

ACCESS MANAGEMENT REGULATIONS

Hancock County, Ohio

Effective March 23, 2006

Amended August 31, 2023

Road Classification Map Amended August 31, 2023

Amendment Effective October 1, 2023

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ARTICLE 1

Authority

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

ARTICLE 2

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 Hancock County and to carry out the purpose and intent of Revised Code Chapter 5552.

ARTICLE 3

Implementation and Administration

The effective date of these regulations is March 23, 2006 and amended August 31, 2023. The Hancock County Engineer is responsible for implementing and administering these regulations.

ARTICLE 4

Applicability

- A. These regulations shall apply to all access connections designed or intended for motor vehicle, bicycle, equestrian or pedestrian use to county or township roads 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 or whenever the existing access is upgraded by reconstruction, relocation, modification, or expansion.
- B. These regulations will be used as a guide in approving access points to the original approval of platted subdivisions governed by the Hancock County Subdivision Regulations. They do apply to minor subdivisions approved without a plat under the procedure contained in R.C. 711.131

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and to any point of access from a parcel of land not otherwise subject to regulation under Chapter 711 Revised Code of Ohio.

ARTICLE 5

Definitions

- A. **Access Point:** Point of ingress/egress to a roadway.
- B. **Access Classification:** A classification system that defines accesses according to their purpose and use:
1. **Minimum Volume access**
 - field drive – provides access to agriculture lands and principally used by farm equipment
 - Utility drive – provides access to public utility facilities, including communication towers, relay stations, etc.
 2. **Very Low Volume access**
 - farm drive – provides access to farm buildings, including a 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
 3. **Low Volume access**
 - less than 100 vehicles per day
 4. **Medium Volume access**
 - 100 or more but less than 200 vehicles per day
 5. **High Volume access**
 - 200 or more vehicles per day
- C. **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, or horses or other animals, for the purpose of crossing the road or street or accessing the road or street. An access connection may be a road, street, access, or trail.
- D. **Access Management Plan:** Means a roadway plan which designates access locations and their design for the purpose of bringing those portions of roadway included in the access management plan into conformance with their access category to the extent feasible.
- E. **Access Volume Thresholds:** These volumes determine the type of classification the proposed access will be assigned. The classification is based on the vehicles per day generated by the proposed use or development.

- F. **Applicant:** Means any person, corporation, entity or agency applying for an access permit. Applicant shall be the Owner or Corporate Officer of the property for which the application pertains.
- G. **Average Daily Traffic (ADT):** Average daily traffic volumes at a given location over a 24-hour period.
- H. **Capacity:** Means the ability of the highway to provide service to the volume of vehicles seeking to use the highway. Capacity is most often considered the maximum volume of traffic that can be accommodated by a highway during a specified unit of time. Sometimes it refers to the entire roadway and sometimes to a single lane.
- I. **Intersection:** (1) The area embraced within the prolongation or connection of the lateral curb lines, or if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict; (2) where a highway includes two roadways thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. If an intersecting highway also includes two roadways thirty feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection; (3) The junction of an alley with a street or highway, or with another alley, shall not constitute an intersection.
- J. **Lot Split Approval:** The process of approving Minor Subdivision (Lot Splits) in accordance with the Subdivision Regulations as authorized by R.C. 711.131.
- K. **Marginal Access Street:** A minor street paralleling and adjacent to provide access to abutting properties and protection from through traffic.
- L. **Right-of-Way/ Highway Easement:** A general term denoting land, property, or the interest therein, usually in the configuration of a strip acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.
- M. **Roadway:** That portion of a highway improved, designed or ordinarily used for vehicular travel except the berm or shoulder. If a highway includes two or more separate roadways, the term "roadway" means any such roadway separately but not to all such roadways collectively.
- N. **Road Classification:** A ranking system for roadways used to determine the appropriate degree of access management regulation in order to promote public safety and congestion prevention. For the purpose of these regulations, all roads on the County and Township road systems shall be placed in one of the following classifications, Major Collector, Minor Collector, Local Roads and Local Streets. The county and township roads and their classifications will be found in the adopted Road Classification Map.
- O. **Spacing:** Measured distance from centerline to centerline of accesses.

- P. **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.
- Q. **Subdivision Regulations:** The Hancock County Subdivision Regulations as enacted and amended by the Hancock County Board of Commissioners.
- R. **Design Standards:** The most recent edition of the ODOT Design Manuals and Standards.
- S. **Township roads:** Include all public highways outside municipalities other than state or county roads. The Board of Township Trustees shall maintain all such roads within its township.
- T. **Traffic Impact Study (TIS):** a study that may be required per ARTICLE 6 herein to be completed to the satisfaction of the County Engineer before an access permit can be approved and issued for any development.
- U. **Variance:** permission to depart from a particular standard or requirement of the Hancock County Access Management Regulations as provided in ARTICLE 9 herein.
- V. **Additional Definitions:** Article II Definitions of the Subdivision Regulations of Hancock County are incorporated by reference into these regulations to the extent not inconsistent with the above definitions.

ARTICLE 6

Traffic Impact Studies (TIS)

The purpose and need for a TIS is to determine more precisely the impacts of the access usage, to mitigate these impacts through the proper location, design, and construction of the access connection(s), and to ensure the continued functional and operational integrity of the roadway. The following instances would require a TIS:

1. The proposed access generates more than twenty percent (20%) of the Average Daily Traffic (ADT) of the road being accessed.
2. The proposed access generates more than twenty percent (20%) of the peak hour volume of the road to be accessed, provided the peak hours coincide.
3. Increase in use of adjacent streets by vehicles generating 10 ton loads or greater

The Traffic Impact Study shall be prepared in accordance with the requirements of ODOT Design Manuals and Standards and the County Engineer. If a TIS concludes that a negative impact on existing infrastructure would result from a proposed development, the TIS should also provide suggestions (if any) to mitigate the potential problem, such as changing the access location, signalization, adding new lane(s), etc.

ARTICLE 7

Preliminary Access Approval

- A. Prior to any lot split approval by the Hancock Regional Planning Commission, the Hancock County Engineer will review the application for conformance with these regulations and issue a Preliminary Access Approval, if appropriate. The applicant shall submit a current boundary survey that is signed and sealed by a Professional Surveyor with the application, unless the County Engineer deems that alternate drawings are sufficient to determine the location of the proposed access. 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 decision shall be made within ten (10) business days following submission of all the information required by these regulations.

In addition to the above requirements, the Hancock County Engineer may require other information.

ARTICLE 8

Access Permits

- A. Prior to the construction of an access an access permit must first be obtained from the Hancock County Engineer. 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 Hancock County Engineer may require submission of the Preliminary Access Approval information.
- B. Permits issued by the County Engineer 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 classification of existing access change or whenever existing accesses are upgraded, including widening.
- C. For Minimum Volume and Very Low Volume accesses, access permits shall be issued within ten (10) business days following submission of all information required by these regulations and the County Engineer.
- D. For all other access classifications, access permits shall be issued within thirty (30) business days following submission of all information required by these regulations and the County Engineer.
- E. 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.
- F. Access permits shall expire if the access is not constructed and in use within one (1) year of the date of access permit issuance

- G. The County Engineer may revoke the applicant permit should the terms of the Permit, in the opinion of the County Engineer, have been violated or if field conditions change prior to construction of the access.

ARTICLE 9

Variances and Appeals

- A. The Board of Commissioners shall serve as the Board of Appeals for Access Management. They may hear appeals, made within 30 days of any written decision, where it is alleged that the Hancock County Engineer made an error in any order, requirement, decision or determination in the enforcement of these Access Management Regulations.
- B. Variances may be granted by the Board of Appeals for all classes of accesses prior to the decision of the Hancock County Engineer issuing or denying an access permit. The applicant shall meet with Hancock County Engineer to attempt to resolve any issues prior to making and application for a Variance to depart from a particular standard or requirement of the Hancock County Access Management Regulations. Variances 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.
- C. In the granting of variances in accordance with the standards in paragraph B, the Board of Appeals shall consider 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, and;
 6. Whether all access options, except granting a variance, have been considered.
- D. The applicants for variances shall 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.
- E. All applications for appeals or variances shall be made on the form provided by the Hancock County Engineer and filed with the Clerk of the Board of County Commissioners.
- F. A verbatim record of the hearing shall be held, all testimony shall be taken under oath. The applicant shall have the right to present witnesses and evidence and to cross-examine witnesses who testify adverse to his/her position. The Board shall render its decision in writing within thirty (30) days of the conclusion of the hearing.

- G. Appeals to decisions of the Board of Appeals for Access Management shall be in accordance with Chapter 2506 of the Ohio Revised Code.
- H. The County Board of Commissioners may choose to charge an application fee for Variances or Appeals to cover the cost of the Hearing, Transcription and other costs.

ARTICLE 10

Enforcement

- A. If any access is installed contrary to these regulations, the County Engineer shall notify the property owner in writing. The notification shall identify the problem with the access and establish a 15 day period for the property owner to correct the problem. If the problem is not corrected within 15 days, the County Engineer shall refer the matter to the Board of County Commissioners and the County Prosecuting Attorney for the appropriate legal action.
- B. In addition, whoever violates any provision of these regulations shall be penalized in accordance with Ohio Revised Code 5552.99.

ARTICLE 11

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 accesses, topographical conditions, and public convenience and safety and the proposed uses of the land to be served by such access connections.

Guidelines

The requirements of these regulations vary depending on the Road Classification as defined in ARTICLE 5 herein. The provisions of any existing or future Access Management Regulations or Road Classification Map prepared for a specific road or portion of a road shall apply. The applicable requirements of the Hancock County Subdivision Regulations and the ODOT Design Manuals and Standards shall also apply.

Access Type

A. Minimum Volume Accesses

New accesses or access upgrades meeting the definition of a Minimum Volume Access shall be located no closer than 50 feet from an approved or proposed access (with a valid permit) and no closer than 100 feet from an existing or proposed road or street intersection. New accesses or access upgrades shall be located no closer than 495 feet from an existing or proposed access serving the same parcel or serving contiguously-owned parcels.

B. Very Low, Low, Medium and High Volume Accesses

- 1. Along Major Collectors:** Major Collectors are identified on Hancock County's Road Classification Map as approved by the Hancock County Commissioners. No new access or access way 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.

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

For new accesses or access 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.

- 2. Along Minor Collectors:** Minor Collectors are identified on Hancock County's Road Classification Map as approved by the Hancock County Commissioners. No new accesses or access 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 accesses or access upgrades along a Minor Collector Road are permitted, they shall be spaced no closer than 360 feet from an existing or proposed access or from an existing or proposed road or street. No more than one access shall be permitted per parcel or per contiguously-owned parcels.

For new accesses or access upgrades 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 un-signalized road or street intersection shall be no closer than 880 feet.

- 3. Along Local Streets:** Local Streets are within platted subdivisions. No more than one access or access upgrade shall be permitted per parcel or per contiguously-owned parcels.

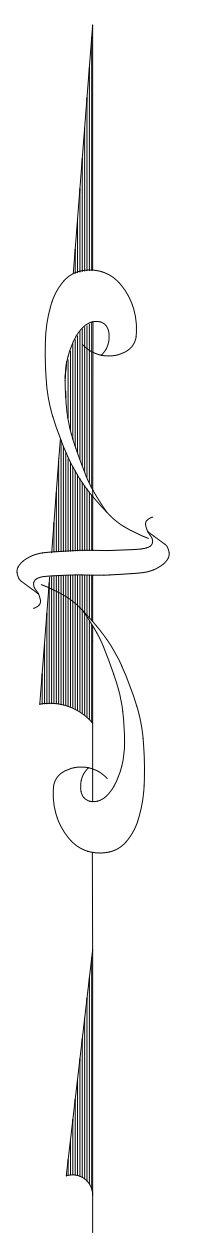
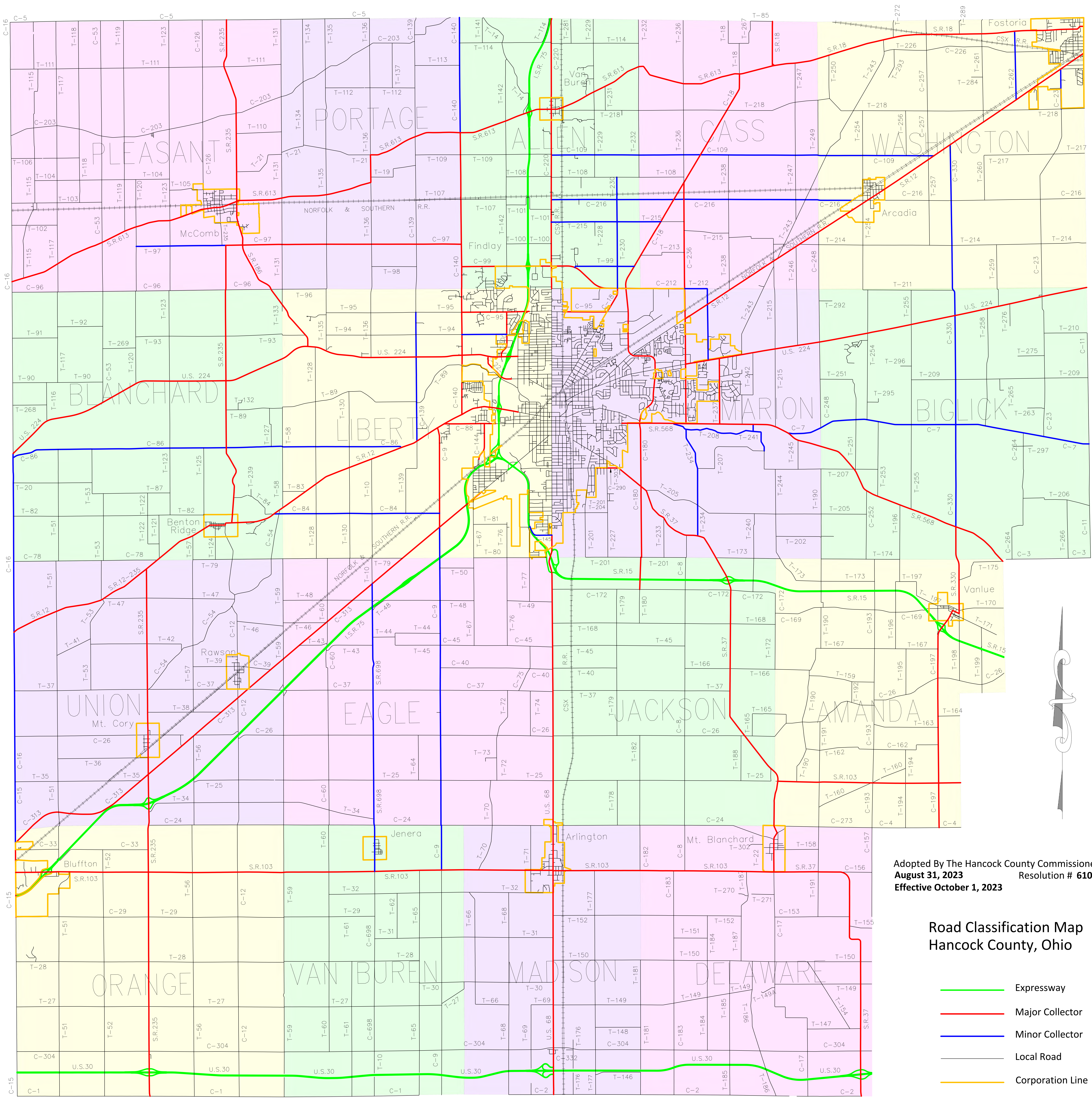
New access or access upgrades shall be spaced no closer than 40 feet from an existing or proposed access or no closer than 100 feet from an existing or proposed road or street.

- 4. Along Local Roads:** All roads not identified as Major or Minor Collectors or Local Streets. No more than one access or access upgrade shall be permitted along a Local Road from parcels or contiguously-owned parcels.

Where new access or access upgrades along a Local Road are permitted, they shall be spaced no closer than 250 feet from an existing or proposed access or from an existing or proposed road or street.

C. General

1. All accesses or access 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 ODOT Design Manuals and Standards based on the stopping sight distance for the legal speed limit at the location of the access.
2. In determining access distance and spacing requirements, measurements between accesses along side of roads and streets. Whenever possible, accesses shall be required to align with one another across roads and streets.
3. Common accesses and/or cross access or through access easements may be required and are permitted to satisfy the requirements of these regulations.
4. Existing accesses that do not conform with these regulations shall be considered non-conforming accesses and shall be brought into conformance with these regulations under the following conditions:
 1. When new access permits are requested;
 2. When access upgrades are proposed;
 3. If the use served by the nonconforming access discontinues for a consecutive period of 2 years; or
 4. When there is a change of use of the property access.
5. 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 Major or Minor Collector, Local Roads or Local Streets, the proposed development shall, when necessary, upgrade the intersection at the Major or Minor Collector, Local Roads or Local Streets and the existing subdivision's or development's access to the Major or Minor Collector, Local Roads or Local Streets.
6. When a new access or access upgrade is permitted, the property owner(s) shall eliminate all pre-existing non-conforming accesses upon completion of the new access or access upgrade as required by the County Engineer. No new access or access upgrades shall be permitted for parcels or contiguously-owned parcels where access rights have been previously extinguished or acquired by a governmental body.
7. These regulations shall allow lots created prior to the amendment of these regulations on October 1, 2023 one (1) Minimum, Very Low or Low Volume Access as defined in these regulations and the location shall be subject to the review and approval of the County Engineer.



Adopted By The Hancock County Commissioners
August 31, 2023
 Resolution # **610-23**
 Effective **October 1, 2023**

**Road Classification Map
 Hancock County, Ohio**

- Expressway
- Major Collector
- Minor Collector
- Local Road
- Corporation Line

ARTICLE 12

Adoption

These regulations are adopted by resolution of the Board of County Commissioners on August 21, 2023 after public hearings were held on August 24, 2023 and August 31, 2023. A copy of the resolution of adoption is attached herewith.

BOARD OF COUNTY COMMISSIONERS
HANCOCK COUNTY, OHIO

Thomas K. Burt
Michael R. Pope

ATTEST:

Cheryl R. Raper
Clerk

RESOLUTION

**August 31, 2023
Resolution No. 610-23**

RE: ADOPTING THE REVISED AND AMENDED HANCOCK COUNTY ACCESS MANAGEMENT REGULATIONS BY THE BOARD OF HANCOCK COUNTY COMMISSIONERS IN ACCORDANCE WITH THE PROVISIONS OF OHIO REVISED CODE, SECTIONS 5552.06.

The Board of County Commissioners, Hancock County, Ohio met in regular session on the 31st day of August, 2023, with the following Commissioners present:

Timothy Bechtol _____, Michael Pepple _____, and _____.

The Clerk advised that the Board followed the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto for the meeting.

Pepple moved for the adoption of the following resolution:

WHEREAS, the Board of Hancock County Commissioners, upon the recommendation of the Hancock County Engineer and the Hancock County Access Management Advisory Committee, propose amendments and revision to the Hancock County Access Management Regulations; and

WHEREAS, pursuant to Ohio Revised Code, section 5552.06 the Board held two public hearings inviting comment on the proposed changes prior to making any amendments to the Access Management Regulations; and

WHEREAS, pursuant to Ohio Revised Code, section 5552.06 the proposed changes were distributed to interested political subdivisions, agencies and professional associations prior to the hearing; and

NOW BE IT THEREFORE RESOLVED, that the Board of Hancock County Commissioners after hearings, on August 24 and August 31, 2023, adopt the Hancock County Access Management Regulations as amended and revised, attached hereto as Attachment 1; and

BE IT FURTHER RESOLVED, that the Board of Hancock County Commissioners directs the Clerk of the Board to send a copy of the proposed changes to the ODOT District Deputy Director for the district in which Hancock County is located; and

BE IT FURTHER RESOLVED, that the Clerk of the Board of Hancock County Commissioners shall cause the public notice to be published according to law giving notice of the adoption and availability of the regulations at the office of the Board of Hancock County Commissioners and the office of the Hancock County Engineer during regular business hours; and

BE IT FURTHER RESOLVED, that the effective date of the amended and revised Hancock County Access Management Regulations, attached hereto and incorporated herein shall be October 1, 2023, the 31st day after the adoption of this resolution.

Bechtol seconded the Resolution, and the roll being called upon its adoption, the vote resulted as follows:

Board of Hancock County Commissioners

absent
William L. Bateson, President

Timothy K. Bechtol yes
Timothy K. Bechtol, Vice-President

Michael W. Peple yes
Michael W. Peple, Commissioner

ATTEST:

Lynn Taylor
Lynn Taylor, Clerk
Board of Hancock County Commissioners

DATE: August 31, 2023

- Auditor
- L.Land
- Regional Planning
- Engineer Cade
- ODOT Local District
- Engineer File
- Regional Planning File
- Commissiner File

NOTICE

The Board of Hancock County Commissioners, Hancock County, Ohio, have adopted amended and revised Hancock County Access Management Regulations on August 31, 2023. The Hancock County Access Management Regulations are available Monday – Thursday, between the hours of 8:30 am and 4:00 pm at the office of the Hancock County Commissioners, 514 S. Main St., Suite C, Findlay or at the office of the Hancock County Engineer, 1900 Lima Ave., Findlay, Ohio Monday – Friday, between the hours of 7:30 am and 3:30 pm. The amended regulations will be effective October 1, 2023.

This notice is given by the Board of Commissioners, Hancock County, Ohio.

Submitted by:
Lynn Taylor, Clerk
Board of Hancock County Commissioners

Publish:

September 5, 2023