

**VIRGINIA DEPARTMENT OF TRANSPORTATION**

**OFFICE OF LAND USE**

**INSTRUCTIONAL AND INFORMATIONAL MEMORANDUM**

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| GENERAL SUBJECT:<br>Land Development Review                       | NUMBER:<br>IIM-LU-501.3   |
| SPECIFIC SUBJECT:<br>Access Management Spacing Exceptions/Waivers | DATE:<br>June 1, 2020   |
|   | SUPERSEDES:<br>IIM-LU-501.2   |
| APPROVED:   | Robert W. Hofrichter<br>Director, Office of Land Use<br>Approved June 1, 2020 |

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EFFECTIVE DATE

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This memorandum applies to all VDOT reviews of access management entrance spacing exceptions and waivers submitted on or after **July 1, 2020**.

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PURPOSE/SCOPE/REQUIREMENTS

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The Code of Virginia's [§33.2-241](#) and [§33.2-245](#) were enacted by the 2007 General Assembly to require VDOT to adopt access management regulations/standards to "enhance the operation and safety of the systems of state highways...while ensuring that private property is entitled to reasonable access to the systems of state highways."

The [Access Management Regulations](#), 24VAC30-73, apply to all VDOT highways. The Access Management Design Standards for Entrances and Intersections are contained in Appendix F of VDOT's [Road Design Manual](#). The standards apply to all entrances, median crossovers, intersections, and signalized intersections on and to VDOT highways. Appendix F contains minimum spacing standards for median crossovers, street intersections, and commercial entrance connections.

The regulations were drafted to anticipate potential situations that might prevent compliance with the requirements and then to provide VDOT the flexibility to approve an exception to address the situation. The property owner benefits by knowing up front what the exceptions are to the rules, what information needs to be submitted, and the procedure for seeking approval. The exceptions help to assure the application of the requirements is reasonable and fair.

While these are called exceptions in the regulations, they are the equivalent of waivers, as that term is used in VDOT design jargon, as they are variations from VDOT standards and not AASHTO standards. Hence, the form for a variance from spacing standards for entrances being built by non-VDOT projects (developments, for example) is named "Access Management – Exception," while the form for documenting variance from spacing standards associated with a VDOT highway project is named "Access Management – Waiver."

The forms are for use to document variance from the following access management requirements:

- Shared commercial entrance
- Connection to adjoining undeveloped property
- Prohibition from placing commercial entrance within the functional area of an intersection
- Spacing standards (including corner clearance)

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## PROCEDURES

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The exception request review and approval process is described in [subsection 120 D of the Access Management Regulations](#).

Generally, it is more efficient if access management spacing exceptions are requested and processed during rezoning rather than waiting for site plan submission, as the location of entrances or street connections is sometimes a proffered condition of a zoning approval.

A request for an exception related to a development or a project being funded and built by others is submitted in writing using the Access Management Exception Request form ([Form AM-E](#)) to the appropriate Area Land Use Engineer (ALUE) or Assistant Resident Engineer – Land Use (ARE-LU). [Form AM-E](#) is available on the VDOT access management web site and from the District Offices. Documentation to justify the request is specified in the regulations for each requirement and on the exception form. The exception is valid for as long as the details of the entrance location/design in the request and its supporting assumptions do not change.

[Form AM-E](#) must contain or be accompanied by sufficient attachments so that the need and the impact of the exception is clearly demonstrated.

Access management exceptions shall be reviewed and approved by the District Administrator/District Engineer or designee, in accordance with each district's procedures. For waivers or exceptions involving potential signalized intersections, especially on highways that are designated as part of the Arterial Preservation Network (which is described [here](#)), consideration must be given to the requirements in the latest version of IIM-TE-387.1 (which can be found at Traffic Engineering Division's IIM page, [http://www.virginiadot.org/business/traffic\\_engineering\\_memoranda.asp](http://www.virginiadot.org/business/traffic_engineering_memoranda.asp)), the [Virginia Supplement to the MUTCD](#), and the relevant portions of Appendices A and F of the [Road Design Manual](#). Finally, new crossovers on the Arterial Preservation Network must also be approved by the District Administrator/District Engineer (DA/DE) and the State Location & Design Engineer, regardless of whether the proposed crossover is subject to an access management exception, so final approval of such waivers should also include review by the DA/DE and the State L&D Engineer.

A decision should be made within 30 calendar days of receipt of the written request and all documentation specified in the regulations. If the entrance application is incomplete, it should be returned with items missing noted. The 30 days would start again upon receipt of a new application.

For highway construction or reconstruction projects funded at least partially by VDOT on roadways owned and maintained by VDOT, a request for a waiver to the spacing standards shall be submitted to the District Location and Design Engineer using the Access Management – Waiver form ([Form AM-W](#)).

Copies of reviewed and approved Access Management Exception and Waiver forms shall be sent to the Office of Land Use and shall be uploaded by the district or residency to the appropriate district folder in [ProjectWise](#). The naming convention for the files shall be *County # Route Number # Development Name – Phase # Land Use Permit Number or Locality Project Number (if available)*.

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## NOTES

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- The Access Management Exception and Waiver forms are listed under the Office of Land Use, and are separate from the [LD-452](#) form dealing with design waivers for other situations.
  - Access Management research reports, studies, and archived exceptions and waivers are available at:  
<https://insidevdot.cov.virginia.gov/div/OLU/2IQWZ/SitePages/Home.aspx>.
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## REFERENCES

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- Information on Access Management including the Access Management Regulations, Access Management Design Standards for Entrances and Intersection, and AM-E Form are available at:  
[http://www.virginiadot.org/info/access\\_management\\_regulations\\_and\\_standards.asp](http://www.virginiadot.org/info/access_management_regulations_and_standards.asp)
  - The Waiver Form AM-W and the AM-E Form available internally at:  
<http://vdotforms.vdot.virginia.gov/>.
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