

# **ACCESS MANAGEMENT REGULATIONS**

**Pickaway County, Ohio**

**Effective 10/23/06**

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### **Authority**

These regulations are adopted pursuant to the authority granted to Boards of County Commissioners by Ohio Revised Code Chapter 5552.

### **Purpose**

These Access Management Regulations are adopted for the purposes of promoting traffic safety and efficiency, maintaining proper traffic capacity and traffic flow, reducing vehicular collision frequency, minimizing the future expenditure of public revenues, and improving the design and location of access connections to county and township roads while at the same time providing necessary and reasonable ingress and egress to properties along those roads.

This Board of County Commissioners finds and determines that these regulations establish the minimum standards necessary to properly manage access to county and township roads in Pickaway County and to carry out the purpose and intent of Revised Code Chapter 5552.

### **Implementation and Administration**

The effective date of these regulations is October 23, 2006. The Pickaway County Engineer, or his designee, is responsible for implementing and administering these regulations. The Pickaway County Engineer may develop procedures to implement these regulations.

### **Applicability**

These regulations shall apply to all access connections designed or intended for motor vehicle, bicycle, equestrian or pedestrian use to county or township roads in unincorporated areas of Pickaway County constructed on or after the effective date of these regulations. They shall also apply to all existing access connections for the purposes described in this Article whenever the land use or the access classifications of such existing access connections change.

Nothing in the regulations adopted under this chapter limits the authority granted in section 711.05 or 711.10 of the Revised Code for subdivision regulations to provide for proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan.

## **Definitions**

**Access Classification:** A classification system that defines driveways according to their purpose and use:

- CLASS 5 driveway
  - field drive – provides access to agriculture lands and principally used by farm equipment
  - utility drive – provides access to public utility facilities
- CLASS 4 driveway
  - farm drive – provides access to farm buildings, including single home
  - single family residence drive
  - single family common access drive serving five or fewer residences
  - multi-family residence drive serving five or fewer residential units
  - walking, jogging, biking or equestrian trails
- CLASS 3 driveway
  - less than 100 trip ends in the peak hour
- CLASS 2 driveway
  - 100 or more but less than 200 trip ends in the peak hour
- CLASS 1 driveway
  - 200 or more trip ends in the peak hour

**Access Connection:** Any connection to a road or street which permits access to or from the road or street by vehicles, equipment, cars, trucks, buses, motorcycles, bicycles, pedestrians, horses, etc for the purpose of crossing the road or street or accessing the road or street. An access connection may be a road, street, driveway, trail, etc.

**Driveway:** An access connection other than from another public road or street. The driveway includes the driveway base, surface, shoulders, curbs, etc., and the culvert under the driveway.

**Intersection Sight Distance (ISD):** The sight distance required by a stopped driver to observe traffic traveling at a given speed on a road in order to safely enter or cross the road. Intersection Sight Distance shall be as defined in the most recent edition of the Location and Design Manual of the Ohio Department of Transportation.

**Lot Split Approval:** The process of approving Minor Subdivision (Lot Splits) in accordance with the Subdivision Regulations as authorized by R.C. 711.131.

**Stopping Sight Distance (SSD):** The distance required by a driver of a vehicle, traveling at a given speed, to bring the vehicle to a stop after an object on the roadway becomes visible. Stopping Sight Distance shall be as defined in the most recent edition of the Location and Design Manual of the Ohio Department of Transportation.

**Subdivision Regulations:** The Pickaway County Subdivision Regulations as enacted and amended by the Pickaway County Board of Commissioners.

**Technical Design Standards:** The most recent edition of the Technical Design Standards of the Pickaway County Engineer as authorized by the Subdivision Regulations.

Definitions of the Subdivision Regulations of Pickaway County are incorporated by reference into these regulations to the extent not inconsistent with the above definitions.

### **Preliminary Access Approval**

Prior to any lot split approval or prior to the transfer of any applicable lot or parcel of land which is not subject to a lot split approval, the Pickaway County Engineer shall, upon written request, issue a preliminary access approval. The preliminary access approval will indicate those locations along the lot for which access is acceptable and in conformance with these regulations. The preliminary access approval shall be issued within seven (7) working days following submission of all the information required by these regulations. The Pickaway County Engineer may choose to not issue a preliminary access approval in situations when access is not desired or when provisions for access may be determined at a later date.

For preliminary access approval or for access permit issuance when no preliminary access approval was required, the Pickaway County Engineer may require any or all of the following information be shown by a registered engineer or surveyor on either a survey plat or other accurate drawing:

1. Distances from the side property lines to the nearest adjacent driveways and their use.
2. Location of any driveways across from the property and their use.
3. Location of any driveways on the property and their use.
4. Available sight distance (SSD) and required sight distance (SSD).
5. Required driveway spacing.
6. Location of proposed driveways, if known.
7. Other information as required by the Pickaway County Engineer.

### **Access Permits**

Prior to the construction of a driveway, an access permit application shall be submitted to the Pickaway County Engineer. The Pickaway County Engineer shall issue an access permit if the access permit application is approved. The permit will be for access at a location for which a preliminary access approval was previously granted or at a location that is otherwise in conformance with these regulations. In those situations where no preliminary access approval was issued, the Pickaway County Engineer may require submission of the Preliminary Access Approval information.

Permits issued may include interim or temporary permits and shall prescribe the permitted uses and any limitations or conditions of the permit as well as the access classification. New permits are required whenever the land use or the access classifications of existing driveways change.

For CLASS 4 and CLASS 5 driveways, access permits shall be approved and issued or disapproved within fourteen (14) calendar days following submission of all information required by these regulations.

For all other driveway classifications, access permits shall be approved or disapproved and issued within thirty (30) calendar days following submission of all information required by these regulations or by the Pickaway County Engineer.

Any access permit which is not approved and issued or is not disapproved within the above time frames shall be deemed approved and shall be issued in accordance with the information submitted.

An access permit fee as established by the Board of Commissioners to cover the cost of administering these regulations shall accompany the access permit application.

Access permits shall expire if the driveway is not constructed within ninety (90) calendar days of the date of access permit issuance.

### **Variations and Appeals**

The Board of Commissioners shall serve as the Board of Appeals for Access Management. The Board of Appeals shall hear and decide variations to these regulations in accordance with the standards of this Article. The Board of Appeals may also hear appeals where it is alleged that the Pickaway County Engineer made an error in any order, requirement, decision or determination in the enforcement of these access management regulations.

Variations may be granted by the County Engineer and/or Board of Appeals for all classes of driveways. Variations are appropriate if not contrary to the public interest where, owing to special conditions, a literal enforcement of the regulations will result in unnecessary hardship, and such that the spirit of the regulations will be observed and substantial justice done.

In the granting of variations, the Board of Appeals may consider all relevant matters, including, but not limited to, the following:

1. Whether not granting the variance would deny all reasonable access.
2. Whether granting the variance would endanger the public safety.
3. Whether the hardship was self-created.
4. Whether granting the variance would hinder traffic safety or the proper operation of the public road.
5. Whether granting the variance would be consistent with the purpose of these regulations.
6. Whether all feasible access options except granting a variance have been considered.
7. Physical constraints, existing driveway spacings, current legal or advisory speed limits, and other issues.

The applicants for variations may be required to provide evidence of unique or special conditions that make the strict application of these regulations impractical or impossible. Such evidence may include:

1. Indirect or restricted access cannot be obtained.
2. No engineering or construction solutions can be applied to mitigate the condition.
3. No alternative access is available.

All applications for appeals or variations shall be accompanied by the fee established by the Board of County Commissioners. Appeals shall be filed within thirty (30) calendar days of the County Engineer's decision. Appeals to decisions of the Board of Appeals for Access Management shall be in accordance with Chapter 2506 Revised Code of Ohio.

## **Enforcement**

If any driveway is installed contrary to these regulations, the County Engineer shall notify the property owner in writing. The notification shall identify the problem with the driveway and establish a 15 calendar day period, or other longer time period approved by the Pickaway County Engineer, for the property owner to correct the problem. If the problem is not corrected within the established time period, Pickaway County may proceed in accordance with applicable law.

In addition, pursuant to Section 5552.99 of the ORC, whoever violates any provision of these regulations shall be fined upon conviction not more than five hundred dollars for each offense. Each day of violation is a separate offense. This remedy is in addition to other remedies as provided by law.

## **Standards**

The arrangement, character, extent, width, grade, and location of all access connections shall conform with these regulations and shall be considered in their relation to existing and planned roads, streets and driveways, topographical conditions, and public convenience and safety and the proposed uses of the land to be served by such access connections.

1. The requirements of these regulations vary depending on the road classification as defined in most recent version of the PICKAWAY COUNTY TECHNICAL DESIGN STANDARDS.
2. The provisions of any existing or future Access Management Plan prepared for a specific road or portion of a road shall apply. The applicable requirements of the Subdivision Regulations and the Technical Design Standards shall also apply.
3. CLASS 5 Driveways

New driveways shall be located no closer than 25 feet from an existing or proposed driveway and no closer than 80 feet from an existing or proposed road or street. New driveways serving the same parcel or serving contiguously-owned parcels shall be located no closer than 495 feet from an existing or proposed driveway.

4. CLASS 4 Driveways

- a. **Along Major Collector Roads:** No new driveways shall be permitted along a Major Collector Road from parcels or contiguously-owned parcels where access is available or can be made available from a lower classification road or street or from a common access driveway.

Where new driveways along a Major Collector Road are permitted, they shall be located no closer than 495 feet from an existing or proposed driveway or from an existing or proposed road or street. No more than one driveway shall be permitted per parcel or per contiguously-owned parcels.

- b. **Along Minor Collector Roads, Local Roads, Local and Collector Streets:** No more than one driveway shall be permitted per parcel or per contiguously-owned parcels except that two driveways may be permitted if they are located in accordance with these regulations and spacing requirements as follows: Minor Collector - 300', Local Road – 250', Local and Collector Streets 120'.

5. CLASS 3, CLASS 2, and CLASS 1 Volume Driveways/Access Connections

- a. **Along Major Collector Roads:** No new driveways shall be permitted along a Major Collector Road from parcels or contiguously-owned parcels where access is available or can be made available from a lower classification road or street or from a common access driveway.

Where new driveways along a Major Collector Road are permitted, they shall be located no closer than 495 feet from an existing or proposed driveway or from an existing or proposed road or street. No more than one driveway shall be permitted per parcel or per contiguously-owned parcels.

For new driveways that will warrant traffic signals, the spacing from the nearest existing or proposed signalized intersection shall be no closer than 2640 feet, or from the nearest existing or proposed un-signalized intersection shall be no closer than 1320 feet.

- b. **Along Minor Collector Roads:** No new driveways shall be permitted along a Minor Collector Road from parcels or contiguously-owned parcels where access is available or can be made available from a lower classification road or street.

New driveways along a Minor Collector road shall be located no closer than 300 feet from an existing or proposed road or street or from an existing or proposed driveway.

For new driveways that will warrant traffic signals, the spacing from the nearest existing or proposed signalized intersection shall be no closer than 1760 feet or from the nearest existing or proposed unsignalized road or street intersection shall be no closer than 880 feet.

- c. **Along Local Roads:** No more than one driveway shall be permitted per parcel or per contiguously-owned.

New driveways along a Local road shall be located no closer than 250 feet from an existing or proposed road or street or from an existing or proposed driveway.

For new driveways that will warrant traffic signals, the spacing from the nearest existing or proposed signalized intersection shall be no closer than 1320 feet or from the nearest existing or proposed un-signalized road or street intersection shall be no closer than 660 feet.

- d. **Along Local and Collector Streets:** Driveways shall meet the requirements for Local Roads.

6. General

- a. All new driveways shall meet or exceed the requirements of these regulations. The location of all access connections shall permit adequate horizontal and vertical sight distance as specified in the latest edition of the Ohio Department of Transportation (ODOT) Location and Design Manual, based on the Stopping Sight Distance (Intersection Sight Distance for CLASS 3, CLASS 2, and CLASS 1 driveways) for the legal speed limit at the location of the driveway.
- b. Existing driveways that do not conform with these regulations shall be considered nonconforming driveways and shall be brought into conformance with these regulations under the following conditions:
  - 1. When new access permits are requested;
  - 2. When significant increases in trip generation are planned for the driveway;
  - 3. If the use served by the nonconforming driveway discontinues for a consecutive period of 2 years;
  - 4. When there is a change of use of the property; or
  - 5. As roads are reclassified to a Functional Classification of Major Collector or higher, at the discretion of the Pickaway County Engineer.
- c. To the greatest extent possible developments shall incorporate unified access and circulation systems. Where a proposed development abuts to and connects, through internal circulation, to an existing subdivision or development which has access to a road or street, the proposed development shall, when necessary, upgrade the intersection at the road or street and the existing subdivision's or development's access to the road or street.
- d. When a new driveway is permitted, the property owner(s) shall eliminate all pre-existing non-conforming driveways upon completion of the new driveway as required by the County Engineer. No new driveways shall be permitted for parcels or contiguously-owned parcels where access rights have been previously extinguished or acquired by a governmental body.
- e. Property owners are required, at their expense, to install driveways in accordance with these regulations, the requirements of the Pickaway County Engineer or applicable Township, and any construction plans for the driveways which have been approved by the Pickaway County Engineer.
- f. The County Engineer shall require a Traffic Impact Study for any CLASS 2 or CLASS 1 driveway and may require a Traffic Impact Study for any CLASS 3 driveway. The Traffic Impact Study shall be prepared in accordance with the requirements of the Pickaway County Engineer and

the Technical Design Standards. All costs associated with preparing a Traffic Impact Study and any modifications to the roadway shall be the responsibility of the property owner.

- g. Based on a Traffic Impact Study or the requirements of the Pickaway County Engineer, the Pickaway County Engineer may impose requirements such as:
  - 1. Addition of left and right turn lanes,
  - 2. Minimum and maximum widths and turning radii for driveways,
  - 3. Increased "throat" lengths between the public road and parallel driveways or parking areas,
  - 4. Restricting turning movements at driveways,
  - 5. Denying direct access,
  - 6. Installation or modification of traffic signals,
  - 7. Consolidating driveways,
  - 8. Closing driveways,
  - 9. Increased driveway spacings.
  - 10. Increased lane width or berm width on the existing road.
  
- h. Based on professional judgment, the Pickaway County Engineer may reduce by up to 35% the above driveway spacings for CLASS 4 and CLASS 5 driveways. The Pickaway County Engineer may take into account physical constraints, existing driveway spacings, current legal or advisory speed limits, and other issues.

### **Amendments**

The Board of County Commissioners may, after two public hearings advertised and held in accordance with Ohio Revised Code Section 5552.06, amend or supplement these regulations. The requirements for the advisory committee shall not apply to any amendments.

### **Severability**

If, for any reason, any clause, sentence, paragraph, section or other part of these regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these regulations as a whole, or any part thereof, other than the part so held to be invalid.

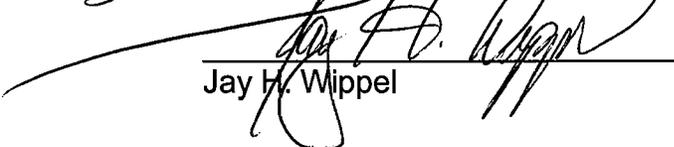
**Adoption**

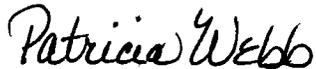
These regulations are adopted by Resolution of the Board of County Commissioners on **October 23, 2006** after public hearings were held on **December 19, 2005**, **February 8, 2006**, and **February 22, 2006**.

BOARD OF COUNTY COMMISSIONERS  
PICKAWAY COUNTY, OHIO

  
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Ula Jean Metzler

  
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Glenn D. Reaser

  
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Jay H. Wippel

Attest:   
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Clerk