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CHAPTER 67 SUBDIVISION

ARTICLE 1

INTRODUCTION

§67-1. Purpose and Intent

The purpose of these Regulations is to regulate and control the division of land within Church Hill in order to promote the public health, safety, morals, and general welfare of the Town.

It is the general intent of these Regulations to regulate the division of land as to:

- A. Guide the future growth and development of the community consistent with the Town of Church Hill's adopted comprehensive plan;
- B. Regulate the orderly layout and use of land;
- C. Guide the detailed analysis of the development parcel so as to locate and coordinate appropriate areas for harmonious development and economic stability;
- D. Lessen congestion in the streets and highways and provide for proper ingress and egress of roadways;
- E. Insure adequate open space for recreation, light and air and security from fire and flood;
- F. Provide for open spaces through the most efficient design and layout of development, consistent with density standards as established in the Town's Zoning Ordinance;
- G. Coordinate existing streets with proposed streets;
- H. Preserve significant topographical features, sensitive environmental areas and irreplaceable natural resources contributing to the quality of life of residents of Church Hill;
- I. Provide a means to design residential communities of lasting beauty and civic quality;
- J. Facilitate adequate provision for water, sewerage, schools, parks and other public facilities.

§67-2. Short Title

These Regulations may be cited as the "Church Hill Subdivision Regulations."

§67-3. Separability

It is hereby declared to be the legislative intent that:

- A. If a court of competent jurisdiction declares any provision of these Regulations to be invalid or ineffective in whole or in part, the effect to such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of these Regulations shall continue to be separately and fully effective.
- B. If a court of competent jurisdiction finds the application of any provision or provisions of these Regulations to any lot, building, or other structure, or tract of land, to be invalid or ineffective, in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be effected.

§67-4. Jurisdiction and Interpretation

These Regulations shall apply to all land located within the incorporated area of Church Hill.

The provisions of these regulations shall be held to be minimum requirements to meet the stated purpose and intent of these Regulations. Where the provisions of these Regulations impose greater restrictions than those of any statute, other regulations, or ordinance, the provisions of these Regulations shall prevail. Where the provisions of any statute, other regulations or ordinance impose greater restrictions than those of these Regulations, the provisions of such statute, regulation or ordinance shall prevail.

§67-5. The Chesapeake Bay Critical Area Jurisdiction and Interpretation

The Chesapeake Bay Critical Area is designated by the Town of Church Hill as those areas within the Town boundaries which consist of:

- A. All waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the state wetlands maps, and all state and private wetlands designated under Title 9 of the Annotated Code of Maryland; and
- B. All land and water areas within one thousand feet (1,000') beyond the landward boundaries of state or private wetlands and the heads of tides designated under Title 9 of the Annotated Code of Maryland.

Any property within, or partially within, the Critical Area is subject to the requirements and guidelines of the Church Hill Chesapeake Bay Critical Area Program (hereinafter referred to as the "Critical Area Program"). A map of the Critical Area of Church Hill

shall be examined in the office of the Town Administrator so that an applicant for a subdivision may determine how the property lies relative to the Critical Area. However, if the Critical Area map is incomplete or in error, this does not relieve an applicant whose property lies within or partially within the Critical Area under the above definition, from complying with the aforementioned program.

An applicant for subdivision of property whose property lies within the Critical Area shall make application in the normal manner as set forth within this Subdivision Ordinance. A copy of the application must be sent to the Critical Area Commission for review, as provided for in Natural Resource Article, Section 8-1811, of the Annotated Code of Maryland. The application will be reviewed by the Church Hill Zoning Administrator to see that it conforms to Church Hill's requirements for such applications and for consistency with the requirements of the Critical Area Program and Ordinances, and it is then forwarded to the Town Commission for approval.

ARTICLE 2

DEFINITIONS

§67-6. General

- A. Unless a contrary intention clearly appears, the following words and phrases shall have, for the purpose of these Regulations, the meaning in the following clauses.
- B. For the purpose of these Regulations, words and terms used herein shall be interpreted as follows:
 - 1. Words used in the present tense include the future;
 - 2. The singular includes the plural;
 - 3. The word "person" includes a corporation, institution, partnership, and association as well as the individual;
 - 4. The word "lot" includes the word "plot" or "parcel;"
 - 5. The word "commission" and the words "Town Planning Commission" always mean the Church Hill Planning Commission;
 - 6. The word "County" shall always mean Queen Anne's County;
 - 7. The word "Town" shall always mean the Town of Church Hill.

- C. If a word or term is not defined in this Article, the definition in the Church Hill Zoning Ordinance shall apply. Any word or term not defined in this document or the Zoning Ordinance shall be used with a meaning of standard usage.

§67-7. Alley

A minor way, which is used primarily for vehicular service access to the back or the side of properties otherwise abutting a street.

§67-8. Applicant

Any person who submits to the Town Planning Commission subdivision plans for the purpose of obtaining approval thereof.

§67-9. Block

An area of land containing one or more lots and bounded by streets providing access to such lot or lots.

§67-10. Building

A structure having a roof, which is used or intended to be used for the shelter or enclosure of persons, animals, or property. The word “building” shall include any part thereof..

§67-11. Building Setback Line, Build-to-line

The rear line of the minimum required front yards. The building setback line shall be measured from the future right-of-way line.

§67-12. Developer (see Subdivider)

§67-13. Easement

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

§67-14. Improvements

Those physical additions, installations, and changes, such as streets, curbs, sidewalks, bicycle paths, water mains, sewers, drainage facilities, public utilities, and other appropriate items required to render land suitable for the use proposed.

§67-15. Lot

A parcel of land used or set aside and available for use as the site of one or more buildings accessory thereto or for any other purpose, in one ownership and not divided by a street nor including any land within the limits of a public or private street right-of-way.

§67-16. Right-of-Way

A strip of land occupied or intended to be occupied by a street, alley, planting strip, bicycle path, crosswalk, sanitary or storm sewer, drainage ditch, or for another 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 the final plat is to be separate and distinct from lots or parcels and adjoining such right-of-way, and not included with the dimensions or areas of such lots or parcels.

§67-17. Right-of Way - Future

- 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.

§67-18. Street

A public or private way used or intended to be used for passage or travel by vehicles and pedestrians and to provide access to abutting properties.

§67-19. Street Line

The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way line provided that where a future right-of-way width for a street has been officially established, the street line shall be the side of the future right-of-way so established.

§67-20. Street Trees

Trees planted by property owners along lot frontages to mitigate adverse impacts of the impervious surfaces of development and provide for a sense of street enclosure for the public right-of-way.

§67-21. Subdivider, Developer

An individual, partnership or corporation (or agents thereof) that undertakes the responsibility for any or all of the activities covered by this Ordinance, particularly the design and submission of a subdivision or development plan or plat showing the layout of the land and the public improvements involved therein. Inasmuch as the subdivision plat is a necessary means to the end of assuring a satisfactory development, the term

“subdivider” is intended to include the term “developer,” even though the personnel or entity involved in successive stage of the project may vary.

§67-22. Subdivision

- A. The division of a single lot, tract, or parcel of land or part thereof into two (2) or more lots, tracts, or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building development.
- B. The term “subdivision” includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

§67-23. Subdivision Plat, Minor

The division of a single lot, tract or parcel of land into four (4) or fewer lots, tracts, or parcels of land for the purpose, whether immediate or future, of transfer ownership or of building development, provided the proposed lots, tracts, or parcels of land thereby created have frontage on an improved public street or streets, and providing further that there is not created by the subdivision any new street or streets.

§67-24. Walkway

As distinguished from a sidewalk, which is incorporated in a road right-of-way, a walkway is a pedestrian right-of-way usually extending from a street into a block or across a block to another street.

§67-25. Zoning Administrator, Zoning Inspector

The Zoning Administrator (Zoning Inspector) of Church Hill; the officer or authorized representative, designated by the Town Commissioners, to carry out duties specified in this Ordinance.

ARTICLE 3

CONTROL AND PENALTIES

§67-26. Subdivision Control

It shall be unlawful for the owner of any land within the jurisdiction of the Town to which these Regulations may apply, or any other person, firm, or corporation, to subdivide any lot, tract, or parcel of land, or layout, construct, open and dedicate for public use or travel, any street, sanitary sewer, storm sewer, drainage facilities, or other

facilities in connection therewith, or for the common use of occupants of buildings within the subdivision, unless and until:

- A. A plat of such subdivision is caused to be made in accordance with the regulations set forth herein and in Section 5 Article 66B of the Annotated Code of Maryland, as amended;
- B. Approval is secured thereof from the Town Planning Commission as provided herein; and;
- C. Said Commission has caused copies of said plat to be recorded in the office of the Clerk of the Court.

§67-27. Plat Approval Required

No plat of any subdivision shall be recorded until it shall have been submitted to and approved by the Town Planning Commission as provided herein. The Commission shall not approve said plat unless it is satisfied that the requirements of the Regulations have been complied with.

§67-28. Exemptions from Subdivision Approval

Subdivision approval shall not be required for those properties that qualify under one or more of the following exemptions:

- A. Correction of engineering, drafting or surveying errors;
- B. Combining of two or more lots into a single lot;
- C. Adjustment of common boundary lines between adjoining property owners, providing that the adjustment results in no violation of the Zoning Ordinance of the Town of Church Hill, Maryland the Church Hill Subdivision Regulations and the Church Hill Critical Areas Program and Ordinance, if applicable.

Upon verification of these conditions and conformity with the Town requirements, the Town Planning Commission may authorize the Town Administrator or Town Clerk to execute plats for recordation purposes, stating that subdivision approval is not required.

§67-29. Transfer of Land -Insurance of Building Permits

- A. No land in a subdivision created after the adoption of these Regulations shall be transferred, sold or offered for sale, nor shall a building permit be issued for a structure thereon, until a Final Plat of such subdivision shall have been recorded in accordance with these Regulations and the provisions of the State, and until the municipal improvements required in connection with the subdivision have either been constructed or guaranteed as hereinafter provided.

- B. No building depending upon public water and sewage facilities shall be permitted to be occupied before such facilities are fully provided and operational.

§67-30. Intra-family Transfer in the Critical Area

- A. Definitions:

For the purposes of this Ordinance, the following words have the meanings indicated.

- 1. Bona Fide Intra-family Transfer: A transfer from an owner to a member of the owner's immediate family of a portion of the owner's property for the purpose of establishing a residence for that family member.
 - 2. Immediate Family: A father, mother, son, daughter, grandfather, grandmother, grandson, or granddaughter of the subject property.
- B. The Town shall permit bona fide intra-family transfers to be made only from parcels of land that:
 - 1. Were of record on March 1, 1986; and
 - 2. Consists of at least seven (7) acres of land but less than sixty (60) acres of land.
 - C. A bona fide intra-family transfer from a parcel of land shall be a subdivision of the parcel of land that is subject to local approval under the "Subdivision Control" subtitle of Article 66B, under Title 7 of Article 28 of the Annotated Code of Maryland.
 - D. The Town of Church Hill may approve the subdivision of a parcel of land into the number of lots indicated in this subsection by means of a bona fide intra-family transfer, but shall not approve any greater subdivision of the parcel of land or any portion thereof.
 - 1. A parcel of land that is seven (7) acres or more but less than twelve (12) acres may be subdivided into two (2) lots.
 - 2. A parcel of land that is twelve (12) acres or more but less than sixty (60) acres in size may be subdivided into three (3) lots, which three lots may be created at different times.
 - E. As a condition of approval of a bona fide intra-family transfer the Town shall require:

1. Any deed for a lot that is created by a bona fide intra-family transfer shall contain a covenant stating that the lot is created subject to the provision of Natural Resources Article, Section 8-1801, Annotated Code of Maryland; and,
2. A lot created by a bona fide intra-family transfer may not be conveyed subsequently to any person other than a member of the owner's immediate family;
3. This subsection does not prevent the conveyance of the lot to a third party as security for a mortgage or deed of trust.

§67-31. Penalty

Any person who violates these Regulations shall be subject to the penalties prescribed in the Annotated Code of Maryland.

ARTICLE 4

PROCEDURE

§67-32. Introduction

The procedures hereinafter specified provide not only for the conditional approval of a preliminary plat and approval of a final plat, but also for a pre-application tentative sketch plan. The tentative sketch plan procedure optional to the applicant and is not a prerequisite to the approval of the final plat. However, this optional procedure is strongly recommended because it provides the applicant with an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions prior to incurring the expense of preparing a preliminary and final plat.

PART A: TENTATIVE SKETCH PLAN

§67-33. Purpose

The purpose of the "Tentative Sketch Plan" is to afford the applicant the opportunity to consult early and informally with the Town Planner, Zoning Administrator, and Town Planning Commission before preparation of the preliminary plat and formal application for approval.

During the "Tentative Sketch Plan" procedure, the applicant can advantageous make use of the services of the administrative personnel of the Town as well as the Town Planning

Commission to help him analyze the problem to the development and plan more adequately for its sound coordination with the community. This procedure also affords Town administrative personnel and the Town Planning Commission the opportunity to give informal guidance to the applicant at a stage when potential points of difference can be more easily resolved. It can also simplify official actions and save unnecessary expense and delay.

§67-34. Procedure

- A. Applicant prepares sketch plan and application.
- B. Applicant submits five (8) copies of the sketch plan and application to the Zoning Administrator.
- C. Zoning Administrator checks submissions against a checklist for completeness;
and
 - 1. If submission is incomplete, immediately returns submission to applicant and indicates deficiencies; or
 - 2. If submission is complete, accepts sketch plan and application.
- D. Zoning Administrator shall immediately distribute copies of the sketch plan and application to:
 - 1. Town Commissioners.....one (1) copy
 - 2. Town Planning Commission.....one (1) copy
 - 3. Town Planner.....one (1) copy
 - 4. Town Engineer.....one (1) copy
 - 5. Queen Anne’s County Planning Commission..... one (1) copy
 - 6. Critical Area Commission..... one (1) copy
 - 7. Town Attorney..... one (1) copy
 - 8. One (1) copy shall be retained for the Town files.
- E. At first regular meeting held not less than two (2) weeks following receipt of the completed submission to the Zoning Administrator, the Town Planning Commission:

1. Receives and reviews the applicant's submission;
 2. Receives and reviews reports by the Town Planner and Town Engineer;
 3. Hears applicant's presentation; and
 4. Discusses submission with the applicant.
- F. The Town Planning Commission the same evening of the meeting when the applicant made a presentation shall:
1. Evaluate applicant's submission, presentation, discussion with applicant, and Town Planner's and Town Engineer's reports;
 2. Determine whether the sketch plan meets the objectives and requirements of the Subdivision Ordinance and other regulations and ordinances; and
 3. Inform the applicant in writing within two (2) weeks of the decision, including required changes in the sketch plan and the reasons for the decision.

PART B. PRELIMINARY PLAT

§67-35. Purpose

The purpose of the preliminary plat is to require formal conditional approval in order to minimize changes and revisions before a final plat is submitted.

§67-36. General

A preliminary plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations, except where variation therefrom may be specifically authorized in writing by the Town Planning Commission.

§67-37. Procedure

- A. Applicant prepares preliminary plat and application;
- B. Applicant submits six (6) copies of the preliminary plat and application to the Zoning Administrator. The submittal must be at least three (3) weeks before the regular meeting of the Planning Commission. The applicant may make major changes to a submitted application up to two (2) weeks before the Planning Commission meeting and minor changes up to one (1) week before the Planning Commission meeting. The Zoning Administrator shall make the determination on what constitutes a major or minor change.

- C. Administrator checks submission against checklist for completeness; and
 - 1. If submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
 - 2. If submission is complete, accepts preliminary plat, application and fees.

- D. Zoning Administrator shall immediately distribute copies of the preliminary plat and application to:
 - 1. Town Commissioners.....one (1) copy
 - 2. Town Planning Commission.....one (1) copy
 - 3. Town Planner.....one (1) copy
 - 4. Town Engineer.....one (1) copy
 - 5. Queen Anne’s County Planning Commission.....one (1) copy
 - 6. One (1) copy shall be retained for the Town files.

- E. At the first regular meeting not less than three (3) weeks following receipt of the completed submission to the Zoning Administrator, the Town Planning Commission:
 - 1. Receives and reviews the applicant’s submission;
 - 2. Receives and reviews reports by the Town Planner and Town Engineer;
 - 3. Hears applicant’s presentation; and
 - 4. Discusses submission with the applicant.

- F. The Town Planning Commission, either the same evening or within one (1) month following the receipt of the applicant’s submission to the Commission shall:
 - 1. Evaluate applicant’s submission, presentation, discussion with the applicant, and the Town Planner’s report;
 - 2. Determine whether the preliminary plat meets the objectives and requirements of the “Land Subdivision Regulations” and other regulations and ordinances; and

3. Inform the applicant in writing the decision including required changes in the preliminary plan and the reasons for the decision.
- G. Approval of the preliminary plat shall constitute conditional approval of the subdivision as to character and intensity but shall not constitute approval of the final plat or authorize sale of lots or construction of buildings.

PART C. FINAL PLAT

§67-38. Purpose

The purpose of the final plat is to require formal approval by the Town Planning Commission before plats for all subdivisions are recorded as required by Section 67-26 of this Ordinance.

§67-39. General

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 variation therefrom may be specified in writing by the Town Planning Commission. Preliminary and final plat procedures may be executed simultaneously in the case of minor subdivision plats.

§67-40. Procedure

- A. Applicant prepares final plat and application.
- B. Applicant submits six (6) copies of the final plat and application within one (1) year from the date of receiving conditional approval of the preliminary plat to the Zoning Administrator.
- C. Zoning Administrator checks submission against checklist for completeness; and
 1. If submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
 2. If submission is complete, accepts final plat and application.
- D. Zoning Administrator shall immediately distribute copies of the final plat and application to:
 1. Town Commissioners.....one (1) copy
 2. Town Planning Commission.....one (1) copy

3. Town Planner.....one (1) copy
 4. Town Engineer.....one (1) copy
 5. Queen Anne’s County Planning Commission.....one (1) copy
 6. One (1) copy shall be retained for the Town files.
- E. At first regular meeting held not less than two (2) weeks following receipt of the completed submission to the Zoning Administrator, the Town Planning Commission:
1. Receives and reviews the applicant’s submission;
 2. Receives and reviews report by the Town Planner and Town Engineer;
 3. Hears applicant’s presentation; and
 4. Discusses submission with the applicant.
- F. The Town Planning Commission at the meeting in which the applicant made a presentation shall:
1. Evaluate applicant’s submission, presentation, discussion with applicant, and the Town Planner’s report;
 2. Determine whether the final plat meets the objectives and requirements of the “Subdivision Ordinance” and other regulations and ordinances; and
 3. Inform the applicant in writing within two (2) weeks of the decision, including required changes and the reasons for the decision.
- G. If approved:
1. The Town Planning Commission shall adopt a resolution approving the final plat;
 2. Approval shall not be final until entry into contract and production of completion guarantee as set forth in Article 7; and
 3. Three (3) exact copies of the approved final plat on linen or equivalent with the required signatures as specified in Article 7, and one (1) additional copy on Mylar or other reproducible base shall be submitted to the Town Planning Commission.

- H. The Town Planning Commission shall then file the three (3) cloth or equivalent prints for record with the Clerk of the Court of Queen Anne's County, and shall distribute other prints to official agencies as may be needed.

§67-41. Effect of Recording

- A. Streets, parks, and other public improvements shown on a subdivision plat to be recorded may be offered for dedication to the Town by formal notation thereof on the plat, or the owner may note on the plat that such improvements have not been offered for dedication to the Town.
- B. Recording of the final plat by the Town Planning Commission shall not be deemed to constitute or effect an acceptance by the public of the dedication of any street or other proposed public park or improvement shown on said plat, but improvements so noted for dedication may be accepted by the public through any subsequent appropriate act.

PART D. ACCEPTANCE OF STREETS AND IMPROVEMENTS BY THE TOWN

§67-42. Preliminary Inspection

- A. The applicant shall notify the Town Planner of the completion of the required improvements.
- B. The Town Planner shall:
 - 1. Inspect the completed required improvements; and
 - 2. Submit in writing a report to the Town Commissioners specifying those items of construction, material, and workmanship which do not comply with the Town specifications or the final plat.
- C. The applicant upon notification from the Town Planner shall:
 - 1. Proceed, at his own cost, to make such corrections as shall be required to comply with the Town specifications and approved final plats; and
 - 2. Notify the Town Planner and Town Commissioners upon completion, requesting final inspection.

§67-43. Final Inspection

The Town Engineer, Town Planner, Town Commissioners, and other proper authorities shall make a final inspection with the applicant of all required improvements.

§67-44. Acceptance

The Town Commissioners shall notify the applicant of acceptance of the required improvements if satisfied that the applicant has complied with all specifications and ordinances of the Town.

ARTICLE 5

DESIGN STANDARDS

§67-45. Application

- A. The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety, morals, and general welfare.
- B. Where literal compliance with the standards herein specified is clearly impractical, the Town Planning Commission may modify or adjust the standards to permit reasonable utilization of property while securing substantial conformance with the objectives of these Regulations.

§67-46. General

- A. All portions of a tract being subdivided shall be taken up in lots, streets, public lands, or other proposed uses, so that remnants and landlocked areas shall not be created.
- B. Where trees, graves, waterways, scenic points, historic spots or other Town assets and landmarks are located within a proposed subdivision, every possible means shall be provided to preserve these features. If the feature occurs in the Town Critical Area, it must be preserved unless permission to do otherwise is received in writing from the Town Commission. The developer must identify those environmental and natural features outlined in Chapter 75 of the Town Code and provide appropriate protection as provided under that Chapter. If any such areas of habitat protection area exist, a hearing will be held as outlined in Chapter 75, §75-80.F.3. The developer shall also incorporate wildlife corridors so as to provide continuity of plant and wildlife habitat with nearby existing habitat.

- C. Land subject to flooding or property and land deemed to be topographically unsuitable shall not be subdivided or developed for residential occupancy or for such other uses as may endanger health, life, property, or aggravate erosion of flood hazards until all such hazards have been eliminated or unless adequate safeguards against such hazards have been eliminated or unless adequate safeguards against such hazards are provided by the final plats. Land with slopes greater than fifteen (15%) percent, or land where the K-value for soil erodibility exceed .35 and slopes are greater than five percent (5%), shall also be deemed unsuitable for residential development. Such land within a subdivision shall be set aside on the plat for uses that will not be endanger by periodic or occasional inundation or will not produce unsatisfactorily living conditions.
- D. Cluster development shall be used whenever feasible for planned unit developments to gain environmental protection while providing needed and commercial development.

§67-47. Streets - General

- A. The arrangement, character, extent, grade, and location of all streets shall be acceptable to the Planning Commission and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, pedestrian accessibility, and in their appropriate relation to the proposed uses of the land to be served by such streets.
- B. Proposed streets shall further conform to the Church Hill Road Ordinance and SHA requirements where applicable.
- C. Where appropriate, proposed streets shall be continuous and in alignment with existing, planned, or platted streets with which they are to connect.
- D. Residential streets shall be so laid out that their use by through traffic will be discouraged.
- E. Streets ending in cul-de-sacs shall be limited to special situations where the Planning Commission deems such streets as the most effective way to access subdivided lots.
- F. Residential streets shall be so laid out so that street connectivity insures more than one access point for a residential subdivision and alternate roads for vehicular traffic, and for the greater access of public service vehicles.
- G. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of existing streets.
- H. If a portion of a tract is not subdivided, suitable access to street openings for eventual subdivision of the entire tract shall be provided.

- I. Where stub streets are provided abutting unsubdivided, acreage, temporary easement for turnarounds shall be provided at the boundary lines.
- J. Private roads may be allowed as provided for in the Church Hill Road Ordinance.
- K. Gates, fences, or other means shall not obstruct access to land regulated through this Ordinance, whether access ways are public or private.

§67-48. Street Standards

- A. Where a subdivision abuts or contains an existing street of adequate right-of-way width, a right-of-way width as required by the Town Commission shall be indicated on the plat and offered for dedication.
- B. Minimum right-of-way, horizontal alignment, vertical alignment, sight distance, curbs, curb radii, offsets, and street grades shall be in accordance with the requirements of the Town Commission.

§67-49. Street Intersections

- A. Multiple intersections including junction of more than two (2) streets shall be avoided.
- B. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another street at an angle of less than sixty (60) degrees.
- C. Within major subdivisions and land developments, street linkages shall be provided among adjoining subdivisions in order to allow convenient and effective travel among neighborhoods. Linkage street stubs shall be provided at a ratio of at least one (1) linkage street right-of-way per eight hundred (800) linear feet of subdivision or land development boundary line, which adjoins vacant or undeveloped land, unless determined to be unnecessary by the Planning Commission. Street linkage stubs shall be planned and constructed to the subdivision or land development boundary line. If the stub is in excess of one hundred (100) feet in length, then a temporary paved turn-around area shall be provided. When the adjoining land is developed, its street system must connect with and incorporate the previously constructed linkage street stubs.

§67-50. Blocks

- A. Whenever practicable, blocks shall be of such width as to provide two (2) tiers of lots.
- B. Maximum block length shall be eight hundred (800) feet.

- C. Pedestrian crosswalks shall be required where deemed essential to provide circulation or access to schools, parks, and other community facilities.

§67-51. Lots

- A. All lots shall abut on a street.
- B. In general, side lot lines shall be at right angles or radial to the street line.
- C. Lots excessively deep in relation to width, or lots excessively irregular in shape are to be avoided. A proportion of two and one-half in depth to one in width (2½:1) shall be considered a proper maximum.

§67-52. Street Signs

All street signs shall be provided and constructed to designs acceptable to the Town Commission.

§67-53. Storm Sewerage System

All storm sewerage systems shall be provided and constructed in accordance with accepted standards as approved by the Town Commission.

§67-54. Public Sanitary Sewers and Public Water Supply

All public sanitary sewerage and public water supply systems shall be provided and constructed in accordance with accepted design standards as approved by the Town Commission.

§67-55. Sidewalks

All sidewalks shall be provided and constructed in accordance with accepted design standards as approved by the Town Commission.

ARTICLE 6

REQUIRED IMPROVEMENTS

§67-56. Purpose

- A. The purpose of this article is to establish and define the public improvements which will be required to be constructed by the applicant as condition for final plat approval.
- B. All construction shall be completed in accordance with the specific conditions of the commitment and the accepted drawings and specifications, and in the manner

acceptable to the Town Commission, Town Planner, Town Planning commission, and other applicable officials.

§67-57. Revision of Plans

When changes from the accepted drawings and specifications become necessary during construction, written acceptance by the Town Planning Commission with the advice of the Town Planner shall be secured before the execution of such changes.

§67-58. Maintenance

Adequate provisions for the satisfactory maintenance of all streets shall be made by dedication to, and acceptance for maintenance by the Town, or by other acceptable means.

§67-59. Streets

- A. The construction of streets as shown upon final plats and as contained on contract agreements shall in every respect conform to such additional requirements as the Town Commission may by resolution require for the construction of streets in the Town. The minimum requirements of all subdivisions shall include the requirements of any such resolution in effect at the time of the approval of the applicant's final plat. *[Amended by Ordinance 164/17 on February 20, 2017]*
- B. All streets shall be constructed to:
 - 1. The grades shown on the street profiles and cross-section plan submitted and approved with the final plat;
 - 2. All work within the full width of the right-of-way including curb and gutter storm drainage, storm water management, landscaping, street trees, lighting, base courses and paving to the satisfaction of the Town Engineer. *[Amended by Ordinance 164/17 on February 20, 2017]*

§67-60. Street Signs

The owner shall erect at every intersection a street sign or street signs thereon the names of the intersecting streets.

§67-61. Storm Sewerage System

The owner shall construct storm water drainage facilities in order to prevent erosion, flooding, and other hazards to life and property.

§67-62. Public Water Supply

Every subdivision of lots of such size as to require a community water system as specified by zoning or health regulations shall be provided with a community water supply and distribution system and appropriately spaced fire hydrants. The source of supply shall be the Town water system. The community water system shall become part of the public system without cost to the Town.

§67-63. Public Sanitary Sewers

Every subdivision of lots of such size as to require a community sewer system, as specified by zoning or health regulations, shall be provided with a complete sanitary sewer system connected to the Town system and shall become a part thereof without cost to the Town.

§67-64. Monuments

- A. Monuments shall be placed at each change in direction of boundary line; two (2) to be placed at each street intersection and one (1) on one side of each street intersection and one (1) on one side of each street at angle points and at the beginning and end of curves; utility easements shall be monumented at their beginning and at their end, and areas to be conveyed for public use shall be fully monumented at their external boundaries.
- B. Monuments shall be placed in the ground after final grading is completed at a time specified by the Town Engineer.
- C. All monuments shall be checked for accuracy by the Town Engineer, or their accuracy certified by the owner's engineer.

§67-65. Curbs and Sidewalks

All curbs and sidewalks shall be provided and constructed in accordance with the accepted design standards as approved by the Town Commission.

§67-66. Grading

Grading shall conform in all respects to the final plat and the requirements and standards of the Town Commission.

§67-67. Community Facilities

- A. In major subdivisions of over ten (10) units and elsewhere deemed essential by the Town Planning Commission, and particularly in planned unit developments, the commission may require reservation, for the common use of all property owners in the proposed subdivision, of suitable land for parks, forested areas,

buffer areas or buffer yards, playgrounds, schools, and other neighborhood purposes.

- B. Where the subdivision contains park areas, or other physical facilities necessary or desirable for the welfare of the area and which are common use of benefit and are of such character that the Town or other public agency does not desire to maintain them, then provision shall be made by trust agreements for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision. Such trust agreements shall be a part of the deed restrictions and shall be acceptable to the Town Planning Commission.
- C. Five percent (5%) of all subdivisions in the Critical Area (zones CLB-1, CLR-2, CLR-1, and CRR-2) shall be set aside for park areas, natural areas, or other physical facilities necessary or desirable for the welfare of the area. Such land shall be for the common use of all property owners.
- D. The following minimum landscaping requirements apply.

Afforestation or reforestation, including but not limited to that required in Church Hill's Critical Area Program, shall be accomplished using the following standards:

- 1. **Planting Goals.**
The replacement or establishment of forests or developed woodlands shall assure a diversified plant community, and may include a canopy layer, an understory layer, and a shrub layer. Planting trees or shrubs on residential lots is required to screen parking areas containing more than five (5) spaces. A minimum of twenty percent (20%) of the developed area shall be landscaped)
- 2. **Planting Plans.**
A planting plan prepared by a licensed forester, landscaped architect, or an experienced landscape designer, that demonstrates compliance with the minimum standards in (a) above shall be prepared in coordination with the approved site plan or preliminary final subdivision plat.
- 3. **Plant materials and Planting Schedule.**
Plant types shall be chosen from a list prepared by the Town of Church Hill or by the Maryland Forest, Parks and Wildlife Service. Such types shall be selected to achieve the planting on residential lots should be a minimum of one and one-half inches (1½") in diameter measured four and one-half feet (4½') above the ground.
- 4. **Bonds.**
The planting plan shall be accompanied by an estimate of the installation cost for all afforestation and reforestation. Upon approval of the plan and

cost estimate, the developer or owner shall enter into an agreement with the Town of Church Hill to provide plantings as required. The agreement shall be in form and substance as approved by the Town of Church Hill and shall be accompanied by a performance bond or other approved surety executed by the owner or developer in the amount of one hundred and twenty percent (120%) of proposed plant materials, labor and maintenance costs.

ARTICLE 7

IMPROVEMENTS GUARANTEES

§67-68. Contracts

Before the Town Planning Commission shall cause its approval to be endorsed upon the final plat of any subdivision (except in the case of minor subdivisions wherein the Commission imposes no condition or conditions for the approval of the plat), and as requisite for the approval thereof:

- A. Required improvements shall be completed, inspected, and accepted by the Town Engineer, Town Planner, Town Commissioners, and other proper authorities; or
- B. The owner shall enter into a written agreement with the Town in the manner and form set forth by the Town Attorney where he shall agree:
 - 1. To construct or cause to be constructed, at his own expense, all streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewage facilities, and other improvements shown on said final plat when required to do so by the Town Planning Commission in accordance with the standards and specifications of the Town;
 - 2. To maintain at his own cost the said streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewage facilities, and other improvements, until the same are accepted by the town;
 - 3. To obtain the easements and releases required when any street, drainage facility, or other improvement wherein a subdivision abuts or traverses land of persons other than the person holding legal title to the lands of the

subdivision, at his own cost, and to obtain from the owner of the lands so abutted or traversed full releases from all damages which may change in grade, construction, or otherwise, the street, drainage facility, or other improvement, and such releases shall insure to the benefit not only of the owner of the subdivision but to the Town as well.

§67-69. Guaranty

In order to assure the Town that the streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewage facilities and other improvements shown on said final plats, which Town Planning Commission shall require the owner to install, at his own expense, will be constructed and installed in strict accordance with the plats, as fully approved, and with the standards, regulations, and specifications of the Town, and will be maintained until accepted by the Town, the owner shall furnish to the Town cash or a bond with such surety as the Commission shall approve in an amount sufficient to cover cost, as estimated by the Town Engineer, of the construction and installation of the aforesaid improvements, until the same shall be accepted by the Town.

The improvement guaranty shall be conditioned upon:

- A. The owner constructing and installing, or causing to be constructed or installed, in strict accordance with the final plat, as finally approved, and with the Town standards and specifications, the streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewage facilities, and other improvements, until the same are accepted by the Town for public use.
- B. The owner maintaining at his own cost the said streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewage facilities, and other improvements, until the same are accepted by the Town for public use.
- C. The faithful performance by the owner of the contract provided for in these Regulations.

§67-69A. Infrastructure Protection Permit And Bond

- A. Any person seeking to use existing Town infrastructure, including but not limited to roadways, bridges, alleys and/or public rights-of-way of any kind, including rights-of-ways that are constructed or partially constructed but have not been accepted by the Town, for the purpose of providing a means to deliver materials and/or equipment for:
 - 1. The construction of an industrial, commercial or residential structure, excluding residential accessory structures determined by the Town, on a case-by-case basis, not to require an infrastructure protection bond because its construction will pose no substantial risk of damage to the public way;
 - 2. The completion or development of a subdivision; or

3. The repair, renovation or rehabilitation of an existing industrial, commercial or residential structure, excluding residential accessory structures determined by the Town, on a case-by-case basis, not to require an infrastructure protection bond because its construction will pose no substantial risk of damage to the public way;

Shall be required to first obtain an infrastructure protection permit from the Town and pay all applicable fees.

- B. Permits required by this chapter shall not be issued until the applicant, as principal, has posted:
1. A performance bond in favor of the Commissioners of The Town of Church Hill to ensure the satisfactory performance and completion of all work covered by the permit; and
 2. A payment bond to ensure timely payment to the Town, subcontractors, and/or suppliers for work performed under the permit; and,
 3. When applicable, an infrastructure protection bond in favor of the Commissioners of the Town of Church Hill, Maryland to protect and preserve existing Town infrastructure, including but not limited to roadways, bridges, alleys and/or public rights-of-way of any kind, and rights-of-ways that are constructed but have not been accepted by the Town, from damage associated with the delivery of materials and/or equipment during construction. Any person who obtains an infrastructure protection permit must post an infrastructure protection bond.

At the time of issuance of an infrastructure protection permit, the applicant shall post an infrastructure protection bond valued at 150% of an engineer's estimate approved by the Town. Infrastructure protection bonds shall not be released until the construction covered by such bonds is finally approved by the Town in accordance with this chapter. Upon acceptance of the work by the Town, the security posted to ensure performance shall be certified as discharged. Discharge of the security posted to ensure performance shall not operate as a discharge of any other bond. *[Amended by Ordinance 164/17 on February 20, 2017]*

ARTICLE 8

APPLICATION AND PLAT REQUIREMENTS

§67-70. General

Plats are required for all subdivision in accordance with the procedures, plan requirements, and design standards set forth in these Regulations.

§67-71. Application Requirements

For the purpose of having a subdivision reviewed and approved by the Town Planning Commission, the applicant shall file with the Zoning Administrator the respective plans and applications in accordance with Article IV.

§67-72. Tentative Sketch Plan

A tentative sketch plan may be submitted by the applicant as a basis for informal discussion with the Town Planning Commission.

Data furnished in the tentative sketch plan shall include the following information:

- A. Name of the subdivision.
- B. Name and address of the owner.
- C. Name and address of the engineer or surveyor.
- D. Tract boundaries.
- E. North point and date.
- F. Streets on and adjacent to the tract.
- G. Significant topographical and physical features.
- H. Proposed general street layout.
- I. Proposed general lot layout.
- J. Contours based on U.S.G.S. topography.
- K. If any part of the proposed subdivision is within the Critical Area the tentative sketch shall include the information listed in Section 67-78 of this Ordinance, if applicable.

§67-73. Preliminary Plat

The preliminary plat shall show or be accompanied by the following information:

A. Drafting standards

1. The plat shall be drawn at a scale of 1"=50' or 1"=100' or at a scale approved by the Town Planner.
2. Dimensions shall be in feet and decimal parts thereof, and bearing in degrees, minutes, and seconds.
3. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
4. Where any revision is made, or when the plat is a revision of a previously approved plat, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the presently proposed features.
5. The plat shall be so prepared and bear an adequate legend to indicate clearly which features are existing and which are proposed.
6. The boundary line of the subdivision shall be shown as a solid heavy line.

B. Information to be shown - General

1. Name of the subdivision.
2. Name and address of the owner.
3. Name and address of the engineer or surveyor responsible for the plat.
4. Present zoning classification.
5. Date, north point, and scale.
6. Signature blocks for the Planning Commission signatures and other approving authorities if appropriate.
7. A location map for the purpose of locating the site to be subdivided at a scale of not less than eight hundred feet (800') to the inch showing the relation of the tract to adjoining property and to all streets and municipal boundaries existing within one thousand feet (1,000') of any part of the property proposed to be subdivided.
8. If any part of the proposed subdivision is within the Critical Area, the preliminary plat shall include the information set forth in Section 67-78 of this Ordinance.

C. Existing features

1. Complete outline survey of the property to be subdivided showing all courses, distances, and area, and tie-ins to all adjacent street intersections.
2. The location, names, and widths of streets, the location of property lines and name of owners, major topographical features, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred feet (400') of any part of the land to be subdivided.
3. Location of all existing monuments and culturally significant features such as structures, foundations, graves, and walls.
4. Location, size, and ownership of all underground utilities, and any rights-of-way within property.
5. Topography on two foot (2') contours, provided, however, that if ground slope is sufficiently steep for five foot (5') contours, to show the surface configuration, the large contour interval may be permitted. Smaller contour intervals may be required where two foot (2') contours do not indicate existing surface conditions. Slopes exceeding fifteen percent (15%) shall be clearly indicated.

D. Proposed layout

1. The layout of streets, including names and widths.
2. The layout and approximate dimensions of lots.
3. A reference to any land offered for dedication for parks, schools, widening of streets, or other public uses.
4. The average minimum lot size.
5. Location and size of storm drains, sanitary sewers, culverts, water courses and all appurtenances thereof, water mains and fire hydrants.
6. Building setback lines.
7. Rights-of-way and/or easements proposed to be created for all drainage purposes and utilities.
8. Tentative typical cross-sections and center line profiles for each proposed street shown on the preliminary plat. These plats may be submitted as separate sheets.

9. Where the preliminary plat covers only a part of the owner's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
10. The words "Preliminary Plat -not to be Recorded," shall be shown on the plat.

§67-74. Minor Subdivision Plat

The minor subdivision plat shall show or be accompanied by the following information:

A. Drafting standards

1. The plat shall be drawn at a scale of 1"=50' or 1"=100' or at a scale approved by the Town Planner.
2. The plat shall be a clear and legible white paper print.
3. Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, minutes, and seconds.
4. The boundary line of the subdivision shall be shown as a solid heavy line.
5. Minor Subdivision plats shall be on sheets either 18" x 22" or 36" x 44" and all lettering shall be so drawn as to be legible if the plat should be reduced to half size.

B. Information to be shown -General

1. Name of the subdivision.
2. Name and address of the owner.
3. Name and address of the engineer or surveyor.
4. Zoning classification and requirements.
5. Date, north point, and scale.
6. A location map for the purpose of locating the site at a scale of not less than eight hundred feet (800') to the inch.
7. Signature blocks for the Planning Commission signatures and other approving authorities if appropriate.

8. State Department of Health Certification.
9. If any part of the proposed subdivision is within the Critical Area, the preliminary plat shall include the information set forth in Section 67-78 of this Ordinance.

C. Existing features

1. Complete outline survey of the property to be subdivided, showing all courses, distances, and area, and tie-ins to all adjacent street intersections.
2. The location, names and widths of streets, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred feet (400') of any part of the land to be subdivided.
3. The location of existing buildings, wooded areas, and other features.

D. Proposed layout

1. Proposed layout of lots.
2. Lots numbered.
3. Building setback lines.
4. Total area and minimum lot size.

§67-75. Final Plat

The final plat shall show or be accompanied by the following information:

A. Drafting standards

1. The plat shall be drawn at a scale of 1"=50' or 1"=100' or at a scale approved by the Town Planner.
2. The plat shall be clear and legible white paper print.
3. Dimensions shall be in feet and decimals to the nearest hundredth of a foot, and the bearings in degrees, minutes, and seconds.
4. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
5. The boundary line of the subdivision shall be shown as a solid heavy line.

6. Final plats shall be on sheets either 18" x 22" or 36" x 44" and all lettering shall be so drawn as to be legible if the plat should be reduced to half size.

B. Information to be shown - General

1. Name of the subdivision.
2. Name and address of the owners.
3. Name and address of the engineer or surveyor.
4. Date, north point, and scale.
5. Signature blocks for the Planning Commission signatures and other approving authorities if appropriate.
6. A location map for the purpose of locating the site to be subdivided at a scale of not less than eight hundred (800') feet to the inch showing the relation of the tract to the inch showing the relation of the tract to adjoining property and to all streets, roads, and municipal boundaries existing within one thousand (1,000') feet of any part of the property proposed to be subdivided.
7. State Department of Health Certification.
8. Such other certifications as may be required by State agencies and the Town Planning Commission.
9. If any part of the proposed subdivision is within the Critical Area, the final plat shall include the information set forth in Section 67-78 of this Ordinance.

C. Existing features

1. Complete outline survey of the property to be subdivided, showing all courses, distances, and area, and tie-ins to all adjacent street intersections.
2. The location, names, and widths of streets, the location of property lines and name of owners, major topographical features, the location of water courses, sanitary sewers, storm drains, and similar features within four hundred feet (400') of any part of the land to be subdivided.
3. Location, size, and ownership of all underground utilities, and any rights-of-way within the property.

4. Location of existing buildings, the outlines of all wooded areas, marshy areas, and areas subject to flooding.
5. Location of all existing monuments and culturally significant features such as structures, foundations, graves, and walls.
6. Topography on two foot (2') contours, provided, however, that if ground slope is sufficiently steep for five foot (5') contours, to show the surface configuration, the large contour interval may be permitted. Smaller contour intervals may be required where two foot (2') contours do not indicate existing surface conditions. Slopes exceeding fifteen percent (15%) shall be clearly indicated.

D. Proposed layout

1. Lot layout, including dimensions and bearings and consecutive numbering of lots.
2. The proposed names, pavement width, and right-of-way width of all proposed streets.
3. Sufficient data to determine readily the location, bearing and length of every street.
4. The proposed building setback line for each street.
5. Accurate location of all monuments.
6. The location, width, and purpose of all easements or rights-of-way and boundaries by bearings and dimensions.
7. The average minimum lot size.
8. The location, size, and invert elevations of all sanitary sewers, storm sewers, and locations of all manholes, inlets and culverts, and design calculations of same along with the plat and profile of same and any appurtenances.
9. The location of all existing and proposed fire hydrants and utilities.
10. A Stormwater Management Plan in compliance with the Queen Anne's County Stormwater Management Ordinance.
11. Typical cross sections and street profiles for all streets. Such profiles shall show the existing and proposed grades along the proposed street centerlines.

§67-76. Record Plat

The record plat shall be clear and legible blue or black line print on white opaque linen or equivalent and shall be an exact copy of the approved minor subdivision plat or final plat on a sheet of the size required for minor subdivision plat or final plat.

The following information shall appear on the record plat, in addition to the information required in 67-74 or 67-75.

A. Seals

1. The impressed seal of the license engineer or surveyor responsible for the plat.
2. The impressed corporation seal, if the applicant is a corporation.
3. The impressed seal of a notary public or other qualified officer acknowledging owner's statement of intent.

B. Acknowledgments and Certifications

1. An owner's certification to the effect that the applicant is the owner of the subdivision shown on the final plat, that it is made with his consent and that he desires to record the same.
2. An acknowledgment that said statement was made before an officer authorized to take acknowledgments or certifications.
3. A surveyor's certification to the effect that the surveyor is registered with the State if Maryland, listing his number: That the property has been surveyed and subdivided as described and shown on the final plat, and that such plat is a correct representation of that survey and subdivision: That all distances are shown in feet and decimals thereof: That all lots meet the requirements of the Comprehensive Zoning Regulations for the Town of Church Hill, Maryland, the Church Hill Subdivision Regulations and the Church Hill Critical Areas Regulations if applicable; and any other certifications as required by state or county agencies.
4. An owner/developer's certification to the effect that in addition to meeting all the requirements of the Town of Church Hill that he will obtain all applicable federal, state, county and local permits and approvals required before beginning any land disturbing activities; and that all construction will be strictly according to the approved plans.

5. A dedication certification to the effect that the owner of the property, shown on this plat and described in the surveyor's certification, adopts this plan of subdivision; and that he offers for dedication the streets, right-of-way, open space, all slope, public improvement and drainage easements as shown on this plat to public use, if applicable.
- C. The following signatures shall be placed directly on the plat in black India ink or equivalent.
1. The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.
 2. The signature of the notary public or other qualified officer acknowledging the owner's statement of intent.
 3. The signature of the licensed engineer or surveyor who prepared the plat.
 4. The signature of the chairman and secretary of the Town Planning Commission.
 5. Signature of the Town Planner.
 6. The signature of the Deputy State Health Officer of Queen Anne's County.
 7. Signature of such other State authorities as may be required.

§67-77. Modification of Requirements

The above requirements for preliminary and final plats and for the supporting data may be modified by the Town Planning Commission.

In subdivisions requiring no new streets, and in the case of resubdivision, the requirements for the contours may be waived at the discretion of the Town Planning Commission.

§67-78. Additional Plat Requirements for the Critical Area

In addition to any existing requirements, the following information must be shown on the plat for subdivision for parcels located in the Critical Area of Church Hill.

- A. Existing topography at two (2) or five (5) foot contour intervals;

- B. Slopes fifteen percent (15%) or greater;
- C. Existing and proposed regarded surface of the land;
- D. Location of natural features such as streams, major ravines, drainage patterns, and within the area to be disturbed by construction, trees measuring greater than twelve inches (12”) in diameter to be retained;
- E. Floodplain boundaries (100 year);
- F. Location and areal extent of all soils exhibiting the following characteristics as determined by the Queen Anne’s County soil survey:
 - 1. Septic limitations;
 - 2. Wet soils; and
 - 3. Hydric soils and soils with hydric properties;
 - 4. Highly erodible soils (soils on slope greater than fifteen percent (15%) or soils on slope greater than five percent (5%) with “K” values greater than 0.35.)
- G. A detailed drawing showing:
 - 1. Location of the Critical Area boundary and Town zones, the buffer and other buffer areas, open space areas, forested areas and landscaping. The drawing shall show all areas to be maintained as landscaping, the type of plantings to be provided and the means by which such landscaping will be permanently maintained.
 - 2. Location of all habitat protection areas, as described in the Critical Area Program;
 - 3. Location of all contiguous forest areas adjacent to the site;
 - 4. Location of tidal and non-tidal wetlands on the site;
 - 5. Location of existing water-dependent facilities on and adjacent to the site;
 - 6. The location and extent of existing and/or proposed erosion abatement approaches.
- H. Computations of:
 - 1. Total area in the Critical Area overlay district;

2. Total man-caused impervious surface areas and percentage of site;
3. Separate computations of the total acres of existing forest cover in the buffer and in the Critical Area and;
4. Total area of the site that will be temporarily disturbed during development and total area that will be permanently disturbed. Disturbed is defined as any activity occurring on an area which may result in the loss of or damage to existing natural vegetation.

I. A narrative statement containing the following, as appropriate:

1. A Planting Plan for reforested and afforested areas and Forest Management Plan with the comments of the bay watershed forester, or development sites that contain or will contain forests or developed woodlands;
2. A Habitat Protection Plan, including the comments of the Maryland Forest, Park, and Wildlife Service and the Water Resources Administration, prepared in accordance with the requirements of Chapter 75;
3. A Stormwater Management Plan;
4. A Sediment and Erosion Control Plan;
5. A Shore Erosion Protection Plan, including specification for any proposed shore erosion work; and
6. An environmental assessment report which provides a coherent statement of how the proposed development addresses the goals and objectives of the Critical Area Program. At a minimum the environmental assessment shall include:
 - (a) A statement of existing conditions, e.g., amount and types of forest cover, amount and type of wetlands, discussion of existing agriculture activities on the site, soil types, topography, etc.
 - (b) Discussion of proposed development projects, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, and acreage devoted to development, open space and habitat protection areas;
 - (c) A discussion of the proposed development's impacts on water quality and habitat protection areas; and

- (d) Documentation of all correspondence and findings.

ARTICLE 9

ADMINISTRATION

§67-79. Hardship

Where the Town Planning Commission finds that extraordinary hardships may result from strict compliance with these Regulations, it may modify the regulations so that substantial justice may be done and the public interest secured; provided that such modification will not have the effect of nullifying the intent and purpose of these Regulations.

§67-80. Conditions

In granting modifications, the Town Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so modified.

§67-81. Fees

Fees to cover the cost of considering, examining, and checking the several plats and plans required herein and for recording the final plat shall be collected at the time of filing a preliminary plat, in accordance with a fee schedule of charges adopted by resolution of the Town Commissioners.

APPENDIX A

SUBDIVISION APPLICATION - CHURCH HILL, MARYLAND

Date of Application _____ Fee Paid _____
Planning Commission File No. _____

Application for: Tentative Sketch Review _____
Preliminary Review _____
Final Review _____

1. Owner of record of land: Name _____
Address _____
Telephone No. _____
2. Applicant: Name _____
Address _____
Telephone No. _____
3. Agent or Attorney (if any): Name _____
Address _____
Telephone No. _____
4. Registered Engineer or Surveyor _____
Address _____
Telephone No. _____
5. Name of Subdivision _____
6. Where deed is recorded _____
7. No. of Lots _____
8. Average Lot Size _____
9. Total Area to be Subdivided _____
10. Water Supply: Public system _____ on lot system _____
11. Sewerage System: Public system _____ on lot system _____
12. Zoning Classification of subject land _____
13. Lineal feet of new streets _____
14. Copy of all restrictions, covenants, etc., if any, under which lots are to be sold.

Attached _____
None _____

15. Improvements to be made by applicant to subject land with approximate estimated cost of each:

	Unit Cost	No. of Units	Total
a. Widening of Existing Streets.....	_____	_____	_____
b. New Street.....	_____	_____	_____
c. Street Signs.....	_____	_____	_____
d. Water Supply and Fire Hydrants.....	_____	_____	_____
e. Sewerage Disposal..	_____	_____	_____
f. Storm Drainage.....	_____	_____	_____
g. Monuments.....	_____	_____	_____
h. Curbs.....	_____	_____	_____
i. Sidewalks.....	_____	_____	_____
j. Street Lights.....	_____	_____	_____
k. Park Land.....	_____	_____	_____

16. Statement fixing period requested for completion of all items in par. 15 above: _____

17. A copy of the description of land as set forth in deed shall be attached. _____

18. Is tract (all or any part) in the Church Hill Critical Area? _____

If yes, a supplemental form, Critical Area Requirements, must be completed and attached.

Signature of Owner

APPENDIX B

**CHURCH HILL, MARYLAND
CHECK LIST FOR TENTATIVE SKETCH PLAN**

Name of Subdivision _____ File No. _____ P.C.

The following check list summarizes the information which must be shown in order to be reviewed by the Town Planning Commission. The check list shall be filled out by the Zoning Administrator and applicant at the time of submission, and if incomplete, the plan shall be returned to the applicant noting the deficiencies.

	Check Item If Complete
1. Five (5) copies of the tentative plan and application	_____
2. Name of Subdivision	_____
3. Name and address of the owner	_____
4. Name and address of the engineer or surveyor	_____
5. Tract boundaries	_____
6. North point and date	_____
7. Streets on and adjacent to the tract	_____
8. Significant topographical and physical features	_____
9. Proposed general street layout	_____
10. Proposed general lot layout	_____
11. Contours based on U.S.G.S. topography	_____
12. Is the tract (all of any part) in the Church Hill Critical Area?	_____

If it is in the Critical Area, the supplemental form, Critical Area Requirements, has been completed and attached.

Date of Completed Submission

Signatures:

Zoning Administrator

Applicant

APPENDIX C
CHURCH HILL, MARYLAND

CHECK LIST
PRELIMINARY PLAT

Name of Subdivision _____ File No. _____ P.C.

The following check list summarizes the information which must be shown on the preliminary plat in order to be reviewed by the Town Planning Commission. The check list shall be filled out by the Zoning Administrator and if incomplete, the plat shall be returned to the applicant noting the deficiencies.

	Check Item If complete
1. Six (6) copies of the preliminary plat and application	_____
2. Name of the subdivision	_____
3. Name and address of the owner	_____
4. Name and address of the engineer or surveyor	_____
5. Zoning classification and dimensional requirements	_____
6. Date, north point, and scale	_____
7. Scale of 1" = 50' or 1" = 100'	_____
8. Location map	_____
9. Tract boundaries indicated by a heavy solid line	_____
10. Location, names, and right-of-way and pavement widths of existing streets and sidewalks, location of property lines and names of owners, location of water courses, sanitary sewers, and storm drains within 400 feet of tract.	_____
11. Existing monuments indicated	_____
12. Location, size, and purpose of underground utilities, rights-of-way, and easements within property.	_____
13. Topography	_____
14. Location of existing buildings, wooded areas, marshy areas, and areas subject to flooding.	_____

15. Layout of proposed street names, right-of-way and pavement widths. _____

16. Cross-sections and centerline profiles for each proposed street _____

17. Sites intended to be dedicated _____

18. Is the tract (all or any part) in the Church Hill Critical Area? _____

If it is in the Critical Area, the supplemental form, Critical Area Requirements, has been completed and attached.

Date of Completed Submission

Signatures:

Zoning Administrator

Applicant

APPENDIX D

CHURCH HILL, MARYLAND

CHECK LIST FOR FINAL PLAT

Name of Subdivision _____ File No. _____ P.C.

The following check list summarizes the information which must be shown on the final plat in order to be reviewed by the Town Planning Commission. The check list shall be filled out by the Zoning Administrator and applicant at the time of submission, and if incomplete, the plat shall be returned to the applicant noting the deficiencies.

	Check Item If Complete
1. Six (6) copies of the final plat and application	_____
2. Sheet size of 18" X 22" or 36" X 44"	_____
3. Name of subdivision	_____
4. Name and address of the owner	_____
5. Name and address of the engineer or surveyor	_____
6. Zoning Classification and dimensional requirements	_____
7. Date, north point, and scale	_____
8. Scale of 1" = 50' or 1" = 100'	_____
9. Location map	_____
10. Tract boundaries indicated by a heavy solid line showing bearings and distances	_____
11. Location, names, and tight-of-way and pavement widths of existing streets and sidewalks, location of property lines, and name of owners, location of water courses, sanitary sewers and storm drains within 400 feet of tract	_____
12. Location of all monuments indicated	_____
13. Location, size, and purpose of underground utilities, rights-of-way, and easements within property	_____
14. Topography	_____

- 15. Location of existing buildings, wooded area, marshy areas, and areas subject to flooding _____
- 16. Layout of proposed streets, names, right-of-way and pavement widths _____
- 17. Layout and approximate dimensions of lots, average and minimum lot size, building setback lines _____
- 18. Street cross-sections and profiles _____
- 19. Location and invert elevation of sewers _____
- 20. State Department of Health Certificates _____
- 21. Proper signature blocks as required in Section 67-75 of the Subdivision Ordinance. _____
- 22. The words "Final Plat" _____
- 23. Is the tract (all or any part) in the Church Hill Critical Area? _____

If it is in the Critical Area, the supplemental form, Critical Area Requirements, has been completed and attached.

Date of Completed Submission

Signatures:

Zoning Administrator

Applicant

APPENDIX E

CHURCH HILL, MARYLAND

**CHECKLIST FOR
MINOR SUBDIVISION PLAT**

Name of Subdivision _____ File No. _____ P.C.

The following check list summarizes the information which must be shown on the final plat in order to be reviewed by the Town Planning Commission. The checklist shall be filled out by the Zoning Administrator and applicant at the time of submission, and if incomplete, the plat shall be returned to the applicant noting the deficiencies.

	Check Item If Complete
1. Six (6) copies of the plat and application	_____
2. Sheet size of 18" X 22" or 36" X 44"	_____
3. Scale of 1" = 50' or 1" = 100'	_____
4. Name of subdivision	_____
5. Name and address of owner	_____
6. Name and address of engineer or surveyor	_____
7. Zoning classification	_____
8. Date, north point, and scale	_____
9. Location map	_____
10. Tract boundaries indicated by solid line showing bearings and distances	_____
11. The location, names and widths of streets and sidewalks, the location of property lines and names of owners, the location of water courses, sanitary sewers, storm drains, and similar features	_____
12. The location of existing buildings	_____
13. Proposed layout of numbered lots	_____
14. Total area and minimum lot size and building setback lines	_____
15. Is the tract (all or any part) in the Church Hill Critical Area?	_____

If it is in the Critical Area, the supplemental form, Critical Area Requirements, has been completed and attached.

Date of Completed Submission

Signatures:

Zoning Administrator

Applicant

APPENDIX F

CHURCH HILL, MARYLAND

CHECKLIST FOR CRITICAL AREA REQUIREMENTS

Name of Subdivision _____ File No. _____ P.C. _____

The following checklist summarizes the additional information needed for the Town Planning Commission and appropriate state agencies to properly evaluate projects in the environmentally sensitive Critical Area. The checklist shall be filled out by the Zoning Administrator and applicant at the time of submission, and if incomplete, the submission shall be returned to the applicant noting the deficiencies.

- | | Check Item
If Complete |
|---|---------------------------|
| 1. Existing topography at two (2) or five (5) foot contour intervals | _____ |
| 2. Slopes fifteen percent (15%) or greater | _____ |
| 3. Existing and proposed regarded surface of the land | _____ |
| 4. Location of natural features such as streams, ravines, drainage patterns, and within the construction area, trees greater than twelve inches (12") in diameter | _____ |
| 5. 100-year floodplain boundaries | _____ |
| 6. Location and areal extent of soils with the following limitations, as determined by the Queen Anne's County soil survey: Septic limitations, wet soils, hydric soils and soils with hydric properties, and highly erodible soils (soils on slopes greater than fifteen percent (15%) or soils on slopes greater than five percent (5%) with "K"-values greater than 0.35.) | _____ |
| On a detailed drawing, the following information must be shown: | |
| 7. Location of the Critical Area and one hundred foot (100') buffer boundaries | _____ |
| 8. Open space areas, forest areas, and landscaping | _____ |
| 9. Location of any Habitat Protection Areas | _____ |
| 10. Any forest areas contiguous to the site | _____ |
| 11. Location of tidal and non-tidal wetlands | _____ |
| 12. Calculated total area of the site in the Critical area | _____ |

- 13. Calculated total man-caused impervious surfaces and their total percentage of the site _____
- 14. Calculated total area of existing forest cover in the buffer, and in the Critical Area _____
- 15. Calculations of total area of the site that will be temporarily disturbed during development and area that will be permanently disturbed (loss of or damage to existing natural vegetation) _____
- 16. On development sites that contain or will contain forests or developed woodlands, landscaping plan and forest management plan with the comments of the bay watershed forester _____
- 17. Habitat Protection Plan with comments of the Maryland Forest, Park, and Wildlife Service and Water Resources Administration _____
- 18. Stormwater Management Plan _____
- 19. Sediment and Erosion Control Plan _____
- 20. Environmental assessment report, which shall be a coherent statement of how the proposed development addresses the goals and objectives of the Critical Area Program, including but not limited to:
 - A. A statement of existing conditions (amount and type of forest cover, amount and type of wetlands, discussion of existing agriculture, soil types, and topography)
 - B. Discussion of proposed development projects, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, and acreage devoted to development, open space, and habitat protection areas;
 - C. Discussion of the proposed development's impacts on water quality and habitat protection areas; and
 - D. Documentation of all correspondence and findings _____

Date of Completed Submission

Signatures:

Zoning Administrator

Applicant

*Originally Adopted on December 7, 2009 as Ordinance No. 119/09. The date of any amendment will appear below the amended paragraph in brackets ([]).
[Amended to Ordinance 164/17 on February 20, 2017]*