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Section 1 - Introduction

1.1 Purpose & Need

Access Design is an important design component in all State Capital Improvement projects. The Initiation, Execution and Closing of all access alterations are always on a critical path for almost every project and are key elements to the timely completion of the design phase of a project. Access alterations are designed according to the New Jersey State Highway Access Management Code (Access Code). However on limited scope projects where the pavement is milled and replaced or the pavement is resurfaced with a change in profile or cross slopes that does not necessitate paving the driveways onto private property (to achieve the allowable driveway grade), the Access Code generally will not be applied. Exceptions would include projects where the driveway(s) design(s) were a factor in a high accident rate in the area. Also, if a project has several miles of milling/paving and a relatively small area of reconstruction (ex. adding an auxiliary lane), the Access Code should only generally be applied in the reconstruction area.

The Access Design includes the following activities:

- Activity (3105): Prepare Project Access Plan & Access Impact Summary
- Activity (4705): Prepare Access Cut-outs
- Activity (4710): Review Access Cut-outs
- Activity (4715): Administer Access Alterations

Activity 3105 occurs during the Preliminary Engineering phase and activities 4705, 4710 and 4715 occur during the Final Design phase in the Project Delivery Process Network.

The information presented in this document shall serve as a **Guide** and shall be used as a reference by all Designers (In-house and consultants), Project Managers, Office of Access Design (OAD) staff and other Subject Matter Experts (SMEs).

1.2 Objective

This "Guidelines" document:

- Provides interpretation of *NJ State Highway Access Management Code*
- Identifies design requirements on all Access Design deliverables
- Provides the standard format of all Access Design deliverables
- Reduces the Quality Assurance review time on all Access Design deliverables
- Provides Quality Control checklists for all Access Design deliverables
- Separates Access related site impacts from the ROW related site impacts
- Promotes creative and flexible design approach
- Standardizes the administrative processes of Access Design
- Expedites the overall Access Design process
- Helps to expedite the ROW acquisition process
- Helps to reduce the overall project's design and construction budget

1.3 Definitions

Adjustment of Access: (refer to N.J.A.C. 16:47-4.33(b)) Any alteration to an access point in conjunction with the implementation of a State highway improvement project, which results in changing the width of an access point by 5 feet or less, or changing the location of an access point by 10 feet or less, or moving an access point away from the centerline of the highway, such as when a highway is widened, or changing the elevation or profile of an access point. A legal notification to the lot owner is not required for this type of access alteration unless the limit of proposed access alteration is beyond the State Right Of Way (ROW) line.

Change of Access: Any access point alteration along a non-State highway. Access alterations on non-State highways may be designed in accordance with the New Jersey State Highway Access Management Code (Access Code) if there are no other local access codes requirements. Administrative processes of this type of access alteration are not required to be executed in accordance with the New Jersey State Highway Access Management Code. Implementation of the Access Code on non-State highways will be at the discretion of the Office of Access Design (OAD) and the Project Manager. If at all possible, impacted non-State highway access points shall be replaced "in-kind". A legal notification to the lot owner is not required for this type of access alteration unless the limit of proposed access alteration is beyond the public ROW line or the access alterations impact the apparent existing use of the lot. OAD will notify the owner and the Project Manager will address all follow-up proceedings directly with the owner. OAD will provide any necessary assistance.

Legal Notification: (refer to N.J.A.C. 16:47-4.33(c)2 & (d)3-4)) The Department's written notification to a lot owner whose existing access points will be impacted by a State highway improvement project.

Lot Owner Access Concurrence (LOAC) and Lot Owner Lease Agreement (LOLA):

- When proposed access alteration work is beyond the public ROW line, OAD attempts to obtain from the lot owner an access concurrence (LOAC) to alter the access and a lease agreement (LOLA) to enter the property to construct the alteration. (The LOLA is a ROW document that will be signed by the Director). The Access cut-out (ACO) and ROW plans will show a short dashed line approximately 5 feet beyond the physical limits of the proposed driveway or access related alterations. The line will be labeled "Temporary Site Mitigation Work Line (Access)". See attachments 1A and 1B for templates of the LOAC and LOLA forms and for further information see the OAD procedure for administering access alterations.
- If the limits of the proposed driveway(s) or access related alterations are within the existing and /or proposed ROW line, only the LOAC may be sent. The LOAC will be sent for all modification or revocation, but not be sent for adjustment or changes if the alteration does not temporarily or permanently impact the operation of the property.

Modification of Access: (refer to N.J.A.C. 16:47-4.33(c)) Any alteration to an access point in conjunction with the implementation of a State highway improvement project, which results in changing the number of access points, or changing the width of an access point by more than 5 feet, or changing the location of an access point by more than 10 feet. A legal notification to the lot owner is required for this type of access alteration.

Revocation of Access: (refer to N.J.A.C. 16:47-4.33(d)) Any alteration to an access point in conjunction with the implementation of a State highway improvement project, which results in elimination of direct ingress from the State highway or elimination of direct egress to the State Highway, or elimination of direct ingress and egress (two way driveway) on the State highway with provision of an alternative access point to a street, highway, easement, service road or common driveway other than the subject State highway. A legal notification to the lot owner and all lessees, is required for this type of access alteration.

Waiver: (refer to N.J.A.C. 16:47-4.35) A waiver is the Department's relinquishment of its right to wholly enforce provisions of the Access Code. Waivers may either reduce or eliminate Access Code requirements. The Designer shall list all required waivers for the proposed recommended driveways with proper justifications in the Access Impact Summary (AIS) document by implementing the flexible and right sizing design approach of the project. Also, a Form MT-159 (Request of Waiver - See Attachment 8) needs to be

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completed and submitted along with the submission of ACO. OAD will review those justifications with respect to the project's scope, safety and operation of the State highways, and may grant the waivers accordingly.

Section 2 - Access Impact Summary (AIS) Requirements

The Designer shall start preparing this report as part of Activity 3105 (Prepare Project Access Plan & Access Impact Summary). Activity 3105 should not begin until the completion of Activity 3030 (Prepare Horizontal & Vertical Geometry). Generally the AIS should include but not be limited to the following information: (See Attachment No. 2 Access Impact Summary sample)

- Block and Lot Nos.
- Name of owner of record and address
- Lot address
- Tenant name and address (for Revocations only)
- Lot type /use of lot
- Numbers of allowable access points
- Proposed type of access alteration
- Access Level
- Numbers of existing driveways
- Location of existing driveways
- Driveway Stationing
- Existing access violations with corresponding access code
- Numbers of proposed driveway
- Need for LOAC
- Vehicle size for auto turn check
- Required waivers for the proposed recommended driveways
- Narrative for each impacted property including but not limited to:
 - Overall access impact to property including photos if necessary
 - Overall proposed access alterations for the property including on-site modifications and improvements such as parking stalls drainage improvements etc.
 - Justifications for the required waivers for all proposed recommended driveways.

Section 3 - Overall Project Access Plan (PAP) Requirements

The Designer is responsible for preparing an overall PAP. The Designer shall prepare PAP and finalize AIS also as part of the Activity 3105. Generally, the PAP should include but not be limited to the following information: (See Attachment No. 3 Overall Project Access Plan sample)

- Entire limits of the project (including existing topography baseline data and proposed geometry in bed sheet format)
- Preferred scale is 1' = 50' or 1" = 100'
- ROW Lines (existing & proposed)
- Property Lines of all impacted properties
- Slope Lines (proposed if available)
- Denial of Access Lines (existing & proposed if available)
- Access Level
- Traffic Striping (existing & proposed)
- Signalized intersections
- Driveways (existing & proposed with limits of paving)
- Drainage & Sign Structures (existing & proposed if available)
- Guiderail and Retaining Walls (existing & proposed if available)
- Block #, Lot #

- Existing buildings, parking stalls, circulation, drive-through areas, loading area, etc.
- Concrete curb (existing & proposed) with dimensions of curblines opening of all existing and proposed driveways.
- Color coded legend.

The Designer shall submit the PAP along with the AIS to OAD as part of Activity 3105. OAD will review the AIS and PAP, and provide comments and/or a set of marked up plans to the Designer. An on-board review meeting among PM, Designer and OAD is recommended to expedite the review process.

Section 4 - Individual Access Cut-Outs (ACO) Requirements

The Designer is responsible for preparing **individual access cut-outs (ACO)** as part of the Activity 4705 (Prepare Access Cutouts). The Designer shall comply with all OAD's comments on the AIS and the PAP, and submit 2 copies of draft ACOs to OAD. Upon OAD's review and approval of the draft ACOs, the Designer shall submit final ACOs (12 color copies each). Generally, the ACOs must be prepared using the following guidelines and should include but not be limited to: (See Attachment Nos. 4, 5, 6 and 7 - types of access alteration samples)

- Scale of ACO in English (1"= 30' or 50' scale). The ACO should not include quantities or other extraneous notes not applicable to the property or which may confuse the owner in understanding the proposed access impacts. Whenever possible, the minimum plan size should be 11" x 17", otherwise use standard plan sheet size (22" x 36").
- Show North arrow.
- In the title box (Bottom right corner of plan), mention the type of access alteration (Adjustment, Modification, Change of Access or Revocation), identifying the Route and Section designation (or project name), Block and Lot Number, Municipality and County, Scale and Date of drawing.
- Name of Owner on record, full address and zip code. This information must be verified using deed and/or tax records. For revocations only, include all tenant(s) names and addresses (company, operator or individuals – refer to N.J.A.C. 16:47-4.33(d) 3). Attach tenant list separately if necessary.
- Indicate the existing use of the property, including abandonments, and the actual zoning.
- In lower left corner of the ACO, include the following note: "Proposed right of way lines, which delineate potential NJDOT acquisitions from the properties, depicted hereon, are based on preliminary plans and are subject to change. The proposed right of way lines are shown for informational purposes only, are not binding on DOT, and should not be relied upon in any manner."
- Show existing and proposed highway geometry, including striping along the State highway frontage of the impacted property.
- Show all property lines, easements, existing and proposed right of way lines, existing and proposed access points along frontage and any other conditions which affect the access design decision. Label all auxiliary, acceleration, deceleration lanes and signalized intersections. The ACO must show the entire property. Use a separate plan to show entire property if necessary. For large property, adjust the scale or use "inset" to show the details.
- For all Modifications and Revocations, show internal parking lot configuration, layout, aisles and site circulation components.
- Show and label any proposed work to be done by the State's contractor (i.e., in construction contract) which affects the access design decision including signs (highway and private), drainage structures, fence, utility poles, fire hydrants, lighting poles, traffic signal poles, grading, parking, circulation changes, landscaping, etc.

- For Revocations only - (refer to N.J.A.C. 16:47-4.33(d) 2 i, ii, iii) Alternative access routes and access points must meet the requirements of reasonableness as per the Access Code. Also show proposed sign locations, sign legends and overall sign sizes for reasonable alternative access as per the Access Code. Depending on the scale of the ACO, this requirement can be accomplished by using separate sheets if necessary. Designer must provide justifying documentation for the reasonableness of the alternative access. (See also Section 5.3 below).
- For projects that are designed in the metric system, the ACO shall show all dimensions in **both** metric and English. Otherwise, all dimensions shall be in English.
- For a complex Modifications and Revocations of access points, the Designer may be required to develop cross sections and/or driveway profiles.
- Each ACO must include a "Non-conformance and waiver matrix". This matrix identifies violations of all existing and proposed driveways in a before and after condition along with the citation of the appropriate reference to the Access code. This matrix also identifies the recommended waivers by the Designer and granted waivers by the Department. Each ACO must include the completed Form MT-159 (Request for Waiver). See Attachment No. 8
- The Designer must perform the Quality Control check on each ACO according to QA/QC checklist. Each ACO must include completed checklist (See Attachment No. 9).

Section 5 - General Guidelines for Designer on Access Design

During the **Preliminary Engineering phase**, the Designer is responsible for reviewing all existing driveways within the limits of the project to determine if they are or will be in conformance with the applicable requirements of the Access Code.

5.1 In Conformance

If the existing driveway within the project limit is in conformance with the Access Code and it will not be impacted by the proposed geometry then no changes should be proposed.

5.2 Not In Conformance

If the existing driveway within the project limit is not in conformance with the Access Code, the Designer shall evaluate revising the existing driveway based on the following flexible design approach:

1. What is required to bring the existing driveway into conformance by adhering to the Access Code?
2. Would the lot owner be agreeable to the proposed alterations that fully conform to the Access Code?
3. Are there any flexible and cost effective design solutions that will make the lot owner agreeable to the proposed alterations?
4. Do the proposed alterations satisfy the safety and operational requirements?

The Designer shall present the most practical and feasible solution for each access alteration case along with the justifications and the list of required waivers. The OAD and the Project Manager shall decide on a final access solution to progress as part of the final project design.

5.3 Reasonable Alternative Access

For all revocation and some modification cases, the Designer shall evaluate and document if the alternative access (the proposed solution) is reasonable or unreasonable. The documentation for reasonable alternative access (results of below mentioned tests) must be completed and submitted to OAD along with the final submission of the ACO. Specifically, a reasonable alternative access is achieved when the requirements of following tests are met:

