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**REPRESENTATIVES Core, Kearns, Hollister, Hagan, Reinhard, Willamowski,
Lendrum, Flowers, Roman, Carano, Coates, Distel, Fessler, McGregor,
Otterman, Schmidt, Setzer, Sferra, Stapleton, Strahorn, Widowfield, Sulzer,
Seitz, Ogg, Allen, Niehaus, Metzger, Schneider, Fedor, Seaver, Peterson,
Latell, Damschroder, Perry, Manning, Calvert, Womer Benjamin**

A B I L L

To amend section 711.131 and to enact sections 5552.01 1
to 5552.11 and 5552.99 of the Revised Code to allow 2
counties to regulate access to county and township 3
roads and townships to regulate access to township 4
roads, and to permit the local platting authority 5
to require compliance with those regulations before 6
a parcel of land is subdivided without a plat. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That section 711.131 be amended and sections 8
5552.01, 5552.02, 5552.03, 5552.04, 5552.05, 5552.06, 5552.07, 9
5552.08, 5552.09, 5552.10, 5552.11, and 5552.99 of the Revised 10
Code be enacted to read as follows: 11

Sec. 711.131. Notwithstanding ~~the provisions of~~ sections 12
711.001 to 711.13, ~~inclusive,~~ of the Revised Code, a proposed 13
division of a parcel of land along an existing public street, not 14
involving the opening, widening, or extension of any street or 15
road, and involving no more than five lots after the original 16

tract has been completely subdivided, may be submitted to the 17
authority having approving jurisdiction of plats under ~~the~~ 18
~~provisions of~~ section 711.05, 711.09, or 711.10 of the Revised 19
Code for approval without plat. If ~~such~~ the authority acting 20
through a properly designated representative ~~thereof~~ is satisfied 21
that ~~such~~ the proposed division is not contrary to applicable 22
platting, subdividing, ~~or zoning,~~ or access management 23
regulations, it shall within seven working days after submission 24
approve ~~such~~ the proposed division and, on presentation of a 25
conveyance of ~~said~~ the parcel, shall stamp the ~~same~~ conveyance 26
"approved by (planning authority); no plat required" and have it 27
signed by its clerk, secretary, or other official as may be 28
designated by it. ~~Such~~ The planning authority may require the 29
submission of a sketch and ~~such~~ other information ~~as~~ that is 30
pertinent to its determination ~~hereunder~~ under this section. 31

Sec. 5552.01. As used in this chapter: 32

(A) "Metropolitan planning organization" has the same meaning 33
as in division (A)(7) of section 3704.14 of the Revised Code. 34
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(B) "Urban township" means a township that has a population 36
in the unincorporated area of the township of fifteen thousand or 37
more and that has adopted a limited home rule government under 38
section 504.02 of the Revised Code. 39

Sec. 5552.02. (A) Except as provided in divisions (C) and (D) 40
of this section, for the purposes of promoting traffic safety and 41
efficiency and maintaining proper traffic capacity and traffic 42
flow, a board of township trustees may adopt, by resolution, 43
regulations for the management of access onto township roads in 44
the unincorporated area of the township in accordance with 45
sections 5552.05 and 5552.06 of the Revised Code. As part of those 46

regulations, the board may require permits, including interim and
temporary permits, for the construction, reconstruction, use, and
maintenance of any point of access from public or private property
onto those township roads. If the board adopts regulations that
require permits, the regulations shall include standards that will
be used for the approval or denial of a permit. Any regulations
regarding the approval or denial of a permit shall specify a
reasonable period for the approval or denial and shall provide
that a failure to approve or deny, in whole or in part, any
permit, license, or other approval sought within that period shall
constitute a granting of approval for the permit, license, or
other approval.

Notwithstanding anything to the contrary in this division, a
board of township trustees of a township other than an urban
township may not adopt regulations authorized by this division
until the date that is one year after the effective date of this
section, and then only if the county does not adopt or initiate
the process of adopting regulations under division (B) of this
section within that one-year period. If the county initiates the
process of adopting regulations under division (B) of this section
within that one-year period but does not actually adopt
regulations under division (B) of this section within two years
after the effective date of this section, the township may adopt
regulations authorized by this division on or after the date that
is two years after the effective date of this section.

(B) For the purposes of promoting traffic safety and
efficiency and maintaining proper traffic capacity and traffic
flow, the board of county commissioners may adopt, by resolution,
regulations for the management of access onto county and township
roads in the unincorporated area of the county in accordance with
sections 5552.04 and 5552.06 of the Revised Code. As part of those
regulations, the board may require permits, including interim and

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temporary permits, for the construction, reconstruction, use, and 79
maintenance of any point of access from public or private property 80
onto those county and township roads. If the board adopts 81
regulations that require permits, the regulations shall include 82
standards that will be used for the approval or denial of a 83
permit. Any regulations regarding the approval or denial of a 84
permit shall specify a reasonable period for the approval or 85
denial and shall provide that a failure to approve or deny, in 86
whole or in part, any permit, license, or other approval sought 87
within that period shall constitute a granting of approval for the 88
permit, license, or other approval. 89

The same county regulations that apply to county roads shall 90
apply to township roads. Except as provided in divisions (C) and 91
(D) of this section, upon their effective date, the county 92
regulations shall apply to all county and township roads in the 93
unincorporated area of the county. 94

(C) On or after the appropriate date provided in division (A) 95
of this section for adopting regulations under that division, the 96
board of township trustees of a township other than an urban 97
township may adopt the regulations authorized by that division. If 98
such a board of township trustees adopts regulations, and a board 99
of county commissioners later adopts regulations under division 100
(B) of this section that apply to the same township roads, then, 101
one year after the effective date of the county regulations, the 102
regulations adopted by the board of township trustees shall be 103
void, and the regulations adopted by the board of county 104
commissioners shall apply to those township roads. However, the 105
board of township trustees may establish an earlier date for the 106
county regulations to take effect and the township regulations to 107
be void by adopting a resolution establishing an earlier date and 108
sending a certified copy of that resolution to the board of county 109
commissioners. 110

(D) Except as otherwise provided in this division, if an urban township adopts regulations under division (A) of this section and the county also adopts regulations under division (B) of this section that affect township roads in that township, the county regulations shall have no effect on the township roads in that township. If the urban township adopts its regulations after the county adopts its regulations, however, the county regulations shall remain in effect for one year after the township regulations are adopted unless the board of county commissioners establishes an earlier date for the county regulations to expire within that urban township. After the earlier established date or one year, whichever is applicable, only the township regulations shall apply to the township roads in that urban township, although the county regulations shall continue to apply to the county roads in that urban township.

(E) Any county regulations adopted under this section shall be, to the extent possible, consistent with county zoning regulations and coordinated with any existing township zoning regulations. Any township regulations adopted under this section shall be, to the extent possible, consistent with any county or township zoning regulations in effect in the township.

Sec. 5552.03. (A) Regulations adopted under this chapter do not apply to subdivisions subject to plat approval under section 711.05 or 711.10 of the Revised Code, and nothing in this chapter limits the authority granted in those sections for subdivision regulations to provide for the proper arrangement of streets or other highways in relation to existing or planned streets or highways or to the county or regional plan.

(B) Regulations adopted under this chapter do apply to subdivisions subject to approval without plat under section 711.131 of the Revised Code, and to any parcel of property that is

not subject to regulations adopted under Chapter 711. of the
Revised Code.

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Sec. 5552.04. (A) The process of adopting county access
management regulations provided for in division (B) of section
5552.02 of the Revised Code may be initiated in any of the
following ways:

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(1) The board of county commissioners may adopt a resolution
proposing the consideration of access management regulations on
its own initiative.

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(2) The board of county commissioners shall adopt a
resolution proposing the consideration of access management
regulations if the county engineer certifies to the board a
written request for the board to do so.

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(3) The board of county commissioners shall adopt a
resolution proposing the consideration of access management
regulations if a majority of the boards of township trustees of
townships within the county certify to the board of county
commissioners resolutions requesting the board to do so.

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(B) Upon adoption of a resolution proposing the consideration
of access management regulations under division (A) of this
section, the board of county commissioners shall request the
county engineer to draft proposed regulations. The engineer shall
prepare proposed regulations and, when they are complete, send a
copy of them to each member of the advisory committee appointed
under division (C) of this section along with a notice of the time
and place of the first meeting of the advisory committee. That
meeting shall take place within thirty days after the completion
of the engineer's proposed regulations.

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(C) Upon adoption of a resolution under division (A) of this
section, the board of county commissioners shall establish an

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advisory committee to review the county engineer's proposed 173
regulations prepared under division (B) of this section. The board 174
shall appoint to the committee the county engineer or the 175
engineer's designee, a registered surveyor in private practice, a 176
representative of the homebuilding industry, a licensed realtor, a 177
representative of a county or regional planning commission with 178
jurisdiction in the county, a professional engineer with expertise 179
in traffic engineering, a representative of the metropolitan 180
planning organization, where applicable, at least three township 181
trustees from any townships located in the county selected by the 182
local county association representing the township trustees and 183
clerks in that county, a member of the board of county 184
commissioners, and any other person the board chooses to appoint. 185

At its initial meeting held as provided in the notice sent by 186
the county engineer under division (B) of this section, the 187
advisory committee shall elect one member to serve as the 188
chairperson of the committee. Within two hundred seventy days 189
after that initial meeting, the advisory committee shall provide 190
the board of county commissioners with a copy of the engineer's 191
proposed regulations, the committee's recommendations about each 192
of the proposed regulations, and any other recommendations about 193
the access management regulations the committee considers 194
appropriate. 195

(D) Upon receiving the advisory committee's recommendations 196
under division (C) of this section, the board of county 197
commissioners shall hold hearings as provided in section 5552.06 198
of the Revised Code. 199

Sec. 5552.05. (A) The process of adopting township access 200
management regulations provided for in division (A) of section 201
5552.02 of the Revised Code may be initiated in any of the 202
following ways: 203

(1) The board of township trustees may adopt a resolution 204
proposing the consideration of access management regulations on 205
its own initiative. 206

(2) The board of township trustees shall adopt a resolution 207
proposing the consideration of access management regulations if 208
the county engineer certifies to the board a written request for 209
the board to do so. 210

(B) Upon adoption of a resolution proposing the consideration 211
of access management regulations under division (A) of this 212
section, the board of township trustees shall request the county 213
engineer to draft proposed regulations. The engineer shall prepare 214
proposed regulations and, when they are complete, send a copy of 215
them to each member of the advisory committee appointed under 216
division (C) of this section along with a notice of the time and 217
place of the first meeting of the advisory committee. That meeting 218
shall take place within thirty days after the completion of the 219
engineer's proposed regulations. 220

(C) Upon adoption of a resolution under division (A) of this 221
section, the board of township trustees shall establish an 222
advisory committee to review the county engineer's proposed 223
regulations prepared under division (B) of this section. The board 224
shall appoint to the committee the county engineer or the 225
engineer's designee, a registered surveyor in private practice, a 226
representative of the homebuilding industry, a licensed realtor, a 227
representative of a county or regional planning commission with 228
jurisdiction in the county, a professional engineer with expertise 229
in traffic engineering, a representative of the metropolitan 230
planning organization, where applicable, three residents of the 231
township, and any other person the board chooses to appoint. 232

At its initial meeting held as provided in the notice sent by 233
the county engineer under division (B) of this section, the 234
advisory committee shall elect one member to serve as the 235

chairperson of the committee. Within two hundred seventy days 236
after that initial meeting, the advisory committee shall provide 237
the board of township trustees with a copy of the engineer's 238
proposed regulations, the committee's recommendations about each 239
of the proposed regulations, and any other recommendations about 240
the access management regulations the committee considers 241
appropriate. 242

(D) Upon receiving the advisory committee's recommendations 243
under division (C) of this section, the board of township trustees 244
shall hold hearings as provided in section 5552.06 of the Revised 245
Code. 246

Sec. 5552.06. (A) A board of county commissioners or a board 247
of township trustees may adopt access management regulations or 248
any amendments to those regulations after holding at least two 249
public hearings at regular or special sessions of the board. The 250
board shall consider the county engineer's proposed regulations 251
prepared under division (B) of section 5552.04 or 5552.05 of the 252
Revised Code and all comments on those regulations. The board, in 253
its discretion, may, but need not, adopt any or all of those 254
proposed regulations. After the public hearings, the board may 255
decide not to adopt any access management regulations. 256

The board shall publish notice of the public hearings in a 257
newspaper of general circulation in the county or township, as 258
applicable, once a week for at least two weeks immediately 259
preceding the hearings. The notice shall include the time, date, 260
and place of each hearing. Copies of any proposed regulations or 261
amendments shall be made available to the public at the board's 262
office and, if the county engineer administers or is proposed to 263
administer a point of access permit, in the engineer's office. 264

(B) In addition to the notice required by division (A) of 265
this section, not less than thirty days before holding a public 266

hearing, a board of county commissioners shall send a copy of the 267
county engineer's proposed regulations, a copy of the advisory 268
committee's recommendations, and a request for written comments to 269
the board of township trustees of each township in the county, the 270
department of transportation district deputy director for the 271
district in which the county is located, a representative of the 272
metropolitan planning organization, where applicable, and at least 273
the local professional associations representing the following 274
professions: 275

(1) Homebuilders; 276

(2) Realtors; 277

(3) Professional surveyors; 278

(4) Attorneys; 279

(5) Professional engineers. 280

(C) In addition to the notice required by division (A) of 281
this section, a board of township trustees shall send a copy of 282
the county engineer's proposed regulations, a copy of the advisory 283
committee's recommendations, and a request for written comments, 284
not less than thirty days before holding a public hearing, to the 285
department of transportation district deputy director for the 286
district in which the township is located, a representative of the 287
metropolitan planning organization, where applicable, and at least 288
the local professional associations representing the professions 289
listed in division (B) of this section. 290

Sec. 5552.07. A board of county commissioners or board of 291
township trustees that adopts access management regulations under 292
section 5552.02 of the Revised Code shall include in those 293
regulations the designation of a board to hear and decide appeals 294
when it is alleged that there is error in any order, requirement, 295
decision, or determination made by an administrative official in 296

the enforcement of the regulations. This appellate board may be
the board itself acting in an administrative capacity, or some
other board appointed by the board of county commissioners or
board of township trustees, whichever is applicable. The
regulations also shall authorize that appellate board to 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.

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Sec. 5552.08. (A) A permit issued under access management
regulations adopted under section 5552.02 of the Revised Code
shall prescribe the limitations on, as well as the permitted uses
of, the permit. No modifications or amendments to the permit shall
be made once it is issued. To be subject to a different permit, a
person shall apply for a new permit that specifically supersedes
the existing permit.

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(B) A board of county commissioners or a board of township
trustees, as applicable, may charge a permit fee not to exceed the
actual cost of administering the permit.

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Sec. 5552.09. Any access management regulations adopted under
section 5552.02 of the Revised Code become effective on the
thirty-first day following the date of their adoption unless
otherwise indicated in the regulations. The board adopting the
regulations shall publish notice of their adoption, and of their
availability at the board's office, in at least one newspaper of
general circulation in the county or township, as applicable,
within ten days after their adoption. The board also shall provide
a copy of the regulations to the department of transportation
district deputy director for the district in which the county or
township is located.

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Sec. 5552.10. The board of county commissioners shall 328
designate the county engineer to administer county access 329
management regulations, except that if the engineer declines to 330
administer the regulations, the board may designate another 331
person, or a planning commission, to administer them. If a board 332
of township trustees adopts access management regulations, the 333
board may administer the regulations or may appoint the township 334
clerk or any other person to administer them, with the advice of 335
the county engineer. 336

If the access management regulations apply to a subdivision 337
and a permit request is filed pertaining to the subdivision, the 338
county engineer, board of township trustees, planning commission, 339
or other person administering the regulations shall approve or 340
disapprove the permit request within the time period for approval 341
of a subdivision without a plat specified in section 711.131 of 342
the Revised Code. 343

Sec. 5552.11. (A) No access management regulation, or 344
amendment to an access management regulation, adopted under 345
section 5552.02 of the Revised Code shall be construed to affect 346
any access point that exists, or on which construction has begun, 347
before the effective date of the regulation or amendment. 348

(B) Division (A) of this section does not prohibit access 349
management regulations adopted under section 5552.02 of the 350
Revised Code from regulating the reconstruction or relocation of 351
access points or from applying when land use is changed in a way 352
that significantly increases the types of traffic or traffic 353
volume on a street or highway. 354

(C) No access management regulation, or amendment to an 355
access management regulation, adopted under section 5552.02 of the 356
Revised Code shall be construed to affect the state highway system 357

or modify any access management standards or procedures 358
established by the director of transportation under sections 359
5501.31 and 5515.01 of the Revised Code. 360

(D) No access management regulation, or amendment to an 361
access management regulation, adopted under section 5552.02 of the 362
Revised Code shall apply to any streets, highways, or other 363
roadways located in a municipal corporation. 364

Sec. 5552.99. Whoever violates an access management 365
regulation adopted under section 5552.02 of the Revised Code shall 366
be fined not more than five hundred dollars for each offense. Each 367
day of violation is a separate offense. 368

Section 2. That existing section 711.131 of the Revised Code 369
is hereby repealed. 370

Section 3. Chapter 5552. of the Revised Code shall be called 371
"Road Access Management." 372