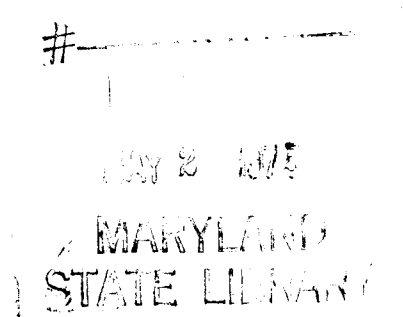


LAND SUBDIVISION REGULATIONS TRAPPE MARYLAND

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LAND SUBDIVISION REGULATIONS TRAPPE MARYLAND



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TRAPPE, MARYLAND

LAND SUBDIVISION REGULATIONS

An ordinance establishing land subdivision regulations for Trappe, Maryland and providing for the administration, enforcement, and amendment thereof, in accordance with the provisions of Article 66B, Annotated Code of Maryland as amended, and for the repeal of all ordinances in conflict herewith.

WHEREAS Article 66B, Annotated Code of Maryland, as amended authorizes the Town to enact a subdivision control ordinance and to provide for its administration, enforcement, and amendment, and

WHEREAS a planning commission has been created by appointment of the Town Council in compliance with said law, and

WHEREAS the Planning Commission has prepared a comprehensive plan which contains, among other things, a transportation element, and

WHEREAS said plan was made subject to public review, and after due public notice a public hearing was held thereon in compliance with said law, and

WHEREAS the Planning Commission has recommended said plan, including the transportation element therein, to the Town Council who subsequently adopted the plan in compliance with said law, and

WHEREAS land subdivision regulations have been prepared which are consistent with said plan;

NOW THEREFORE the Town Council of Trappe having complied with the procedural and substantive prerequisites of Article 66B, Annotated Code of Maryland as amended, do hereby adopt and ordain the following as the Trappe, Maryland Land Subdivision Regulations:

Maurice J Adams yea
Wm C. Nelson yea
Clifford J. Brown yea.

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TRAPPE LAND SUBDIVISION REGULATIONS

Enacting Clause

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PART ONE

INTRODUCTORY MATERIAL
ADMINISTRATION OF REGULATIONS
DEFINITIONS
PROCEDURES

SECTION

1

INTRODUCTION

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

1.01 Intent - It is the intent of these Regulations to regulate the division of land so as to:

1. Assure sites suitable for building purposes and human habitation, and to provide for the harmonious development of the Town;
2. Coordinate existing streets with proposed streets;
3. Insure adequate open space for traffic, recreation, light, and air;
4. Further the orderly and appropriate development of land;
5. Regulate the flow of traffic on the streets and highways; and
6. Facilitate adequate provision for transportation, water, sewerage, schools, recreation, parks, and other public requirements.

1.02 Territory Affected - The regulations shall apply to all lands, including any submerged lands or water areas, which are located within one mile of the corporate limits of Trappe, as said limits existed on June 1, 1971.

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

1.04 Interpretation and Application of Regulations - In their interpretation and application, the provisions of these regulations shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Wherever the requirements of these regulations are at variance with the requirements of any other lawfully adopted laws, rules, regulations,

ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

1.05 Fees - The Town Council shall establish a schedule of fees to cover the cost of reviewing and checking the plans and plats described herein, and for recording the final plat.

1.06 Repeal of Conflicting Ordinances - All ordinances and regulations or parts thereof which are in the conflict or inconsistent with the provisions of these Land Subdivision Regulations are hereby repealed to the extent necessary to give these regulations full force and effect.

1.07 Effective Date - These regulations shall take effect and be in full force, on May 1, 1974.

1.08 Explanatory Material - In order to assist in the interpretation of these regulations, certain material which is explanatory in nature has been included herein. This material, which consists of both text and diagrams, has been included within brackets ({ }) in every case and shall not be deemed a part of the law.

SECTION

CONTROL, ENFORCEMENT, AND PENALTIES

2

2.00 Subdivision Control - It shall be unlawful for the owner of any land which lies within the subdivision control jurisdiction of Trappe to subdivide any lot, tract, or parcel of land unless and until:

1. a plat of such subdivision is caused to be made in accordance with the regulations set forth herein;
2. Approval is secured thereof from the Trappe Planning Commission as provided herein; and
3. said Commission has caused copies of said plat to be recorded in the office of the Clerk of the Court.

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.

No Plat of any subdivision shall be recorded until it has been approved by the Planning Commission, as provided herein; and the Commission shall not approve any plat unless it is satisfied that the requirements of these regulations have been complied with.

2.01 Enforcement - These regulations shall be enforced by the Town Zoning Administrator. If he shall find that any of the provisions of these regulations are being violated, he shall notify in writing the person responsible for such violation and shall take such action as may be necessary to prevent the violation of these regulations, including obtaining a court injunction to discontinue the transfer, sale, agreement, or negotiations for sale of illegal lots or parcels; or any other action authorized herein.

2.02 Penalties for Violation - Whoever, being the owner or agent of the owner of any land located within the subdivision control jurisdiction of Trappe transfers, sells, agrees to sell, or negotiates to sell any such land by reference to, or exhibition of, or by any other use of a plat of a subdivision before such plat has been approved and recorded as provided herein shall forfeit and pay a penalty of \$100 for each lot or parcel so transferred, sold, or agreed or negotiated to be sold.

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.

Violations by a land owner or his agent of requirements and restrictions which the Planning Commission may impose as conditions for approval of a subdivision plat shall constitute a misdemeanor. Any person convicted of such violation shall be subject to a fine of not more than \$100, and imprisonment for not more than 30 days, or both, and in addition shall pay all costs and expenses involved in the case. Each and every day such violation occurs shall be deemed a separate offense.

SECTION

DEFINITIONS

3

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

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

3.01 Definitions - For the purposes of these regulations the following definitions shall apply:

1. Alley - A minor way which is used primarily for vehicular service access to the back or the side of properties otherwise abutting a street.
2. Applicant - Any person who submits subdivision plans to the Planning Commission for the purpose of obtaining approval thereof.
3. Building - Any structure which is designed, built, or occupied as a shelter for persons, animals or equipment. The term building shall include tents, lunch wagons, roadside stands, mobile homes, and recreational trailers and vehicles; and shall also include any part thereof.
4. Building Setback Line - The rear line of the minimum required front yards. The building setback line shall be measured from the future right-of-way line.
5. Cal-de-Sac - A short street having one end open to traffic and having the other end permanently terminated by a vehicle turn-around space.

6. Easement - A grant of the use of a parcel of land to the use of the public, a corporation or person for a specific purpose, without including title to the land.
7. Improvements - Those physical additions, installations, and changes, such as streets, curbs, sidewalks, water mains, sewers, drainage facilities, street trees, public utilities, and other appropriate items required to render land suitable for the use proposed.
8. Lot - A parcel of land used or set aside and available for use as the site of one or more buildings or for any other purpose, in one ownership and not divided by a street nor including any land within the limits of a public or private street right-of-way.
9. Right-of-Way - A strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, drainage ditch, or other special use. The usage of the term "right-of-way" for land plotting purposes in the Town shall mean that every right-of-way hereafter established and shown on the final plat is to be separate and distinct from lots or parcels adjoining such right-of-way, and not included with the dimensions or areas of such lots or parcels.
10. Street - Any public or private way set aside as a permanent right-of-way for vehicular travel by the general public and affording the principal means of access to abutting properties. For purposes of these regulations the words road and street shall mean the same thing.
11. Street, Local - Any street which occurs in an area of more intense residential or other development, and where on-street parking is likely to occur. The primary purpose of a local street is to provide access to and between adjacent properties.
12. Street, Minor Collector - A street which collects traffic from local streets and distributes it to the County or State road system. A collector street serves primarily a through-traffic function, and is not intended to accommodate on-street parking.

13. Street Line - The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way line provided that where a future right-of-way width for a street has been officially established, the street line shall be the side of the future right-of-way so established.
14. Subdivision - Any division of a single lot, tract, parcel, or part thereof into two or more lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building development.

The term "subdivision", when used herein includes resubdivision and when appropriate to the context, shall refer to the process of subdividing or to the land subdivided.

15. Subdivision, minor - A subdivision in which a single lot, tract, or parcel is divided into no more than two lots, tracts, or parcels and which does not involve the creation of any new streets.

SECTION

4

PROCEDURE FOR SUBMISSION AND REVIEW OF PLATS

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

1. Submission and review of a sketch plan.
2. Submission and review of a preliminary plat.
3. Submission and review of a final plat.

The first step, involving submission and review of a sketch plan of a proposed subdivision, shall be optional and shall not be a prerequisite for approval of the preliminary or final plats. {However, this optional procedure is highly recommended to any potential applicant because it provides an opportunity to resolve problems early in the proceedings and to make necessary modifications and revisions prior to incurring the expense of preparing a preliminary and final plat.}

Steps two and three above, involving submission and review of a preliminary and final plat shall both be mandatory, except that in certain cases the Planning Commission may grant a procedural waiver, consistent with the provision of Section 5.01.

4.01 - Purpose of the Sketch Plan - The purpose of the "Sketch Plan" is to afford the applicant the opportunity to consult early and informally with the County Health Department, Zoning Administrator, and Planning Commission before preparation of the preliminary plat and formal application for approval.

During the "Sketch Plan" procedure, the applicant can advantageously make use of the services of those persons who must eventually accept or reject his proposed subdivision to help him analyze the proposed development to plan more adequately for its sound coordination with the community. This procedure also affords an opportunity for the Health Department, Zoning Administrator, and Planning Commission to give informal guidance to the applicant at a stage when potential points of difference can be more easily resolved.

4.02 - Procedures for Submission and Review of the Sketch Plan - If an applicant chooses to exercise the Sketch Plan option, the following procedures shall be followed:

1. Applicant prepares sketch plan and application.
2. Applicant submits two copies of the sketch plan and application to the Zoning Administrator.
3. The Zoning Administrator checks the submission against a checklist for completeness, and
 - a. If submission is incomplete, immediately returns submission to applicant and indicates deficiencies, or
 - b. If submission is incomplete, receives sketch plan and application.
4. The applicant shall immediately distribute additional copies of the submission in the following manner:

One copy to the County Health Department
One copy to the Soil Conservation Service

The Zoning Administrator shall immediately distribute copies in the following manner:

One copy to the Planning Commission
One copy to the Town Files
5. At first regular meeting held after fifteen days following receipt of the complete submission by the Zoning Administrator, the Planning Commission:
 - a. Receives and reviews the applicant's submission;
 - b. Receives and reviews the report by the Health Department and Soil Conservation Service;
 - c. Hears applicant's presentation; and
 - d. Discusses submission with the applicant, if he so desires.
6. The Planning Commission either the same evening or at least within one month following the receipt of the applicant's submission by the Commission shall:
 - a. Evaluate applicant's submission, presentation, discussion with applicant, and the reports concerning the application; and

- b. Determine whether the sketch plan meets the objectives and requirements of the "Land Subdivision Regulations" and other regulations and ordinances; and
- c. Inform the applicant in writing of the decision, including required changes and the reasons for the decision.

4.03 The Preliminary Plat, General - The purpose of the preliminary plat is to require formal conditional approval in order to determine what changes and revisions must be made prior to submission of the final plat.

The preliminary plat and all information and procedures shall comply in all respects with the provisions of these regulations before approval may be given, except where waiver therefrom may be specifically authorized in writing in accordance with Section 5 hereof.

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

1. Applicant prepares preliminary plat and application;
2. Applicant submits two copies of the preliminary plat and application to the Zoning Administrator;
3. The Zoning Administrator checks submission against checklist for completeness; and
 - a. If submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
 - b. If submission is complete, receives preliminary plat, application and fees.
4. The applicant shall immediately distribute additional copies of the submission in the following manner:

One copy to the County Health Department
One copy to the Soil Conservation Service
One copy to each utility company which would be serving the subdivision

The Zoning Administrator shall immediately distribute copies in the following manner:

One copy to the Planning Commission
One copy to the Town Files

5. At first regular meeting held after fifteen days following receipt of the complete submission to the Zoning Administrator, the Planning Commission:
 - a. Receives and reviews the applicant's submission;
 - b. Receives and reviews reports by the Health Department and Soil Conservation Service;
 - c. Provides the applicant an opportunity to be heard and discusses the submission with him, should he so desire.
6. The Planning Commission, either the same evening or at least within one month following the receipt of the applicant's submission by the Commission shall:
 - a. Evaluate applicant's submission, presentation, discussion with the applicant, and the reports concerning the application; and
 - b. Determine whether the preliminary plat meets the objectives and requirements of the "Land Subdivision Regulations" and other regulations and ordinances; and
 - c. Inform the applicant in writing the decision including required changes in the preliminary plat and the reasons for the decision.
7. Approval of the preliminary plat shall constitute conditional approval of the subdivision as to character and intensity but shall not constitute approval of the final plat or authorize sale of lots or construction of buildings.

4.05 The Final Plat, General - The purpose of the final plat is to require formal approval by the Town Planning Commission before plats for all subdivisions are recorded as required by Section 2.00 of these Regulations.

A final plat shall be submitted conforming to the changes recommended during the preliminary plat procedure. The final plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations, except where waiver therefrom may be specified in writing according to the provisions of Section 5 hereof.

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

1. Applicant prepares final plat and application.
2. Applicant submits two copies of the final plat and application to the Zoning Administrator within one year from the date of receiving conditional approval of the preliminary plat.
3. Zoning Administrator checks submission against checklist for completeness; and
 - a. If submission is incomplete, immediately returns submission to applicant and indicates deficiencies;
 - b. If submission is complete, receives final plat and application.
4. The applicant shall immediately distribute additional copies of the submission in the following manner:

One copy to the County Health Department
One copy to the Soil Conservation Service
One copy to each utility company which would serve the subdivision

The Zoning Administrator shall immediately distribute copies in the following manner:

One copy to the Planning Commission
One copy to the Town Files
5. At first regular meeting held following receipt of the complete submission to the Zoning Administrator the Planning Commission:
 - a. Receives and reviews the applicant's submission;
 - b. Receives and reviews reports by the Health Department and Soil Conservation Service;
 - c. Provides applicant an opportunity to be heard and discusses the submission with him, if he so desires.

6. The Planning Commission, either the same evening or at least within one month following the receipt of the applicant's submission by the Commission shall:
 - a. Evaluate applicant's submission, presentation, discussion with the applicant, and the reports concerning the application; and
 - b. Determine whether the final plat meets the objectives and requirements of the "Land Subdivision Regulations" and other regulations and ordinances; and
 - c. Inform the applicant in writing of the decision including required changes in the final plat and the reasons for the decision.
7. If the final plat is approved, the Planning Commission shall adopt a resolution indicating such approval. Approval shall not be final until entry into a contract and production of a completion guarantee, as set forth in Section 10 hereof; and a reproducible copy of the record plat with the signatures required in Section 6 hereof shall have been submitted to the Zoning Administrator.
8. The applicant shall then file one linen copy for record with Clerk of the Court of Talbot County, and shall distribute other prints to official agencies as may be needed.

4.07 Effect of Recording - Streets, parks, and other public improvements shown on a subdivision plat to be recorded may be offered for dedication to the Town by formal notation thereof on the plat, or the owner may note on the plat that such improvements have not been offered for dedication to the Town.

Recording of the final plat by the applicant shall not be deemed to constitute or effect an acceptance by the public of the dedication of any street or other proposed public park or improvement shown on said plat, but improvements so noted for dedication may be accepted by the public through any subsequent appropriate act.

SECTION

WAIVERS

5

5.00 Waivers for Exceptional Conditions - The Town Council may grant a waiver from the provisions of these regulations where:

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

In granting any waiver from the terms of these regulations the Town Council may prescribe such conditions and safeguards as it shall deem necessary to fulfill the purpose and intent of these regulations. Violations of such conditions shall be deemed a violation of these regulations and punishable under the provisions of Section 2.02.

Before granting any waiver, the Town Council shall first obtain a recommendation from the Planning Commission, which recommendation shall not be binding upon the Council.

5.01 Procedural Waivers - The requirements for the preliminary plat procedure may be waived by the Planning Commission, providing that the following requirements shall be met:

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

In the case of a minor subdivision, as defined in Section 3, the Planning Commission may waive all plat requirements, but may require such other information as may be necessary, in its opinion, to determine the nature and character of the proposed subdivision.

PART TWO

REQUIRED DATA
LAYOUT STANDARDS
SITE IMPROVEMENTS

SECTION

6

DATA AND INFORMATION REQUIRED ON SKETCH PLAN AND PLATS

6.00 - Introduction. The procedures which must be followed in order for an applicant to have a proposed subdivision reviewed and approved by the Town Planning Commission are set forth in Section 4 of these regulations. The purpose of this section is to set forth the requirements for data and information which must be contained on the sketch plan and plats.

6.01 - Sketch Plan Requirement. The following data and information shall be included on the Sketch Plan:

1. Name of the subdivision.
2. Name and address of the owner.
3. Name and address of the engineer or surveyor, if any.
4. Tract boundaries.
5. North arrow, scale, and date.
6. Streets on and adjacent to the tract.
7. Significant topographical and physical features.
8. Proposed general street layout.
9. Proposed general lot layout.
10. Designations of the general character of use for the various portions of the tract (Including for example, any proposed commercial or industrial uses, or the general type of housing proposed).

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

1. Drafting Standards:

- a. The plat shall be drawn at a scale of 1" - 50' or 1" - 100' or 1" - 200'.

- b. Dimensions shall be in feet and decimal parts thereof, and bearings in degrees, and minutes.
- c. Each sheet shall be numbered and shall show its relationship to the total number of sheets.
- d. Where any revision is made, or when the plat is a revision of a previously approved plat, dotted lines shall be used to show features or locations to be abandoned and solid lines to show the presently proposed features.
- e. The plat shall be so prepared to bear an adequate legend to indicate clearly which features are existing and which are proposed.
- f. The boundary line of the subdivision shall be shown as a solid heavy line.

2. General Information to be shown:

- a. Name of the subdivision.
- b. Name and address of the owner.
- c. Name and address of the engineer or surveyor responsible for the plat.
- d. Present zoning classification.
- e. Date, north arrow, and scale in feet and in meters.
- f. A location map for the purpose of locating the site to be subdivided at a scale of not less than eight hundred feet to the inch showing the relation of the tract to adjoining property and to all streets and municipal boundaries existing within one thousand feet of any part of the property proposed to be subdivided.

3. Information to be shown concerning existing features:

- a. Complete outline survey of the property to be

subdivided showing all courses, distances, and areas, and tie-ins to all adjacent street intersections.

- b. The location, names, and widths of streets, the location of property lines and name of owners, the location of all water courses, sanitary sewers, storm drains, and similar features within four hundred feet of any part of the land to be subdivided.
- c. Location of all existing monuments.
- d. Location, size, and ownership of all underground utilities, and any rights-of-way within the property.
- e. Topography on two foot contours. Smaller contour intervals may be required where two foot contours do not indicate existing surface conditions.
- f. Location of existing buildings, the outline of all wooded areas, areas subject to flooding and areas designated as state and private wetlands on the Wetlands Boundaries Maps of the Department of Natural Resources, State of Maryland.

4. Information to be shown concerning the proposed layout:

- a. The layout of streets, including names and widths.
- b. The layout and approximate dimensions of lots.
- c. A reference to any land offered for dedication for parks, schools, streets, or other public uses.
- d. The average and minimum lot size.
- e. Location of storm drains, sanitary sewers, culverts, and water courses.
- f. Building setback lines.

- g. Rights-of-way and/or easements proposed to be created for all drainage purposes and utilities.
- h. Tentative typical cross-section and center line profiles for each proposed street shown on the preliminary plat. These may be submitted as separate sheets. As an alternate to showing the centerline profiles, center-line grades may be shown on the plat.
- i. Where the preliminary plat covers only a part of the owner's entire holding, a sketch shall be submitted of the prospective street layout for the remainder.
- j. The words "Preliminary Plat - Not to be Recorded," shall be shown on the plat.

6.03 - Requirements for Final Plat. The following requirements shall apply to the final plat:

- 1. Drafting Standards - The same drafting standards shall apply as for the preliminary plat, except that:
 - a. The plat shall be a clear and easily legible white paper print; and
 - b. All lettering on the plat shall be drawn so as to be legible if the plat should be reduced to half size.
- 2. General Information to be shown - The same general information shall be shown as for the preliminary plat, except that:
 - a. The State Department of Health certification shall be shown.
- 3. Information to be shown concerning existing features:
 - a. Complete outline survey of the property to be subdivided showing all courses, distances, and area, and tie-ins to all adjacent street intersections.
 - b. Location of all existing survey monuments.
 - c. Location and ownership of all rights-of-way and easements within the property.

- d. Location of all areas designated as state and private wetlands on the Wetlands Boundaries Maps of the Department of Natural Resources, State of Maryland.

4. Information to be shown concerning the proposed layout:

- a. Lot layout, including dimensions and bearings and consecutive numbering of lots.
- b. The proposed names, pavement width, and right-of-way width of all proposed streets and roads.
- c. Sufficient data to determine readily the location, bearing and length of every street, lot, and boundary line.
- d. Accurate location of all monuments.
- e. The location, width, and purpose of all easements or rights-of-way and boundaries by bearings and dimensions.
- f. The location, size, and invert elevations of sanitary sewers, storm sewers, and location of all manholes, inlets, and culverts, and design calculations of same along with the plan and profile of same and any appurtenances. This information shall be submitted on separate sheets.
- g. The location of all existing and proposed fire hydrants and utilities. This information shall be shown on separate sheets.
- h. Typical cross section and street profiles for all streets. Such profiles shall show the existing and proposed grades along the proposed street centerlines. This information shall be submitted on separate sheets.

6.04 - Requirements for the Record Plat. The record plat shall be clear and legible blue or black line print on white linen and shall be an exact copy of the approved final plat.

All information which is required on the final plat is required on the record plat, and in addition the following shall be required.

1. Seals

- a. The impressed seal of the licensed engineer or surveyor responsible for the plat.
- b. The impressed corporation seal, if the applicant is a corporation.

2. Acknowledgements

A statement to the effect that the applicant is the owner of the subdivision shown on the final plat is made with his or their consent and that it is desired to record the same.

Acknowledgement of said statement before in officer authorized to take acknowledgements.

3. Signatures

The following signatures shall be placed directly on the plat in black ink:

- a. The signatures of the owner or owners of the land. If the owner of the land is a corporation, the signatures of the president and secretary of the corporation shall appear.
- b. The signature of the licensed engineer or surveyor who prepared the plat.
- c. The signature of the chairman of the Planning Commission.
- d. The signature of the appropriate Maryland Department of Health and Mental Hygiene official indicating the approval of the plat by that Department.

SUITABILITY OF LAND FOR DEVELOPMENT

7.00 - In order to provide for the health, safety, and welfare of the present and future population of Trappe, the Planning Commission shall refuse to approve any proposed subdivision when such subdivision would bring about the development of land which is unsuitable for such development due to flooding, lack of drainage, excessive erosive action by water, unstabilized slope or fill, or other conditions which may cause danger to life, health or property, or aggravate erosion or flood hazards.

STANDARDS FOR LAYOUT OF SUBDIVISIONS

8.00 - Application of Standards. The standards and requirements provided herein shall be considered to be minimums to protect the public health, safety, morals, and general welfare. No subdivision of land shall be approved unless it complies with the standards herein, or unless the Town Council shall adjust the standards by granting a waiver in accordance with the provisions of Section 5.

8.01 - General Standards. The following general standards shall apply:

1. All portions of a tract being subdivided shall be taken up in lots, street, public lands, or other proposed uses, so that remnants shall not be created.
2. Where trees, groves, waterways, scenic points, historic features, or other assets and landmarks are located within a proposed subdivision, every reasonable means shall be provided to preserve these features.
3. Lands which are unsuitable for development due to flooding, lack of drainage, excessive erosive action by water, unstabilized fill or slope or other conditions which may cause danger to life, health, or property, shall be set aside on the plat for uses which will not be endangered by such conditions and which do not involve the construction or use of buildings or structures for human occupancy.

8.02 - Standards of Streets. The following standards shall apply to the layout of roads:

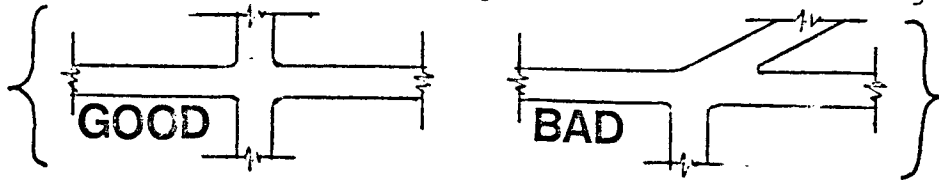
1. The arrangement, character, extent, grade, and location of all streets shall be acceptable to the Planning Commission and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
2. The street layout shall provide for the continuation or projection of streets already existing in areas adjacent to the land being subdivided, unless the Planning Commission deems such continuation or extension undesirable for reasons of topography or design.

3. The street system shall provide for the extension of streets at the same or greater right of way width.
4. Residential streets shall be so laid out that their use by through traffic will be discouraged.
5. Streets that are extensions of or obviously in alignment with existing streets shall bear the same names as the existing streets.
6. If a portion of a tract is not subdivided, suitable access to streets for eventual subdivision of the entire tract shall be provided.
7. Where stub streets are provided abutting unsubdivided acreage, temporary easements for turn-arounds shall be provided at the boundary lines.
8. Alleys are prohibited in developments of single family detached residences.
9. Where natural features or the design concepts employed make such use appropriate, cul-de-sacs may be used, provided that such streets are no longer than 600 feet and have a paved turn-around of at least 40 feet in width at the closed end.
10. Pedestrian crosswalks shall be provided wherever needed to provide circulation or access for schools, parks, or other community facilities.
11. A 50 foot right of way shall be provided for all streets, except that a right of way of 35 feet in radius shall be required at the turn-around spaces of all cul-de-sacs.
12. Layout of streets shall seek to minimize the number of individual access points on minor collector streets as well as State and County roads.
13. Layout of streets in residential areas should tend to discourage driving at high speeds.
14. Layout of streets should minimize potential pedestrian/vehicle conflict points. For all local streets, as defined in Section 3, sidewalks shall be provided on at least one side of the street.

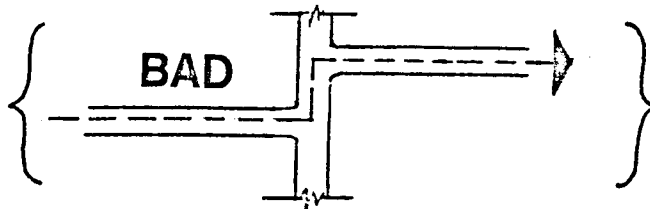
15. Pavement widths for all streets shall adhere to the minimum standards, as set forth in Section 9 herein, according to the nature and function of the streets involved.

8.03 - Standards for Road Intersections. The following standards shall apply to the layout of street intersections:

1. Multiple intersections involving the junction of more than two streets shall not be used.
2. Streets shall be laid out to intersect as nearly as possible to right angles, and no street shall intersect another at an angle of less than 60 degrees.



3. The corners of the pavement surface at intersections shall be rounded by a radius of at least eight feet.
4. No street, road or drive shall occur within seventy-five feet of the pavement edge of any intersection.
5. Street jogs with center lines which are less than 125 feet apart shall not be made.



8.04 - Standards for Blocks. The following standards shall apply to the layout of blocks:

1. Block lengths shall be designed so as to provide adequate internal accessibility to all property, and where the average lot size is one-half acre or less, shall be no more than 400 feet.
2. Blocks shall be wide enough to allow for two tiers of lots, except where topographic or other natural conditions make two tiers of lots awkward or impractical to lay out.

8.05 - Standards for Lots. The following lot standards shall apply:

1. All lots shall abut a street or road right of way.
2. In general side lot lines shall occur at right angles to, or as radials of, the street line.
3. Lots which are excessively deep in relation to width, or excessively irregular in shape shall be avoided. A proportion of three in depth to one in width shall be considered a proper maximum.
4. The size and shape of all lots shall conform to the minimums established by the Trappe Zoning Ordinance.
5. The size and shape of all lots shall conform to the requirements of the Department of Health and Mental Hygiene.

8.06 - Recreational Open Space. For all proposed subdivisions in which the average lot size is one acre or less, adequate space shall be reserved for the purpose of providing open space for resident recreational purposes.

8.07 - Space for Utilities. For all proposed subdivisions adequate space shall be provided to accommodate such utilities structures as shall be required to serve the subdivisions.

REQUIRED IMPROVEMENTS

9.00 - Introduction. The purpose of this section is to establish and define the public improvements which will be required to be constructed by the applicant or guaranteed by the applicant as provided in Section 10, as a condition for final plat approval.

All construction shall be completed in accordance with the specific conditions of the commitment and the accepted drawings and specifications, and in the manner acceptable to the Town Council, Planning Commission, the County Health Department, and other applicable officials.

9.01 - Changes from Accepted Drawings and Specifications. If, during construction, changes from the accepted drawings and specifications should become necessary, written acceptance from the Town Council shall be obtained prior to executing such changes.

9.02 - Requirements for Streets. The following minimum requirements shall apply to streets in accordance with the function of such streets as defined in Section 3 herein:

1. For Minor Collector Streets:

- a) 50 foot right of way width
- b) 24 foot pavement width
- c) 5' shoulders along both sides

2. For Local Streets:

- a) 50 foot right of way width
- b) 36 foot pavement width
- c) Curb and gutter along both sides
- d) Sidewalk, 3 feet in width with 4 feet of space between sidewalk and edge of curb to allow for landscaping.

- 3. All trees, stumps, and root mat shall be removed from the right-of-way.
- 4. All sod, vegetable matter, other putrescible substances not suitable for compaction shall be removed and gravel backfill placed in order to provide a proper base for the roadway.
- 5. A surface consisting of a minimum of nine inches of compacted gravel shall then be applied as a base for the paving surface; and for the full width of the required shoulders.

6. After the gravel base has been properly compacted and shaped, a suitable paving surface shall be applied and smoothed to a firm surface.
7. All materials, including gravel, paving, and any culvert pipe which may be required shall be approved by the Town Council.
8. Side ditches for minor collector streets shall be graded and stabilized by seeding, mulching, or by such other method as may be approved by the Town Council. The slope of such side ditches shall be 2:1 with a minimum depth of one and one-half feet.
9. The final road surface shall have a crown of no less than three inches and no more than six inches.
10. For local streets, curbs shall not be less than six inches and shall be constructed of Portland Cement Concrete. Backfill to such curbs shall be as high as the curb and shall slope toward the curb to insure that surface water drains properly.
11. For local streets, sidewalks shall be three feet in width and constructed of a four inch thickness of Portland Cement Concrete.
12. The maximum grade for all roads shall be five percent.

9.03 - Street Signs. The owner shall erect at every intersection a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two such street signs.

9.04 - Storm Sewer. The owner shall construct such storm water drainage facilities as may be required by the Planning Commission or Town Council in order to prevent erosion, flooding, or other hazards.

9.05 - Water and Sewerage Systems. The owner shall construct such water supply and sewerage facilities as may be required by the Town Council and the Health Department.

9.06 - Erosion and Sedimentation Control. The owner shall construct such works or provide such landscaping as shall be required by the Planning Commission and Town Council to prevent undue erosion and/or sedimentation and to comply with such other laws as are applicable.

9.07 - Monuments. Monuments shall be placed at each change in direction of boundary line; two to be placed at each street intersection and one on one side of each street angle points

and at the beginning and end of curves; utility easements shall be monumented at their beginning and at their end, and areas to be conveyed for public use shall be fully monumented at their external boundaries.

Monuments shall be placed in the ground after final grading is completed at a time specified by the Town Council.

All monuments shall be checked for accuracy by the Town Council or their accuracy shall be certified by the owner's engineer.

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

Where the subdivision contains land set aside for recreational use, the owner shall provide as a part of the deed restrictions such trust agreements as will insure to the satisfaction of the Town Council that such areas are properly maintained at no expense to the Town, unless such areas dedicated to and accepted by the Town for maintenance.

IMPROVEMENT GUARANTEES

10.00 - Contract. Before the Planning Commission shall cause its approval to be endorsed upon the final plat of any subdivision and as a requisite for the approval thereof:

1. Required improvements shall be completed, inspected, and accepted by the Town Council and other proper authorities; or
2. The owner shall enter into a written agreement with the Town in the manner and form set forth by the Town Attorney wherein he shall agree:
 - a. to construct or cause to be constructed at his own expense all required improvements shown on the final plat and in strict accordance with the standards and specifications of the Town;
 - b. to maintain at his own cost the said required improvements, until the same are accepted by the Town;
 - c. to obtain the easements and releases required when any street, drainage facility, or other improvement abuts or traverses land of persons other than the person holding legal title to the lands of the subdivision, at his own cost, and to obtain from the owner of the lands so abutted or traversed full release from all damages which may accrue due to the construction at said improvements. Such releases shall insure to the benefit not only of the owner of the subdivision but also to the Town.

10.01 - Guaranty. In order to assure the Town that the required improvements will be constructed and installed in accordance with the final plat, and that such improvements will be maintained until accepted by the Town, the owner shall furnish to the Town, if required, cash, bond, or other such surety as shall be acceptable to the Town in an amount sufficient to cover the cost of constructing and maintaining said improvements, as estimated by the Town Council. This improvement guaranty shall be conditioned upon the faithful performance by the owner of the terms of the contract required under Section 10.00 hereof.

PROCEDURE FOR ACCEPTANCE OF IMPROVEMENTS BY THE TOWN

11.00 - Prior to the acceptance of any roads and improvements by the Town, the following procedure shall be followed.

1. The applicant shall notify the Town Council of the completion of the required improvements.
2. The Town Council shall inspect the completed required improvements,
3. The applicant upon notification from the Town Council shall:
 - a. proceed, at his own cost, to make such corrections as shall be required to comply with the Town specifications and approved final plats; and
 - b. notify the Town Council upon completion requesting final inspection.
4. The Town Council shall make a final inspection with the applicant of all required improvements.
5. If the Town Council are satisfied that the applicant has complied fully with the applicable specifications and ordinances, they may notify the applicant of the acceptance of the required improvements.

The Town shall not be obligated to accept any road, park, or other improvement even though such road, park, or other improvement may comply fully with all applicable Town standards and specifications.

