

# STATE OF COLORADO

DEPARTMENT OF TRANSPORTATION  
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**To:** Transportation Commission  
**From:** Herman Stockinger  
**Re:** Summary of Policy Directive for Repeal  
**Date:** March 6, 2013

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Executive Summary: The Department has undertaken an effort to evaluate existing policies and procedural directives and repeal those that have been determined as no longer necessary. As part of this initiative, the Department requests that the Transportation Commission repeal Policy Directive 701.0 Access Control Policy as it is no longer relevant or necessary.

1. Action Requested: Repeal of Policy Directive 701.0
2. Name of Policy Directive: 701.0 “Access Control Policy”
3. Documents Included in this Agenda Submission:
  - A. Memorandum “Summary of Policy Directive”
  - B. Proposed Resolution
  - C. Policy Directive for Repeal
4. Date of Policy Directive: November 18, 1977
5. Rationale for Repeal of Policy Directive: This Policy Directive served as the primary guideline for administration of the access permitting program on state highways prior to the adoption of the Highway Access Code in 1981. The Department has updated two sets of rules that involve access control (Rules Governing the Access Code, 2CCR 601-1 and Rules Governing the Access Category Assignment Schedule, 2CCR 601-1A) based on the enabling Statute, § 43-2-147(4), C.R.S. The rules, along with the Code, govern the access program at CDOT. This Policy contains no information of current value.

<b>COLORADO DEPARTMENT OF TRANSPORTATION</b>		<input checked="" type="checkbox"/> <b>POLICY DIRECTIVE</b> <input type="checkbox"/> <b>PROCEDURAL DIRECTIVE</b>	
Subject ACCESS CONTROL POLICY			Number 701.0
Effective 11/18/77	Supersedes	Originating office EXECUTIVE DIRECTOR	

**PURPOSE**

To establish policies guiding the utilization of access controls along roadways under the jurisdiction of the Colorado Department of Transportation (CDOT).

**AUTHORITY**

C.R.S.. 1973, 43-2-104, 43-4-102(1), 42-4-115, 42-4-502, 43-4-101, et seq., 43-1-105, and 43-4-107.

**APPLICABILITY**

The Access Control Policy shall apply to all Divisions and subdivisions of CDOT.

**DEFINITION**

"Control of Access" is the condition in which the right of owners or occupants of abutting land to access, light, air or view, in connection with the roadway, is fully or partially controlled by public authority. Access controls may be exercised by statute, through the application of police power controls, geometric highway design and eminent domain.

**POLICY**

It shall be the policy of CDOT to establish access controls for all roads under the jurisdiction of CDOT, and to promulgate policies and procedures for the proper exercise of those controls in order to preserve or improve highway capacity and expedite flow; to reduce traffic hazards and accident causes; to achieve the best possible balance of benefits among the roadside landowner, the highway user, and the community at large; to protect the public investment by preventing premature functional obsolescence; to improve the appearance of the highway and roadside areas; to improve air quality; to support local, regional and state land use policies, plans and programs; and to protect private investment by providing workable ground rules for owners of property adjacent to highways.

**DRIVEWAY AND ACCESS CONTROL CODE:**

In order to implement CDOT's access control goals and policies a Driveway and Access Control Code (required by C.R.S. 1973, 42-4-115), shall be developed by CDOT in cooperation with the other divisions of CDOT. The provisions and intent of this policy shall guide all Department actions taken in response to applications for access to roads under the jurisdiction of CDOT until such time as the Driveway and Access Control Code is adopted.

**The Driveway and Access Control Code Shall Establish Standards and Procedures for:**

- a. the development, implementation and revision of access control plans;
- b. the establishment of a functional access classification system to be used in the access control plans;
- c. the issuance of driveway permits; and
- d. minimum construction standards for driveways.

**Access Control Plans:**

Access control plans developed by CDOT in conjunction with appropriate local jurisdictions shall be developed pursuant to the standards and procedures contained in the Driveway and Access Control Code. Access control plans shall specify the functional access classification of the roadway, and to the extent feasible shall specify the location of intersections with and without signalization, constraints on future driveway locations, and other pertinent design criteria. Access control plans shall be based on, but not limited to, the following:

- a. existing land use and traffic conditions;
- b. adopted land use and transportation policies and plans;
- c. land use and traffic projections;
- d. the needs of the local community interest as well as the overall regional transportation requirements;
- e. the ability of specific access points to serve as many landowners as possible within the limits of capacity and safety;
- f. the ability to provide for effective progressive traffic signalization;
- g. pedestrian and bicycle movements; and
- h. drainage considerations.

Access control plans shall be prepared for all Major and Intermediate projects and for appropriate Minor projects, as determined by either the Chief Engineer or his designee, for the project length and extending a reasonable distance beyond the project to insure that access decisions on contiguous and connecting highways outside the project area are uniform and compatible with access control measures in the project area. As time and money permit, access control plans shall be prepared for all existing roads under the jurisdiction of CDOT. Arterials in urbanizing areas shall receive priority consideration. In addition, Planning and Management Regions, Metropolitan Planning Organizations, counties and cities in conjunction with CDOT shall be encouraged to prepare and adopt access control plans for existing roadways as an element of their transportation plans.

**Function Access Classification System:**

A set of functional access classifications applicable to all roads under the jurisdiction of CDOT shall be prepared for incorporation into the Driveway and Access Control Code and for use in access control plans. Each functional access classification shall be defined in terms of regional use of the roadway, the capacity of the roadway, minimum spacing of median openings, and conditions governing the issuance of driveway permits. In conjunction with the functional access classification, criteria for the use of traffic medial and marginal access control devices (i.e., median barriers, guardrail, curbs, etc.) and frontage roads shall be developed.

### **Land Use Regulations for Areas Surrounding Interchanges:**

Before the Transportation Commission authorizes the Department to proceed into final design of a proposed limited access state highway interchange, the Commission will determine whether adequate local land use regulations exist for the area surrounding the proposed interchange. The Transportation Commission may review local regulations for compatibility with the model regulations for interchange areas adopted by the Colorado Land Use Commission and may consider whether the local government has designated and adopted regulations under C.R.S. 1973, 24-65.1-101 et seq., for the interchange influence area (minimum radius of one (1) mile).

In determining the adequacy of local land use regulations for the area surrounding the proposed interchange, the Transportation Commission will use, but not be limited to, the following criteria:

- a. the adequacy of local regulations to encourage the smooth flow of motorized and non-motorized traffic;
- b. the adequacy of local regulations to foster the development of such areas in a manner calculated to preserve the smooth flow of traffic; and
- c. the adequacy of local regulations to preserve desirable existing community patterns.

### **Access Permits**

Access permits issued in response to applications for access to roads under the jurisdiction of CDOT shall describe minimum standards for the construction of the driveway and the conditions of legal use, including the land use of the specific development being served, maximum traffic volumes permitted, and whether access to the general street system is available by means other than the state highway. Standards and procedures for the issuance of access permits shall be developed as part of the Driveway and Access Control Code. Such standards and procedures shall include, but not be limited to:

- a. procedures providing for adequate coordination with appropriate local governments;
- b. standards and procedures for the issuance of access permits which are not entirely consistent with the Driveway and Access Control Code;
- c. standards and procedures for the relocation, reconstruction, or closure of an access point which develops into a traffic hazard, an access point which is no longer consistent with the intended function of the roadway, or an access point which no longer serves the land use for which the access permit was originally issued; and
- d. standards and procedures for determining when additional access points (more than one) to a given property are warranted.

### **Monitoring Development Adjacent to State Roads:**

CDOT shall carefully monitor the use and proposed use of lands adjacent to state highways and when necessary shall offer comments to the appropriate governmental agency(s) regarding land use changes affecting roads under the jurisdiction of CDOT. The Department may provide comments to local governments concerning land use changes which are not adjacent to highway facilities under the jurisdiction of CDOT when, in the opinion of the Department, such land use changes may significantly impact highways under the jurisdiction of CDOT.

### **Early Coordination with Local Governments and Developers:**

Meetings shall be held with local governmental jurisdictions, various land development and contractor associations, and chamber of commerce groups to inform them of the CDOT's access control policy and the requirements of the Driveway and Access Control Code. Presentations made by the Department's personnel shall emphasize the need for early coordination with CDOT during property selection and the site planning process to ensure that the land parcel can be provided with adequate access to meet public and private objectives. A pamphlet discussing the need for early consultation with CDOT concerning access related matters would be developed and extensively distributed.

Signature on File

Jack Kinstlinger, Executive Director

Signature on File

Secretary, Highway Commission

REPEAL

**Resolution # TC-**

**Repeal Policy Directive No. 701.0 “Access Control Policy”**

**WHEREAS**, § 43-1-106 (8)(a) C.R.S. (2011) gives authority to the Transportation Commission of Colorado (“Commission”) to formulate the general policy with respect to the management, construction, and maintenance of public highways and other transportation systems in the state; and

**WHEREAS**, Policy Directive 701.0 was adopted by the Transportation Commission on November 18, 1977; and

**WHEREAS**, Policy Directive 701.0 "Access Control Policy" may be repealed as no longer containing relevant information, as the Highway Access Code, found at 43-2-147(4), C.R.S. and two sets of CDOT rules govern the Access Program; and

**WHEREAS**, eliminating this Policy Directive is part of CDOT's project to reduce the number of Policies and Procedural Directives and repeal any that are no longer necessary.

**NOW THEREFORE BE IT RESOLVED**, the Commission herein repeals Policy Directive 701.0, “Access Control Policy” dated November 18, 1977.