What Other Access Issues Were Identified? In addition to the access issues identified in cities, the managed access proviso prompted discussion about how access is managed in counties and on federal and tribal lands.

Why and How Were Counties Involved? In order to identify and assess county issues related to access management, WSDOT collaborated with WSAC to survey counties with managed access highways within their unincorporated areas. Although WSDOT is the permitting authority for these highways, the county development permitting office is often a point of first contact for developers who may need a state access permit. The survey addressed how counties coordinate with the state on development permitting for properties adjacent to state managed access highways. The electronic survey was distributed in mid-October and responses were requested by November 30, 2007. WSAC followed-up with non-responding counties several times in November.

What Was the Counties' Response to the Survey? The counties were very responsive to the managed access coordination survey with 35 of 38 counties completing it.[11] Most counties reported notifying WSDOT of development proposals adjacent to managed access state highways (97%), informing developers that state access permits may be required (89%), and requiring documentation that state access permits were granted prior to development approval (91%). These responses resonated with the WSDOT region access permitting staff that work with counties—they reported generally good working relationships with the counties on access issues.

In other survey responses, some counties reported early notification and coordination with WSDOT (35%). WSDOT staff finds early coordination with local governments on access permitting issues very helpful. Fifty-five percent of responding counties were satisfied or very satisfied with WSDOT's access permitting standards, permitting process, and coordination efforts. The most commonly cited suggestions for change were to give more timely responses (13%), coordinate more effectively with local agencies (9%), provide better contact and procedural information (9%), and direct access to local roads before allowing state highway access (9%).

How is Access Addressed on Federal Lands? In the past, WSDOT has addressed federal land access onto state managed access highways through agreements. There are opportunities to improve our coordination by updating these agreements and establishing internal policies to reinforce their implementation.

How is Access Addressed on Tribal Lands? WSDOT does not have written agreements with the tribes addressing access on state managed access highways from tribal lands. Access issues are discussed and resolutions negotiated on a case-by-case basis with the tribes. Coordination could be improved by working with the tribes through the Tribal Transportation Planning Organization to develop more consistent policies for how access issues on state managed access highways should be addressed.

11. San Juan County was excluded from the survey because it does not contain state managed access highways.

For More Information

Please contact: Karena Houser
WSDOT Transportation Planner
HouserK@wsdot.wa.gov
(360) 705-7876
www.wsdot.wa.gov/planning/LandUse/accessonstatehighways

Managed Access Proviso County Response

County Response Rate
(38 Counties Contacted)

Response	Number	Percent
Completed Survey	35	92%

Counties Report Coordinating with WSDOT on Managed Access Highway Permitting
(35 Responding Counties)

Type of Coordination	Number	Percent
Notify WSDOT of proposed developments adjacent to managed access highways	34	97%
Inform developers when state access permits may be required	31	89%
Require documentation that state access permits are granted prior to development approval	32	91%

Over One-third of Counties Report Early Permitting Coordination with WSDOT
(34 Responding Counties, Multiple Responses Allowed)

WSDOT Notification of Proposed Development Occurs:	Number	Percent
At regular WSDOT meetings	1	3%
At conceptual stage of project	4	12%
At start of a land use action	1	3%
During pre-application process	6	18%
At notice of application or during agency review period	16	47%
During the SEPA process	13	38%
During preliminary plat review	6	18%
Before site development approval	2	6%
Before building permit approval	1	3%
Prior to planning commission meeting	1	3%

35%

Washington State Department of Transportation

Managed Access in Washington - Final Report to the Legislature

December, 2008

The 2007 State Legislature tasked the Washington State Department of Transportation (WSDOT) with reporting the progress of local jurisdictions toward fulfilling their responsibilities under current highway access management statutes. WSDOT worked with a number of stakeholders to complete this task, including the Department of Community, Trade and Economic Development (CTED), the Association of Washington Cities (AWC), and the Washington State Association of Counties (WSAC). Fifteen years after the statutory deadline for adoption of state highway access permitting standards, 42 percent of cities containing state managed access highways reported adoption. The remaining 136 cities, containing 370 miles of state managed access highway, have not yet confirmed adoption of the standards.

What is Access Management? Access management regulates traffic movements onto and off of roadways to improve system performance, minimize traffic conflicts, and increase traffic flow. Typical access management techniques include minimum spacing between intersections and driveways, dedicated turn lanes, and median treatments. Access management preserves a roadway's safety and capacity, reducing accidents by as much as 55 percent and increasing road capacity by as much as 30 percent.[1]

How are Limited and Managed Access Highways Different? In Washington, state highways are classified as either limited or managed access. The policy for limited access highways was established in 1951 and is based on the purchase of access rights from the owners of property abutting the highway.[2] Managed access legislation was enacted in 1991 to address the portion of the state transportation system not established as limited access.[3] State law declares two policies that form the basis for managing access. First, the access rights of a property owner are subordinate to the public's right and interest in a safe and efficient highway system. Second, a property owner's direct access to a state highway may be restricted if reasonable access can be provided to another public road.[4]

Who is Responsible for Managed Access Permitting? In unincorporated areas, access permitting is the responsibility of the WSDOT region offices. Within municipal boundaries, access permitting is the responsibility of the city or town.[5] State law requires cities and towns to adopt access permitting standards for state managed access highways that meet or exceed WSDOT standards.[6] The initial deadline for adoption was July 1, 1993. Administrative rule allow cities to use WSDOT standards as a temporary default until they adopt their own standards as required by statute.[7]

Did WSDOT Consult Cities on Initial Adoption of the Permitting Standards? Yes, WSDOT consulted and cooperated with local and regional governments to develop access standards, permitting procedures, and an access classification system. The City Design Standards Committee, consisting of the state aid engineer and six AWC appointees, participated in crafting the state's initial access management code and formally concurred with it in 1992. Additionally, about half of cities and towns officially concurred with the access classifications assigned to the managed access highways within their city boundaries.

1. Transportation Research Board. *Access Management Manual.* (Washington, D.C.: Transportation Research Board, 2003), 19.
2. RCW 47.52
3. RCW 47.50.010(2)
4. RCW 47.50.010(3)
5. RCW 47.50.020(3)
6. RCW 47.50.030(3)
7. WAC 468-51-010

This report describes WSDOT's implementation of the managed access proviso with partners CTED, AWC and WSAC and shares the city and county responses.

The Legislative Request

The Legislature's 2007 transportation budget included a proviso directing WSDOT to require local jurisdictions to confirm they have adopted access permitting standards for state managed access highways that meet or exceed WSDOT standards. The proviso also directed WSDOT to submit a final report to the Legislature in 2009 detailing local jurisdictions' progress toward adopting the standards.

The Managed Access Proviso:

"By December 1, 2008, the department shall require confirmation from jurisdictions that plan under the growth management act, chapter 36.70A RCW, and that receive state transportation funding under this act, that the jurisdictions have adopted standards for access permitting on state highways that meet or exceed department standards in accordance with RCW 47.50.030. The objective of this subsection is to encourage local governments, through the receipt of state transportation funding, to adhere to best practices in access control applicable to development activity significantly impacting state transportation facilities. By January 1, 2009, the department shall submit a report to the appropriate committees of the legislature detailing the progress of the local jurisdictions in adopting the highway access permitting standards."

ESHB 1094, Sec 222 (4)

How Did We Approach Cities About the Legislative Request?

During the first week of October, 2007, WSDOT and AWC mailed a joint letter to the 210 cities that contain managed access highways. We provided each city with a list of the classifications assigned to the managed access highways within its boundaries, WSDOT's access permitting standards, and an information sheet summarizing the proviso request. We also asked each city to submit a status form either confirming its adoption or describing its progress toward adopting the required access permitting standards. Cities that had not yet concurred with the access classifications assigned to the highways within their boundaries were asked to sign an additional form. Responses were requested by November 30, 2007.

How Did We Encourage Cities to Respond?

WSDOT and its partners followed up with cities throughout the following year:

October, 2007
- WSDOT mailed proviso information to cities.
- CTED published proviso article in its Planner's Update.
- WSDOT contacted its region offices and Regional Transportation Planning Organizations (RTPOs) to request outreach assistance.
- WSDOT presented proviso information at quarterly planners' forums across the state sponsored by CTED and the two state planning associations.

November, 2007
- WSDOT updated regions and RTPOs on progress and encouraged ongoing outreach assistance.
- WSDOT provided sample ordinances to regions, RTPOs, and cities.
- AWC published proviso article in its Legislative Bulletin.

December, 2007
- AWC e-mailed cities a reminder and copies of WSDOT materials.
- AWC published proviso article in its Legislative Bulletin.

January, 2008
- WSDOT updated regions and RTPOs on progress, shared the preliminary report to the legislature, and encouraged ongoing assistance.

May-Sept, 2008
- AWC published proviso articles in its Legislative Bulletin each month.

July, 2008
- AWC phoned cities encouraging them to respond.

September, 2008
- AWC e-mailed cities requesting a final response by October 31, 2008.

What Was the Cities' Response to the Request?

Seventy-five percent of cities containing managed access highways responded to the request in some way. Forty-two percent of respondents reported adopting the required access permitting standards. Another 22% reported they intend to adopt the standards. The remaining 36% either did not respond or made an initial contact but never followed up. Most city responses were reported in the first five months. AWC phone and e-mail contact through the summer and fall of 2008 generated very little response. However, there was an increase in reported adoptions in November 2008 as the deadline approached for submittal of the final report.

Generally, response rates were similar regardless of city size, with the exception of the very large cities (over 100,000 population). The very large cities had the lowest reported adoption rate (0%). Also, the large cities (between 25,000 and 100,000) were more likely to report their intent to adopt the standards compared to medium and small cities. Response rates were similar for cities on the east and west sides of the state. Individual city responses are listed on the following page.

How Much of the State Highway System is Affected?

There are 7,044 miles[8] of state highway in Washington. Approximately 4,840 of these miles are classified as managed access and 580 miles of managed access highway are located within cities. The safety and capacity of 210 miles of managed access highway within city boundaries are now protected through locally-adopted access permitting standards. Unfortunately, there are another 370 miles of state managed access highway located in cities that have not yet reported adopting the required standards.

8. Reported as centerline miles, which do not take into account the number of lanes on the roadway.

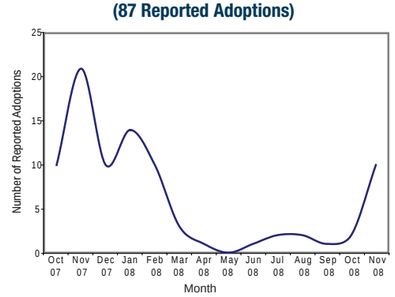
Managed Access Proviso City Response

Forty-Two Percent of Cities Report Adopting Access Permitting Standards
(210 Cities Contacted)

Progress	Number of Cities	Percent of Cities
Previously Adopted Standards	48	23%
Adopted Standards in Response to Proviso	39	19%
Intend to Adopt Standards	47	22%
Not Reported	23	11%
No Response	53	25%

42%

Most City Adoptions Reported in First Five Months (87 Reported Adoptions)



Largest Cities Have Lowest Response Rate, Response Rates Similar Across the State (210 Cities Total)

City Characteristic	Reported Adoption	Intends to Adopt	No Report or No Response	Totals
Very Large >100,000	0 0%	3 60%	2 40%	5 100%
Large 25,000-100,000	12 41%	11 38%	6 21%	29 100%
Medium 5,000-25,000	25 43%	12 21%	21 36%	58 100%
Small <5,000	50 42%	21 18%	47 40%	118 100%
East of Cascades	45 48%	15 16%	33 35%	93 100%
West of Cascades	42 36%	32 27%	43 37%	117 100%

370 Highway Miles in Cities Not Yet Adopting Access Permitting Standards (580 Miles Total)

	Reported Adoption	Intends to Adopt	No Report or No Response
Highway Miles Affected	210	190	180

How Does Development Affect State Highways in Cities That Have Not Adopted the Required Access Permitting Standards?

When access permitting standards for state managed access highways are not institutionalized through a city's development code, the impacts on state highways are difficult to predict. Some cities may regulate access using WSDOT's permitting standards as a temporary default as allowed by administrative code.[9] Other cities may fail to regulate access or permit access that does not meet state standards.

WSDOT relies on the State Environmental Policy Act (SEPA) to identify and address access issues that may not have been adequately resolved at the city level. Sometimes, the access issues triggered by new development can be settled in this manner. However, SEPA is not the ideal instrument for ensuring consistent access regulation on state highways. It relies on the city notifying WSDOT of development that may impact state highway access. It also relies on the city's ability and willingness to condition a permit on the access standards identified by WSDOT.

What Are the State's Options for Improving City Adoption of Access Management Standards?

The managed access proviso was successful in initiating some local action to adopt access permitting standards for state managed access highways. The proviso prompted 39 cities to adopt standards and 47 cities to state their intent to adopt standards. However, given the remaining cities' minimal response to AWC and WSDOT outreach over the past year, it will likely require more effort to improve adoption rates. The state has several options.

Continue Status Quo. WSDOT and AWC could continue their best efforts to encourage cities to adopt the required access permitting standards. WSDOT will continue to remind cities of this obligation at our access training workshops. However, we are unable to maintain the same level of attention to this issue that we have provided over the past year due to budget cuts.

Increase Technical Assistance. While WSDOT and AWC spent a considerable amount of time implementing this proviso, neither organization received funding to provide a dedicated staff person to work with the cities. We expect compliance could be improved by funding a full time planner to help cities adopt access permitting ordinances (costing $136,899 in FY 2010). Alternatively, this type of staff work could be incorporated into the establishment of a broader transportation-efficient land use technical assistance program. Such a program could help cities identify and adopt appropriate policies and regulations for access management, as well as transportation and land use design for safer, more efficient, and more climate-friendly travel. A broader technical assistance program would require seven full time planners (costing $907,447 in FY 2010 and $802,447 in FY 2011).

Condition State Transportation Funding. One option for increasing compliance with the access management statutes that meets the proviso objective[10] is to require cities to demonstrate adoption of the required access management standards to be eligible for state discretionary transportation grants.

Amend Access Management Statutes. Another option for addressing the failure of some cities to adopt access permitting standards is to amend the access management statutes. Instead of granting permitting authority outright to cities, state statute could vest permitting authority in WSDOT until a city demonstrates it has adopted access permitting standards that meet or exceed the state standards.

9. WAC 468-58-010
10. "To encourage local governments, through the receipt of state transportation funding, to adhere to best practices in access control applicable to development activity significantly impacting state transportation facilities." ESHB 1094, Sec 222(4)

City Status as of 12/15/08*

Cities Reporting Adoption (87 Cities):

Airway Heights, Arlington, Asotin, Auburn, Black Diamond, Bonney Lake, Bothell, Bremerton, Brewster, Bridgeport, Chewelah,† Coulee City, Coulee Dam, Covington, Creston,† Cusick,† Davenport,† Duvall, East Wenatchee, Edmonds, Electric City, Ellensburg, Elma, Elmer City, Entiat, Enumclaw, Ephrata, Everson, Federal Way, Fife, Grand Coulee, Granite Falls, Hamilton, Ilwaco, Ione,† Kenmore, Kennewick, Lacey, Lynden, Mansfield, Marcus,† Marysville, Metaline,† Montesano, Moses Lake, Mukilteo, Napavine, Nespelem, Normandy Park, North Bonneville, Oak Harbor, Oakville, Odessa,† Okanogan, Omak, Oroville, Othello, Pateros, Pe Ell, Port Angeles, Port Orchard, Quincy, Raymond, Reardan,† Redmond, Richland, Roy, Seatac, Selah, Soap Lake, South Bend, Sumas, Sunnyside, Tenino, Toledo, Tonasket, Tukwila, Twisp, Uniontown,† Waitsburg, Waterville, Wenatchee, West Richland, Wilbur,† Winlock, Winthrop, Woodinville

Cities Reporting Intention to Adopt (47 Cities):

Bellingham, Bingen, Blaine, Burien, Camas, Carnation, Castle Rock, Centralia, Chelan, Cheney, Colville,† Darrington, Des Moines, Edgewood, Everett, Gold Bar, Harrington,† Issaquah, Kelso, Kent, Kettle Falls,† Long Beach, Longview, Lynnwood, Medical Lake,† Mill Creek, Monroe, Newport,† Nooksack, North Bend, Oakesdale,† Prosser, Pullman,† Renton, Ridgefield, Sedro-Woolley, Skykomish, South Prairie,† Spokane, Spokane Valley,† Stanwood, Tacoma, Tumwater, Vader, Walla Walla, Warden, Westport

Cities Not Reporting or Not Responding (76 Cities):

Aberdeen, Almira,† Anacortes, Bainbridge Island, Battle Ground, Benton City, Buckley, Bucoda,† Burlington, Carbonado, Cathlamet, Chehalis, Clarkston, Cle Elum, Colfax,† Colton,† Concrete, Cosmopolis, Dayton, Eatonville, Fairfield,† Forks, Garfield, Goldendale, Hoquiam, Kahlotus, Kirkland, Lake Forest Park, Lake Stevens, Latah,† Leavenworth, Lind,† Lyman, Mabton, Maple Valley, McCleary, Metaline Falls,† Milton, Morton, Mossyrock, Mount Vernon, Naches, Northport,† Orting, Palouse,† Pasco, Pomeroy, Port Townsend, Poulsbo, Prescott, Puyallup, Rainier, Republic,† Rockford,† Roslyn, Ruston, Sammamish, Seattle, Shelton, Shoreline, Snoqualmie, Springdale,† St. John,† Starbuck, Stevenson, Sultan, Sumner, Tekoa,† Toppenish, Vancouver, Wapato, Washtucna,† White Salmon, Wilkeson, Woodland, Yelm

* Cities not listed in any category do not contain managed access highways

† WSDOT is developing agreements with these cities to administer state highway access permits within their boundaries