

SUBDIVISION REGULATIONS
PRESTON, MARYLAND

ARTICLE I GENERAL PROVISIONS

Section 1. Purpose	3
Section 2. Authority	3
Section 3. Effective Date	3
Section 4. Territorial Limit	3
Section 5. Enforcement and Penalty	3
Section 6. Modifications	4
Section 7. Administration	4
Section 8. Appeals	5
Section 9. Approving Authority	5
Section 10. Filing of Documents	5

ARTICLE II BASIC DEFINITIONS AND INTERPRETATIONS

Section 11. Definitions of Basic Terms	6
--	---

ARTICLE III MINOR SUBDIVISIONS

Section 12. Minor Subdivision Approval	16
Section 13. Resubdivision, Addition and Subtraction of Lots	16

ARTICLE IV MAJOR SUBDIVISION APPROVAL

Section 14. Major Subdivision Approval	18
Section 15. Technical Review -- Preliminary Subdivision Plat	19
Section 16. Technical Review Procedure -- Improvement Plan	22
Section 17. Final Plat Procedures	22
Section 18. General Development Plan	24
Section 19. Endorsements and Certifications on Major Subdivision Plats	24
Section 20. Plat Approval Not Acceptance of Dedication Offers	24
Section 21. Protection Against Defects	25
Section 22. Maintenance of Dedicated Areas Until Acceptance	25
Section 23. Bonding and Guarantee of Public Improvements	25
Section 24. Standards for Plat Preparation and Submittal	25
Section 25. Establishment of Restrictive Covenants	26
Section 26. Establishment of Easements	27
Section 27. Original Tract	27
Section 28. Memorandum of Understanding (MOA)	27
Section 29. Reserved	27

ARTICLE V GENERAL DESIGN REQUIREMENTS

Section 30. Purpose	28
Section 31. General Site Design Standards	28
Section 32. Adequate Public Facility Standards	30
Section 33. Street Standards	31
Section 34. Lot and Block Standards	32
Section 35. Reserved	34

Section 36. Planned Developments - Residential	.....	34
Section 37. Special Requirements Applicable to Residential, Commercial and Industrial Subdivisions	.....	34
Section 38. Reservation or Dedication of Land for Parks, Open Space, Schools, and Other Public Facilities	.....	34
Section 39. Preservation of Natural Features and Amenities	.....	35
Section 40. Reserved	.....	35
Section 41. Land Suitability	.....	35
Section 42. Landscaping and Tree Planting Standards	.....	35
Section 43. Reserved	.....	36
Section 44. Lot Coverage	.....	36
Section 45. Subdivision Name	.....	36

ARTICLE VI STREETS AND SIDEWALKS

Section 46. Street Classification	.....	37
Section 47. Access to Lots	.....	38
Section 48. Access to Arterial Streets	.....	38
Section 49. Entrances to Streets	.....	38
Section 50. Coordination with Surrounding Streets	.....	39
Section 51. Relationship Of Streets Topography	.....	39
Section 52. Street Width, Sidewalk, and Drainage Requirements in Subdivisions	.....	39
Section 53. General Layout of Streets	.....	40
Section 54. Street Intersections	.....	41
Section 55. Construction Standards and Specifications	.....	42
Section 56. Public Streets in Subdivisions	.....	42
Section 57. Road and Sidewalk Requirements in Un-subdivided Developments	.....	42
Section 58. Attention to Handicapped in Street and Sidewalk Construction	.....	43
Section 59. Street Names and House Numbers	.....	43
Section 60. Bridges	.....	44
Section 61. Utilities	.....	44
Section 62. Requirements for Development Adjoining Existing Roadways	.....	44

Appendix A - Basic Information Required with Subdivision Plats and Plans

Appendix B - Bonding Procedure

ARTICLE I GENERAL PROVISIONS

Section 1. Purpose

The purpose of these regulations is to regulate and control the development of land within the Town of Preston in order to promote the public health, safety, and general welfare and to assure sites suitable for building purposes and human habitation in a harmonious environment.

Section 2. Authority

The Town Commissioners pursuant to the recommendation of the Planning Commission and public hearing held in accordance with Section 5.03, Article 66B, Annotated Code of Maryland, as amended, does hereby exercise the power conferred by Article 66B, Annotated Code of Maryland, to assure the orderly subdivision of land, and the power conferred by Section 3.05, Article 66B, Annotated Code of Maryland, to implement the Comprehensive Plan of Preston.

Section 3. Effective Date

These regulations shall take effect immediately upon adoption by the Preston Town Commissioners.

Section 4. Territorial Limit

Under the authority of Article 66B of the Annotated Code of Maryland, the following regulations governing the subdivision of land are hereby established for all the incorporated area of the Town of Preston, Maryland.

Section 5. Enforcement and Penalty

1. It shall be unlawful for the owner of any land which lies within the jurisdiction of the Town of Preston to subdivide any lot, tract or parcel of land unless and until:
 - a. A plat of such subdivision is made in accordance with the regulations set forth herein and with the provisions of Section 5.02, Article 66B of the Annotated Code of Maryland, and
 - b. Approval is secured from the Planning Commission as provided herein; and
 - c. The applicant has caused copies of said plat to be recorded with the Clerk of the Circuit Court for Caroline County.
2. 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 the Final Plat of 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 hereinafter provided.
3. No subdivision plat shall be recorded unless and until it shall have been submitted to and approved by the Planning Commission in accordance with the requirements of this Ordinance.
4. No person shall sell or transfer any such land by reference to, or exhibition of, or by other use of a plat of a subdivision before such plat has been duly recorded under this Ordinance or a previous subdivision ordinance, provided that nothing herein contained shall be construed as preventing the

recording of the instrument by which such land is transferred or the passage of title as between the parties to the instrument.

5. Any person violating the provisions of this Ordinance shall be subject to a fine of one hundred dollars (\$100) for each violation, and each and every day each such violation occurs shall be considered a separate violation; and 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.
6. Any person, corporation, association, partnership, or the agent of any such person who shall violate a provision of this ordinance or fails to comply with any requirements hereof shall be guilty of a misdemeanor, punishable by a fine of one hundred dollars (\$100) for each violation, and each and every day each such violation occurs shall be considered a separate violation; or by imprisonment not exceeding 10 days, or by both such fine and imprisonment.
7. Upon or after the effective date of this Ordinance, pursuant to Section 5.06, Article 66B of the Annotated Code of Maryland, as amended, the Clerk of the Circuit Court shall not file or record a plat of a subdivision required to be recorded until such plat has been approved as required herein.
8. The Town may enjoin any transfer or sale or agreement based on a plat that has not been approved, by action for injunction in any court of equity jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction.

Section 6. Modifications

1. **Modification of Requirements.** Where in the case of a particular proposed subdivision it can be shown that strict compliance with the requirements of these regulations would result in extraordinary hardship to the subdivider because of unusual topography or shape of the parcel or other such non-self-inflicted condition or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Planning Commission may, after consultation with appropriate agencies, vary, modify, or waive the requirements so that substantial justice may be done and the public interest secured, provided that such variance, modification, or waiver will not have the effect of nullifying the intent and purpose of this Regulation or of interfering with carrying out the Comprehensive Plan of Preston. In no case shall any variation or modification be more than a minimum easing of the requirements and in no instance shall it conflict with any zoning ordinance or zoning map. In granting variances and modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the requirements so varied or modified. Decisions are not final until tentatively approved by Town Commissioners and all items shall be documented throughout the process. Changes made will be presented to the public at the time of the public hearings concerning minor variances.
2. If changes from the approved final plat become necessary during construction of the subdivision, an amended plat of the subdivision shall be filed with the Planning Commission for approval and shall be recorded with the Clerk of the Circuit Court.

Section 7. Administration

1. **Separability.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of these regulations to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions that 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.

2. Changes and Amendments.

- a. These regulations may from time to time be amended, supplemented, changed, modified, or repealed by the Planning Commission with approval of the Town Commissioners.
- b. Any person or officer, department, board, commission, or bureau of the Town may petition for such change or amendment; however, no such change or amendment shall be presented to the Town Commissioners for approval until the Planning Commission has held a public hearing in relation thereto, at which parties of interest and citizens shall have an opportunity to be heard. At least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation in the Town. After said public hearing, the Planning Commission shall forward to the Town Commissioners its recommendation concerning such change and amendment.
- c. Upon receipt and prior to taking action on such change or amendment, and accompanied by a recommendation from the Planning Commission, the Town Commissioners shall schedule a public hearing in relation thereto; at least 15 days notice of the time and place of such hearing shall be published in a newspaper of general circulation in the Town.

Section 8. Appeals

The Board of Zoning Appeals shall have the power and duty to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Town Inspector or the Planning Commission pursuant to these Subdivision Regulations. Such appeals shall be in accordance with the procedure set forth in the Zoning Ordinance. Any person or persons who may have standing to do so may seek review of a decision of the Board of Zoning Appeals by the Circuit Court for Caroline County in the manner provided by the Maryland Annotated Code.

Section 9. Approving Authority

Except as otherwise specifically provided, primary responsibility for administering and enforcing this Ordinance shall be the Planning Commission. The Planning Commission may assign responsibility to one or more individuals. The person or persons to whom these functions are assigned shall be referred to in this Ordinance as the "Inspector".

Section 10. Filing of Documents

All documents for submission to the Planning Commission shall be submitted at least fifteen (15) days prior to an official meeting of the Planning Commission to be introduced at that meeting. Plans may only be introduced at an official meeting.

ARTICLE II BASIC DEFINITIONS AND INTERPRETATIONS

Section 11. Definitions of Basic Terms

1. Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this ordinance. Other terms, not defined herein but defined in the Preston Zoning Ordinance, shall have the meaning indicated in the Zoning Ordinance.
2. To amplify and clarify all provisions of this Ordinance, the following rules shall apply:
 - a. Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number, and the plural number shall include the singular number, unless the obvious construction of the wording indicates otherwise.
 - b. The word "shall" is mandatory and not discretionary.
 - c. The word "may" is permissive.
 - d. The word "lot" shall include the words "piece", "parcel" and "plot"; the word "building" includes all other structures of every kind regardless of similarity to buildings; and the phrase "used for" shall include the phrase "arranged for" and "occupied for".
 - e. Words and terms not defined herein shall be interpreted in accord with their normal dictionary meaning and customary usage.

Definitions

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Acre - A commonly referred to measure of area which equals 43,560 square feet.

Acreage - A parcel of land, regardless of area, described by metes and bounds which is not a numbered lot on any recorded subdivision.

Administrative Subdivision - The replatting, redefining or reboundarying of two or more existing lots.

Alley - A narrow public thoroughfare which provides only a secondary means of access to abutting properties and is not intended for general traffic circulation.

Alteration - Any change in the total floor area, use adaptability or external appearance of an existing structure.

Area, Gross - All the area within a development plan or plat including area intended for residential use, local access streets or alleys, off-street parking spaces, *storm water management pond*, sediment basin, recreation areas, or floodplains.

Board of Zoning Appeals - The collective individuals appointed to the Board of Zoning Appeals of Preston as well as all relevant agents utilized by said individuals.

Buffer - An area within a property or site, generally adjacent to and parallel with the property line, either consisting of existing natural vegetation or created by the use of trees, shrubs, berms, and/or fences, and designed to limit views and sounds from the development tract to adjacent properties and vice versa.

Buildable Width - The width of that part of a lot not included within the open spaces (e.g., yards) herein required.

Building - Any structure having a roof supported by columns or walls for the housing or enclosure of persons or property of any kind.

Building, Accessory - A minor building that is located on the same lot as a principal building and is used incidentally to a principal building or houses an accessory use.

Building, floor area of - The total number of square feet area of *conditioned space* in a building, excluding cellars, uncovered steps, and uncovered porches, but including the total floor area of accessory buildings on the same lot.

Building, height of - The vertical distance from the highest point of a structure, excepting chimney or antenna on a building, to the average ground level of the grade where the walls or other structural elements intersect the ground.

Building line - A line beyond which the foundation wall and/or any porch, vestibule, or other portion of a building shall not project, unless otherwise provided for in this Ordinance

Building, Principal - The primary building on a lot or a building that houses a principal use.

Building Setback Line - A line beyond which the foundation wall of a building shall not project.

Commission - The Planning Commission of the Town of Preston. Commissioners - The Town Commissioners of Preston.

Common Area - Any open space, private road or other land, structure or improvement which is designed or reserved for the common use or benefit of the owners of two or more lots. "Common area" does not include any public road or other land, structure or improvement owned by the Town or the State of Maryland or any other governmental agency.

Comprehensive Plan - The legally adopted plan for the development of the Town in accordance with the provisions of Annotated Code of Md. art. 66B.

Condominium - A form of ownership consisting of an undivided interest in common with other owners in a portion of a parcel of real property, together with separate interest in space in a building, such as a townhouse, apartment or office, established pursuant to Maryland law. A condominium may include, in addition, a separate interest in other portions of such real property.

Conservation Easement - A non-possessory interest in land that restricts the manner in which the land may be developed in an effort to conserve natural resources for future use

Covenant - A written undertaking by an owner which is required by this Ordinance or imposed by the Planning Commission in accordance with authorization contained in this Ordinance or the Zoning Ordinance.

Covenantor - A person who owns legal or equitable title to any land which is affected in any manner by a covenant and includes a person who holds any mortgage, deed of trust or other lien or encumbrance on any such land.

Court - An unoccupied open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by the walls of such building.

Coverage - The percentage of the lot covered by buildings, structures and other impervious surfaces.

Crosswalkway - A right-of-way intended primarily for pedestrians, and excluding motor propelled vehicles, which cuts across a block in order to improve access to adjacent streets or properties.

Dedication - The transfer of property from private to public ownership as may be required to provide for the public health, safety, or welfare.

Deed Restriction - A private legal restriction and/or covenant on the use of land, contained within a deed of property or otherwise formally recorded in the Land Records of Caroline County, Maryland. These restrictions or covenants are designed to control the use of specific property and enforcement of these is through private civil action. Deed restrictions may, but are not required to be enforced by the Town of Preston, unless it is the Town of Preston, Maryland that records said deed restrictions.

Density - The number of principal dwelling units allowed per acre of gross area of a development.

Developer - An individual, partnership, corporation or agent therefore that undertakes the activities covered by this chapter, particularly the drawing up of a subdivision plat showing the layout of the land and the public improvements involved therein. Inasmuch as the subdivision plat is merely a necessary means to the end of ensuring a satisfactory development, the term "developer" is intended to include the term "subdivider" even though the personnel involved in successive stages of the project may vary.

Developer's Engineer - An individual, partnership or corporation employed by the developer to prepare the necessary plans for public improvements. A principal in such firm shall be registered as a civil engineer in the state.

Development or Development Activities (includes the term "develop") - Any construction, modification, extension or expansion of buildings or structures; placement of fill or dumping; storage of materials; land excavation; land clearing; land improvement; or any combination thereof, including the subdivision of land or action that results in construction, modification, extension or expansion of buildings or structures; placement of fill or dumping; storage of materials; land excavation; land clearing; land improvement; or any combination thereof, including the subdivision of land. Excavation or clearing in Buffer is not permissible, even if a grading permit is not required.

District - Any section of the Town within which the zoning regulations are uniform.

Drainage Areas – Those areas designated for the effluence, collection and/or management of stormwater, including, but not limited to, drainage ditches, sediment basins and stormwater ponds.

Driveway - That portion of a parking area that consists of a travel lane bounded on either side by an area that is not part of the parking area.

Dwelling - A building used or intended to be used for residential occupancy.

Emergency Services - Fire, rescue, ambulance and police services including related structures and activities.

Easement - A vested or acquired right to use land other than as a tenant, for a specific purpose, such right being held by someone other than the owner who holds title to the land.

Easement Reservation - A strip of land extending along a property line or across a lot for which the owner has made a grant (easement) to the general public, the town government, a corporation or other persons of the right to use the land for specified purposes, without actual transfer of title to the land.

Enforcing Agency - The agent of the Town charged by law with the duty to enforce the provisions of this chapter.

Engineer - The Town engineer or a representative authorized to fulfill the role of Town engineer by the Town Commissioners.

Fence or Wall - A barrier, other than natural vegetation, intended to mark a boundary or to enclose an area to provide screening or privacy.

Floodprone Area - Any area with an elevation of less than the minimum as established by local flooding records and listed in the Preston Floodplain Management Ordinance.

Floor Area -

1. Commercial business and industrial buildings or buildings containing mixed uses. The sum of the gross horizontal area of the several floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two (2) buildings but not including (1) attic space providing headroom of less than seven (7) feet; (2) basement space not used for retailing; (3) uncovered steps or fire escapes; (4) accessory water towers or cooling towers; (5) accessory off-street parking spaces; and (6) accessory off-street loading berths.
2. Residential buildings. The sum of the gross horizontal areas of the several floors of a dwelling, exclusive of garages, basements, and open porches, measured from the exterior faces of the exterior walls.

Frontage -

1. Street frontage. All of the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
2. Lot frontage. The distance for which the front boundary line of the lot and the street line are coincident.

Grandfathered - The term describes the status accorded certain properties and development activities that are approved of record prior to the date of adoption of this Ordinance or provisions of this Ordinance.

Half Street - A street built to only one-half the pavement width as determined by the road type classification.

Housing - Living units, dwellings or other structures which shelter or cover.

Impervious Surface - Any manmade surface that is resistant to the penetration of water.

Improvements, Public - Includes but is not limited to any of the following: street pavements, with or without curbs and gutters, sidewalks, crosswalks, water mains, gas mains, sanitary sewers and storm drains, with appurtenant constructions.

Intermittent Stream - A stream in which surface water is absent during part of the year. Intermittent streams may be found on the most recent U.S.G.S. 7.5 Minute Quadrangle published by the United States and shall be identified in the field and accurately drawn on all development plans.

Land Clearing - Any activity that removes the vegetative ground cover.

Living Unit - A residential unit providing complete, independent living facilities for one family, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Lot - An area of land separated from other areas of land by separate description in a recorded deed or plat.

Lot, Area - The total horizontal area within the lot lines of the lot.

Lot, Corner - A lot located at the intersection of two (2) or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points the side lot lines to the foremost point of the lot meet at an interior angle of less than 135 degrees.

Lot, Depth of - The average horizontal distance between the front lot lines and the rear lot lines of a lot, measured within the lot boundaries.

Lot, Double Frontage - A lot the opposite ends of which both abut on a public right-of-way. Lot, Interior - a lot other than a corner lot.

Lot, Reversed Frontage - A lot in which the frontage is at right angles to the general pattern in the area involved. A reversed frontage lot may also be a corner lot or an interior lot.

Lot Line - The boundary line of a lot.

Lot, Through - An interior lot having frontage on two (2) streets.

Lot Width - The distance between the side lot lines measured at the required front yard line.

Lot of Record - A parcel of land which has been legally recorded in the land records of the Caroline County.

Natural Vegetation - Plant communities that develop in the absence of human activities.

Neighborhood, Essential Services - Any utility facility needed to provide basic services such as water, sewer, telephone, and cable television to the individual users.

Public Utilities - Uses or structures for the public purpose of power transmission and distribution (but not power generation); fuel transmission and distribution (but not manufacturing or storage); water treatment and distribution; sewage collection and treatment; telephone service facilities

(but not utility truck terminal facilities); radio and television facilities (not including broadcasting studios); and rail or highway rights-of-way (not including stations or terminals).

Owner - The person, partnership, corporation, company, or other legal entity holding current legal title to a lot, tract, or parcel of land.

Off-Street Parking Area - Space provided for vehicular parking not on a street or roadway.

Open Space - That area within the boundaries of a lot that is intended to provide light and air, and is designed for either scenic or recreational purposes. Open space shall, in general, be available for entry and use by the residents or occupants of the development, but may include a limited proportion of space so located and treated as to enhance the amenity of the development by providing landscaping features, screening for the benefit of the occupants or those in neighboring areas, or a general appearance of openness.

Open space may include, but not be limited to, buffers and bufferyards, public lawns, decorative planting, walkways, active and passive recreation areas, public children's playgrounds, fountains, public swimming pools, wooded areas, and watercourses. Open space shall not include driveways, parking lots or other vehicular surfaces, any area occupied by a building, nor areas so located or so small or so circumscribed by buildings, driveways, parking lots, stormwater management ponds, sediment basins, or drainage areas, as to have no substantial value for the purpose stated in this definition.

Perennial Stream - A stream containing surface water throughout an average rainfall year. Perennial streams may be found on the most recent U.S.G.S. 7.5 Minute Quadrangle published by the United States and shall be identified in the field and accurately drawn on all development plans.

Person - An individual, trustee, personal representative, other fiduciary, corporation, firm, partnership, association, organization, or other entity acting as a unit.

Physiographic Features - The soils, topography, land slope and aspect, and local climate that influence the form and species composition of plant communities.

Planned Unit Development - a subdivision of varied land uses, residential structural types and densities developed so as to integrate all the features into a harmonious whole.

Plat - Any map, plan or chart of a city, town, section or subdivision indicating the locations and boundaries of individual properties.

Planning Commission – shall refer to the individuals appointed to the Planning Commission of Preston as well as all relevant agents utilized by said individuals.

Plot - A parcel of land consisting of one or more lots or portions thereof, which is described by reference to a recorded plat or metes and bounds.

Primary Highway - A highway designated as a State Primary Highway or U.S. Highway by the Maryland Department of Transportation.

Property - A plot with buildings or other improvements located thereon. Property Line - A recorded boundary of a plot.

Public - The citizens of the Town of Preston and elsewhere.

Public Street - A public way which affords the principal means of access to abutting properties.

Public System - A water and sewer system which is owned and operated by a local governmental authority which is adequately controlled by a governmental authority. Such systems are usually existing systems serving a municipality.

Public Way - Any sidewalk, street, alley, highway, or other public thoroughfare.

Public Water and Sewerage Systems - A water or sewerage system owned and operated by a municipality or county or an authority or owned and operated by the governing body and permitted by the State of Maryland, and subject to special regulations.

Public Works Agreement - An executed agreement between the developer and the Town setting forth the improvements which the developer will be responsible for and the conditions for the construction and acceptance of such improvements by the Town both on-site and off-site.

Public Utilities - Uses or structures for the public purpose of power transmission and distribution (but not power generation); natural gas transmission and distribution (but not manufacture or storage); water treatment and distribution; sewage collection and treatment; telephone service facilities; radio and television facilities (not including broadcasting studios); and rail or road rights-of-way (not including stations or terminals).

Recreation Facility - A place designated and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

Redevelopment - The process of developing land that is or has been developed.

Regulations - The whole body of regulations, text, charts, tables, diagrams, maps, notations, references, and symbols, contained or referred to in this Chapter.

Relevant Agents - Any subcommittee, entity, or person whom the Planning Commission deems necessary to involve in the process. Relevant agents have no binding vote.

Reserve Strip - A median of some nature used to separate the opposing lanes of traffic on a street and to control access to abutting land and intersecting streets.

Right-of-Way - A strip of land across privately held property designated for the use of a road, highway, driveway, alley or walkway, or for any drainage or public utility purpose or other similar uses.

Road - All ways used to provide motor vehicle access to two or more lots.

Secondary Highway - A highway designated as a State Secondary Highway by the Maryland Department of Transportation.

Sensitive Areas - Environmental protection areas identified in the Economic Growth, Resource Protection and Planning Act of 1992 for which special standards, designed to protect these areas from the adverse effects of development. These areas include the following:

1. Streams and their buffers;
2. 100-year floodplain;
3. Habitats of threatened and endangered species;

4. Steep slopes; and
5. Any other areas determined by the Town.

Setback - The minimum required distance between the point where any structure or use on a lot meets the ground surface and any lot line or boundary of a town or State road right-of-way.

Site - A parcel of land consisting of one or more lots or portions and which is described by reference to a recorded plat or by metes and bounds.

Steep Slopes - Any slope with a grade of 15 percent or more covering a contiguous area of 10,000 square feet or more shall be considered a steep slope.

Stormwater Management.

1. For quantitative control, a system of vegetative and structural measures that control the volume and rate of surface runoff caused by pre-existing conditions and/or man-made changes to the land; and
2. For qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

Street - A platted way for vehicular traffic.

1. Minor street means a street that is no longer than 300 feet and serves no more than eight lots.
2. Collector street means a street whose primary purpose is to collect traffic from minor streets, provide some access to abutting land, and move traffic to arterial streets.
3. Arterial street means a street which provides traffic movement between major traffic generators.
4. Throughways, parkways and bypasses means streets built for speeds generally in excess of 50 miles per hour and usually having limited access, whose purpose is to connect regional population centers.
5. Cul-de-sac means a minor street, having but one end open for motor traffic, the other being permanently terminated by a turnaround or backaround for vehicles.
6. Service access means a minor street which is parallel and adjacent to parkways, throughways or bypasses, and which provides access to abutting properties and protection from through traffic.

Street Line - A dividing line between a lot, trace, or parcel of land and a contiguous street.

Structure - Anything, other than a fence or retaining wall, constructed or erected which requires location on the ground or attached to something having a location on the ground, including but not limited to advertising signs, billboards, mobile homes, and pre-fabricated homes. Prefabricated homes include factory preassembly of standardized building parts, or the shipment of component building sections for permanent installation on a site. Prefabricated homes do not include mobile homes in which mobility, or the ready means of reactivating mobility, remains an integral feature of the trailer.

Structure, Minor Accessory - An accessory structure containing less than 150 square feet of floor area.

Subdivision - The division of any tract or parcel of land into two or more plots, parcels, lots, or sites, for the purpose, whether immediate or future, of transfer of ownership or of building development. The term shall include resubdivision, and, where appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

Subdivision, Minor - A subdivision that does not involve any of the following: (1) the creation of more than three (3) lots; (2) the creation of any new public streets or the extension of existing streets; (3) the extension of a public water or sewer system; or (4) the installation of drainage improvements through one or more lots to serve one or more other lots.

Topography - The existing configuration of the earth's surface including the relative relief, elevations, and position of land features.

Tract - A lot (see definition). The term tract is used interchangeably with the term lot, particularly in the context of subdivisions, where one "tract" is subdivided into several "lots".

Utility Facilities, Neighborhood - Utility facilities that are designed to serve the immediately surrounding neighborhood and that must, for reasons associated with the purpose of the utility in question, be located in or near the neighborhood where such facilities are proposed to be located.

Utility Transmission Facilities - Fixed structures that convey or distribute resources, wastes, or both, including, but not limited to, electric lines, water conduits, and sewer lines.

Watercourse - Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash, in and including any area adjacent thereto which is subject to inundation by reason of overflow or water.

Wildlife Corridor - A strip of land having vegetation that provides habitat and a safe passageway for wildlife.

Yard - An open space other than a court, on a lot unoccupied and unobstructed from the ground upward except as otherwise provided for in this Ordinance (see Figure 1).

Yard, Front - An open space extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than the terraces, or uncovered porches.

Yard, Rear - An open space extending across the rear of the lot between the side lot lines and measured between the rear lot line and the rear of the main building or any projection other than steps, unenclosed porches or entrance-ways.

Yard, Side - An open space between the main building and the side line of the lot and extending from the front yard to the rear yard and being the minimum horizontal distance between the side lot line and side of the main buildings or any projections thereof.

Zoning Overlay District - A district which is placed over the existing regular or parent zoning because of siting of a zoning district or imposes additional restrictions, e.g., the Critical Area Overlay District.

Zoning District - An area within which certain uses of land and structures are permitted and certain others are prohibited; yards and other open spaces are required; minimum lot areas and dimensions and other requirements are established.

ARTICLE III MINOR SUBDIVISIONS

Section 12. Minor Subdivision Approval

The purpose of this section is to establish the procedure that shall be followed by any Developer, the Planning Commission, and the Town staff in preparing, reviewing, and approving any subdivision defined as a minor subdivision under the provisions of these regulations.

1. The Planning Commission shall approve or disapprove all minor subdivision final plats in accordance with the provisions of this section, pending final approval of the Town Commissioners.
2. The applicant for minor subdivision plat approval, before complying with Subsection 3., shall submit a sketch plan to the Inspector for a determination of whether the approval process authorized by this Section can be and should be used. The Planning Commission may require the applicant to submit whatever information is necessary to make this determination, including, but not limited to, a copy of the tax map showing the real property being subdivided and all lots previously subdivided from that tract of land within the previous five (5) years.
3. Applicants for minor subdivision approval shall submit to the Planning Commission a plat conforming to the requirements set forth in Section 23 and Appendix A.
4. The Planning Commission shall take expeditious action on an application for minor subdivision plat approval as provided herein. However, either the Planning Commission or the applicant may at any time refer the application to the major subdivision approval process.
5. Not more than a total of three (3) lots may be created out of one tract using the minor subdivision plat approval process, regardless of whether the lots are created at one time or over an extended period of time starting with the effective date of this ordinance.
6. If the subdivision is disapproved, the Planning Commission shall promptly furnish the applicant with a written statement of the reasons for disapproval.
7. Minor subdivisions shall comply with all requirements of the Preston Zoning Ordinance.
8. Approval of any plat is contingent upon the plat being recorded within nine (9) months after the date the Certificate of Approval is signed by the Planning Commission or their designee.
9. No lots may be sold or transferred until the plat shall have been officially recorded in the Circuit Court of Caroline County.

Section 13. Resubdivision, Addition and Subtraction of Lots

1. Resubdivision
 - a. Any modification, division, addition, deletion, or correction which is proposed to a previously recorded lot or lots in a subdivision, the owner must file a "resubdivision plat" to be approved by those agencies normally approving Final Plats and recorded by the Developer together with a notation in the form of a resolution, which shall be affixed to the resubdivision plat. Changes occurring as a result of highway, road or street improvement which require additional right-of-way shall not require a resubdivision plat

to be recorded Resubdivision plat shall be approved by The Planning Commission and forwarded to the Town Commissioners for approval, or Require it to be resubmitted as a new subdivision.

b. In cases where three (3) or more lots in the same ownership are effectively utilized to meet zoning requirements for setbacks, yard requirements, density requirements, etc., a resubdivision plat combining the affected lots into one lot will be required. An exception to this will occur only when two lots are under one deed. Any remaining lots shall conform to all existing Zoning requirements and; if conveyed shall not effectively create a zoning violation on the remaining lots. If these two conditions cannot be met, the lot or lots involved shall also be included on the resubdivision plat and shall become part of the single parcel thereby created.

2. Addition and Subtraction of Lots

When the owner of a lot or parcel wishes to add additional land to said lot or parcel the following requirements apply:

a. A survey plat showing the following shall be submitted:

- (1) Boundary survey of additional land.
- (2) The lot or parcel to which the addition is being made.
- (3) The original lot or parcel as shown by a boundary survey.
- (4) The signature of a registered surveyor certifying it as an accurate survey.
- (5) A signature block for Planning Commission approval.
- (6) A note on the plat stating the following: "Application is hereby made for approval of the indicated transfer of land solely for adding to adjoining holdings and not for development. Any future subdivision of this land or building development will be submitted in the regular manner for approval in accordance with the existing subdivision regulations."

3. The recorded survey plat shall be recorded with the Clerk of the Circuit Court of Caroline County.

ARTICLE IV MAJOR SUBDIVISION APPROVAL

Section 14. Major Subdivision Approval

The purpose of this section is to establish the procedure that shall be followed by the Developer, the Planning Commission, and the Town staff in preparing, reviewing, and approving any subdivision defined as a major subdivision under the provisions of these regulations. The provisions of these regulations shall be considered as minimum requirements to promote and protect health, safety and general welfare of the citizens of Preston. The Planning Commission shall require each subdivision to conform to the Zoning Ordinance applicable thereto.

1. Types of Major Subdivision Plans. The following plan types are hereby created and defined as the basic approval steps needed for a major subdivision:
 - a. Pre-application. Allows the Planning Commission input in the formative stages of subdivision design.
 - b. Preliminary Subdivision Plat. All proposed major subdivisions shall be first considered by the Planning Commission as a preliminary subdivision plat. Upon approval of this plat by the Planning Commission, the Developer may seek improvement plan approval from the Town Commissioners. No lot may be sold or transferred or building permit obtained based upon an approved preliminary subdivision plat.
 - c. Improvement Plan. The improvement plan is a detailed construction plan for public improvements to be developed in conjunction with a subdivision, such as streets (public or private), storm drainage, sanitary sewers, and other public facilities. Upon approval of this plan or plans by the Town, the Developer may construct such improvements in accordance with the approved improvement plan.
 - d. Final Subdivision Plat. Major subdivision plats shall receive their last official consideration by the Planning Commission as a final subdivision plat. Upon approval of the final subdivision plat by the Planning Commission and subsequent recordation, lots may be sold or transferred and building permits obtained in accordance with the approved final subdivision plat.
 - e. General Development Plan. This mechanism is designed to permit the Developer of a large-scale project, e.g., a Planned Unit Development, to go before the Planning Commission with a conceptual description of the development, but not full engineering details of the project, and secure formal approval of basic development parameters.
2. Pre-Application. For the purpose of expediting applications and reducing subdivision and site plan design and development costs, the developer may request a pre-application conference and/or concept plan in accordance with the following requirements:
 - a. Pre-Application Conference.
 - (1) The pre-application conference will allow the applicant to meet with Town Planning Commission.
 - (2) Applicants seeking a pre-application conference shall submit the information stipulated in Appendix A of this ordinance fifteen (15) working days prior to the conference.

- (3) The applicant shall not be bound by the determination of the pre-application conference, nor shall the Planning Commission be bound by any such review.
 - b. Concept Plan.
 - (1) In addition or as an alternative to the pre-application conference, at the request of the applicant, the Planning Commission shall grant an informal review of a concept plan for a development for which the applicant intends to prepare and submit an application for development. The purpose of the concept plan is to provide the Planning Commission and staff input in the formative stages of subdivision and site plan design.
 - (2) Applicants seeking concept plan informal review shall submit the items stipulated in Appendix A of this ordinance fifteen (15) working days before the concept plan meeting.
 - (3) The applicant shall not be bound by any concept plan for which review is requested, nor shall the Planning Commission be bound by any such review.
3. Preliminary Subdivision Plat Procedure. All preliminary subdivision plats shall be processed as follows:
 - a. Pre-application Conference. At least fifteen (15) working days prior to filing of a preliminary subdivision plat, the applicant may prepare a rough sketch of the proposal. At this time signs of the proposal will be posted on the property. Signs will be placed on all property sides that front on streets. They will be a minimum of 3' x 3', and in the town's requested format. Signs will remain on property until final plat is approved. and meet with the Planning Commission to discuss the proposed subdivision. The purpose of this conference is to discuss, at the earliest stages, subdivision requirements and procedures and possible issues related to the development of the property in question. The applicant is encouraged to bring a sketch of the property, to approximate scale, showing the boundaries, general topography, important physical features, and other significant information, as well as the proposed scheme for the development of the property. It is intended that this procedure will help alleviate possible conflicts over subdivision requirements by early recognition of existing conditions, necessary facilities, and other requirements, which the applicant can then consider in preparing the formal subdivision proposal. The applicant is also encouraged to discuss the proposal with other public agencies and utilities at this stage.
 - b. There will be a public mailing to all citizens of Preston (at the Developers expense, with an administrative fee). The Town Manger and Planning Commission Chairperson will write the Public Notification letter. This will be the one and only notice the citizens will receive by mail.
 - c. The applicant shall not be bound by any sketch plan for which review is requested, nor shall Planning Commission be bound by any such review.

Section 15. Technical Review - Preliminary Subdivision Plat

1. Step 1: Application and Distribution. To formally ask for action on the preliminary plat, the applicant shall file a completed application form, filing fee, and copies of the plat as follows:

- a. 10 paper prints of a Preliminary Subdivision Plat plus fifty (50) 8 ½ “ x 11” copies
- b. Completed and signed Preliminary Subdivision Plat Application
- c. Completed and signed Preliminary Subdivision Plat Checklist (see Appendix A).
2. Step 2: Project Submittal.
 - a. Applications are submitted to the Town Manager for preliminary acceptance review.
 - b. Preliminary acceptance and review using the checklist will be conducted by the Town Manager and Zoning Inspector, to be completed prior to Town's officially accepting application for distribution.
 - c. Applications found to be incomplete during acceptance review shall be returned to the applicant with notification of the deficiencies within fifteen (15) working days.
3. Step 3: Review. The Town Manager and Zoning Inspector and concerned agencies shall review the preliminary plats. The Town Manager and Zoning Inspector will check the plat for substantial conformity with the Comprehensive Plan requirements of the Zoning and Subdivision Regulations, including the intent and purpose of those ordinances; and recommendations of other Federal, state and County agencies.
4. Step 4: Agency Review. The Planning Commission may refer the subdivision and development plans to any agency (State, Federal, or County or private- at the Developer’s expense) which it deems appropriate for their comments and/or recommendations, the Planning Commission will determine the basis for approval or disapproval of a proposed subdivision or development plan.

Approvals for specific elements of a subdivision or development plan including, but not limited to, sedimentation and erosion control and sewerage disposal must come from those Departments or other agencies (State or Federal, County and local) having jurisdiction in that area. All requirements for acquiring approval of specific elements are contained in codes or regulations administered by the agency or department responsible and are not necessarily available in this regulation.

5. Step 5: Submittal/Distribution, Revised Plans (if Required).
 - a. Preliminary subdivision plats that have been revised as to address the comments of the review agencies shall then be submitted to Town Office for acceptance and distribution to appropriate review agencies.
 - b. Within fifteen (15) working days of re-submission the Town Manager and Zoning Inspector will distribute one (1) revised plat and check sheet per agency that will review the submission.
 - c. If major redesign or major revision to the Preliminary Subdivision Plats is required, the submission shall be processed as a new submittal (Step 1). The Planning Commission will determine if the revisions constitute a major redesign or major revision.
6. Step 6: Agency Review, Revised Plat.
 - a. Review agencies review revised plat and comment in writing to Planning Commission.
 - b. Review agencies' comments or concurrence is sent to applicant by Zoning Inspector.
7. Step 7: Planning Commission Agenda. Upon determination that Preliminary Subdivision Plat is in compliance with all applicable regulatory provisions, said plat is to be prepared for presentation to the Planning Commission for consideration and recommendation at the next available fifteen (15) days prior to the next regular Planning Commission meeting.

8. Step 8: Planning Commission Meeting.
- a. Preliminary Subdivision Plat applications listed on the Planning Commission Agenda for proposed action are presented by Zoning Inspector and the applicant. The Planning Commission shall review the plat with regard to the following:
 - (1) Substantial conformance to the land use provisions of the Comprehensive Plan, Zoning Ordinance and any pertinent design guidelines;
 - (2) Guidelines that will promote the erection of buildings in areas that are free from danger of flooding, erosion, stream siltation, unsuitable sanitary conditions and other hazards; and
 - (3) Protection of sensitive environmental areas.
 - b. Applicant is notified in writing of Planning Commission recommendation.
9. Step 9: Planning Commission Action. No preliminary plats shall be considered for action by the Planning Commission until they have been reviewed, and recommendations have been made, by the appropriate review agencies, including but not limited to the Maryland State Highway Administration, and the Caroline County Health Department, as applicable. All preliminary plats shall be approved, conditionally approved, or disapproved within ninety (90) days of the date of the official regular Planning & Zoning meeting for which such plat was first accepted for officially filing for Planning Commission action. The Planning Commission shall act for approval, conditional approval with conditions noted, postponement, or disapproval. Reasons for action of postponement or disapproval and any requirements associated with a conditional approval shall be stated. The following actions by the Planning Commission shall have the meanings so stated:
- a. Approval means that the developer is authorized to proceed with the preparation of the required "improvement" plan or plans. Preliminary plat approval grants a developer two (2) years within which he shall submit final plats for all property shown on the preliminary plat for approval. Before expiration, the Planning Commission may extend the approval period in increments not to exceed one (1) year at a time. In connection with such request, the Planning Commission shall consider the following:
 - (1) change in adjoining land use,
 - (2) change in street and highway plan, and/or
 - (3) change in zoning or subdivision regulations

A request for extension of Preliminary approval shall be filed thirty (30) days prior to the deadline date for Final Plat recording. In conjunction with such approval extensions, the Planning Commission shall have the right to require changes in the development when it finds that time has necessitated such changes for the health, safety, and welfare of the residents of the community or when applicable ordinances and regulations have been changed. Upon the expiration of any approval period specified under this section, the plat shall be deemed as disapproved by the Planning Commission. Any approved Preliminary Plat or any plat continued for further study by the Planning Commission shall be exempted from any changes in the subdivision regulations for a period of two (2) years from the date of approval of the Preliminary Plat. Exemptions from changes in subdivision regulations law shall not be extended beyond one (1) year even if the Preliminary Plat approval is extended as provided above.

- b. Conditional approval means the Developer may proceed with preparation of the "improvement" plan or plans, but only after the preliminary plat has been corrected to reflect all requirements placed on the plat by the action of the Planning Commission. Actual approval of the Preliminary Plat shall not be made until such conditions have been satisfied.
 - c. Postponement means Planning Commission action is delayed for definite reasons, which shall be noted by the Planning Commission. Certain specified changes may have to be made in the plats, but a complete new re-submittal of the plat is not required of the developer. However, all preliminary plats shall be approved or disapproved within ninety (90) days of the day they are officially filed for Planning Commission action unless the Developer agrees to a longer postponement.
 - d. Disapproval means disapproval of the plat. For further action, the Developer must file a new application along with a filing fee and preliminary plat copies as required under Section 13.
10. Step 10: Certification of Approval- The Developer shall make any required additions or corrections to the preliminary plat and submit copies in a number required by the Planning Commission within one (1) year of the date of Planning Commission approval. The plat shall be deemed as disapproved by the Planning Commission if this requirement is not met.

Section 16. Technical Review Procedure - Improvement Plan

- 1. Step 1: Application and Distribution. The Developer shall file the required copies of the improvement plan or plans, prepared and stamped by a registered civil engineer or other required professional, e.g., a landscape architect in the case of a master landscape plan, and fully conforming to all applicable Town regulations and the approved preliminary plat with the Planning Commission's comments addressed.
- 2. Step 2: Review. The Planning Commission and/or other agencies shall review the proposed improvement plan and, within one hundred and twenty (120) working days, notify the Developer in writing of the approval, conditional approval, or disapproval of the plan.
 - a. Approval means the Developer is now authorized to proceed with preparation of the final plat.
 - b. Conditional approval means the Developer may proceed as described above for "approval", but only after the required copies of the corrected improvement plan have been submitted to the Planning Commission. The improvement plan shall be deemed as disapproved if the fully corrected plan is not filed within ninety (90) days of the Planning Commission's notification.
 - c. Disapproval means disapproval for the reasons stated in the notification by the Planning Commission. For further consideration, the developer must resubmit the improvement plan as a completely new improvement plan.

Section 17. Final Plat Procedure

The final plat is the culmination of the subdivision process and shall include all information necessary to comply with this section of these regulations. The final plat is intended to become the official record of

the division of land within a development and no lot therein may be sold legally until a Final Plat has been approved by the Planning Commission and recorded with the clerk of the circuit court of Caroline County by the Developer. The Final Plat shall not be recorded until a Public Works Agreement and a signed letter of credit or other required surety is posted.

The Final Plat shall basically follow the procedural requirements for Preliminary Plat procedure. All major final subdivision plats shall be processed as follows:

1. **Pre-Application Conference.** The Developer is urged to prepare a draft of the proposal and discuss it informally with the Planning Commission and other government and utility agencies in order to share information and open a dialogue at the earliest stages of the process. This conference is not a mandatory pre-requisite to the formal filing of the final subdivision plat by the developer.
2. **Application, Distribution, and Review.** The application, distribution, and review procedures for final subdivision plats shall be generally a two-step procedure: preapproval from any agency required to give approval, and approval by the Planning Commission. After approval of the Preliminary Plat, the Developer shall submit the Final Plat. The Final Plat submission, including accompanying documents shall be presented to the Planning Commission. Submissions shall be accompanied by ten (10) copies of the Final Plat, fees, and required Public Improvement Plans and shall be certified by the Zoning Inspector to the date of receipt.
3. **Planning Commission Action.** All Final Plats shall be approved or disapproved within ninety (90) days of the date they are officially filed for Planning Commission action. The Planning Commission will review the staff and technical review agency recommendations and then act for approval, conditional approval with conditions noted, postponement, or disapproval. The reasons for action of postponement or disapproval and any requirements associated with a conditional approval shall be available to the developer and the public. The following actions by the Planning Commission shall have the meanings so stated:
 - a. **Approval** means the Final Plat is ready to be approved by the Planning Commission, with no further corrections or revisions of the plat required by the Developer.
 - b. **Conditional approval** means the Final Plat cannot be approved by the Planning Commission until the Developer has complied with the conditions of approval set forth in the Planning Commission's action on the plat.
 - c. **Postponement** means that the Planning Commission has deferred action in order that certain clarification can be made in regard to the plat. No completely new resubmittal is required of the Developer as is the case for disapproval. However, all final plats shall be approved or disapproved within ninety (90) days of the date they are officially filed for Planning Commission action unless the Developer agrees to a longer postponement.
 - d. **Disapproval** means disapproval of the plat. In order to request a new review and action, the developer must file a new application along with a filing fee, plat copies, and other material as required under this Section.
 - e. **Final Plats** must be brought before the Planning Commission at their regular meeting before they can be signed and recorded as directed by this regulation. The Chairman of the Planning Commission shall be empowered to sign the final plat when satisfactory review indicates that said plat meets all requirements of the Ordinance and all conditions

of approval of said plat have been met. The Final Plat is reviewed against the preliminary plat and any modification contained herein. The authorized signature of the Caroline County Health Department shall be affixed to the plat prior to signing by the Chairman. Upon approval, the developer, or his representative, shall submit to the Planning Department the original Final Plat and public improvement plans for signature by the various agencies.

Section 18. General Development Plan

1. Applicants for planned developments, major site plans, or major subdivisions of at least twenty-five (25) acres containing a minimum of 50 dwelling units or 40,000 square feet of non-residential building area shall divide preliminary approval into two phases: Phase One -- General Development Plan; Phase Two -- Preliminary Approval.
2. An applicant requesting General Development Plan approval shall first submit to the Planning Commission fifteen (15) copies of the materials stipulated in Appendix A of this ordinance.
3. The application shall be declared complete as outlined in Section 14.
4. The Planning Commission shall, within ninety (90) days or within such further time as may be consented to by the applicant, either grant approval of the General Development Plan as submitted or with changes and/or conditions or deny approval.

(OFFICIAL FILING: all plans must be submitted to the Planning & Zoning Board at least 15 days prior to an official meeting in order to be introduced at that meeting. Plans may only be introduced at an official meeting. 90 days begins at the official meeting and not on the date of submission.)

5. The approval of the General Development Plan shall confer upon the applicant the following rights for a period of at least two (2) years, or for a longer period if determined by the Planning Commission:
 - a. The total number of maximum residential density and the general type of residential dwelling (single-family detached residences, townhouses, garden apartments, etc.).
 - b. The maximum amount of floor area ratio (FAR) for proposed non-residential development (i. e. commercial, office, institutional, industrial).
6. The Planning Commission shall indicate the following, which shall not vest, but still be presumed to be valid at the time of approval, subject to engineering and environmental considerations:
 - a. The location of the collector roads.
 - b. The general location of the different uses and density by land-use area.

Section 19. Endorsements and Certifications on Major Subdivision Plats

All subdivision plats shall contain the endorsements and certificates as required by the Town.

Section 20. Plat Approval Not Acceptance of Dedication Offers

Approval of a plat does not constitute acceptance by the Town of the offer of dedication of any streets, sidewalks, parks, or other public facilities shown on a plat. However, the Town may accept any such offer of dedication through the acceptance of a properly prepared deed.

Section 21. Protection Against Defects

1. Whenever (pursuant to terms of the Zoning Ordinance or Subdivision Regulations) occupancy, use or sale is allowed before the completion of all facilities or improvements intended for dedication, then the performance bond or the surety that is posted pursuant to Section 22 shall guarantee that any defects in such improvements or facilities that appear within one year after the dedication of such facilities or improvements is accepted shall be corrected by the developer.
2. Whenever all public facilities or improvements intended for dedication are installed before occupancy, use, or sale is authorized, then the Developer shall post a performance bond or other sufficient surety to guarantee that he will correct all defects in such facilities or improvements that occur within one year after the offer of dedication of such facilities or improvements is accepted.

Section 22. Maintenance of Dedicated Areas Until Acceptance

All facilities and improvements with respect to which the owner makes an offer of dedication to public use shall be maintained by the owner until such offer of dedication is accepted by the appropriate public authority.

Section 23. Bonding and Guarantee of Public Improvements

Bonding Procedures and Requirements shall be as specified by the Town, giving due regard for the public policy objective of ensuring the completion of the approved infrastructure regardless of the financial ability of the Developer and/or the Developer's contractors to so complete such infrastructure (see Appendix B).

Section 24. Standards for Plat Preparation and Submittal

1. The Planning Commission shall make final determination on the completeness and accuracy of the plat in accordance with the provisions of this section prior to recordation of the plat. See Appendix A for a complete list of requirements for the Final Plat.
2. The final subdivision plat shall be submitted to the Planning Commission drawn on a reproducible sheet made of material that will be acceptable to the Clerk of the Circuit Court having dimensions of 18" x 24". When more than one sheet is required to include the entire subdivision, all sheets shall be made of the same size and shall show appropriate match marks on each sheet and appropriate references to other sheets of the subdivision. A location map indexing each of the sheets shall be submitted to the Town Manager or Zoning Inspector and kept on file. The scale of the plat shall be at one (1) inch equals not more than one hundred (100) feet. The applicant shall also submit ten (10) prints of the plat.
3. The accurately positioned north arrow shall be placed on the plat.
4. All plat lines shall be by horizontal (level) measurements. Enlargement of portions of a plat are acceptable in the interest of clarity, where shown as inserts on the same sheet.

5. Where a boundary is formed by a curved line, the following data must be given: actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data, or as a traverse of bearings and distances around the curve. If standard curve data is used the bearing and distance of the long chord (from point of curvature to point of tangency) must be shown on the face of the plat.
6. Where a subdivision of real property is set out on the plat, all streets and lots shall be carefully plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field. This shall include bearings and distances sufficient to form a continuous closure of the entire perimeter.
7. Permanent Reference Monuments, shown on the plat, shall be placed. Such permanent reference monuments shall be stone or concrete at least 24 inches in length and four (4) inches square with suitable center point and shall be set flush with the ground and to finish grade. Iron pipes measuring $\sqrt{2}$ inch in diameter and 18 inches in length shall be placed at all lot corners. Concrete monuments shall be placed on road right-of-ways where street direction changes. All locations shall be approved by the Planning Office. All monuments shall be in place when finish grading is completed. Monuments shall be placed at all block corners, and angle points as required by the Town, who shall also approve the material, size and length of such monuments. Pipes and monuments shall be set by a Maryland registered land surveyor. It shall be the responsibility of the Developer to have these monuments placed prior to the acceptance of the streets by the Town and shall be guaranteed in the Public Works Agreement. The Developer shall be responsible and pay all costs necessary to replace any town grid monuments or control points disturbed by his development activities. Replacements shall be done by a Maryland registered surveyor to accurately place such monuments. Such payment to restore any monuments is to be secured by a Public Works Agreement.
8. If the final plat is disapproved by the Planning Commission, the applicant shall be furnished with a written statement of the reasons for the disapproval.
9. Approval of a final plat is contingent upon the plat being recorded within nine (9) months after the approval certificate is signed by the Planning Commission or its designee. The subdivider will furnish copies of the recorded plat to all applicable County and State agencies, as directed by the Town. If the final plat is not recorded within nine (9) months, the approvals granted by the Planning Commission will become null and void.
10. Street and development names shall not be the same nor closely approximate, phonetically or in spelling, to the name of any other street in the Town or the local Fire Company's jurisdiction.

(OFFICIAL FILING: all plans must be submitted to the Planning Commission at least 15 days prior to an official meeting in order to be introduced at that meeting. Plans may only be introduced at an official meeting.)

Section 25. Establishment of Restrictive Covenants

1. The Town may, but shall not be required to enforce individual covenants such as common maintenance and common access agreements. Such covenants shall be entered into Court records and shall not violate local, state, and federal laws.

2. The Planning Commission shall approve or disapprove any individual area of a covenant prior to implementation and any changes shall meet or exceed minimum standards based on the Zoning ordinance.

Section 26. Establishment of Easements

A plat shall show the location of all existing and proposed recorded easements (including right-of-ways) which affect the property and a citation of any recorded easements, restrictions, reservations or covenants which affect the property.

Section 27. Original Tract

1. The Planning Commission shall require that the remaining original tract be shown as stated in the appropriate section below:
 - a. If less than five (5) acres of land remain in the original tract after the lots are excluded then all of the tract (lots and remainder) must be platted.
 - b. If more than five (5) acres of land remain in the original tract after the lots are excluded then the owner is not required to plat the remaining acreage.
2. The owner is required to provide a sketch of the tax map showing the entire acreage and the location of lots being platted and any previous platted lots.

Section 28. Memorandum of Understanding

A document agreed to by a developer of a major sub-division and the Preston Town Commissioners , outlining terms and conditions agreed to, referencing the Sub-Division Regulations and any additional agreements.

A MOA shall include a minimum of, not limited to but no less than a \$5000. financial grant per dwelling unit to compensate for Preston Public Safety needs and any expected related costs of their services. The MOA shall also include financial grants to compensate the Town of Preston for anticipated increased police services, increases to the Town's water and sewer capacities , upgrades to connecting streets and sidewalks, and upgrades to related water and sewer mains.

The MOA shall also stipulate that a major sub-developer will be responsible for all of the town's legal fees related to their project.

Section 29. Reserved

ARTICLE V GENERAL DESIGN REQUIREMENTS

Section 30. Purpose

The purpose of this article is to establish the basic and minimum design and improvement standards that will be required as a pre-condition to development of any property or in conjunction with the development for lots, streets, utilities, and other physical elements in a subdivision. Standards exceeding these minimum requirements may be provided by the Developer or required by the Planning Commission. A major direction of this Article is to promote development that is most harmonious with the existing environment while providing guidelines and standards to protect the public health, safety, and welfare. To achieve this end, development should follow as closely as possible the contour of the land and should be designed to minimize cuts and fills. The Developer's engineer shall design the work, and the Town's agent shall review all design work and inspect the improvements during construction.

Section 31. General Site Design Standards

1. A site analysis shall be made of the characteristics of the development site, such as site context, geology and soil, topography, climate, ecology, visual features, past and present use of the site, and existing vegetation, structures, and road networks.
2. Subdivision and Site Design.
 - a. Design of the development shall take into consideration all existing town, county and regional plans for the surrounding community.
 - b. Development of the site shall be based on the site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features.
 - c. The following specific areas include, but are not limited to, areas that shall be preserved as undeveloped open space, to the extent consistent with the reasonable use of land, and in accordance with applicable state or local regulations:
 - (1) Unique and/or fragile areas, including tidal and non-tidal wetlands and their buffers as defined in Section 404 of the most current Federal Water Pollution Control Act Amendments and as shown on wetlands maps prepared by the U.S. Fish and Wildlife Service (sketch plat) and field delineated on-site (preliminary and final plat);
 - (2) Significant trees or stands of trees, defined as the largest known individual trees of each species in the state, large trees approaching the diameter of the known largest tree, or species or clumps of trees that are rare to the area or of particular horticultural or landscape value;
 - (3) Lands in the flood plain, as defined elsewhere in Town regulations;
 - (4) Historically significant structures and sites, as listed on Federal, State, County, or Town lists of historic places.
 - (5) Sensitive Areas for which special standards, designed to protect these areas from the adverse effects of development, have been included in the Town Zoning Ordinance including:
 - (a) Streams and their buffers;
 - (b) 100-year floodplain;
 - (c) Habitats of threatened and endangered species;

- (d) Steep slopes; and
 - (e) Any other areas determined by the Town.
 - d. The development shall be laid out to avoid adversely affecting ground water and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties.
 - e. Stormwater Management
 - (1) No final plat of subdivision shall be approved unless a plan for stormwater management is submitted by the developer as appropriate and approved by the Town.
 - (2) Subdivisions may be exempted from this provision if it qualifies for an exemption as provided in Town Stormwater Management Ordinance and such waiver is approved by the Town Commissioners.
 - (3) In the event that storm water must be managed or contained, stormwater management facilities shall be planned, designed, improved, and constructed as required in accordance with the Caroline County Stormwater Management Ordinance until such time as the Town enacts the Preston Stormwater Management Ordinance.
- 3. Residential Development Design.
 - a. Newly platted and configured residential lots shall front on residential access or sub-collector streets, not on major collector or arterial streets or roads.
 - b. Every lot shall have sufficient access to it for emergency vehicles, as well as for those needing access to the property for its intended use.
 - c. The placement of units in residential developments shall take into consideration topography, privacy, building height, orientation, drainage, and aesthetics.
 - d. Buildings shall be spaced so that adequate privacy is provided for units.
 - e. Residential structures shall be located and sited to facilitate pedestrian and visual access to common open space whenever feasible and consistent with good overall harmonious design.
 - f. Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians.
 - g. Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationships between development and the land.
 - h. Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view from buildings, and to lessen areas devoted to motor vehicle access.
 - i. Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of shadows, noise, and traffic on the residents of the site.

- j. Solar access and conservation of energy shall be encouraged.
4. Commercial and industrial developments shall be designed according to the same principles governing the design of residential developments; namely, buildings shall be located according to topography, with environmentally sensitive areas avoided to the maximum extent practicable; factors such as drainage, noise, odor, light pollution, and surrounding land uses considered in siting buildings; sufficient access shall be provided; and adverse impacts buffered.
5. Circulation System Design.
- a. The road system shall be designed to permit the safe, efficient, and orderly movement of traffic to meet, but not exceed the needs of the present and future population served, to have a simple and logical pattern, to respect natural features and topography, and to present an attractive streetscape.
 - b. In a residential subdivision, the road system shall be designed to serve the needs of the neighborhood and flow of through traffic except where the subdivision street implements any aspect of the transportation plan element of the Comprehensive Plan.
 - c. The pedestrian system shall be located as required for safety. In conventional developments, walks shall be placed parallel to the street, with exceptions permitted to preserve natural features or to provide visual interest. In planned developments, walks may be placed away from the road system, but they may also be required parallel to the street for safety reasons.
 - d. If the Planning Commission determines that a development is likely to create foot traffic, developers will be required to tie the sidewalk system(s) within the development to existing town sidewalk systems.
 - e. Bikeways shall be required if indicated in the Comprehensive Plan.
6. Landscape Design.
- a. Acceptable landscaping should be provided at site entrances, in public areas, and adjacent to buildings in accordance with all applicable zoning laws.
 - b. The plant or other landscaping material that best serves the intended function shall be selected. Landscaping materials shall be appropriate for the local environment, soil conditions, and availability of water and, to the extent possible, shall consist of native species. The impact of the proposed landscaping plan at various time intervals shall also be considered.
7. Open Space and Recreation. Residential subdivisions, including planned unit developments and residential cluster developments shall be required to provide neighborhood parks and open space. Developed open space shall be designed to provide active recreational facilities to serve the residents of the development. Undeveloped open space shall be designed to preserve important site amenities, environmentally sensitive areas, and the surrounding communities.

Section 32. Adequate Public Facility Standards

In addition to the specific design standards and requirements contained herein, the following minimum site conditions shall exist prior to Planning Commission approval of any subdivision, whether such

facilities are provided by the Developer, a private utility, or the Town Government. In pursuit of its responsibility and obligation to provide for the health, safety, and general welfare of existing and future residents in any subdivision within Preston, the Planning Commission may disapprove the subdivision of land if it is found that any one public facility is not adequately provided for in the proposed subdivision, including but not limited to, adequate sewer and water.

1. The following shall be the minimum standards for utilities such as telephone supply, electric supply, water supply, or other utilities:
 - a. Every subdivision shall be provided with a proper telephone and electric system.
 - b. Every subdivision shall be provided with a complete water distribution system adequate and acceptable to the town and other governing authorities to serve the area being developed with pipe lines, valves, fire hydrants, and other water facilities as required.
 - c. All new water and sewage mains shall be provided, at the Developer's expense, at an appropriate diameter for all fire and emergency purposes and all properly tied to water and sewer sources of equal capacities.
 - d. Easements for new, or the continuation of existing utilities, shall be provided for all subdivisions with the width, dimensions, or other characteristics as required by the Town.
2. Every subdivision shall be provided with a sewage disposal system approved by the Health Department, the appropriate State agency with jurisdiction, and the Town. Construction standards and requirements shall be as approved by the Maryland Department of the Environment.
3. Every subdivision shall provide satisfactory drainage of storm water by means of underground sewer pipes and/or surface ditches, provided that such storm water drainage system conforms to the requirements of the Town or Caroline County.
4. The Planning Commission will review each proposed subdivision to determine whether it is served by proper community access roads. The Planning Commission may postpone or deny approval of any such subdivision until it has determined that such needs are properly met. Such roads shall be sufficient in size and design to handle future volume and flow of traffic.

Section 33. Street Standards

1. The arrangement of streets shall conform to the transportation plan element of the Comprehensive Plan.
2. For streets not shown on the Comprehensive Plan or official map, the arrangement of streets shall provide for the appropriate extension and expansion of existing streets.
3. Residential streets shall be arranged so as to discourage through traffic and to provide for maximum privacy.
4. Street Hierarchy.
 - a. Streets shall be classified in a street hierarchy system with design tailored to function.

- b. The street hierarchy system shall be defined by street or road function and average daily traffic (ADT), calculated by trip generation rates prepared by the Institute of Transportation Engineers. Trip generation rates from other sources may be used if the applicant demonstrates that these sources adequately reflect local conditions.
- c. Each residential street shall be classified and designed for its entire length to meet the standards for one of the street types defined herein.
- d. The Planning Commission may require the preparation of traffic studies by a qualified traffic consultant at the applicant's expense. The applicant may be required to fund a qualified traffic consultant identified by the Town to review and explain the applicant's study that the distribution of traffic to the proposed street system will not exceed the capacity of the street(s) serving the property, including the nearest major intersections.

5. Dedication of Public Way.

Whenever a tract to be subdivided adjoins or embraces any part of a highway, major road, or other public way so designated in the transportation plan section of the Comprehensive Plan, such part of said public way shall be platted and dedicated by the subdivider in the location and at the width indicated on the plan.

6. Access.

Where a subdivision adjoins or embraces an existing or proposed primary arterial route, the Planning Commission may require that access to such streets be limited by one of the following means:

- a. The subdivision of lots so as to back onto the primary arterial and front onto a parallel local street. No access shall be provided from the primary arterial, and screening shall be provided in a strip of land along the rear property line of such lots.
- b. A series of cul-de-sacs, u-shaped streets, or short loops entered from and designed generally at right angles to such a parallel street, with the rear lines of their terminal lots backing onto the major arterial.
- c. A marginal access or service access road (separated from the primary arterial by a planting or grass strip and having access thereto at suitable points) and built to Town specifications.

7. Surface of Roads. No occupancy permit will be issued for any structure not served by a hard-surface road constructed to Town standards.

Section 34. Lot and Block Standards

- 1. In General. Intersecting streets, which determine block length, shall be provided at such intervals as necessary to meet existing street patterns, topography, and requirements for safe and convenient vehicular and pedestrian circulation. Residential blocks generally shall not exceed 900 feet in length, nor be less than 400 feet in length, with the block width generally being sufficient to allow two tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets or waterways. Non-residential blocks shall be of

such length, width, and other design as the Planning Commission finds necessary for the prospective use, including adequate provision for off-street parking, truck loading and unloading, buffer areas, pedestrian movement, and proper vehicular access to adjacent streets. Whenever practicable, blocks along major arterial and collector streets shall be not less than 500 feet in length.

2. Lot Shape. Excessive depth in relation to width should be avoided, with a proportion of 2.5 to 1 normally considered a desirable maximum for lot widths of eighty-five (85) feet or greater with the lesser dimension to be the street frontage. Pointed or very irregular-shaped lots shall be avoided where possible. Additional depth of at least 20 feet over the minimum lot depth shall be required on lots that back up to railroads or are through lots. Flag, pipestem, or panhandle lots are not permitted.
3. Lot Frontage and Access. All lots shall abut an approved public street for at least the minimum frontage requirement for the zone in which the lot is located. All building lot frontage shall be measured at the street right-of-way line. All lots shall be designed so as to provide safe and convenient vehicular and pedestrian access to the street.
4. Lot Lines. Side lot lines should generally be at right angles to straight street centerline and radial to curved street center lines. However, this design standard is not intended to prohibit the creation of lots at a reasonable angle to the street where the intent of the developer is to create a north-south lot orientation for the purposes of maximizing the potential for use of solar related energy and technology and techniques.
5. Lot Area and Minimum Building Setback Line. With the exception of Cluster Subdivisions, lots for residential or non-residential use shall meet the minimum standards required by the Zoning Ordinance. In no case shall any new residential lot hereafter platted be of less size or width than what is designated on the Zoning Map and described in the Zoning Ordinance for said Zoning District in which the lot is located except as may be provided elsewhere in this ordinance.
6. Corner Lots. Corner lots should be of sufficient width and depth to equal non-corner lots in subdivision plus sufficient area to comply with the required minimum building setback line on each street frontage.
7. Double Frontage Lots. Double frontage and reverse frontage lots shall be prohibited except where employed to prevent excessive vehicular driveway access to streets, to avoid fronting lots on non-access streets and highways, to separate residential areas from other areas of conflicting land or traffic use, or to overcome specific disadvantages of topography and orientation.
8. Land Remnants. If remnants of land exist after subdividing and have no apparent future use that can be properly controlled, they shall be incorporated into the lots of the proposed lotting scheme. However, such remnants shall not be used to create additional lots.
9. Street Addresses. Street address numbers shall be assigned to each lot by Caroline County as per the current county ordinance in order to provide a separate and distinct address for each lot.
10. Access. Lots shall not, in general, derive access exclusively from a major or secondary street. Where driveway access from a major or secondary street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, driveways should be

designed and arranged so as to avoid requiring vehicles to back into traffic on major or secondary arterial streets.

11. Buildable Areas. Buildable areas shall be shown on the plat, along each street, at least as required in each case by the applicable regulations. The locations of these lines shall be clearly indicated by dimensions.
12. Lot Measurements. All lot measurements shall be net measurements, not including any part of any street, alley, or crosswalk. Easements, however, shall be regarded as within the lot.

Section 35. Reserved

Section 36. Planned Developments - Residential

1. Planned Developments may be developed according to conventional or cluster standards as specified in the Zoning Ordinance. The Planning Commission shall have the right to require changes in any plat submitted for review.
2. The Developer of any Planned Unit Development may be required to provide a design vocabulary and Architectural Designs for the Planning Commission. The proposed overall design vocabulary and architectural designs will be submitted to the Planning Commission or its designated representative for approval. The Planning Commission will be the final authority for design approval.

Section 37. Special Requirements Applicable to Residential, Commercial and Industrial Subdivisions

1. In development designed and used exclusively for rental occupancy under single ownership, the maintenance of the local roads may be retained by the owner; however, the constructing of private roads shall meet the standards of all other applicable ordinances.
2. Site development plans and commercial and industrial subdivision plats shall be submitted in the same manner and contain the information, style and format as required of residential development.
3. In a condominium development, the developer shall submit the necessary Preliminary Plat and Final Plat in accordance with the normal procedural requirements, and the Condominium Act of the Real Property Article of the Annotated Code of Maryland.

Section 38. Reservation or Dedication of Land for Parks, Usable Open Space, Schools, and Other Public Facilities

1. The Developer, in the design of the subdivision plan, and the Planning Commission, in the review of the plan, shall consider the adequate provision of sites for parks, usable open space, schools, and other public facilities. Where the Planning Commission otherwise determines that a portion of the land is required for such public facilities the Developer may be required to reserve such sites for a period not to exceed two (2) years after preliminary subdivision plan approval.
2. Where the parks areas, or other open space facilities, necessary or desirable for the welfare of the area and which are of 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 Planning Commission

Section 39. Preservation of Natural Features and Amenities

1. Existing features that would add value to residential development or to the local government as a whole -- such as trees, watercourses, historic sites, and similar irreplaceable assets -- shall be preserved in the design of the subdivision.
2. Prior to the submission for approval of the final plat, the Town will require at least one (1) copy of the plat that shows the existing stands of trees and other growth on each lot and the proposed clearing plan. The Planning Commission may require certain stands of vegetation or individual trees, bushes, etc., to be left undisturbed. No trees shall be removed from any subdivision nor any change of grade of the land affected until approval of the plat has been granted and a clearing and grading plan has been submitted to and approved by the Planning Commission or their designated representative. All trees on the plat required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. In no case shall the Planning Commission allow any developer to completely clear growth from any lot unless not doing so shall cause undue hardship for the developer and can be so shown to the Planning Commission at the time of review.

Section 40. Reserved

Section 41. Land Suitability

1. No land shall be subdivided for building development that is held unsuitable for its intended use by the Planning Commission for reasons of flooding, inadequate drainage, excessive slope, severe erosion potential, or any other natural features that may be harmful to the health, safety, and welfare of future residents, property owners, adjacent land, or the community at large.
2. All improvements necessary to make land suitable for development shall be in full compliance with any other laws and ordinances regulating such improvements and with any conditions as may be required by the Planning Commission to reduce risks to health and safety.
3. When a subdivider does not intend to develop the property himself and the improvements are necessary to reduce hazards and to make land suitable for development, the Planning Commission shall require appropriate deed restrictions to be inserted on every deed and noted on every recorded plat.

Section 42. Landscaping and Tree Planting Standards

All land subdivision plans shall conform to the requirements of Town Zoning Ordinance and/or the requirements of the Planning Commission.

1. Existing trees shall be preserved wherever possible. The protection of trees six (6) inches or more in diameter (measured diameter at breast height) shall be given high priority in determining the location of open space, structures, underground utilities, walks, and paved areas. Areas in which trees are preserved shall remain at original grade level and shall remain undisturbed wherever possible.

2. Where extensive natural tree cover and vegetation does not exist, landscaping shall be provided to enhance the appearance of the development, aid in erosion control, provide protection from wind and sun, screen streets and parking areas, and enhance the privacy of dwelling units.
3. Street trees shall be provided along internal access streets, with an average of one tree for every thirty (30) feet of frontage.

Section 43. Reserved

Section 44. Lot Coverage

Impervious surfaces (surfaces that do not absorb rain, including all buildings, roads, sidewalks, patios, parking areas, and any other areas paved in concrete or asphalt) shall be minimized to the maximum extent possible. Efforts to minimize impervious surfaces shall be encouraged.

Section 45. Subdivision Name

The subdivision name approved by the Planning Commission and recorded shall constitute the subdivision's official name. No other name may be used to for advertising or sale purposes unless an amended and approved plat is recorded bearing the revised name.

ARTICLE VI STREETS AND SIDEWALKS

Section 46. Street Classification

1. In all new subdivisions, streets that are dedicated to public use shall be classified as provided in Subsection 2.
 - a. The classification shall be based upon the projected volume of traffic to be carried by the street, stated in terms of the number of trips per day;
 - b. The number of dwelling units to be served by the street may be used as a useful indicator of the number of trips but is not conclusive;
 - c. Whenever a subdivision street continues an existing street that formerly terminated outside the subdivision or it is expected that a subdivision street will be continued beyond the subdivision at some future time, the classification of the street will be based upon the street in its entirety, both within and outside of the subdivision.
2. The classification of streets shall include the following:
 - a. Alley - A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than 25 dwelling units. The right-of-way for alleys shall be a minimum of twenty (20) feet and a pavement width of at least sixteen (16) feet. For all streets designated as alleys, speedbumps will be required at appropriate intervals.
 - b. Minor - A street whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than ten (10) dwelling units and is expected to or does handle up to 100 trips per day. The right-of-way for new local streets shall be a minimum of fifty (50) feet and a pavement width of at least thirty-two (32) feet curb-to-curb. Parallel parking is permitted on one side only. The intended speed for this type of residential access street is 10 to 15 miles per hour maximum. Sidewalks shall be provided on at least one side.
 - c. Local. A street whose sole function is to provide access to abutting properties. It serves or is designed to serve at least 10 but no more than 150 dwelling units and is expected to or does handle between 100 and 1,500 trips per day. The right-of-way for new local streets shall be a minimum of sixty (60) feet and a pavement width of at least thirty-eight (38) feet curb to curb. Parallel parking is permitted on both sides. When parallel parking is limited to one side of the street, pavement width may be reduced to thirty-four (32) feet. The intended speed for this type of residential access street is 20 to 25 miles per hour maximum. Sidewalks shall be provided in both sides.
 - d. Cul-de-sac. A street that terminates in a vehicular turnaround. A cul-de-sac shall not be longer than three hundred (300) feet and shall be provided at the closed end with a turnaround having an outside roadway diameter of at least ninety (90) feet, and a property line diameter of at least one hundred and ten (110) feet. Sidewalks shall be provided in at least one side of the street and shall fall outside the 90 feet. Use of cul-de-sacs requires the expressed permission of the Planning Commission and the Town Commission.
 - e. Collector. A street whose principal function is to carry traffic between local, and sub-collector streets and arterial streets with limited direct access to abutting properties. It

serves or is designed to serve, directly or indirectly, more than 100 dwelling units and is designed to be used or is used to carry more than 1,000 trips per day. The right-of-way for new collector streets shall be a minimum of sixty (60) feet and a pavement width of at least thirty-six (36) feet. When separate pedestrian and/or bike facilities are required within the right-of-way of a collector street, the right-of-way shall be no less than seventy (70) feet. Parallel parking not permitted.

- f. Sub-collector. A street whose principal function is to carry traffic between collector streets and local streets but that may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than 100 dwelling units and is designed to be used or is used to carry more than 1,000 trips per day. The right-of-way for new collector streets shall be a minimum of sixty (60) feet and a pavement width of at least thirty-four (34) feet. Parallel parking not permitted.
- g. Service Access Street. A street that is parallel to and adjacent to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties. The right-of-way for new marginal access streets shall be a minimum of forty (40) feet and a pavement width of at least twenty-eight (28) feet. The intended speed for this type of street is 20 to 25 miles per hour maximum. Parallel parking permitted with Planning Commission approval.

Section 47. Access to Lots

Every lot shall abut an approved public road that is sufficient to afford a reasonable means of ingress and egress for emergency vehicles as well as for all those likely to need or desire access to the property in its intended use. The Planning Commission shall have the right to approve or disapprove any point of ingress or egress to any lot, tract, parcel or development from any street or highway. In approving ingress or egress from any State highway the Commission can only approve those access points that are not in conflict with safety standards of the State Highway Administration or with the right-of-way or through highway line of a limited or denied access highway.

Section 48. Access to Arterial Streets

Whenever a major subdivision that involves the creation of any new streets borders on or contains an existing or proposed arterial street, no direct driveway access may be provided from the lots within this subdivision onto this arterial street.

Section 49. Entrances to Streets

All driveway entrances and other openings onto streets within the Town's planning jurisdiction shall be constructed so that:

1. Vehicles can enter and exit from the lot in question without posing any substantial danger to themselves, pedestrians, or vehicles traveling on abutting streets, and
2. Interference with the free and convenient flow of traffic on abutting or surrounding streets is minimized.
3. The maximum permitted slope on driveways is fifteen (15%) percent.

Section 50. Coordination with Surrounding Streets

1. The street system of a subdivision shall be coordinated and connected with existing, proposed, and anticipated streets outside the subdivision or outside the portion of a single tract that is being divided into lots (hereinafter, "surrounding streets") as provided in this section.
2. Collector streets shall intersect with surrounding collector or arterial streets at safe and convenient locations, preferably at Tee intersections.
3. Sub-collector, local, and local minor residential streets shall connect with surrounding streets where necessary to permit the convenient movement of traffic between residential neighborhoods or to facilitate access to neighborhoods by emergency service vehicles or for other sufficient reasons, but connections shall not be permitted where the effect would be to encourage the use of such streets by substantial through traffic. Street leg lengths shall be limited to the appropriate distance consistent with the intended speed. Offset or traffic calming shall used as slowing points at the end of street legs.
4. Whenever connections to anticipated or proposed surrounding streets are required by this section, the street right-of-way shall be extended and the street developed to the property line of the subdivided property (or to the edge of the remaining undeveloped portion of a single tract) at the point where the connection to the anticipated or proposed street is expected. In addition, the Town may require temporary turnarounds to be constructed at the end of such streets pending their extension when such turnarounds appear necessary to facilitate the flow of traffic or accommodate emergency vehicles. Notwithstanding the other provisions of this subsection, no temporary dead-end street in excess of 1,000 feet may be created.
5. Planning for conflicting traffic or land use. Whenever the proposed subdivision contains, or is adjacent to a railroad right-of-way, arterial or expressway rights-of-way, or conflicting changes in land uses, the Planning Commission shall require marginal access streets, reverse frontage lots, lots with rear service, or other such treatment as may be necessary for protection of abutting properties and to afford separation of conflicting types of traffic or land use.

Section 51. Relationship of Streets Topography

1. Streets shall be related appropriately to the topography. In particular, streets shall be designed to facilitate the drainage and storm water runoff objectives set forth in the Caroline County Stormwater Management Ordinance, and street grades shall conform as closely as practicable to the original topography.
2. The maximum grade at any point on a street constructed without curb and gutter shall be 6 percent. On streets constructed with curb and gutter the grade shall not exceed 6 percent unless no other practicable alternative is available. However, in no case may streets be constructed with grades that, in the professional opinion of the highway engineer, create a substantial danger to the public safety.

Section 52. Street Width, Sidewalk, and Drainage Requirements in Subdivisions

1. Street rights-of-way are designed and developed to serve several functions: (i) to carry motor vehicle, bicycle and pedestrian traffic, and in some cases, allow on-street parking; (ii) to serve as

an important link in the town's drainage system. In order to fulfill these objectives, all public streets shall be constructed to meet the standards of the Town.

2. Except as otherwise provided, all streets shall be constructed with curb and gutter and shall conform to the requirements of the Town. Street pavement width shall be measured from flowline to flowline where 90 degree curb is used, and from the center of the curb where roll-type curb is permitted.
3. The sidewalks required by this section shall be at least five (5) feet in width of usable width and constructed according to the specifications set forth by the Town. The Planning Commission may allow four (4) feet wide width of usable walkway along residential streets serving no more than ten (10) dwelling units. The Planning Commission may permit require the installation of walkways constructed with other suitable materials when it concludes that:
 - a. Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
 - b. Such walkways would be more environmentally desirable or more in keeping with the overall design of the development.
 - c. Such walkways shall meet the requirements of the American Disabilities Act.
4. Whenever the Town finds that a means of pedestrian access is necessary from the subdivision to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by sidewalks adjacent to the streets, the Developer shall be required to provide sidewalks and/or reserve an unobstructed easement of at least fifteen (15) feet in width to provide such access. Planning Commission may reduce the width of unobstructed easement to a minimum of 10 feet at its discretion.

Section 53. General Layout of Streets

1. To the extent practicable, driveway access to collector streets shall be minimized to facilitate the free flow of traffic and avoid traffic hazards.
2. All permanent dead-end streets (as opposed to temporary dead-end streets) shall be developed as cul-de-sacs in accordance with the standards set forth by the Town. Except where no other practicable alternative is available, such streets may not extend more than 300 feet (measured to the center of the intersection to the center of the turnaround). Longer cul-de-sacs may be permitted because of unusual topographic or other conditions and, in such cases, the Planning Commission may require additional paving width if necessary to prevent overloading of street capacity. Temporary turnarounds may be required at the end of stub streets as long as it is retained within the street right-of-way. Use of cul-de-sacs requires the expressed permission of the Planning Commission and the Town Commission.
3. Half streets (i.e., streets of less than the full required right-of-way and pavement width) shall not be permitted except where such streets, when combined with a similar street, developed previously or simultaneously, on property adjacent to the subdivision, creates or comprises a street that meets the right-of-way and pavement requirements of this chapter. When streets are constructed adjacent and parallel to an adjoining property, the right-of-way shall be established at the common property line. Reserve strips shall be prohibited.
4. Streets shall be laid out so that residential blocks do not exceed 900 feet. , unless no other practicable alternative is available.

5. Residential streets shall be laid-out so as to manage the speed and volume of traffic in residential neighborhoods using "traffic calming" methods that encourages speeds of 25 mph or less. These Specific methods must be in keeping with the overall design standards of the development and may include, but are not limited to:
 - a. short blocks (if block lengths are less than one quarter mile);
 - b. T-intersections (if used with short street);
 - c. partial closures (reduces cut through traffic);
 - d. diverters;
 - e. chokers, curb extensions, and lane reducers only if there is deflection (if designed to deflect traffic);
 - f. islands and medians if designed properly (must be designed to reduce lane width and deflect vehicles and so limit speed);
 - g. mini-circles (effective on low-volume local streets only. There are problems with wrong-way left turns); and
 - h. roundabouts (reduces speeds on all approaches).
6. Where a major subdivision plat includes only part of the tract owned by the Developer, sketch plat layout of proposed streets and roads, if applicable, for the entire tract shall be submitted.

Section 54. Street Intersections

1. Streets shall intersect as nearly as possible at right angles, and no two streets may intersect at less than 90 degrees. Not more than two streets shall intersect at any one point, unless the Town's designated Engineer certifies that such an intersection can be constructed with no extraordinary danger to public safety.
2. Whenever possible, proposed intersections along one side of a street shall coincide with existing or proposed intersections on the opposite side of such street. In any event, where a centerline offset (jog) occurs at an intersection, the distance between centerline of the intersecting streets shall be not less than 300 feet.
3. Except when no other alternative is practicable or legally possible, no two streets may intersect with any other street on the same side at a distance of less than 400 feet measured from centerline to centerline of the intersecting street. When the intersected street is an arterial, the distance between intersecting streets shall be at least 1,000 feet and in conformance to Maryland State Highway Administration Criteria. Developments abutting a State Highway must obtain access approval from the State Highway Administration prior to receiving final approvals from the Planning Commission.
4. Maximum grade through an intersection is five (5%) percent.
5. Multiple intersections involving junction of more than two (2) streets shall be avoided.
6. The right-of-way lines of corner lots at an intersection shall be joined by a fillet curve with a minimum radius of twenty-five feet. In a case where more width is deemed necessary to provide safe sight distance or for traffic channelization, the Planning Commission shall specify a greater radius than normally cited above.

7. Intersections with State Highways shall be located not less than seven hundred and fifty (750) feet apart; measured from centerline to centerline. Intersections with County arterial roads shall be located not less than four hundred and fifty (450) feet from centerline to centerline.

Section 55. Construction Standards and Specifications

1. Construction and design standards and specifications for streets, sidewalks, and curbs and gutters shall be as prescribed by the Town of Preston and all such facilities shall be completed in accordance with these standards.
2. The Developer shall be required to repair damage to town roads, drainage facilities, curbs, private property, gutters and sidewalks as a result of grading or construction activities in his or her subdivision.
3. If the proposed road involves a highway under the jurisdiction of the State Highway Administration, it shall be the responsibility of the developer/owner to obtain all necessary permits from that agency and present them to the Town of Preston with an additional copy forwarded to the designated Town Inspector or Town Manager.

Section 56. Public Streets in Subdivisions

1. Except as otherwise provided in this section, all lots created after the effective date of this section shall abut a public street at least to the extent necessary to comply with the access requirement set forth in Section 48. For purposes of this subsection, the term "public street" includes a preexisting public street as well as a street created by the subdivider that meets the public street standards of this chapter and is dedicated for public use. Unless the recorded plat of a subdivision clearly shows a street to be private, the recording of such a plat shall constitute an offer of dedication of such street.
2. The approval of a final subdivision plat shall not be deemed to constitute or imply the acceptance by the Town of any street shown on said plat. Acceptance of streets by the Town occurs only after all public improvements have been completed in accordance with the requirements of the Town and the Town formally accepts the street.

Section 57. Road and Sidewalk Requirements in Un-subdivided Developments

1. Within un-subdivided developments, all private roads and access ways shall be designed and constructed to facilitate the safe and convenient movement of motor vehicle and pedestrian traffic. Width of roads, use of curb and gutter, and paving specifications shall be determined by the provisions of the Zoning Ordinance dealing with parking and drainage. To the extent not otherwise covered in the foregoing articles, and to the extent that the requirements set forth in this article for subdivision streets may be relevant to the roads in un-subdivided developments, the requirements of this article may be applied to satisfy the standard set forth in the first sentence of this subsection.
2. Whenever a road in an un-subdivided development connects two or more sub-collector, collector, or arterial streets in such a manner that any substantial volume of through traffic is likely to make use of this road, such road shall be constructed in accordance with the standards applicable to subdivision streets and shall be dedicated. In other cases when roads in un-subdivided developments within the Town are constructed in accordance with the specifications for subdivision streets, the Town may accept an offer of dedication of such streets.

3. In all un-subdivided residential development, sidewalks shall be provided linking dwelling units with other dwelling units, the public street, and on-site activity centers such as parking areas, laundry facilities, and recreational areas and facilities.
4. Whenever the Planning Commission finds that a means of pedestrian access is necessary from an un-subdivided development to schools, parks, playgrounds, or other roads or facilities and that such access is not conveniently provided by asphalt sidewalks adjacent to the roads, the developer shall be required to reserve an unobstructed easement of at least fifteen (15) feet to provide such access and construct sidewalks within the easement provide asphalt trails along creeks or greenways to connect to activity areas, streets, schools, etc. Planning & Zoning may reduce the width of unobstructed easement to a minimum of 10 feet at its discretion
5. The sidewalks required by this section shall be at least five (5) feet wide of usable width and constructed according to the Town specifications, except that the Planning Commission may require the installation of walkways constructed with other suitable materials when it concludes that:
 - a. Such walkways would serve the residents of the development as adequately as concrete sidewalks; and
 - b. Such walkways could be more environmentally desirable or more in keeping with the overall design of the development.

Section 58. Attention to Handicapped in Street and Sidewalk Construction

1. Whenever curb and gutter and/or sidewalk construction is used on public streets, wheelchair ramps for the handicapped shall be provided at intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed in accordance with published standards in the latest ADAAG or UFAS guidelines.
2. In un-subdivided developments, sidewalk construction for the handicapped shall conform to the requirements of the latest ADAAG or UFAS guidelines.

Section 59. Street Names and House Numbers

1. Street names shall be assigned by the developer subject to the approval of the Town. Proposed streets that are obviously in alignment with existing streets shall be given the same name. Newly created streets shall be given names that neither duplicate nor are phonetically similar to existing streets within the Town and the local Fire Company's jurisdiction, regardless of the use of different suffixes.
2. Street names shall include a suffix such as the following:
 - a. Circle. A short street that returns to itself.
 - b. Court or Place. A cul-de-sac or dead-end street.
 - c. Loop. A street that begins at the intersection with one street and circles back to end at another intersection with the same street.
 - d. Building numbers shall be assigned by the appropriate authority.

Section 60. Bridges

All bridges shall be constructed in accordance with the standards and specifications of the Maryland Department of Transportation, except that bridges on roads not intended for public dedication may be approved if designed by a licensed engineer.

Section 61. Utilities

1. Utilities installed in public rights-of-way or along private roads shall conform to Town requirements.
2. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within the street right-of-way, perpetual unobstructed easements for such utilities shall be provided across property, outside street right-of-way, of at least ten (10) feet in width.

Section 62. Requirements for Development Adjoining Existing Roadways

Whenever a subdivision is proposed abutting an existing public roadway(s) that does not meet the right-of-way and pavement width standards contained herein for the functional classification of the street(s), and the Planning Commission finds that development of the subdivision will increase the volume of traffic on such street(s) to a significant degree, the following requirements shall apply:

1. The Developer shall be required to dedicate right-of-way along the entire street frontage to a width that will provide one-half the total right-of-way width necessary to comply with the standards contained herein. It is assumed that the same right-of-way dedication will be required on the opposite side of the roadway at such time as that property develops, thereby providing the full necessary right-of-way width.
2. Roadway widening improvements (including paving, curb, gutter, and sidewalk where appropriate) shall be required as necessary to bring the roadway up to the full cross section requirement so contained in this Ordinance. The physical construction of such improvements by the developer shall be required; however, in certain cases, the Town Commission may require a cash payment or long-term performance bond or letter of credit in lieu of construction if recommended by the Planning Commission.
3. The maximum liability of any Developer under this Section shall not exceed right-of-way and improvements as for collector streets contained herein. In cases where the ultimate proposed cross section would be a four-lane arterial highway, developers may be required to dedicate excess right-of-way above the collector standard. In consideration of such dedication, widening improvements usually shall not be required in such cases for full road frontage, but, rather, improvements such as turn lanes shall generally be required in association with new intersecting streets or other access points when necessary to provide as safe situation as possible under the circumstances.

APPENDIX A

		Development Stage				
					Subdivision Plats	
Item	Description	Concept Plan	Minor Subdivision Plats	General Development Plan	Preliminary	Final
I. Project-Plat Information						
1.	Name, address of owner, applicant, developer and lienholder, date	X	X	X	X	X
2.	Name and address of engineer, land survey or architect, planner, and/or landscape architect, as applicable, involved in document	X	X	X	X	X
3.	Date of survey		X		X	
4.	Seal, signature and license number of engineer, land surveyor, architect and/or landscape architect, as applicable involved in document preparation. Each sheet must have a surveyor's seal		X		X	X
5.	Title block denoting name and type of application, tax map sheet, block and lots, parcel, and street location	X	X	X	X	X
6.	A vicinity map at a specified scale (no smaller than 1"=200) showing location of the tract with reference to surrounding properties, streets, landmarks, streams, etc. Show all of the property owned according to the Tax Map(s) if only part of the property is to be developed	X	X	X	X	X
7.	Existing and proposed zoning of tract and adjacent property.	X	X	X	X	X
8.	Adjacent property owners, names, Liber and Folio.	X	X	X	X	
9.	Title, north arrow and scale (1"=100).	X	X	X	X	
10.	Appropriate signature block for planning commission chairman, and the health department		X		X	X
11.	Appropriate certification blocks		X		X	X
12.	Certification and dedication by the owner or owners to the effect that the subdivision as shown on the final plat is made with his or her consent and that it is desired to record same.					X
13.	Monumentation, location and description		X			
14.	Standardized sheets 18"x24" (final - black ink on mylar).	X	X	X	X	
15.	Metes and bounds survey showing dimensions, bearings, curve, data, length of tangents, radii, arc, chords, and central angles for all centerlines and rights-of-way, and centerline curves on streets, datum and benchmark, primary central points approved by the Town Engineer. (Boundary of proposed subdivision can be a deed plot).		X		X	X
16.	Acreage of tract to the nearest thousandth of an acre.	X	X	X	X	X

		Development Stage				
					Subdivision Plats	
Item	Description	Concept Plan	Minor Subdivision Plats	General Development Plan	Preliminary	Final
I. Project-Plat Information (cont.)						
17.	8 ½ x 11 copies (50)			X	X	
18.	Date of original and all revisions.	X	X	X	X	X
19.	Size and location of any existing or proposed structures with all setbacks dimensioned (for concept plan, GDP general location but not setbacks). Include storm drains, culverts, retaining walls, fences, stormwater management facilities, sediment and erosion structures.	X	X	X	X	X
20.	Number of dwelling units	X	X	X		X
21.	Location, dimensions, bearings, names of any existing or proposed roads or streets. The location of pedestrian ways, driveways. Right of way widths. (for GDP, concept plans, general locations).	X	X	X	X	X
22.	All proposed lot lines (width and depth) and area of lots in square feet, number of lots, lot numbers.	X	X	X	X	X
23.	Location and type of utilities.		X	X	X	X
24.	Copy and/or delineation of any existing or proposed deed restrictions or covenants.	X	X	X	X	X
25.	References to protective covenants governing the maintenance of undedicated public spaces or reservations		X		X	X
26.	Location and size of proposed parks, play grounds and other public	X	X	X	X	X
27.	Any existing or proposed easement (drainage and utility) or land reserved for or dedicated to public use. Location, dimensions of proposed reservations, right of ways, open space;, buffers, forested areas along with means by which these areas will be permanently maintained.	X	X	X	X	X
28.	Statement of owner dedicating streets, right-of-way, and any sites for public use			X	X	X
29.	Development stages or phasing plans (for GDP and concept plans, general phasing)- Sections numbered by phase	X		X	X	X
30.	Total number of off street parking spaces including ratio and number of units per space.				X	X
31.	List of required regulatory approvals/permits.	X	X	X	X	
32.	List of variances required or requested	X	X	X	X	X
33.	Requested or obtained design waivers or exceptions.	X	X	X	X	X
34.	Payment of application fees.	X	X	X	X	X
II. Setting-Environmental Information						
35.	Total area of the site that will be temporarily and/or permanently disturbed		X		X	

		Development Stage				
					Subdivision Plats	
Item	Description	Concept Plan	Minor Subdivision Plats	General Development Plan	Preliminary	Final
II. Setting-Environmental Information (cont.)						
36.	All existing streets, water courses, flood plains wetlands, or other environmentally sensitive areas on or adjacent to the site.	X	X	X	X	X
37.	Existing rights-of-way and/or easements on or immediately adjacent to the tract	X	X	X	X	X
38.	Topographical features of subject property from USGS map or more accurate source at 2'-5' intervals, 50' beyond the boundary, with source stated on maps	X	X	X		
39.	Field delineated or survey topo				X	X
40.	General areas of >15% slope shaded and identified as steep slopes	X		X		
41.	Slope analysis of >15% slopes. These areas shall be shaded and identified as steep slopes_				X	X
42.	Forest Stand Delineation		X	X	X	
43.	Existing system of drainage of subject site and adjacent sites and of larger tract or basin of which it is a part	X	X	X	X	X
44.	A 100 Year Flood Plain based on FEMA maps. Tidal and non-tidal wetland delineation based on NWI maps and field review	X	X	X	X	
45.	Non-tidal wetlands identification based on field delineation/determination	X	X	X	X	X
46.	Location of sensitive areas and their Buffers		X		X	X
47.	Location and width of Bufferyards.	X	X	X	X	
48.	Soil types based on Caroline County Soil Survey	X	X	X	X	
49.	Traffic Impact Study, as required	X		X	X	
50.	Statement of effect on schools district and school bus service, as required.	X		X	X	
II. Plats, Improvement Plans, and information						
51.	Subdivision Plat meeting requirements of Section 23		X		X	
52.	Grading and drainage plans including roads, drainage ditches, sediment basins, and berms				X	
53.	Existing and proposed contour intervals as follows: Less than 5% slope =1 foot 5 to 15% slopes = 2 feet or less >15% = as required for construction				X	X
54.	Proposed street grades, typical cross sections and profiles, right-of-way widths, pedestrian ways, total area of roads.				X	X
55.	Existing and proposed utility infrastructure plans and profiles including sanitary sewer, water, storm drainage and stormwater management, as appropriate in the case of minor subdivisions		X		X	X
56.	Grades and sizes of sanitary sewers and waterlines.				X	X

		Development Stage				
					Subdivision Plats	
Item	Description	Concept Plan	Minor Subdivision Plats	General Development Plan	Preliminary	Final
II. Plats, Improvement Plans, and information (cont.)						
57.	Direction and distance to water and sewer if not available on or adjacent to the site with invert and elevation of sewer.		X		X	
58.	Certification from electric and telephone utilities of adequate facilities to serve proposed development.			X		X
59.	Location of fire hydrants.				X	X
60.	Construction details.				X	
61.	Stormwater Management Plan.		X		X	
62.	Soil Erosion and Sediment Control Plan.		X		X	
63.	Lighting plan and details, as required		X		X	X
64.	Landscape plan and details, including required Bufferyards.		X		X	X
65.	Forest Conservation Plan		X		X	X
66.	Proposed street names				X	X
67.	New block and lot numbers.				X	X
68.	Preliminary architectural plan and elevations, as required.		X	X	X	X
69.	Required County, State, and/or Federal or approvals, &, State Highway Administration, County Public Works, Army CORPS of Engineers, DNA Wetlands Permit/License, MDOE Quality Certification, MDOE sanitary construction permit, Caroline County Health Department approvals.		X			X
70.	Public works agreement and surety		X			X

APPENDIX B

Appendix B - Bonding Procedure

Anyone required to submit a bond to the Town Commissioners relative to any subdivision matter shall file a written request with the Planning Commission of Preston for the determination of the amount of bonding required. Upon the determination of the necessary amount of bonding, the bond must be posted in a form satisfactory to the Town Commissioners of Preston.

If the bond is secured through a bonding company is in the proper form, is accompanied by the required power of attorney, and a certificate from the Insurance Commissioner that the surety is licensed to do business in Maryland as an insurer, the bond will be approved by the Town Commissioners.

If any other type of bonding arrangements is desired, a written request must be made to the Town Commissioners. The written request should be accompanied by a financial statement and any other information which might be helpful to the Town Commissioners in determining whether or not to accept the bonding arrangement.

After consideration of the request for bonding, the applicant will be notified of the Town Commissioners' decision. If the Town Commissioners approve the bonding agreement, the Town Attorney's office will prepare the necessary documents which will be submitted to the applicant for execution.

Upon receipt of the executed document they will be referred to the Town Commissioners for their review and final approval. If the bond is approved by the Town Commissioners, the bond will be returned to the Town and the Planning Commission's records relative to bonding requirements will then show that the bond has been accepted. Any inquiries relative to bonding procedure or the status of particular bonds should be directed to the Town.