park Rd.	West	Site has two driveways to US 98, one is adequate
21.	100' S/O Sylvester Rd.	West	Site has adequate access from Sylvester Rd.
22.	550' S/O S. Crystal Lake Dr.	West	Site has three driveways to US 98, two are adequate
23.	80' S/O Crystal Lake Dr.	West	Site has alternative access to US 98
24.	25' S/O New Jersey Rd.	West	Site has two driveways to US 98, one is adequate
25.	160' N/O Hollingsworth Ave.	West	Driveway is not essential to property access
26.	40' S/O Lime St.	West	Adequate access available via Lime St.
27.	40' N/O Lime St.	West	Site has two driveways to US 98, one is adequate



Appendix E: State Road 7 Partnership, Florida

E1: State Road 7 Partnership, Florida

"STATE ROAD 7 PARTNERSHIP"

I. Purpose

The Purpose of this Partnership is to provide a framework to support the signatory agencies, organizations and governments, within Broward, Miami-Dade, and Palm Beach Counties to work collaboratively in order to facilitate the aesthetic and economic revitalization of the State Road 7/U.S. 441 corridor. This document is not intended to be a contract. It is recognized that party has different interests, priorities, and responsibilities. However, this document shall signify the cooperative intent of the parties.

II. Agreement

WHEREAS, the signatory agencies, organizations and governments that execute this agreement will be collectively referred to as signatories; and,

WHEREAS, jurisdictions along the State Road 7/U.S. 441 corridor have expressed their desire to enter into and participate in a cooperative undertaking to further facilitate ongoing areawide comprehensive, functional and best-planning practice activities along the State Road 7/U.S. 441 corridor; and,

WHEREAS, the State Road 7/U.S. 441 corridor is a heavily traveled corridor extending from Palm Beach County in the north, through Broward County, to Miami-Dade County in the south; and,

WHEREAS, each of the signatories to this agreement bears responsibility for or has involvement in some aspect of redevelopment activities along the State Road 7/U.S. 441 corridor; and,

WHEREAS, each of the signatories to this agreement understands that revitalization of the State Road 7/U.S. 441 corridor will generate social, economic, and environmental benefits to the region; and,

WHEREAS, there is a need to address current land use/transportation issues along the State Road 7/U.S. 441 corridor and increase effective intergovernmental cooperation; and,

WHEREAS, the participation and involvement of area local governments, stakeholders, and agencies is critical to the future regional mobility, enhanced quality of life for area residents, and effective extrajurisdictional coordination of impacts; and,

WHEREAS, the problems of growth and development often transcend the boundaries of individual units of local general-purpose government, and often no single unit can formulate plans or implement policies for their solution without affecting other units in their geographic area; and,

Revised 4/20/01

WHEREAS, the regional planning council is recognized as Florida's only multipurpose regional entity that is in a position to plan for and coordinate intergovernmental solutions to growth-related problems on greater-than-local issues, provide technical assistance to local governments, and meet other needs of the communities in each region; and,

WHEREAS, there is a need for the South Florida Regional Planning Council (SFRPC) to assist local governments to resolve their common problems, engage in areawide comprehensive and functional planning, administer certain federal and state grants-in-aid, and provide a regional focus in regard to multiple programs undertaken on an areawide basis; and,

WHEREAS, the SFRPC shall assist local governments with activities designed to promote and facilitate economic development in the geographic area covered by the council; and,

WHEREAS, it is the intent of this agreement to facilitate community involvement in the planning of future transportation alternatives to support local development opportunities, promote residential infill, further employment opportunities, reduce urban sprawl pressures, foster increased intergovernmental coordination, and coordinate supporting infrastructure improvements; and,

WHEREAS, this agreement shall serve as a commitment of cooperation, realizing the mutual benefit to be derived from a close working relationship and shall be reviewed and amended as necessary; and,

WHEREAS, it is not the intent of this agreement to specify all areas that can or should be effectively coordinated.

WHEREAS, each of the signatories to this agreement is committed to the following guiding principles related to revitalization of the State Road 7/U.S. 441 corridor:

- Coordinating the implementation of existing statutes, ordinances, regulations, applicable programs, and other efforts that will assist with local revitalization measures and maximize their efficiency and effectiveness and thereby reduce the need for state review of amendments to local government comprehensive plans;
- Approaching revitalization of State Road 7/U.S. 441 corridor in the context of broader economic development, neighborhood development, and urban revitalization efforts;
- Recognizing that the economic development, efficient and practical transportation systems, and community land use at appropriate densities and intensities are linked and should be thoughtfully planned;
- Providing a good quality of life for citizens working or living adjacent to the State Road 7/U.S. 441 corridor includes the need to provide adequate infrastructure and facilities to support the development of livable communities; and,
- Collectively implementing participatory solutions involving residents and businesses of the State Road 7/U.S. 441 corridor;

NOW, THEREFORE, this agreement is established to create a framework for coordinating efforts and extrajurisdictional impacts relating to the revitalization of the State Road 7/U.S. 441 corridor.

Focus of Cooperative Activities

The signatories to this agreement share mutual interest in the following issues and will use this agreement to expand their cooperation to:

1. Establish a State Road 7/U.S. 441 Partnership Committee. This shall be a committee which will issue recommendations to the Signatories concerning State Road 7/U.S. 441 matters and concerns. The Policy Committee will be subject to the Public Records and Sunshine Laws of Florida.
2. Complete a Strategic Plan identifying and describing tasks to be undertaken by the Partnership within the first year of this agreement taking effect, and to complete subsequent workplans for future periods, as appropriate, for the life of this agreement.
3. Complete an inventory of existing planning and implementation efforts along the State Road 7/U.S. 441 Corridor. The results of this inventory will provide a basis to coordinate consistency between efforts and identify strategies for their successful implementation.
4. Undertake an Initiative to create a collective vision for the urban design of the State Road 7/U.S. 441 corridor that shall apply in each jurisdiction to the extent that each jurisdiction chooses. The purpose is to create a sense of place, and promote pedestrian-oriented safe neighborhoods and town centers without compromising the individual community identity.
5. Undertake a review of local comprehensive plans, land development regulations, and capital improvement programs to help ensure that these instruments will move the community toward its vision.
6. Cooperate to submit competitive applications for enhanced State, Federal or other grant funding and assistance to support the activities of the State Road 7/U.S. 441 Partnership.
7. Work together in support of comprehensive and inclusive sustainable development practices throughout the State Road 7/U.S. 441 corridor.
8. Coordinate with the SFRPC and other SR 7/U.S. 441 Partnership signatory entities in the development and implementation of local planning and implementation activities.
9. Collaborate with and encourage the coordination of current projects and planning efforts along the corridor including, but not limited to, Transportation and Transit, Land Use, Economic Development, Aesthetics, Intergovernmental Coordination, and Plan Implementation.
10. Cultivate a link between redevelopment, access and expansion of public transit systems and include enhancing the accessibility of the finished project by multiple transportation modes.
11. Support redevelopment activities that are consistent with such urban infill and redevelopment principles, such as infill development at appropriate densities and intensities, good urban design, pedestrian and transit oriented design, crime prevention through design, urban greenways and public open spaces, mixed use, and mixed income development.
12. Actively seek the involvement of the wide range and diversity of stakeholders in public participation in the planning and implementation of specific projects.

III. Programming, Budgeting, Funding and Reimbursement

1. This agreement is neither a fiscal nor a funding obligation. Any transfer of funds between signatories may take place through applicable laws, agreements, existing authorities and procedures.
2. Nothing in this agreement shall obligate the signatories to expend appropriations, obligate funds or enter into any contract or agreement.

IV. Signatures

Each member of the Partnership has signed this document. An original, with the signature pages, is on file at the South Florida Regional Planning Council.

IN WITNESS WHEREOF: By my signature below, _____ becomes
(organization/agency name)
a signatory to the State Road 7/U.S. 441 Partnership.

(Signature) Date _____

Typed Name and Title

Organization/Agency

Appendix F: U.S. Highway 183, Hays, Kansas

F1: Corridor Master Plan, US-183/US-183 Alternate Corridor, Ellis County, Kansas

STATE OF KANSAS		COPY
E. Dean Carlson <i>Secretary of Transportation</i>	KANSAS DEPARTMENT OF TRANSPORTATION <i>Docking State Office Building Topeka 66612-1568 (913) 296-3566 TTY (913) 296-3585 FAX (913) 296-1095</i>	Bill Graves <i>Governor of Kansas</i>
Corridor Master Plan US-183/US-183 Alternate Corridor Ellis County, Kansas		
This US-183/US-183 Alternate Corridor Master Plan, hereinafter referred to as the Plan, and entered into this <u>6th</u> day of <u>February</u>, 1998, by and between the Secretary of Transportation, hereinafter referred to as the Secretary, Ellis County, hereinafter referred to as the County, and the City of Hays, hereinafter referred to as the City. The purpose of this plan is to augment the Memorandum of Understanding dated November 24, 1997 by defining parameters for transportation management, access management, land use and development characteristics along US-183 and US-183 Alternate highways within the limits defined. The designated corridors extend from the section road intersection known locally as Spring Hill Road north along US-183 (Vine Street) to the section road intersection known locally as Feedlot road. This corridor designation also encompasses US-183 Alternate in its entirety. It is not the purpose of this Plan to identify specific projects, rather, its purpose is to define corridor management parameters and identify retrofit and improvement phases. From this information, specific projects and project agreements may be drawn. I. The general standards for management of the US-183/US-183 Alternate Corridor (listed in geographic order from north to south) are as follow. 1. PLANNING A. The requirements for the retrofit and protection of the corridor segment from Fairground Road (55th Street) to north to Feedlot Road follow. 1. Zoning and/or site plan requirements will be adopted. At a minimum, a site plan is required to develop/redevelop. 2. The old US-183 alignment will be utilized as an access road to eliminate to need for direct access to US-183. In cases where direct access is needed, it will be temporary in nature until reasonable alternative access can be arranged. 3. Use of existing access roads and access points as shared access facilities is required wherever feasible. B. The requirements for the retrofit and protection of the corridor segment from 27th Street north to Fairground Road follow.		

1. Zoning and/or site plan requirements will be adopted. At a minimum, a site plan is required to develop/redevelop.
 2. Develop a frontage road system to, eventually, minimize direct access between I-70 and Fairground Road.
 3. Realign and improve the geometrics of the 32nd Street and 33rd Street intersections to eliminate an intersection and a signal.
 4. Develop strategies to, eventually, reconstruct the frontage road system to minimize direct access.
 5. Relocate/consolidate points of direct access from US-183 to frontage roads.
- C. The requirements for the retrofit and protection of the corridor segment from the junction of US-183 and US-183 Alternate north to 27th street follow.
1. Acquire access control and consolidate/relocate points of direct access as opportunities arise.
- D. The requirements for the retrofit and protection of the corridor segment from the junction of Spring Hill Road north to the junction of US-183 and US-183 Alternate follow.
1. Zoning and/or site plan requirements will be adopted. At a minimum, a site plan is required to develop/redevelop.
 2. Utilize alternate access to US-183 wherever possible. When required, direct access to US-183 will be temporary in nature until reasonable alternate access can be arranged.
- E.D.* *K.K.* *gaw* The requirements for the retrofit and protection of the US-183 Alternate corridor follow.
1. Maintain the existing capacity through application of the principles outlined in the current edition of the "Corridor Management Policy" published by the Kansas Department of Transportation.
 2. Review access connections as opportunities arise and consolidate/relocate wherever possible.

2. OPERATIONS

- A. The function, capacity and safety of the US-183 corridor will be enhanced and the corridor will be maintained by implementing retrofits and improvements in phases as described below.
1. Phase one consists of the corridor segment from the intersection of 27th Street north to Fairground Road. Phase one retrofits and modifications are identified in detail in the appendix labeled "Corridor Master Plan: US-183 Corridor, Phase One" which is incorporated by reference and made a part of this Plan.
 2. Phase two consists of the corridor segment from Spring Hill Road north to the intersection of 27th street. Phase two activities will be identified and incorporated into the Plan by supplemental agreement at an appropriate time.
- B. The function, capacity and safety of the US-183 Alternate corridor will be

enhanced and the corridor will be maintained by implementing retrofits and improvements in phases as described below.

1. The corridor segment from 27th Street north to I-70 will require usage of access roads in site planning wherever possible to minimize direct access to US-183 Alternate.
2. Investigate extension of Riley Street to connect with US-183 Alternate to provide alternate access, thus, eliminating direct access near the junction of US-183/US-183 Alternate.
3. Investigate an all-weather crossing to replace the low water crossing on the Fort Hays State University campus at Big Creek to eliminate the need for further direct access to serve the campus.

II. The general parameters for implementation of the US-183/US-183 Alternate Corridor Master Plan follow.

1. It is understood that this Plan may be appended, amended or vacated by the written agreement of all signatory parties.
2. It is further understood that this Agreement and all contracts entered into under the provisions of this Agreement are binding upon the Secretary, the City, the County and their successors in office.
3. The City and the County agree to adopt all necessary ordinances and/or resolutions and to take such legal steps as may be required to give full effect to the terms of this Plan.
4. No third parties beneficiaries, are intended to be created by this Agreement, nor do the parties herein authorize anyone not a party to this Agreement to maintain a suit for damages pursuant to the terms of provisions of this Agreement.

In Witness Whereof, the parties hereto have caused this Plan as of the date and year first above written to be made and executed by their proper officials.

E. Dean Carlson
Secretary of Transportation

Ellis County, Kansas

By: W.M. Lackey
W.M. Lackey, P.E.
Assistant Secretary and State
Transportation Engineer

Keith Kingsley
Keith Kingsley, Chairman
Ellis County Commission

City of Hays, Kansas

Jayne Clarke
Jayne Clarke, Mayor

**Corridor Master Plan
Appendix A
US-183 Corridor
Phase One**

The phase one corridor segment begins at the intersection of 27th Street and proceeds north to Fairground Road (55th Street). The standard goal is to improve traffic flow by controlling/limiting access to US-183. Adequate setbacks and dedications will be maintained in the platting and site planning processes to accommodate future growth and development. Future planned land use consists of commercial development adjoining this corridor segment, thus, access roads parallel to, but offset from, US-183 centerline will be required to accommodate heavy commercial vehicle traffic and internal circulation. Specifics for this segment include, but are not limited to:

1. Realign and improve the geometrics of the 32nd and 33rd street intersections.
2. Relocate/consolidate points of direct access to frontage roads to minimize direct access to US-183.
3. Investigate the reconstruction of the frontage road system.
4. Develop a frontage road system north of I-70 to Fairground Road to minimize direct access to US-183. Consolidate/relocate existing access points wherever possible.

KANSAS DEPARTMENT OF TRANSPORTATION
ELLIS COUNTY
CITY OF HAYS

GUIDELINES FOR APPLICATION OF THE CORRIDOR MANAGEMENT POLICY

- A. Owner/lessee obtains KDOT Form 309. Form may be obtained from KDOT, City, County
- B. Owner/lessee obtains KDOT Form 334 if the commercial or industrial access
- C. Owner/lessee submits forms to City for City Connecting Links; KDOT for other locations
 - 1. Completed Form 309
 - 2. Completed Form 334, if applicable
 - 3. Comprehensive plan or sketches, minimum size 8 1/2" x 11". An approved site plan will be required for any commercial/industrial application.
- D. City/County/KDOT reviews application with the following considerations which should be addressed by the applicant in considering access to property:
 - 1. Access will be granted only for the presently existing use or the existing use and an agreed future use. (CMP A-2)
 - 2. Subdivision/Development of properties abutting the State Highway System must have KDOT review and approval with regard to access to the highway prior to final plat approval, otherwise the subdivision will not be considered for access to the State Highway System. (CMP A-2,3)
 - 3. Traffic Impact Analysis (TIA) should be provided by the developer at the time of application for the following situations: (CMP, A-9)
 - a. Any Development which may generate traffic greater than a threshold for the affected area or when site plan review indicates the need.
 - b. Cases where an existing TIA is more than two years old or change will increase traffic generation 15% or directional distribution in the site traffic by more than 20%
 - 4. Design Considerations: (CMP, A-18)
 - a. Design is responsibility of owner/lessee
 - b. Are materials to be used durable and relatively free from routine maintenance?
 - c. How does the proposed use impact right-of-way?
 - d. Does the access meet spacing guidelines?
 - e. Does the property meet or exceed the frontage requirements?
 - 1. commercial property must have 20meters (60 feet) in an urban area, provided that spacing guidelines are acceptable. (CMP, A-20)
 - 2. commercial property must have 25 meters (80 feet) in a rural area, provided that spacing guidelines are acceptable. (CMP, A-20)
 - 3. Not more than one driveway will be permitted for a parcel with frontage less than:
 - a. 40 meters (125 feet) in an urban area, provided spacing guidelines are acceptable
 - b. 60 meters (200 feet) in a rural area, provided spacing guidelines are acceptable
 - 4. No more than two driveways will be allowed for a parcel, provided spacing guidelines are acceptable.

General guidelines and design suggestions are available in the Corridor Management Policy book and may be examined at KDOT Area Office, The City of Hays, City Hall and Ellis County, Office of Public Works. Copies of the policy may be obtained from local KDOT offices or by contacting the Kansas Department of Transportation, Bureau of Traffic Engineering, Topeka, Kansas, phone 785-296-3618.

DISTRICT THREE



CORRIDOR MANAGEMENT PLAN

May 2000

DISTRICT THREE CORRIDOR MANAGEMENT PLAN

I. Introduction

The purpose of a District Corridor Management Plan is to identify any transportation corridor, or segments of a corridor, which, due to development pressure, is in need of an increased level of management to preserve capacity and functional integrity. Once any corridor is identified, a plan for managing the access to the corridor is developed and implemented in cooperation with local transportation authorities. Cooperation with KDOT's local partners is critical. Municipalities, by statute, carry the authority to manage land use and so bring valuable powers to the partnership. Thus, the Secretary's authority to enter into written agreements with political subdivisions of the State, as outlined in K.S.A. 68-169, should be utilized in the establishment of protected corridors and the administration of District Plans to define and formalize the relationships of the partners.

II. Identification of Designated Corridors

A. US-183/183 Alternate, Ellis County

The designated corridor for the third district is a segment of US-183 highway in Ellis County through the city of Hays including US-183 Alternate in its entirety. The designated segment of US-183 (Vine Street) begins at the intersection of the rural secondary route known as Spring Hill Road to the south of Hays and proceeds north to terminate at the junction of the rural secondary route known as Fairground Road to the north of Hays.

The US-183/183 Alternate corridor in Ellis County is designated as a protected corridor in the District Three Plan primarily because of its critical role in the north-south movement of people and goods in the region and because of the pressures of development in the city of Hays. This corridor carries a "B" route classification and is the only route on the state highway system serving north-south trip movements in the region for approximately thirty miles in either

D - 3.1

direction and local trip movements around Hays, an urban area with more than 18,500 population. From a statewide perspective, US-183 extends from the Oklahoma state line in the south to the Nebraska state line in the north and is the only north-south corridor on the state highway system for the majority of the counties through which it passes. Further, US-183 is on the National Highway System.

The segment designated is particularly critical not only for interstate trip movement, but also for local trip movements and commercial and industrial development as well as other traffic flow characteristics such as traffic volume and safety records. The designated segment shows traffic counts ranging from 3660 south of the city to 10535 just south of I-70 on the 1997 count map. The highest volumes are served by a four-lane geometry, however, this four-lane geometry serves an intensely developed commercial zone with numerous signalized and unsignalized intersections. Without some retrofitting and a higher level of management, greater intensity of land use will jeopardize operational efficiency and will likely increase the magnitude of safety issues. The five-year accident history of this segment reveals a total of 568 accidents reported to the KDOT. This calculates out to an overall accident rate per million vehicle miles of 2.546, which exceeds the critical accident value of 1.494 for similar roadway types. Also, fatal accidents on this corridor may occur at a higher rate than the average for similar roadway types. Effective implementation of a District Corridor Management Plan, including some retrofitting, in cooperation with our local partners can help prevent any further degradation of safety and capacity and can help minimize the financial, environmental and social impacts of any future improvement. The city of Hays has recently investigated a portion of the city connecting link segment of this designated corridor looking for possible solutions to problems that they see occurring. Thus, KDOT has an interested partner with whom to work.

A corridor master plan has been entered into by and between the Secretary, Ellis county and the city of Hays on this corridor which is incorporated by reference and made a part of this plan. As such, this corridor is eligible for project funding under the Corridor Management Program.

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KDOT ROUTE CLASSIFICATION & NHS SYSTEM

