

BUTLER COUNTY ACCESS MANAGEMENT REGULATIONS

Effective January 1, 2005

BUTLER COUNTY ENGINEER'S OFFICE



GREGORY J. WILKENS, P.E., P.S. BUTLER COUNTY ENGINEER

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**Butler County
Access Management
Advisory Committee**

Dear Commissioners:

As prescribed by law this group was formed and has met numerous times over the last 7 months to review and analyze the elements needed to develop a comprehensive strategy for Access Management on our County and Township Road System. The attached document represents the rules and regulations that need to be in place in order to implement Access Management through the BCEO permit process. The Committee has carefully factored into this document the concerns from the private sector, the professional engineers and surveyors, elected public officials, residential and commercial developers and the Butler County Engineer. This document will establish a set of regulations that are balanced and yet provide meaningful requirements for access management.

We the undersigned members of the Butler County Access Management Advisory Committee have developed a usable document that will provide the guidance needed to establish responsible access management and we hereby respectfully submit our work to the Commissioners of Butler County, Ohio for their review and consideration for adoption as the 2003 Butler County Access Management Regulations.

Dennis E. Kroll

Michael J. Jennings

Chris A. Wunnenberg

Gregory J. Williams

James B. Klemmgers

Christine E. Hilbert

Harry Thomas

Mike Reed

Chris Smith

Dennis R. Carroll

John L. Kilman

Sam J. Patterson

Matthew J. Loeffler

David H. Wittenman

Joe Shary

Quinn A. [Signature]

NOVEMBER 18, 2003

DATE

ACCESS MANAGEMENT ADVISORY COMMITTEE

NAME

REPRESENTING

ALVAREZ, JOSE	TOWNSHIP REP
CONKLIN, DEREK	COUNTY ADMINISTRATOR
CONRAD, DENNIS	TOWNSHIP REP
FURMAN, CHARLES R.	COUNTY COMMISSIONER
HEILMAN, JOHN	OKI REGIONAL COUNCIL OF GOVERNMENTS
HILBERT, CHRISTINE	ODOT, PERMIT DEPARTMENT
JUENGLING, MIKE	BUT CO DEPT. OF DEVELOPMENT
KLEINGERS, JIM	SURVEYOR
KRALL, DENNY	BCEO
LOEFFLER, MATT	BCEO
MATACIC, CHRISTINE	TOWNSHIP REP
PORTER, RON	BCEO
POTTENGER, ERIC	BCEO
REED, ETTA	PROFESSIONAL ENGINEER AND TRAFFIC ENGINEER
THOMAS, HARRY	BD OF REALTORS /DEVELOPERS
WILKENS, GREG	BCEO
WITTEKIND, DAVE	DEVELOPERS
WUNNENBERG, CHRIS	BUSINESS SECTOR

EXECUTIVE SUMMARY

Pursuant to Ohio Revised Code Chapter 5552. The Butler County, Ohio Access Management Advisory Committee was created by action of the Butler County Commissioners in Resolution Number 03-01-13 dated January 6, 2003.

As prescribed by law the Access Management Advisory Committee met on April 9, 2003 and organized their committee for the purpose of review and consideration of the proposed access management regulations developed by the Butler County Engineer. The committee elected Ron Porter to serve as Chairman, Dave Wittekind as Vice Chairman and Matt Loeffler as Secretary.

Over the course of the next several months the Committee has met numerous times to analyze the proposed regulations. The Butler County Engineer's Office and the Access Advisory Committee has taken this process a step further and developed a cooperative environment to build on the initial proposed regulations and to develop a new package based on that collaborative effort. The rules and regulations presented in this document represent a strong but fair approach to access management on our public road system. Many of these rules and regulations submitted in this document are currently in practice by the Butler County Engineer's Office. This document, if approved will make these regulations law and give validity to the current practices.

As prescribed by law, the committee has 270 days from the date of their organization to review and comment on the Engineers proposed regulations and report those findings to the County Commissioners.

Based on that, the Butler County Access Advisory Committee respectfully submits the Butler County Access Management Regulations 2003 to the Butler County Commission for their consideration this **15th day of December, 2003.**

Respectfully,

Ronald H. Porter, P.S.
Chairman, Access Management
Advisory Committee

GENERAL RULES

REVISED 1/21/04

The purpose of this document is to define principles and policies for Access Management on all County and Township Roadways in Butler County. There are many variables that affect the decisions on what is proper and adequate access management. The Butler County Engineer or his authorized agent will determine the proper access locations and types using the criteria in this document and sound engineering judgment. The Butler County Engineer shall administer the County's Access Management Regulations in a fair and impartial manner. The regulations are designed to protect the health, safety and welfare of the traveling public and are as follows:

1. Safety issues shall receive the highest priority.
2. Achieving adequate sight distance shall be the goal in all cases.
3. The goal of the Access Management process is to maintain existing or improve the Level of Service on all County and Township Roads.
4. AASHTO specifications shall be used wherever applicable.
5. All current rules and regulations of the Butler County Planning Commission for platting of land shall apply.
6. All current County and Township Zoning Laws shall apply and shall supercede these regulations when a conflict might occur.
7. All lot splits (also known as Minor Subdivisions) shall be required to have pre-approved access locations prior to approval of those splits by the respective County or Township Zoning Board.
8. Access approval will be issued by the Butler County Engineer on all County and Township Roads. Except that Urban Townships may adopt their own regulations and those regulations apply only to their township roads. Upon approval of access, a driveway permit may be applied for. Driveway permits are regulated through a separate process by the Butler County Engineer via the Driveway Permit Regulations.
9. Access approval is based on the traffic generating characteristics of the proposed use of the property. If the traffic generating characteristics of the property changes, the Access approval may be withdrawn until the required elements of the Access Management Regulations for the proposed use are met.
10. Permit Fees may be charged by the Butler County Board of Commissioners and shall be collected by the County Engineer. Such fees shall not exceed the actual costs of administering the permit process. **(NOTE: SUBJECT TO APPROVAL OF THE BUTLER COUNTY COMMISSIONERS).**
11. In cases where the applicant and the County Engineer can not resolve an issue, the applicant has the right to take his/her case to the Butler County Access Management Appellate Board to have the case heard and acted upon accordingly.

12. The Butler County Access Management Appellate Board shall hear and decide appeals when it is alleged that there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the regulations. The Butler County Access Management Appellate Board may grant variances that are not contrary to the public interest from the terms of the regulations where, owing to special conditions, a literal enforcement of the regulations will result in unnecessary hardship, and so that the spirit of the regulations will be observed and substantial justice done.
13. Agricultural access locations that are used for agricultural purposes only are exempt from these regulations, except that driveway permits are still required and that all safety aspects must be met prior to permit approval.
14. The current Butler County Thoroughfare Plan shall serve as reference for identifying roadway classifications relative to the use of these regulations.
15. These regulations shall apply to all access requests received on or after the effective date of this document.
16. Any part of this document that is found to be unlawful by the Court(s) having jurisdiction in these matters shall not invalidate any part of the remaining regulations.
17. Driveway permits are a separate requirement in the driveway approval process. Driveway permits must have an approved access location prior to being granted.
18. Approval or denial action will be taken on each access request in 10 working days from the date on which it was submitted to the County Engineer. If approval or denial of the request does not occur in the 10 working day period it shall constitute an approval of the access request. Extensions of time may be allowed if both the County Engineer and the applicant are in agreement. In cases where a permit request is filed for subdivisions subject to approval without a plat under R.C. 711.131 shall be approved or disapproved by the County Engineer within 7 working days after the submission.

1.0 Joint and Cross Access Service Drives

1.01 Adjacent properties that cannot meet minimum driveway and/or street spacing must provide cross access service drives.

1.02 A system of joint use service drives and cross access easements as illustrated in **Figure 1** shall be established wherever feasible along arterials and collectors or in cases where minimum driveway spacing can not be met.

1.03 When joint and cross access service drives are needed then the site shall incorporate the following:

1.03.1 A continuous service drive or cross access corridor extending the entire length of each block to provide for maximum driveway separation.

1.03.2 Service drives shall be designed and constructed of sufficient lane width to accommodate two-way travel aisle and designed to accommodate automobiles, service vehicles and loading vehicles. Service drives that serve 1 to 6 single family residential sites shall have a minimum pavement width of 12 feet. Service drives that serve 7 or more single family residential sites shall have a minimum pavement width of 18 feet. All other uses (multi-family, retail, commercial, etc.) shall have a minimum pavement width of 24 feet.

1.03.3 Stub streets and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive.

1.03.4 A unified access and circulation system plan that includes coordinated and or shared parking spaces is encouraged wherever possible.

1.04 Pursuant to this section, property owners shall:

1.04.1 Record easements with the deed to provide for cross access to and from their properties and for other properties served by joint use drives, cross access drives and or service drives. Easement rights shall be granted to adjoining properties relative to the overall access plan for that area (could be several parcels).

1.04.2 Record a declaration with the deed relinquishing their remaining access rights along the public highway to the Butler County Commissioners. Upon completion of the new access facilities, the pre-existing driveways will be closed and removed by the applicant after all of the access control features are constructed and approved by the Butler County Engineer.

1.04.3 Record a joint maintenance agreement with the deed defining maintenance responsibilities of the property owners.

- 1.04.4 The common joint use drives, cross access drives and or service drives shall be constructed by the applicant prior to final approval.
- 1.04.05 Temporary access driveways, except single family residential, may be permitted in special cases when other permanent access is not available. When permanent access becomes available, temporary access shall be revoked and the temporary driveways shall be removed at the owners expense.
- 1.04.06 Temporary driveways, when permitted, shall be constructed as required by the Butler County Engineer. The requirements shall meet or exceed minimum requirements of the applicable zoning code for that location. The County Engineer will manage temporary permits through the County Engineer permit program. Owners will be notified of the temporary drive status on a periodic basis.

2.0 General Access Connection and Driveway Design

- 2.01 Driveways and or service drives shall be located on the lowest order of public roadway on which the lot has frontage or a shared access point unless the Butler County Engineer and the Butler County Planning Commission determines the public safety would be better served by allowing access on a higher order public roadway. For major residential subdivisions with private roadways and/or private driveways the locations will be determined during the Butler County Engineer and the Butler County Planning Department review process.
- 2.02 Driveway design shall conform to AASHTO specifications, latest edition.
- 2.03 The length of driveways or “Throat Length” (see **Figure 2**) shall be designed in accordance with the anticipated storage length for entering and exiting vehicles to prevent vehicles from backing up into the flow of traffic on the public highway or causing unsafe conflicts with onsite circulation.
- 2.04 All entrances shall be designed so that all vehicles entering and leaving the site will not cross over into opposing lanes of traffic or any portion thereof.
- 2.05 Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of full access driveways along acceleration/deceleration lanes and tapers is prohibited due to potential for vehicular weaving conflicts and obstructing the public roadway (see **Figure 3**).
- 2.06 Driveway width and flair shall be adequate to serve the volume of traffic and provide for efficient movement of vehicles off of the public highway.

DRAFT Butler County Access Management

SINGLE FAMILY RESIDENTIAL ONLY

JUNE 14, 2004

Roadway Classification		TIS Req'd	Left Turn Lane Req'd	Right Turn Lane Req'd	Minimum Rdwy/Str. Spacing (NOTE C)	Minimum Driveway Spacing (NOTE C)	Minimum Int. to Drive Spacing (See Figure 3)
Local (Side)	Platted	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission
	Platted	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission
Minor Collector 2nd Class	Minor Subdivisions	A	B	No	600'	200' (D) (E) (F) (G)	200' (D) (E) (F) (G)
Minor Collector		A	B	B	800'	200' (D) (E) (F) (G)	200' (D) (E) (F) (G)
Major Collector		A	B	B	1000'	200' (D) (E) (F) (G)	B
Minor Arterial		A	B	B	1000'	200' (D) (E) (F) (G)	B
Principal Arterial		See ODOT	See ODOT	See ODOT	See ODOT	See ODOT	See ODOT

Note A May be required upon request by BCEO and subject to BCEO TIS Standards

Note B Subject to TIS recommendations as scoped and approved by BCEO

Note C Shall align with existing opposing driveway or road when possible.

Note D Single family residential (minor subdivisions) may have less than the 200' minimum spacing but is subject to sight distance requirements.

Note E Private drives and or streets that have ≥ 50 Peak Hr Trip Ends shall be evaluated as public streets for the purposes of Access Management (Use column: Minimum Roadway/Street Spacing)

Note F If sight distance requirements can not be met, cross access drive and easements may be required. (see section 1.04)

Note G Driveways should be located next to each other where ever possible

DRAFT Butler County Access Management

ALL USES (EXCEPT SINGLE FAMILY RESIDENTIAL)

OCTOBER 27, 2003

Roadway Classification		TIS Req'd	Left Turn Lane Req'd	Right Turn Lane Req'd	Minimum Rdwy/Str Spacing (NOTE C)	Minimum Full Access Driveway Spacing (NOTE C)	Right In/ Right Out Only	Minimum Int. to Drive Spacing (See Figure 3)
Local (Side)	Platted	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission
	Platted	B	B	B	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission	Subject to Planning Commission
Minor Collector 2nd Class	Minor Subdivisions	B	B	B	600'	Low 200'	B	Low 200'
						Med 300'	B	Med 300'
						High 600'	B	High 600'
Minor Collector	A	B or ≥ 100 Peak Hr Trip Ends	B	800'		Low 250'	B	Low 250'
						Med 350'	B	Med 350'
						High 800'	B	High 800'
Major Collector	Yes B	Yes B	Yes B	1000'		Low 400'	B,D	B
						Med 500'	B,D	
						High 1000'	B,D	
Minor Arterial	Yes B	Yes B	Yes B	1000'		Low 500'	B,D	B
						Med 600'	B,D	
						High 1000'	B,D	
Principal Arterial		See ODOT	See ODOT	See ODOT	See ODOT	See ODOT	See ODOT	See ODOT

Note A May be required upon request by BCEO and subject to BCEO TIS Standards

Note B Subject to TIS recommendations as scoped and approved by BCEO

Note C Shall align with existing opposing driveway or road when possible.

Note D When minimum driveway and or street spacing cannot be met right in and right out may be permitted.

Low < 50 Peak Hr Trip Ends
Medium 50 > 200 Peak Hr Trip Ends
High > 200 Peak Hr Trip Ends

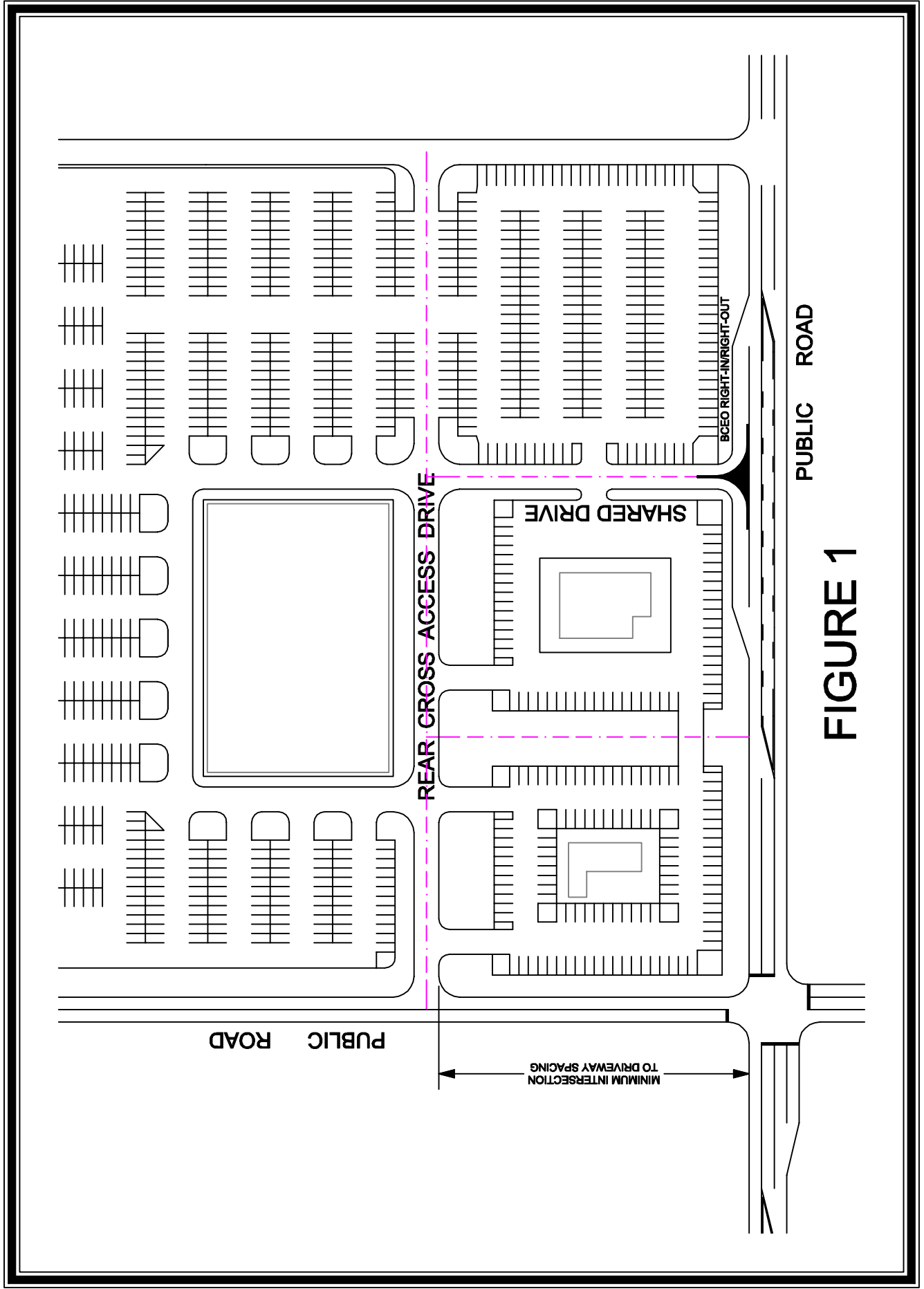


FIGURE 1

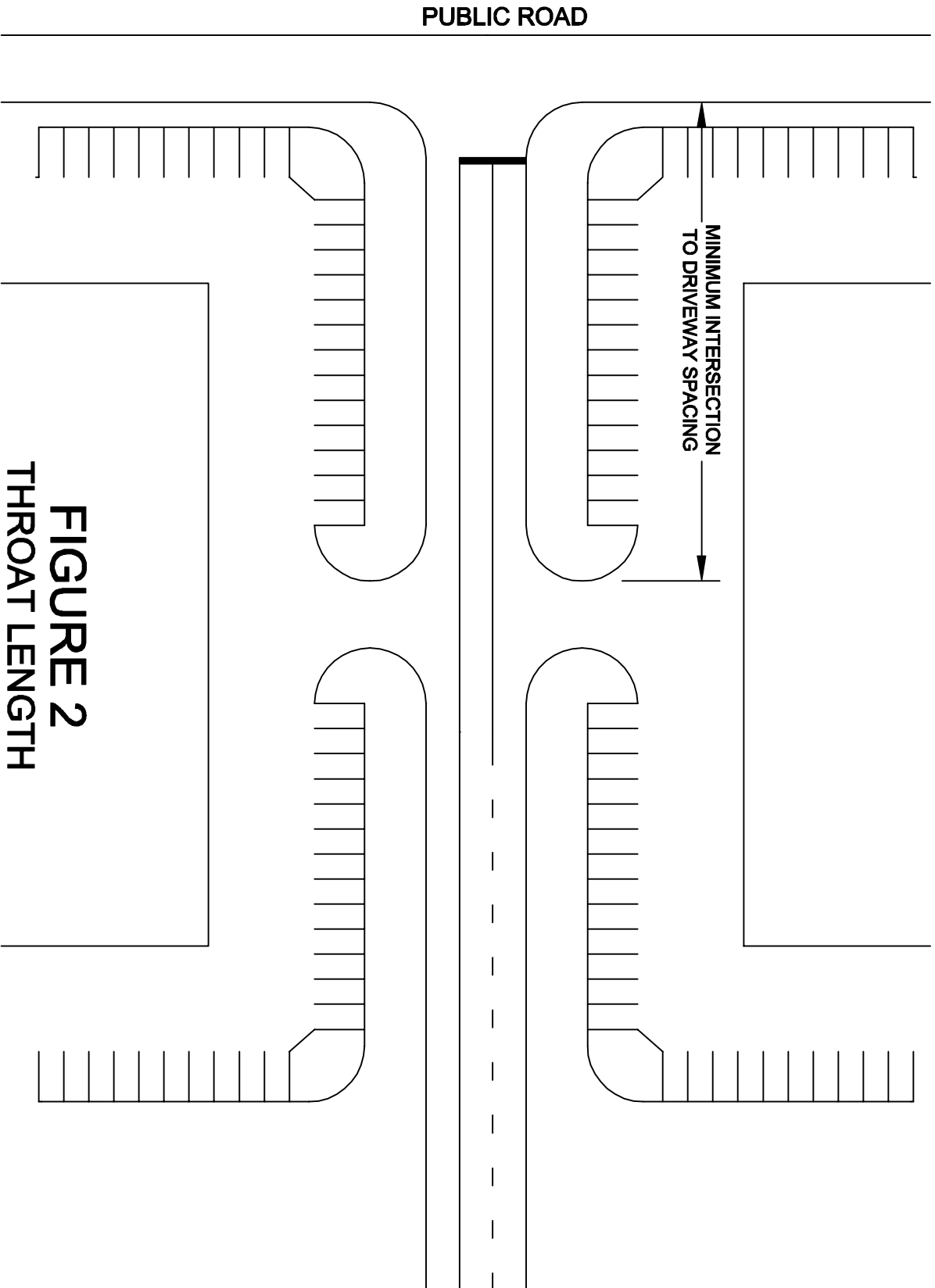
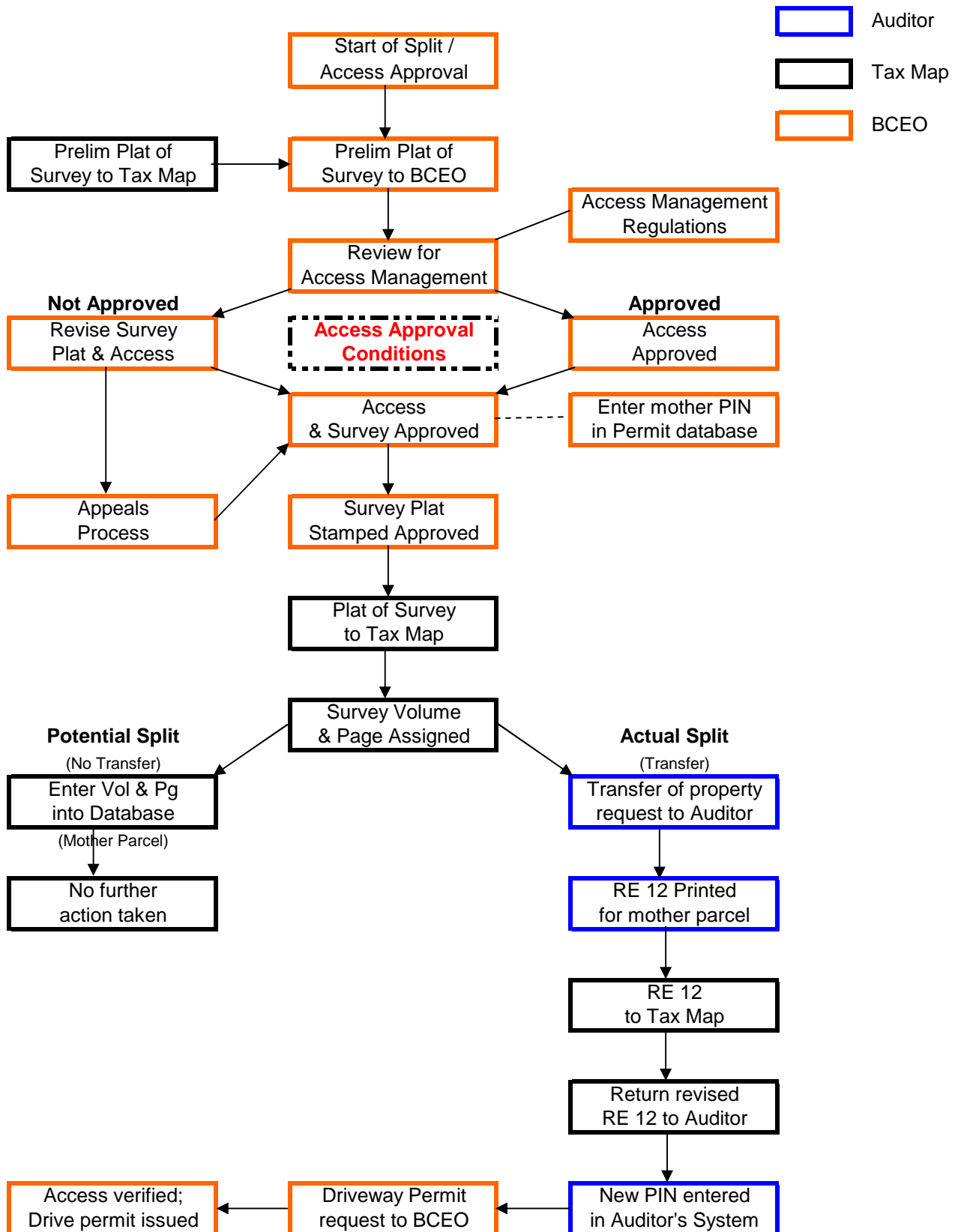


FIGURE 2
THROAT LENGTH

Access Approval & Permit Process Flow Chart



TERMS AND DEFINITIONS

REVISED 11/25/03

AASHTO: American Association of State Highway and Transportation Officials, Policy on Geometric Design of Highways and Streets.

ACCESS APPROVAL means that permission has been granted by the Butler County Engineer to access the public road at an approved location and with conditions as prescribed by the these Access Management Regulations. An access approval is not a driveway permit.

ACCESS MANAGEMENT REGULATIONS shall apply to all County and Township Roadways in the Unincorporated Areas of Butler County. The regulations are designed to protect the health, safety and welfare of the traveling public.

BUTLER COUNTY PLANNING COMMISSION REGULATIONS for platting of land shall apply. COUNTY AND TOWNSHIP ZONING LAWS shall not be infringed by any of these rules or regulations.

DRIVEWAY PERMIT means permission to construct a driveway facility at an approved access point and that such driveway shall be constructed according to the provisions of that permit.

JOINT AND CROSS ACCESS SERVICE DRIVES a system of driveways and or service lanes to access properties and facilities as opposed to using direct access driveways to the public road.

LOS: Level of Service on all County and Township Roads. The roadway or intersection's ability to handle certain volumes of traffic. LOS "A" being the best and LOS "F" being the worst.

MINOR SUBDIVISION means any division of land not covered by subdivision regulations.

REAR ACCESS DRIVE: A system of joint use driveways and cross access easements which facilitate and enhances access management.

ROADWAY CLASSIFICATIONS: The hierarchy of the roadway system categorizing each road as having a certain desired purpose for handling traffic in the roadway network, ie., Principal Arterial, Minor Arterial, Major Collector, etc. The Classification for each road is defined in the most recent version of the Butler County Thoroughfare Plan and is made part of this document by reference.

SIGHT DISTANCE: as defined in the most recent edition of the AASHTO Manual.

THROAT LENGTH: Distance measured from the edge of pavement of the public road to the first point of access of a driveway or service drive. See Figure 2.

TIS: Traffic Impact Studies may be required before an access permit can be approved. This study provides information to engineers and planners as to the characteristics of traffic flow on and around a given site based on its existing conditions as well as proposed uses. The Butler County Engineer's Traffic Impact Study Guidelines shall apply relative to these Access Management Regulations.

RESOLUTION NO. 04-11-3011

Resolved By the Board of County Commissioners of Butler County, Ohio, That

The Board of Butler County Commissioners does hereby approve the Butler County Access Management Regulations effective January 1, 2005, attached hereto and made a permanent part hereof.

Commissioner Fox moved for the adoption of the foregoing resolution. Commissioner Jolivette seconded the motion and upon call of the roll, the vote resulted as follows:

Commissioner Jolivette	Yea
Commissioner Fox	Yea
Commissioner Furmon	Yea

Adopted: November 18, 2004

Attest: *Hora K. Butler*, Clerk

