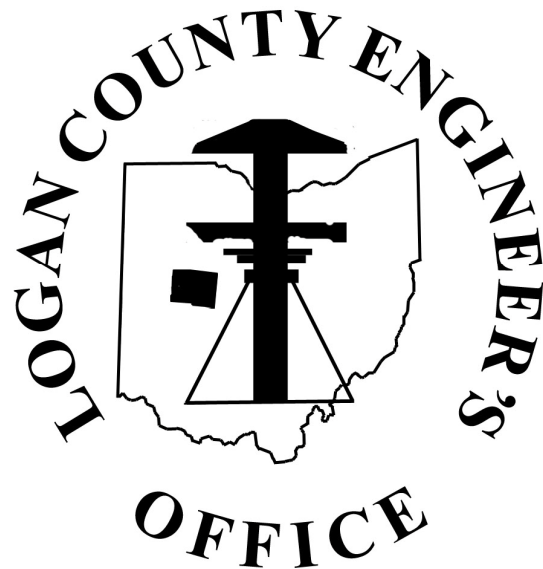


Access Management Regulations

Logan County, Ohio
Effective _____, 2017



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Preliminary 01/19/2017

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Authority

Logan County is authorized by Chapter 5552 of the Ohio Revised Code (ORC) to adopt Access Management Regulations for the county and township roads in Logan County.

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 accident 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.

The regulations establish the standards necessary to properly manage access to county and township roads in Logan County and to satisfy the purpose of Chapter 5552 of the ORC.

Implementation and Administration

The effective date of these regulations is _____, 2017. The Logan County Engineer, or his designee, is responsible for implementing and administering these regulations. In addition to the procedures contained herein, the Logan County Engineer may develop other procedures to further the implementation of these regulations.

Applicability

These regulations shall apply to all access connections to county and township roads constructed on or after the effective date of these regulations. These regulations shall also apply to all existing access connections whenever the land use or the access classifications of such existing access connections change or whenever the existing access is upgraded by reconstruction, relocation, modification, or expansion.

These regulations do not apply to the original approval of platted lots (Major Subdivisions) governed by the Subdivision Regulations. They do apply to minor subdivisions approved without a plat under the procedure contained in Section 711.131 of the ORC and to any lot or parcel not otherwise subject to regulation under Chapter 711 of the ORC.

Access connections which are constructed after the effective date of these regulations, but prior to _____, 2017, in accordance with an approved driveway permit issued prior to the effective date of these regulations shall also be exempt from these requirements.

Definitions

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

Minimum Volume Driveway

- field drive - provides access to agricultural or undeveloped lands
- utility drive - provides access to public utility facilities

Very Low Volume Driveway

- farm drive - provides access to agricultural buildings
- 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

Low Volume Driveway

- less than 100 trip ends in the peak hour

Medium Volume Driveway

- 100 or more, but less than 200 trip ends in the peak hour

High Volume 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, common access drive, trail, etc.

Driveway: An access connection. The terms driveway and access connection mean the same and may be used interchangeably. The driveway includes the driveway base, surface, shoulders, curbs, etc., and the culvert under the driveway. A driveway upgrade includes reconstruction, relocation, modification, or expansion.

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 Subdivisions (Lot Splits) in accordance with the Subdivision Regulations.

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 most recent edition of the Subdivision Regulations of Logan County as enacted and amended by the Logan County Board of Commissioners.

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

See Article 9 of the Subdivision Regulations for additional definitions.

Preliminary Access Approval

Prior to any lot split approval, or prior to the transfer of any existing lot which is not subject to a lot split approval, the Logan County Engineer ~~will~~ ~~shall~~ 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 ~~will~~ ~~shall~~ be issued with the lot split approval or within ~~10~~ ~~seven~~ working days following submission of all the information required by these regulations or other information as required by the Logan County Engineer. **A preliminary access approval does not serve as an Access Permit. Application for an access permit shall be submitted for review prior to driveway installation.**

The Logan 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 Logan County Engineer may require the following information be shown on either a survey plat or other accurate drawing by a registered engineer or a surveyor:

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 or ISD) and required sight distance (SSD or ISD).
5. Required driveway spacing.
6. Location of proposed driveways, if known.
7. Other information as required by the Logan County Engineer.

Access Permits

Prior to the issuance of a building permit, or prior to the construction of a driveway in those situations not requiring a building permit, an access permit application shall be submitted to the Logan County Engineer. The 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 Logan 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.

~~For Minimum Volume and Very Low Volume driveways, access permits shall be approved and issued or disapproved within seven working days following submission of all information required by these regulations.~~

~~For all other driveway classifications,~~ Access permits ~~will~~ shall be approved and issued or disapproved within ~~10~~ 30 working days following submission of all information required by these regulations or other information as required by the Logan County Engineer.

Any access permit which is not approved and issued or is not disapproved within ~~30 working days following submission of all information required by these regulations or other information as required by the Logan County Engineer~~ ~~the above time frame~~ shall be deemed approved and shall be issued in accordance with the information submitted.

An access permit fee shall be established by the County Engineer to cover the cost of administering the ~~access~~ permit ~~these regulations~~ and shall accompany the access permit application.

Access permits shall expire if the driveway is not constructed within six months of the date of access permit issuance. The Logan County Engineer may grant no more than two extensions of six months each.

Variances and Appeals

The Board of Commissioners shall designate a Board of Appeals for Access Management. The Board of Appeals shall hear and decide variances to these regulations and appeals where it is alleged that the Logan County Engineer made an error in any order, requirement, decision or determination in the enforcement of these Access Management Regulations.

Variances may be granted for all classes of driveways. Variances are appropriate if not contrary to the public interest where, due 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 variances, the Board of Appeals may consider all relevant matters including, but not limited to, the following:

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

The Logan County Engineer may require applicants for variances 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.

The Board of Commissioners may establish a fee to cover the cost of administering the variance or appeal. The fee shall accompany the application for variances or appeals.

Applications for variances or appeals shall be filed within 30 days of the decision of the Logan County Engineer.

Appeals to decisions of the Board of Appeals ~~may be initiated by any person adversely affected and~~ shall be pursuant to Chapter 2506 of the ORC.

Enforcement

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

Pursuant to Section 5552.99 of the ORC, whoever violates an access management regulation adopted under Section 5552.02 of the ORC, shall be fined not more than \$500.00 for each offense. Each day of violation is a separate offense. This remedy is in addition to other remedies as provided by law, including but not limited to, an action for declaratory judgment, injunction, etc.

Standards

The arrangement, character, extent, width, grade and location of all access connections shall conform to 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 shown on the Road Classification Plan contained within the Technical Design Standards of the Logan County Engineer. For definitions of the various road or street classifications, refer to the Subdivision Regulations.
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. Minimum Volume Driveways

- a. New Driveways or driveway upgrades shall be located no closer than 25 feet from an existing or proposed driveway and no closer than 120 feet from an existing or proposed road or street. New driveways or driveways upgrades shall be located no closer than 495 feet from an existing or proposed driveway serving the same parcel or serving ~~contiguously~~ ~~continuously~~ owned parcels.

4. Very Low Volume Driveways

- a. Along Major Collector Roads: No new driveways or driveway upgrades 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 or driveway upgrades 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: No new driveway or driveway upgrades 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.

Where new driveways or driveway upgrades along a Minor Collector Road are permitted, they shall be located no closer than 360 feet from an existing or proposed road or street. No more than one driveway shall be permitted per parcel or per contiguously-owned parcels.

- c. Along Local Roads: No more than one driveway or driveway upgrade shall be permitted along a Local Road from parcels or contiguously-owned parcels. Except that two driveways or driveway upgrades may be permitted if they are in accordance with this paragraph.

Where new driveways or driveway upgrades along a Local Road are permitted, they shall be located no closer than 250 feet from an

existing or proposed driveway or from an existing or proposed road or street.

- d. Along Collector Streets: No more than one driveway or driveway upgrade shall be permitted per parcel or per contiguously-owned parcels.

New driveways or driveway upgrades shall be located no closer than 40 feet from an existing or proposed driveway or no closer than 120 feet from an existing or proposed road or street.

- e. Along Local Streets: No more than one driveway or driveway upgrade shall be permitted per parcel or per contiguously-owned parcels.

New driveways or driveway upgrades shall be located no closer than 25 feet from an existing or proposed driveway or no closer than 80 feet from an existing or proposed road or street.

5. Low, Medium and High Volume Driveways

- a. Along Major Collector Roads: No new driveways or driveway upgrades shall be permitted along Major Collector Road from parcel 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 or driveway upgrades 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 or driveway upgrades that will warrant traffic signals, the spacing from the nearest existing or proposed signalized intersection shall be no closer than 2,640 feet, or from the nearest existing or proposed un-signalized intersection shall be no closer than 1,320 feet.

Turn lanes shall be installed at all intersections where traffic signals are planned or when required by the Logan County Engineer.

- b. Along Minor Collector Roads: No more than one driveway or driveway upgrade shall be permitted per parcel or per contiguously-owned parcel. ~~unless:~~
 - ~~i. The parcel is located at an intersection of two Minor Collector Roads or at an intersection of a Minor Collector Road and a Local Road and one of the two driveways is “right in/right out only” and is located on a Minor Collector Road or,~~
 - ~~ii. The driveway spacing is at least 360 feet, and one of the two driveways is “right in/right out only”.~~

New driveways or driveway upgrades along a Minor Collector Road shall be located no closer than 360 feet from an existing or proposed road or street or from an existing or proposed driveway.

For new driveways or driveway upgrades that will warrant traffic signals, the spacing from the nearest existing or proposed signalized intersection shall be no closer than 1,760 feet or from the nearest existing or proposed un-signalized road or street intersection shall be no closer than 880 feet.

Turn lanes shall be installed at all intersections where traffic signals are planned or when required by the Logan County Engineer.

- c. Along Local Roads: No more than one driveway or driveway upgrade shall be permitted per parcel or per contiguously-owned parcels except that two driveways may be allowed if one of the two driveways is “right in/right out” and the driveway spacing is at least 250 feet.

New driveways or driveway upgrades along a Local Road shall be located no closer than 250 feet from an existing or proposed road or street or from an existing proposed driveway. For new driveways or driveway upgrades that will warrant traffic signals, the spacing from the nearest existing or proposed signalized intersection shall be no closer than 1,320 feet, or from the nearest existing or proposed un-signalized road or street intersection shall be no closer than 660 feet.

Turn lanes shall be installed at all intersections where traffic signals are planned or when required by the Logan County Engineer.

- d. Along Local and Collector Street: Driveways and driveway upgrades shall meet the requirements for Local Roads.

6. General

- a. All driveways or driveway upgrades 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 Technical Design Standards based on: The Stopping Sight Distance (Intersection Sight Distance for low, medium and high volume driveways) for legal speed limit at the location of the driveway.
- b. Common access driveways and/or cross access or through access easements may be required and are permitted to satisfy the requirements of these regulations. Proposed common access driveways and/or cross access or through access easements shall be in accordance with the Common Access Drive Regulations in The Technical Design Standards
- c. 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:
 - i. When new access permits are requested,
 - ii. When driveway upgrades are proposed,
 - iii. When significant increases in trip generation are planned for the driveway,
 - iv. If the use served by the nonconforming driveway discontinues for a consecutive period of two years, or,
 - v. As major road improvements take place at the discretion of the Logan County Engineer.
- d. To the greatest extent possible development 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.

- e. Whenever a new driveway or driveway upgrade is permitted, the property owner(s) shall eliminate all pre-existing non-conforming driveways upon completion of the new driveway or driveway upgrade as required by the Logan County Engineer. No new driveways or driveway upgrades shall be permitted for parcels or contiguously-owned parcels where access rights have been previously extinguished or acquired by a governmental body.
- f. Property owners are required, at their expense, to install driveways in accordance with these regulations, the requirements of the Logan County Engineer, and any construction plans for the driveways which have been approved by the Logan County Engineer.
- g. The Logan County Engineer shall require a Traffic Impact Study for any Medium Volume or High Volume driveway and may require, at his discretion, a Traffic Impact Study for any Low Volume driveway. The Traffic Impact Study shall be prepared in accordance with the requirements of the Technical Design Standards and the Logan County Engineer.
- h. Based on a Traffic Impact Study or requirements of the Technical Design Standards and the Logan County Engineer, the Logan County Engineer may impose requirements such as:
 - i. Addition of left and right turn lanes,
 - ii. Minimum and maximum widths and turning radii for driveways,
 - iii. Increased “throat” lengths between the public road and parallel driveways or parking areas,
 - iv. Restricting turning movements at driveways,
 - v. Denying direct access,
 - vi. Installation or modification of traffic signals,
 - vii. Consolidating driveways,
 - viii. Requiring common access driveways,
 - ix. Closing driveways,
 - x. ~~Modified~~ ~~Increased~~ driveway spacing.
- i. Based on professional judgment, the Logan County Engineer may apply the principles of access management to ~~administratively approve modified~~ ~~accommodate~~ driveway spacing for Minimum

Volume, Very Low Volume, Low Volume driveways ~~or driveways~~ within unincorporated areas of the county. The Logan County Engineer may take into account physical constraints, existing driveway spacing, current legal or advisory speed limits, and other issues. These determinations will be made on a case by case basis.