

# MEMORANDUM OF UNDERSTANDING

## US 31W Access Management Partnership

**I. Parties:** This Memorandum of Understanding (hereinafter referred to as "MOU") is made and entered into by and between the Kentucky Transportation Cabinet (KYTC), Hardin County (County), the City of Elizabethtown and the City of Radcliff (Cities), and the Radcliff-Elizabethtown Metropolitan Planning Organization (MPO). In addition, the respective County and City Planning Commissions are recognized as accessory parties to this MOU in acknowledgement of the roles of those agencies in carrying out the responsibilities outlined herein.

**II. Background:** Highway route US 31W extends for 37.367 miles through Hardin County, Kentucky and passes through the Radcliff-Elizabethtown Urbanized Area, the Fort Knox Military Reservation, and rural areas within the county. The route is part of the National Highway System and the National Truck Network. In November 2006 the MPO completed the US 31W Access Management Study. This study was undertaken to seek feasible strategies to more effectively manage access along the route and thereby improve the safety and efficiency of the highway. The study was conducted through a collaborative effort between the MPO, the Kentucky Transportation Cabinet, local government agencies, business owners, and the public. A total of 17 strategies, programs, and projects were recommended for the US 31W study corridor.

**III. Purpose:** The purposes of this MOU are to:

- Establish a common understanding regarding the importance of US 31W for regional mobility;
- Provide for the mutual acceptance of the US 31W Access Management Study as a shared vision of the corridor and its deficiencies and needs;
- Establish a shared commitment to managing and improving the corridor to preserve safety and mobility (the objectives) in a manner that is consistent with the US 31W Access Management Study; and
- Provide a framework for multi-jurisdictional coordination and cooperation in development review and access permitting decisions that impact the corridor.

**IV. Need:** The policies, programmatic procedures, and funding actions required to implement the recommendations of the US 31W Access Management Study and in carrying out development reviews and related access permitting actions for the US 31W corridor transcend the resources, authority, and jurisdiction of any single agency or unit of government. In addition, actions taken at any point along the corridor have the potential to impact traffic conditions and travel times for the entire corridor. Therefore, coordination and cooperation are necessary between governmental entities to accomplish corridor management objectives. Since such coordination has occurred previously on only an informal and ad hoc basis, a mechanism is needed to formalize cooperation.

**V. Roles/Responsibilities:** The general roles and responsibilities of the parties with respect to this MOU are outlined below. Other than the partnerships created for managing access within the US 31W corridor, it is not intended that this MOU create any responsibility or duty of care that did not previously exist or alter any existing responsibility or duty of care.

**KYTC**

- Issuance of access permits or denial of access permit requests.
- Funding allocation and project management for implementation of State-responsible improvement projects.
- Coordination and cooperation with City and County planning agencies in review of development proposals, including location and design of access.

**County and Cities** (through the respective Planning and Zoning Commissions)

- Actions related to zoning and development proposals within the respective jurisdiction of each party.
- Coordination and cooperation with KYTC during the review of such proposals.
- Initiation of efforts to improve access spacing and/or design in conjunction with rezoning or redevelopment of existing properties.

**MPO**

- Development of Project Identification Forms for improvements and modifications recommended by the US 31W Access Management Study and incorporation of such projects into the MPO's Long Range Transportation Plan.
- Prioritization of such projects in relation to other identified projects within the metropolitan area.
- Incorporation of such projects utilizing federal highway funds into the MPO's Transportation Improvement Program.
- Periodic review and reassessment of the findings and recommendations of the US 31W Access Management Study and revision as necessary.

**VI. Understandings:** The following matters are understood and agreed upon by the parties to this MOU:

- US 31W is a vitally important highway to Hardin County and the surrounding region. The primary functional purpose of this highway is to carry large volumes of traffic with minimal delays. US 31W must also provide access to significant and extensive development including businesses, industries, medical facilities, public buildings, the Fort Knox Military Reservation, and homes and farms. However, to the extent feasible, this access should be provided in a manner that does not detract from the primary function of the highway or create safety problems.


## **Understandings** (continued)

- Continued growth within the region is leading to increasing travel demand in the corridor which, if unmanaged, could negatively affect mobility and safety for users of the highway.
- The report from the US 31W Access Management Study, attached hereto and incorporated by reference herein, is approved and accepted as a "Plan" for addressing traffic operational and safety issues related to highway access within the corridor.
- Diligent efforts, consistent with available resources and current priorities, will be made by all parties to implement the strategies, programs, and projects recommended in the Plan.
- Consideration of requests for new access points along the corridor will be coordinated between KYTC and the local governmental agency having jurisdiction. KYTC will not issue an access permit until subdivision and/or development plans have been approved.
- Development approval and access permitting decisions will be made in a manner that is consistent with and supportive of the Plan - unless it is agreed upon by all parties that a departure from the Plan is in the best interest of the corridor.
- As opportunities arise - through rezoning, redevelopment, change in use of existing properties, or highway construction - all feasible efforts will be made to improve access spacing and design in a manner that is consistent with the Plan.
- The access management standards proposed by the Kentucky Access Management Implementation Task Force and incorporated into the US 31W Access Management Study (Part VI) will be considered as interim guidelines until such time as standards are formally adopted by KYTC or the County/Cities.

**VII. MOU/Plan Amendment:** More detailed plans that may be developed during the design of improvement projects will be incorporated into the US 31W Access Management Plan. Revisions to the Plan may also result from periodic review and reassessment by the MPO. Amendments to the Plan or MOU may be requested by any party to the MOU and must be adopted by all parties.

**VIII. Signatures:**

**Recommended for Approval By:**

  
Patty Dunaway, Chief District Engineer  
Kentucky Transportation Cabinet, District 4

Date 5-8-08

  
Rick Baumgardner, Chairman  
Hardin County Planning and Development Commission

Date 4-15-08

  
Steve Rice, Chairman  
Elizabethtown Planning Commission

Date 4/22/08

  
John Flanagan, Chairman  
Radcliff Planning Commission

Date 7/22/08

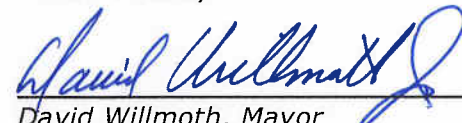
**Approved By:**

  
Gilbert Newman, State Highway Engineer  
Kentucky Transportation Cabinet

Date 6/23/08

  
Harry L. Berry, Judge/Executive  
Hardin County

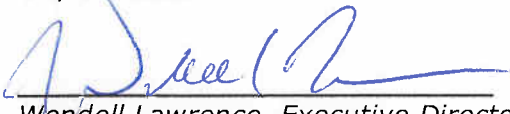
Date 4-18-08

  
David Willmoth, Mayor  
City of Elizabethtown

Date 4-23-08

  
Sheila Enyart, Mayor  
City of Radcliff

Date 5.6.08

  
Wendell Lawrence, Executive Director  
Lincoln Trail Area Development District  
Radcliff-Elizabethtown Metropolitan  
Planning Organization

Date 5-14-08