

**Technical Report #3**

# **Indiana Statewide Access Management Study**

**Review of INDOT Driveway Permit Process  
and Local Coordination**

## **DRAFT**

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Long-Range Transportation Planning Division

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## **1.0 EXECUTIVE SUMMARY**

(Will be prepared in conjunction with a final draft report incorporating INDOT comments.)

## 2.0 INTRODUCTION

### 2.1 *Study Description*

The overall objective of this study is to assist INDOT in the development and implementation of an access control strategy that will support the refinement of the INDOT Long-Range Transportation Plan in terms of implementing the Statewide Mobility Corridor Concept. The work activities involve a review of the Indiana access management process to identify its limitations as well as opportunities for its refinement. The following highlights some of the key project issues that are addressed in the scope of work:

- Crafting a pragmatic approach that fits Indiana's conditions.
- Reflecting the diversity of transportation conditions in Indiana.
- Addressing Indiana's institutional and policy environment.
- Explaining the benefits of access management enhancements.
- Drawing creatively from lessons learned in other states.
- Assessing what can be accomplished within the existing framework.
- Establishing agreement on recommendations and implementation approach.
- Improving stakeholder understanding about access management.

### 2.2 *Scope of this Report*

The purpose of this report was to evaluate INDOT's existing access control policies as they pertain to site development, driveway location, and the state/local review process with respect to access along State highways. This evaluation is being done to assist in the development of a systematic, statewide approach to access management in Indiana. As urban and suburban land use densities increase, and as traffic volumes and trip generation increases, the influence of the frequency, location, and design of driveways and intersections has become a critical factor in the performance and safety of the State highway system. Vehicular turning movements into and out of driveways have been clearly identified as a significant contributor to high accident rates and congestion.

Although INDOT's *Driveway Permit Manual* (Reference 1) does provide some guidance with respect to the location, spacing, and design characteristics of access driveways, access management in Indiana has largely been implemented on a decentralized basis through the six INDOT district offices. Moreover, while the review and approval of applications for driveway access to abutting State roadways is primarily the responsibility of INDOT, site plan review and approval are the responsibility of local governmental agencies. Although in some cases the permit review and site plan review processes are well coordinated between INDOT and the local jurisdiction, the more frequent lack of coordination jeopardizes the ability of both agencies to manage access properly, which can have detrimental effects on the operations and safety of the highway system.

Sometimes problems begin with the agency that is responsible for local land use planning, zoning, and site plan review. Site plans are often approved without the County or municipality requesting an

independent review by INDOT. As a result, the number and spacing of driveways, and the placement of buildings and parking areas, essentially become fixed, leaving INDOT with little or no opportunity for recourse.

Due to limitations in its access management process, INDOT is hindered in its attempts to manage access to the State highway system. It is not uncommon for developers and property owners to use the lack of inter-agency coordination to their advantage, pressuring one agency to take action only after approvals have been issued by the other agency. In addition, the existing INDOT driveway permit process is sometimes perceived as burdensome by developers who, as a result, simply seek alternative site-access via nearby local roadways that intersect with the State highway. Although the INDOT driveway permit process can be avoided by the developer in these cases (because no direct access to a State highway is proposed), much of the traffic associated with the development continues to use the State highway, and INDOT is limited in its ability to require mitigating measures to compensate for the additional traffic.

The conflict between vehicle movement and land access will increase as development continues in both urban and rural areas. The challenge is how best to coordinate vehicular access with land development in a way that encourages economic activity while simultaneously preserving mobility and providing adequate property access. The principles of access management address these competing needs. For informational purposes, Table 1 provides an overview of key access management guidelines and the reasons for their importance.

A systematic approach to access management is needed in Indiana—one that provides a sound legal basis for access control decisions. This approach must be tailored to Indiana's particular needs, including its broad range of road types, development patterns, geography, and political jurisdictions. This need underlies this study.

As part of the Indiana Statewide Access Management Study, the consultant team has conducted a comprehensive assessment of current access management practices by the Indiana Department of Transportation (INDOT). This assessment examined both the existing INDOT driveway permit process, as well as its relationship to local land development approval processes. Conclusions and recommendations will be developed at a later date, as part of this study, based on the following items described herein:

- Our review of relevant practices, policies, and procedures in Indiana associated with INDOT's driveway permit process and coordination with local agencies;
- Findings from a series of interviews with INDOT district office staff and local government officials; and
- Findings from a questionnaire issued to both INDOT staff and local officials regarding current access management practices in Indiana. This questionnaire was also distributed to members of the Study Advisory Committee, the Indiana Planning Association (IPA), the Association of Indiana Counties (AIC), the Indiana Association of Cities and Towns (IACT), and the Indiana Association of County Highway Engineers and Supervisors (IACHES) in order to gain perspectives from the engineering and planning community throughout the State.

**Table 1 – Access Management Guidelines**

Access Management Guideline	What It Means...	Why It Is Important...
<b>Classification System</b>		
Access management roadway classification system	Access management guidelines should vary by the functional roadway type; the system classification should be mapped.	Allows access management guidelines to properly fit the functional role of the highway, street, or road—the higher the function, the less direct access is allowed.
<b>Interchanges and Intersections</b>		
Distance between interchanges on interstates and other freeways	The minimum distance allowed between two interchanges.	Avoids intense weaving situations that create congestion and increase accident rates.
Clearance of functional areas of interchanges	The minimum distance between an at-grade intersection or driveway and an interchange.	Preserves safety and traffic flow at and near interchanges.
Freeway/expressway transition	The minimum transition distance between freeway interchange and at-grade intersection on a principal arterial that changes from a freeway to an expressway.	Helps drivers make a safe transition when a roadway changes in terms of its access management features.
Distance between major at-grade intersections.	The minimum distance or spacing between types of roadways (e.g., between two major arterials).	Preserves traffic flow and ensures that a functional hierarchy of roads is maintained.
Distance between traffic signals.	The minimum and desirable spacing between signals.	Ensures efficient traffic flow on signalized arterials. Too many signals placed too close together will disrupt traffic flow.
<b>Driveways</b>		
Driveway spacing and density	The amount of distance between driveways and the number of driveways per unit of frontage. These guidelines should vary with the roadway classification, the expected land use, and the speed limit for the road.	Short spacing between driveways and high driveway densities generate conflict points that in turn lead to higher crash rates and more traffic congestion.
Corner clearance and clearance of the functional areas of intersections.	The minimum distance allowed between an intersection and the first driveway.	Insufficient corner clearance is a major cause of access-related crashes.
Sight distance standards	The sight distance conditions under which a driveway should not be allowed.	A driveway opening where there is insufficient sight distance is inherently dangerous.
Driveway geometric guidelines	The width, turning radius, throat length, approach angle, grade, and surfacing requirements for driveways. These can vary by the expected land use served by the driveway and the roadway classification.	Insufficient driveway geometrics lead to slow driveway entrance and exit speeds. This leads to conflicts between turning and through traffic. Driveway geometric design can help or hinder pedestrians and bicyclists.
<b>Other Access Features</b>		
Median opening	Where openings in medians will and will not be allowed.	Too many median openings or closely spaced median openings detract from the proper functioning of a median.
Guideline on using two-way left-turn lane (TWLTL)	When TWLTLs should be used and when raised medians should be used instead.	TWLTLs are far less controversial than raised medians; however, TWLTLs do not function well once a certain traffic volume range has been reached.
Auxiliary lanes (dedicated left- and right-turning lane guidelines)	The traffic conditions under which turning lanes should be provided to serve a commercial or industrial driveway.	Some high volume driveways should have dedicated left- or right-turn lanes to reduce conflicts with through traffic. This is particularly true on high-speed routes.
Frontage and backage road spacing	How far away frontage and backage roads should be placed from the mainline.	Frontage and backage roads that are placed too close to mainlines may create more conflicts than they solve.
Guideline for using three-lane TWLTL cross-section	A three-lane road may perform better than a four-lane undivided roadway under the right circumstances.	Three-lane roads are a relatively new concept that may be an economical solution to some access problems.

Source: Access Management Guidelines, Missouri Department of Transportation – May 1, 2005

This report summarizes the following:

- The current INDOT driveway permit process, including existing practices, policies, and procedures;
- The role of local jurisdictions with respect to access management in Indiana, as well as the level of coordination between INDOT and local jurisdictions; and
- Perceptions and opinions of key study participants (including both INDOT staff and local representatives) concerning the items described above.



### 3.0 INDOT DRIVEWAY PERMIT PROCESS

Indiana State law requires the public to obtain permission from the governmental unit having jurisdiction over a street or highway to construct inside of the right-of-way (ROW) line. INDOT has jurisdiction over the State highway system and has established a driveway permit process to be followed by all applicants. This section summarizes that process.

#### 3.1 *Legal Authority for Access Permitting*

The administrative requirements associated with the driveway access permit application process for all State highways are governed by the promulgated rules of Title 105, Article 7 of the Indiana Administrative Code (IAC): *Permits for Highways* (Reference 2).

#### 3.2 *Permit Application Forms and Required Documentation*

Any business or private party wishing to construct an access driveway onto the State highway right-of-way is required to apply for, and obtain, a permit from INDOT prior to beginning any construction. A permit is also required for any proposed relocation or alteration of an access, approach, or cross-over and is governed by the same regulations and standards as for a new access driveway.

The appropriate INDOT application form, entitled “Driveway Permit” [Form 1945(RS/3-00)], is used for all routine requests by individuals and corporations for residential and commercial driveways along State highways. The form can be obtained on-line via the INDOT website (<http://www.in.gov/dot/div/permits/forms/1945.pdf>) or from the appropriate INDOT district offices. (The application form is shown—along with the associated general and special provisions—in Appendix “A”.) The permit application must be accompanied by drawings, plans, and other documentation sufficient to describe in detail the specific access proposal to INDOT review staff. Drainage and sub-grade design is also an integral part of the driveway design and, therefore, must be addressed as part of the driveway permit application.

Key items to be provided by the applicant on (or attached to) the driveway permit form include the following:

- 1) Type of permit (described below);
- 2) Specific driveway location, including INDOT district, sub-district, and reference point number;
- 3) Legal description of the parcel;
- 4) 20-year Certified Title Search or Title Insurance (for commercial driveway permits only);
- 5) Present and proposed use of the parcel(s);
- 6) Bond amount and number (if a bond is required);
- 7) Name, contact information, and signature of applicant; and
- 8) Application fee payable to INDOT.

##### 3.2.1 *Types of Driveway Permits*

All *driveway permits* fall into one of the following four (4) types, one of which must be specified on the permit application form:

- 1) *Major Commercial Driveway* – Serves a private property used for commercial purposes, or a public property, that generates enough traffic to require auxiliary lanes. The driveway can be located in an urban or rural area.

- 2) *Minor Commercial Driveway* -- Serves a private property used for commercial purposes, or a public property, that does not generate enough traffic to require auxiliary lanes. The driveway can be located in an urban or rural area.
- 3) *Sub-Minor Commercial Driveway* – Serves a private property used for commercial purposes that does not generate more than 25 vehicles per day. The driveway can be located in an urban or rural area.
- 4) *Private Driveway* – Serves a private residence, barn, or private garage in improved or unimproved condition in an urban or rural area. The driveway is used by the owner or occupant of the premises, guests, and necessary service vehicles.

### 3.2.2 *Types of Driveways*

In addition, all *driveways* fall into one of the following seven (7) classes, one of which must be specified on the permit application form:

*Class I* – Private residential approach, urban area

*Class II* – Private residential approach, rural area

*Class III* – Commercial approach, urban area

*Class IV* – Commercial approach, rural area

*Class V* – Field approach (i.e. serving vacant lot, field, or unimproved property), urban and rural areas

*Classes VI and VII* – Heavy industrial/truck stop approaches, urban and rural areas.

In addition to the driveway permit form, the following supplemental information may be required of the applicant depending on site-specific circumstances:

- 1) *Additional Disclosure Form* – A document used for the purposes of identifying and notifying other parties (persons, organizations, companies, agencies, etc.) that are, or will be, served by the subject driveway approach. A separate, notarized disclosure form is required for each party.
- 2) *Permit Bond* – Should the applicant/permittee fail to perform properly, this notarized document is used to guarantee that the work performed on the right-of-way by the applicant/permittee will be completed as required in the conditions and provisions of the permit.
- 3) *Traffic Impact Analysis (TIA)* – A technical study, prepared by a registered professional engineer, may be required to evaluate the impact of present and future traffic generated by the proposed development. The TIA should be prepared in accordance with the *Applicant's Guide to Traffic Impact Studies* (Reference 3), an INDOT publication.
- 4) *Agreement to Execute an Access Control Document* – In consideration for INDOT granting a driveway permit, the applicant may be required to sign an agreement to execute an access control document conveying the access rights for the balance of property frontage owned by the applicant. This agreement allows INDOT to issue a permit to begin driveway construction before the actual deed relinquishing the remaining access rights is prepared and recorded on the property. This document is required for most developments with over 400 feet of frontage along a State controlled highway.

### 3.3 Rules and Guidelines

INDOT encourages applicants to use its *Driveway Permit Manual*, which explains the State highway access permit rules and procedures to be followed when applying for a permit, and also outlines design guidelines associated with locating and constructing the access driveway on the State right-of-way. The guidelines outlined in the *Manual* are also used by INDOT in reviewing the access permit application. The most recent (1996) version of this document can be found on-line via the INDOT website:

<http://www.in.gov/dot/business/permits/pdf/driveway.pdf>

Figure 1 shows the table of contents from the INDOT *Driveway Permit Manual*. The manual contains a variety of design criteria for access driveways on State highways such as:

- Number and location of driveways;
- Driveway separation and clearance distances;
- Required sight distance;
- Specific driveway design features (number of lanes, driveway width, return radii, etc.);
- Drainage and curb design; and
- Channelization features.

In addition, Section 32 of the *Driveway Permit Manual* includes general guidelines for when a Traffic Impact Study (TIA) is required of an applicant, based on the size of the proposed land uses. If a TIA is determined to be necessary, the *Applicant's Guide to Traffic Impact Studies* (Reference 3) establishes the methodology for, and scope of, the required traffic study.

It should be noted that the regulations contained in INDOT's *Driveway Permit Manual* have been developed with consideration for access management principles. The *Manual* recognizes the need to manage access by specifying the responsibility of INDOT:

*...to regulate and control the location, design, and operation of access driveways and to reconcile, to the extent feasible, the needs and rights of both (land owners and road users).*

and that

*...driveway design in accordance with these parameters should assure a reasonably good level of service to the driveway users and at the same time minimize the interference to highway traffic.*

Many sections within the *Driveway Permit Manual* include specific provisions to enhance access management along State highways, including the following (sections not listed below do not contain specific access management-related provisions):

#### Section 5: Number of Driveways

- With respect to the allowable number of driveways along a given segment of roadway: "Regulating the maximum number of driveways per property frontage limits the number of conflict areas and provides turning drivers more time and distance to execute their maneuvers. Number of driveways should be a minimum to adequately serve the needs of the abutting property."

Figure 1 - Driveway Permit Manual

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Figure 1 - Driveway Permit Manual

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- Vehicular access to commercial developments located on corner-lots adjacent to intersecting collector and arterial streets are restricted to a single driveway on the collector street only.
- Driveways are limited to one (1) per property unless the property's frontage exceeds 400 feet.
- Frontage roads parallel to the highway are encouraged to consolidate access to/from multiple properties, and frontage road connections are allowed along the highway at minimum intervals of 500 feet.

#### Section 6: Joint Driveways

- Joint (or shared) driveways between two or more property owners are allowed.

#### Section 7: Location of Driveways

- The *Manual* states that all driveways should be located outside the functional area of nearby intersections, including the longitudinal limits of auxiliary lanes.
- If driveways on opposite sides of the highway cannot be constructed directly opposite one another, a minimum separation distance of 300 feet should be used for the offset.
- At locations where traffic signal warrants may be satisfied, a driveway should be aligned opposite a three-leg intersection.

#### Section 8: Separation Distance

- Minimum driveway spacing standards are set forth, based exclusively on highway speed. The allowable minimum spacing ranges from a 185-foot driveway spacing at 30 mph, to a 435-foot spacing at 55 mph. The *Manual* states that: "The distance between driveways must allow driveway vehicles to safely accelerate, decelerate, and cross traffic streams without excessive interference with thru traffic or traffic using adjacent roadways."

#### Section 10: Corner Clearance

- As stated in the *Manual*: "At signalized intersections, the minimum corner clearance should be equal to the average queue length. This will prevent blockage of driveways upstream of the intersection due to standing queue lengths. At unsignalized intersections, corner clearance distances need only be sufficient to ensure adequate and unrestricted turning movements by driveway traffic."

#### Section 14: Corner Radii

- Corner radii are recommended based on right-turning speeds for various vehicle types. The *Manual* recognizes that increasing the radii "provides for smoother right turns" and "reduces the negative effect right turns have on the capacity of through traffic."

#### Sections 15 and 18: Right-Turn Lanes On 2-Lane and 4-Lane Highways

- For each highway cross-section (2-lane or 4-lane), conditions are set forth for evaluating the need for an exclusive right-turn lane, based on operations and safety considerations. Charts based on the total hourly directional volume on the approach and the hourly volume of right-turns are supplied to provide guidance for both cross-sections. This can reduce impedance to through traffic on the highway.

Section 16: Left-Turn Lanes On 2-Lane Highways

- Similar to Section 15, conditions are set forth for evaluating the need for an exclusive left-turn lane on a 2-lane highway, based on operations and safety considerations. Charts based on the total hourly advancing volume on the subject approach and the total hourly opposing volume are supplied to provide guidance. This can reduce impedance to through traffic on the highway.

Section 18: Left-Turn Lanes On 4-Lane Highways

- Similar to Section 16, conditions are set forth for implementation of an exclusive left-turn lane on a 4-lane highway, based on operations and safety considerations. This can reduce impedance to through traffic on the highway.

Section 22: Intersection Angle

- The angle of intersection between the centerline of a State highway and the centerline of a proposed driveway is specified to range between 70 and 110 degrees. Although not stated specifically, this provision improves highway safety and operations by requiring the conventional geometric configuration of access driveways along the State highway.

Section 26: Channelizing Islands

- The *Manual* sets forth provisions for the implementation of raised channelization islands at major driveway locations (such as those serving shopping centers) “to prevent cross traffic movement of internal traffic within 100 feet from the highway edge of pavement” and “to prohibit specific movements, to regulate traffic and indicate proper use of the intersection, to separate conflicts, to favor predominant turning movements, and to protect pedestrians.”

Section 27: Median Crossovers

- Four criteria are set forth in the *Manual* for the implementation of median crossovers serving high-volume traffic generators such as shopping centers, industrial parks, and residential developments.

Section 28: Mailbox Turnouts and Section 29: Utility Pull-Offs

- Under Sections 28 and 29, design provisions are set forth in the *Manual* for providing space along the shoulder of a State highway to allow for vehicles to park temporarily while accessing mailboxes and conducting utility work. This can reduce impedance to through traffic on the highway.

Section 32: Traffic Impact Analysis

- This Section provides a table identifying threshold values for when a Traffic Impact Analysis is required. The threshold values vary based on the category of land use proposed (i.e. residential, retail, office, industrial, etc.).

The policies and procedures set forth in the *Driveway Permit Manual* are supported by the promulgated rules in the Indiana Administrative Code (Title 105, Article 7: Permits for Highways). However, because the *Driveway Permit Manual* is administered by six district offices, and because it sets forth guidelines (i.e. not standards), its actual application sometimes varies throughout the State, depending on specific circumstances.

### 3.4 Processing and Issuance of Permits

Construction of a new driveway or reconstruction of an existing driveway connecting to a State highway is allowed only after an access permit has been issued by INDOT. INDOT's review process is dependent upon the type of permit requested and the nature of the permit request. More complicated applications usually take longer to review and process, and may involve the Central office in Indianapolis.

As shown in Figure 2, INDOT has six (6) district offices throughout the State, each with numerous sub-districts. The sub-district offices are responsible for accepting and reviewing the access permit application form and other supporting documentation included in the submittal package prepared by the applicant. Submittal packages deemed complete by the sub-district office are forwarded to the respective district office where they are reviewed for compliance with current INDOT guidelines and specifications (including the *Roadway Design Manual* and the *Driveway Permit Manual*).

If the permit application and supporting materials are determined to be in accordance with all established requirements and regulations—and the applicant is not seeking access within a limited access right-of-way corridor—an access permit is granted by the district office subject to appropriate conditions and provisions. However, if the applicant is seeking access within a limited access corridor, the district office either: 1) denies the permit, or 2) forwards it to the Central office in Indianapolis with associated recommendations. Approvals for any break in the limited access right-of-way can only be granted by the Chief Engineer in the Central office. For development projects that are not within a limited access right-of-way corridor, but require an access control document to prohibit out-lot access to the State highway system, the district office coordinates preparation of the appropriate documentation that is then recorded on the subject property.

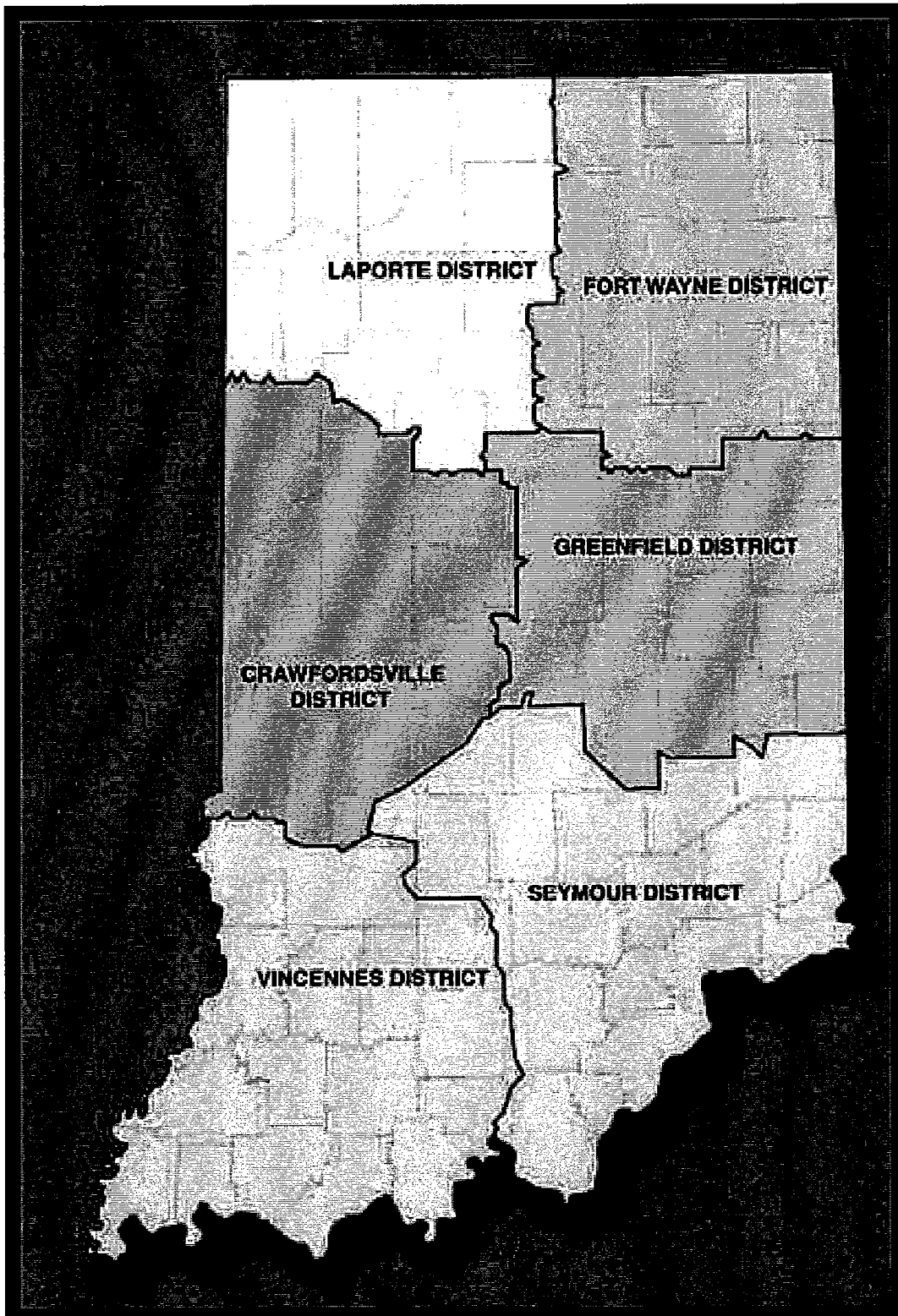
In practice, INDOT staff typically does not deny applications outright. Rather, staff typically works with the developer or property owner to help ensure that key site and access design issues are resolved.

### 3.5 Access Permit Enforcement

Permit enforcement, while typically the responsibility of the sub-district and district offices, may also require the involvement of the State Attorney General's office. All construction work by the applicant within State right-of-way must proceed in accordance with the conditions and provisions specified in the issued access permit. INDOT may halt any activity if the permit conditions and provisions are not satisfied (or if an individual fails to obtain the appropriate permit). In instances where a driveway is constructed illegally or without a permit, INDOT will request an application be filed and a permit issued retroactively if the driveway is acceptably designed and located. If not, differences are typically resolved before legal activity commences. In rare instances, when there is no cooperation from the property owner, INDOT files for court orders through the Attorney General's Office. The Attorney General's Office determines which cases to take to court and the best means of addressing violations. Any costs incurred by INDOT in correcting a failure to comply with the terms and conditions of a permit, or a failure to obtain a permit, are borne by the property owner.



Figure 2 – INDOT District Map



Source: INDOT website, <http://www.in.gov/dot/div/traffic/districts/>

## 4.0 ROLES AND RESPONSIBILITIES OF LOCAL OFFICIALS

### 4.1 Overview

This section addresses the role of local jurisdictions and their relationship to INDOT in access management. Roadway access management is a prerogative of local government that varies in the level of exercise from no access control requirements to access management standards that may, on occasion, be more restrictive than INDOT. Under general enabling legislation for municipalities (IC 36-9-2 and 36-9-6), counties (IC 8-17-1 and 8-20) and all levels of government (IC 9-21), local governments may require permits for private access to public roadways. A secondary means of access management by local jurisdictions is through land use controls (zoning per IC 36-7-4-600 series, subdivisions per IC 36-7-4-700 series and site plan review per IC 36-7-4-1400 series) where requested permission to expand a land use right may trigger a review of roadway access to the subject property. The relationships between State and local jurisdictions regarding access management are generally informal and vary widely throughout Indiana.

Changes in the location and intensity of land use are the most significant variables influencing the location and spacing of property access to State and locally-maintained public roadways. The importance of local jurisdictions in access management is underpinned by the fact that only local jurisdictions may voluntarily control land use. (The State of Indiana does not mandate land use controls, but merely enables local jurisdictions to adopt land use controls if a local jurisdiction so chooses.) Like most states in the Great Lakes region and nation, the State of Indiana provides legislation (IC 36-7-4) that enables local jurisdictions (counties, townships and municipalities) to exercise land use controls, if they so choose. Thus, land use controls are voluntary and not mandatory in the State of Indiana. As of May of 2002, some degree of land use control was being implemented in 77 counties and 117 municipalities (over 2,500 persons in 1998).<sup>1</sup> The fifteen counties without planning or zoning (Clay, Crawford, Daviess, Dubois, Fountain, Gibson, Greene, Lawrence, Martin, Montgomery, Orange, Owen, Pulaski, Sullivan and Washington) are concentrated in southwest Indiana. Since 2002, two more counties (Dubois County and Washington County) have begun to implement some land use controls.

### 4.2 General Access Management Issues

Scope of Local Land Use Controls – Although a significant number of local jurisdictions exercise local land use controls, the level of land use control varies widely throughout those jurisdictions because the State enabling legislation permits numerous local planning commission structures, sets very general standards for land use controls, and establishes no mandatory update requirement for the comprehensive plan underpinning the land use controls or the land use controls themselves.

Local Staff Resources – The amount and training of local planning and engineering staff varies significantly throughout the state. Metropolitan areas are likely to have multiple planning and engineering staff members with professional degrees in planning and engineering. Municipalities under 50,000 persons usually retain professional engineers (often through a private consulting firm), but have very limited engineering and planning staffs. Slightly over fifty-percent (50%) of the Indiana counties have professional county engineers. Most rural counties do not have a county engineer, and may have a single person acting as the planning and zoning administrator. Thus, opportunities exist for informal coordination in those jurisdictions with resources, but are more difficult in those without resources. This also means that local jurisdictions with limited resources are less likely to be familiar with the INDOT driveway permit process or knowledgeable about roadway adequacy and access management.

<sup>1</sup> *Indiana Planning and Zoning Law Annotated, 2003 Edition*; published by West, 2003; page 2.

While rural counties are less likely to have significant development activity affecting roadway access, they may have an occasional large development project that local jurisdictions are not equipped to address; driveways constructed incrementally over decades may ultimately compromise the ability of the roadway (State or otherwise) to accommodate through traffic. The latter has been described as “a death by a thousand cuts” (i.e. driveways).

It should be noted that the six INDOT districts are responsible for roughly 15 counties each. (The actual district boundaries do not follow county boundaries.) There are presently 12 metropolitan areas. While some districts share metropolitan areas, the Greenfield District covers four (4) metropolitan areas. Thus, INDOT district resources affect the level of INDOT coordination with local jurisdictions.

Attitude of Local Jurisdictions – Metropolitan areas, particularly those with significant growth, are concerned about roadway adequacy and access management. Most rural counties and urban areas with populations under 50,000 have seen little, if any, growth for more than three decades. Slow growing communities are willing to do almost anything to encourage development, and do not have an appreciation for roadway adequacy and access issues (particularly on State roads) that may arise from major new traffic generators. Slow growth areas tend to departmentalize the traditional relationship between land use and transportation with land use perceived as a local issue and transportation perceived as a State issue. The prevailing attitude is: “INDOT never has sufficient resources to make roadway improvements in anticipation of development, so let us create a roadway problem that INDOT will have to fix.” There have been instances where local jurisdictions viewed INDOT as a potential impediment to local development and did not invite INDOT comment on local land use decisions.

Attitude of the Development Community – The importance of easy and convenient access is not lost on the development community. The development community also wants predictable development costs. Consistently-applied development rules for all developers are more likely to result in predictable development costs. Thus, the requirement of local traffic impact studies and local access management standards helps developers to estimate development costs. Where development standards vary among local jurisdictions and when access management standards differ between the locals and INDOT, developers may “play games.” Developers have been known to shop between local jurisdictions to find out which one would require the least infrastructure improvements or is willing to make infrastructure improvements at public expense to entice development. Developers also have been known to play local planning/transportation agencies and INDOT District staffs against one another to get the best deal. For example, if the proposed development fronts on a State road and local road, the developer may chose to locate his primary entrance on the local road if local access management requirements are less stringent than INDOT.

Timing – The process of access permitting (on State or local roads) generally occurs after local land use decisions have been made. As a result, INDOT usually has very little input into local land use decisions. In fact, as described later, most Indiana jurisdictions practice “blank check” rezoning that negates the ability of INDOT, as well as local transportation agencies, from making meaningful comments on roadway adequacy and access. (“Blank check” rezoning is the approved change to a new zoning district without any restrictions on the range of permissible land uses in the district, on the intensity of the development of the site for such uses, and on required infrastructure improvements.) Only local jurisdictions in metropolitan areas—particularly rapidly growing areas—are willing to require “development commitments” or “restrictive covenants” to limit the type and intensity of development and to require mitigation actions addressing traffic and access concerns.

### 4.3 Local Access Management

The existence of a local driveway permit process is important from two perspectives:

- Municipalities and counties with a driveway permit process are more likely to have local transportation officials familiar with the INDOT driveway permit process for State roads; and
- Through the local process, INDOT (if consulted) has a forum for comment regarding traffic impacts on State road intersections with local crossroads where major land use development traffic enters the roadway network.

While most municipalities have a local driveway permit process (IC 9-21, 36-9-2, 36-9-6), not all counties have a driveway permit process (IC 8-17-1-40, 8-17-5-6, 8-20 and 9-21). In fact, some counties that exercise land use controls lack a driveway permit process for locally maintained roadways.

The local permit process usually addresses driveway design standards relative to the adequacy of the driveway to handle the traffic generated by the proposed development, safety from the standpoint of adequate sight distances for traffic entering and exiting the site, adequate pavement design for the anticipated driveway traffic, and adequate storm water drainage. The local driveway permit process also serves as a mechanism by which exclusive turn lanes (right-turn and/or left-turn lanes) may be required at the discretion of the city or county engineer. Thus, INDOT (if consulted) has an opportunity to comment on entrances to major developments on crossroads in proximity to the State road.

To help define improvements at the driveway to major developments (and possibly adjacent intersections), traffic impact studies may also be required at the discretion of the city or county engineer, through thresholds established in the local driveway permit regulation or through a separate traffic impact study ordinance. This is in addition to a traffic impact study that may be required under the INDOT driveway permit process for State roads. Local traffic impact studies are more likely to be required as part of the access permit process or general development review process in the metropolitan areas of Indiana. In these areas, access management standards may also be adopted to address the spacing of driveways and the design of auxiliary lanes as well as driveway design standards. For some metropolitan areas (such as Evansville), the access standards manual generally mirrors the INDOT Driveway Permit Manual. In other metropolitan areas, the local jurisdiction may have adopted an access standards manual that is more stringent than the INDOT Driveway Permit Manual (e.g., Hamilton County, Westerfield and Noblesville) and is applied to both State and local roadways for the purposes of driveway permit and general development review. In such cases, the local jurisdiction may require joint use driveways and frontage/service roads on State highways where INDOT could not otherwise compel such access restrictions as part of the current INDOT driveway permit process.

The local driveway permit process is most often triggered when a building permit or site development permission is sought from the local jurisdiction. This most often occurs after the property has been zoned and subdivided. Thus, the driveway permit process is already constrained by (or can only react to) predetermined land uses established through the zoning process, and predetermined lot patterns established through the subdivision process.

### 4.4 Zoning Review

Zoning regulations control the location, type, and intensity of land uses. The community is divided into zoning districts with compatible land uses permitted by right and other land uses permitted under special conditions in each district. Zoning regulations typically consist of a text and map. The text defines:

- The land uses in each district;
- The development standards for each district (including lot size and coverage, setbacks, and yard, parking, signing and landscaping requirements);
- The process for changing the zoning district (commonly termed “rezoning”); and
- The process for obtaining development standard variances due to a condition peculiar to the property (use variances are permitted under some board of zoning appeals structures).

The zoning district map identifies the geographic location of the district, establishing the zoning designation for all properties. The zoning regulations, and changes in zoning (rezoning), are subject to a public hearing before the planning commission after appropriate public notice. Subsequently, the planning commission makes a recommendation to the appropriate local legislative body that amends the zoning district text or zoning district map (rezoning) by ordinance. The board of zoning appeals handles conditional uses and development variances in a quasi-judicial manner.

Under Indiana planning enabling legislation (IC 36-7-4-600 series), municipalities, townships, and counties may adopt zoning regulations controlling the use of land if they have adopted a comprehensive plan (IC 36-7-4-500 series). Because there is no requirement for the periodic update of the comprehensive plan and zoning ordinance, comprehensive plans and zoning ordinances may not keep pace with the level of development activity in a community. In fact, some zoning ordinances in Indiana have not been updated since they were adopted in the 1950s when the zoning district map was construed to embody the future development pattern (or future land use policies) of the community (as the master development plan of the community). Further, despite new comprehensive plans and zoning ordinances, the zoning district map may designate a future land use pattern rather than reflect an existing land use pattern with some vacant land suitably zoned to accommodate forecasted growth. (In other words, the future zoning pattern may not be related to any horizon year, may be beyond a person’s life span, may be unrelated to actual needs for suitably zoned land for a particular horizon year, and may zone all abutting land to a State arterial roadway for commercial and industrial purposes throughout the county.) In either case, many existing agricultural areas have already been designated for commercial and industrial development, and this development of such properties is not subject to public scrutiny through the typical rezoning process. In these cases, the developer need only apply for a building permit, and may not even have to apply for a driveway permit if a commercial driveway already exists. Most communities have been reluctant to downzone properties, removing unexercised land use rights as part of zoning district text and map updates, and have instead, on occasion, chosen to impose development plan (site plan review) requirements on already zoned properties. However, the development plan requirement is most likely to be imposed only in metropolitan areas with development pressures and, even then, may not be imposed across all zoning district designations. This means that the opportunity to review a proposed development for traffic impacts or for access is severely limited to the driveway permit process because the land use rights for commercial or industrial have long been established. On numerous occasions, the driveway permit process has been the only requirement for major commercial or industrial developments on State roadways, as well as local roadways.

Where the land use right has been established (even if never exercised), the development plan (site plan review) approval process may be an opportunity to address the provision of adequate property access for the proposed development; however, the site plan review process cannot restrict the type and intensity of development. Further, the development plan (site plan review) approval process is seldom found outside metropolitan areas.

Since development plans are not usually submitted with a rezoning request, traffic impacts can only be considered on the basis of the intensity of land uses with the greatest site trip generation within the

requested zoning district, if even considered. [Because the type and intensity of land uses are unknown and are constrained by the maximum permitted by the particular zoning district, the traffic impacts (including access points) of the development are unknown. Thus, basing traffic impacts on the most intense permitted use may result in an unreasonable roadway improvement burden on the developer, and local jurisdictions ignore specific traffic impacts, appropriate access and roadway improvements in acting on the rezoning request.] The extent to which traffic impacts are a consideration in rezoning depends on each jurisdiction and rezoning case. Metropolitan areas—particularly those requiring traffic impact studies in association with rezoning requests—are more likely to consider traffic impacts of the rezoning. Even when traffic impacts are projected, the mechanisms for remedial action depend on each jurisdiction and rezoning case. Metropolitan areas are more likely to use “development commitments” (IC 36-7-4-613, 614 and 615) or “restrictive covenants” to define roadway improvements or restrictions on the type and intensity of land uses. Without some mechanism for binding the developer to take remedial action, the INDOT or local driveway permit process is the only mechanism for trying to ensure adequate roadway improvements and access control, whether in conjunction with site plan review or not.

In addition to local access management standards and traffic impact study requirements that may be adopted locally, some jurisdictions also have established standards on the spacing and frequency of driveways onto county roadways (e.g., Boone County).

#### 4.5 Site Plan Review

The development plan (or site plan) review process has been established in some jurisdictions (most often metropolitan areas) for some of the zoning districts to ensure compliance with the development standards of the zoning ordinance and to coordinate permit approvals of various agencies for site development (IC 36-7-4-1400 series). After the development review regulation has been subjected to a public hearing before the planning commission and adopted by the local legislative body, the regulation is implemented by the planning commission through a technical review committee. This committee may approve the development plan with an appeal to the full planning commission or that may recommend action of the development plan by the full planning commission.

The enabling legislation states that the development plan requirements may include:

- “Management of traffic in a manner that creates conditions favorable to health, safety, convenience, and the harmonious development of the community.” [IC 36-7-4-1403 (a) (3)]
- “The development requirements specified under subsection (a) (3) concerning the management of traffic may ensure the following:
  - (1) That the design and location of proposed street and highway access points minimize safety hazards and congestions.
  - (2) That the capacity of adjacent streets and highways is sufficient to safely and efficiently accept traffic that will be generated by the new development.
  - (3) That the entrances, streets, and internal traffic circulation facilities in the development plan are compatible with existing and planned streets and adjacent developments.” [IC 36-7-4-1403 (b)]

While the site plan review process cannot restrict the permitted uses and their intensity, it provides an effective mechanism for ensuring adequate roadway improvements at entrances to the proposed development site, including access restrictions. Further, the site plan review process may serve as the

focal point for any access management standards, traffic impact study requirements, and the driveway permit (INDOT or local). This process also gives INDOT the opportunity to implement agreements with the developer to make improvements over time, including a “future traffic signal covenant,” an “access control agreement” or other “future intent” agreements, letters, commitments, or covenants.

For jurisdictions without a development plan review process, an “improvement location permit” is used (by the planning commission) to determine compliance of a proposed structure with the zoning ordinance relative to use, character and location (IC 36-7-4-800). Such a permit is required for the erection, alteration, or repair of any structure on platted or unplatted land. It is usually a prerequisite for obtaining a building permit in those jurisdictions that issue local building permits. An “occupancy permit” may also be required for the use of any structure or land regulated by a zoning ordinance, subdivision ordinance, thoroughfare ordinance or other ordinance regulating land use. The information required for issuing an “improvement location permit” is determined by each jurisdiction, but is usually a sketch plan of sufficient detail to demonstrate compliance with zoning requirements relative to use, lot size, setbacks and yard, parking, signing, and landscaping requirements. Unlike the development plan review process that facilitates intergovernmental coordination, the “improvement location permit” normally does not involve other agencies.

#### **4.6 Subdivision Review**

Subdivision regulations control the platting of land and the public improvements to support subdivision development (IC 36-7-4-700 series). The definition of a subdivision is left to each jurisdiction. While metropolitan areas and municipalities usually define a subdivision as the division of a property into two or more parcels, many counties exempt some level of parceling from the subdivision regulations. For example, Clark County exempts the creation of five buildable lots from the subdivision regulations if there are no public improvements and they use a common driveway. Many jurisdictions exempt the platting of land that do not require public improvements for the subdivision regulations or may create an abbreviated subdivision review process. Once the subdivision regulations are subjected to a public hearing before the planning commission and adopted by the local legislative body, they are implemented by a plat review committee that may approve the subdivision plat with an appeal to the full planning commission or that may recommend action on the subdivision plat to the full planning commission. The approval of subdivisions in Indiana is a ministerial action (not discretionary or judicial) by the planning commission or its plat committee. The subdivision regulations define what constitutes a subdivision of land requiring planning commission (or plat review committee) approval and what standards must be met in regard to layout and public improvements for the subdivision. If the proposed subdivision meets the standards, the planning commission (or plat review committee) must approve the subdivision. The planning commission does not have discretionary authority to disapprove a subdivision if it meets the standards. (In fact, counties may and have adopted subdivision regulations outside of the standard planning enabling legislation, without creating a planning commission or a comprehensive plan.)

The subdivision regulations assure adequate access, potable water, liquid-waste disposal, and storm water drainage. The subdivision regulations provide standards on the layout of streets and on typical right-of-way widths and typical roadway cross section designs by functional class (if not established in a separate thoroughfare ordinance), standards on roadway geometrics (vertical and horizontal curves), standards on pavement design (if not established in a separate roadway standards ordinance), and standards on storm water drainage (if not established in a separate drainage ordinance). Standards for waterlines, sanitary sewer lines, and other utilities are usually controlled by independent entities.

The subdivision process is important to access management because the process determines the location and spacing of new public roadway access to existing public roads and the location and spacing of driveways to individual lots from existing and new roadways. In addition to interior roadway design, the

subdivision process also determines what improvements are required for roadways abutting the development (additional right-of-way or pavement may be required) and at subdivision entrances (additional right-of-way, separate turn lanes or passing blisters). For those local jurisdictions with access management standards, such standards are used in determining roadway improvements along abutting roadways and at entrances. If the subdivision abuts a State roadway, INDOT should have been consulted regarding the application of standards in the INDOT *Driveway Permit Manual* with regard to access and subdivision entrances.

The plat review committee or planning commission approves the preliminary (primary) subdivision plat for layout and public improvements and the final (secondary) subdivision plat for recording of the plat for lot sale. However, the local legislative body (not the planning commission) sets standards for roadway improvements and accepts roadways for public maintenance. In a municipality, the town/city council accepts roadways for public maintenance or acts through a public works board, and the city engineer reviews and approves roadway improvement plans. In a county, the Board of County Commissioners accepts roadways for public maintenance, and the county engineer reviews and approves roadway improvement plans.

The subdivision process provides a mechanism for intergovernmental cooperation. If the subdivision abuts a State road and INDOT is invited to participate, this process also gives INDOT the opportunity to implement agreements with the developer to make roadway improvements over time, including a “future traffic signal covenant,” an “access control agreement” or other “future intent” agreements, letters, commitments or covenants. However, not all counties and municipalities have adopted subdivision regulations. Some local jurisdictions set standards for roadway improvements and for acceptance of roads for public maintenance outside the traditional subdivision regulations. Further, the subdivision review process does not guarantee all affected jurisdictions (whether local or INDOT) are involved.

#### **4.7 Intergovernmental Coordination**

With respect to access management, intergovernmental coordination in Indiana is typically informal. The INDOT driveway permit process requires a disclosure of proposed use in conjunction with adjacent parcels (105 IAC 7-1-8) and appropriate zoning for the land use (105 IAC 7-1-13), but there is no formal requirement for cooperation, coordination, or consultation with local jurisdictions.

The Indiana Planning Enabling legislation (IC 36-7-4) is a reflection of evolving legislation that permits:

- The choice of a variety of planning agency structures [Advisory, Area, Metro (Marion County only), Metropolitan Plan Commission (Delaware-Muncie only), Joint, Township Joinder];
- The exercise of extraterritorial powers in zoning and subdivision regulations when one municipality initiated planning and zoning before another local jurisdiction;
- The definition and notification of abutting property owners (i.e. who are the interested parties that should receive notice) in land use cases to the individual jurisdictions; and
- The definition of agencies participating in rezoning, site (development) plan review, or subdivision review.

Thus, there is no formal requirement for cooperation, coordination, or consultation between other local jurisdictions or with state agencies. Within a single county, there may be multiple local planning commissions representing each town, adjoining townships, and the unincorporated county, making



coordination difficult for major development projects. Because of the exercise of extraterritorial powers, one jurisdiction has been known to approve subdivisions in another jurisdiction that must issue the driveway permits and accept the roadways for public maintenance.

The variable local definition of abutting property owners illustrates the extreme in the notification of INDOT Districts about local land use cases before the local planning commission or board of zoning appeals. At least one local jurisdiction in the Greenfield District includes the owners of public rights-of-way as “interested parties” abutting the subject property that should receive notice in local land use cases. Thus, INDOT receives notice of every zoning, subdivision, and zoning appeals case abutting a State road. While the notice informs INDOT of a possible local land use action that may affect INDOT, INDOT staff must sift through the cases to find those of significance that may, as a minimum, require a driveway permit.

In the latter case, INDOT staff must sift through the cases to find those that might be on a State road (requiring an eventual INDOT driveway permit) or affect an intersection of a State road.

Metropolitan areas and local jurisdictions with rapid development are more likely to invite INDOT to participate in the local development review process. Rural jurisdictions with slow development are not inclined to invite INDOT to participate even in major development projects.

The access management “success stories” are typically those in metropolitan areas where the local planning agency invited INDOT to participate in the rezoning, subdivision, and site plan review of major development proposals. The typical access management “disaster stories” are where the property has been rezoned for major development for decades, there is no further local public approval of any kind required (i.e. no local development plan approval process), and an INDOT driveway permit is the only public approval required to proceed with site development.

Because of the lack of formal intergovernmental coordination mechanisms, INDOT district staff and local jurisdictions find significant satisfaction when they work together and significant frustration when they do not. In many cases, access management through the INDOT driveway permit process is at the tail end of the development approval process when local decisions have already been made about the location, type, and intensity of land use. INDOT may not be invited to participate (even in an advisory capacity) when local decisions are being made about land use adjacent to or on State roads (to the extent that the local decision is current and not decades ago). Local jurisdictions active in development review also express concern that they are not always consulted when INDOT processes driveway permits for major developments and that they do not always receive copies of INDOT “future intent” agreements (roadway, signalization or access improvements) with developers so as to assist INDOT in enforcement of the agreement.

## 5.0 PERCEPTIONS OF INDOT STAFF AND LOCAL OFFICIALS

Understanding the perceptions of those directly involved with or impacted by the current access permitting process and procedures is critical to fully evaluating its strengths and limitations. The future shape of INDOT's access management program is dependent in large part on the lessons that may be gleaned from these perceptions. This section of the report provides insight into the thoughts, ideas, and concerns of those responsible for administering the current program. Perspectives from municipal and county officials are also presented in an effort to provide a comprehensive assessment of access management as applied within Indiana today.

Two outreach efforts were undertaken to gain the perspectives and insights of key parties throughout the State with respect to the current INDOT access permit process. The first effort consisted of a series of interviews with people familiar with the permit process, including INDOT officials at the Greenfield District and a cross-section of local government representatives. The second outreach effort involved distribution of a questionnaire to all of the interview candidates, as well as the Study Advisory Committee, and several statewide professional planning and engineering organizations.

### 5.1 Interviews

Key interview candidates were identified by the consultant team with assistance from INDOT staff and members of the Study Advisory Committee. The interview participants were as follows:

- INDOT Greenfield District Permit Engineer
- INDOT Greenfield District Development Engineer
- Hamilton County Planning Commissioner
- Town of Westfield Director of Community Development
- Executive Director, Association of Indiana Counties
- Director, Montgomery County Highway Department
- Executive Director, Indiana Association of County Commissioners
- Program Manager, Indiana Local Technical Assistance Program
- Senior Planner, City of Greenwood / Secretary, Indiana Planning Association
- President-elect, Kokomo/Howard County Plan Commission
- County Engineer, Jefferson County Highway Department

Due to the decentralized nature of the driveway permit process in Indiana, input from the district staff, who deal with access permitting issues on a day-to-day basis, was crucial. At the same time, receiving input from highway agencies and local government officials regarding their perceptions of existing regulations—and opportunities for improvement—was also important to more fully understanding the current system.

Each interview focused on two fundamental questions regarding access management practices within Indiana:

- What concerns and issues do you have with the present driveway permitting system?
- How can things be done better than they have been done in the past?

As could be expected, the input received varied based on the backgrounds and perspectives of participants involved in each interview (INDOT and locals). The result was a comprehensive list of issues and opportunities that reflects the principal concerns with respect to access management in Indiana. The discussions that follow begin with input received from INDOT.

### 5.1.1 INDOT Feedback

The District Permit Engineer and the District Development Engineer at INDOT's Greenfield District office were selected based on their practical experience and familiarity with INDOT's access permitting processes across the state. They rated their current access permitting procedures as working "fair." A wide range of issues and potential opportunities were identified, ranging from the need to enhance coordination and communication with local jurisdictions and developers, to greater controls on who may submit application documents. While the responsibilities of each INDOT district office relating to permit review and approval are uniform throughout the State, and staff at the various district offices regularly communicate with each other to discuss issues, the approach that staff at each district office uses to administer the permit process can be different. Staffing levels, demands on time, coordination with INDOT's Central office, individual administrative methods, and operational policies vary from one district to another and consequently, influence the way the permitting process currently operates.

The following is a list of primary concerns voiced by INDOT officials with respect to the access permit process and local coordination:

- 1. Lack of oversight and management of development activity off the State highway system** – Developments located in proximity to, but without direct access to, the State highway system generate traffic on the State system. However, current legislation does not give INDOT the authority to review development applications for sites without direct access to/from the State highway system. In order to protect the functional integrity of State highways, INDOT needs the authority to oversee development activities off of, but proximate to, the State highway system.
- 2. Need for more interactive standards and specifications** – INDOT's *Roadway Design Manual* needs to be more closely linked to the *Driveway Permit Manual*. The *Driveway Permit Manual* needs greater flexibility to allow it to be easily and periodically updated.
- 3. Lack of control over who may submit plans for access applications** – Only appropriate, qualified individuals should prepare and stamp drawings for submittal as part of the access permit process. In the past, unqualified engineers, architects, and surveyors have submitted plans.
- 4. Sporadic and inefficient coordination/communication with local jurisdictions and developers** – Each INDOT district and sub-district office is responsible for coordinating its efforts with local governments, particularly in connection with development projects. However, methods of coordination and communication between INDOT and local governments are not uniform. In addition, while some local agencies (usually those with Metropolitan Planning Organizations) are familiar with INDOT's access permit process, others are not at all familiar. When decisions by locals and INDOT with respect to land use and development activities are not coordinated, the potential for conflicts and time delays increases significantly. There is a need to determine who is affected by land use and development actions and what level of INDOT review (if any) is appropriate in each case. There is also a need for better coordination and communication with local agencies regarding context-sensitive design.
- 5. Limited education and training opportunities** – More training is needed to inform INDOT staff on how to communicate (to the public and to consultants) the rationale behind access management (i.e. why INDOT's permit standards are in place). INDOT staff may be more flexible in the application of these standards once the parameters and the basis for the standards are well understood. This training needs to be more practical than theoretical. Also, permit

investigators in the sub-district offices need more training in the use and application of the *Roadway Design Manual*.

6. **Potential for inconsistencies under new INDOT organizational structure** –Currently, INDOT does a reasonably good job in staying consistent in its approach to access permitting across district boundaries, largely because of the longevity of key staff members and communication between them on an ad hoc basis. However, there is a lack of formalized procedures and, under the new INDOT organizational structure, the agency may operate in a more decentralized manner. Over time, this could result in inconsistent treatment of permit applicants between district offices. There may be a need for more involvement from the Permits Division of the Central office in Indianapolis due to the lack of formalized procedures among district offices.
7. **Need for a tracking system for future traffic covenants** – For large, multi-phase developments, INDOT can establish a binding agreement (a “future traffic covenant”) on the property to require future traffic improvements in connection with specific phases of future development expected to occur on the property. However, INDOT has found it challenging to track and enforce these covenants. A computerized system that monitors each covenant and automatically identifies for the district permit office when certain actions are required in connection with particular development activities for would be helpful.

### 5.1.2 Local Jurisdiction Feedback

The following is a combined list of primary concerns voiced by local agency representatives (municipal and county officials) with respect to the access permit process and local coordination:

1. **Sporadic and inefficient coordination/communication with INDOT** – Intergovernmental coordination is currently informal. There is no State legislation requiring local and state government cooperation for access management through the INDOT driveway permit process or the local development process. Nevertheless, intergovernmental agreements are always possible, and are required for transportation planning in metropolitan areas.

A subdivision plan involving an entrance onto a State road should involve the INDOT district in the review and approval of the entrance road. However, some local jurisdictions currently do not involve INDOT directly (i.e. they leave the communication with INDOT to the developer). In addition, not all jurisdictions have subdivision regulations.

2. **Lack of site/development plan review regulations in rural localities** – Metropolitan areas are more likely to have adopted traffic impact study requirements, access management standards, and development (site) plan review requirements that can help determine appropriate roadway improvements and allowable access. A site (development) plan review on a State road is most likely to trigger a referral and involve the INDOT district in roadway adequacy and access issues. However, only metropolitan areas are likely to have adopted site plan review regulations, and even then, site plan review may not cover all zoning districts.

The importance of easy and convenient access is not lost on the development community. Metropolitan areas with consistently applied development rules generally have predictable development costs. Where access management studies and development review standards vary (or do not exist), developers may play communities and jurisdictions against one another (including INDOT against local transportation agencies).

3. **Variations in local land use and growth management** – The local jurisdiction may choose to be responsible for managing the location, type, and intensity of land use that affects roadway adequacy and access management issues. However, 13 rural counties (and many urban places) still do not exercise growth management controls because the decision to control land use is strictly a voluntary local one. The institutional structure for local planning commissions and the scope of local land use control varies significantly throughout the state. This complicates coordination between local jurisdictions, let alone coordination with INDOT.

The process of access permitting (on State or local roads) generally occurs after local land use decisions have been made. Decades ago, many local jurisdictions zoned their land for major commercial and industrial development, so there is no further local scrutiny. Because re-zonings in most communities do not involve the submission of even conceptual site development plans, the proposed land uses and magnitude of site development are not sufficiently defined to determine traffic impacts; therefore, neither INDOT nor the local transportation agency can make meaningful comments on appropriate roadway improvements and access management. While “development commitments” and “restrictive covenants” may be imposed to restrict the range and magnitude of land uses and to define infrastructure improvements (including roadway and access improvements), local jurisdictions may not be equipped to define restrictions without the requirement for a conceptual development and subsequent development plan review. Metropolitan areas are likely to be the only exception.

4. **Lack of, or inexperience of, staff resources** – Related to the variation in the local sophistication of land use control is the variation in local staff resources, both in number and technical background. While metropolitan areas are likely to have professional planning and engineering staffs consisting of multiple members, rural areas and urban places under 50,000 persons are not. This not only limits the familiarity with INDOT access management practices, it also limits the ability of local jurisdictions to coordinate with other local jurisdictions, as well as INDOT.

The level of INDOT resources at the district level also determines the level of possible intergovernmental cooperation. The notice to the INDOT district staff ranges in the extreme from every land use case abutting the State road and every meeting agenda, to no notice at all. Obviously, definition of timely and meaningful notification of INDOT is important on local access management cases. Metropolitan areas also need timely and meaningful notification of pending State road driveway permits to provide comment and assist in the implementation of any future agreements or covenants on roadway improvement and access management.

5. **Limited awareness of the importance of access management at the local level** – Roadway adequacy and access management are not even on the viewing screen of many slower-growing communities when they make land use decisions. The “death by a thousand driveway cuts” is typically not even within their thought horizon. These communities may be more interested in fostering economic development, and sometimes view INDOT as an impediment to their growth.

In conclusion, improvement of access management at the local level and intergovernmental relations involve the resolution of educational, attitudinal, institutional, legal, and resource issues at both the State and local levels.

## 5.2 *Questionnaires*

The second outreach effort included the distribution of questionnaires to key groups and associations to solicit opinions and perspectives regarding access management and the existing permit process. The

questionnaire was distributed to the following professional organizations, in addition to those people interviewed above:

- Indiana Chapter of the American Planning Association (Indiana Planning Association)
- Association of Indiana Counties (AIC)
- Indiana Association of Cities and Towns (IACT)
- Indiana Association of County Highway Engineers and Supervisors (IACHES)
- Study Advisory Committee for the Statewide Access Management Study

Participants were asked for substantive input on 26 key issues relating to access management. The issues were organized into one of three general categories: Administration, Regulations/Policies, or Education. Participants were given a choice of responses, ranging from “Strongly Agree” to “Strongly Disagree” (Appendix “B” contains a sample questionnaire).

Eight (8) completed questionnaires were received from INDOT staff familiar with the access permit process. These eight included representatives from five of the six INDOT district offices (no response was received from Vincennes District staff). Nine (9) completed questionnaires were received from non-INDOT officials (including municipal and county representatives, and one Federal Highway Administration official currently working at INDOT’s Central office in Indianapolis).

Table 2 summarizes the responses received from INDOT officials, and Table 3 summarizes the responses from municipal and county representatives and others<sup>2</sup>.

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<sup>2</sup> Including one Federal Highway Administration official working at INDOT’s Central office in Indianapolis.

**Table 2  
Responses from INDOT Officials**

<b>ADMINISTRATION</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
1.	Please provide your reaction to the following statement: "Our highways and streets constitute a valuable resource as well as a major public investment. It is essential to operate them safely and efficiently by managing the access to and from abutting properties. Owners have a reasonable right of access to their property and should not be denied such access without due process and just compensation. Roadways users also have certain rights. They have the right to freedom of movement, safety, and efficient expenditure of the public highway funds. There is a growing need to balance these competing rights, especially where dramatic changes have occurred or are expected to occur in the future.	5	3	0	0	0
2.	Fundamental principles of access management (i.e. safety and efficiency of the highway system), should be the primary factors which guide access design and location.	5	3	0	0	0
3.	There is a need for cities, villages, townships and counties to provide INDOT the opportunity to review site plans of projects abutting state highways prior to a local decision.	5	2	0	0	1
4.	There should be statewide consistency when applying access controls, particularly when similar physical characteristics are found.	3	5	0	0	0
5.	A standard INDOT format or checklist for reviewing applications and monitoring compliance with permit requirements should be established.	2	6	0	0	0
6.	Local government agencies should make issuance of their zoning or building permits contingent upon the applicant obtaining an INDOT driveway permit.	3	4	1	0	0
7.	The driveway permit program should be improved to enhance its effectiveness and efficiency.	1	6	1	0	0
8.	Guidelines are needed to establish the number of driveways that will be allowed for each development based on relevant considerations.	1	7	0	0	0
<b>REGULATIONS AND POLICIES</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
9.	The function of a State Highway, as well as its recommended level of operation, should be a key element of any new highway design guidelines.	4	4	0	0	0
10.	INDOT currently has adequate guidelines concerning driveway location and design.	0	4	3	0	1
11.	On-site and off-site circulation patterns are appropriate INDOT considerations with respect to driveway placement in the permitting process.	3	4	1	0	0
12.	It is important for INDOT to establish what represents reasonable access.	3	4	0	0	1
13.	Property access guidelines should vary according to specific road classification and the proposed land use.	1	6	1	0	0
14.	The access permitting process should make a distinction in its requirements and procedures between large and small scale projects.	1	7	0	0	0
15.	For large-scale projects, traffic impact studies should be required to determine the extent of roadways improvements required.	6	2	0	0	0
16.	INDOT should evaluate access management concepts being utilized outside Indiana (e.g. Ohio, Minnesota, Oregon) as part of this study.	1	7	0	0	0
17.	More weight should be given to understanding and addressing the off-site impacts of a proposed land use prior to issuing access approval.	1	6	1	0	0

18.	A developer should be responsible for road improvement costs when their driveway requires highway improvements such as a turn lane.	7	1	0	0	0
19.	If related off-site road improvements are necessary beyond the property boundaries because of traffic created by a new development, the costs of these improvements should be the responsibility of the developer.	7	1	0	0	0
20.	INDOT should, in coordination with local authorities, be able to "lock in" the maximum number of driveways in a developing corridor prior to land division and development to prevent future access conflicts caused by too many driveways.	3	3	1	0	1
21.	Local governments should incorporate access management concepts and strategies into their community plans.	4	4	0	0	0
22.	Local government should incorporate access controls into their zoning and/or other development regulations.	4	4	0	0	0
23.	Access controls adopted by local government should be at least as restrictive as INDOT's.	3	4	1	0	0
24.	The current framework for coordination among various levels of government relating to development and driveway access needs to be improved.	3	4	0	0	1
<b>EDUCATION</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
25.	Training on how INDOT and local agencies should work towards access management for the State highway system would be a useful tool for all involved in the process.	3	4	1	0	0
26.	An education program is needed to inform stakeholders of INDOT's permitting process and the concept of access management and its related benefits.	4	3	1	0	0



**Table 3  
Responses from Non-INDOT Officials (Municipal, County, and FHWA representatives)**

<b>ADMINISTRATION</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
1.	Please provide your reaction to the following statement: "Our highways and streets constitute a valuable resource as well as a major public investment. It is essential to operate them safely and efficiently by managing the access to and from abutting properties. Owners have a reasonable right of access to their property and should not be denied such access without due process and just compensation. Roadways users also have certain rights. They have the right to freedom of movement, safety, and efficient expenditure of the public highway funds. There is a growing need to balance these competing rights, especially where dramatic changes have occurred or are expected to occur in the future.	9	0	0	0	0
2.	Fundamental principles of access management (i.e. safety and efficiency of the highway system), should be the primary factors which guide access design and location.	6	3	0	0	0
3.	There is a need for cities, villages, townships and counties to provide INDOT the opportunity to review site plans of projects abutting state highways prior to a local decision.	4	5	0	0	0
4.	There should be statewide consistency when applying access controls, particularly when similar physical characteristics are found.	4	5	0	0	0
5.	A standard INDOT format or checklist for reviewing applications and monitoring compliance with permit requirements should be established.	6	3	0	0	0
6.	Local government agencies should make issuance of their zoning or building permits contingent upon the applicant obtaining an INDOT driveway permit.	5	3	0	0	1
7.	The driveway permit program should be improved to enhance its effectiveness and efficiency.	6	3	0	0	0
8.	Guidelines are needed to establish the number of driveways that will be allowed for each development based on relevant considerations.	6	3	0	0	0
<b>REGULATIONS AND POLICIES</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
9.	The function of a State Highway, as well as its recommended level of operation, should be a key element of any new highway design guidelines.	4	5	0	0	0
10.	INDOT currently has adequate guidelines concerning driveway location and design.	1	2	4	0	2
11.	On-site and off-site circulation patterns are appropriate INDOT considerations with respect to driveway placement in the permitting process.	4	5	0	0	0
12.	It is important for INDOT to establish what represents reasonable access.	3	4	2	0	0
13.	Property access guidelines should vary according to specific road classification and the proposed land use.	4	5	0	0	0
14.	The access permitting process should make a distinction in its requirements and procedures between large and small scale projects.	2	5	2	0	0
15.	For large-scale projects, traffic impact studies should be required to determine the extent of roadways improvements required.	3	6	0	0	0
16.	INDOT should evaluate access management concepts being utilized outside Indiana (e.g. Ohio, Minnesota, Oregon) as part of this study.	4	4	0	0	1
17.	More weight should be given to understanding and addressing the off-site impacts of a proposed land use prior to issuing access approval.	4	4	0	0	1

18.	A developer should be responsible for road improvement costs when their driveway requires highway improvements such as a turn lane.	4	5	0	0	0
19.	If related off-site road improvements are necessary beyond the property boundaries because of traffic created by a new development, the costs of these improvements should be the responsibility of the developer.	4	3	2	0	0
20.	INDOT should, in coordination with local authorities, be able to "lock in" the maximum number of driveways in a developing corridor prior to land division and development to prevent future access conflicts caused by too many driveways.	4	4	0	0	1
21.	Local governments should incorporate access management concepts and strategies into their community plans.	5	4	0	0	0
22.	Local government should incorporate access controls into their zoning and/or other development regulations.	5	4	0	0	0
23.	Access controls adopted by local government should be at least as restrictive as INDOT's.	4	2	2	0	1
24.	The current framework for coordination among various levels of government relating to development and driveway access needs to be improved.	6	3	0	0	0
<b>EDUCATION</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
25.	Training on how INDOT and local agencies should work towards access management for the State highway system would be a useful tool for all involved in the process.	4	5	0	0	0
26.	An education program is needed to inform stakeholders of INDOT's permitting process and the concept of access management and its related benefits.	4	5	0	0	0

## 6.0 REFERENCES

1. *Driveway Permit Manual*, Indiana Department of Transportation, 1996.
2. *Title 105, Article 7: Permits for Highways*, Indiana Administrative Code.
3. *Applicant's Guide to Traffic Impact Studies*, S. Dey and J. Fricker, Purdue University Joint Highway Research Project in cooperation with the Indiana Department of Transportation and the U.S. Department of Transportation – Federal Highway Administration, June 1993.

**Appendix "A"**  
**INDOT Driveway Permit Application Form**  
**including General and Special Provisions**



**DRIVEWAY PERMIT**

State Form 1945(RS/3-00)

Approved by State Board of Accounts 2000

**STATE OF INDIANA  
INDIANA DEPARTMENT OF TRANSPORTATION**

<b>Type of Permit:</b> <input type="checkbox"/> <b>Private Driveway</b> <input type="checkbox"/> <b>Minor Commercial Driveway</b> <input type="checkbox"/> <b>Sub-minor Commercial Driveway</b> <input type="checkbox"/> <b>Major Commercial Driveway</b> Class _____      Class _____      Class _____      Class _____		
District	Subdistrict	Subdistrict telephone number
Driveway Location:		
		Reference pt. number
<input type="checkbox"/> Legal description of Parcel is attached (All driveway applications) <input type="checkbox"/> 20 year Certified Title Search or Title Insurance is attached (All commercial driveway applications.)		
Present use of Parcel(s):		
Proposed use of Parcel(s) Including adjacent Parcels owned and / or controlled by applicant:		
Bond required		
<input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, Penal Sum \$	Bond number
APPLICATION FEE: (Make check or bank draft payable to "Indiana Department of Transportation")		\$
<b>SPECIAL PROVISIONS:</b>		
<p>THIS APPLICANT AGREES TO INDEMNIFY, DEFEND, EXCULPATE, AND HOLD HARMLESS THE STATE OF INDIANA, ITS OFFICIALS AND EMPLOYEES FROM ANY LIABILITY DUE TO LOSS, DAMAGE, INJURIES, OR OTHER CASUALTIES OF WHATSOEVER KIND OR BY WHOMSOEVER CAUSED, TO THE PERSON OR PROPERTY OF ANYONE ON OR OFF THE TO THE PERSON OR PROPERTY OF ANYONE ON OR OFF THE RIGHT-OF-WAY ARISING OUT OF, OR RESULTING FROM THE ISSUANCE OF THIS PERMIT OR THE WORK CONNECTED THEREWITH, OR FROM THE INSTALLATION, EXISTENCE, USE, MAINTENANCE, CONDITIONS, REPAIRS, ALTERATION, OR REMOVAL OF ANY EQUIPMENT OR MATERIAL, WHETHER DUE IN WHOLE OR IN PART TO THE NEGLIGENT ACTS OR OMISSIONS (1) OF THE STATE, ITS OFFICIALS, AGENTS, OR EMPLOYEES; OR (2) OF THE APPLICANT, HIS AGENTS, OR EMPLOYEES, OR OTHER PERSONS ENGAGED IN THE PERFORMANCE OF THE WORK, OR (3) THE JOINT NEGLIGENCE OF ANY OF THEM; INCLUDING ANY CLAIMS ARISING OUT OF THE WORKMEN'S COMPENSATION ACT OR ANY OTHER LAW, ORDINANCE, ORDER, OR DECREE. THE APPLICANT ALSO AGREES TO PAY ALL REASONABLE EXPENSES AND ATTORNEY'S FEES INCURRED BY OR IMPOSED ON THE STATE IN THE EVENT THAT THE APPLICANT SHALL DEFAULT UNDER THE PROVISIONS OF THIS PARAGRAPH.</p>		
Signature of permit applicant		Printed name of permit applicant
Name of company of organization		Telephone number
Address (number and street, city, state, zip code)		
Inspector	District Regulatory Supervisor	
District Director		

Application number

Road number

County number

Expiration date

Issue date

Permit number

**SUBMIT ALL 4 COPIES**

State of Indiana  
Department of Transportation  
**GENERAL PROVISIONS**

1. All work described in the permit shall be subject to the inspection of the Department of Transportation and the permittee shall adjust or stop operations upon direction of any police officer or authorized Department of Transportation employee.
2. The permit may be revoked at any time by the Department of Transportation at its discretion or for noncompliance with any and/or all provisions of said permit.
3. The permittee shall notify the Department of Transportation Subdistrict five (5) working days preceding the beginning of any work activity.
4. The permittee shall notify the Department of Transportation Subdistrict that the work is complete and this notice is to be provided within seven (7) days from completion of all work on this permit.
5. The permittee shall have the permit complete with drawings and special provisions in their possession during work operations and will show said permit on demand, to any police officer or authorized Department of Transportation employee.
6. The permittee shall pay the Department of Transportation for any inspection costs where it is necessary to assign a Department of Transportation employee to inspect the work. The applicant shall immediately reimburse the State upon receipt of an itemized statement.
7. The permit is valid through the stated expiration date. If work is not completed within the allotted time, the permit is automatically cancelled unless an extension is requested prior to the expiration date and said request is approved by the Department of Transportation. If a permit is cancelled, a new application must be submitted and approved before the proposed work can be accomplished.
8. The permittee shall erect and maintain all necessary signs, barricades, detour signs, and warning devices required to safely direct traffic over or around the part of the highway where permitted operations are to be done so long as the work does not interfere with traffic, in accordance with Section "D" of the Indiana Manual of Uniform Traffic Control Devices.
9. All construction and materials used within the highway right-of-way must conform to the current Department of Transportation "Standard Specifications" with the permittee being considered in the same status as the contractor.
10. Any operations authorized by the permit shall not interfere with any existing structure on the Department of Transportation right-of-way without specific permission in writing from the Department of Transportation. In the event that any buildings, railings, traffic control devices, or other structures are damaged, said cost of the removal and/or damage shall be borne by the permittee.
11. This permit does not apply to any State roads or bridges that are closed for construction purposes, or to any county roads or city streets.
12. Approval of the permit application shall be subject to the permittee obtaining all necessary authorizations from local authorities and complying with all applicable laws. The issuance of the permit shall in no way imply Department of Transportation approval of, or be intended to influence any action pending before a local board, commission, or agency.
13. In accordance with the requirements of Indiana Code 8-1-26, any person "excavating" or "demolishing" (as defined by I.C. 8-1-26-2 and 8-1-26-5) must notify all people who have underground facilities located in the area between two (2) and thirty (30) working days before the work is performed.
14. The permitted operations shall not be performed on Saturdays, Sundays, or during the period beginning at 12:00 Noon on the last weekday (Monday through Friday) preceding and continuing until Sunrise on the day following: New Years Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.
15. In accordance with the notice requirements of Indiana Code 4-22-1-25, any objection to the conditions and provisions of an approved permit must be submitted in writing to the Department of Transportation within fifteen (15) days from the issue date.

**STATE OF INDIANA  
INDIANA DEPARTMENT OF TRANSPORTATION**

**DRIVEWAY PERMIT  
SPECIAL PROVISIONS**

1. The permittee shall at all times protect the pavement surface and right-of-way from damage due to the use of heavy equipment, and shall provide and use approved pads, planks or dirt cushion to protect against other damage. Immediately before any section of the highway is to be placed back in use for traffic, the permittee shall remove all excess dirt and sweep the pavement surface to eliminate unnecessary dust hazards.
2. The surface course shall meet Department of Transportation Standard Specifications for smoothness.
3. The sub-grade on which the pavement is to be placed shall be compacted thoroughly prior to placing the pavement.
4. The permittee shall be responsible for the proper replacement of any driveway pipes or sidewalks that are disturbed during the work. Drainage on shoulders, ditches, or otherwise on the right-of-way shall not be obstructed.
5. The permittee shall not disturb nor manipulate any existing traffic control devices. Any damage to a traffic control device shall be repaired immediately at the permittee's expense and by a State Prequalified Contractor. Contact the Signal Technician at the appropriate District Office (see telephone numbers on page 2), five days prior to doing work in the right-of-way for underground appurtenance location.
6. The Indiana Department of Transportation reserves the right to restrict construction activities during morning and afternoon rush hour traffic periods if conditions warrant.
7. **FINISHING**
  - A. Upon direction of the State Inspector, any disturbed vegetation area will be covered by four inches minimum of top soil compacted flush to surrounding earth.
  - B. Ground cover specification shall refer to current "Seeding and Sodding" specifications in the Indiana Department of Transportation Standard Specifications.
8. Work shall be performed in accordance with the approved plans.
9. The interface between existing pavement and new pavement will be prepared as follows:
  - A. Care should be taken when excavating next to existing pavement in order to protect the structural integrity of the pavement.
  - B. The sub-grade in the widened area shall be compacted prior to the placing of the widening material.
  - C. Existing bituminous surface roads should be longitudinally saw cut when adding auxiliary lanes to achieve a tight, clean, uniform connection.
  - D. When concrete auxiliary lanes are constructed, anchor bolts shall be Placed as specified in the Indiana Department of Transportation Standards (5.0 ft. center to center). Driveway radii shall be constructed using Ear Construction as specified in INDOT standards.
  - E. The surface of new auxiliary lanes and existing pavement shall be of homogeneous material.
  - F. Where new pavement meets old pavement, all shoulder material must be removed. The new full depth pavement must meet the old full depth pavement and have a water tight, clean uniform connection.

APPLICATION NUMBER

ROAD NUMBER

COUNTY

EXPIRATION DATE

ISSUE DATE

PERMIT NUMBER

DRIVEWAY PERMIT SPECIAL PROVISIONS CONTINUED

10. Additional auxiliary lanes and tapers should be sloped at ¼"/ft. and aggregate shoulders should be sloped at ¾"/ft. Bituminous shoulders should be sloped at ½"/ft.
11. Relocation, alteration, or addition of appurtenances, necessitated by this permit shall be done as a part of this permit. Indiana Department of Transportation appurtenances may include such items as : underground conduit, signal poles, controllers, signs, light standards, guardrail, etc. Relocation, alteration, or addition of such appurtenances will be accomplished at the applicant's expense.
12. All permanent pavement markings required due to the construction shall be installed by the permittee at the direction of the Indiana Department of Transportation's District Traffic Engineer.
13. All driveways using pipes must have standard flared metal pipe ends.
14. The maximum grade change for a major commercial driveway approach is ± 3% and + 6% for a minor commercial driveway. Any variation to these maximum grade changes must be clearly indicated on the approved set of permit drawings.
15. All work on highway right-of-way authorized by this permit must be completed within one (1) year after the permit is issued. Once construction authorized by the permit is initiated it must be completed within thirty (30) days, unless otherwise expressly approved as a special condition.
16. The execution of the Access Control Document if required, and all work indicated on the approved permit plans must be completed before the bond can be released.
17. The applicant is responsible for contacting the Indiana Department of Transportation District Office to schedule a pre-construction conference with the District Regulatory Supervisor.
18. All exposed earth surfaces shall be treated for erosion control.

**INDOT DISTRICT OFFICES**

Crawfordsville District  
41 W. 300 N.  
Crawfordsville, IN 47933  
(765) 361-5230

Greenfield District  
32 S. Broadway St.  
Greenfield, IN 46140  
(317) 462-7751

Seymour District  
185 Agrico Lane  
Seymour, IN 47274  
(812) 524-3783

Fort Wayne District  
5333 Hatfield Road  
Fort Wayne, IN 46808  
(260) 484-9541

LaPorte District  
315 E. Boyd Blvd.  
LaPorte, IN 46350  
(219) 362-6125

Vincennes District  
3650 South US41  
Vincennes, IN 47591  
(812) 882-8330



**Appendix "B"**  
**Sample Access Management Questionnaire**

# Access Management Questionnaire

Please complete and email, fax or mail to:

**Matt Lorenz, P.E., P.T.O.E.**  
**Urbitran Associates, Inc.**  
**71 West 23rd Street**  
**New York, NY 10010**  
**FAX: (212) 366-6214**  
**Email: mlorenz@urbitran.com**

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Company / Agency: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Professional Affiliations: \_\_\_\_\_

The following questions have been arranged into 3 general categories (Administration, Statutory, or Education) for ease of review.

ADMINISTRATION		Strongly Agree	Agree	Disagree	Strongly Disagree	No Opinion
1.	Please provide your reaction to the following statement: "Our highways and streets constitute a valuable resource as well as a major public investment. It is essential to operate them safely and efficiently by managing the access to and from abutting properties. Owners have a reasonable right of access to their property and should not be denied such access without due process and just compensation. Roadway users also have certain rights. They have the right to freedom of movement, safety, and efficient expenditure of the public highway funds. There is a growing need to balance these competing rights, especially where dramatic changes have occurred or are expected to occur in the future.					
2.	Fundamental principles of access management (i.e. safety and efficiency of the highway system), should be the primary factors which guide access design and location.					
3.	There is a need for cities, villages, townships and counties to provide INDOT the opportunity to review site plans of projects abutting state highways prior to a local decision.					
4.	There should be statewide consistency when applying access controls, particularly when similar physical characteristics are found.					
5.	A standard INDOT format or checklist for reviewing applications and monitoring compliance with permit requirements should be established.					
6.	Local government agencies should make issuance of their zoning or building permits contingent upon the applicant obtaining an INDOT driveway permit.					
7.	The driveway permit program should be improved to enhance its effectiveness and efficiency.					

8.	Guidelines are needed to establish the number of driveways that will be allowed for each development based on relevant considerations.					
<b>REGULATIONS AND POLICIES</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
9.	The function of a State Highway, as well as its recommended level of operation, should be a key element of any new highway design guidelines.					
10.	INDOT currently has adequate guidelines concerning driveway location and design.					
11.	On-site and off-site circulation patterns are appropriate INDOT considerations with respect to driveway placement in the permitting process.					
12.	It is important for INDOT to establish what represents reasonable access.					
13.	Property access guidelines should vary according to specific road classification and the proposed land use.					
14.	The access permitting process should make a distinction in its requirements and procedures between large and small scale projects.					
15.	For large-scale projects, traffic impact studies should be required to determine the extent of roadways improvements required.					
16.	INDOT should evaluate access management concepts being utilized outside Indiana (e.g. Ohio, Minnesota, Oregon) as part of this study.					
17.	More weight should be given to understanding and addressing the off-site impacts of a proposed land use prior to issuing access approval.					
18.	A developer should be responsible for road improvement costs when their driveway requires highway improvements such as a turn lane.					
19.	If related off-site road improvements are necessary beyond the property boundaries because of traffic created by a new development, the costs of these improvements should be the responsibility of the developer.					
20.	INDOT should, in coordination with local authorities, be able to "lock in" the maximum number of driveways in a developing corridor prior to land division and development to prevent future access conflicts caused by too many driveways.					
21.	Local governments should incorporate access management concepts and strategies into their community plans.					
22.	Local government should incorporate access controls into their zoning and/or other development regulations.					
23.	Access controls adopted by local government should be at least as restrictive as INDOT's.					
24.	The current framework for coordination among various levels of government relating to development and driveway access needs to be improved.					
<b>EDUCATION</b>		<b>Strongly Agree</b>	<b>Agree</b>	<b>Disagree</b>	<b>Strongly Disagree</b>	<b>No Opinion</b>
25.	Training on how INDOT and local agencies should work towards access management for the State highway system would be a useful tool for all involved in the process.					
26.	An education program is needed to inform stakeholders of INDOT's permitting process and the concept of access management and its related benefits.					