

Standards and Regulations For Subdivision Streets and State

Highway Access

Chapter 1: Introduction



Overview

- 1.2 Legal Authority
- 1.3 Access Application and Approval Process

Why do we need revised regulations?

- The purpose of DelDOT's Standards and Regulations for Subdivision Streets and State Highway Access is to set forth the requirements of the State of Delaware, Department of Transportation for access to State-maintained roadways and for the planning, design, construction, and acceptance for maintenance of subdivision streets.

Why do we need revised regulations?

- Legal Authority
 - Title 9 - Counties
 - Title 17 – Highways, Chapter 1, Section 131.
 - Title 17 – Highways, Chapter 1, Section 141.
 - Title 17 – Highways, Chapter 1, Section 146.
 - Title 17 – Highways, Chapter 5, Section 508.
 - Title 21 – Motor Vehicles, Section 41.
 - Title 29 – State Government, Chapter 61, Section 6103.

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Why do we need revised regulations?

- Standards and Regulations For Subdivision Streets and State Highway Access
 - Replaces Rules and Regulations For Subdivision Streets from 1984
 - Replaces Standards and Regulations For Access to State Highways from 1983
 - Minor revisions were done in 1984-87
 - Policy Implements have been used to enact new procedures and policies.

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Why do we need revised regulations?

- The reason to revise the manuals:
 - Reflect current engineering, best practices and thinking.
 - Consolidate several documents into one resource.
 - Incorporate current State & Federal regulations and requirements.

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How did we get here?

Technical & Stakeholders Committees

Comprised of the following members:

- SC Planning & Zoning
- NCC Dept. of Land Use
- KC Dept. of Planning Services
- League of Local Governments
- Transportation Management Association
- State Fire Marshal
- DelDOT
- DNREC
- Office of State Planning Coordination
- Delaware State Chamber of Commerce
- Consulting Engineers Council
- Home Builders Assoc.

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How did we get here?

- Land development applications (including subdivision, entrance, site plan, rezoning, and conditional use) submitted to and accepted for review by local government in accordance with required local procedures prior to and including March 31, 2008 will be subject to DelDOT's subdivision and entrance standards and regulations that were in effect prior to December 21, 2007.

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	Old	New
Review Fees	1. Initial Stage fee	1. Initial Stage fee
	2. Construction Stage fee	2. Construction Stage fee
		3. Area Wide Study (\$5/daily trip to be generated by the development in lieu of a TIS). Increase to \$10/daily trip in first Subdivision Manual revision.
		4. Traffic Impact Study Review Fee (\$5,000)*
		5. National Pollution Discharge Elimination System (NPDES) fees - \$195/plan. To be paid directly to DNREC by applicant in first Subdivision Manual revision.
		6. Inspection Fee (10% of the value of construction estimate)*

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* Subject to review and approval by the General Assembly
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	Old	New
Access Application and Approval Process	Does not include impact to other DelDOT programs.	Assess impact to other DelDOT programs shall be considered. These programs include, but are not limited to, the <i>Corridor Capacity Preservation Program</i> , the Capital Transportation Program, the Transportation Enhancement (TE) Program, the Highway Safety Improvement Program (HSIP) (now called HEP, Hazard Elimination Program), High Risk Rural Roads(HRRR), and the Pavement Rehabilitation Program.

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Purpose

(Section 1.1)

■ 1.1 Purpose

- The purpose of DelDOT's *Standards and Regulations for Subdivision Streets and State Highway Access* is to set forth the requirements of the State of Delaware, Department of Transportation for access to State-maintained roadways and for the planning, design, construction, and acceptance for maintenance of subdivision streets Entrances

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Purpose

(Section 1.1)

■ 1.1 Purpose

- These requirements apply to the following:
 - New subdivisions and land developments,
 - Changed or expanded subdivisions and land developments,
 - Any new access onto a State-maintained roadway,
 - Modifications to an existing access,
 - Assessment of the impacts of traffic, and
 - Offsite improvements

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Access Application and Approval Process

(Section 1.3)

- 1.3 Access Application and Approval Process
 - Procedures to be followed by developers and/or property owners in order to obtain approval of a commercial access or a State-maintained subdivision street.
 - This process is illustrated in Figure 1-2.

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Access Application and Approval Process

(Section 1.3)

- 1.3.1 Application
 - The application with supporting documents and plans shall be submitted to the Subdivision Engineer in Dover.

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Access Application and Approval Process

(Section 1.3)

- 1.3.1.1 Approval of Application
 - The approval of the application shall be subject to the following conditions:
 - The application shall be properly and clearly completed as determined by DelDOT.
 - The location, design, and construction of driveways and entrances shall meet the geometric requirements of DelDOT.
 - When access provisions cannot be provided in accordance with DelDOT's requirements, the access application may be denied.

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Access Application and Approval Process

(Section 1.3)

■ 1.3.2 Review Of The Plan

- The following documents shall be submitted to the Subdivision Engineer in Dover to start the review process for a commercial entrance or proposed subdivision:
 - Application for access to a State-maintained roadway.
 - Gatekeeping checklist
 - Design checklist.
 - Site plan.
 - Site Street Plan.
 - Preliminary entrance plan.
 - Initial stage fee

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Access Application and Approval Process

(Section 1.3)

■ 1.3.3 Approval Of The Plan

- Following DelDOT's approval of the construction plan, the applicant's engineer shall receive two copies of the approved plan from the Subdivision Engineer. The approved construction plan shall be valid for six months.
- One – six month extension may be requested by the applicant.
- After one year from approval date, new plan submittal and fees are required.

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Access Application and Approval Process

(Section 1.3)

■ 1.3.4 Construction

- The applicant shall submit construction documents for the work as outlined in Chapter 6. After review and approval of the security and the required construction documents, the Public Works Engineer shall issue the Notice to Proceed (NTP). No work shall be undertaken until DelDOT issues a NTP.
- For commercial sites, a Commercial Entrance Construction Permit will be issued in addition to NTP.
- Upon completion of the construction to the satisfaction of DelDOT, DelDOT shall release the security and issue an entrance permit or begin the acceptance procedure.

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Review Fees

(Section 1.4)

■ 1.4 Review Fees

- The following fees apply to the review of a typical land development proposal.
 - Traffic Impact Study Review:
 - A Fee of \$5000 is collected when an applicant requests confirmation of the Scope of Work for the study.
 - Initial Stage:
 - Fees are collected at the time of submission of the record plan
 - Minor residential subdivision: \$100.
 - Major residential subdivision: \$400 plus \$10 per lot.
 - Non-residential development: \$500 plus \$20 per lot or \$500 plus \$20 per 1,000 square feet of gross floor area, whichever is greater.
 - Mixed use development: calculated for each land use separately and added together

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Review Fees

(Section 1.4)

■ 1.4 Review Fees

- The following fees apply to the review of a typical land development proposal.
 - Construction Stage:
 - Fees are collected at the time of submission of the construction plans.
 - Minor residential subdivision: N/A.
 - Major residential subdivision: 125% of the Initial Stage Fee for a major residential subdivision as identified in Item 2.
 - Non-residential development: 150% of the Initial Stage
 - Non-Conforming Submissions:
 - Some plan submissions will not fit into the previously described categories.
 - Initial Stage Fee for these developments will be \$520
 - Construction Stage Fee for these developments will be \$780

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Q & A
