



MID - COAST

REGIONAL PLANNING COMMISSION
166 SOUTH MAIN STREET, SUITE 201
ROCKLAND, ME 04841
(207) 594-2299

Appropriate access management of municipal roadways can enhance safety, maintain roadway capacity, alleviate congestion, and reduce municipal road costs. This model may be of assistance for those communities deciding what types of provisions could best meet their needs. Other compilations of ordinance provisions related to transportation and land use are also available on <http://www.midcoastplanning.org/>. For more information and assistance in drafting and reviewing specific ordinance provisions for your community, please contact the Mid-Coast Regional Planning Commission.

Access Management Standards for Municipal Roadways

[Note: This model must be edited to meet community-specific conditions before it can be incorporated into a municipality's existing ordinances.]

Purpose

The purposes of these access management standards are to regulate access onto municipal roadways within the Town/City of --- in order to protect the safety of motorists, passengers and pedestrians by reducing collisions, to protect the road system from the negative impacts of drainage, to preserve vehicular mobility and economic productivity related to roadway transportation, and to minimize the long-term cost of constructing new roadway capacity.

Applicability

These standards apply to all proposed public and private accesses (driveways and entrances) onto municipal roadways within the Town/City of ---.

These standards also apply to the alteration of existing entrances and driveways onto municipal roadways, and to changes in use on the property serviced by such entrances and driveways.

Note: Access onto non-municipal roadways, i.e., state and state-aid roads (outside of compact urban areas) is regulated by the Maine Department of Transportation (Maine DOT) through its Highway Driveway and Entrance Rules. For more information, see: <http://www.maine.gov/mdot/ppp/accessmgmt/documents/229c299.doc>.

Administration

The Planning Board administers these access management standards with assistance from the Public Works Director. The Code Enforcement Officer determines if a proposed development requires approval from the Planning Board.

Definitions

Access: A public or private point of entry or exit (driveway or entrance) from land adjacent to a public road used by motor vehicles as defined in Title 29-A M.R.S.A., Chapter 1, Section 101.

Access Point: The intersection of an existing or proposed access (driveway or entrance) with the public right-of-way.

Access Width: The distance across the access (driveway or entrance), excluding radii, measured parallel to the highway.

Alteration: A significant physical change to an access existing on or after the effective date of these access management standards, including significant changes to location, width, cross-section, grade, or drainage characteristics of the access. Paving a gravel access will not be considered an “alteration” unless accompanied by other such changes.

Change in Use: A change in activity occurring on the property accessed by the driveway that will result in the conversion of a building(s) or parcel of land from a single-family or two-family dwelling to a three or more-family dwelling use, from a residential use to nonresidential use, or from one type of nonresidential use to any other type of nonresidential use or residential use.

Corner Clearance: The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of an access point excluding its radii.

Cross Access: A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

Driveway: an access serving fifty or fewer vehicle trips per day on average as determined by the latest edition of the Institute of Traffic Engineers Trip Generation Manual.

Frontage Road: A public or private drive that generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the public street.

Entrance: An access serving more than fifty vehicle trips per day on average as determined by the latest edition of the Institute of Traffic Engineers Trip Generation Manual.

Header: A piece of curbing between two terminal ends.

Impervious Surfaces: The footprint of buildings, pavement, gravel, or other low permeability or compacted surfaces.

Lot(s) of Record: A lot or lots for which the deed was legally recorded on or before the effective date of these access management standards or which was created by a plan legally recorded in the County Registry of Deeds on or before --- [the adoption of these access management standards].

Major Traffic Generator: A land use or combination of uses on a site that will generate a high traffic volume to and from the site. For purposes of these access management standards, high traffic volume shall mean at least 400 vehicle trips per day, such as generated by a school, shopping center or office park, and shall be calculated using the latest edition of Trip Generation, published by the Institute of Transportation Engineers.

Peak Flow: The greatest rate of flow in a drainage way, measured as volume per unit of time, resulting from storms of up a to 50-year event.

Posted Speed: The speed limit set and maintained by the Maine Department of Transportation, or limited by statute as defined in Title 29 M.R.S.A., Chapter 19, Section 2024.

Regulated Road: Every road or road segment that is regulated by these access management standards.

Private Road: Every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Separator Strip: A strip of land that separates the roadway from the throat or parking area of a driveway.

Service Road: A public or private street or road, auxiliary to and normally located parallel to a public roadway that maintains local road continuity and provides access to parcels adjacent to the public roadway.

Sight Distance: The sight distance required to allow a vehicle entering the roadway to reach 85% of the posted speed without being overtaken by a vehicle traveling at the posted speed and approaching the entering vehicle from behind. Sight distance is measured from the perspective of a hypothetical person seated in a vehicle from three vantage points: (1) sitting in the access viewing vehicles traveling on the roadway (both left and right), (2) traveling on the roadway viewing a vehicle sitting in an access, and (3) traveling on the roadway viewing a vehicle turning into the access (both ahead and behind). In case of discrepancy between these measurements, the lesser measurement will be used to determine whether the sight distance standard is met. Sight distance is measured to and from the point on the centerline of the proposed access that is located 10 feet from the edge of the travel way. The height of the hypothetical person's view is considered to be 3½ feet above the pavement and the height of the object being viewed is considered to be 4¼ feet above the pavement.

Terminal End: The end section of a run of curb that is sloped to aid the design vehicle in turning into the driveway or to meet the requirements of the Americans with Disabilities Act of 1990, 42 U.S.C. Section 1213 *et seq.*

Throat: The portion of a driveway or entrance used to store vehicles waiting to exit from the driveway or entrance.

Nonconformance

Nothing in these access management standards shall prohibit the repair, improvement, or modernization of lawful nonconforming driveways or entrances that were constructed prior to the adoption of these access management standards provided that such repairs, improvement or modernization is done consistent with the requirements of these access management standards.

Sight Distance Requirements

Sight Distance – The sight distance for access points must meet or exceed the distances listed in the Table of Sight Distance Minimums. Sight distance is measured in accordance with its definition. The municipality may require up to 50% greater sight distances when at least 30% of the traffic using the access point will be by larger vehicles, like trucks and buses, which are typically 40 feet in length or longer.

Table of Sight Distance Minimums	
Posted Speed (MPH)	Sight Distance Minimum (Feet)
20	155
25	200
30	250
35	305
40	360
45	425
50	495
55	570

Spacing Requirements

All new access points must be separated from other existing or proposed access points in accordance with the minimum spacing standards set forth in the Table of Minimum Access Point Spacing Standards.

Access point spacing is measured from the edge of a proposed access point to the closest edge of adjacent existing access points, excluding radii. Access points located directly across the roadway (opposite side) from a proposed access point are not counted in applying the spacing standard.

Table of Minimum Access Point Spacing Standards	
Posted Speed (MPH)	Spacing Standards (Feet)
20	60
25	70
30	75
35	85
40	175
45	265
50	350
55	525

Corner Clearance

The minimum corner clearance for access points onto roadways must be 75 feet for un-signalized intersections and 125 feet for signalized intersections except that the municipality may require increased corner clearance if the municipality reasonably determines that the proposed access point will significantly impact public safety or cause a reduction in posted speed.

Access Point Width

If 30% or less of the traffic projected to use the proposed entrance will be larger vehicles (trucks or buses, typically 40 feet in length or longer), the width of a two-way driveway within the road right-of-way must be between 22 and 30 feet inclusive. If more than 30% of the traffic projected to use the proposed driveway will be larger vehicles, the width of a two-way driveway within the road right-of-way must be between 30 and 42 feet inclusive. Driveways must be designed in accordance with the Maine DOT Standard Details. The access width will be the minimum necessary to accommodate the design vehicle.

No single or two-family access shall have a width less than 9 feet or more than 16 feet at the public road right-of-way. The access opening, including flares, shall not be more than 1.5 times the width of the access at the right-of-way line.

Throat Length

There shall be a minimum of 20 feet of throat length for entering and exiting vehicles at the intersection of an access point and pavement of the public road or service drive as measured from the pavement edge. For accesses that will serve between 100 and 400 vehicles in the peak hour (two-way traffic volume) the accesses shall provide at least 60 feet of throat length. For accesses that will serve over 400 vehicles per peak hour (two-way traffic volume) and for all accesses controlled by a traffic signal, adequate throat length shall be determined by a traffic impact study.

Separator Strips

Separator strips must be installed between the parking area and the roadway and along the throat. The separator strip must extend away from the roadway to the greater of (1) 5 feet from the right-of-way limits, or (2) in areas where the right-of-way limits are defined by wrought portion, 7 feet from the edge of a clearly evident shoulder. The property owner must maintain any vegetation within the separator strip such that it does not interfere with the sight distance at the driveway. In areas where sidewalks exist, curbing or wheel stops must be provided to prevent parking vehicles from interfering with pedestrian flow.

Deceleration Lanes and Tapers

Where access point volumes are expected to exceed 100 peak hour directional trips per hour, a right-turn taper, deceleration lane and/or left-turn bypass lane may be required.

Construction of access points along deceleration lanes and tapers is discouraged due to the potential for vehicular conflicts.

Access Points per Lot

Lots are limited to one two-way access or two one-way accesses unless combined approach volumes (entering and exiting) of a proposed development shall exceed 100 directional trips during the peak hour of traffic and a traffic impact study has been performed. In such cases, these second access points shall be located on a side street or service drive, or shared with adjacent uses, or designed for right-turn-in, right-turn-out only movements and shall meet the spacing requirements of these access management standards.

When a property owner owns more than one parcel adjacent to another with the same zoning (land use) district, all with frontage on the municipal road, the parcels shall be treated as a single parcel for purposes of these access management standards. In the case of corner lots abutting two municipal roads, regardless of parcel zoning and proposed use, access shall be granted to the municipal road with the lower average daily traffic (ADT) whenever possible.

One-Way Accesses

If a one-way system is proposed and the predominant traffic volume is truck traffic, the driveway will be configured on the minimum angle that permits the truck to enter or leave the roadway safely and smoothly. Otherwise, all driveways must be configured perpendicular to the roadway for at least the length of the design vehicle.

A physical separation of curbing, ditching, grass or other landscaping must be used for one-way driveways and must be designed and constructed to prevent adjacent one-way driveways from becoming one entrance in practice. Both portions of a one-way access on a single lot must be separated from another one-way access by at least 12 feet. Both portions of a one-way driveway abutting a sidewalk must have a minimum separation of at least 18 feet and allow for 7-foot terminal ends and at least a 4-foot header in between.

A one-way entrance abutting a curbed, non-sidewalk section must have a minimum separation of at least 12 feet and allow for two 4-foot terminal ends separated by at least a 4-foot header.

Access Relationship to Lot Line

No part of an access shall be located closer than 5 feet from a side or rear lot line unless it is a common or shared access. This separation is intended to help control stormwater runoff, permit snow storage on site, and provide adequate area for any necessary on-site landscaping.

Existing Accesses

Except for a shared access, existing accesses that do not comply with the requirements of the access management standards shall be closed when an application for a change of use requiring a land use/site plan review permit is submitted and once approval of a new means of access under these access management standards is granted. A closed access shall be graded and landscaped to conform to adjacent land and any curb cut shall be filled in with curb and gutter per the standards of the applicable road authority.

Access Intersection Angle/Radius of Edge

To the maximum extent practical, the access must be constructed perpendicular (90 degrees) to the roadway at the access point, but in no case less than 75 degrees. Except where curbing exists or is proposed, the minimum radius on the edges of an access must be sufficient to allow the design vehicle to enter the driveway without encroaching into the path of exiting vehicles in accordance with the Maine DOT Standard Details. Driveways designed for right turns only must be designed to the greatest extent possible to prohibit illegal traffic movements.

Turnaround Area/Parking

Accesses will be designed such that all maneuvering and parking of any vehicles will take place outside of the roadway right-of-way and such that vehicles may exit the premises without backing onto the roadway or roadway shoulder. All accesses must have a turnaround area with a

width of at least 8 feet and a length of at least 15 feet or the length of the design vehicle, whichever is greater.

Retrofits

When the owner of a property with an existing, nonconforming access point applies for a permit to upgrade or change the use of the property and/or the access point, the property owner may be required to establish a retrofit plan. The objectives of the retrofit plan will be to minimize the traffic and safety impacts of development by bringing the number, spacing, location, and design of accesses into conformance with the standards and requirements of these access management standards, to the extent possible without imposing unnecessary hardship on the property owner. The retrofit plan may include:

- elimination of one or more access points if there are multiple access points onto a site
- realignment or relocation of access points
- provision of shared access points and/or cross parking lot connection
- access by means of a service drive or frontage road
- restriction of vehicle movements (e.g., elimination of left-turns in and out)
- relocation of parking
- traffic demand management (e.g., a reduction in peak hour trips)
- signalization
- such other changes as may enhance traffic safety

Traffic Signals

Access points on arterial and collector streets may be required to be signalized in order to provide safe and efficient traffic flow. Any signal shall meet the spacing requirements of the applicable road authority. A development may be responsible for all or part of any right-of-way, design, hardware, and construction costs of a traffic signal if it is determined that the signal is warranted by the traffic generated from the development. The procedures for signal installation and the percent of financial participation required of the development in the installation of the signal shall be in accordance with the applicable criteria of the jurisdictional authority, as set in statute or ordinance, including impact fee schedules.

Shared Access

Shared or joint use of an access is strongly encouraged. The shared access shall be constructed along the midpoint between the two properties unless a written easement is provided that allows traffic to travel across one parcel to access another, and/or access the municipal roadway.

Shared accesses shall be recorded as an access easement and shall constitute a covenant running with the land. Operating and maintenance agreements of shared accesses should be recorded with the deed.

Parking Lot Connections

Where a proposed parking lot is adjacent to an existing parking lot of a similar use, there shall be a vehicular connection between the two parking lots where physically feasible, as determined by the Planning Board. For developments adjacent to vacant properties, the site shall be designed to provide for a future connection. A written access easement signed by both landowners shall be presented as evidence of the parking lot connection prior to the issuance of any final approval by the Planning Board. The Planning Board may reduce by 10% the parking space requirements as set forth in Ordinance Section --- for parking lots that are connected if peak demand periods for proposed land uses do not occur at the same periods.

Joint and Cross Access

Adjacent commercial or office properties classified as major traffic generators (e.g., school, shopping center, or office park), shall provide a cross access for vehicles and pedestrians to allow circulation between sites unless environmental constraints are present. A system of joint use accesses and cross access easements shall be established wherever feasible and the building site shall incorporate the following:

- a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards.
- b. A design speed of 10 mph and sufficient width to accommodate two-way travel aisles designed to accommodate automobiles, service vehicles, and loading vehicles.
- c. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.
- d. A unified access and circulation system plan that includes coordinated or shared parking areas is encouraged wherever feasible.

Pursuant to this section, property owners shall:

- a. Record an easement with the deed allowing cross access to and from other properties served by the joint use driveways and cross access or service drive.
- b. Record an agreement with the deed that remaining access rights along the thoroughfare will be dedicated to the municipality and pre-existing access points will be closed and eliminated after construction of the joint-use driveway.
- c. Record a joint maintenance agreement with the deed defining maintenance responsibilities of property owners.

Phased Development

Development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall not be considered separate properties in relation to the access standards of this code. The number of connections permitted shall be the minimum number necessary to provide reasonable access to these properties, not the maximum available for that frontage. All necessary easements, agreements, and stipulations required under

these access management standards shall be met. This shall also apply to phased development plans.

Transit Access

In commercial or office zones/districts where transit service is available or is planned to be available within five years, provisions shall be made for adequate transit access, in the form of turn around loops or turnout bays. At a minimum, in the case of a loop or cul-de-sac, entrance curves shall have a radius of 35 feet, and the internal circle shall have an inside radius of 30 feet and an outside radius of 52.5 feet. In the case of turnout bays, the curve radius shall be 35 feet the distance from the roadside edge to the inside edge of the outside radius shall be 52.5 feet.

Waivers

Access standards may be relaxed or waived by the Planning Board only as provided in this section.

- a. Standards That May Not Be Waived – The sight distance standards, corner clearance standards, and turnaround area/parking standards.
- b. Standards That May Be Waived – All other standards may be waived in accordance with the provisions of this section.

Criteria for Granting Waivers - Waiver requests will be granted if the applicant demonstrates, to the satisfaction of the municipality, that: (i) the waiver will not significantly detract from public safety, (ii) the proposed driveway meets the standards to the maximum extent practicable, and (iii) there is no feasible alternative.

- a. In determining that the waiver will not significantly detract from public safety, the municipality must consider such factors as crash rates, traffic volumes, road geometrics, types and frequency of traffic moving to and from existing uses within 1,000 feet of the proposed access point.
- b. In determining practicability and feasibility, the municipality will consider the availability and cost of alternative access locations and designs in relation to the proposed use.
- c. In cases involving alterations or changes of use of existing access(es), the municipality may grant waiver requests if it determines that the alterations to the access(es) will likely result in a net gain to public safety or will result in a reduction in non-conformity with these access management standards.
- d. In cases involving double frontage lots, the municipality will consider the length of frontage on the regulated road, the intensity of traffic generated by the proposed use, the geography along the frontage of the other public way, and the distance to the other public way.

The spacing standards in the Table of Minimum Access Point Spacing Standards may be waived only to the extent that lots of record existing as of --- the adoption of these access management standards, that do not have access to another public way and do not have sufficient lot frontage to

meet these spacing standards, may be allowed access if the applicant meets the following criteria, in addition to the above-referenced waiver criteria:

- a. The applicant meets the criteria of granting waivers set forth in these access management standards.
- b. The proposed access is located in an area designated for growth in the municipality's comprehensive plan.
- c. The proposed access will not have an unreasonable adverse impact on the regulated road such that the speed limit must be reduced to accommodate new traffic expected to be generated.
- d. Sharing an access with an adjacent lot is not practicable.

Variances

See Ordinance Section --- for Variance criteria and procedure.

Appeals

See Ordinance Section --- for Appeals criteria and procedure.

Violations and Penalties

See Ordinance Section --- for Violations and Penalties.