

8.0 NEXT STEPS

According to the *State Highway Access Code*, CDOT is required to provide reasonable highway access to individual properties, when no reasonable alternative access to the general street system exists, and has the ability to modify existing accesses for safety and operational reasons. In addition, recommendations may include the restriction of access to something less than existing conditions. Changes in access are covered in Section 2.6 (“Changes in Land Use and Access Use”), Paragraph 7 (page 25), in the *State Highway Access Code*:

The Department or issuing authority may, when necessary for the improved safety and operation of the roadway, rebuild, modify, remove, or relocate any access, or redesign the highway including any auxiliary lane and allowable turning movement. The permittee and or current property owner will be notified of the change. Changes in roadway median design that may affect turning movements normally will not require a license modification hearing as an access permit confers no private rights to the permittee regarding the control of highway design or traffic operation even when that design affects access turning movements.

The study corridor is in need of access control from an operational standpoint, as well as based on the standards set forth in the *State Highway Access Code*. According to the code (Section 2.12, “Access Control Plans”, Paragraph 2, Page 30):

The access control plan shall indicate existing and future access locations and all access related roadway access design elements, including traffic signals, that are to be modified and reconstructed, relocated, removed, added, or remain.

The outcome of this study is the SH 392 ACP, which identifies the number, location, and type of access points that will be allowed on SH 392 with the study limits. However, future changes to the plan are allowed based upon the guidelines of the Code according to Section 2.12, “Access Control Plans”, Paragraph 3, Page 30:

The plan must receive the approval of both the Department and the appropriate local authority to become effective. This approval shall be in the form of a formal written agreement signed by the local authority and the Chief Engineer of the Department. After an access control plan is in effect, modifications to the plan must receive the approval of the local authority and the Department. Where an access control plan is in effect, all action taken in regard to access shall be in conformance with the plan and current Code design standards unless both the Department and the local authority approve a geometric design waiver under the waiver subsection of the Code.

This document describes the process of developing an ACP for SH 392. There are several important steps that need to occur in the short term and long range to ensure the corridor realizes the maximum benefit of the recommended ACP. These next steps start with the approval process.

8.1 APPROVAL PROCESS

Before the corridor can begin to benefit from the recommendations of the ACP, a few important events must occur.

1. Inter-governmental Agreement (IGA) – All parties must develop and agree to an IGA. (See Appendix D for a copy of the draft IGA)
2. Plan Approval – The ACP must be approved by each entity. This includes the County Commissioners, Town Council, Mayor, and Legal Counsel.
3. Plan briefing to the State Transportation Commission.
4. Plan Adoption - All parties must sign the IGA and put the plan into law.
5. Approval by the Chief Engineer of the Department of Transportation.

Once the ACP is officially adopted by CDOT, the Counties, Towns, and the Cities, the adopted ACP becomes the basis for future decisions on site access. The current SH 392 ACP, as identified in this document, does not have any implementation timing or schedule.

8.2 PLAN IMPLEMENTATION

As for the long term, CDOT, the Counties, the Towns, and the Cities should work together to identify opportunities to implement portions of the final ACP. Implementation of the full plan at a single time is unlikely to be feasible, but highway improvement projects or development along the corridor may provide the agencies with a means through which the plan can be implemented. The improvements recommended in the ACP will be implemented when one of the following actions occur:

1. **SH 392 Highway Improvement Project** – This would be a publicly funded project by any combination of CDOT, County, Town, or City. A future public project would include the access changes described in the ACP. There is currently no project planned for this portion of SH 392. This means there is not a project on the Long Range Transportation Plan, the Fiscally Constrained Plan, or the currently funded Statewide Transportation Improvement Plan (STIP). At the current time it is unlikely that a project will occur soon. Highway projects take many years to identify, fund, and construct. Under this scenario, it would be government's responsibility to make the access changes.
2. **Private Property Redevelopment** – The proposed access changes would occur if any property along SH 392 was redeveloped or if a driveway experienced a traffic volume increase of 20 percent or more (per the *State Highway Access Code*). Under this scenario, it would be the property owner's or the developer's responsibility to make the access changes.