

Tuscarawas County Ohio

Subdivision Regulations

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Tuscarawas County Regional Planning Commission

125 East High Avenue, Suite 210

New Philadelphia, Ohio 44663

Phone: 330-365-3246

Fax: 330-365-3250

<http://www.co.tuscarawas.oh.us/regionalplanning>

2018
Tuscarawas County Board of Commissioners

Chris Abbuhl
Kerry Metzger
Joe Sciarretti

Regional Planning Commission

Jill P. Lengler, Director
Gloria Steiner, Executive Secretary

125 East High Avenue, Suite 210
New Philadelphia, Ohio 44663
Phone 330-365-3246 Fax 330-365-3250

Officers

Tedd Finlayson, Chairman
Mike Jones, Vice Chairman
Gloria Steiner, Secretary

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Tedd Finlayson
Gloria Steiner
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PREAMBLE AND ENACTING CLAUSE

SUBDIVISION REGULATIONS

TUSCARAWAS COUNTY, OHIO

A RESOLUTION OF THE COUNTY OF TUSCARAWAS OHIO, ENACTED IN ACCORDANCE WITH CHAPTER 711, OHIO REVISED CODE, AND FOR THE PURPOSE OF PROTECTING THE PUBLIC HEALTH, SAFETY, COMFORT, CONVENIENCE AND GENERAL WELFARE; AND REGULATING THE DEVELOPMENT OF SUBDIVIDED AREAS; PROMOTING THE PROPER ARRANGEMENT OF STREETS AND LAYOUT OF LOTS; PROVIDING FOR ADEQUATE AND CONVENIENT PROVISION OF OPEN SPACES, UTILITIES, RECREATION, AND ACCESS TO SERVICE AND EMERGENCY VEHICLES; PROVIDING FOR ADEQUATE PROVISION OF WATER, DRAINAGE, SEWER, AND OTHER SANITARY FACILITIES; PROVIDING FOR THE ADMINISTRATION OF THIS RESOLUTION AND DEFINING THE POWERS AND DUTIES OF THE ADMINISTRATING OFFICERS AS PROVIDED HEREINAFTER AND PRESCRIBING PENALTIES FOR THE VIOLATION OF THE PROVISIONS IN THIS RESOLUTION OR ANY AMENDMENT THERETO; AND FOR THE REPEAL BE IT BY THE BOARD OF COUNTY COMMISSIONERS AND REGIONAL PLANNING COMMISSION OF TUSCARAWAS COUNTY, OHIO:

ARTICLE I - TITLE OF REGULATIONS

Section 100 - Title

These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of Tuscarawas County, Ohio," and shall hereinafter be referred to as "these regulations."

ARTICLE II - SCOPE AND ADMINISTRATION

Section 200 - Scope

These regulations shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of these regulations. Nor is it intended by these regulations to repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws, or regulations, or with private restrictions placed upon property by deed, covenant or other private agreement, or with restrictive covenants running with the land to which the County is a party. Where these regulations impose a greater restriction upon land than is imposed or required by such existing provisions of law, resolution, contract or deed, the provisions of these regulations shall control.

Section 201 - Interpretation and Purpose

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements adopted for the protection of the public health, safety and welfare. To protect the public among other purposes, such provisions are intended to provide for permanently wholesome community environment, adequate public services and safer streets and highways.

Section 202 - Administration and Authority

A Major Highway Plan, having been adopted by the Regional Planning Commission as part of the County's Comprehensive Development Plan on September 8, 1970, according to statutory requirements, the Board of County Commissioners, and the Regional Planning Commission by virtue of the provisions of Chapter 711 and Chapter 3787 of the Revised Code of the State of Ohio are authorized, subject to the holding of required public hearings, to adopt rules and regulations covering plats for subdivisions of land, and to approve, conditionally approve, or disapprove plats or subdivisions of land falling within their jurisdiction. Administration of the rules and regulations contained herein shall be the responsibility of the Regional Planning Commission, assisted by the County Commissioners and County Engineer.

Section 203 - Jurisdiction

These regulations shall be applicable to all subdivisions of land within the unincorporated area of the County. The Regional Planning Commission shall have the power of final approval of the plats.

1. It shall be unlawful for any person to subdivide or lay out into lots any land within the unincorporated areas of Tuscarawas County unless it be by a plat complying with the regulations herein contained, and no plat shall be recorded and no lot or land shall be sold from any such plat until said plat has been approved as herein required. There shall be no creation of any size parcel without the required amount of frontage on a public road.

2. The design and layout of all major subdivisions shall conform to the requirements of Article

VII, Sections 700 through 721, inclusive. The subdivider shall make improvements and shall submit preliminary and final plans, all in accordance with Article VI, Sections 600 through 619, inclusive, and Article VIII, Sections 800 through 816, inclusive, of these regulations.

3. The division of a tract into five parcels or less (four parcels plus the remainder of the original tract), fronting upon an existing public street, and where the transfer is to be accomplished by the recording of a deed rather than a plat, requires the approval of the Regional Planning Commission before it can be recorded. Such approval may be accomplished in the manner provided in Article III and Article 1V of these regulations (Ref. Minor Subdivision, ORC 711.001).

4. The division of a tract into five parcels or less that are served by a private road known as a Dedicated Private Drive (DPD) shall conform with the requirements of Article V, Sections 500 through 504 inclusive.

Section 204 - Relation to Other Law

The provisions of these regulations shall supplement any and all laws of the State of Ohio, resolutions of the County, or any and all rules and regulations promulgated by authority of such law or resolution relating to the purpose and scope of these regulations.

Section 205 - Public Hearing

The Regional Planning Commission on its own initiative or upon petition by a citizen or neighboring property owner may, prior to acting on a preliminary plat of a subdivision, hold a public hearing thereon at such time and with at least a thirty (30) day notice as the Commission may designate.

Section 206 - Amendments

The Board of County Commissioners and the Regional Planning Commission may, after public hearing, amend or supplement these regulations. Notice shall be given of the time and place of such hearing in accordance with the legal notification requirements in effect at the time of the amendment. The amendment or amendments shall be on file in the office of the Regional Planning Commission for public examination during the said notice period.

Section 207 - Separability

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

Section 208 - Administrative Discretion

The Regional Planning Director may exercise Administrative Discretion to waive a procedural requirement set forth in these regulations when strict compliance with the procedural requirement will serve no material purpose and cause the applicant or the RPC unnecessary cost or delay.

ARTICLE III - MINOR SUBDIVISIONS (Lot Splits)

Section 300 – Purpose and Intent

It is the purpose and intent of the Tuscarawas County Regional Planning Commission to ensure that lots that are created under this section are suitable and appropriate as sites for homes. These regulations are intended to prevent the creation of lots that cannot be developed due to poor soils and drainage, steep slopes, abandoned mines, strip mine lands, and reclaimed strip mine lands, flood, and other environmental constraints. Minor Subdivisions shall successfully accommodate on-lot sewage treatment systems without negatively impacting the environment. Lots splits shall be discouraged in areas designated as flood hazard zones according to the latest FEMA Flood Insurance Rate Maps (FIRMs). Minor Subdivisions will comply with the appropriate government entity's Access Management Regulations (County, State). Minor Subdivisions shall comply with zoning where it exists.

However, if in the opinion of the Regional Planning Commission, the tract has the potential to be ultimately divided into more than five parcels by subsequent further division of one or more of the parcels, the Regional Planning Commission shall require full compliance with the Major Subdivision Regulations herein contained.

Tracts that have the potential to be ultimately divided into more than five parcels are those that are:

- Located adjacent to incorporated communities, or
- Located in a rapidly growing area of the county, or
- In close proximity to public utilities (Public water and sewer), and
- Adequate acreage for subsequent splits

The Regional Planning Director is authorized to use administrative discretion in their review of minor subdivisions.

Section 301 – Comprehensive Plan Policies

The creation of minor subdivisions in Tuscarawas County under the Subdivision Regulations shall be consistent with the policies of the Tuscarawas County Comprehensive Plan.

Section 302 – Applicability

Article III of these subdivision regulations applies to Minor Subdivisions (lot Splits) which is the division of a parcel of land that does not require a plat to be approved by the RPC as defined under ORC 711.131. It is the division of a tract into five parcels or less (four parcels plus the remainder of the original tract as that tract existed on March 25, 2007) any one of which is under five acres in size.

Minor Subdivisions shall:

- Front upon an existing public-street or road, and;
- Shall involve no opening, widening or extension of any street or road, and
- Not involve the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders;

Section 303 – Development Standards

1. Lot Size

The minimum lot size of any minor subdivision shall be as shown in the Residential Lot Minimums Chart in the Appendix or as required by township zoning, whichever is greater.

Any lot split where there is no public water or sewer available will require a sign-off on the lot split application from the Tuscarawas County General Health District or a signed affidavit from the buyer/grantee for vacant or agricultural land acknowledging that they are aware the lot has not been approved for an on-lot sewage treatment system.

2. Lot Frontage - A lot must front onto an improved public road or be part of a Dedicated Private Drive (DPD) Subdivision (Article V). Minimum frontage for a lot is 40 feet, or meet township zoning regulations, whichever is greater. The lot frontage is measured at the right-of-way of the road with a sufficient width for a driveway to access the parcel without encroaching on neighboring parcels. Pipestem driveways must be minimum of 40' wide the entire length. See Residential Lot Minimums Chart Exhibit "A" for the minimum width of a lot at the building line.

3. Access – No minor subdivision shall be approved unless the area to be subdivided shall have frontage as required herein and approved by the appropriate access management on an existing state, county, township, municipality or street shown upon a plat recorded in the County Recorder's Office, or be part of an approved Dedicate Private Drive (DPD) Subdivision as permitted herein. Any minor subdivision served by a DPD must reference this in the deed and surveyor's description.

4. Sanitary Sewer Facilities

a. When a public sanitary sewage system is reasonably accessible (as per current Ohio Revised Code regulations) to the structure with sanitary facilities, the lot shall be served by the public sewer, and shall meet the specifications, rules, regulations and guidelines of the Tuscarawas County Metropolitan Sewer District or other entity owning the public sanitary sewer system.

b. When a public sanitary sewer system is not reasonably accessible, the lot shall be served by an on-lot sanitary sewage treatment system meeting the specifications, rules, regulations and guidelines of the Tuscarawas County General Health District, and the Ohio Environmental Protection Agency, as applicable.

5. Water Supply

a. When the lot is to be served by a public water system, it shall meet the specifications, rules, regulations and guidelines of the Tuscarawas County Metropolitan Sewer District or other entity owning the public water system.

b. When the lot is to be served by a private water system, it must meet the specifications, rules, regulations, and guidelines of the Tuscarawas County General Health District, Ohio Department of Health or the Ohio Environmental Protections Agency, as applicable.

6. Floodplain – Land to be subdivided or developed should be designed and improved in a way that meets the requirements of the Tuscarawas County Flood Damage Reduction Regulations. Development in a designated floodplain is not encouraged.

a. No private on-lot sewage treatment systems are permitted to be installed in special flood hazard areas defined by FEMA.

b. No private water supply systems (wells) are permitted in special flood hazard areas defined by FEMA.

c. The lot split must be in compliance with the Army Corps of Engineers where they have jurisdiction.

7. Zoning – The minor subdivision must be in compliance with township zoning regulations where zoning exists. (As of 2019, Dover, Lawrence, and Sandy)

8. Contiguous Parcels – If a proposed minor subdivision results in the creation of a parcel of land that cannot be used as a building site because it has no approvable access to a public road (“landlocked”) or does not meet RPC minimum lot size (Residential Lot Minimums Chart in Appendix) it can only be sold or exchanged between adjoining lot owners. Contiguous parcels do not have to meet the minor subdivision standards (lot split) but still require review by Regional Planning Commission Office.

Parcels transferred in this manner will include the following language in the deed: “Contiguous parcel, not to be transferred separately from adjoining parcel without review of the Regional Planning Commission. Original signed deeds will be stamped by the RPC office with a contiguous parcel stamp which will state **“Contiguous parcel. Not to be conveyed separately without review by the Tuscarawas County Regional Planning Commission.”**

Section 304 - General Procedure and Requirements for Submittal

Whenever approval of a division of real property classified as a minor subdivision is sought by an applicant, the following items shall be submitted to the Regional Planning Commission Office.

1. One (1) copy of a completed minor subdivision application (available from the TCRPC office or the county website), completed in its entirety, signed and dated by the applicant with the following information and approvals. All applications must be double-sided, the current form, and signed in blue ink.

A. Information (Front page of Application)

- Name, signature, address, telephone number, fax number and e-mail address of seller and buyer.
- Parcel number of lot from which it is being split
- Location (township, street address)
- Number of acres in parcel
- Proposed land use
- Water and Sewer (public, private)
- Acreage of residual parcel

B. Approvals (back page of application) must be signed, dated and include attachments where required.

- Sanitary Sewer (Tuscarawas County General Health District, Tuscarawas County Metropolitan Sewer District, the appropriate Sewer utility, or Ohio EPA)
- Water Supply (Tuscarawas County General Health District, Tuscarawas County Metropolitan Sewer District, the appropriate water utility, or Ohio EPA)
- No Public Sewer –

If developing, a signed approval from the Tuscarawas County General Health District attached to the lot split application.

If vacant, agricultural, or an existing house, an affidavit signed by the buyer stating they are aware that compliance with lot size and other requirements of the TCRPC does not indicate that the lot will be approved or be approvable by the Tuscarawas County General Health District for on-lot sewage systems.

- Access Management (County Engineer, ODOT, Municipality)
- Zoning (Township)
- Flood Plain (County Flood Plain Office)
- Subdivision Regulations (Regional Planning Office)

2. One (1) copy of survey plat and legal description and one (1) aerial view of the proposed split.

A. Survey Requirements

- The proposed minor subdivision shall conform with Chapter 4733-37 of the Ohio Administrative Code captioned “Minimum Standards for Boundary Surveys in the State of Ohio,” In all respects including, in particular, the following items:

An accurate and current survey description of the proposed minor subdivision prepared in accordance with Chapter 4733-37 of the Ohio Administrative Code by a surveyor registered with the State of Ohio. The distance and bearing of each lot line shall be provided. Distances shall be to the nearest one-hundredth of a foot and bearings to the nearest second. The dimensions of all curves shall include the following information: radius, arc length, tangent, delta, chord and chord bearing. The area in acres shall be provided for the lot. The area in the lot shall be calculated to the third decimal place. The surveyor’s name, registration number, and date of survey shall be provided.

- A survey map prepared in accordance with Chapter 4733-37 of the Ohio Administrative code, signed and dated by a surveyor registered with the State of Ohio (including registration number and seal). The surveyor shall certify that he has surveyed the premises and prepared the survey map in accordance with the provisions of Chapter 4733-37 of the Ohio Administrative Code. In addition to the Ohio Administrative Code Requirements, the survey will follow Tuscarawas County’s Minimum Requirements for Instruments of Conveyance.

B. Information required on Plat of Survey

- Name, address, telephone number, fax number and e-mail address of surveyor.
- Location and size of existing and proposed parcels, including date of creation of existing parcel to be split.
- Township, section and quarter section.
- North arrow and bar scale.
- House number of existing property or adjacent property, if available.
- Locational information including: location map; adjacent or frontage roads; adjacent parcel ownership; existing easements of access; rights of ways, driveways, etc.
- Acreage of all proposed lots and acreage of all remaining property resulting from the division of the original parcel, including existing and proposed boundaries.

- All minimum building setback lines (minimum front yard, side yard and rear yard) shall be shown with dimensions, and including any minimum riparian setback lines-(s), in accordance with the current township zoning regulations, if applicable.
- Show existing structures, existing utilities (on-lot sewage treatment system, well, water sewer lines, etc. if location is known)
- Show proposed location of on-lot sewage system and well if known
- If any part of the property is in the FEMA designated flood hazard areas and floodways they shall be shown where they exist on the property. The following note shall be included: "Flood Hazard Note: Approximate limits of Flood Hazard area Zone___ as shown on Flood Insurance Rate Map #_____ with an effective date of _____. (If no base flood elevation has been determined, state "No Base flood elevation has been determined for this area."

3. Unsigned deed

4. The appropriate fee. The fee schedule is available from the TCRPC office or the county website.

5. Review by Regional Planning on Minor Subdivision.

If the regional planning office finds that a proposed minor subdivision and the remainder if any, of the original tract are not contrary to the applicable platting, subdividing, township zoning (if any), health, sanitary, or access management regulations, the regional planning office shall approve the proposed division within seven (7) business days after the submission of all of the items specified in Section 304 and notify the applicant of the action. This 7 day period can be extended by mutual agreement between the Regional Planning office and the applicant. This notification will be on the minor subdivision application form submitted for review. The Regional Planning office will sign this form and mark it as approved or not approved, with the reason(s) why, if not approved.

ARTICLE IV – Reserved for Future Use

ARTICLE V DEDICATED PRIVATE DRIVE SUBDIVISIONS

Section 500 - Purpose and Intent:

A Dedicated Private Drive (DPD) Subdivision is a minor or any sized subdivision of 2 to 5 residential parcels that share access to a public road via a platted private drive.

A Dedicated Private Drive provides legal access to a tract of land where the DPD fronts upon or abuts an existing public road. The DPD shall be located in an area that can be developed for access by emergency equipment (fire trucks, ambulances). A DPD provides legal access to land for subdivision purposes and is subject to the limits of the subdivision regulations.

The intended use of the Dedicated Private Drive is NOT to circumvent the Tuscarawas County Major Subdivision Regulations. A DPD may be used as an alternative to pipe stem lots. Dedicated Private Drives shall not be used to avoid the construction of a major subdivision or the construction of public roads.

Dedicated Private Drive Subdivisions may be used to provide frontage access to tracts of land that the RPC determines do not lend themselves either alone or in conjunction with adjacent property to be further subdivided or in instances rendering it not feasible to construct a public street by reason of conditions, including without limitation:

- Unique parcel shape
- Severely constrained topography
- Access Management Regulations
- Other mitigating circumstances

Dedicated Private Drives may only be allowed when the RPC has determined that conditions exist on or around the site which will be better served through its use rather than individual points of access.

Section 501 – Comprehensive Plan Policies

The creation of dedicated private drive subdivisions in Tuscarawas County under the Subdivision Regulations shall be consistent with the policies of the Tuscarawas County Comprehensive Plan.

Section 502 – Applicability

The following criteria are intended to minimize the amount of roadway conflicts caused by excessive and unmanaged driveways and prevent the creation of landlocked parcels (tracts that do not front on a public road). These criteria shall guide the decision of the RPC Director when approving DPDs.

1. DPDs shall only be permitted where adequate sight distance is available, according to the standards of the applicable access management review agency (county, state, municipality).

Note: Access management approval is NOT the driveway permit. The driveway permit must be obtained separately from the county engineer's office (county roads), township trustees (township roads), ODOT (state roads) or municipality (village or city).

2. DPDs may be permitted for at least two but no more than five lots with no more than one residence per lot as classified below:

- Class 1 - Shared Point of Access – for two lots only. A point of access is the point at which a driveway intersects a public road and is the area within the public road right of way. See Appendix.
- Class 2 - 2 to 3 lots.
- Class 3- 4 to 5 lots

3. The proposed lots served by the DPD must meet RPC regulations. (See Article III Minor Subdivisions (Lot Splits). These lots can be recorded with the DPD or at a later date. The RPC regulations in effect at the time of recording the minor subdivision apply.

4. DPD's cannot be part of a Major Subdivision.

5. The DPD shall be private, placed within a defined access easement, owned and maintained by the interested properties.

6. The original developer(s)/owner(s) of a DPD are responsible for the initial installation of the driveway to the size and material specifications as in Section 503 Standards. Lot splits on the DPD will not be approved by the RPC until the owner(s) of the DPD has installed the driveway to the meet the appropriate driveway standards in these regulations and have submitted a signed, sworn, and notarized statement that they have installed the driveway to the specifications.

Section 503 - Development Standards

The following design standards are mandatory minimums for Dedicated Private Drives. These are drive standards and do not meet the standards for a publicly dedicated road. For this reason, Tuscarawas County shall NOT accept for dedication as a public road any Dedicated Private Drive unless it has been brought up to county road standards and separately approved by the appropriate government agency.

RPC approval will expire after one year. The DPD must be recorded within that year, or resubmitted with fee for the review process.

1. General

A. The minimum DPD width is 50'. Minimum driving surface width is 16'. Any lot subdivided prior to the date this section has been adopted, providing it has a least 30' frontage on a public road and complies with Access Management Regulations, may apply for a DPD without complying with the 50' frontage requirement.

B. The DPD shall not serve as a connector to or for any other DPD. The use of such private road is limited to the owners of the lots in the DPD subdivision. It cannot be used for access to/from or for the benefit of any property other than the lots in the DPD subdivision.

C. The centerline of the DPD must be the lot abutment line whenever possible. When the DPD has lots only on one side of the road and the other side of the DPD is the subdivision boundary and the owner/developer's property line boundary, each lot shall consume all of the DPD that abuts such lot.

D. At the point of access to the public road the centerline of the DPDs shall be a minimum of 130 feet apart from the centerline of another DPD or pipestem driveway. The centerline of a DPD shall be a minimum 30 feet from the centerline of an existing driveway.

E. DPDs cannot intersect each other.

F. DPDs cannot be connected.

G. The DPD right of way acreage must be completely consumed by the lots served by the DPD.

H. A Recorded Maintenance Agreement is required which includes the signatures of owners of all lots served by the DPD. This shall be established in perpetuity for all lots sharing a Dedicated Private Drive, recorded and with reference language placed on the deeds for all lots with access to the DPD. A reference note to the recorded agreement(s) shall be placed on the subdivision plat. Thereafter, all conveyances of lots on the DPD shall contain a reference to the maintenance agreement, set out the recording information for the same and contain a statement that the grantee therein for himself, his heirs, and his assigns agrees to accept the conveyance subject to such agreement and abide by the terms and conditions thereof. Language shall be included that states a maximum of five parcels with one single family residence per parcel.

I. The property owner(s) shall install and maintain reflective and visible markers clearly stating "Private Drive" and show the addresses with numbers a minimum of 3" tall, at the intersection of the public road and the DPD. Reflective and clearly visible 3" tall address markings shall be installed as well as at each individual drive location.

J. There shall be no future subdividing of the DPD's original lots (except for the sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional structure sites) without approval of all the current owners of the lots served by the DPD and the approval of RPC. A new DPD application must be submitted when the creation of a new parcel results in a new DPD Class. (i.e. three parcels served to four parcels served).

K. Each lot shall contain no more than a single residence, together with necessary and appropriate other structures. Each lot served by the DPD shall be used only for residential and/or farming purposes, and no commercial or manufacturing activity shall be permitted.

L. The DPD shall be designed to follow the current Tuscarawas County or appropriate agency's Access Management Standards.

M. The DPD shall be designed to follow the current Tuscarawas County Engineers Driveway Permit Specifications, see appendix, or the appropriate agency's driveway specifications.

N. The DPD shall be designed for emergency access fire/emergency equipment.

O. Where a bridge is to provide access it shall be constructed and maintained to accommodate a 10 year rated storm and be able to support emergency equipment. TCRPC reserves the right to require the property owner(s) at their cost, to have the bridge designed and certified by a professional engineer to AASHTO HS-20 load standard. If a culvert is not located in a public right-of-way, the developer/property owner should contact the Tuscarawas County Soil and Water Conservation District to properly size the culvert.

P. The DPD shall have a minimum 13'6" vertical clearance to allow for adequate access for emergency equipment. The maintenance agreement shall include language which will insure the continued existence of this clearance.

Q. If a cul-de-sac is used as a turnaround, it shall be designed with a minimum centerline turning radius of 50' and 60' right-of-way and meet the design standards specified in the Appendix.

R. A DPD may be used as utility easement See Section 717.

2. Design Standards for Class 1 Dedicated Private Drive – Shared Point of Access DPDs.

A. The Class 1 DPD is located in the public road right of way. After that, it diverges into two separate individually owned and maintained driveways. See the Appendix.

B. Shall follow all of the General Standards listed in Section 503.1

3. Design Standards for Class 2 Dedicated Private Drives – Two to three parcels.

A. Shall follow all of the General Standards listed in 503.1.

B. If there are existing residences already located on the parcel to be split an existing private driveway surface and grade is acceptable "as is" if all property owners agree. Any extension of the existing private drive when it is platted as a DPD must meet the standards of a Class 3 DPD. The existing drive may need modified where it meets the public road to meet current access management regulations and the appropriate government entity's driveway standards.

4. Design Standards for Class 3 Dedicated Private Drives – Four to five parcels.

A. Shall follow all of the General Standards listed in 503.1.

B. Minimum driving surface width shall be 16' with an additional 2' of clear unobstructed berm and adequate drainage on each side.

C. Design and construction requirements for driveway surface shall be:

- Item 204 Sub-grade compaction.
- Item Spec – 4” aggregate base, using no.1 and no.2 aggregate as per 304 and
- Item 304 – 2” Aggregate base as finish.

D. Maximum grade

- Paved (asphalt, concrete) shall not exceed 15% and follow ODOT table 203-1E for maximum grades.
- Loose stone driveway surface shall not exceed 12%.

E. The DPD will be designed by a registered engineer and the plans and specifications approved by the county engineer office. A drainage plan may be required if determined necessary by the county engineer. An as-built drawing will be prepared by the engineer who drew the original plan, certifying completion in substantial compliance with said plan. If both a professional surveyor and a professional engineer were involved with the design, then both must certify the as-built.

Section 504 - General Procedure and Requirements for Submittal

The following procedures shall be followed in submitting, reviewing, and approving proposed DPD Subdivisions.

1. Preliminary Sketch and Meeting

A. Procedure:

The DPD developer/property owner(s) and/or surveyor shall meet with the RPC Director to discuss the planned DPD.

B. Submittal Requirements

Items to bring to this meeting include at a minimum:

- At a minimum, copy of the current tax map that shows the parcel where the DPD will be located
- Sketch and profile of the proposed DPD
- Proposed lots (numbered), and their acreage

2. Preliminary Plat and Interagency Review

A. Procedure:

The property owner and/or surveyor shall submit the permit fee, completed application, seven copies of a preliminary plat, profile, and maintenance agreement to the RPC office. This information will be sent to the agencies listed below for review.

- Township Trustees
- County Health Department or County Metropolitan Sewer District
- Soil and Water District
- County Engineer, ODOT or municipality (Access Management)
- Map Office

- Flood Plain Office
- Fire/Emergency Department

There will be a 10 day review period* for these agencies. At the end of the 10 day review period, the RPC director will review the preliminary plat and all comments received and within seven business days send a notice to the DPD owner and surveyor requesting the submittal of the final plat with any necessary changes resulting from the review comments.

*If access is to a state route, then ODOT approval is required. This has historically taken longer than 10 days. The RPC director will respond within seven business days from receiving all comments, including ODOT's.

The approval of the preliminary plat will expire in 12 months from the date signed by the RPC Director.

B. Submittal Requirements

1. One (1) copy of a completed DPD subdivision application signed and dated by the applicant. The application is available from the TCRPC office or on county website.
2. Seven (7) copies of a preliminary plat of the proposed DPD subdivision prepared by a registered surveyor. The form for the preliminary plat shall be:
 - Maximum size for a plat is 19" x 19" or 23" x 23", as per the County Recorder's Office:
 - Scale shall be 1" = 30', 1" = 50', 1" = 100'. Or 1" = 200'.
 - If more than one sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown,
 -
3. This preliminary plat must include:
 - Vicinity map of area within a scope which shows the DPD abutting a public road.
 - Signature & Date Line for: Surveyor, Owner(s), RPC Director, Map Office, Auditor, and Recorder.
 - The public road with name and number that the DPD abuts.
 - Maintenance Agreement with signature lines for all property owners or a copy of the maintenance agreement if it is to be recorded separately and a place to reference the volume and page on the plat.
 - Proposed lots (if planning to record lots with the DPD plat) showing total acreage, acreage in DPD right-of-way, and lot numbers.
 - All current parcel boundaries, length of courses and, bearings in accordance with the Tuscarawas County Conveyance standards.
 - DPD right-of-way (minimum of 50') with bearings and distances
 - One residence unit per lot.
 - Centerline of the DPD.
 - If any part of the property to be served by the DPD is in the FEMA designated flood hazard areas and floodways they shall be shown where it exists on the property and shall include the following note: "Flood Hazard Note: Approximate limits of Flood Hazard

area Zone____ as shown on Flood Insurance Rate Map #_____ with an effective date of _____. (If no base flood elevation has been determined, state “No Base flood elevation has been determined for this area.”)

- Installation Statement as shown in the appendix.
- Show portions of the site identified on maps made available by the Ohio Department of Natural Resources as subject to previous mining activity and subject to potential mine subsidence. These maps can be found at:
<https://gis.ohiodnr.gov/MapView/?config=OhioMines#>

3. Final Plat

A. Procedure

A DPD final plat can be for the DPD only or it can include the parcels to be served.

1. If lots (parcels) are to be included on the DPD plat, they must be recorded at the same time as the DPD. If the parcels are minor subdivisions (under 5 acres in size) the proper forms must be submitted simultaneously to RPC for review and approval (see Articles III and IV). The final plat shall include the following:

- Incorporate all the requirements listed in the preliminary plat and any review comments.
- Show lots with bearings, distances, total acreage, acreage in DPD right-of-way, and lot number, and lot owners’ names.
- All parcel boundaries length of courses and bearings will be in accordance with the Tuscarawas County Conveyance standards.

2. If only the DPD is to be recorded, then the final plat shall incorporate all the requirements listed in the preliminary plat and review comments EXCEPT proposed lots with, total acreage, acreage in DPD right-of-way, and lot numbers.

3. Allow 7 business days for director to sign the DPD Plat. Once the director has signed the plat, the applicant shall take the plat to the Map Office. Allow at least two business days for the Map Office to process and sign. The applicant will take the final plat from the Map Office to the Auditor’s Office and from there to the Recorder’s Office. These last two steps must take place in the same day.

The approval of the final plat will expire in 12 months from the date signed by the RPC Director.

B. Submittal Requirements

One original plat shall be on polyester material drafting film (Mylar). It shall be legibly drawn in permanent black ink and follow the requirements for a preliminary plat except that the final plat may be drawn on a larger sheet and reduced for recording but the reduced copy must be legible and in no case shall the reduced copy be larger than 23”x 23”.

ARTICLE VI PROCEDURE FOR MAJOR SUBDIVISION APPROVAL

Section 600 - Preapplication Meeting Required

The subdivider shall meet with the Regional Planning Commission Subdivision Committee prior to submitting the preliminary plat. The subdivider shall submit to the Subdivision Committee a sketch plan as specified in Section 601. The purpose of this meeting is to familiarize the subdivider with the Comprehensive Development Plan, subdivision regulations, zoning regulations (where applicable), County Health Department regulations, roadway and pavement requirements, storm water drainage requirements, fire protection, public utilities, sewerage, and water systems for Tuscarawas County, Ohio. A filing fee shall be charged, as indicated on the current fee schedule.

Section 601 - Preapplication Sketch Content.

The subdivider shall submit to the Regional Planning Commission a sketch plan, legibly drawn by mechanical means or freehand at a scale of one (1) inch equals two hundred (200) feet and containing proposed name of subdivision, location, north point, vicinity map, boundaries of the subdivision and its acreage, existing and proposed streets, lot layout and existing natural and man-made features such as soil types, vegetation, contours and service facilities.

Section 602 - Preliminary Plat Required

After the preapplication stage, the subdivider shall submit a preliminary plat of the proposed subdivision which shall conform with the requirements set forth in Sections 603 to 609, inclusive.

Section 603 - Application for Tentative Approval

An application, in writing, for the tentative approval of the preliminary plat, together with five (5) copies of the preliminary plat and the supplementary information specified in Sections 604 to 609, inclusive, shall be submitted to the Regional Planning Commission. The preliminary plat shall be prepared by a qualified registered engineer, or registered surveyor.

Section 604 - Preliminary Plat Form

The preliminary plat shall be prepared on one or more sheets twenty-four (24) by thirty-six (36) inches in size. A preliminary plat of six (6) acres or less in size shall be drawn at a scale of one (1) inch equals fifty (50) feet. Preliminary plats greater than six (6) acres in size shall be drawn at a scale of one (1) inch equals one hundred (100) feet.

Section 605 - Plat Contents

The preliminary plat shall contain the following information:

1. Proposed name of the subdivision, which shall not duplicate or closely approximate the name of any other subdivision in the County.

2. Location by section, lot, or township tracts with range and township lines.
3. Names and addresses of the owner(s), subdivider(s), and professional individual(s) who prepared the preliminary plat.
4. Date of survey.
5. Graphic and numerical scale of the plat, north point, and date.
6. Clearly delineated boundaries of the subdivision and its acreage, as well as total acreage of the subdivision.
7. Names of adjacent subdivisions, owners of record of adjoining parcels of unsubdivided land, and the location of their boundary lines.
8. Locations, widths, and names of existing streets, railroad rights-of-way, easements, parks, permanent structures, and corporation and township lines; location of wooded areas and other significant natural items within the scope of the map.
9. Zoning classification of the tract and adjoining properties. If no zoning exists in the area, state so.
10. Existing contours with intervals of not more than five (5) feet where slope exceeds ten (10) percent and not more than two (2) feet where slope is ten (10) percent or less. Elevations are to be based on sea level datum (USGS), if available. Reference Bench Mark used shall be indicated.
11. Existing drainage channels, wooded areas, wetlands, sewers, water mains, culverts and other underground structures, and power transmission poles and lines, within and adjacent to the tract. High water marks (flowage easements, 100 and 500 year flood elevation - floodways) are to be shown in vicinities of streams, lakes, or other bodies of water.
12. Layout, names, and widths of proposed streets and easements.
13. Structure setback lines with dimensions.
14. Layout and dimensions of all proposed utility and sewer lines, showing their connections with the existing systems.
15. Layout, numbers (if assigned), and approximate dimensions of each lot. When lots are located on a curve or when side lot lines are not at ninety degree angles, the width at the setback line shall be shown.
16. Parcels of land to be reserved for public use or to be reserved by covenant for residents of the subdivision.

17. A vicinity map at a readable scale shall be shown on, or accompany, the preliminary plat. This map shall show all existing subdivisions, roads, and tract lines, together with the names of the owners of land immediately adjoining the proposed subdivision and between it and the nearest existing thoroughfares. It shall also show the most advantageous connections between the roads in the proposed subdivision and those of the neighboring areas.

18. If any part of the subdivision is in the FEMA designated flood hazard areas and floodways they shall be shown where it exists on the property and shall include the following note: "Flood Hazard Note: Approximate limits of Flood Hazard area Zone___ as shown on Flood Insurance Rate Map #_____ with an effective date of _____. (If no base flood elevation has been determined, state "No Base flood elevation has been determined for this area."

19. Show portions of the site identified on maps made available by the Ohio Department of Natural Resources as subject to previous mining activity and subject to potential mine subsidence. These maps can be found at:

<https://gis.ohiodnr.gov/MapView/?config=OhioMines#>

Section 606 - Supplementary Information

The following information shall be supplied in addition to the requirements in Section 605.

1. Statement of proposed use of lots, giving type and number of residences; type of business or industry; so as to reveal the effect of the development on traffic, fire, or congestion of population.

2. Description of proposed covenants and restrictions.

3. Evidence of an adequate and potable water supply (See Article VIII, Section 806).

4. Statement outlining method to be used and provisions to be made for drainage and flood control (See Article VIII, Sections 808).

5. If zoning changes are contemplated by the subdivider, the proposed zoning should be outlined and described in a letter.

6. In a letter accompanying the request for approval of the preliminary plat, the subdivider shall state the type of sewage disposal treatment he proposes to use. If other than a treatment plant, it shall be accompanied by a letter from the County Health Commissioner stating what type of sewage disposal will be approved for the soil conditions encountered in the area of the proposed subdivision. A central sewage treatment plant and a central water system shall be constructed by the subdivider when deemed necessary by the Ohio Environmental Protection Agency. (See Ohio Administrative Code #3701-29-03 "No household sewage disposal systems")

Section 607 - Filing

The subdivider shall prepare and file a preliminary plat for approval with the Commission, and five (5) copies shall be required by the Commission according to the standards and other requirements of these Regulations. The preliminary plat shall be considered officially filed on the day received by the Commission and shall be so dated. A receipt or acknowledgment of receipt shall be given by the Commission or its representative. The preliminary plat shall then be examined by the County Engineer and/or designated person in behalf of the Commission. A filing fee shall be charged, as indicated on the current fee schedule. The date received and applied for approval and the date the preliminary plat was accepted shall also be shown on the final plat map.

Section 608 - Suitability of Land

If the Regional Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, bad drainage, steep slopes, potential mine subsidence, poor soils, inadequate water supply, schools, transportation facilities, inadequate fire protection or safety service access and other such conditions which may endanger health, life, or property; and, if from investigations conducted by the public agencies concerned, it is determined that in the best interests of the public the land should not be developed for the purpose proposed, the Commission shall not approve the land for subdivision unless adequate methods are advanced by the subdivider for meeting the problems that will be created by the development of the land.

Section 609 - Approval

The Regional Planning Commission shall forward copies of the preliminary plat to such officials and agencies as may be necessary for the purpose of study and recommendation. These shall include at least the County Engineer and the County Health Commissioner and Clerk of the affected Township. After receipt of reports from such officials and agencies, the Regional Planning Commission shall determine whether the preliminary plat shall be approved, approved with modifications, or disapproved. If a plat is disapproved, the reasons for such disapproval shall be stated in writing. The Regional Planning Commission shall act on the preliminary plat unless such time is extended by agreement with the subdivider or by the scheduling of a hearing in accordance with Section 205. Failure on the part of the Regional Planning Commission to act upon the plat within thirty (30) days shall constitute approval by the Commission. When a preliminary plat has been approved by the Regional Planning Commission, the Director shall sign all copies and return one to the subdivider for compliance with final approval requirements. Approval of the preliminary plat shall not constitute approval of the final plat.

After receiving notice of the approval of the preliminary plat and prior to the filing of the final plat the subdivider shall present to the Commission typical sections and complete profiles of streets and other related improvements to be constructed in the proposed subdivision prepared by a registered engineer. The Commission shall, within ten (10) working days after the filing of the above typical sections and complete profiles, transmit copies of same to the County Engineer and the County Health Commissioner for study and final recommendations. The Commission, after receiving a report from the aforementioned officials, shall notify the subdivider of any recommended changes or suggestions so that the subdivider may prepare the final improvement plans and final plat.

Section 610 - Approval Period

The approval of the preliminary plat shall be effective for a maximum period of 24 months and shall guarantee that the terms and conditions under which the approval was granted will not be affected by changes and/or amendments to these regulations. Extension of the approval period can be requested by the subdivider if the allotment is in the process of active construction

Section 611 - Final Plat Required

The subdivider, having received approval of the preliminary plat of the proposed subdivision, shall submit a final plat of the subdivision and drawings and specifications of the improvements required therein. The final plat will have incorporated all changes in the preliminary plat required by the Regional Planning Commission. Otherwise it shall conform to the preliminary plat, and it may constitute only that portion of the approved preliminary plat which the subdivider proposes to record and develop at the time.

Section 612 - Application for Approval

An application for approval of the final plat on forms provided by the Regional Planning Commission, together with ten (10) copies of the plat and the supplementary information specified, shall be submitted to the Regional Planning Commission. A filing fee shall be charged, as indicated on the current fee schedule. The final plat shall be prepared by a registered surveyor and the supplementary information shall be prepared by a qualified registered engineer.

Section 613 - Regulations Governing Improvements

The final plat drawings shall be prepared by a registered surveyor. Specifications of improvements shall include a set of construction and utility plans prepared by a registered professional engineer. A plan view of the streets shall be drawn to a scale of either one (1) inch equals fifty (50) feet or one (1) inch equals one hundred (100) feet. The scale of one (1) inch equals one hundred (100) feet will be used only with the approval of the County Engineer or his representative in advance of the final plan preparation. The plan view shall show the proposed roads, street alignments, rights-of-way and pavement widths, centerlines, bearings, stationing, curve or radius data, existing and proposed drainage. Any other significant features or factors shall also be shown on the plan. The centerline of roads, streets, or alley construction shall coincide with the centerline of the rights-of-way. Any changes from same shall be at the discretion of the County Engineer or his representative. Prior to the granting of approval of the final plat the subdivider shall have installed the minimum required improvements, or shall have furnished a performance bond for the amount of the estimated construction cost of the ultimate installation of the improvements. The bond, or cash deposit, will assure the County that the subdivider will faithfully perform and complete the work of constructing such improvements in accordance with these regulations. Before the bond is accepted, it shall be approved by the proper administrative officials. Bond shall not automatically expire but shall be released only upon written consent of the Tuscarawas County Commissioners.

A Pre-construction Meeting must be scheduled by the developer.

The meeting attendance shall include the developer, his engineer, his contractor(s), the Regional Planning Director, County Water/Sewer Department Director and/or the Health Department representative, the County Engineer, the Trustees of the affected Township, utility companies, and any other parties affected by the project. A Pre-construction Meeting Policy form is available from the Regional Planning Commission Office.

Section 614 - Final Plat Form

The final plat shall be legibly drawn in permanent black ink on tracing cloth or other materials of equal permanence. It shall be drawn at a scale of either one (1) inch equals thirty (30) feet, one (1) inch equals fifty (50) feet, one (1) inch equals one hundred (100) feet, or one (1) inch equals two hundred (200) feet and shall be on one or more sheets 19 (nineteen) inches side to side by 21 (twenty-one) inches top to bottom in size. If more than one sheet is needed, each sheet shall be numbered and the relation of one sheet to another clearly shown, based on approval of the preliminary plat. The final plat may be drawn on a larger sheet and reduced for recording but the reduced copy must be legible and in no case shall the reduced copy be larger than nineteen (19) inches by 21 (twenty-one) inches in size.

Section 615 - Final Plat Contents

The final plat shall contain the following information:

1. Name of the subdivision, location by section, lot, or township tracts with range and township lines; date, north point, graphic and numerical scale, total acreage and total number of lots.
2. Names and addresses of the subdivider, and the registered surveyor who prepared the final plat.
3. All plat boundaries with length of courses in feet and hundredths, bearings to not more than half minutes. All surveys must be done to State minimum standards.
4. Bearings and distances to nearest established street lines or other recognized permanent monuments, which shall be accurately described on the plat.
5. Exact locations, right-of-way widths, and names of all streets within and adjoining the plat and structure setback lines.
6. All easements and rights-of-way provided for public services or utilities, and any limitations of such rights-of-way or easement.
7. All lot lines with accurate dimensions in feet and hundredths, and with bearings. The basis of bearings shall be stated on the plat.
8. Accurate outlines of areas to be dedicated or reserved for public use, or any area to be reserved for common uses of all property owners.

9. A list of any restrictions and covenants the subdivider intends to include in the deeds to the lots in the subdivision shall accompany the final plat and shall be recorded prior to final plat approval. Reference to their recording shall be made on the final plat.
10. Certification by a registered surveyor to the effect that the plat represents a survey made by him and that the monuments shown thereon exist as located and that all dimensional details are correct.
11. Notarized certification by the owner or owners of his/their adoption of the plat, and the dedication of streets and other public areas.
12. Vicinity map of area within a one-half (½) mile radius.
13. Lot numbers and corresponding house numbers.
14. If any part of the subdivision is in the FEMA designated flood hazard areas and floodways they shall be shown where it exists on the property and shall include the following note: "Flood Hazard Note: Approximate limits of Flood Hazard area Zone___ as shown on Flood Insurance Rate Map #_____ with an effective date of _____. (If no base flood elevation has been determined, state "No Base flood elevation has been determined for this area."
15. Show portions of the site identified on maps made available by the Ohio Department of Natural Resources as subject to previous mining activity and subject to potential mine subsidence. These maps can be found at:
<https://gis.ohiodnr.gov/MapView/?config=OhioMines#>

Section 616 - Supplementary Information

The following information shall be supplied in addition to the requirements in Section 615:

1. If a zoning change is involved, certification from the County or Township Zoning Officer shall be required indicating that the change has been approved and is in effect.
2. Certification shall be required showing that all required improvements have been either installed and approved by the proper officials or agencies, or that a bond or other security has been furnished assuring installation of the required improvements.
3. A pre-construction Meeting must be scheduled by the developer. The meeting attendance shall include the developer, his engineer, his contractor(s), the Regional Planning Director, County Water/Sewer Department Director and/or the Health Department representative, the County Engineer, the Township Trustees, utility companies, and any other parties affected by the project. A Pre-construction Meeting Policy form is available from the Regional Planning Commission Office.
4. Evidence of compliance with Section 404 of the Clean Water Act if filling in or draining waters of the United States, including wetlands.

Section 617 - Filing.

The final plat shall be filed with the Regional Planning Commission not later than 24 months after the date of approval of the preliminary plat; otherwise it will be considered void unless an extension is requested by the developer and granted in writing by the Regional Planning Commission. Receipt or acknowledgment of the final plat filing shall be given to the owner or agent at the time of filing. A copy of the final plat thus filed shall be transmitted to the County Engineer at least ten (10) working days prior to the meeting at which it is to be considered. If found to be in full compliance with the formal provisions of these regulations, the County Engineer will return said plat to the Commission, together with certification of approval.

Section 618 - Approval

The Commission shall take action on the final plat within thirty (30) days after the same has been officially filed as stated in Ohio Revised Code 711.05; otherwise said plat shall be deemed to have been approved. The certificate of the Commission as to the date of the submission of the plat for approval, and the failure to take action within such time, shall be sufficient in lieu of the written endorsement or evidence of approval herein required. If disapproved, the grounds for disapproval of the final plat shall be stated on the record of the Commission, including the reference to the regulation violated by the plat, and a copy of said record of the Commission shall be forwarded to the subdivider. Subdivider shall make necessary correction and resubmit the final plat within thirty (30) days to the Commission for its final approval. The subdivider shall be notified in writing of the final approval of the plat by the Commission. The subdivider shall then present the plat to the Tuscarawas County Commissioners for approval.

Section 619 - Recording of Final Plat

After the final plat has been approved by the Regional Planning Commission, the County Engineer, the County Commissioners, and, where necessary, by a City Planning Commission, and the necessary approvals endorsed in writing thereon, together with evidence of title and evidence of prepayment of property taxes for all land to be dedicated to public use, it may then be filed for recording in the Office of the Recorder of Tuscarawas County, Ohio, as required by law.

ARTICLE VII MAJOR SUBDIVISION DESIGN STANDARDS

Section 700 - General Statement

The regulations in Sections 701 to 719, inclusive, shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall help insure convenient and safe streets, creation of usable lots, provision of space for public utilities, and reservation of land for recreational uses. The planning of attractive and functional neighborhoods shall be promoted, minimizing the undesirable features of unplanned, haphazard growth.

The Regional Planning Commission has the responsibility for reviewing the design of each future subdivision early in its design development. The Commission shall insure that all of the requirements of Sections 701 to 719, inclusive, are met.

In all cases, the locating or establishing of a road must begin on an existing public road. It must service at least three private residences or businesses in the first five hundred feet and one private residence or business in each two hundred feet thereafter (see ORC 5553.02).

Section 701 - Primary and Secondary Roads

The arrangement, character, width, and location of all primary and secondary roads shall conform to the requirements of the Regional Planning Commission, based upon the design standards set forth in Sections 702 to 719, inclusive.

Neighborhood unit type development is encouraged by the Commission. Where large subdivisions designed on the basis of neighborhood units are being reviewed, consideration will be given to the placement of commercial areas and public areas, in relation both to the neighborhood unit being developed and to other units that might be developed. Where small subdivisions are being reviewed, the Planning Commission shall coordinate such subdivisions, to the extent practicable, into units so that the same relationship with respect to commercial areas and public areas may be realized.

Section 702 - Street Design

The arrangement, character, extent, width, grade, and location of all streets shall be considered in their relation to existing and planned streets, topographical conditions, and public convenience and safety; and in their appropriate relation to the proposed uses of the land to be served by such streets. The subdivider shall provide within the boundaries of the subdivision plat, the necessary right-of-way for the widening, continuance, or alignment of such streets. Every subdivision shall have access to a public right-of-way.

1. The street and easement arrangement shall be such as not to cause hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it. Residential streets shall be so designed as to discourage through traffic, but offset streets should be avoided.

2. Residential streets shall be designed to discourage through traffic which may otherwise use secondary or major highways, and whose origin and destination are not within the subdivision.
3. A rural subdivision which has a common boundary with a municipality must coordinate the roadway layout with the road grid system of the municipality, i.e. the rural subdivision must connect its road system to the adjacent municipality roads so as to not blockade an existing dead end street which is intended to expand the roadway grid system of the municipality. The final roadway layout is subject to the approval of the Regional Planning Commission, the County Engineer, the adjacent Municipality and the Township.
4. Offset streets should be avoided. Proposed offset streets will be reviewed for approval by the County Engineer on a case by case basis.
5. The angle of intersection between minor streets and major streets should not vary by more than ten degrees from a right angle. All other streets should intersect each other as near to a right angle as possible.
6. The minimum corner lot property line radius shall be twenty (20) feet.
7. Curb and gutter. See Section 804.

Section 703 - Design Standards for Visibility

The normal subdivision street shall be designed for a speed of 35 mph (through streets) or 25 mph (no outlet residential streets). The standards for the design speed shall be in accordance with the Ohio Department of Transportation "Location and Design Manual" latest edition, in regard to the following design conditions:

- A. Maximum degree of curvature
- B. Minimum horizontal visibility
- C. Minimum vertical visibility
- D. Minimum intersection sight distance. Note that the minimum intersection sight distance shall apply to the road being entered, which in many cases may be as high as 55 mph.
- E. The streets shall be designed to follow the current Tuscarawas County or appropriate agency's Access Management Standards.

Section 704 - Impact on Surrounding Roads

When the proposed subdivision street is to connect with a public road having a pavement width less than 20', the developer shall be responsible for widening and otherwise upgrading such road to provide for the increase in traffic resulting from the construction of the subdivision.

Section 705 - Right-of-Way and Pavement Widths

The roadway right-of-way widths and pavement widths shall not be less than the following:

<u>Street Classification</u>	<u>Right-of-Way Width</u>	<u>Pavement Width Excluding Curb & Gutter</u>
Freeway	200-300 feet	Varies; 12 ft./lane
Expressway	200-250 feet	Varies; 12 ft./lane
Major Thoroughfare	100 feet	Varies; 12 ft./lane
Collector	60 feet	12 ft./lane plus 9 ft./parking lane
Local Street		
Low Density (1 or 2 units/acre)	50 feet	50 feet 10 ft./lane plus 7 ft./parking lane
Medium Density (3 or 4 units/acre)	60 feet	10 ft./lane plus 8 ft. parking lane
High density (more than 4 units/acre)	60 feet	60 feet 11 ft./lane plus 8 ft./parking lane

At least one parking lane shall be constructed on all local streets unless otherwise approved by the Regional Planning Commission. Variations from the above street widths will be only as approved by RPC. Streets shall be constructed in center of right-of-way.

Section 706 - Street Grades

Street grade shall be in conformance with Table 203-1 of the ODOT "Location and Design Manual", or the latest update thereof, except that the 2% steeper grades as provided for in Footnote "B" will not be permitted.

No street grade shall be less than 0.4 percent, and in no case shall a street grade be more than 3 percent within 100 feet of an intersection, except under unusual topographic conditions which would be subject to the approval of the County Engineer.

Section 707 - Special Street Types

The following requirements shall apply to special street types:

1. Cul-de-sac streets shall not exceed 1,200' in length. The closed end shall be a paved turnaround having a minimum radius of 40 feet to the outer pavement edge and a radius of 50 feet to the right-of-way line. The minimum frontage or lot width shall be measured at the required structure setback line on any cul-de-sac.
2. Permanent dead-end streets shall not be permitted. Temporary dead-end streets shall be permitted only as part of a continuing street plan, and only if a temporary turnaround satisfactory to the Commission in design, maintenance, and removal is provided, and the street has a surfaced turning area equal in diameter to two times the width of said street at its termination. Dead-end streets longer than 200 feet shall be permitted only after approval by the Commission.

3. Dedication of half-streets shall not be permitted. Where a dedicated or platted half-street exists adjacent to the tract being subdivided, the other half shall be platted.

4. Where a subdivision adjoins a major thoroughfare a marginal access street shall be designed to control access to the thoroughfare from lots fronting on it. Access is controlled in the interest of public safety and to maintain the design capacity of the street system. Points of access to the thoroughfare shall be spaced at a minimum interval of 1,320 feet. A planting strip having a minimum width of 20 feet shall be provided between the pavement of the arterial street and the pavement of the marginal access street. The minimum width of the marginal access right-of-way shall be twenty-eight (28) feet.

5. State Highways. Before any subdivision plat is approved affecting any land within three hundred (300) feet of the centerline of a proposed new highway or a highway for which changes are proposed, as described in the certification to local officials by the Ohio Department of Transportation Director, or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any public road or highway, the Regional Planning Commission shall give notice, by registered or certified mail, to the ODOT District 11 Deputy Director. The Regional Planning Commission shall not give final approval of the subdivision plat for one hundred twenty (120) days from the date the notice is received by the District 11 Deputy Director. If the District 11 Deputy Director notifies the Regional Planning Commission that the state shall proceed to acquire the land needed, then the Regional Planning Commission shall refuse to approve the subdivision plat. If the District 11 Deputy Director notifies the Regional Planning Commission that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty day period or any extension thereof agreed upon by the highway director and the property owner, the Regional Planning Commission may if the application is in conformance with all provisions of this regulation, approve the subdivision plat.

Section 708 - Street Intersections

The following regulations shall govern the design and layout of street intersections:

1. Streets shall be designed to intersect at 90 degrees, more or less. Streets shall remain in the right angle of intersection for no less than 50 feet beyond the point of intersection.

2. Sight distance is a direct function of the design speed which greatly influences the level of service on rural thoroughfares. Minimum stopping sight distance must always be provided as a safety requirement. Passing and decision sight distances influence the operational capability which provides the selected level of service. Provision for adequate sight distance on rural thoroughfares where both high speeds and high volumes can be factors is complex. The developer shall comply with the Ohio Department of Transportation design standards and the County Access Management Regulations.

3. Multiple intersections involving junctions of more than two streets shall be avoided.

4. The minimum pavement radius at intersections shall be thirty (30) feet; the minimum right-of-way radius shall be twenty (20) feet.

Section 709 - Street Names

New names are required for new streets in unincorporated areas; the names shall meet with the approval of the Regional Planning Commission and the affected Township. No name shall be similar in spelling or pronunciation to that of an existing street in a postal zone. Streets which are essentially contiguous shall have the same name.

Section 710 - Acceptance of Streets

The approval of a plat by the Regional Planning Commission shall not be deemed to be an acceptance of the dedication of any public street, highway, or other way dedicated in such plat.

The County Engineer shall check the construction by stages and if the Engineer finds that such street is constructed in accordance with the specifications set forth on the approved plat and that such street is in good repair, then such finding, endorsed on the approved plat, shall recommend to the County Commissioners acceptance of the street for public use by the County.

The developer shall notify the County Engineer 24 hours prior to the start of all street construction activity.

Section 711 - Structure Lines

Where the subdivided area is not under zoning control and is to be used for residential purposes, the structure lines may vary but in no case shall the front structure line be less than 30 feet from the right-of-way of the local street upon which the structure fronts.

For restrictions requiring greater setbacks, refer to Exhibit A, Lots Minimum Chart.

Section 712 - Blocks

The following regulations shall govern the design and layout of blocks:

1. The arrangement of blocks shall be such as to conform to the street planning criteria set forth in Sections 702 to 710, inclusive, and shall be arranged to accommodate lots and structure sites of the size and character required for the district as set forth in these subdivision regulations and the zoning regulations and to provide for the required community facilities.
2. Irregularly shaped blocks, those indented for cul-de-sacs or loop streets, and those containing interior parks or playgrounds, shall be approved by the Commission when properly designed and located.
3. No block shall be longer than 1,800 feet nor less than 500 feet. Where a subdivision adjoins a major highway, the greater dimension of the block shall front along such major highway to minimize the number of points of ingress or egress.
4. Where blocks are over 900 feet in length a crosswalk easement not less than ten (10) feet in width at or near the halfway point of the block shall be required, if necessary, to provide proper access to schools, recreational areas, shopping centers and other facilities.

Section 713 - Lots

The following regulations shall govern the design and layout of lots:

1. The lot arrangement and design shall be such that all lots will provide satisfactory structure sites, properly related to topography and the character of surrounding development.
2. All lots shall conform to or exceed the requirements of these subdivision regulations and the zoning district in which they are located and the use for which they are intended.
3. If no zoning is in effect, the minimum lot sizes, lot widths and structure set back requirements shall be met as set forth herein. Innovative lot designs with variable setbacks no less than thirty (30) feet may be approved subject to a site plan review by the Commission. The minimum requirements for lots, subject to the conditions stated above, shall be as follows:
4. All side lot lines shall be at right angles to street lines and radial to curved street lines, except where the Commission determines that a variation to this rule would provide a better layout.
5. Lots with double frontage shall be avoided except where the Commission determines that it is essential to provide separation of residential development from arterial streets.
6. No lot shall be subdivided after acceptance of the original plat unless approved in writing by the Commission.
7. A larger than minimum lot size may be required when less than ideal topography or soil conditions exist for a structure site. The larger than minimum building lot size judgment will be made by the Regional Planning Commission based on input from the Tuscarawas County Health Department.
8. No corner lot shall have a width at the structure line of less than seventy-five (75) feet. Either of the two (2) sides of a corner lot fronting on a street may be designated the front of a lot, provided the rear yard shall always be opposite the frontage so designated.
9. All corner lots at the intersection of the rights-of-way of two streets, shall have a curve with a minimum radius of twenty (20) feet to the intersection of the property line.
10. "Off-street parking shall be provided". Proper access to the property and adequate parking space on the property for a conventional automobile must be provided by the developer(s) and or owner(s) of all residences. Parking space for two automobiles is required for each family unit. Garage space will satisfy the "adequate parking space" stipulation.
11. Side setback: A minimum of ten (10) feet on each side, from the side property line to the side of the main structure foundation, attached garage, bay window, porch, deck, addition or structure attached to the main structure, and detached permanent foundation structures. The property owners on each side of the property line where a breach of the side setback rule is planned should prepare, sign and record a written agreement which describes the breach of the setback rule.

12. Pipe stem. Do not count the pipe stem acreage in the structure lot acreage.

13. Water Front Lots: Acreage covered by rivers, lakes or large streams does not count toward the minimum structure lot acreage unless public sewer services the lot and adequate dry land is available to accommodate a residence site.

Section 714 - Access.

Every lot or tract shall be along, front upon or abut an existing public road. That portion of the lot extending to the public road shall have a minimum width of 40 ft. and shall be located on a road frontage that can be developed for access by a conventional automobile. All access must meet the appropriate agencies access management regulations: Tuscarawas County for county and township roads, the Ohio Department of Transportation (ODOT) for state and federal roads.

1. A Dedicated Private Driveway provides legal access to a tract of land if Dedicated Private Driveway fronts upon or abuts an existing public road. See Article V Dedicated Private Drive Subdivisions. Dedicated Private Drives are not allowable in major subdivisions. See Article V.

Section 715 - Pipe Stem Access

The distance between pipe stem access driveways must be at least one structure lot width. See: Appendix Residential Minimum Lots, structure lot minimum widths; Section 714 Access minimum width; Article XIII Definitions: Lot and Pipe Stem.

1. The distance between pipe stem access driveways and dedicated private driveways must be at least one structure lot width. See Article V, Dedicated Private Subdivisions.

Section 716 - Mobile Home

Each mobile home, manufactured home and modular home is considered to be a single residence.

Section 717 - Easements.

Easements at least twenty (20) feet in width centered along rear or side lot lines shall be provided where necessary for sanitary sewers, gas mains, water mains, electric lines, and storm sewers. Easements shall also be provided as required by the Regional Planning Commission along every public water course, drainage channel, or stream within a subdivision. In general, easements for open ditches shall be at least thirty (30) feet wide. The establishment of these easements does not in itself provide for public maintenance of these facilities. Easements for power lines may require greater width and evidence must be submitted with the plat showing that the power provider concurs in the easements(s) shown for that purpose. Easements may also be required along or across lots where engineering design or special conditions may necessitate the installation of water and sewer lines outside public rights-of-way. Variances of the minimum easement requirements may be permitted for planned unit developments where new engineering concepts justify exception and deviation, subject to review and approval by the Commission. Dedicated Private Drives may be used for utilities.

Section 718 - Public Sites, Open Space, and Natural Features

Where a park, playground, school, or public access to water frontage which is shown on an official map or in a plan for future use or is deemed essential by the Regional Planning Commission is located in whole or in part in the proposed subdivision, the Commission shall request reservation of such area within the subdivision. The Commission shall, wherever possible, establish the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, water courses, beaches, areas of historical significance, vistas and similar irreplaceable assets.

Section 719 - Flood Hazard Areas.

The Regional Planning Commission will scrutinize proposed subdivisions which are located in flood hazard areas, such as but not limited to:

1. Floodplain areas which are identified on the current Flood Insurance Rate Maps (FIRM). A Flood Plain Development Permit is required to develop within flood plain limits of the unincorporated areas of Tuscarawas County. Development may be prohibited in some areas of the floodplain.
2. Areas located in the U.S. Army Corps of Engineers Flowage Easement. The developer must provide a letter of review and comment from the Army Corps which explains their position on the proposed subdivision.
3. Flood hazard areas outside the FIRM regulatory areas will be reviewed based on local engineering studies or approval of the U.S. Army Corps of Engineers. If the subdivision is located in an area having poor drainage or other adverse physical characteristics, the Commission may approve the subdivision provided the subdivider agrees to perform such improvements as will render the area safe for the intended use. In lieu of the improvements, the subdivider shall furnish a surety bond or certified check covering the cost of the required improvements, subject however, to the approval of the County Board of Health, and the County Engineer and/or the County Flood Plain Administrator.

Section 720 - Trees.

Trees, when planted along streets, shall be located outside of the right-of-way of any sewer or water easements that may be adjacent to the street right-of-way and planted in such manner as not to impair visibility at any street intersections or driveways. It is recommended that subdividers and developers retain existing trees and plant additional trees in strategic locations throughout the subdivision. A list of trees recommended for street planting can be obtained from the Tuscarawas County Soil and Water Conservation Office or the Ohio Department of Natural Resources.

Section 721 - Soils Statement

Soil conditions are an important concern when reviewing a proposed subdivision. The Tuscarawas County Soil and Water Conservation District may be asked for their opinion on the ramifications of soil conditions for a proposed subdivision. Their input is presented at the subdivision review meetings. Soil and water related problems can be averted if the developer, building contractor and local building and zoning officials apply precautionary development standards to the project in response to the Soil and Water Conservation District recommendations.

ARTICLE VIII MINIMUM REQUIREMENTS FOR CONSTRUCTION OF MAJOR SUBDIVISION IMPROVEMENTS

Section 800 - Construction Procedure and Materials

The subdivider shall design and construct improvements not less than the standards outlined in these regulations. The work shall be done under County supervision and inspection (County Engineer for roads, bridges, and drainage; Director of the County Water and Sewer Department for public water and sewer) and shall be completed within a mutually agreeable time between the subdivider and the County Engineer and Director of the County Water and Sewer Department.

It shall be the responsibility of the County Engineer and Sanitary Engineer to inform the person or persons making improvements, to the effect, that, whenever the required improvements are properly made or otherwise secured as hereinafter mentioned, said Engineer will pass upon and recommend to the Regional Planning Commission that said plat, if otherwise conforming to these platting rules and regulations, be approved.

Section 801 - Street Improvements

All streets and thoroughfares shall be graded to their full width, and improved in conformance with the standards set forth in these regulations.

Section 802 - Street Subgrade

The subgrade shall be free of sod, vegetative or organic matter, soft clay, and other objectionable materials for a depth of at least two feet below the finished surface of the subgrade. The subgrade shall be rolled with a roller of not less than seven (7) tons in weight twelve (12) inches beyond the edge of the pavement's surface. Sub-base grade tolerance shall be not more than one (1) inch in sixteen (16) feet. Sub-base construction shall be subject to the approval of the County Engineer.

Section 803 - Street Base and Surface Courses

Local residential streets shall be constructed with one of the following typical sections:

A. 6" Plain Portland Cement Concrete - ODOT Item 452
3" Aggregate Base - ODOT Item 304

B. 1-1/2" Asphalt Concrete Surface Course - ODOT Item 404
3-1/2" Asphalt Concrete Base Course - ODOT Item 301
Prime Coat at 0.4 gal./sq. yd. - ODOT Item 408
5" Aggregate Base - ODOT Item 304.

C. 1-1/2" Asphalt Concrete Surface Course - ODOT Item 404
5" Asphalt Concrete Base Course - ODOT Item 301
Prime Coat at 0.4 gal./sq. yd. - ODOT Item 408
3" Aggregate Base - ODOT Item 304

Pavement design and construction shall be approved by the County Engineer. The above pavement compositions are intended to be typical and may be varied only with the approval of the County Engineer.

The subdivider shall give 24 hour notice to the County Engineer before each phase of the work is commenced.

Section 804 - Streets Curbs and Gutters

For major subdivisions with an average lot size of less than one (1) acre, curbs and gutters shall be required for all areas. For major subdivisions with an average lot size of greater than one (1.0) acre, a roadway width of twenty (20) feet, without curb and gutter will be acceptable. Ditches shall be enclosed with drainage pipe having a minimum diameter of 12" and catch basins allowing water entrance into the drainage pipe shall be constructed approximately every 100 feet. A shallow, mowable drainage swale shall be constructed to direct surface water into the drainage pipe.

Section 805 - Street Signs

Street name signs, and traffic control signs approved by the County Engineer, shall be erected by the subdivider at all intersections.

Section 806 - Water Supply Improvements

The following requirements shall govern water supply provision:

1. Where a public water supply, in the determination of the Regional Planning Commission, is reasonably accessible or required because of pollution problems, the subdivision shall be provided with a complete water distribution system, including a connection for each lot and appropriately spaced fire hydrants. Public water distribution and public wells systems shall meet the requirements of the Ohio Department of Health and/or the Ohio EPA as cited in the latest edition of the Ohio Revised Code and Ohio Administration Code.
2. Where public water supply is not required by the Ohio Department of Health or Ohio EPA at least one (1) test well shall be made in the area being platted for each twenty-five (25) acres of area. In cases where copies of the logs of existing wells located within the area being platted are available, this may be submitted in lieu of making test wells.

Test wells shall be at least twenty-five (25) feet in depth and shall produce safe potable drinking water at a rate of not less than three (3) gallons per minute.

A copy of the well log which shall include the name and address of the well driller, shall be submitted with the plat to the Regional Planning Commission.

3. Individual private wells shall meet the minimum standards of the State and County Board of Health.

4. All abandoned wells shall be sealed in a manner that will render them watertight as prescribed by the County Health Department.
5. A public water distribution system is required where individual water supplies from private wells are not feasible.

Section 807 - Sanitary Sewer Improvements

The following requirements shall govern sanitary sewage disposal:

1. Where an adequate public sanitary sewerage system, in the determination of the Regional Planning Commission, is reasonably accessible, a public sewerage system shall be installed to adequately serve all lots, including lateral connections to the public system. Public sewer system extensions shall meet the requirements of the Ohio Environmental Protection Agency and County and local health standards. Public sanitary sewer lines shall be subject to the approval of and according to the specifications of the Director of the County Water and Sewer Department.
2. A subdivision of land, structure sites, or lots shall be subject to review as needed by the Tuscarawas County Regional Planning Commission, the County Health Department, the Ohio Department of Health, the Ohio EPA, and the Director of the County Water and Sewer Department as to the type of wastewater treatment method which is required to serve the subdivision. The "Lot Minimums Chart" will continue to serve as a guide for the subdivisions of all parcels of land, structure sites, and lots.

Section 808 - Drainage Improvements

The subdivider shall be responsible for constructing all necessary facilities including underground pipe, catch basins, culverts, and open drainage ditches to provide for the adequate transport of subsurface and surface waters. A drainage plan prepared by a registered professional engineer shall be submitted with the subdivision plat, showing the proposed scheme of surface drainage. A detailed construction plan for drainage improvements shall be submitted with the roadway plans.

All drainage improvements shall be designed and constructed to current ODOT standards; existing downstream drainage structures shall be evaluated as to adequacy and replaced if necessary. If new point drainage sources are created or the amount of drainage is increased, a drainage easement for downstream properties for a length of 500 feet will be required. The best available technology shall be used to minimize off-site storm water runoff. If retention basins or similar measures are necessary and utilized, a plan for provision for maintenance shall be the developer's responsibility and shall be shown on the plat. Storm water management shall follow the standards established by current editions of the Ohio Department of Natural Resources Division of Soil and Water Resources' 'Rainwater and Land Development Manual', Ohio Storm water Control Guidebook, and other ODNR guidelines and regulations as applicable.

Section 809 - Utilities

Utilities such as, but not limited to, electrical service, gas mains and telephone service, cable, and internet shall be provided within each subdivision. Whenever such facilities are reasonably accessible and available, they may be required to be installed in the Subdivision prior to the approval of the final plat. Telephone, electric power, and street lighting wires, conduits or cables may be required to be constructed underground.

Section 810 - Sidewalks

Public walkways may be required, subject to site plan review of the Commission.

Section 811 - Extra-Size and Off-Site Improvements

The utilities, pavements and other land improvements as required shall be designed of extra-size and/or extensions provided as may be necessary to serve nearby land which is an integral part of the neighborhood service or drainage area in addition to the improvements required for the development of the proposed subdivision.

Section 812 - Monuments

At the time of surveying and laying out a subdivision or addition to a municipal corporation the owner shall have placed at each exterior corner of the plat a legal survey monument as approved by the County Engineer and as directed under 711.01 of the Revised Code. The locations shall be shown on the plat. Additionally, iron pins shall be set at each lot corner.

Section 813 - Extensions to Boundaries

The subdivider shall be required to extend the necessary improvements to the boundary of the proposed subdivision to serve adjoining unsubdivided land, as determined by the Regional Planning Commission.

Section 814 - Off-Site Extensions

If streets or utilities are not available at the boundary of a proposed subdivision, and if the Regional Planning Commission finds the extensions across undeveloped areas would not be warranted as a special assessment to the intervening properties or as a municipal expense until some future time, the subdivider may be required, prior to approval of the final plat, to obtain necessary easements or rights-of-way and construct and pay for such extensions. Such improvements shall be available for connections by subdividers of adjoining land.

Section 815 - Construction Inspection

The subdivider shall be charged a fee by the County Engineer and/or the Director of the County Water and Sewer Department for the cost of making determinations and inspection of all improvements which are within their jurisdiction.

1. The amount of deposit and method of payment shall be as required by the county department concerned.
2. The determination and inspection fee shall be for all time spent by the County Engineer or the Director of the County Water and Sewer Department or his duly authorized representative in checking the subdivider's improvements.

Section 816 - Provisions for Maintenance and Operation

Where the subdivision contains sewers, sewage treatment plants, water supply systems, park areas, street trees or other physical facilities necessary or desirable for the welfare of the area and which are of common use or benefit and which are of such character that the County or other public agency does not desire to maintain them, provisions shall be made by trust agreements, which are a part of the deed restrictions and which are acceptable to the Regional Planning Commission for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivisions.

ARTICLE IX PLANNED UNIT DEVELOPMENT STANDARDS

Section 900 - General

Planned Unit Developments are separate entities with a distinct character which is intended to be in harmony with surrounding developments. Projects which are designed solely to circumvent these regulations or other applicable zoning resolutions shall not be approved. The project must clearly demonstrate that natural features are being preserved, that amenities are being provided which would enhance the livability of the project, and that such attributes of the project could not be achieved with strict adherence to these regulations.

Section 901 - Standards

A major element of the Planned Unit Development is privately owned or publicly owned common property within the development. These developments usually contain such features as an internal park network abutting home sites, recreational facilities, and preservation of natural amenities. A Home Owners Association shall be established to provide for the maintenance of all properties held in common.

Section 902 - Conformity to Existing Streets and Thoroughfare Plan

Whenever a Planned Unit Development abuts or contains an existing or proposed major thoroughfare, the Right-of-Way Standards as contained in these Regulations and the minimum requirements for the design and construction of roads and streets in major subdivisions shall be applicable.

Section 903 - Private Streets

Private streets may be permitted in Planned Unit Developments provided they meet the following requirements:

1. The minimum width of the right-of-way and street pavement shall be reviewed and approved by the Commission upon the recommendation of the County Engineer.
2. The pavement thickness and material used shall be constructed in accordance with the improvement specifications set forth in the Minimum Requirements for the Design and Construction of Roads and Streets in Major Subdivisions.
3. A Home Owners Association or other appropriate method is established to maintain the street system.

Section 904 - Public Streets

The Tuscarawas County Regional Planning Commission may require certain streets within Planned Unit Developments to be public if it determines that the project density necessitates the use of public streets and that traffic connections are required to adjacent plats or developments to facilitate traffic flow.

Section 905 - Staging of Residential Planned Development

Each stage of a Planned Unit Development must be designated so as to stand independently of future stages in the event future stages are not constructed. The construction and provision of all of the common open spaces and public and recreational facilities which are shown on the Subdivision Plat shall be constructed commensurate with the construction of residences.

Section 906 - Common Open Space Guarantee

The Tuscarawas County Planning Commission may require adequate assurance, in a form and manner which it approves, that the common open space shown in the Subdivision Plat will be provided or that designated trees and other environmental features are preserved. The following methods of assurance may be used singularly or in combination:

1. A bond, corporate surety, or other acceptable financial guarantee in a form which complies with the provisions set forth in the Minimum Requirements for the Design and Construction of Roads and Streets in Major Subdivisions.
2. The land shown as common open space may be put in escrow, with the escrow agreement indicating in writing that the land is to be held in escrow until the Planning Commission has certified to the escrow agent that the Planned Unit Development has been completed.
3. If any of the Planned Unit Development which includes common open space is held in option by the developer, the developer may assign to the applicable governmental entity the right to exercise the option to acquire the common open space.

Section 907 - Staging of Nonresidential Construction

If a Planned Unit Development contains nonresidential uses, these uses may be constructed first, but only if the Planning Commission finds (and records its finding on the Subdivision Plat) that the nonresidential uses are consistent with the Comprehensive Plan for the community even though the residential area of the Planned Unit Development is not built or not completed.

Section 908 - Condominiums

Chapter 5311 of the Ohio Revised Code provides for the recording of ownership of condominiums. Condominium ownership does not excuse compliance with these Regulations.

Section 909 - Water and Sewer

Water and sewer service shall be provided as described in Section 806 and 807 respectively. A bond, corporate surety, or other acceptable financial guarantee in a form which complies with the provisions set forth in the Minimum Requirements for the Design and Construction of Roads and Streets in Major Subdivisions shall be furnished.

ARTICLE X COMMERCIAL AND INDUSTRIAL DEVELOPMENT

Section 1000 - General

Subdividers or developers of commercial and industrial land uses shall comply with the same requirements as residential subdividers and developers as spelled out in Articles II, VI, VII, VIII, IX, and XI and applicable sections contained in each of these articles. The subdivider or developer will submit a building development plan to the RPC office and the State Division of Industrial Compliance for review.

Section 1001 - Streets for Commercial Subdivisions

Streets serving business developments and accessory parking areas shall be planned to connect with major thoroughfares so as not to generate traffic on local streets. The intersections of driveways from parking areas with thoroughfares or collector streets shall be located so as to cause the least possible interference with traffic movement on the streets, shall be located not less than 100 feet from the intersection of a thoroughfare or collector street with any other street, and shall be spaced not less than 200 feet from each other. The Commission may require marginal access streets to provide maximum safety and convenience. Pavement composition shall be designed in accordance with ODOT requirements.

Section 1002 - Streets for Industrial Subdivisions

Collector streets for industrial subdivisions shall be planned to serve industrial areas exclusively and shall connect with major thoroughfares so that no industrial traffic will be directed onto residential streets. The intersections of service streets from parking areas with thoroughfares or collector streets shall not be less than 100 feet from the intersection of the thoroughfare or collector street with any other street. Streets shall be planned to be extended to the boundaries of any adjoining land planned for industry, except for severe physical conditions or if the Commission finds such extension is not in accord with the approved plan of the area. Pavement composition shall be designed in accordance with ODOT requirements.

Section 1003 - Structure Lines

Where the subdivided area is not under zoning control and is to be used for commercial or industrial uses, the structure lines shall be as described in Section 1004. Structure lines may vary subject to site plan review of the Regional Planning Commission and but in no case shall the front structure line be less than 40 feet from the front lot line of the local or collector street upon which the structure fronts.

Section 1004 - Lots

The following regulations shall govern the design and layout of lots:

1. The lot arrangement and design shall be such that all lots will provide satisfactory structure sites, properly related to topography and the character of surrounding development.

2. All lots shall conform to or exceed the requirements of these subdivision regulations and the zoning district in which they are located and the use for which they are intended.

3. If no zoning is in effect, the following minimum lot sizes, widths and setbacks shall be met unless variations are approved after site plan review by the Regional Planning Commission and the County Health Department or the Ohio Environmental Protection Agency

Commercial-Industrial Lot Minimums Chart						
Type of Development	Setback (feet)***			Group Sewer and Water Available	Group Sewer OR Water Available	Neither Group Sewer nor Water Available
	Thoroughfare					
	Collector					
	Local					
Commercial**	50	45	40	100 ft. Frontage*	150 ft. Frontage*	200 ft. Frontage*
Industrial**	50	45	40	200 ft. Frontage*	300 ft. Frontage*	300 ft. Frontage*

* Measured at the structure line

** Acceptable lot square footage shall be determined by the Ohio EPA or the County Health Department, whoever has jurisdiction

*** Front setback beginning at right-of-way line and measured to front structure line of the first structure

Section 1005 - Planned Unit Development of Commercial and Industrial Land

The purpose of planned unit development of commercial and industrial land shall follow the same intent as expressed in Article IX, Section 900.

Section 1006 - General Requirements

The general requirements for commercial and industrial planned unit development shall be the same as stated in Article IX, Section 901.

Section 1007 - Disposition of Open Space

The amount of open space reserved under a commercial or industrial planned unit development shall be the same as stated in Article IX, Section 906.

Section 1008 - Commercial Development Projects

The following regulations apply to planned commercial developments:

1. Planned unit development of related commercial establishments is encouraged by varying the setback and area requirements. Open space gained through the varying of setback and area

requirements is to be used for the development of plazas or malls, and other public spaces and uses.

2. Commercial structures and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of structures or establishments, no yard space shall be required between uses within the groups; however, appropriate yard must be provided at the edge of the complete development. Side yards of 30 feet and a rear yard of 40 feet shall be required if the project is to be located adjacent to any residential district or planned residential unit development. Planting screens or fences shall be provided on the sides of the development abutting areas occupied or likely to be occupied by residences.

3. Off-street parking and loading space shall be provided. Group parking facilities shall provide spaces equal to the number of spaces required for each use to be developed.

4. The plan of the project shall provide for the integrated and harmonious design of structures, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding existing or potential developments.

Section 1009 - Industrial Development Projects

The following regulations apply to planned industrial developments:

1. Planned unit development of industrial establishments is encouraged by varying the setback and other requirements, if it can be shown that the development results in a more efficient and desirable use of space.

2. Industrial uses and parcels shall be developed in park-like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of structures and compact grouping or groupings in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order to reduce through traffic.

3. Off-street parking and loading areas shall be provided with sufficient spaces to meet all anticipated needs. Loading and open storage areas shall be screened by walls, fences, or plantings wherever visible from residential areas or public streets and highways.

4. Project side yards of 40 feet and a rear yard of 50 shall be required if the project is located adjacent to any residential district or planned residential unit development. All intervening spaces between the right-of-way line and project structure line and intervening spaces between ~~buildings~~ structures, drives, parking areas and improved areas shall be landscaped with trees and plantings and properly maintained at all times.

5. Certain types of commercial uses, such as a restaurant, temporary employment, or other

business service type uses, repair services, or clinics as may form a small commercial center to serve the needs of the industries or their personnel may be permitted in a planned industrial area.

Section 1010 - Procedure for Approval of Planned Unit Development

The Regional Planning Commission shall follow the approval procedure specified by these regulations for plat approval.

ARTICLE XI ENFORCEMENT

Section 1100 - Recording of Plat

No plat of any subdivision shall be recorded by the County Recorder of Tuscarawas County or have any validity until said plat has received final approval in the manner prescribed in these regulations. In the event any such unapproved plat is recorded, it shall be considered invalid, and the Commission shall institute proceedings to have the plat stricken from the records of Tuscarawas County, State of Ohio.

Section 1101 - Revision of Plat after Approval

No changes, erasures, modifications, or revisions shall be made in any plat of a subdivision after approval has been given by the Regional Planning Commission, and endorsed in writing on the plat, unless the said plat is first resubmitted to the Commission.

Section 1102 - Schedule of Fees, Charges, and Expenses

1. At the time of submitting an application for subdivision plats or other RPC transactions, the applicant shall pay a filing fee in the amount shown on the RPC Fees schedule available on the RPC website (<http://www.co.tuscarawas.oh.us/RegionalPlanning/>) and at the RPC Office.
2. County Engineer Inspection Fee. The Construction Fee Rate Schedule is available on the RPC website (<http://www.co.tuscarawas.oh.us/RegionalPlanning/>) and at the RPC Office.
3. County Metropolitan Sewer District Inspection Fee. The Construction Fee Rate Schedule is available on the RPC website (<http://www.co.tuscarawas.oh.us/RegionalPlanning/>) and at the RPC Office.
4. The filing fee shall be paid in legal tender, check or money order made payable to the Tuscarawas County Regional Planning Commission.
5. A performance bond preparation fee of \$275 or ½% (.005) of the bond amount, whichever is greater, may be charged to the developer by the RPC office for bond preparation. See Appendix, Major Subdivision Road, Water & Sewer Performance Bonds.

Section 1103 - Sale of Land within Subdivisions

No owner or agent of the owner of any land located within a subdivision shall transfer, sell or agree to sell any land by reference to, exhibition of, or by the use of a plat of the subdivision before such plat has been approved and recorded in the manner prescribed in these regulations. Any sale or transfer contrary to the provisions of this section is void. The description of such lot or parcels by metes and bounds in the instrument of transfer or other documents used in the process of selling or transferring shall not exempt the transaction from the provisions of these regulations.

Section 1104 - Penalties

The following penalties shall apply to the violations of these regulations:

1. Whoever violates any rule or regulation adopted by the Board of County Commissioners for the purpose of setting standards and requiring and securing the construction of improvements with a subdivision or fails to comply with any order pursuant thereto shall forfeit and pay not less than one hundred dollars nor more than one thousand dollars. Such sum may be recovered with costs in a civil action brought in the Court of Common Pleas of Tuscarawas County by the legal representative of the County, in the name of the County and for the use of the County.
2. Whoever, being the owner or agent of the owner of any land outside the municipal corporation, transfers any lot, parcel or tract of such land from or in accordance with a plat of a subdivision before such plat has been recorded in the office of the County Recorder, shall forfeit and pay the sum of not less than one hundred dollars nor more than five hundred dollars for each lot, parcel, or tract of land so sold. The description of such lot, parcel, or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.
3. Any person who disposes of, offers for sale or leases for a time exceeding five years any lot or any part of a lot in a subdivision before provisions of these regulations are complied with shall forfeit and pay the sum of not less than one hundred dollars nor more than five hundred dollars for each lot or part of a lot so sold, offered for sale or leased, to be recovered with costs in a civil action, in the name of the County for the use of the County.

Section 1105 - Variances

The following regulations shall govern the granting of variances:

1. Where the Regional Planning Commission finds that extraordinary and unnecessary hardship may result from strict compliance with these regulations, due to exceptional topographic or other physical conditions, it may vary the regulations so as to relieve such hardship, provided such relief may be granted without detriment to the public interest and without impairing the intent and purpose of these regulations or the desirable development of the neighborhood and community. No variance will be granted that would:
 - Hinder access by firefighting apparatus, law enforcement and emergency vehicles, and similar services relative to the egress and ingress to the affected site and adjacent properties.
 - Nullify the intent and purpose of these regulations, the Comprehensive Development Plan, or the zoning resolution, if there is zoning.

Variances will not be given for:

- Hardships brought upon by the actions of the applicant.
- A financial hardship alone. Inability to make a profit is not considered a hardship.

2. The standards and requirements of these regulations may be modified by the Regional Planning Commission in the case of a plan or program for a new town, planned unit development, or a contemporary development form, which in the judgment of the Regional Planning Commission, provides adequate public space and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated, and which also provides such covenants or other legal provisions as will assure conformity to and achievement of the plan.

3. In granting variances and modifications, the Regional Planning Commission may require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified.

4. An applicant requesting a variance to a provision of the subdivision regulations shall complete an application form available in the regional planning office and shall submit the completed application form with all necessary fees and supporting material to the regional planning office. It must be received by the Friday of the last full week of the month preceding the next month's board meeting and have all necessary information to be placed on the next board meeting agenda. Regional planning staff shall review the request and prepare a written recommendation for the board members. The board shall act on the variance at the meeting by granting the variance, denying the variance or tabling the variance due to lack of sufficient information to make an informed decision.

Section 1106 - Validity

If any section, subsection, sentence, clause or phrase of these regulations is for any reason held to be unconstitutional or void, such decisions shall not affect the validity of the remaining portions of these regulations. This is almost same as section 207 Separability

Section 1107 - Appeal

Any person who believes he has been aggrieved by these regulations or the action of the Regional Planning Commission has all the rights of appeal as set forth in Chapter 711 of the Revised Code or any other applicable section of the Revised Code.

ARTICLE XII REQUIRED STATEMENTS AND SIGNATURES TO BE AFFIXED ON THE PLAT

Section XII Required Statements.

The following statements shall be affixed on the subdivision plat

Situated in Section _____, Township _____, Range _____,
Tuscarawas County, Ohio, containing _____ acres and being the same tract as conveyed to
_____ And described in deed recorded in
Deed Book _____ Page _____ Recorder's Office, Tuscarawas County Ohio.

The undersigned _____ hereby certify
That the attached plat correctly represents their _____,
A subdivision of lots _____ to _____
inclusive, do hereby accept this plat of same and dedicate to public use as such all or parts of the
roads, boulevards, cul-de-sacs, parks, planting strips, etc., shown herein and not heretofore
dedicated.

Easements shown on this plat are reserved for the construction, operation, maintenance, repair,
replacement or removal of public utility lines or services, and for the express privilege of
removing any and all trees or other obstructions to the free use of said utilities and for providing
ingress and egress to the property for said purposes and are to be maintained as such forever.
Easements are reserved where indicated on the plat for public utility purposes above and beneath
the surface of the grounds.

In witness whereof _____ Have hereunto set their
hands this _____ day of _____

Witness _____ Signed _____

Surveyed and Platted by _____
(Name of Firm)

We do hereby certify that we have surveyed the premises and prepared the attached plat and that
said plat is correct.

All dimensions are shown in feet and decimal parts thereof. Dimensions on curves are chord
measurements.

By _____
Registered Surveyor # _____

Before me, a Notary Public in and for said County, personally came

who acknowledged the signing of the foregoing instrument to be their voluntary act and deed of said corporation for the uses and purposes therein expressed. In witness whereof I have hereunto Set my hand and affixed my official seal this _____ Day of _____

By _____
My Commission Expires _____ Notary Public, Tuscarawas County, Ohio

Reviewed this _____ day of _____

Township Trustees

Approved this _____ day of _____

Tuscarawas County Engineer

Approved this _____ day of _____

Tuscarawas County Metropolitan Sewer District

Approved this _____ day of _____

Tuscarawas County Board of Health

Approved this _____ day of _____

Tuscarawas County Regional Planning Commission

Approved this _____ day of _____ The roads, boulevards, etc.,
Herein dedicated to public use are hereby accepted as such for the County of Tuscarawas, State of Ohio

Tuscarawas County Commissioners

Transferred this _____ day of _____

Tuscarawas County Auditor

Filed for Record this _____ day of _____ at _____ (Time)
Recorded this _____ day of _____ In Plat Book _____
Page No. _____

Tuscarawas County Recorder

Tuscarawas County Deputy Recorder

Note: If public sewer and water are available, the plat shall be signed by the Director of the Water and Sewer Department in lieu of the Tuscarawas County Board of Health. Subdivision plats in townships that have zoning regulations shall also be signed by the proper authorities.

ARTICLE XIII DEFINITIONS

Section 1300 - Interpretation of Terms or Words

Words in these regulations are used in their ordinary English usage. Certain terms or words used herein shall be interpreted and defined as follows and wherever used in these regulations shall have the meaning indicated in this section. The word "shall" is to be interpreted as mandatory and shall be complied with unless waived; "may" is to be interpreted as having permission or being allowed to carry out a provision; "should" is to be interpreted as expressing that the application of said criterion or standard is desired and essential unless commensurate criteria or standards are achieved. All words used in the singular shall include the plural, and all words used in the present tense shall include the future tense, unless the context clearly indicates the contrary. Any word or term not defined herein shall be given a meaning found in Webster's Dictionary.

Section 1301 - Definitions

Acreage Lot. A parcel of land described by meets and bounds, which includes the area within a street right-of-way and the area within easements.

Administrative Discretion. The exercise of professional expertise and judgment, as opposed to strict adherence to regulations or statutes, in making a decision or performing official acts or duties

Agricultural Purposes. - means a parcel or parcels that are devoted exclusively to commercial animal or poultry husbandry, aquaculture, apiculture, the production for commercial use of field crops, tobacco, fruits, vegetables, nursery stock, ornamental trees, sod, flowers or similar agricultural uses.

Average Daily Traffic. or "ADT" means the average number of vehicles per day that pass over a given point in the street or highway.

Block. A piece or parcel of land entirely surrounded by public streets or highways, railroad rights-of-way, parks, streams and other bodies of water, or a combination thereof.

Building Permit. A permit allowing resumption of construction or placement of a structure on a specific structure lot.

Business Day. - means a day of the week excluding Saturday, Sunday, or a legal holiday as provided in Section 1.14 of the Ohio Revised Code.

Calendar day. - Any day of the week including Saturday, Sunday, or a legal holiday.

Clerk for the Board of County Commissioners. The Clerk of the Board of County Commissioners of Tuscarawas County.

Community Facilities. Existing, planned and proposed parks, playgrounds, schools, and other public lands and structures of the municipality or county for which the regulations are in effect.

Community Water System. A public water system which serves at least fifteen service connections used by year-round residents or regularly serves at least twenty-five year-round residents. (OAC 3745-81-01 Definitions.)

Comprehensive Plan. The master plan, or any portion thereof, adopted by the Regional Planning Commission of the County of Tuscarawas, which includes a land use plan, school, park and recreation plan, major highway and transportation plan, community and county service plans and village generalized plans.

Contiguous. An adjoining pieces of real estate.

Contiguous Non-Buildable lot. A parcel that is under the minimum lot size and/or has no frontage on a public road that is useable for access.

Contractor. Any person, partnership or corporation, or duly authorized agent who constructs or contracts to construct improvements on subdivided land.

County. Tuscarawas County, State of Ohio.

County Engineer. The County Engineer of Tuscarawas County, Ohio.

Crosswalk. An easement which cuts across a block to facilitate access to adjacent streets and properties.

Culvert. A transverse drain that channels under a bridge, street, or driveway.

Dedicated Private Drive (DPD). Provides legal access to a tract of land where the DPD fronts upon or abuts an existing public road.

Developer. Any person, partnership or corporation or duly authorized agent who subdivides and/or improves land for the purpose of establishing site(s) intended for the placement of residential, commercial, industrial, or institutional structures, or other private and public betterments.

Drainage Facility. Any ditch, gutter, pipe, culvert, storm sewer or other structure designed, intended, or constructed for the purpose of diverting surface waters from or carrying surface waters off streets, public rights-of-way, parks, recreational areas, or any part of any subdivision or contiguous land areas.

Drainage Plan. A plan showing all present and existing surface and subsurface drainage conditions as described by grades, contours and topography with proposed methods and facilities to collect and convey said drainage.

Driveway. A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property.

Easement. Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property, as distinct from fee simple ownership.

Engineer. Any person licensed to practice engineering in the State of Ohio.

Final Plat. The final map, drawing or chart, and supplementary information, based upon the approved preliminary plat, in which the subdivider's plan is presented to the Regional Planning Commission for approval, and which, if approved, may be certified and submitted to the Recorder of Tuscarawas County.

Flag Lot. See Pipestem Lot.

Flood Plain. The portion of a river or creek valley adjacent to the drainage channel which is periodically covered with water when the river or creek overflows its banks during flood stage. Land subject to flooding are those lands adjacent to a watercourse subject to a one percent (1%) or greater chance of flooding in any given year. For the purposes of these regulations, such lands shall be as identified by the Federal Emergency Management Agency (FEMA).

Floodway The portion of land subject to flooding that comprises the channel of a watercourse, and the adjacent lands, that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

Future Right of Way. (a) The right-of-way width required for the expansion of existing streets to accommodate anticipated future traffic loads; (b) a right-of-way established to provide future access to or through undeveloped land.

Grade %. Rise or fall in feet per 100 feet horizontal distance. (Example: 1'/100' = 1% grade)

Health Department. The Tuscarawas County Board of Health.

Improvements. Any alterations or additions to the natural state of the land which increases its value or utility, including pavements, curbs, gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, landscaping and other appropriate facilities or plantings.

Location Map. A drawing at a reduced scale which shows legibly, by dimension and/or other means, enough area beyond the bounds of the proposed subdivision to locate and orient the subdivision within Tuscarawas County and the relationship of the site to the community facilities which serve or influence the property.

Lot. A portion of a subdivision or other parcel of land intended as a unit for transfer of ownership and/or for structure development.

Lot Area. The area contained within the property lines of the individual parcels of land as shown on a major subdivision plan, excluding any area within a street right-of-way, but including the area of any easement.

Lot Depth. The mean horizontal distance from the front street line to the rear lot line.

Monuments. Permanent concrete or iron markers used to establish definitely all lines of the plat of a subdivision, including all lot corners, boundary line corners, and points of change in street alignment, and as set forth in the Ohio Revised Code, Section 711.03.

Neighborhood Unit. A neighborhood development as a district adhering to the principle that it should have its own elementary school, local business district, churches, clubs, recreation area, and be bounded, not traversed, by major thoroughfares or major streets as hereinafter defined.

Net Acre. Land acreage within a subdivision or other delineated area which excludes all street, utility and railroad rights-of-way, and waterways.

Official map. The map established by the Regional Planning Commission showing streets, highways and/or parks theretofore laid out, adopted and established by law and any amendments thereto adopted by the Tuscarawas County Commissioners and the Regional Planning Commission or additions thereto.

Official Highway Plan. A combined plan derived from the combined Ohio Department of Transportation Highway Plan, the County Engineer's County and Township Roadway Plan, and the City and Village Roadway Plans, designating a current and future system of streets, highways and interconnecting roadways for traffic intercommunication.

Original Tract. See the Subdivision definition.

Owner. Any individual, firm, association, syndicate, co-partnership, corporation, trust, or other legal entity having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under these regulations.

Parcel. Any piece of land described by a current deed.

Performance Bond or Surety Bond Agreement. An agreement by a subdivider or developer with the County for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans specifications within the time prescribed by the agreement.

Personal recreational purposes. Means a parcel or parcels that are devoted exclusively to personal recreational use of a private type and nature that is conducted by the owner(s) of such parcel(s) or the individual(s) entitled to exclusive use and possession of such parcel(s), without fee or consideration of any kind, excluding any commercial or membership recreational type of use whether or not for fee or profit.

Pipe Stem. A narrow part of a lot which fronts on a public street and is wide enough to serve as an access driveway, but too narrow to accommodate any structures. The narrow strip of land is referred to as the pipe stem.

Pipestem Lot (Flag Lot). A lot so shaped that the majority of the lot area is connected to a public roadway by a minimum, constant width of land. A typical pipestem lot configuration is one that resembles a pipe bowl and a stem, flag and pole, or a pan and handle. Lot size and dimensions shall exclude the pole portion of the lot.

Planned Unit Development. A large-scale development, in which a variety of housing types and/or related commercial and industrial facilities are accommodated in a pre-planned environment under more flexible standard restrictions such as lot sizes and setbacks. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as structure design principles and landscaping plans.

Planning Commission or Commission. The Regional Planning Commission of Tuscarawas County, Ohio.

Plat. The map, drawing, or chart on which the developer's plan of subdivision is presented to the Regional Planning Commission for approval.

Preapplication. See Sketch.

Preliminary Plat. The preliminary map, drawing, or chart, and supplementary information, on which the layout and design of a proposed subdivision is submitted to the Regional Planning Commission for consideration and tentative approval.

Private Sewer System. (Aka Household sewage disposal system), is a sewage disposal or treatment system or part thereof for a single, duplex, or triplex residence which receives sewage. Ref. OAC 3701-29-01(L)

Private Water System. Is a water system, other than a public water supply system, for the provision of water for human consumption, if the system has fewer than fifteen service connections and does not regularly serve an average of at least twenty-five individuals daily at least sixty days each year. A private water system includes any well, spring, cistern, pond, or hauled water and any equipment. Ref. OAC 3701-28-01(ZZ).

Public Water System. See Community Water System.

Public Sewer System. A centralized sewerage system and treatment works other than those that are owned by a private or semi-public entity.

Regulations. Subdivision Regulations of Tuscarawas County, Ohio.

Residence the place, especially the house, in which a person(s) lives or resides: dwelling place, domicile, abode, habitation.

Reserves. Parcels of land within a subdivision intended for future use.

Setback. A line established by the subdivision regulation and/or zoning ordinance (resolution),

generally parallel with and measured from the front lot line, defining the limits of a front yard in which no structure may be located above ground, except as may be provided in said codes.

Sewage Facility. Any sewer, sewerage system, sewage treatment works or part thereof, designed, intended or constructed for the collection, treatment or disposal of liquid waste including industrial waste.

Sewer System Installation Permit. A permit issued by the Health Department giving the applicant the right to install, maintain and operate a private sewerage treatment system.

Sewer System Installation Site. That portion of a structure lot which serves as the area for installation of a private sewerage treatment system.

Sketch (Preapplication). An informal drawing which shows how a developer proposes to subdivide a property and which gives sufficient site information for the planning commission representatives to offer suggestions for site development. (See Section 601).

Street. Shall mean a way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, freeway, road, boulevard, avenue, lane, place, or however designated.

Intercommunity Thoroughfares:

Interstate or expressway which possesses extra-wide right-of-way carrying high traffic volumes of unobstructed, limited-access vehicular movement.

Limited access highways which intercept several major streets and may or may not have separated intersections. This is a principal heavy-traffic street of considerable continuity and used primarily as a traffic artery for intercommunication between large areas.

Intracommunity Streets:

Major streets are those local thoroughfares which carry cross-town traffic from several neighborhoods, thereby servicing several residential collector streets.

Collector streets. Primary streets serving residential, industrial, and commercial areas on the principal street, which carry traffic from local streets to major streets, including the principal entrance streets of residential developments and primary circulation routes within such developments.

Local streets are used primarily for access to abutting properties.

Marginal access streets. A local street which is parallel and adjacent to an arterial street and provides access to abutting properties and protection from major streets or thoroughfares.

Cul-de-sacs. A local street intersecting another street at one end and terminating at the other in a vehicular turn-around.

Dead-end street. A street or portion of a street with only one vehicular outlet but which has a temporary turnaround and which is designated to be continued when adjacent open land is subdivided

Intercounty: Primary thoroughfare is a road which is used for inter-community travel.

Intracounty: Secondary thoroughfare. A local road in a rural area which is used for travel within a township or from farm to farm.

Street Width: The shortest distance between the lines delineating the right-of-way of a street.

Structure Lot. That portion of the subdivision or other parcel of land intended as a unit for transfer of ownership upon which the structure and appurtenance are to be placed, or already exist, including areas for water well, sewage disposal, setbacks, proper surface water drain ways and appropriate easements.

Structure Site: That portion of a lot or parcel of land intended as an area for structure development purposes.

Subdivider. Any individual, developer, firm, association, syndicate, co-partnership, corporation, trust or any other legal entity commencing proceedings under these regulations to effect a subdivision of land hereunder for himself or for another.

Subdivision (ORC 711.001). The Division of any parcel of land shown as a unit or as continuous units on the last preceding tax roll from an original tract as that original tract exists on the effective date of these amended rules **(March 23, 2007)**, into two or more parcels, sites or lots, any one of which is less than five (5) acres for the purposes, whether immediate or future transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale does not create additional structure sites, shall be exempted, or the improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street or streets, except private streets serving industrial structures, the division or allocation of land as open space for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities. Adopted by TCRPC 11/14/06, approved by Tuscarawas County Commissioners Res. 168-2007.

Dedicated Private Drive Subdivision. A Dedicated Private Drive (DPD) Subdivision is 2 to 5 residential parcels that share access to a public road via a platted drive. See Article V

Minor Subdivision (“Lot Split”) Division of a parcel of land that does not require a plat and is approved by the Tuscarawas County Regional Planning Commission as defined under ORC 711.131. A Minor Subdivision not subject to platting shall be limited to no more than five (5) lots, (4 lots under 5 acres and a residual lot of any size) from an original tract as it existed on the effective date of these amended rules **(March 23, 2007)**. Adopted by TCRPC 11/14/06, approved by Tuscarawas County Commissioners Res. 168-2007. See Article III

Surveyor. Any person registered to practice surveying as defined by the Surveyor's Registration Act of the State of Ohio.

Utilities. Any services such as gas, electricity, sewage disposal, communication, transportation, water, etc.

Variance. A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest, and, where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship on the land.

Vicinity Map. A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments, landmarks, community facilities and services, in order to better locate the area in question.

Zoning Regulations. The zoning resolution of any public entity in the County of Tuscarawas, Ohio.

ARTICLE XIV ENACTMENT

Section 1400 Effective Date

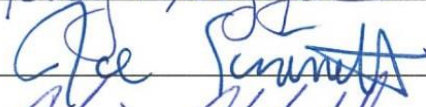
These regulations shall become effective on January 1, 2019
after the date of its approval and adoption by the Regional Planning Commission and Board of
County Commissioners after public hearing and certification to the Tuscarawas County
Recorder. Henceforth, any other regulations previously adopted by the Board of County
Commissioners or the Regional Planning Commission shall be deemed to be repealed. These
regulations shall in no way affect any subdivision having received preliminary approval prior to
the effective date provided, however, that no changes to the preliminary plan, as approved, are
introduced by the subdivider.

These subdivision regulations for Tuscarawas County are hereby approved this
Twenty eighth day of November 2019

TUSCARAWAS COUNTY COMMISSIONERS

Attest::


Clerk of Commissioners


These subdivision regulations for Tuscarawas County are hereby adopted this
eleventh day of December 2019

TUSCARAWAS COUNTY REGIONAL PLANNING COMMISSION

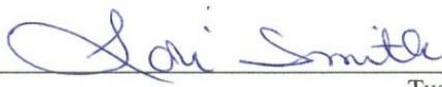
Attest:


Secretary

 Chairman
 Vice Chairman

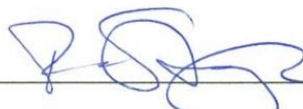
Date:

12.14.18


Tuscarawas County Recorder

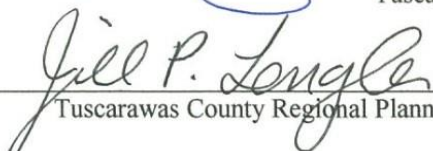
Date:

12/17/18


Tuscarawas County Prosecutor

Date:

12/17/19


Tuscarawas County Regional Planning Commission Director

Appendix

County Resolution Approving Subdivision Resolutions

Regional Planning Commission Approval of Subdivision Regulations

County Resolution 168-2007 Original Tract

Residential Minimum Lot Size Table

County Engineer Driveway Standards

ODOT 203-1E Grade

Dedicated Private Drive Class 1

Dedicated Private Drive Installation Statement

Major Subdivision Road, Water & Sewer Performance Bonds

Pre-Construction Meeting

ARTICLE XIV ENACTMENT

Section 1400 Effective Date

These regulations shall become effective on August 1, 2016
after the date of its approval and adoption by the Regional Planning Commission and Board of
County Commissioners after public hearing and certification to the Tuscarawas County Recorder.
Henceforth, any other regulations previously adopted by the Board of County Commissioners or
the Regional Planning Commission shall be deemed to be repealed. These regulations shall in
no way affect any subdivision having received preliminary approval prior to the effective date
provided, however, that no changes to the preliminary plan, as approved, are introduced by the
sub divider.

These subdivision regulations for Tuscarawas County are hereby approved this
11th day of February 2016

TUSCARAWAS COUNTY COMMISSIONERS

Attest:: Maria Lautenschlager Kerry Metzger
Clerk of Commissioners
Chris Atchell
Bille Everett

These subdivision regulations for Tuscarawas County are hereby adopted this
10th day of November 2015

TUSCARAWAS COUNTY REGIONAL PLANNING COMMISSION

Attest: [Signature] [Signature]
Executive Secretary Chairman

Lee Cant Finley
Vice Chairman

Date: 6-2-16 [Signature]
Tuscarawas County Recorder

Date: 6-3-16 [Signature]
Tuscarawas County Prosecutor

Date: 6-7-16 [Signature]
Tuscarawas County Regional Planning Commission Director

ARTICLE XIV ENACTMENT

Section 1400 Effective Date

These regulations shall become effective on JANUARY 1, 2012
and after the date of its approval and adoption by the Regional Planning Commission and Board
of County Commissioners after public hearing and certification to the Tuscarawas County
Recorder. Henceforth, any other regulations previously adopted by the Board of County
Commissioners or the Regional Planning Commission shall be deemed to be repealed. These
regulations shall in no way affect any subdivision having received preliminary approval prior to
the effective date provided, however, that no changes to the preliminary plan, as approved, are
introduced by the subdivider.

These subdivision regulations for Tuscarawas County are hereby approved this
Sixth day of October 2011

TUSCARAWAS COUNTY COMMISSIONERS

Attest: James E. Clay Chris Althoff
Clerk of Commissioners
James Schlenker
Kerry Metzger

These subdivision regulations for Tuscarawas County are hereby adopted this
eleventh day of October, 2011

TUSCARAWAS COUNTY REGIONAL PLANNING COMMISSION

Attest: Audrey Thorne John Korf
Secretary Chairman
Sam Hanna
Vice Chairman

Date: 10/20/11 Lori Smith
Tuscarawas County Recorder

Date: 10-20-11 R. R. Shultz
Tuscarawas County Prosecutor

Date: 10-11-11 Will P. Long
Tuscarawas County Regional Planning Commission Director

ARTICLE XI ENACTMENT

Section 1100 Effective Date. These regulations shall become effective from and after the date of its approval and adoption by the Regional Planning Commission and Board of County Commissioners after public hearing and certification to the Tuscarawas County Recorder. Henceforth, any other regulations previously adopted by the Board of County Commissioners or the Regional Planning Commission shall be deemed to be repealed. These regulations shall in no way affect any subdivision having received preliminary approval prior to the effective date provided, however, that no changes to the preliminary plan, as approved, are introduced by the subdivider.

These subdivision regulations for Tuscarawas County are hereby approved this 8th day of May, 2000.

COUNTY COMMISSIONERS

Attest: Garnett May
Clerk of Commissioners

[Signature]
Carol L. [Signature]
Stephen A. Smith

These subdivision regulations for Tuscarawas County are hereby adopted this 9th day of May, 2000.

TUSCARAWAS COUNTY REGIONAL
PLANNING COMMISSION

Attest: Judy Wehaker
Secretary

Gail P. Lough Chairman
John E. [Signature] Vice Chairman

Date: 5-12-2000

Dolores Hissom
Tuscarawas County Recorder

Date: 5-10-00

Tuscarawas County Prosecutor

Date: May 9, 2000

Robert L. Filburn
Tuscarawas County Regional Planning Commission
Director

TUSCARAWAS COUNTY COMMISSIONERS

Chris Abbuhl – Kerry Metzger – Joe Sciarretti

COMMISSIONERS JOURNAL 80
NOVEMBER 28TH, 2018

RESOLUTION (978-2018) AMENDING THE TUSCARAWAS COUNTY SUBDIVISION REGULATIONS ARTICLE III MINOR SUBDIVISIONS (LOT SPLITS), ARTICLE II SCOPE AND ADMINISTRATION, AND ARTICLE XIII DEFINITIONS

It was moved by Commissioner Sciarretti, seconded by Commissioner Metzger, to approve the following:

Whereas, the Board of Tuscarawas County Commissioners held a public hearing at 9:30 a.m. on November 26th, 2018, concerning amendments to the Regional Planning Commission Article III Minor Subdivisions (Lot Splits), Article II Scope and Administration, and Article XIII Definitions; and

Whereas, the Tuscarawas County Regional Planning Commission has already approved the amendments to Article III Minor Subdivisions (Lot Splits), Article II Scope and Administration, and Article XIII Definitions contingent upon the approval of the Board of Tuscarawas County Commissioners, and approval by the Board of Tuscarawas County Commissioners is required for the proposed amendments to be enacted.

Therefore, be it resolved that the Board of Tuscarawas County Commissioners approve amending the Tuscarawas County Regional planning Subdivision Regulations Article III Minor Subdivisions (Lot Splits), Article II Scope and Administration, and Article XIII Definitions. This resolution will take effect on January 1st, 2019.

Adopted this 28th day of November, 2018.

Roll Call Vote:

Kerry Metzger, yes;
Joe Sciarretti, yes;
Chris Abbuhl, absent;

Approved as to form:



Robert R. Stephenson II
Assistant Prosecuting Attorney
Tuscarawas County Ohio

I hereby certify the above and foregoing to be a true and correct account of the proceedings as had by and before the Board on the day and year first written above.



Adam Stilgenbauer, Clerk of the Board

125 East High Avenue, Room 205, New Philadelphia, Ohio 44663
(330) 365-3240 commissioners@co.tuscarawas.oh.us

Resolution No. (144-2016)

RESOLUTION AMENDING THE TUSCARAWAS COUNTY SUBDIVISION REGULATIONS TO INCREASE THE MINIMUM LOT SIZES FOR UNSEWERED AREAS FROM .92 ACRE FOR A SINGLE FAMILY UNIT TO 1.5 ACRES, AND FROM 1.38 ACRES TO 2 ACRES FOR A TWO FAMILY UNIT, AND REQUIRING A SEWAGE TREATMENT SYSTEM SITE REVIEW FROM THE TUSCARAWAS COUNTY GENERAL HEALTH DISTRICT FOR ANY NEW PARCEL UNDER 2 ACRES (SINGLE FAMILY UNIT) AND 3 ACRES (2 FAMILY UNIT) WHERE THERE IS NO PUBLIC SEWER THAT IS FOR ANY USE THAT IS LIKELY TO HAVE AN ON-LOT SEWAGE TREATMENT FOR ANY MINOR SUBDIVISION (LOT SPLIT) APPROVAL BY THE REGIONAL PLANNING COMMISSION.

It was moved by Commissioner Abbuhl, seconded by Commissioner Everett, to approve the following:

WHEREAS, the Tuscarawas County Commissioners realize the necessity of increasing the minimum lot size in unsewered areas of the unincorporated county because of recently enacted regulations by the State Department of Health requiring more land for the installation of on-lot sewage systems and

WHEREAS, the current minimum lot sizes of unsewered areas in the Tuscarawas County Subdivision Regulations of .92 acres for single family unit and 1.38 acres for a two family unit, are deemed inadequate to ensure the space for the required sewage treatment system and needed reserve area for the replacement system;

WHEREAS, the Tuscarawas County Regional Planning Commission has already approved the increase in minimum lot size **as shown in the attached revised Article III Minor Subdivision Regulations and minimum lot size chart**, and approval by the Tuscarawas County Commissioners is required.

BE IT RESOLVED, that the Tuscarawas County Commissioners approve amending the Tuscarawas County Subdivision Regulations as attached to increase the minimum lot sizes in unsewered areas from .92 acre for a single family unit to 1.5 acres, and from 1.5 acres to 2 acres for a 2 family unit. This resolution will take effect on August 1, 2016.

Adopted this 11th day of February, 2016.


Kerry Metzger, County Commissioner


Chris Abbuhl, County Commissioner


Belle Everett, County Commissioner

Attest:


Clerk

Form and content approved:


Robert R. Stephenson II
Assistant Prosecuting Attorney

TUSCARAWAS COUNTY COMMISSIONERS

125 East High Avenue, Room 205
New Philadelphia, Ohio 44663
(330) 365-3240

Chris Abbuhl
Kerry Metzger
Jim Seldenright

Jane Clay
Clerk

Crystal DiGenova
Administrative Assistant

COMMISSIONERS JOURNAL 71
OCTOBER 6, 2011

RESOLUTION (900-2011) APPROVE REVISED SUBDIVISION REGULATIONS

It was moved by Commissioner Metzger, seconded by Commissioner Seldenright, to approve the revised Tuscarawas County, Ohio Subdivision Regulations as per the attached document.

VOTE:

Chris Abbuhl, yes;
Jim Seldenright, yes;
Kerry Metzger, yes;

I hereby certify the above and foregoing to be a true and correct account of the proceedings as had by and before us on the day and year first written above.

Jane Q. Clay
Clerk of the Board

RECEIVED

OCT 11 2011

Escape
Experience
Enjoy

TUSCARAWAS COUNTY
REGIONAL PLANNING COMMISSION

Tuscarawas County Regional Planning Commission
125 East High Avenue, Suite 210, New Philadelphia, Ohio 44663
Phone: 330-365-3246

**A RESOLUTION TO AMEND THE TUSCARAWAS COUNTY SUBDIVISION
REGULATIONS**

WHEREAS the Tuscarawas County Regional Planning Commission held a public hearing on October 9, 2018 and the Tuscarawas County Commissioners held a public hearing on November 26, 2018, and

WHEREAS the Tuscarawas County Regional Planning Commission at their regularly stated meeting on October 9, 2018 did adopt the revisions and

WHEREAS the Tuscarawas County Commissioners on November 28, 2018 passed Resolution #978-2018 which adopted the revised Tuscarawas County Subdivision Regulations

WHEREAS these revised Tuscarawas County Subdivision Regulations will become effective on January 1, 2019

TUSCARAWAS COUNTY REGIONAL
PLANNING COMMISSION
COUNTY OF TUSCARAWAS, OHIO


Tedd Finlayson, Chair


Jill P. Lengler, Director

Certification

I hereby certify that the above and forgoing to be true and correct copy of the proceedings had by and before us on the day and year first written above.


Gloria G. Steiner, Executive Secretary

Tuscarawas County Regional Planning Commission

125 East High Avenue, Suite 210, New Philadelphia, Ohio 44663

Phone: 330-365-3246 Fax: 330-365-3250

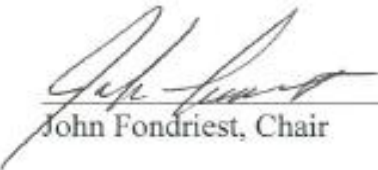
A RESOLUTION TO AMEND THE TUSCARAWAS COUNTY SUBDIVISION REGULATIONS

WHEREAS the Tuscarawas County Regional Planning Commission held a public meeting on the proposed subdivision regulation revisions on October 13, 2015 and the Tuscarawas County Commissioners held a public hearing on December 17, 2015, and

WHEREAS the Tuscarawas County Regional Planning Commission at their regularly stated meeting on October 13, 2015 did adopt the revisions and

WHEREAS the Tuscarawas County Commissioners on February 11, 2016 passed Resolution 144-2016, which adopted the revised Tuscarawas County Subdivision Regulations effective August 1, 2016.

TUSCARAWAS COUNTY REGIONAL
PLANNING COMMISSION
COUNTY OF TUSCARAWAS, OHIO



John Fondriest, Chair

Jill P. Lengler, Director

Certification

I hereby certify the above and forgoing to be true and correct copy of the proceedings had by and before us on the day and year first written above.



Gloria G. Steiner, Executive Secretary

Tuscarawas County Regional Planning Commission
125 East High Avenue, Suite 210
New Philadelphia, Ohio 44663
Phone 330-365-3246

**A RESOLUTION TO ADMEND THE TUSCARAWAS COUNTY SUBDIVISION
REGULATIONS**

WHEREAS the Tuscarawas County Board of Commissioners and the Tuscarawas County Regional Planning Commission held joint public meetings on the proposed subdivision regulations revisions on May 10, 2011 and June, 27, 2011, and

WHEREAS the Tuscarawas County Board of Commissioners, on October 6, 2011 passed Resolution no. 900-2011, which adopted the revised Tuscarawas County Subdivision Regulations, and

WHEREAS, the Tuscarawas County Regional Planning Commission at their regularly stated meeting on October 11, 2011 did adopt the revisions previously approved by the Tuscarawas County Board of Commissioners to the Subdivision Regulations dated May 9, 2000 with an effective date of Jan. 1 2012.

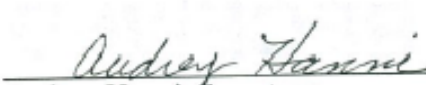
TUSCARAWAS COUNTY REGIONAL
PLANNING COMMISSION
COUNTY OF TUSCARAWAS, OHIO


John Karl, Chair


Jill P. Lengler, Director

Certification

I hereby certify the above and forgoing to be true and correct copy of the proceedings had by and before us on the day and year first written above.


Audrey Hanni, Secretary

RESOLUTION (168-2007) SUBDIVISION REGULATION REVISIONS
Definition of Original Tract

It was moved by Commissioner Metzger, seconded by Commissioner Abbuhl, to approve the proposed amendment to the Tuscarawas County Regional Planning Commission Subdivision Regulations dated May 9, 2000 as to a revised section 1051, defining subdivision definition and adopting 1051.1 Minor Subdivision ("lot split") effective Friday, March 23, 2007.

Proposed Amendment to the Tuscarawas County Regional Planning Commission

Subdivision Regulations Dated May 9, 2000 *

ADOPTING ORIGINAL TRACT ONLY

This proposed amendment is to incorporate the ORC changes adopted by the state in 2005 for subdivision regulations that include ORC Section 711.131 (B) "original tract". We are proposing changing the definition of Subdivision (Section 1051).

Proposed Definition:

Section 1051 Subdivision (ORC 711.001) The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll from *an original tract as that original tract exists on the effective date of these amended rules*, into two or more parcels, sites or lots, any one of which is less than (5) acres for the purposes, whether immediate or future of transfer of ownership, provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale does not create additional building sites, shall be exempted; or the improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except private streets serving industrial structures; the division or allocation of land as open spaces for common use by owners, occupants or lease holders, or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

1051.1 Minor Subdivision ("lot split")

Division of a parcel of land that does not require a plat and is approved by the Tuscarawas County Regional Planning Commission as defined under ORC 711.131. A Minor Subdivision not subject to platting shall be limited to no more than five (5) lots, (4 lots under 5 acres and a residual lot of any size) from an original tract as it existed on the effective date of these amended rules.

* Adopted by Tuscarawas County Regional Planning Commission on November 14, 2006.
 Must also be adopted by County Commissioners

VOTE:

Chris Abbuhl, yes;
 Jim Seldenright, no;
 Kerry Metzger, yes;

Residential Lots Minimum Chart

The minimum lot size of any minor subdivision shall be as shown below or as required by township zoning. Any lot split, where there is no public water or sewer available **may** require review by the Tuscarawas County General Health District.

Unit Type	Setback (feet)***			Public Water & Sewer	Public Sewer Only**	Public Water Only	No Public Water or Sewer**
	Thorough Fare						
	Collector						
	Lo cal						
One Residence	40	35	30	60 Ft Frontage* 10,000 Sq. Ft. (.23 acre) Minimum	80 Ft Frontage* 20,000 Sq. Ft. (.46 acre) Minimum**	130 Ft Frontage* 65,340 Sq. Ft. (1 ½ acres) Minimum**	130 Ft Frontage* 65,340 Sq. Ft. (1 ½ acres). Minimum**
Duplex	40	35	30	85 Ft Frontage* 12,000 Sq. Ft. (.28 acre) Minimum	120 Ft Frontage* 20,000 Sq. Ft. (.46acre) Minimum**	150 Ft Frontage* 87,120 Sq. Ft (2 acres) Minimum**	150 Ft Frontage* 87,120 Sq. Ft (2 acres) Minimum**
Triplex	45	45	45	100 Ft Frontage* 16,500 Sq. Ft. (.38 acre) Minimum	150 Ft Frontage* 30,000 Sq. Ft. (.69 acre) Minimum**	170 Ft Frontage * 108, 900 Sq. Ft. (2 1/2 acres) Minimum**	170 Ft Frontage* 108, 900 Sq. Ft. (2 1/2 acres) Minimum**
Four Unit Residence & Above	45	45	45	Submit a building development plan to the RPC office and the State Division of Industrial Compliance for review.		Prohibited	Prohibited

* The minimum lot frontage or lot width shall be measured perpendicular to the road and at the building line.

** Check with County Health Department for adequate ground water supply.

*** Front setback beginning at right of way line and measured to front structure line of the first structure. Also, see Section 711, Structure Lines.

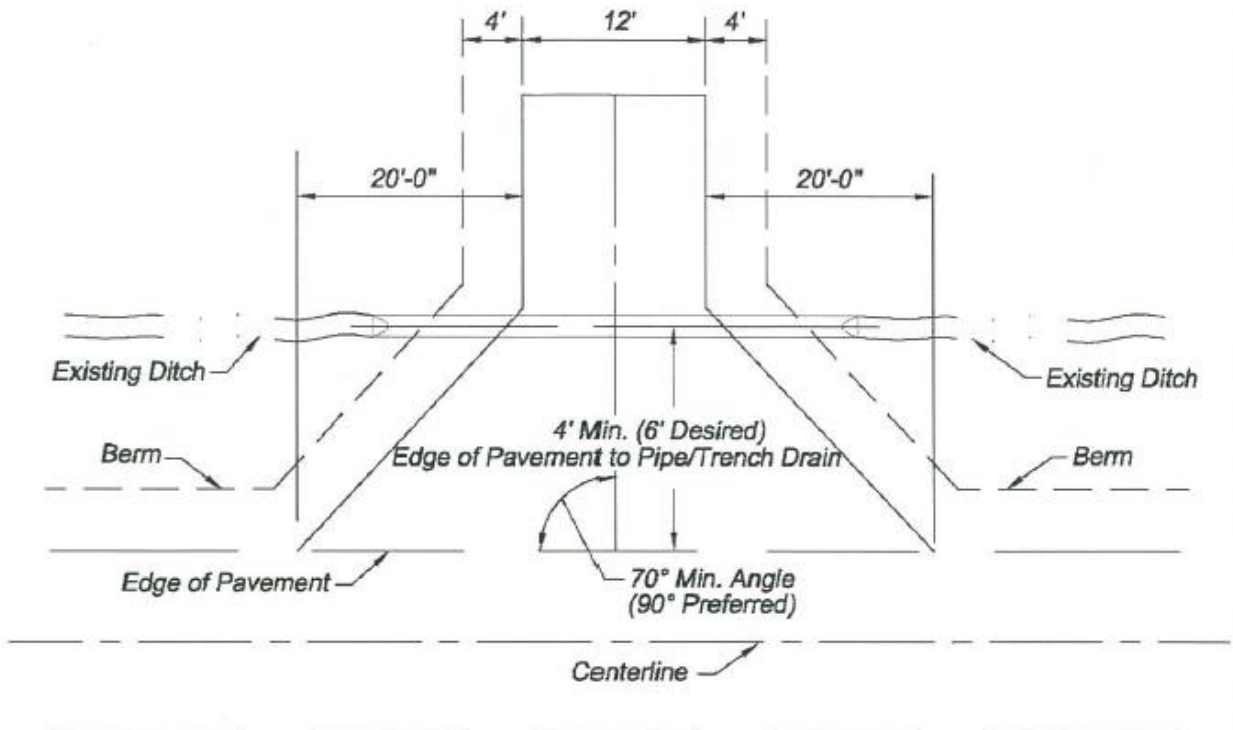
NOTES:

Easements(includes public road right of way), rights of ways for egress and ingress, flood hazard areas, bodies of water, wetlands, pipestem (the “pole” of a flag lots) driveways, and DPDs cannot be included in the lot acreage minimum. Structures, wells, and on lot sewage systems cannot be located in the public road right-of-way. Unless otherwise noted, county and township road right- of- way is 60’.

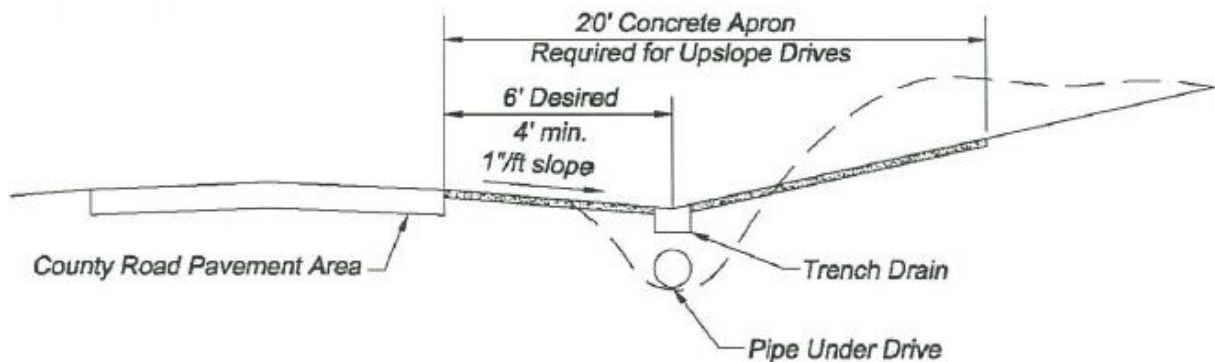
1 acre = 43,560 square foot

Revised 01/01/2019

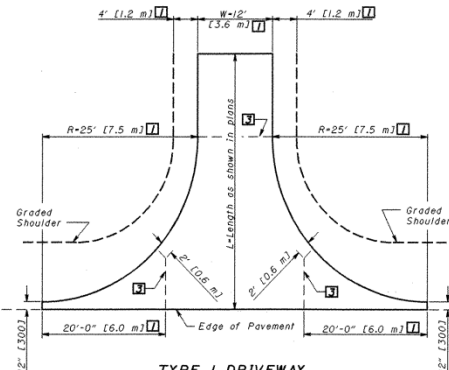
PRIVATE DRIVE - TYPICAL PLAN VIEW



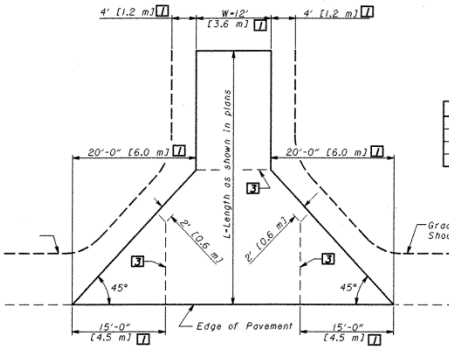
PRIVATE DRIVE - TYPICAL PROFILE



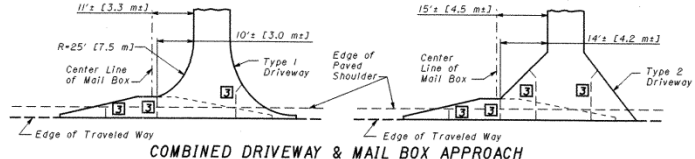
1. All driveways must slope down from the edge of pavement at least 1" per foot to ditch line before slope is started up grade. In no case shall the driveway or berm elevation be above the edge of pavement elevation within six (6) feet of the edge of pavement.
2. Any driveway sloping upward from the roadway must be constructed with a concrete apron extending at least 20 feet from the edge of pavement. A trench drain, with a 6" minimum grate size extending the full width of the driveway, shall be installed integral with the concrete apron. The trench drain shall outlet into the drive pipe or ditch line beyond the drive pipe.
3. The County reserves the right to require any and all such measures, including uphill ditching, water diversion, or additional drainage structures as required to keep water, ice, mud, and aggregate from running onto or accumulating on the roadway surface.



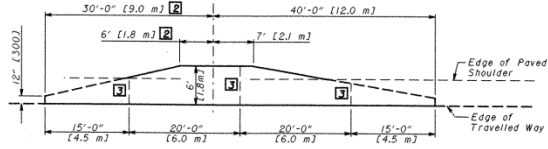
TYPE 1 DRIVEWAY



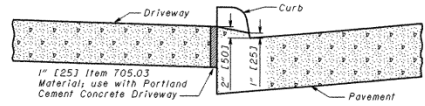
TYPE 2 DRIVEWAY



COMBINED DRIVEWAY & MAIL BOX APPROACH

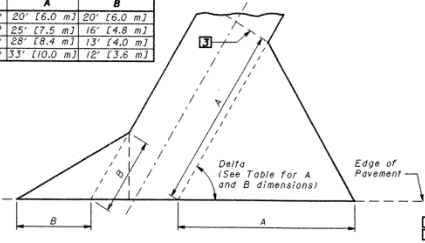


TYPICAL MAIL BOX APPROACH



DROP CURB DETAILS AT DRIVEWAYS

Delta	A	B
80° to 90°	20' (6.0 m)	20' (6.0 m)
75° to 85°	25' (7.5 m)	16' (4.8 m)
65° to 75°	28' (8.4 m)	13' (4.0 m)
55° to 65°	33' (10.0 m)	12' (3.6 m)



TYPE 2 SKEWED DRIVEWAY

Transition from Standard Curb Section to Drop Curb Section to be made in 18" (450) distance from Driveway

NOTES

GENERAL: The design details shown here shall govern the construction of driveways unless otherwise shown in the project plans.

The pavement type and thickness shall be specified in the project plans.

Driveway and mail box approaches shall be combined when feasible.

JOINTS: Impressed joints for portland cement concrete driveways shall be 1/4" (6) minimum width by 3" (75) depth and shall be sealed with Item T05.04 or ASTM D 1850.

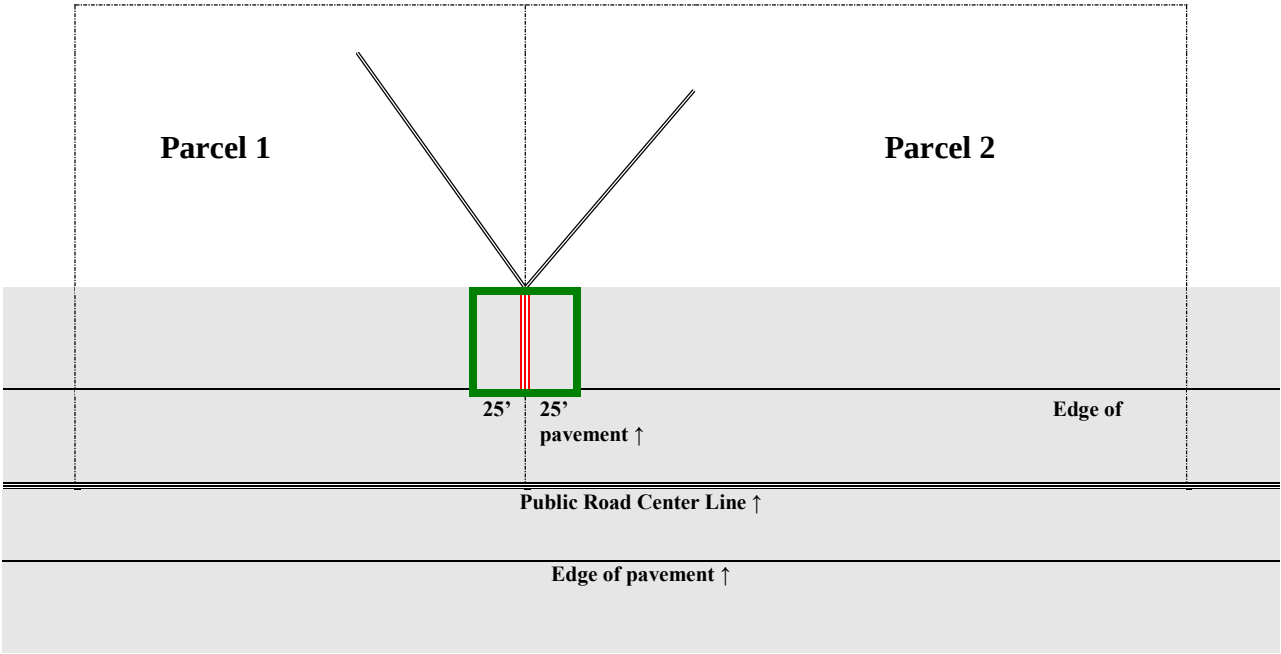
In addition to the joints shown here, impressed joints without tie bars shall be placed in portland cement concrete driveways at intervals not to exceed 17' (5.2 m) in the portion of the driveway beyond the flare.

LEGEND

- 1 Unless otherwise shown in the plans.
- 2 Add 3' (0.9 m) for each additional Mail Box
- 3 Impressed joint without Tie Bars for Portland Cement Surface

THIS DRAWING REPLACES BP-4J DATED 7-28-00.
 STANDARD ROADWAY CONSTRUCTION DRAWING
 ROADWAY ENGINEERING SERVICES
 NUMBER BP-4J
 DATE 7-15-04
 DRAWN BY [Signature]
 CHECKED BY [Signature]
 IN CHARGE BY [Signature]
 PROJECT NO. [Blank]
 SHEET NO. [Blank] OF [Blank]

Shared Point of Access Driveway Sketch



- Public Road Right of Way
- Private Drive
- Dedicated Private Drive
- Property Line
- Dedicated Private Drive Easement

Dedicated Private Drive Installation Statement

All Dedicated Private Drives must have the following Installation Statement on the Plat.

Installation Statement

The owner(s) of this dedicated private drive plat will install the dedicated private drive within (30) days of the recorded date of this plat and in accordance with the Dedicated Private Drive Standards as specified in the current Tuscarawas County Subdivision Regulations.

IN WITNESS WHEREOF, we hereunto acknowledge the above mentioned and set our hands

This _____ day of _____

Owner(s)

Owner(s)

Sworn to and subscribed before me on _____
Date

Notary Public

Major Subdivision Road, Water & Sewer Performance Bonds

(See Subdivision Regulations Section 613)

1. The developer must submit a performance bond agreement and a performance bond for the amount of the estimated construction cost of the ultimate installation of the improvements to the county. The estimate must be prepared by a certified engineer.
2. The bond agreement must be prepared in proper legal form by an attorney or other qualified individual.
3. Submit a draft of the bond agreement and the cost estimate as per item one for review and comment to the Regional Planning office, the County Prosecutor's office, the County Engineer's office and/or the County Metropolitan Sewer District office, for whichever, the bond is written.
4. The developer will prepare the final bond agreement once the bond amount and agreement draft are approved by the appropriate county office.
5. The developer and the escrow agent (bond money provider) will endorse the final bond agreement.
6. the developer will present the final bond agreement to the County Prosecutor, and/or the County Engineer, and/or the County Metropolitan Sewer District Director and the County Regional planning Commission Director for endorsements.
7. The performance bond is now ready for presentation to the County Commissioners for their signatures.
8. A performance bond preparation fee of \$275 or ½% (.005) of the bond amount, whichever is greater, may be charged to the developer by the RPC office for bond preparation. (Reference Section 1102.5 of the Subdivision Regulations)

Office:	Regional Planning	Co. Engineer	Prosecutor	Metropolitan Sewer District
Phone:	330-365-3246	330-339-6648	330-365-3214	330-874-3262

Tuscarawas County
Regional Planning Commission
*125 East High Avenue * New Philadelphia, Ohio 44663*
*Phone 330-365-3246 * FAX 330-365-3250*

PRE CONSTRUCTION MEETING

(Procedures for Major Subdivision Construction after Plan Approval)

Date: _____

Name of Subdivision: _____

Name of Developer: _____

Location: _____ Twp: _____

1. A pre-construction meeting must be scheduled by the developer. Meeting attendance shall include the developer, his engineer, his contractor(s), the Regional Planning Commission, the County Water/Sewer Department and or the Health Department, the County Engineer, the Trustees of the affected Township, Utility Companies, and any other parties affected by the project.
2. The developer shall provide a certified Engineers cost estimate for the water, sewer, storm water and roadway improvements.
3. The County shall inspect all construction.
4. The developer will pay inspection fee(s) to the County prior to starting work on the project. Inspection fee rates are based on the attached construction inspection fee rate schedule.
5. The developer or his designated representative shall give 24 hours' notice to the County prior to beginning any work on the water, sewer, storm water, or roadway system and shall inform the County prior to the start of work on each successive phase of the project.
6. The developer is required to enter into a performance agreement with the County for all uncompleted work prior to approval of the final plat.

The developer is responsible for maintaining the subdivision to approved standards until final acceptance by the county. This shall include; maintenance of streets, drainage systems, seeding, water and sewer lines and all other appurtenances, both temporary and permanent, which were constructed by the developer. Temporary erosion control measures are required on all projects.

Projects greater than five acres must have an approved temporary erosion control plan prior to construction.

Tuscarawas County
Regional Planning Commission
125 East High Avenue * New Philadelphia, Ohio 44663
Phone 330-365-3246 * FAX 330-365-3250

PRE CONSTRUCTION MEETING
(Procedures for Major Subdivision Construction after Plan Approval)

Date: _____
Name of Subdivision: _____
Name of Developer: _____
Location: _____ Twp: _____

Attending				
	Name	Phone #	E-mail	Address
Developer				
Developer's Engineer				
Contractor(s)				
TCRPC				
County Engineer				
TCMSD				
County Health				
Township				
Utilities				
Other				