TOLL 49 ACCESS MANAGEMENT POLICY

North East Texas Regional Mobility Authority

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Access Management on Toll 49

Toll 49 was designed and constructed as a controlled access facility. As a tolled facility, maintaining free flow traffic at the highest possible level-of-service (LOS) remains the highest priority behind only system safety. Access along Toll 49 mainlanes remains prohibited to ensure the facility functions as an efficient freeway with a reliably high level of safe, free flow movement.

However, in areas with frontage roads, or ramps of adequate length for a portion of the ramp to function as a frontage road, access may be granted. TxDOT's Roadway Design Manual provides the initial guidance used to evaluate frontage road and ramp access along Toll 49. Guidance from Chapter 3 Section 6 (Pg. 3-59) of TxDOT's current Roadway Design Manual states:

- *All ramps with a frontage road: Direct access to a ramp is always prohibited for the full length of the ramp.*
- *Interstate freeway ramp without a frontage road or an Interstate interchange connector. Direct access is always prohibited under 23 CFR 625.3 and 625.4 for the full length of the ramp or Interstate interchange connector.*
- *Non-Interstate facility without a frontage road, with or without access controlled by designation: Direct access is strongly discouraged. If allowed, the access location must be determined through the procedures and spacing criteria contained in this chapter, and in the TxDOT Access Management Manual.*

The remainder of this manual amends the third bullet point above. These amendments establish the requirements for an access point along a Toll 49 adequate length ramp. Unless otherwise stated, the requirements must be provided by the entity seeking access. The North East Texas Regional Mobility Authority (NETRMA) serves as the reviewing entity and will provide no technical calculations or design. The NETRMA provides no financial resources to assist with the technical analysis, design, or construction of a proposed access point. The NETRMA will not reimburse, nor provide compensation of any kind, to an access requestor for denial of an access request. Approval or denial of an access request along Toll 49 right-of-way (ROW) is made at the sole discretion of the NETRMA.

As a mobility authority with an interest in the regional economy, access to Toll 49 must promote economic development. Therefore, access (direct or shared) shall not be

provided for individual property owners with no intent to develop, or single-family residences. Furthermore, with limited permissible access length along Toll 49, shared access is promoted by the NETRMA and its requirements for an access point within Toll 49 ROW are discussed within the Shared Access section of this manual.

Potential Access Locations

Access along Toll 49 frontage roads (as originally defined in the schematic or plan set) shall be governed by the access guidelines for frontage roads provided in TxDOT's Access Management Manual and TxDOT's Roadway Design Manual.

To consider access along a Toll 49 ramp, the ramp must be of sufficient length for a portion of it to function like a frontage road. Figure 1 provides a preliminary layout of an access point along an exit ramp. Figure 2 provides a preliminary layout of an access point along an entrance ramp. Requirements for each of these scenarios are detailed below. Prior to these details, the manual provides general requirements for both exit and entrance ramps.

<u>General Access Location Requirements</u>

- For purposes of this manual, the total length of a ramp is defined as the centerline length measured along the path of the ramp from the apex of the ramp gore striping where the ramp connects with Toll 49 mainlane pavement to the edge of pavement of the intersecting roadway.
- Access points will only be granted in areas where the ramp consists of two lanes.
    - If the ramp is of sufficient length to provide an access point, but the two-lane length is not, the access permittee (i.e., the developer) is required to widen the ramp to provide sufficient two-lane length.
- All access points shall consist of a 38 ft. wide driveway with 2-16 ft. lanes and a 6 ft. raised concrete median as measured at the radii to throat connection point.
- No existing roadway or roadside elements can be modified to facilitate the construction of an access point. For example, existing cross drainage structures and metal-beam guard fence must remain in place as they currently exist.

Potential Access Location Along an Exit Ramp

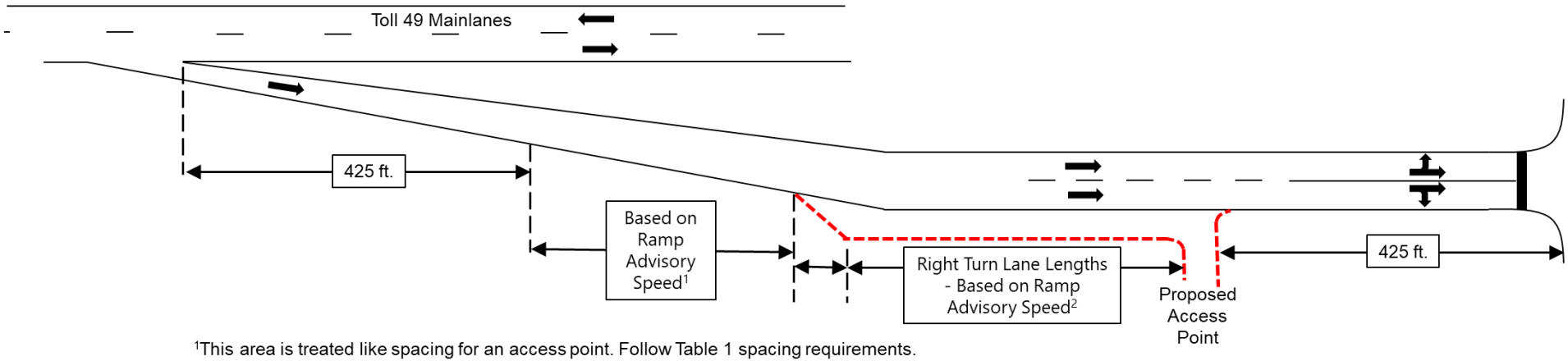
- No access is permitted upstream of a ramp toll gantry.
- The ramp must be of sufficient length for the vehicle to leave Toll 49 mainlanes, travel at least 425 ft, travel an additional length to slow to the ramp advisory speed, construct a right turn lane, and remain at least 425 ft. from the intersecting roadway.
    - Figure 1 displays these requirements and Table 1 and Table 2 provide dimensional information required for spacing and construction.
    - *For example, the minimum exit ramp length to provide and access point on a ramp with an advisory speed of 50 mph is:*
        - *425 ft. (required)+425 ft. (Table 1)+515 ft. (Table 2 and reference Figure 3-4 in TxDOT's Roadway Design Manual)+38 ft. (driveway)+425 ft. (required) = 1,828 ft.*
- A 14 ft. wide (i.e., 12 ft. lane with 2 ft. shoulder) right turn lane must be constructed by the permittee. Table 2 shall be used to determine the longitudinal dimensions of the right turn lane. Refer to Figure 3-4 in TxDOT's Roadway Design Manual to understand storage, deceleration, and taper lengths. Figure 3-4 in TxDOT's Roadway Design Manual pertains to both left and right turns lanes for the purposes of this manual.
    - The pavement structure of the right turn lane must meet or exceed the pavement structure of the existing ramp.
    - If a ramp toll gantry exists, all right turn lane features must begin after a vehicle has passed through the toll gantry and cleared the concrete mowstrip associated with the metal beam guard fence. All other spacing requirements continue to apply.

Potential Access Location Along an Entrance Ramp

- No access is permitted downstream of a ramp toll gantry.
- An entrance ramp must be at least 2,100 ft. long to consider permitting an access point, unless a parallel acceleration lane exists for entering traffic.
    - Figure *2* displays the requirements for an entrance ramp and Table *3* provides the acceleration lane lengths based upon the distance of the access point from the intersecting roadway.

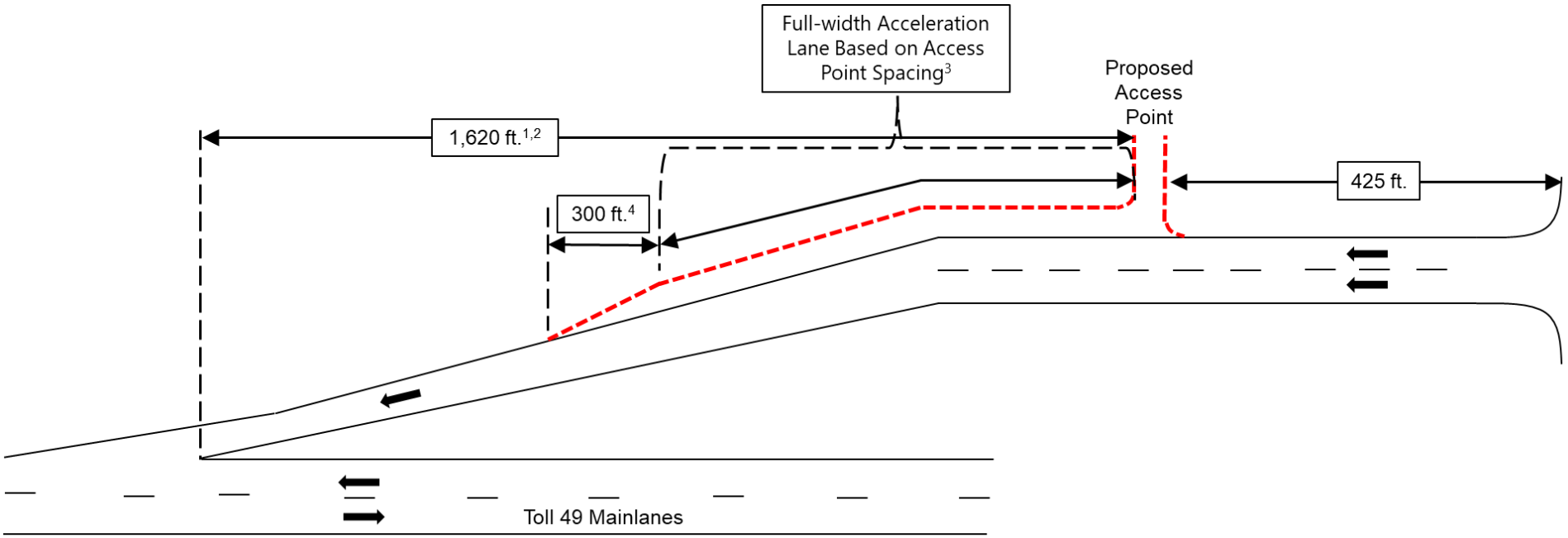
- *For example, if an access point was permitted 550 ft. from the interesting roadway, the total ramp length and acceleration lane length would need to be:*
  - *Ramp length = 550 ft. (location)+38 ft. (driveway)+1,620 ft (minimum required length to accelerate to Toll 49 mainlane speed) = 2,208 ft.*
  - *Acceleration lane = 560 ft. (parallel length)+300 ft (required taper) = 860 ft.*
    - *This 860 ft. resides within the 1,620 ft. of total acceleration length required.*

- A 14 ft. wide (i.e., 12 ft. lane with 2 ft. shoulder) parallel acceleration lane must be constructed by the permittee. This acceleration lane is required for traffic exiting the access point to accelerate from a stop condition to the anticipated speed of the ramp traffic. Because of this, the length of the acceleration is dependent upon the distance between the access point and the intersecting roadway. The farther the access point from the intersecting roadway, the longer distance ramp vehicles can accelerate to enter Toll 49, thus requiring a longer acceleration lane. Table 3 provides these dimensions.
  - The pavement structure of the acceleration lane and taper must meet or exceed the pavement structure of the existing ramp.
  - If a ramp toll gantry exists, all acceleration lane features must end before a vehicle reaches the concrete mowstrip associated with the metal beam guard fence. This allows the vehicle using the access point to accelerate to ramp speed, enter the ramp, and pass under the toll gantry in a single lane.



[1]This area is treated like spacing for an access point. Follow Table 1 spacing requirements.
[2]The right turn lane taper, deceleration length, and storage length is based on the ramp advisory speed. Table 2 lists these dimensions.

Figure 1. Access Point Along an Exit Ramp (Not-to-Scale)



[1]This length may be reduced when a parallel acceleration lane exists along Toll 49 mainlanes for entering traffic. A foot-for-foot length reduction is acceptable with the existence of a parallel acceleration lane.
[2]This length is based upon a vertical grade of no more than 3% from the ramp to the mainlanes. Refer to Table 3-14 in TxDOT's Roadway Design Manual for length adjustments when the grade exceeds 3%.
[3]A full-width, parallel acceleration lane, is required using the lengths in Table 3.
[4]A 300 ft. taper is required regardless of the acceleration lane length.

Figure 2. Access Point Along an Entrance Ramp (Not-to-Scale)

Table 1. Spacing Based on Ramp Advisory Speed on Exit Ramps

Minimum Spacing Criteria[1]	
Ramp Advisory Speed (mph)	**Minium Spacing (ft)**
≤ 30	200
35	250
40	305
45	360
≥ 50	425

[1]Distances are for passenger cars on level grade. The distances may be adjusted for downgrades and/or significant truck traffic. Where present or projected traffic operations indicate specific needs, consideration may be given to intersection sight distance and operational gap acceptance measurement adjustments.

Table 2. Right Turn Lane Dimensions on Exit Ramps

Right Turn Lane Dimensions on Exit Ramps[1]

Ramp Advisory Speed (mph)	Taper Length (ft.)	Deceleration Length (ft.)	Minimum Strorage Length (ft.)
30	50	150	100
35	50	205	100
40	50	265	100
45	100	340	100
50	100	415	100
55	100	505	100
60	150	600	100

[1]The turn lane width must include a 12 ft. lane with a 2 ft. outside shoulder.

Table 3. Acceleration Lane Lengths on Entrance Ramps

Acceleration Lane Lengths on Entrance Ramps[1]		
Access Point Distance from Intersecting Roadway	**Parallel Acceleration Lane Length (ft.)**	**Taper Length (ft.)**
425 - 720	560	300
721 - 960	720	300
961 - 1,200	960	300
1,201 - 1,410	1200	300
> 1,410	1200	300

[1]The accleration lane width must include a 12 ft. lane with a 2 ft. outside shoulder.

Access Request and Review Process

The access request, review, and approval/permitting process must pass through the three phases shown in Figure 3.

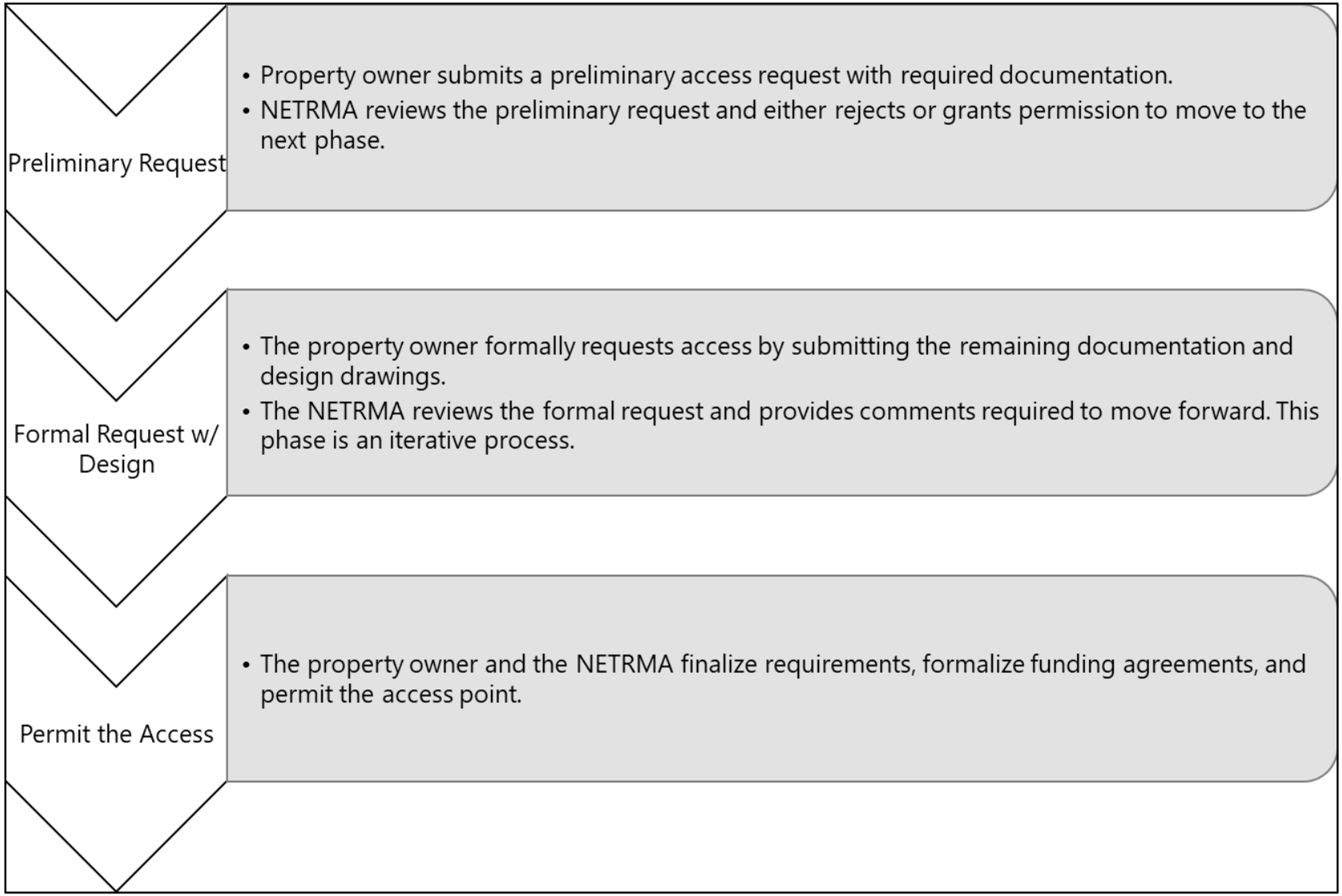


Figure 3. Access Request and Review Process

The requirements within each of these three phases are described below.

Preliminary Access Request Requirements

For the NETRMA to consider an access request along a Toll 49 frontage road or ramp, the requestor must submit the following documents during the preliminary request for initial review:

- A written description of the proposed development.
- A plan view developed by a licensed engineer in Texas depicting the development, the access point, and the dimensions associated with the access point. This plan view must comply with and include everything shown in either Figure 1 or Figure 2.

OR

- Pay the NETRMA a $3,000 non-refundable fee to evaluate the access request.
- To evaluate the request, the NETRMA must be provided with a written description of the development and GPS coordinates of the tract of land.
- With this information, the NETRMA will perform an analysis and decide whether to continue to the Formal Access Request stage.
- The NETRMA will provide its findings to the requestor in written form. The written response will include:
    - Denial of the access request or approval to move to the Formal Access Request phase.
    - An aerial view of the access location with the approximate beginning location of the turn or acceleration lane.
        - If the request is a denied, these locations will provide the requestor with justification on why the access point was denied.
    - A determination on if the two-lane section must be extended to facilitate the construction of the access point.
    - An aerial view of the approximate radius the requestor must consider for shared access.
    - Other information, no limited to that above, which will assist in justifying the denial or assisting with moving to the Formal Access Request stage.

After reviewing the preliminary access request, the NETRMA will, in writing, disapprove the request or instruct the access requestor to continue to the formal access request process.

Formal Access Request Requirements

For the NETRMA to consider an access request along a Toll 49 frontage road or ramp, the requestor must submit the following documents during the formal request for iterative review:

- A set of plans developed by a licensed engineer in Texas that include:
    - Plan views of the frontage road or ramp additions required to permit and construct an access point (i.e., turn lane or acceleration lane and/or widening of the two-lane ramp section).
    - Cross sections of the ramp and ramp additions on intervals not to exceed 100 ft.
        - Front slopes and back slopes constructed as part of the turn lane or acceleration lane cannot exceed 6(Horizontal):1(Vertical) or the existing condition, whichever is steeper. Ditch realignment might be required to meet this requirement. No existing structures can be moved as part of ditch realignment.
    - Pre-development and post-development drainage area maps showing:
        - Pre-development runoff onto Toll 49 ROW with accompanying calculations.
        - Post-development runoff onto Toll 49 ROW with accompanying calculations.
        - Calculations must clearly convey that post-development flowrates will not exceed pre-development flow rates. When detention or retention is necessary to meet this requirement, the location of the detention/retention pond and outlet structure should be identified in the drawings on private property and outlet structure calculations provided.
    - Driveway details that include those shown in the Driveway and Driveway Accessory Construction section along with driveway drainage structure requirements.

        - All driveway drainage elements must be reinforced concrete. Plastic or metal drainage structures are not permitted within Toll 49 ROW.
- A set of specifications developed by a licensed engineer in Texas that support the drawings described above.
- A traffic impact analysis (TIA) performed by a licensed engineer in Texas that conforms to the following requirements:
    - Uses acceptable study methodologies. Examples of acceptable methodologies include, but are not limited to:
        - Transportation Impact Analyses for Site Development: An ITE Recommended Practice (RP-020D) (Note: ITE: Institute of Transportation Engineers).
        - Highway Capacity Manual: Year 2000, TRB Special Report 209 (Note: TRB: Transportation Research Board).
        - ITE Trip Generation Handbook (most recent edition)
    - Follows the following general format:
        - Introduction
        - Analysis and Background Traffic
        - Trip Generation (including an annual tabulation for a period of 20 years)
        - Trip Distribution and Assignment
        - Capacity Analysis (including an annual tabulation for a period of 20 years)
        - Recommendations
            - Must include a section describing any signalization required within the 20-year analysis period.
    - Evaluates current and future impacts to Toll 49 and the nearby system:
        - The analysis should include the development's annual impact to Toll 49 and the nearby system for a period of 20 years.
        - The analysis must include the impact to the Toll 49 ramp connections with the state highway system (or city or county system if applicable).
        - The analysis must include the impact to any signalized intersections within ½-mile of the development.
    - When the TIA indicates a signal is immediately necessary at the Toll 49 to state highway (or city or county system) connections, a funding agreement must be finalized prior to permitting the access point. The financial

expectations of the developer, when a signal is immediately warranted, are described in the Traffic Signal Design and Construction section of this manual.

- When the TIA indicates a signal will become necessary during the 20-year planning analysis period, in part due to the development, the developer is required to work with the NETRMA and the other governing entity (i.e., city, county, TxDOT) to construct the signal when it becomes required.
- Financial participation is required of the developer if signalization is required at any time during the 20-year analysis period.
    - Failure to participate financially in the cost of signalization will result in the immediate revocation of the access point along Toll 49.

- If the development's access plan includes an access point along Toll 49 ROW and another entity's roadway facility, the TIA should clearly evaluate cross turn-out traffic. When the TIA indicates delays because of cross turn-out traffic, both driveways (i.e., along Toll 49 and the other facility) will be right-in/right-out with a raised median in the driveway.

- Any corrections required or additional information requested by the NETRMA during the iterative review of the formal access request process.
    - The NETRMA seeks to limit the iterative process to no more than three rounds of review and corrections. However, the number of reviews depends upon the sufficiency of the documentation provided by the requestor, thus the number of review cycles cannot be guaranteed.

<u>Permit the Access</u>

At this point, the NETRMA will permit the access and finalize all funding agreements. The access is not considered fully permitted until all necessary funding agreements are in place and the NETRMA has any compensation initially required. Failure to participate financially will result in not receiving permission to construct the access. Once the access is in place, failure to participate in future funding requirements outlined in this manual will result in immediate revocation of the access point. A legal instrument will be required and filed with local government to illustrate the location of the access and codify all funding agreements required throughout the 20-year planning life of the access point.

Access Construction Requirements

An access point along a Toll 49 frontage road or ramp includes certain mandatory elements. The following guidance supersedes existing or conventional design guidance that would indicate these elements are not required. When the following guidance does not address a design question, the requestor should use TxDOT's Access Management Manual or TxDOT's Roadway Design Manual to continue with the design.

Driveway and Driveway Accessory Construction

All access points permitted on Toll 49 ROW shall have the same design. Figure 4 and Figure 5 shows the dimensions for an access point along an entrance ramp and exit ramp, respectively.

The required raised median within the driveway must comply with the height and batter requirements of TxDOT's TY II curb shown on TxDOT's CCCG-22 standard detail sheet. The median striping, placed perpendicular to the travel direction of the Toll 49 ramp and between the concrete median and Toll 49 ROW line, must include at least a 4 in. perimeter line with 12 in. hash marks with 12 in. spacing between the hashmarks. The striping must be yellow and comply with TxDOT's Item 666 TY II pavement markings and include glass beads for reflectivity.

The initial construction of the driveway and associated features is the responsibility of the developer. The NETRMA will approve all drawings and specifications prior to construction. The developer will be required to provide the NETRMA with quality control and/or quality assurance data illustrating that materials and in-place construction quality meets or exceeds all expectations. The NETRMA reserves the right to periodically inspect construction to ensure compliance. If a site inspection reveals a discrepancy between the construction expectations (as shown in the plans and specifications) and actual construction, construction must cease until a plan for correction is provided by the developer.

Required Sign Installation and Compensation to the NETRMA

To promote safety, at the developer's expense, the NETRMA will install a ONE WAY sign directly opposite of the access point along the ramp. This sign is used to promote safety and ensure vehicles exiting the development only turn right. Furthermore, the NETRMA

will install two DO NOT ENTER signs and two WRONG WAY signs on each side of the ramp at the proper upstream spacing from the access point. The cost of this installation is $5,000 and is due from the developer to the NETRMA before final permitting of the access point.

To promote mainlane system safety and install engineering controls to discourage mainlane U-turns to access the development, the developer is required to pay the NETRMA to install way finding signs along the Toll 49 mainlanes. These signs must be installed one mile prior to the appropriate exit for each direction of travel. The cost of this installation is $10,000 and is due from the developer to the NETRMA before final permitting of the access point.

Right Turn Lane Construction

The longitudinal geometry of the turn lane required along the exit ramp is shown in Figure 1 (a turn lane along a frontage road also requires a turn lane). The turn lane must be at least 14 ft. wide and include a 12 ft. lane with 2 ft. outside shoulder. The turn lane can incorporate the existing shoulder into the required width. The turn lane must drain away from the Toll 49 ramp or frontage road and outfall into a ditch or pipe to ensure turn lane water does not flow back onto the Toll 49 ramp or frontage road.

The turn lane pavement structure must meet or exceed that of the existing Toll 49 ramp or frontage road. The subgrade for the turn lane must be lime or cement stabilized. When the subgrade has a plasticity index over 25, lime stabilization should be used. When the subgrade has a plasticity index under 25, cement should be used. The plasticity index should be determined by an experienced engineering firm prior to construction.

Right turn lane striping must comply with the Texas Manual on Uniform Traffic Control Devices and consist of 100 mil TY I markings as defined in TxDOT's Item 666.

The initial construction of the right turn lane and associated features is the responsibility of the developer. The NETRMA will approve all drawings and specifications prior to construction. The developer will be required to provide the NETRMA with quality control and/or quality assurance data illustrating that materials and in-place construction quality meets or exceeds all expectations. The NETRMA reserves the right to periodically inspect construction to ensure compliance. If a site inspection reveals a discrepancy between the construction expectations (as shown in the plans and specifications) and actual

construction, construction must cease until a plan for correction is provided by the developer.

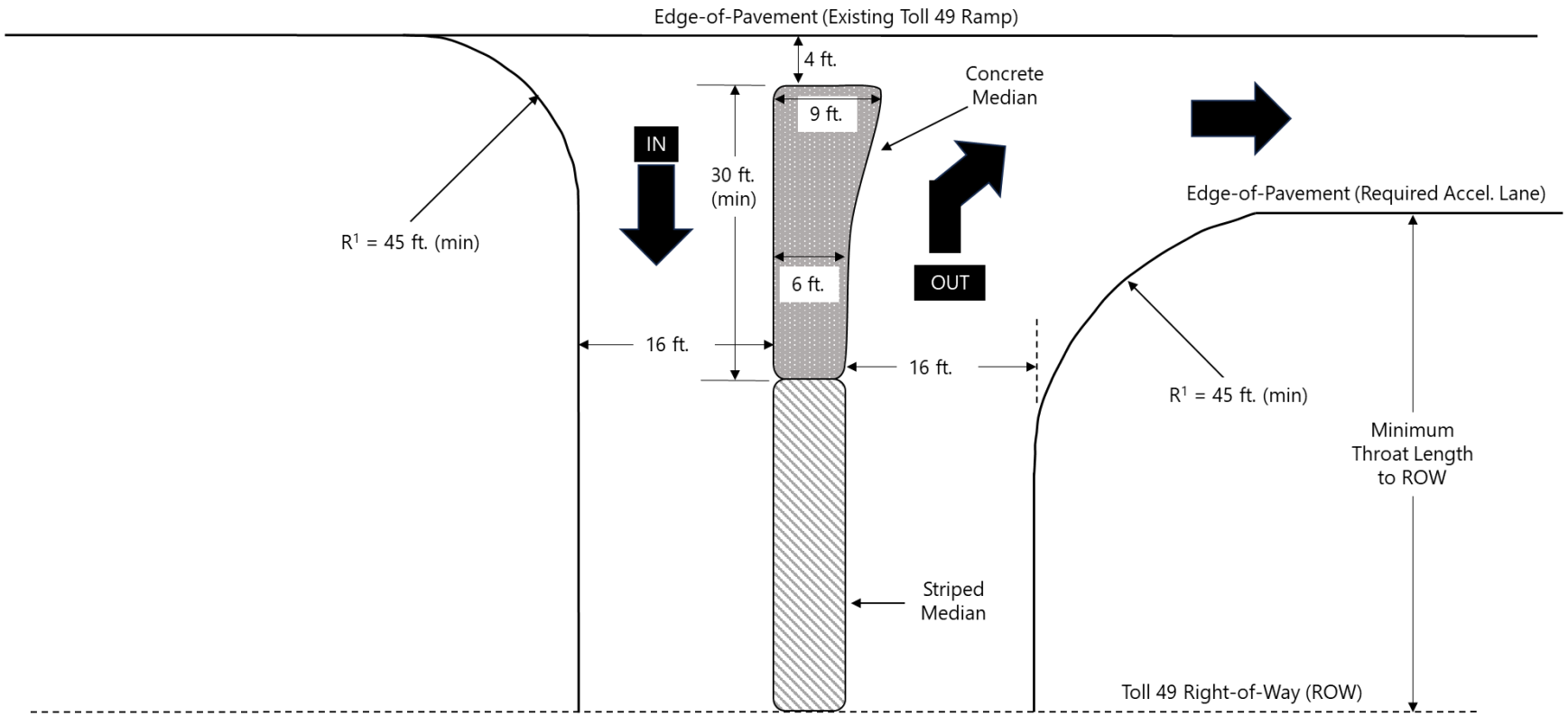
Acceleration Taper/Lane Construction

The longitudinal geometry of the acceleration lane required along the entrance ramp is shown in Figure 2 (an acceleration lane is also required for an access point along a frontage road, though the taper length can be shortened based on the frontage road's posted speed limit). The acceleration lane must be at least 14 ft. wide and include a 12 ft. lane with 2 ft. outside shoulder. The acceleration lane can incorporate the existing shoulder into the required width. The acceleration lane must drain away from the Toll 49 ramp or frontage road and outfall into a ditch or pipe to ensure acceleration lane water does not flow back onto the Toll 49 ramp or frontage road. However, the developer's engineer is required to ensure that the change in cross slope as a vehicle moves from the acceleration lane to the ramp does not exceed the allowable change as outlined in TxDOT's Roadway Design Manual (or the AASHTO Green Book).

The acceleration lane pavement structure must meet or exceed that of the existing Toll 49 ramp or frontage road. The subgrade for the acceleration lane must be lime or cement stabilized. When the subgrade has a plasticity index over 25, lime stabilization should be used. When the subgrade has a plasticity index under 25, cement should be used. The plasticity index should be determined by an experienced engineering firm prior to construction.

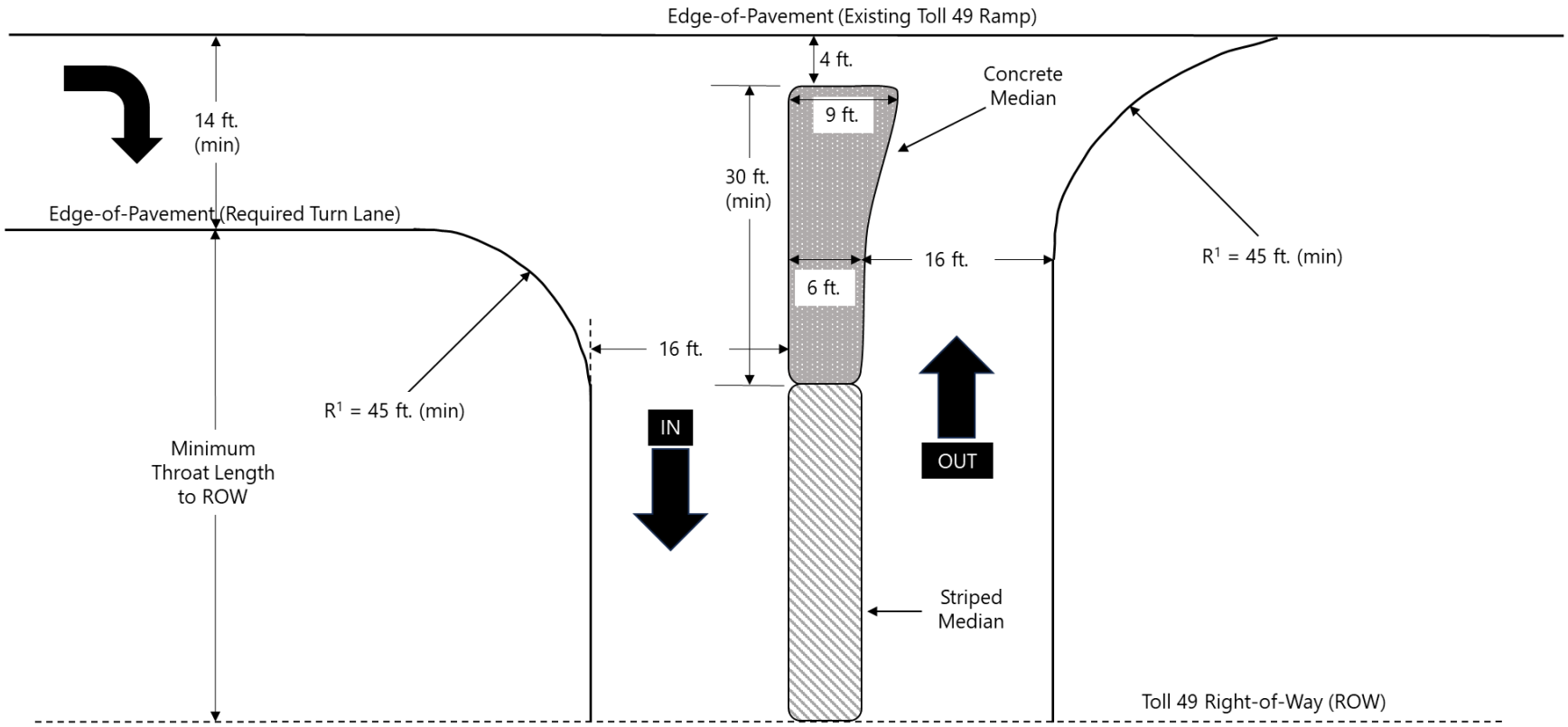
Acceleration lane striping must comply with the Texas Manual on Uniform Traffic Control Devices and consist of 100 mil TY I markings as defined in TxDOT's Item 666.

The initial construction of the acceleration lane and associated features is the responsibility of the developer. The NETRMA will approve all drawings and specifications prior to construction. The developer will be required to provide the NETRMA with quality control and/or quality assurance data illustrating that materials and in-place construction quality meets or exceeds all expectations. The NETRMA reserves the right to periodically inspect construction to ensure compliance. If a site inspection reveals a discrepancy between the construction expectations (as shown in the plans and specifications) and actual construction, construction must cease until a plan for correction is provided by the developer.



[1]A minimum 45 ft. radius is recommended in TxDOT's Roadway Design Manual as the minimum simple curve radius for a WB-40 vehicle to make a 90° turn. The WB-40 vehicle represents a semi-trailer truck with a 40 ft. wheelbase and typical overall length of 45.5 ft. If the developer anticipates larger trucks using the access, both the in- and out- radii should be increased based upon the anticipated design vehicle. At no time, shall these radii exceed 125 ft.

Figure 4. Driveway Dimensions for Toll 49 Entrance Ramp Access Point



[1]A minimum 45 ft. radius is recommended in TxDOT's Roadway Design Manual as the minimum simple curve radius for a WB-40 vehicle to make a 90° turn. The WB-40 vehicle represents a semi-trailer truck with a 40 ft. wheelbase and typical overall length of 45.5 ft. If the developer anticipates larger trucks using the access, both the in- and out- radii should be increased based upon the anticipated design vehicle. At no time, shall these radii exceed 125 ft.

Figure 5. Driveway Dimensions for Toll 49 Exit Ramp Access Point

Traffic Signal Design and Construction

When the TIA indicates signalization is immediately required, primarily because of traffic generation from the development, access will not be granted until the funding agreement is in place to pay for the design and construction of the signal. When this is the case, the developer is 100% responsible for all expenses associated with the traffic signal (i.e., design, construction, construction management, and transfer). Upon execution of the funding agreement, the NETRMA shall contract with an engineering firm to design the traffic signal. Upon completion of the design, the NETRMA will solicit bids for the construction of the traffic signal. The funding agreement for signalization shall include:

- Engineering and design cost performed by a consulting engineering firm, procured by the NETRMA.
- Construction cost.
- Project management cost (performed by the NETRMA at 11.5% of design + construction cost). Includes:
    - Coordination with other entities (i.e., TxDOT, city, or county).
    - Plan review.
    - Construction inspection.
    - Signal transfer to the proper owning entity.

When the traffic impact analysis indicates a signal will be required within the 20-year analysis period, the developer must agree to work with the NETRMA and other governing entities on a funding agreement to design and construct the signal. Financial participation by the developer is required. Failure to participate in funding the signal at the future date will lead to the immediate revocation of access.

Access Maintenance Requirements

It is the NETRMA's goal to maintain a system at a high level of service that exceeds the expectation of its users. For this reason, periodic planned maintenance is performed in addition to reactive maintenance. The developer is required to compensate the NETRMA for maintenance required on the additional assets produced as part of the development.

Pavement Maintenance

To ensure system consistency, the NETRMA will assume control of the newly constructed turn lane, acceleration lane, and any other pavement asset within Toll 49 ROW. However, the developer is expected to pay for the maintenance of these assets in perpetuity. For spot repairs and reactive maintenance (e.g., pothole repair) the NETRMA will retroactively bill the developer. For planned maintenance (e.g. pavement resurfacing), the NETRMA will proactively bill the developer and allocate those funds to the planned project.

Striping Maintenance

When striping is included as part of the pavement repairs described above, the cost to the developer will be included in the pavement repair cost. However, to enhance safety and maintain nighttime and wet weather visibility, the NETRMA often restripes its network apart from any pavement related needs. The NETRMA will bill (either proactively or retroactively) the developer for the striping costs required to maintain the additional striping produced with adding new pavement to a Toll 49 ramp or frontage road.

Sign Maintenance

The owner is not required to provide any maintenance compensation for the way finding signs placed along Toll 49 mainlanes and described in the Required Sign Installation and Compensation to the NETRMA section of this manual.

The developer is required to reimburse the NETRMA for maintenance performed on the ONE WAY, DO NOT ENTER, and WRONG WAY signs installed on Toll 49 ROW. These maintenance costs include reactive maintenance to replace the sign after it has been damaged or it could include proactive replacement as the sign's reflectivity is lost. The developer will be retroactively billed for this work.

Roadside Maintenance

The NETRMA will require reimbursement if roadside work is required that was directly caused by the development. This could include ditch cleaning if sediment leaves the development and enters Toll 49 ROW. Another example could include repairing roadway edges caused by damage from traffic exiting the development. Roadside work is not limited to these two examples. The developer will be retroactively billed for this work.

Consequences of Unpaid Maintenance

Reimbursement or compensation to the NETRMA for maintenance planned or performed is due upon receipt of the invoice. Failure to remit payment immediately will result in the revocation of access along Toll 49 ROW.

Land Use

Sale (or transfer) of Property

Access to future property owners is not guaranteed. Sale or transfer of the property does not include access to Toll 49. Access requirements should be disclosed by the current property owner during any transaction related to the property. The new property owner is required to disclose the anticipated land use to the NETRMA for review to determine if the access may remain, requires a new TIA, or should be removed. Parties to the transaction should begin this process as soon as practical to avoid interruptions to or complete loss of access along a Toll 49 frontage road or ramp.

Change or Expansion of Land Use

Land use changes or expansion of an existing development often generates more traffic. Changes in land use or expansion of the existing development void the access agreement and requires an update to the TIA to maintain access.

Shared Access

Due to the restricted nature of access points along Toll 49 frontage roads and ramps, shared access must be considered. If granted access, the initial access grantee is required to negotiate shared access with adjacent property owners or any property owner with a property boundary within 1,500 ft. of Toll 49 right-of-way at the access point.

The initial access grantee is prohibited to charge for access to Toll 49. However, reasonable negotiation between the parties is allowable for shared access grantees to pay single lump sum amounts to the initial access grantee to offset the cost of the required improvements to install the initial access point along a Toll 49 frontage road or ramp. The NETRMA will not participate in these negotiations beyond providing cost data for the permitting and construction of the initial access point.

As a mobility authority with an interest in the regional economy, shared access to Toll 49 must promote economic development. Therefore, shared access shall not be provided for individual property owners or single-family residences.

When granting shared access, it is the initial grantee's responsibility to inform shared access requestors that an update to the TIA is required. The initial grantee must provide the shared access requestor with a copy of the initial TIA as a starting point. The update to the TIA must include all components required in the initial TIA. The NETRMA will review the updated TIA and share the findings with other agencies (i.e., TxDOT, city, or county) affected by the estimated increase in traffic. If the updated TIA indicates the need to signalize an intersection immediately, shared access will not be granted until a funding agreement has been reached with all private parties to fund the signalization as described in the Traffic Signal Design and Construction section of this manual. Access requestors should be aware that the cost of signalization must be borne by the developers. The cost of signalization will not be shared by the NETRMA or other entities (i.e., TxDOT, city, or county). The process for designing, constructing, and paying for a signal is discussed in the Traffic Signal Design and Construction section of Access Construction Requirements.