

Subdivision Regulations

Town of Keedysville

Washington County Maryland

May 2002

PREFACE

At the request of the Town of Keedysville, the Maryland Department of Planning updated the Town's Subdivision Ordinance.

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Town of Keedysville Subdivision Regulations

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Article I: Title, Purpose, Interpretation, Separability, Applicability and Fees

1.01 Title – This document shall be known as the Town of Keedysville Subdivision Regulations.

1.02 Purpose - The purpose of these regulations are to regulate and control the division of land located within Keedysville in order to promote the public health, safety, and general welfare of the residents of the Town of Keedysville. The Regulations also implement requirements of the State of Maryland under Article 66B of the Annotated Code of Maryland to:

- a.) Concentrate development in suitable areas
- b.) Protect sensitive areas
- c.) Conserve and reduce the consumption of natural resources

1.03 Jurisdiction - All lands within the incorporated limits of the Town of Keedysville shall be subject to the provisions of this ordinance. No such land shall be subdivided and offered or negotiated for sale, sold, or ownership transferred except in accordance with the provisions of this ordinance.

1.04 Effective Date - The provisions of these Regulations will be in full force 5 days after the adoption date.

1.05 Separability Clause - Should any article or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

1.06 Interpretation and Application of Regulations - In their interpretation and application the provisions of these regulation standards shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and general welfare. Wherever these regulations are at variance with the requirements of any lawfully adopted laws, rules, regulations, ordinances, deed restrictions; or covenants, the most restrictive or that imposing the higher standard, shall govern.

1.07 Fees - The Mayor and Town Council shall establish a schedule of fees to cover the cost of reviewing the plans and plats described herein. The Development Coordinator shall collect fees for this process for the Town of Keedysville at the time of filing.

1.08 Repeal of Conflicting Ordinances - All ordinances and regulations or parts thereof which are in conflict or inconsistent with the provisions of these Land Subdivisions Regulations are hereby repealed to the extent necessary to give these regulations full force and effect; except, that if a conflict occurs between these regulations and the official Keedysville Zoning Ordinance. Then the Planning Commission will make a decision.

1.09 Municipal Liability - The granting of a permit or approval of a subdivision and/or land development plan in any identified flood plain, mined area, slopeland, or other area shall not constitute a representation, guarantee, or warranty of any kind by the Town of Keedysville or by any official or employee thereof the practicability or safety of the proposed use, and shall create no liability upon the Town, its officials or employees.

Article II : Control, Enforcement, and Penalties

2.01 Subdivision Control - It shall be unlawful for the owner of any land that lies within the subdivision control jurisdiction of Keedysville to subdivide any lot, tract, or parcel of land unless and until the following steps are completed.

- a.) A plat of such subdivision is made in accordance with the regulations set forth herein;
 - b.) Approval is secured thereof from the Planning Commission as provided herein; and
1. No land in a subdivision created after the adoption of this ordinance shall be transferred, sold, or offered for sale, nor shall a building permit be issued for a structure thereon until the Final Plat or such subdivision has been recorded in accordance with these regulations and until the improvements required in connection with the subdivision have either been constructed or guaranteed as here in after provided except that after approval of a Preliminary Plat, an applicant may offer such land for sale provided that the contract of sale shall be conditioned upon the approval and recordation of the Final Plat and that this condition is stated upon the contract of sale.
 2. No plat of any subdivision shall be recorded until it has been approved by the Planning Commission as provided herein and witnessed by the signature of the Chairperson; and the Chairperson shall not sign any plat unless he/she is satisfied that the requirements of these regulations have been complied with.
 3. The applicant shall cause copies of said plat to be recorded in the office of the Clerk of the Circuit Court of Washington County and proof thereof provided to the Town of Keedysville.

2.02 Enforcement - These regulations shall be enforced by the Development Coordinator or designee. If he shall find that any of the provisions of these regulations are being violated, he shall notify in writing the person responsible for such violation and take such action as may be necessary to prevent the violation of these regulations, including obtaining a court injunction to discontinue the transfer, sale, or negotiations for sale of illegal lots or parcels.

2.03 Penalties for Violation -Whoever, being the owner or agent of the owner of any land located within the subdivision control jurisdiction of Keedysville transfers, sells, offers to sell, agrees to sell, or negotiates to sell, or otherwise conveys any such land by reference to, of exhibition of, or any other use of plat of a subdivision before such plat has been approved and recorded as required in **Article 2.01** hereof shall be guilty of a Municipal Infraction. Upon conviction thereof, the offender shall be subject to penalties as addressed in the Keedysville Town Code, Municipal Infractions. The description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided.

1. Violations by a landowner or his agent of requirements and restrictions, which the Planning Commission may impose as conditions for approval of a subdivision plat, shall constitute a Municipal Infraction. Any person convicted of such violation shall be subject to penalties as addressed in the Keedysville Town Code, Municipal Infractions.

Article III: Standard Regulations

3.01 Street Design - The following general standards shall apply:

1. The minimum standard for road construction in a subdivision is as follows: eight inches (8") of crusher run #6 after compaction for the road base in two four inch (4") courses and 4 inches of bituminous concrete in two layers. A two and one half inch (2 ½") layer of bituminous concrete binder (base) course paving plus the curbing on both sides of the street must be completed prior to the selling of the first lot in the designated area and the final one and one half inch (1 ½") of bituminous concrete surface course after sixty percent of the lots are sold in the designated development area. A tack coat shall be provided for between asphalt layers. This standard is for Minor/Local roads only. The Town Engineer and Planning Commission shall approve the width of the road and will be thirty feet (30 ft.) wide from inside of curb to inside of curb unless other widths are approved by the Planning Commission. (See detail figure 3-1)
2. All utility lines (water, sewerage, gas, electric, telephone, cable television) must be placed at each lot prior to the two and one half inch (2 ½") layer of bituminous concrete binder (base) course paving. The Town Engineer and Planning Commission shall approve the water lines, sewer lines, fire hydrant locations and stormwater system.
3. All adjacent applicable roadway shoulders' slopes shall be graded to a 3.5:1 run to rise away from road surface prior to any asphalt paving.
4. The Subdivider shall be responsible for road construction. The obtaining of a bond in accordance with Article 7.04 3(b) of the Subdivision Ordinance shall be enforced by the Town. A schedule of the road construction process shall be established and approved by the Town Engineer and Planning Commission.
5. Included in the subdivision site plan shall be engineered drawings, which shall include profiles and cross section views of roads, drainage, and all utilities. The Town Engineer shall determine the frequency of cross section. The minimum frequency shall be in fifty-foot (50') intervals or any significant structure or natural or man-made drainage swale. The site plan shall include existing and proposed contours at intervals of two-feet (2') vertical or less.
6. The Subdivider shall maintain roads until they are completely finished; then the Town may accept them. Maintenance of roads includes snow and ice removal and the repair of roadway surface due to normal wear. This includes repairing potholes and all drainage facilities before the Town gains acceptance.
7. The Town Engineer and Planning Commission shall approve the placement of curbs to control parking and stormwater. Curbs shall be constructed of concrete.
8. The developer shall submit a timetable of road construction with the final plat to be approved by the Town Engineer and Development Coordinator.
 - a.) The alignment, character, extent, width, and location of all streets within or bordering the subdivision shall conform to the Comprehensive Plan for Keedysville and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.

- b.) Where such is not shown in the Comprehensive Plan, the arrangement of streets in a subdivision shall either:
 - i. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 - ii. Conform to a plan for the neighborhood approved or adopted by the Planning Commission to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impracticable.
- c.) Minor streets shall be so laid out that their use by through traffic will be discouraged.
- d.) Where a subdivision abuts or contains an existing or proposed arterial street or railroad right-of-way, the Planning Commission may require marginal access streets at a distance from such right-of-way suitable to the appropriate use of the intervening land, as for park purposes in residential districts or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. To these ends, the Planning Commission may require the subdivision to be designed so as to limit the number of street intersections and to limit access from abutting properties to arterial streets and highways.

3.02 Street Right-of-Way widths shall not be less than as follows:

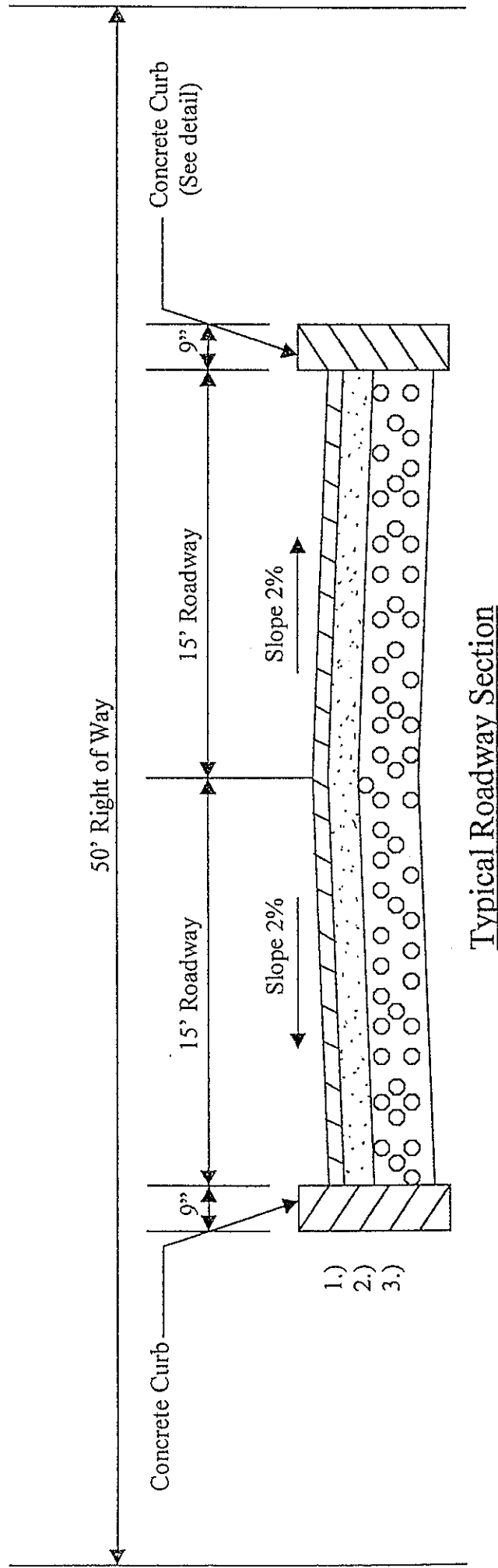
<u>Street Type</u>	<u>Right-of-Way</u>
Arterial	80 Feet
Collector	60 Feet
Minor/Local	50 Feet
Marginal Access	50 Feet
Alley	25 Feet

1. Half streets shall be prohibited, except where essential to the reasonable development of the subdivision in conformity with the other requirements of these regulations and where the Planning Commission finds it will be practicable to require the dedication of the other half when the adjoining property is subdivided. Wherever a half street is adjacent to a tract to be subdivided, the other half of the Street shall be platted within such tract.
2. Dead-end streets or cul-de-sacs, designed to be so permanently, shall not be longer than five hundred (500) feet and shall be provided at the closed end with a turn-around having an outside roadway diameter, right of way, of at least eighty (80') feet, and a street right of way diameter of at least one hundred (100) feet.
3. The Planning Commission may require a suitable turn-around when a street is temporarily dead-ended and over one hundred and fifty (150) feet from its nearest intersection.
4. Street grades, curves and intersections shall be subject to the approval of the Planning Commission and Town Engineer, and in general shall conform to the following specifications:
 - a. Street jogs with centerline offsets of less than one hundred and twenty-five (125) feet shall be avoided.

- b. A tangent at least one hundred (100) feet long shall be introduced between reverse curves on arterial and collector streets.
- c. When a deflection angle of more than ten (10) degrees in the alignment of a street occurs, a curve shall be introduced having a centerline radius of curvature not less than four hundred (400) feet on arterial streets, three hundred (300) feet on collector streets, and two hundred (200) feet on minor streets.
- d. All changes in grade shall be connected by vertical curves to current stop distance design criteria as approved by the Planning Commission.
- e. Clear visibility, measured along the road centerline, shall be provided for at least three hundred (300) feet on arterial streets, two hundred (200) feet on collector streets, and one hundred (100) feet on minor streets.
- f. No street grade shall be less than 0.75 percent, and wherever feasible, shall not exceed the following, with due allowance for reasonable vertical curves:

<u>Street Type</u>	<u>Percent Grade</u>
Arterial	6
Collector	10
Minor	10
Marginal Access & Alleys	10

- g. Streets shall be laid out so as to intersect at right angles and no street shall intersect any other street at less than ninety (90) degrees.
 - h. Property lines at street intersections shall be rounded with a radius of fifteen (15') feet, or of a greater radius where the Planning Commission may deem it necessary. The Planning Commission may permit comparable cut-off or chords in place of rounded corners.
5. Alleys shall be provided in commercial and industrial districts, except that the Planning Commission may waive this requirement where other definite and assured provisions are made for service access, such as fire/rescue service, off-street loading, unloading, and parking consistent with and adequate of the uses proposed.
 6. Proposed streets which are obviously in alignment with others already existing and named shall bear the name of the existing streets duplicate, or be phonetically similar to existing street names, irrespective of the use of the suffix: street, avenue, boulevard, drive, place or court.
 7. All Collector and Arterial streets shall be constructed to standards approved by the Town Engineer and Planning Commission.



Pavement Schedule

- 1.) Bituminous Wearing Coarse, 1 1/2" Depth
- 2.) Bituminous Binder Coarse, 2 1/2" Depth
- 3.) 8" Aggregate Base Coarse (subbase material) Clean CR-6 place stone in two (2) 4" layers.

Figure 3-1

3.03 Planned Residential Development- Planned Residential areas provide flexibility in developing larger unused tracts. The areas would be residential in nature, permitting limited types and amounts of supporting commercial uses. There are two techniques for Planned Residential Developments, Cluster and Open Space Developments.

1. **Cluster Developments** permit developers to group homes together on smaller lots in exchange for setting aside areas of permanent open space.
2. **Open Space Development** is a complete approach to designing residential subdivision which considers the significant physical features of the site in determining the development which the site can support.

a.) Four Steps for Planned Residential Development (See figures 3-2, 3-3, 3-4, 3-5)

1. Identifying the land that should be permanently protected and land for potential development.
2. Locating potential House Sites
3. Aligning Streets and Trails
4. Drawing in the Lot Lines

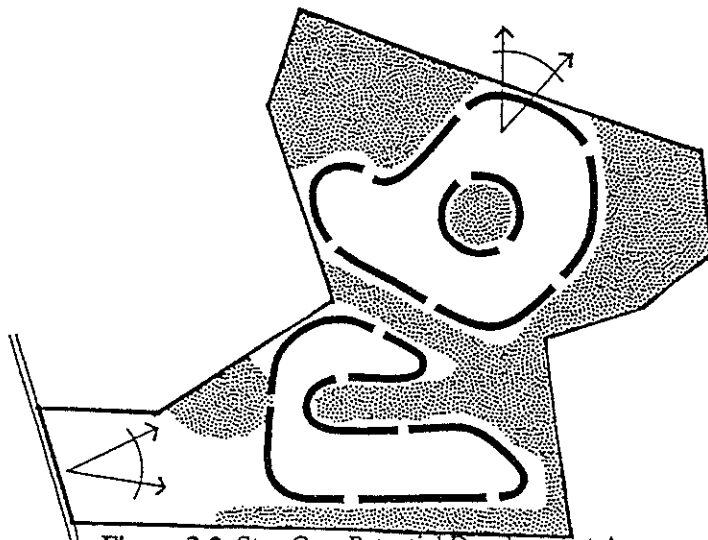


Figure 3-2 Step One, Potential Development Areas

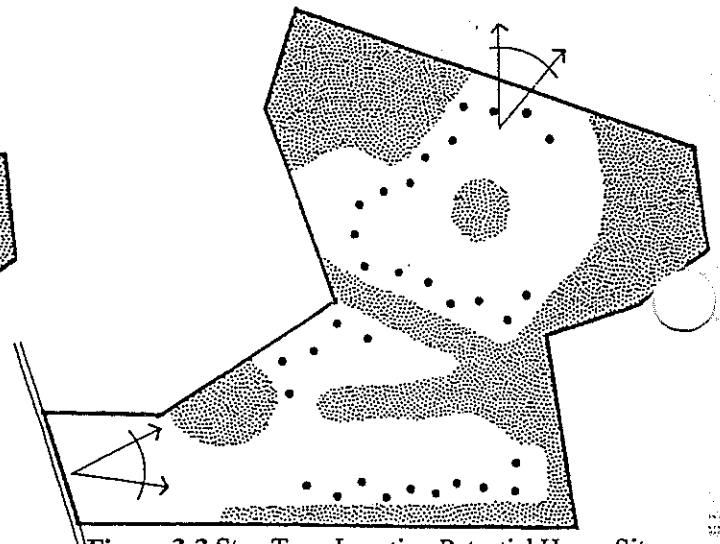


Figure 3-3 Step Two, Locating Potential House Sites

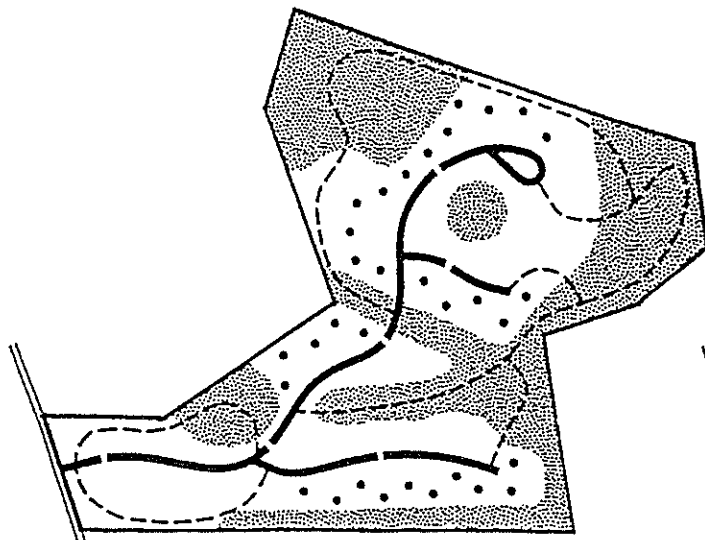


Figure 3-4 Step Three, Aligning Streets and Trails

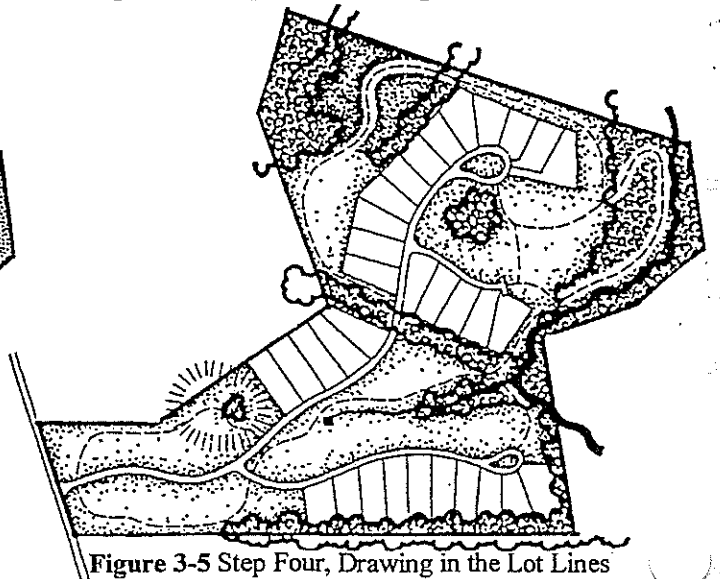


Figure 3-5 Step Four, Drawing in the Lot Lines

3. Development Regulations:

Area, yard, and building requirements shall be as set forth in the Zoning Requirements section in Article 4 of the Keedysville Zoning Ordinance. Regardless of these requirements, the Planning Commission in approving subdivision plats may permit modifications in lot area, lot width, lot coverage, yards (building restriction areas) including zero lot lines, or other requirements in all zones. Proposed streets and right of ways maybe modified in order to decrease the overall width. The Planning Commission and Town Engineer shall approve the final design.

4. Public Water and Sewer:

Cluster Developments/Open Space Developments are not permitted unless public water and public sewer are provided.

5. Open Space Ownership and Responsibility:

- a.) Open space areas shall be maintained so that their use and enjoyment as open space is not diminished or destroyed. Open space areas may be owned, reserved, and maintained by any of the following:
 - i.) Dedication of open space to the Town or an appropriate public agency willing to accept the dedication.
 - ii.) Common ownership of the open space by a homeowner's association which assumes full responsibility for its maintenance.
 - iii.) Dedication of development rights of open space may be made to an appropriate public agency with ownership remaining with the developer or homeowner's association. Maintenance responsibility shall remain with the property owner.
 - iv.) Deed-restricted private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide maintenance responsibility.
- b.) Maintenance of natural areas is limited to the removal of litter, dead tree and plant materials, and brush. Natural watercourses shall be maintained as free flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain level.
- c.) Maintenance of recreational areas is limited to insuring that no hazards, nuisances, or unhealthy conditions exist.
- d.) Pedestrian amenities shall be maintained in a clean and safe condition.

3.04 Traditional Neighborhood Design Overlay Zone

The intent of the TND zone is to implement the recommendation of the Comprehensive Plan to use traditional "small town" or neighborhood design standards to create attractive living environments. Requirements shall be as set forth in the Zoning Requirements section in Article 5 of the Keedysville Zoning Ordinance.

3.05 Highway Buffer – A non-development buffer shall be maintained 50 feet from a State of Maryland Highway right-of-way. This includes the structure and it's surrounding lot. The buffer should include the planting of evergreen trees parallel to the right of way. The Planning Commission & the MD Department of Natural Resources Forest Service Division, must approve a site plan detailing the buffer. This buffer is used to maintain a rural setting for the motorists, the lot owner, and reduce noise.

3.06 Easements –

1. **Existing Developmental Easement**- A non-developmental easement shall be maintained when a new subdivision is proposed for development adjacent to an advanced subdivision. The easement shall be no less than 100 feet in width and shall not be subject to development, but may be utilized as Open Space meeting the requirement of **Article III, Section 3.08**.
2. Easements across lots or centered on lot lines shall be provided for utilities where necessary and shall be at least twenty-five (25) feet wide.
3. Where a subdivision is traversed by a water course, drainage way, channel, or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such watercourse, and of such further width or construction, or both, as will be adequate for the purpose, as approved by the Planning Commission. To aid in its review, the Planning Commission will require the submission by the Subdivider of a storm water runoff analysis for the proposed development certified by a professional civil engineer. The analysis may include the establishment of the 100-year and 500-year floodplains.

3.07 Blocks -

1. The lengths, widths, and shapes of blocks shall be determined with due regard to provision of adequate building sites suitable to the special needs, contemplated, zoning requirements as to lot sizes and dimensions, **Article 3.01 to 3.07** in these regulations, needs for convenient access, circulation, control and safety of street traffic, and limitations and Opportunities of topography among others.
2. Block length shall not exceed sixteen hundred (1,600) feet, or be less than four hundred (400) feet, except that in unusual situations this provision may be waived by the Planning Commission.
3. Pedestrian crosswalks not less than ten (10) feet wide may be required where deemed essential by the Planning Commission to Provide circulation or access to schools, playgrounds, shopping centers, transportation, and other community facilities.

3.08 Public Sites and Open Spaces

1. Where a proposed park, playground, school, street or other public use shown in the Comprehensive Plan is located in whole or in part in a subdivision, the Planning Commission may require the dedication or reservation of such area within the subdivision in those cases in which the Planning Commission deems such requirements to be reasonable.
2. Where deemed essential by the Planning Commission, upon consideration of the particular type of development proposed in the subdivision, and especially in large-scale neighborhood developments, the Planning Commission may require the dedication for public use, or reservation by deed covenant for common use by all of property owners in the subdivision, of such other areas or sites of a character, extent, and location suitable to the needs created by such development for schools, parks, and other neighborhood purposes.
3. Open Space Dedication:
 - a.) Consideration shall be given to the arrangement and location of Open Spaces to take advantage of physical characteristics of the site and to place Open Spaces within easy access and view of dwelling units, at the same time preserving and, where applicable, enhancing natural features.
 - i.) The property dedicated for Open Space shall not have a slope greater than 25%.
 - ii.) The property dedicated for Open Space shall be no less than 10% of the total area to be developed.
4. Open Space Ownership and Responsibility:
 - a.) Open space areas shall be maintained so that their use and enjoyment as open space is not diminished or destroyed. Open space areas may be owned, reserved, and maintained by any of the following:
 - i.) Dedication of open space to the Town or an appropriate public agency willing to accept the dedication.
 - ii.) Common ownership of the open space by a homeowner's association which assumes full responsibility for its maintenance.
 - iii.) Dedication of development rights of open space may be made to an appropriate public agency with ownership remaining with the developer or homeowner's association. Maintenance responsibility shall remain with the property owner.
 - iv.) Deed-restricted private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide maintenance responsibility.
 - b.) Maintenance of natural areas is limited to the removal of litter, dead tree and plant materials, and brush. Natural watercourses shall be maintained as free flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain level.
 - c.) Maintenance of recreational areas is limited to insuring that no hazards, nuisances, or

unhealthy conditions exist (high grass, compost, litter, construction equipment/material, recreational equipment).

d.) Pedestrian amenities shall be maintained in a clean and safe condition.

Article IV Definitions

4.01 General Interpretation - For the purpose of these regulations, certain terms or words used herein shall be interpreted as follows:

1. The word person includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
2. The present tense includes the future tense.
3. The singular number includes the plural; the plural number includes the singular.
4. The word shall is mandatory; the word may is permissive.
5. The word lot includes the words plot or parcel.

4.02 Definitions - For the purpose of these regulations the following definitions shall apply:

Approval, Final - Final Approval is the official action of the Planning Commission taken on a tentatively approved Preliminary Plat after all requirements, conditions, engineering plans, etc... have been completed and the required improvements have been installed or bonds properly posted to guarantee their completion.

Comprehensive Plan - The current Town of Keedysville Comprehensive Plan and amendments.

Cul-de-Sac - The terminus of a public street which is at least 80 feet in diameter of pavement and 100 feet of property diameter, and designed to allow the turning around of motor vehicles.

Development Coordinator - The municipal officer so designated by the Keedysville Mayor and Council.

Drainage Rights-of-Way - The lands required for the installation of storm water sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

Easement - A grant of the use of a parcel of land for the use of the public, a corporation or person for a specific purpose, without including title to the land.

Engineer, Registered Civil - A civil engineer licensed by the State of Maryland.

Flood Plain - A relatively flat or low land area adjoining a river, stream or water-course which is subject to partial or complete inundation; or, any area subject to the unusual and rapid accumulation or runoff of surface waters from any source; and, specifically including those areas subject to flood by waters of the 100 year flood as shown on the U.S. Department of Housing and Urban Development, Federal Insurance Administration, Flood Insurance Rate Map for Keedysville.

Flood Way - The designated area of a flood plain required to carry and discharge flood waters.

Improvements - Those physical additions, installations, and changes, such as streets, curbs, sidewalks, water main, sewers, drainage facilities, street trees, public utilities, and other appropriate items required to render land suitable for the use proposed.

Lot- A parcel or portion of land separated from other parcels or portions by description on a subdivision plat, or record of survey map or by metes and bounds for the purpose of sale, lease or separate use.

Monument- a boundary or position marker that shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as required by the Planning Commission, who shall also approve the material, size, and length of such monuments.

Owner- Any individual, firm, association, syndicated, partnership or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this ordinance.

Performance Guarantee- Any security which may be accepted in lieu of a requirement that certain improvements be made before the Planning Commission approves a plat including but not being limited to performance bonds, escrow agreements and other similar collateral or surety agreements with surety to be approved by the Planning Commission. **Article 7.04 3(b)**

Planning Commission- The Planning and Zoning Commission of Keedysville, Maryland.

Plat - A plat is the finished map or layout of subdivision.

Plat, Final - The final map or layout of all or a portion of the subdivision which is submitted to the Planning Commission for final approval in according with these regulations and which, if approved, shall be filed with the office of the Clerk of the Circuit Court of Washington County.

Plat, Preliminary - A preliminary map or layout indicating the proposed layout of the subdivision which is submitted for Planning Commission consideration and conditional approval and which meets the requirements of **Article V.** of this Ordinance.

Right-of-Way - A strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, drainage ditch, or other special use. The usage of the term "right-of-way" for land plotting purposes in the Town shall mean that every right-of-way hereafter established and shown on a final plat is to be separate and distinct from lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots or parcels.

Sketch Plan - An optional subdivision procedure to ensure the subdivider has the opportunity to consult early and informally with Town agencies and officials and in accordance with **Article V.**

Streets and Alleys - The term street shall mean a way for vehicular traffic whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, place or however otherwise designated.

1. Arterial streets and highways are those which are used primarily for fast or heavy traffic.

2. Collector streets are those which carry traffic from minor streets to the major arterial streets and highways including the principal entrance streets of a major residential development and streets for circulation within such a development.
3. Minor streets are those which are used primarily for access to the abutting properties.
4. Marginal access streets are minor streets, which are parallel to and adjacent to arterial streets and highways; and which provide access to abutting properties and protection from through traffic. They do not provide access to properties between the arterial highway and the marginal access streets.
5. Alleys are minor ways, which are used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

Subdivider - Any individual, firm, association, syndicate, partnership, corporation, trust or other legal entity commencing proceedings under this ordinance to effect a subdivision of land thereunder for himself or another.

Subdivision - The term subdivision means the division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership or building development, except that for purposes of these regulations, the transfer or sale of land between owners of adjoining properties which does not involve the creation of any new buildable lots under the terms of the Keedysville Zoning Ordinance shall not constitute a subdivision. The term includes re-subdivision and when appropriate to the context shall relate to the process of subdividing or to the land subdivided.

Surveyor, Registered Land - A land surveyor licensed by the State of Maryland.

Zoning Ordinance - The officially adopted Zoning Ordinance of the Town of Keedysville, together with any and all amendments thereto.

Article V: PROCEDURE FOR SUBMISSION AND REVIEW OF PLATS

5.01 Introduction - The procedures contained hereinafter provide for a three-step process in the review of plats for proposed subdivisions. These three steps consist of:

1. Submission and review of a Sketch Plan (optional).
2. Submission and review of a Preliminary Plat.
3. Submission and review of a Final Plat.
 - a.) The first step, involving submission and review of a Sketch Plan of a proposed subdivision, shall be optional and shall not be a prerequisite for approval of the Preliminary or Final Plats.
 - b.) This optional procedure is highly recommended to any potential applicant because it provides an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions prior to incurring the expense of preparing Preliminary and Final Plats.
 - c.) Steps 2 and 3 above, involving submission and review of Preliminary and Final Plats shall both be mandatory; except, that in certain cases the Planning Commission, with concurrence of the Mayor & Town Council, may grant a procedural waiver, consistent with the provisions of Article VI.

5.02 Purpose of the Sketch Plan - The purpose of the "Sketch Plan" is to afford the Subdivider the opportunity to consult early and informally with the Planning Commission, Development Coordinator, County Health Department, Soil Conservation Service, and other agencies before preparation of the Preliminary Plat and formal application for approval.

1. During the "Sketch Plan" procedure, the applicant can advantageously make use of the services of the administrative personnel of the Town as well as the Planning Commission to help him/her analyze the proposed development and to plan more effectively for its sound coordination with the community. This procedure also affords the administrative personnel and Planning Commission the opportunity to give informal guidance to the applicant at a stage when potential points of difference can be most easily resolved.

5.03 Procedures for Submission and Review of the Sketch Plan

1. The Subdivider may submit a Sketch Plan prepared in accordance with the provisions of this ordinance to the Planning Commission in care of the Development Coordinator.
2. If the Subdivider chooses to submit a Sketch Plan to the Planning Commission, he shall file such copies as the Development Coordinator may request. The Development Coordinator may distribute copies to the following:

- ◆ One copy to the County Health Department
- ◆ One copy to the County Planning Commission
- ◆ One copy to the Soil Conservation Service.

Additional copies to such officials as the Planning Commission may designate.

3. Within thirty (30) days of its last regularly scheduled meeting receipt of the complete submission, the Planning Commission shall:
 - a.) receive and review the reports by the Development Coordinator, the County Health Department, the County Planning Commission, the Soil Conservation Service and other agencies, if applicable; and:
 - i.) Provide the Subdivider an opportunity to be heard and discuss the submission with the Subdivider if he so desires.
 - ii.) Inform the Subdivider that the plans and data as submitted or as modified do or do not meet the objectives of these regulations. When the Planning Commission finds that the plans and data do not meet the objectives of these regulations it shall express its reasons therefor.
 - iii.) The Planning Commission's review of any subdivision shall include consideration of the provisions, standards, policy and plans contained in **Articles 7 and 8** of this ordinance, the Town's Comprehensive Plan and generally accepted planning and design practices.

5.04 Conditional Approval of Preliminary Plat - The purpose of the Preliminary Plat is to require formal, but conditional approval in order to determine what changes and decisions must be made prior to submission of the Final Plat.

1. The Preliminary Plat and all information and procedures shall comply in all respects with the provisions of these regulations before conditional approval may be given, except where a waiver therefrom may be specifically authorized in accordance with the provisions of **Article VI** hereof.

5.05 Procedures for Submission and Review of Preliminary Plat- The following procedures shall be used:

1. The Preliminary Plat shall be prepared in accordance with the following regulations and shall be submitted prior to the completion of the final surveys of streets and lots, and before any street grading or street construction has been started, and before any map of said subdivision is made in final form for recording.
2. The Preliminary Plat and supplementary material specified shall be submitted to the Planning Commission, with the written application on forms provided by the Planning Commission for its study, review and recommendations. Such material shall be filed with the Planning Commission in care of the Development Coordinator.
3. The Subdivider shall file five copies plus an original as the Development Coordinator may request. The Development Coordinator may distribute copies to the following:
 - ◆ One copy to the County Planning Commission
 - ◆ One copy to the County Health Department
 - ◆ One copy to the Soil Conservation Service
 - ◆ One copy to each utility company which would be responsible for providing utility service to the proposed development
 - ◆ One copy to the Boonsboro-Sharpsburg Fire Department

Additional copies to such officials as the Planning Commission may designate.

4. Within sixty (60) days of receipt of the complete submission by the Planning Commission, the Planning Commission shall:
 - a.) Receive and review the reports by the Development Coordinator, the County Health Department, the County Planning Commission, the Soil Conservation Service, appropriate utilities and other agencies if applicable.
 - b.) Provide the Subdivider an opportunity to be heard and discuss the submission with the Subdivider if he so desires.
 - c.) Inform the Subdivider that the plans and data as submitted or as modified do or do not meet the objectives of these regulations.
 - d.) The Planning Commission shall express its approval as Conditional Approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.
5. The action of the Planning Commission shall be noted on two copies of the Preliminary Plat including any special conditions attached to such action and attested to by the signature of the Commission chairman or acting chairman. One copy shall be returned to the Subdivider and the other retained by the Planning Commission.

5.06 Conditional Approval - Conditional Approval of a Preliminary Plat shall not constitute approval of the Final Plat. Rather, it shall be deemed an expression of approval of the Preliminary Plat as a guide to the preparation of the Final Plat. Upon fulfillment of the requirements of these regulations and the conditions of the Conditional Approval, if any, the Final Plat shall be submitted for the approval of the Planning Commission and for recording with the Clerk of the Circuit Court.

5.07 Final Plat Submission - Should the Subdivider fail to submit the Planning Commission a Final Plat affecting all or a part of the area covered by the Preliminary Plat within one year of the date

of the Conditional Approval, the Conditional Approval shall expire and the Subdivider shall begin the subdivision process under this ordinance anew.

5.08 Approval of Final Plat - The Final Plat shall conform substantially to the Preliminary Plan as approved. However, it may constitute only that portion of the approved Preliminary Plat, which the Subdivider proposes to record and develop at the time, provided that such portion conforms to all requirements of these regulations.

1. A Final Plat shall be submitted conforming to the changes recommended during the Preliminary Plat procedure. The Final Plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these regulations, except where waiver therefrom may be granted in accordance with the provisions of **Article VI** hereof.
2. The Planning Commission shall require to be submitted in conjunction with the Final Plat, a notarized statement of intent describing generally the manner and sequencing of the development of the subdivision. When the Planning Commission requires such a statement of intent, it shall be attached as an addendum to the plat, and if the plat is approved shall be recorded with the plat.

5.09 Procedures for Submission and Review of the Final Plat - The following procedures shall be used:

1. The Final Plat and other exhibits required for approval shall be prepared as specified in **Article V**, and shall be submitted to the Planning Commission in care of the Development Coordinator, within twelve (12) months after approval of the Preliminary Plat.
2. The Subdivider shall file a minimum of five copies, and such additional as the Development Coordinator may request. The Development Coordinator may distribute copies to the following:
 - ◆ One copy to the County Health Department
 - ◆ One copy to the County Planning Commission
 - ◆ One copy to the Soil Conservation Service
 - ◆ One copy to each utility company which would be responsible for providing utilities to serve the proposed subdivision
 - ◆ One copy to the Boonsboro-Sharpsburg Fire Department

Additional copies to such officials as the Planning Commission may designate.

3. Within thirty (30) days following receipt of the complete submission, the Planning Commission shall:
 - a.) Receive and review reports by the Development Coordinator, County Health Department, County Planning Commission, Soil Conservation Service and other agencies, if applicable.
 - b.) Provide the Subdivider an opportunity to be heard, and discuss submission with the Subdivider if he so desires.
 - c.) Determine whether the Final Plat meets the objectives and requirements of this ordinance and other regulations; and,
 - d.) Inform the Subdivider in writing of the decision including required changes in the Final Plat, if any, and the reason for the decision.
4. Approval shall not be final until:

- a.) One exact copy of the approved Final Plat on lined or mylar and one additional reproducible copy with the required signatures as specified by the Planning Commission and the Development Coordinator, shall be submitted to the Planning Commission.
- b.) The applicant shall then file the lined or mylar copy for record with the Clerk of the Circuit Court of Washington County, providing promptly thereafter a written receipt to the Planning Commission indicating that the plat has been filed.
- c.) Shall distribute other prints to official agencies as may be required by the Planning Commission. Such agencies shall include but not be limited to: the utility companies which will be responsible for serving the subdivision; and the local office of State Department of Assessment and Taxation.

Article VI: Waivers

6.01 Waiver for Exceptional Conditions -The Planning Commission, in concurrence with the Mayor & Town Council, may grant a waiver from the provisions of these regulations where:

1. Such waiver would not be contrary to the public interest in the judgment of the Planning Commission.
2. Owing to exceptional conditions of the land involved a literal enforcement of these regulations would result in unnecessary hardship; and
3. Such waiver would not have the effect of substantially impairing the purpose and intent of these regulations or the Comprehensive Plan of the Town of Keedysville.

In granting any waiver from the terms of these regulations, the Planning Commission may prescribe such conditions and safeguards as it shall deem necessary to fulfill the purpose and intent of these regulations. Violations of such conditions upon which any waiver is granted shall be deemed a violation of these regulations and punishable under the provisions of Article II.

6.02 The Planning Commission, providing that the following requirements shall be met may waive through a Procedural Waiver - The requirements for the Preliminary Plat procedure:

1. The proposed subdivision involves the division of a lot, parcel, or tract into four or fewer lots, parcels, or tracts; and
2. The lots, parcels, or tracts thus created each have frontage on an existing improved public road or roads; and
3. There is not created by the proposed subdivision any new road or roads.

Article VII: REQUIRED INFORMATION SKETCH PLANS AND PLATS

7.01 Introduction - The procedures which must be followed in order for an applicant to have a proposed subdivision reviewed and approved by the Planning Commission are set forth in Article V of these regulations. The purpose of this section is to set forth the requirements for data and information, which must be contained on the Sketch Plan and Plats.

7.02 Sketch Plan Requirements -The following data and information shall be included on the Sketch Plan;

1. Name of the Subdivision. The name of the proposed subdivision shall not be similar or identical to the name of any existing subdivision in the Town or surrounding areas.
2. Name and address of the owner.
3. Name and address of the engineer or surveyor, if any.
4. Tract boundaries and existing zoning.
5. North arrow, scale, and date.
6. Streets on and adjacent to the tract.
7. Significant topographical and physical features.
8. Proposed general street layout.
9. Proposed general lot layout.
10. Designations of the general character of use for the various portions of the tract (Including for example, any proposed commercial or industrial uses, or the general type of housing proposed.)

7.03 Requirements for the Preliminary Plat -The following requirements shall apply to the preliminary plat:

1. Drafting Standards
 - a.) The Preliminary Plat shall be at a scale of one hundred (100) feet to one (1) inch or other scale as the Planning Commission may direct. It shall show or have attached the following information and proposals:
2. Topographic data shall include the following information on existing conditions except when otherwise specified by the Planning Commission:
 - a.) Existing boundary lines: bearing and distances;
 - b.) Existing easements: location, width and purpose;
 - c.) Contours at an interval of not more than five (5) feet.
 - d.) Subsurface conditions on the tract, if required by the Planning Commission: location and results of tests made to ascertain subsurface soil, rock and groundwater conditions where drainage systems are proposed.
 - e.) Other existing conditions on the tract such as watercourses, marshes, wooded areas, isolated preserveable trees, houses, barns, shacks, and other significant features.
 - f.) Other existing conditions on adjacent land such as approximate direction and gradient of ground slope, including any embankments or retaining walls; location of railroads, power lines, towers, and other nearby non-residential land uses; names of owners of adjacent unplatted land; for adjacent platted land refer to subdivision plat by name, recordation date, and number. Where the proposed subdivision lies partially or completely in the flood plain areas, or where the subdivision borders on the flood plain areas, the

Preliminary Plat map shall include detailed information giving the location and elevation of proposed roads, utilities, and building sites and the extent of 100 year flood.

3. Improvements on or adjacent to the site, as follows:
 - a.) Existing streets on and adjacent to the tract; name and right-of-way width location; type, width and elevation of surfacing; any legal centerlines, elevations; walks, curbs, gutters, culverts, etc.
 - b.) Existing utilities adjacent to and on the tract; location, size and invert elevation of sanitary, storm and combined sewers; location and size of water mains; location of gas lines, fire hydrants, electric and telephone poles, and street lights; if water mains and sewers are not on or adjacent to the tract, indicate the direction and distance to and size of nearest ones, showing invert elevation of sewers.
 - c.) Proposed public improvements: highway or other major improvements planned by public authorities for future construction on or near the tract.
4. Other information as follows:
 - a.) Zoning on and adjacent to the tract.
 - b.) Key plan showing location of the tract.
 - c.) Title and certificates: present tract designation according to official records in office of the Circuit Court; title under which proposed subdivision is to be recorded, with names and addresses of owners, notation stating acreage, scale, north arrow, datum, benchmarks, certification of registered civil engineer or land surveyor, date of survey, date of application, date of submission, date of revisions, and date of any re-submission.

7.04 Requirements for the Final Plat - The following requirements shall apply to the Final

1. Final Plat shall be drawn in ink on mylar (preferred sheet 24 inches by 24 inches) and shall be at a scale of one hundred (100) feet to one (1) inch. Where necessary, the Plat may be on several sheets accompanied by an index sheet showing the entire subdivision. For large subdivisions the Final Plat may be submitted for approval progressively in contiguous sections satisfactory to the Planning Commission. The Final Plat shall show the following:
 - a.) Primary control points approved by the Development Coordinator, or descriptions and "ties" to such control points, to which all dimensions, angles, bearings, and similar data on the Plat shall be referred.
 - b.) Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way, and property lines of residential lots and other sites; with accurate dimensions, bearings of deflection angles, and radii, arch, and central angles of all curves.
 - c.) Name and right-of-way width of each street or other right-of-way.
 - d.) Location, dimensions and purpose of any easements.
 - e.) Number to identify each lot or site.
 - f.) Purpose for which sites other than residential lots are dedicated or reserved.
 - g.) Minimum building setback line on all lots and other sites.
 - h.) Location and description of monuments.

- i.) Names of record owners of adjoining unplatted land.
 - j.) Reference to recorded subdivision plats of adjoining platted land by record name, date and number.
 - k.) Certification and signature by registered land surveyor or civil engineer, certifying to accuracy of survey and plat.
 - l.) Certification of title and signature showing that Subdivider is the landowner. If the owner of the land is a corporation, the signatures of the president and secretary shall appear.
 - m.) Statement by owner dedicating streets, right-of-way and any sites for public uses.
 - n.) Title, scale, north arrow, and date.
 - o.) Location of existing buildings, the outline of all wooded areas, areas subject to flooding including information on elevations and boundaries of the 100 year flood plain as defined by the U.S. Department of Housing and Urban Development rate maps as defined herein.
- 2. Cross sections and profiles of streets showing grades approved by the Development Coordinator and Town Engineer. The profiles shall be drawn to Town standards scales and elevations and shall be based on a datum plan approved by the Development Coordinator and Town Engineer.
 - 3. A Certificate and signature by the Development Coordinator certifying that the Subdivider has complied with one of the following alternatives:
 - a.) All improvements have been installed in accordance with the requirements of these regulations and with the action of the Planning Commission giving Conditional Approval of the Preliminary Plat, or
 - b.) A certificate by the Town Engineer shall be furnished stating that the improvements required to be accomplished by the Subdivider have been satisfactorily completed; or, in lieu thereof, the Subdivider shall furnish to the Town a bond or other form of performance guarantee acceptable to both the Town Attorney and the Planning Commission, to assure the accomplishment of such improvements within the period of time fixed by the Commission in an amount recommended by the Town Engineer, and approved by the Commission, to be adequate to cover the total estimated costs of the required improvements, such as street, curb/gutter, storm water management, water/sewer requirements, lighting requirements, or in the alternative, a receipt from the Town Clerk, showing that prepayment has been made in the amount so fixed.
 - 4. The signature of the chairman or the secretary of the Planning Commission.
 - 5. Protective Covenants in form for recording.
 - 6. As a condition of final submission or site plan approval, the Planning Commission may require an applicant to pay a pro rata share of the cost of providing reasonable and necessary circulation improvements and water, sewerage, drainage facilities and other improvements, including land and easements, located off-tract of the property limits of the subdivision or

development but necessitated or required by the development. Necessary improvements are those clearly and substantially related to those clearly and substantially related to the development in question. The Planning Commission shall provide in its resolution of approval the basis of the required improvements. The capacity and design of proposed improvements shall be based upon the circulation plan element and utility service plan element of the adopted Comprehensive Plan. The proportionate or pro rata amount of the cost of such facilities within a related or common area shall be based on the following criteria.

7. Other Data: Such other certificates, affidavits, endorsements, maps and plans of all improvements, and other provision as may provision as may be required by the Planning Commission in the enforcement of these regulations.

Article VIII Environmental Regulations

8.01 Purpose- In order to provide for the health, safety, and welfare of the present and future population of Keedysville, the Planning Commission shall refuse to approve any proposed subdivision when such subdivision would bring about the development of land which is unsuitable for such development due to flooding, lack of drainage, excessive slope, excessive erosive action by water, unstabilized slope or fill, inadequate access or other conditions which may cause danger to life, health, or when the lands involved would in its opinion become unsuitable through the development proposed.

8.02 General Regulations- Proposed development projects that contain environmentally sensitive areas shall be subject to measures to protect, mitigate impacts upon, and enhance these resources. An Environmental Impact Assessment Report Shall be prepared addressing identification, protection impact mitigation, and enhancement of environmental resources of the project site and its vicinity.

8.03 Boundaries – All areas determined by the Planning Commission to contain any resources of sensitive environmental value shall be subject to mitigation and enhancement and, whenever possible, protected and preserved as undeveloped space.

8.04 Woodland Areas and Unique Vegetation – Forest areas and its vegetation shall be protected as much as possible on a development site in order to preserve the existing natural setting.

8.05 Flood Hazard Areas –

1. If any grading, construction, or expansion of structures, or storage of hazardous materials is proposed within the officially designated 100 Year Floodplain, the Development Coordinator shall require that the applicant provide evidence of compliance with the Town of Keedysville Floodplain Ordinance, as amended.
2. If the Development Coordinator has reason to believe that a proposed development would include areas subject to a 100 Year Flood that was not studied as part of the Official Floodplain Maps, then the Development Coordinator may require an applicant to provide a detailed study of the extent of the 100 Year Floodplain on portions of the subject property proposed for development.
3. Where not prohibited by this or any other laws or ordinances, land located in flood plain areas may be platted for development with the provision that the Subdivider construct all buildings and structures to preclude flood damage in accordance with this and any other laws ordinances regulating such development.

4. No subdivision or part thereof, shall be approved if the proposed development and/or improvements will, individually or collectively, increase the 100 year flood plain elevation.
5. Building site for residences or any other type of dwelling accommodation shall not be permitted in any floodplain area. Sites for these uses may be permitted outside the floodplain area if the lowest habitable floor level is above the elevation of the 100 year flood plain.
6. Building sites for structures or building other than for residential uses shall also not be permitted in any floodplain area. However, the subdivision and/or development of areas or sites for non-residential purposes shall be permitted outside any floodplain provided all structures are designed to withstand the hydrostatic pressure of the 100 year flood.
7. If the Planning Commission determines that only a part of a proposed plat can be safely developed, it shall limit development to that part and shall require that development proceed consistent with this determination.
8. When a Subdivider does not intend to develop the plat himself and the Planning Commission determines that additional controls are required to insure safe development, it may require that Subdivider to impose appropriate deed restrictions on the land. Such deed restrictions shall be inserted in every deed and noted on every recorded plat.

8.06 Non-Tidal Wetlands-

1. **Description:** Wetlands are defined as areas that have a predominance of hydric soils and that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and under normal circumstances do support, a prevalence of hydrophilic vegetation typically adapted for life in saturated soil conditions.
2. **Regulations:** A buffer of at least twenty-five feet shall be maintained in all areas adjacent to wetlands. This buffer shall be used to best protect and preserve non-tidal wetlands within Keedysville Town Limits. This area may be used to meet the requirements of **Article III, Section 3.08 Public Sites and Open Space**. This area may be developed with a walking/biking trail as to conform with the intent of the Comprehensive Plan. The proper location for such proposal shall be at the discretion of the Planning Commission and the Development Coordinator.

8.07 Steep Slopes -

1. **New Slopes:** If any new slope will be created of greater than 3:1, the applicant shall provide a written description of the measures that will be used to stabilize such slope, together with a legally binding timetable in for the implementation of such measures.
2. **Over 25 Percent Slopes:** Any construction of a new principal building or a new parking lot on land with an existing natural slope of over 25 percent shall require special exception approval by the Board of Appeals. When special exception approval is required, the applicant shall:
 - a.) show that existing trees and other vegetation will be preserved to the maximum reasonable extent, or be immediately replaced by new trees and other vegetation, while avoiding excessive coverage by impervious surfaces,
 - b.) submit a plan showing that stormwater runoff will be properly controlled,
 - c.) submit and carry out a detailed soil erosion and sedimentation control plan, which shall be submitted in advance for review and acceptance by the Town or its designee, and

- d.) submit a detailed grading plan.
- e.) Submission of structural design by a Professional Engineer may be required for principle structures on lots that have been filled or require excessive backfill.

Slopes on Proposed Lots:

1. This Section shall only apply to a lot submitted for subdivision approval after the adoption of this Ordinance, and which includes over 500 square feet of natural slopes of over 25 percent.
2. As part of the subdivision plan, the applicant shall designate a "buildable area". The buildable area shall be the proposed maximum extent of portions of the lot where construction of a principal building shall be permitted. The applicant may voluntarily propose a smaller buildable area than is permitted by this Ordinance.
3. If the subdivision plan shows a buildable area that includes natural slopes over 25 percent, then the minimum lot area for those lots shall be increased to one and one half the size that would otherwise be required.

8.08 Rare and Endangered Species –

1. **Description:** Any area previously or currently identified during site review and planning design as containing rare and endangered species/ habitat.
2. **Regulations:** The applicant should consult the Department of Natural Resources Natural Heritage and Environmental Review to identify any valuable habitats on or near the project site. If any endangered habitats are detected then those areas are off limits for structural building.

8.09 Stream Buffers -

1. **Setback:** No new principal building, off-street parking, loading area, or commercial or industrial outdoor storage area shall be located:
 - a.) within 50 feet of the centerline of a perennial waterway, and
 - b.) within 25 feet of the centerline of an intermittent waterway.
2. **Crossings:** Within 50 feet of the centerline of a perennial waterway, streets and driveways shall be limited to those approximately perpendicular crossings that are absolutely necessary for public safety or to provide reasonable use of adjacent properties.
3. **Existing Vegetation:** Existing natural vegetation shall be preserved to the maximum extent possible. An applicant for a permit for activity within such area shall: a) specify on the plan those trees or areas of trees and other vegetation intended to be preserved, removed or replaced by new trees and vegetation, and b) be accompanied by a detailed soil erosion and sedimentation control plan, which shall be carried out in full.

4. New Trees and Vegetation: If existing trees do not exist along a perennial waterway, and if a new principal building and/or vehicle parking area is proposed adjacent to such waterway, then the applicant shall: 1) plant an average of one deciduous shade tree along such waterway for each 50 feet of distance along the waterway, and b) plant new grass, shrubs or similar vegetation along the bank of the waterway if such does not already exist.

8.10 General Planting & Buffer Requirements --

1. Plant Type- A mixture of flowering and/or decorative evergreen and deciduous trees may be planted. The evergreens should be used along the perimeter of the lot for screening, and the deciduous trees for shade within the lot. The areas beneath the trees should be mulched, as well as beds planted with shrubs or ground cover.
2. Planting Specifications- All deciduous trees shall have a minimum two-inch circumference at its trunk, shall be nursery grown; shall be uniform in size and shape; and have straight trunks. Evergreen trees shall be a minimum of five feet in height. All trees shall be properly planted and staked according to a plan approved by The Planning Commission & the MD Department of Natural Resources Forest Service Division.
3. When Required- Every development shall provide sufficient buffering when topographical or other barriers do not provide proper screening and when the Planning Commission determines that it is necessary to preserve a natural setting.

Article IX Required Improvements

9.01 Required Improvements - Monuments, utility and street improvements shall be provided by the Subdivider in each new subdivision in accordance with the standards and requirements described in the following schedule:

9.02 Public Water and Sewer Systems- Connection to a public water distribution system as approved by the Town of Keedysville is required for each lot. Connection to a public sewer system as approved by the Town of Keedysville. Minimum standards for water service shall be provided throughout new subdivisions. A minimum pressure in the water main shall be sixty pounds per square inch (60 PSI) and a minimum pressure of fifty pounds per square inch (50 PSI) shall be maintained at any house connection. A minimum fire flow at all fire hydrants shall be 1,000 gallons per minute with a residential pressure of twenty pounds per square inch (20 PSI).

All sanitary sewer systems located in flood plain areas, whether public or private, shall be floodproofed. All water systems located in flood plain areas, whether public or private, shall be floodproofed. If there is an existing public water supply system on or near the subdivisions, the Planning Commission shall require the developer to connect to this system where practical, and shall prescribe the procedures to be followed by the developer in connecting to the system.

9.03 Storm Sewer System- Storm sewer system and other drainage improvements as approved by the Planning Commission and; Storm drainage facilities shall be designed to convey the flow of surface water without damage to persons or property. The system shall insure drainage at all points along streets, and provide positive drainage away from buildings. The Planning Commission may require a primarily underground system to accommodate frequent floods and

secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

1. In determining the proper drainage of any subdivision, the Planning Commission shall take into consideration and, if possible, make provision for future drainage problems which may arise, and shall not be restricted in imposing conditions or regulation respecting drainage problems to the particular subdivision under consideration.
2. The subdivider shall provide for the construction of all necessary structures and storm drainage facilities required beyond the immediate boundary of the subdivision in order to conduct runoff to an acceptable point of disposal.

9.04 Street Names and Lighting- Street name signs and lighting as required by the Planning Commission in order to provide proper safety. The Planning Commission may also choose the type of light fixture.

9.05 Meandering Streets- Access streets through Subdivisions shall meander as much as possible in order to reduce the speed of vehicles in that particular Subdivision as long as the physical environment of the Subdivision allows.

9.06 Curbs and Gutters- **Marginal Access streets:** 50-foot right-of-way, including a 30-foot pavement, two concrete curbs, two 4-foot sidewalks when required, and two grassed utility areas.

1. **Arterial streets:** cross sections in accordance with the Comprehensive Plan or as determined by the Planning Commission.
2. **Collector streets:** 60-foot right-of-way, including a 36-foot pavement, two standard 2-foot curb and gutter sections, two 4-foot sidewalks when required, two grass and utility areas, and two grass utility areas.
3. **Minor streets:** 50-foot right-of-way, including a 30 foot pavement, two standard 2-foot curb and gutter sections, one 4 foot sidewalk when required, two grass and utility areas.

9.07 Sidewalks- Sidewalks may be waived by the Planning Commission unless deemed necessary to provide safe pedestrian circulation and access to schools, playgrounds, shopping centers and other community facilities.

9.08 Monuments- Monuments shall be placed at all block corners, angle points, points of curves in streets, and at intermediate points as required by the Planning Commission, who shall also approve the material, size, and length of such monuments.

9.09 Fire Hydrants- Fire hydrants shall be located no more than 1000 feet apart and shall be within 500 feet of any structure.

9.10 Widening or Realignment of Existing Roads- Where the subdivision borders an existing street and the comprehensive plan indicates plans for realignment or widening of the street that would require reservation of some land of the subdivision, the Planning Commission may require that such areas be shown and marked on the plat "Reserved for Street Realignment (or Widening) Purposes."