

SECTION 2: LAND USE / CCPP APPROACHES

State Transportation Investment Areas Livable Delaware

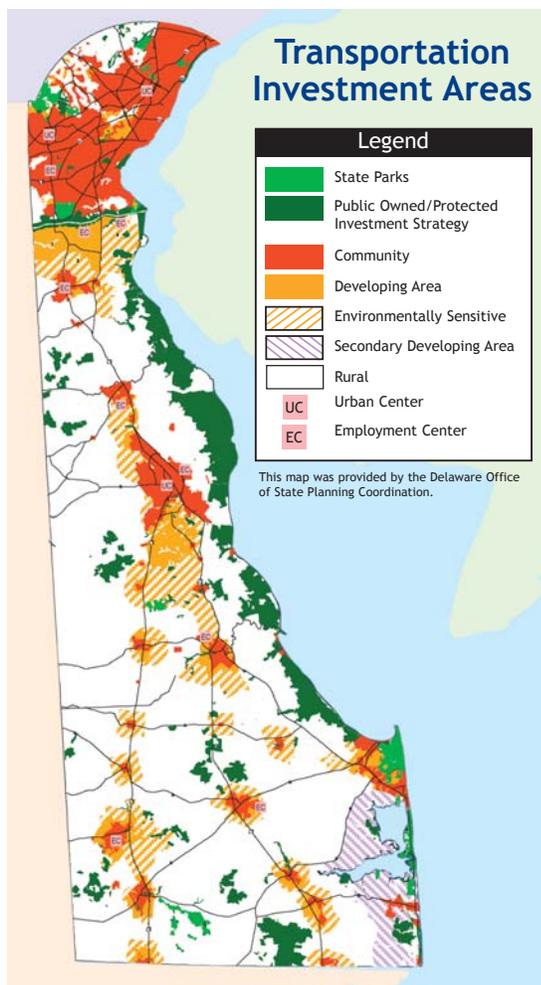
State Transportation Investment Areas

In 1999, the Governor's Cabinet Committee on State Planning Issues adopted the *Strategies for State Policies and Spending*. This document outlines strategies state agencies will use to coordinate state spending to revitalize existing cities and towns while protecting the environment.

It maps the state into land use categories:

- Communities / Developing Areas
- Secondary Developing Areas
- Rural Areas

The pages that follow will discuss the Corridor Capacity Preservation Program (CCPP) techniques DelDOT will apply to each category.



Livable Delaware

In 2000, the Corridor Capacity Preservation Program was revised to reflect the *Strategies for State Policies and Spending* Investment Areas. The program supports not only the State Investment Strategies, but also Livable Delaware, because it encourages and facilitates growth within the designated areas while discouraging growth outside of those non-designated growth areas.

This map guides state transportation investment decisions. It shows the transportation investment areas in the corridor preservation program as well as protected areas and urban and employment areas.

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CCPP Land Use / Transportation Investment Approaches:

Communities and Developing Areas

Techniques

- Alternative Access
- Entrance Consolidation
- Service Roads
- Local Road Improvements
- Intersection Improvements
- Interchanges

LAND USE / CCPP APPROACHES

Communities and Developing Areas Levels 1 and 2

LAND USE: Communities

POLICY: Encourage Redevelopment & Reinvestment

"In these areas where population is concentrated, commerce is bustling and a wide range of housing types already exists, state policies will encourage redevelopment and reinvestment."
— *Strategies for State Policies and Spending*, page 16

PRIORITIES: Community Areas will generally be the Department's highest priority area in terms of funding and implementing future projects, in order to focus investment and development toward existing communities.

LONG RANGE WORKING PLAN GROUPS: The Department will form working groups with the counties and towns to assist in the development of future local investment plans.



Example: Community / Developing Area

LAND USE: Developing Areas

POLICY: Accommodate Existing Development & Orderly Growth

"In these areas state investments and policies will be targeted to accommodate existing development and orderly growth."
— *Strategies for State Policies and Spending*, page 17

LONG RANGE WORKING PLAN GROUPS: The Department will form working groups with the counties and towns to assist in the development of future local investment plans.

LAND USE / CCPP APPROACHES

Communities and Developing Areas

CCPP APPROACHES: Access Management

Direct Access

For proposed developments, direct access to the corridor may be permitted if reasonable alternative access (either to an existing secondary road or through an adjacent property) is not available.

Direct Access May Be Permitted If: Alternative access is determined to be reasonable but degrades the operation or safety of an adjacent intersection (as determined by a traffic engineering study).

Direct Access May Be Temporary If: The Department constructs an improvement project along the corridor, such as a local access road, the property's direct access may be removed, and access would be provided via the access road.

Alternative Access

If a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In determining reasonableness, the Department will evaluate the impact of the alternative access on the functionality and the legal use of the property.



Example: Alternative Access

LAND USE / CCPP APPROACHES

Communities and Developing Areas

Access Control

Entrance Consolidation - Reduces the density of access onto a main roadway and creates greater spacing between access points.

Service Roads - Allows for visibility along the corridor and spreads out access to existing local roads and ramps.



Example: Service Roads

Cross Access Easements - A tool used to plan for future entrance consolidations. For new developments or a change in use that requires an entrance permit, a perpetual cross-access easement may be required as part of site plan approval. The easement will provide the opportunity to allow connections to adjacent properties and/or provide for the construction of a future access road or other improvements. Agriculture, landscaping, signs, and parking may be allowed as a temporary use within the easements and right of way reserved along the corridor. Any future removal or relocation of an item placed within the easements and right of way reservation will be the responsibility of the property owner. No structures may be built within these areas.

County/Municipal Set-Asides - Sufficient area must be set aside within the balance of the parcel to satisfy county or municipal requirements (parking, landscaping, signing, sidewalks, etc.) once an access road or other improvement is constructed within the reserved easement or right of way.

LAND USE / CCPP APPROACHES

Communities and Developing Areas

Access Improvements

The Department will concentrate its investment in Community Areas and Developing Areas by planning, designing, and constructing transportation improvement projects that maintain the capacity of the corridor. To maintain the free flow of traffic, in addition to building new roads or maintaining bridges and other infrastructure as necessary, projects may involve fairly large improvements such as elevating a roadway to eliminate cross-traffic from a busy, often accident-prone intersection. Other examples of Community / Developing Area type improvements are installing sound barriers, lighting, and additional lanes to an already limited access road.

Local Roads: If we are going to force development onto local roads, we have to improve them. Examples of improvements include acceleration lanes to allow merging into traffic, and reducing points of access from several to one access point.



Example: Local Road Improvements

Intersections: Improvements to intersections allow for a higher volume of traffic. Improvements include adding capacity to the intersection to collect traffic and accommodate turns to keep non-turning traffic from using the turn lane as a passing lane.

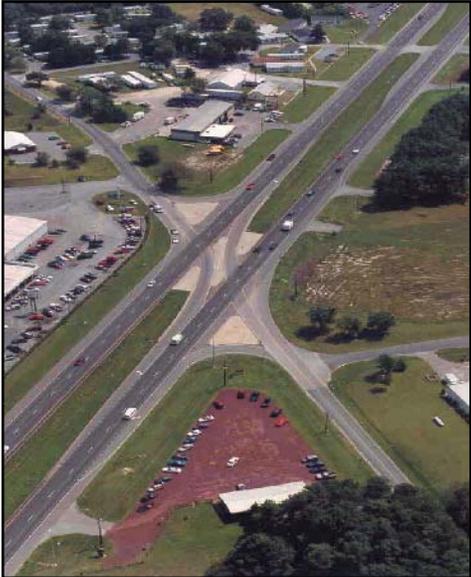
Interchanges: Interchanges are used on major roads to eliminate intersections and limit access by elevating sections of the roadway and adding ramps to access major and minor roadways. Often they replace former at-grade intersections controlled by traffic signals. Traffic merges into and exits off the roadway via a series of controlled ramps.

LAND USE / CCPP APPROACHES

Communities and Developing Areas



Example: Interchange



Example: Intersection Improvements



CCPP Land Use / Transportation Investment Approaches:

Secondary Developing Areas

- Alternative Access
- Low Traffic Generation Direct Access (<200 ADT)
- Entrance Consolidation
- Purchase Development Rights
- Developer-funded Connections

LAND USE / CCPP APPROACHES

Secondary Developing Areas Level 3

LAND USE: Secondary Developing Areas

POLICY - Orderly development and phased, limited investment.

"In Secondary Developing Areas, the State will promote efficient, orderly development and the coordinated phasing of infrastructure investment, consistent with the extent and timing of future growth, and within the limitations of state financial resources."

- Strategies for State Policies and Spending, 1999

PRIORITIES: The Department does not intend to focus its infrastructure investment in Secondary Developing Areas, in terms of funding projects such as access roads, local road connections, and significant road and intersection improvements. However, as indicated in the Strategies for State Policies and Spending document, the Department will fund projects "where state and local governments agree that such actions are necessary to address unforeseen circumstances involving public health, safety, or welfare" (SSPS, 1999).



Example: Secondary Developing Area

LAND USE / CCPP APPROACHES

Secondary Developing Areas

CCPP APPROACHES: Alternative Access

Direct Access

For proposed developments, direct access to the corridor may be permitted if reasonable alternative access (either to an existing secondary road or through an adjacent property) is not available.

Alternative Access

If a property has reasonable alternative access to a secondary road, no direct access to the corridor will be permitted. In determining reasonableness, the Department will evaluate the impact of the alternative access on the functionality and the legal use of the property.

Direct Access May Be Permitted If: Alternative access is determined to be reasonable but degrades the operation or safety of an adjacent intersection (as determined by a traffic engineering study), then direct access to the corridor may also be permitted by way of rights-in/rights-out access only.

Low Traffic Generation

Limiting trips is important in secondary and rural areas to keep secondary and rural roads from becoming a target for growth. Keeping the number of trips low keeps local roads from growing into main streets that would eventually require using more land and building more infrastructure, which would attract more growth, which would require using more land and building more infrastructure, etc.

Direct Access for Properties Generating Less Than 200 Trips Per Day

The Department will only issue entrance permits for direct access to the corridor for proposed land uses that generate 200 vehicular trips per day or less per parcel, as determined by the latest edition of the Institute of Transportation Engineer's Trip Generation Manual (ITE Manual). (Note: See Addendum for Current Chart)

Direct Access for Sub-divided Properties Generating Less Than 200 Total Trips Per Day

For properties proposed to be subdivided, the Department will only issue an entrance permit for direct access to the corridor if the total trip generation for the subdivided parcels equals or is less than 200 trips per day. For example, if a property is subdivided into three lots, the total trip generation for the three combined lots cannot exceed 200 trips per day.

LAND USE / CCPP APPROACHES

Secondary Developing Areas

Direct Access for Assembled Properties Generating Less Than 200 Total Trips Per Day

For properties that are proposed to be assembled together for future development, each parcel with exclusive frontage to the corridor will be permitted a trip generation of 200 trips per day. For example, three properties that are assembled together as one development will be permitted a use that generates a maximum of 600 trips per day provided that each individual parcel was large enough to support a land use that would conform with county or municipal requirements and generate at least 200 trips per day per the ITE Manual.

Compensation for Denial of Entrance Permit when Use Exceeds 200 Trips Per Day

The Department will compensate property owners for their compensable interest in the property through the purchase of development rights, for the denial of an entrance permit for proposed uses that exceed the 200 trip per day criteria. The compensation afforded the property owner is based on an independent real estate appraisal.

Entrance Consolidation

Single Entrance Access Roads May Be Required

The Department's philosophy is to connect adjacent properties to reduce access points. In support of this, developers may be required to construct access roads as part of their development to ultimately provide connections to adjacent properties.

All access locations will be considered temporary until such time that the access can be combined with the access to adjoining properties.

Cross-access Easements Required in Site Plan

Cross-access easements (which also permit construction of an access road by a developer) will be required as part of the site plan approval for all proposed developments.

Purchase Development Rights

If necessary, DeIDOT can purchase the development rights attached to a property without purchasing the property itself. For example, a farm owner could be paid to permanently restrict his property for agricultural use. The property would continue to generate a low level of traffic and the farm owner is able to preserve its current use.

Developer Funded Connections

Since DeIDOT is not investing in infrastructure in Secondary Areas, two or three private property owners may get together, or a developer may decide to build their own service road in order to gain access where DeIDOT had not planned to provide it.



CCPP Land Use / Transportation Investment Approaches:

Rural Areas

- Alternative Access
- No New/Expanded Access to Highway
- Entrance Consolidation
- Purchase Access/Development Rights
- Work with Department of Agriculture, Department of Natural Resources & Environmental Control (DNREC), and The Nature Conservancy to Partner Land Purchases

LAND USE / CCPP APPROACHES

Rural Areas Level 4

LAND USE: Rural Areas

POLICY - Preserve the rural economy and natural resources.

"State policies will encourage the preservation of a rural lifestyle and discourage new development."

- Strategies for State Policies and Spending, 1999

PRIORITIES: The Department does not intend to focus its infrastructure investment in Rural Areas, in terms of funding projects such as access roads, local road connections, and significant road and intersection improvements. As indicated in the Strategies for State Policies and Spending document, "transportation projects will include only necessary drainage, maintenance, and safety improvements, and programs to efficiently manage regional highway facilities." (SSPS, 1999). The Corridor Capacity Preservation Program's primary goal is to manage and preserve existing regional highways, which is in accordance with the State investment strategies.



Example: Rural Areas

LAND USE / CCPP APPROACHES

Rural Areas

Alternative Access

No new or expanded direct access

No new or expanded direct access to the corridor will be permitted in these areas. Access will be permitted to existing secondary roads. If alternative access is determined to be reasonable but degrades the operation or safety of an adjacent intersection (as determined by a traffic engineering study), then direct access to the corridor may also be permitted by way of rights-in/rights-out access only.

Only Exceptions

No expanded access will be permitted in these areas except as noted below:

Single residential driveway expansion: A single residential driveway can be expanded to serve no more than four additional residential lots. For example, a new minor subdivision may be permitted provided all access is internal to the subdivision and access to the corridor is limited to one existing residential driveway. No future subdivision utilizing this driveway will be permitted.

Existing commercial driveway expansion: Existing commercial driveways will be permitted to expand for a proposed use that generates less than 100 trips per day. For example, if expansion of an existing business or the addition of a new business is proposed to utilize an existing commercial driveway, the additional new trip generation may not exceed 100 trips per day.

Existing residential driveway (One acre or less): A residential driveway will be permitted to existing lots one (1) acre or less along U.S. Route 13 only. There are currently 28 parcels located in Kent and Sussex Counties on U.S. Route 13 that are 0.25 acres to 1.05 acres in total. These parcels were previously subdivided to be developed as residential lots. The proposed traffic from these parcels would be negligible. It would be advantageous to both the Department and the Program if we allow access to these parcels on an individual basis provided they are developed residentially rather than pursuing the development rights of each parcel.

No New/Expanded Access

Future Subdivisions

With regards to future subdivisions, our position will remain the same. We will oppose the subdivision through the County process. If a lot is created with sole access on U.S. Route 13, we will deny access and purchase the property rights. This approach may be expanded to U.S. Route 113 and Delaware Route 1 pending further analysis.

Compensation

If access to a property is not permitted, the Department will compensate the property owner for the loss of access. The compensation due to the loss of access is based on an independent real estate appraisal.