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NORTH BEACH

SUBDIVISION REGULATIONS

Town of North Beach, Maryland

Adopted July 14, 1994

The Phipps Group
Washington, D.C.

NORTH BEACH SUBDIVSION REGULATIONS

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1-400 INTERPRETATION

1-401 Minimum Requirements

In interpreting and applying the provisions of these Regulations, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, comfort, prosperity or general welfare of the Town of North Beach.

1-402 Conflicting Regulations

Whenever any provisions of these Regulations imposes a greater requirement or a higher standard than is required in any Federal or State statute or other Town ordinance or regulation, the provisions of these Regulations shall govern. Whenever any provision of any Federal or State statute or other Town ordinance or regulation imposes a greater requirement or a higher standard than is required by these Regulations, the provision of such Federal or State statute or other Town ordinance or regulation shall govern.

1-500 SEVERABILITY

Should any section or any provision of these Regulations be decided 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 held to be unconstitutional or invalid.

1-600 EFFECTIVE DATE

These Regulations were adopted on July 14, 1994 and become effective on that date. Upon such adoption, the Subdivision Regulations for the Town of North Beach in Calvert County, Maryland, adopted January 9, 1975, were repealed.

ARTICLE 1

GENERAL PROVISIONS

Part 1	1-100	Title
Part 2	1-200	Purpose
Part 3	1-300	Applicability
Part 4	1-400	Interpretation
Part 5	1-500	Severability
Part 6	1-600	Effective Date

1-100 TITLE

The regulations set forth in this document including the following eight (8) Articles shall be known as the "North Beach Subdivision Regulations".

1-200 PURPOSE

A. The purpose of these Regulations is to regulate and control the division of land within North Beach, in order to promote the public health, safety, and general welfare. Further it is the intent of these Regulations:

1. To assure sites suitable for building development and human habitation in a harmonious environment;

2. To coordinate proposed streets with existing streets;

3. To insure adequate provision of open space for traffic, utilities, access of fire-fighting apparatus, recreation, light and air;

4. To provide for adequate control of erosion and sedimentation.

B. These Regulations are intended to implement the provisions of Article 66B, Zoning and Planning, Annotated Code of Maryland; and Subtitle 15, Chesapeake Bay Critical Area Commission Criteria for Local Critical Area Program Development, Code of Maryland.

1-300 APPLICABILITY

These regulations shall apply to all land located within the incorporated boundaries of the Town of North Beach, Maryland.

ARTICLE 2

SUBDIVISION REQUIREMENTS

Part 1	2-100	General
Part 2	2-200	Streets
Part 3	2-300	Lots, Sidewalks & Addi
Part 4	2-400	Utilities

2-100 GENERAL

2-101 Minimum Requirements

The standards and requirements outlined herein shall be considered minimum standards and requirements for the promotion of the public health, safety and general welfare.

2-102 Additional Standards

In designing a subdivision, the requirements of the North Beach Comprehensive Plan, the North Beach Zoning Ordinance, the Maryland State Department of Health, the Critical Area Criteria, and other applicable regulations shall be met.

2-103 Preservation

Where trees, groves, waterways, scenic points, historic spots, or other Town assets and landmarks are located with a proposed subdivision, all practical means shall be taken to preserve these features.

2-104 Control of Unsuitable Land

A. All portions of a tract being subdivided shall be taken up in lots, streets, common lands, public lands, or other proposed uses, so that remnants and landlocked areas shall not be created.

B. Each lot intended for development shall contain sufficient contiguous land for erection of a building or dwelling within the required setbacks of the Zoning Ordinance.

C. Minimum sufficient suitable land area for development shall comprise not less than five thousand (5,000) square feet.

D. Land in the Floodplain Overlay District or property topographically unsuitable shall not be subdivided or developed for residential occupancy or for such other uses as may endanger health, life, or property, or aggravate erosion or flood hazards until all such hazards have been eliminated or unless adequate safeguards against such hazards are provided for in the Final Subdivision Plat. All unsuitable land and all lots

which have marginal amounts of suitable land for development purposes shall be so noted on the Final Plat.

2-200 STREETS

2-201 General Requirements

A. The arrangement, character, extent, grade, and location of all streets shall conform to the Transportation element of the North Beach Comprehensive Plan, and shall be considered in their relation to the existing and planned streets, to topographical conditions, to public convenience and safety, and in their appropriate location to the proposed uses of the land to be served by such streets.

B. Where a proposed street is not in the Comprehensive Plan, it shall be contiguous and in alignment with existing, planned or platted streets with which it is to connect.

C. Residential streets shall be so designed that their use by through traffic will be discouraged.

D. If a portion of a tract is not subdivided, suitable access to street openings for eventual subdivision of the entire tract shall be provided.

E. Where end of streets abut unsubdivided acreage, temporary easements for turn-around shall be provided at the boundary lines.

2-202 Street Standards

Streets shall be designed and constructed in accordance with the "North Beach Standards for Roads and Streets".

2-203 Street Intersections

A. Multiple intersections including junction of more than two (2) streets shall be avoided.

B. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another street at an angle of less than sixty (60) degrees.

2-204 Street Names

A. Streets that are extensions of or obviously in alignment with existing streets shall bear the names of existing streets.

B. Street names shall be approved by the Planning Commission by submission on the Preliminary Plat.

2-205 Street Maintenance

Provisions for street maintenance shall be made, by guarantee acceptable to the Town Council or by recorded agreement between the developer and the lot owners of the subdivision until maintenance responsibility for the streets has been accepted by the Town.

2-206 Street Signs

Street signs shall be provided and constructed in accordance with the "North Beach Standards for Roads and Streets".

2-300 LOTS, SIDEWALKS AND ADDRESS NUMBERS

2-301 Developable Lots

A. All lots intended for development shall abut on a street.

B. In general, side lot lines shall be at right angles or radial to the street line.

C. Lots excessively deep in relation to width, or lots excessively irregular in shape are to be avoided.

2-302 Sidewalks, Curbs and Gutters

Sidewalks, curbs and gutters shall be provided in all subdivisions and shall be designed and constructed in accordance with the "North Beach Standards for Roads and Streets".

2-303 Address Numbers

Address numbers shall be assigned in accordance with the "North Beach Address Assignment Standards" and shall be placed on the final subdivision plat.

2-400 UTILITIES

2-401 Storm Sewerage System

Storm sewerage systems shall be provided and shall be designed and constructed in accordance with the "North Beach Standards for Roads and Streets".

2-402 Sanitary Sewerage System

Sanitary sewerage systems shall be provided and shall be designed to be connected to the Town sewerage system, when available. The systems shall be designed and constructed in accordance with the "North Beach Standards for Roads and Streets".

2-403 <u>Water Supply System</u>

Water supply systems shall be provided and shall be designed to be connected to the Town water supply system, when available. The systems shall be designed and constructed in accordance with the "North Beach Standards for Roads and Streets".

ARTICLE 3

OPTIONAL SKETCH PLAN

Part 1	3-100	Purpose
Part 2	3-200	General
Part 3	3-300	Information to be Shown
Part 4	3-400	Review Procedures

3-100 PURPOSE

The purpose of the Optional Sketch Plan is to afford the subdivider the opportunity to consult early and informally with the Zoning Administrator and the Planning Commission before preparation of the Preliminary Plat and Final Plat. This optional process in intended to simplify official actions and save unnecessary expense and delay. The provisions of this Article are not required before submission of a Preliminary Plat in accordance with Article 4.

3-200 GENERAL

A. The subdivider should submit three (3) copies of a sketch plan and application to the Zoning Administrator. The sketch plan should be complete and accurate enough to permit serious review by the Zoning Administrator and the Planning Commission.

B. The Zoning Administrator will distribute copies of the sketch plan and application as follows:

1. Planning Commission (1 copy).
2. Town Engineer (1 copy)
3. Zoning Administrator (1 copy)

1 - Town files

3-300 INFORMATION TO BE SHOWN

Information furnished in the sketch plan should include the following:

A. Subdivision name.

B. Owner and subdivider's name and address.

C. Name and address of the engineer, architect or surveyor.

D. Date, north point and scale.

E. Subdivision boundaries.

F. Streets on and adjacent to the subdivision.

G. Significant topographical and physical features.

H. Proposed general street design.

I. Proposed general lot design.

3-400 REVIEW PROCEDURES

After receipt of the sketch plan by the Zoning Administrator, the Town staff will review the plan and consolidate staff comments. The staff will provide comments to the Planning Commission, which will review the sketch plan at its next regularly scheduled meeting. The subdivider will be asked to attend the meeting and respond to questions about the plan. Verbal comments by the Planning Commission will be provided to the subdivider at the meeting.

ARTICLE 4

PRELIMINARY SUBDIVISION PLAT

Part 1	4-100	Purpose
Part 2	4-200	General
Part 3	4-300	Submission Standards
Part 4	4-400	Information to be Shown
Part 5	4-500	Review Procedures

4-100 PURPOSE

The purpose of the Preliminary Subdivision Plat is to provide a basis for Planning Commission conditional approval of a proposed subdivision in order to minimize changes and revisions which might otherwise be necessary on the Final Subdivision Plat.

4-200 GENERAL

4-201 Filing

A. The subdivider shall file with the Zoning Administrator six (6) copies of the Preliminary Subdivision Plat and application. The Zoning Administrator will record the submission, review the Plat and application for completeness and distribute copies for review.

B. Copies of the Preliminary Subdivision Plat and application will be distributed as follows:

1. Planning Commission (1 copy)
2. Town Engineer (1 copy)
3. Inspections and Permits (1 copy)
4. North Beach Fire Department (1 copy)
5. State Health Department (1 copy)
6. County Department of Planning & Zoning (1 copy)
7. Zoning Administrator (1 copy)
8. Town Files (1 copy)

4-202 Compliance with Regulations

The Preliminary Subdivision Plat and all information and procedures relating thereto shall in all respects be in compliance with the

provisions of these Regulations, except where modification therefrom has been specifically authorized in writing by the Planning Commission.

4-203 Approval Not Final

Approval of the Preliminary Subdivision Plat by the Planning Commission 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.

4-204 Preliminary Plat Not Required for Minor Subdivision

A Preliminary Subdivision Plat shall not be required for minor subdivisions of one (1) to four (4) lots.

4-300 SUBMISSION STANDARDS

A. The Preliminary Plat shall be clearly and legibly drawn at one of the following scales:

1. 1" = 20'
2. 1" = 30'
3. 1" = 40'
4. 1" = 50'

B. Dimensions shall be in feet and decimals of a foot and bearings in degrees and minutes. Lot sizes shall be shown in square feet.

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 recorded plat, dotted lines shall be use to show features or locations to be abandoned and solid lines to show the presently proposed features. The title block of the Plan shall identify that the Plat is a revision and shall identify the previous plat's name and deed reference.

E. The Plat shall be so prepared and 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 heavy solid line.

G. Space shall be provided on the Preliminary Subdivision Plat for signature and dates indicating approval by the following:

1. A registered engineer, architect or surveyor, and

2. A representative of the State Health Department.

4-400 INFORMATION TO BE SHOWN

4-401 General Information

A. Subdivision name.

B. Owner and subdivider's name and address.

C. Name, address and seal of the registered engineer, registered architect or registered land surveyor. Registration shall be in the State of Maryland.

D. Date, north point and scale.

E. A vicinity map indicating the location of the site. The vicinity map should indicate the scale, the tax map number, the block and parcel number of the site.

4-402 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. The location of property with respect to surrounding property and streets; the names of all adjoining property owners of record and their deed references; the names, widths, and centerlines of adjoining streets; the location of sanitary sewers, storm drains and water lines; and other pertinent features outside the property.

C. Location of all existing monuments or boundary markers.

D. The location of existing buildings, structures, street, driveways, easements, utility lines, water bodies, streams, swamps, marshes, areas within the Floodplain Overlay District, areas within the Critical Area Overlay District, areas of fish, wildlife and plant habitat, areas listed in Section 2-103, and other pertinent features being within the property.

E. Topography on two (2) or five (5) foot contours as appropriate to the slope of the land.

4-403 Proposed Design

A. The design of streets, including proposed names, widths and centerlines.

B. The design and appropriate dimensions of lots.

C. The design, location and number of required parking spaces.

D. A reference to any land offered for dedication or reservation for parks, widening of streets, or other public use.

E. The average and minimum lot size.

F. Location and size of storm drains, sanitary sewers, culverts, water courses and all appurtenances thereof, water mains and fire hydrants.

G. Rights-of-way and/or easements proposed to be created for all drainage purposes and utilities.

H. Typical cross-sections and centerline profiles for each proposed street. This information may be submitted as separate plats.

I. Types of street surface to be provided.

4-404 Environmental Control

A. General provisions for the adequate control of erosion and sedimentation.

B. Provisions for minimizing disturbance of fish, wildlife and plant habitat, if the subdivision is located in the Critical Area.

4-500 REVIEW PROCEDURES

4-501 Planning Commission Review

A. Once the Zoning Administrator has certified that the subdivision application is complete and proper, the Planning Commission shall review the Preliminary Plat and obtain comments from the Town staff and appropriate agencies of the County and State. The subdivider will have an opportunity to make a presentation and discuss the application with the Commission.

B. The Planning Commission will evaluate the Preliminary Plat and within 90 days of certification by the Zoning Administrator that the application is complete and proper, approve or disapprove the Preliminary Subdivision Plat or approve it with modifications. A written statement shall be furnished the subdivider indicating the actions of the Planning Commission.

4-502 Period of Validity

Approved Preliminary Subdivision Plats shall remain valid for two (2) years from approval date.

4-503 Application Fee

A $250 fee for processing and review of a Preliminary Subdivision Plat shall be due upon submission of the application. The purpose of this fee is to offset direct review costs and administrative overhead. The fee is not returnable unless the application is withdrawn prior to processing by the Zoning Administrator and referral to other agencies. A Preliminary Subdivision Plat which is resubmitted for re-approval is again subject to the same fee.

ARTICLE 5

FINAL SUBDIVISION PLAT

Part 1	5-100	Purpose
Part 2	5-200	General
Part 3	5-300	Submission Standards
Part 4	5-400	Information to be Shown
Part 5	5-500	Review & Recording Procedures

5-100 PURPOSE

The purpose of the Final Subdivision Plat is to provide formal approval by the Planning Commission before plats for subdivisions are recorded by the Clerk of the Circuit Court.

5-200 GENERAL

5-201 Definition

The Final Subdivision Plat shall consist of a drawing, intended for record, incorporating those modifications required by the Planning Commission in its approval of the Preliminary Subdivision Plat.

5-202 Filing

A. The applicant shall file with the Zoning Administrator one (1) mylar and eight (8) paper copies of the Final Subdivision Plat and application. The Zoning Administrator will record the submission, review the Plat and application for completeness and distribute copies for review.

B. Copies of the Final Subdivision Plat and application will be distributed as follows:

1. Planning Commission (1 copy)
2. Town Engineer (1 copy)
3. Inspections and Permits (1 copy)
4. North Beach Fire Department (1 copy)
5. State Health Department (1 copy)
6. County Department of Planning & Zoning (1 copy)
7. Zoning Administrator (1 copy)

8. Town Files (1 mylar and 1 copy)

5-203 Compliance with Regulations

The Preliminary Subdivision Plat and all information and procedures relating thereto shall in all respects be in compliance with the provisions of these Regulations, except where modification therefrom has been specifically authorized in writing by the Planning Commission.

5-300 **SUBMISSION STANDARDS**

A. The Final Subdivision Plat shall be clearly and legibly drawn at one of the following scales:

1. 1" = 20'

2. 1" = 30'

3. 1" = 40'

4. 1" = 50'

B. Final Subdivision Plats shall be prepared in black ink on mylar sheets of the following size:

1. For minor subdivisions of one (1) to four (4) lots:

a. Sheets of 8 1/2" by 13 1/2" for recording in the Land Records of the Clerk of the Circuit Court, or

b. Sheets of 18" by 24" for recording in the Plat Records of the Clerk of the Circuit Court.

2. For major subdivisions of five (5) or more lots, sheets of 18" by 24" for recording in the Plat Records of the Clerk of the Circuit Court.

C. Dimensions shall be in feet and decimals of a foot and bearings in degrees and minutes. Lot sizes shall be shown in square feet.

D. Each sheet shall be numbered and shall show its relationship to the total number of sheets.

E. Where any revision is made, or when the Plat is a revision of a previously recorded plat, dotted lines shall be use to show features or locations to be abandoned and solid lines to show the presently proposed features. The title block of the Plan shall identify that the Plat is a revision and shall identify the previous plat's name and deed reference.

F. The Plat shall be so prepared and bear an adequate legend to

indicate clearly which features are existing and which are proposed.

G. The boundary line of the subdivision shall be shown as a heavy solid line.

H. Space shall be provided on the Final Subdivision Plat for signature and dates indicating approval by the following:

1. A registered engineer, architect or surveyor,

2. A representative of the State Health Department,

3. Chairman of the Planning Commission, and

4. Owner and all parties having proprietary interest in the property subdivided.

5-400 INFORMATION TO BE SHOWN

5-401 General Information

A. Subdivision name.

B. Owner and subdivider's name and address.

C. Name, address and seal of the registered engineer, registered architect or registered land surveyor. Registration shall be in the State of Maryland.

D. Date, north point and scale.

E. A vicinity map indicating the location of the site. The vicinity map should indicate the scale, the tax map number, the block and parcel number of the site.

5-402 Specific Information

A. Centerline of all proposed and adjoining streets with their rights-of-way width and names.

B. Accurate distances and bearings of all boundary lines of the subdivision.

C. Lines of all lots, and a simple method of numbering to identify all lots and sections.

D. All easements provided for public service together with their dimensions and any limitations of the easements.

E. All dimensions necessary for accurate location of the boundaries of the site to be developed and of all streets, lots, easements, and dedicated areas.

F. All radii, arcs, points of tangency, central angles, and lengths of curves.

G. All required and existing survey monuments or benchmarks (i.e., concrete monuments, pipe, trees, fences, etc), together with their description.

H. Private, self-imposed and previously existing covenants, restrictions and/or easements and their period of existence are to be shown or referred to on the recorded Final Subdivision Plat.

I. The accurate outline, dimensions and purposes of all property which is offered for dedication or is to be reserved for acquisition for public uses or is to be reserved by deed covenant for the common use of the property owners in the subdivision.

J. Types of street surfaces to be provided.

K. Location of storm drains, culverts, water courses, and all appurtenances thereof.

5-500 REVIEW AND RECORDING PROCEDURES

5-501 Planning Commission Review

The Planning Commission shall review the Final Subdivision Plat and verify approval of other appropriate agencies. The Commission shall determine its approval or disapproval within thirty (30) days of receipt of the complete and proper Final Plat by the Planning Commission.

5-502 After Planning Commission Approval

A. Approval shall not be final until the owner enters into a written agreement and provides improvement guarantees as specified in Article 6, Part 1.

B. Three (3) exact prints of the approved Final Subdivision Plat on linen with the required signatures as specified in Section 5-300H, and one (1) additional copy on mylar shall be submitted by the subdivider to the Zoning Administrator.

5-503 Recording of Final Subdivision Plat

A. No Final Subdivision Plat shall be recorded with the Clerk of the Circuit Court unless such plat has been approved by the Planning Commission under provisions of these Regulations.

B. The Zoning Administrator shall file the three (3) linen prints and one (1) paper copy of the Final Subdivision Plat for

record with the Clerk of the Circuit Court and shall distribute other copies as needed.

5-504 Effect of Recording

A. Streets, parks and other public improvements shown on a Final Subdivision Plat may be offered for dedication to the Town by formal notation thereof on the plat, or the owner may note on the plat that such improvements have not been offered for dedication to the Town.

B. Recording of the Final Subdivision Plat 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 under the provisions of Article 6, Part 2.

5-505 Application Fee

A $150 fee for processing and review of a Final Subdivision Plat shall be due upon submission of the application. The purpose of this fee is to offset direct review costs and administrative overhead. The fee is not returnable unless the application is withdrawn prior to processing by the Zoning Administrator and referral to other agencies.

ARTICLE 6

IMPROVEMENTS

Part 1	6-100	Improvement Plans
Part 2	6-200	Acceptance of Improvements

6-100 IMPROVEMENT PLANS

6-101 Improvement Agreement

The Planning Commission shall not approve the Final Plat of any subdivision unless the owner shall enter into a written agreement with the Town where he shall agree:

A. To construct or cause to be constructed, at his own expense, all streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities, and other improvements shown on or accompanying said Final Plat;

B. To maintain at his own cost the said streets, curbs, sidewalks, fire hydrants, drainage facilities, street signs, monuments, water and sewerage facilities and other improvements, until and if the same are accepted by the Town; and

C. To obtain the easements and releases required when any street, drainage facility, or other improvement wherein a subdivision abuts or traverses land of persons other than the person holding legal title to lands of the subdivision, at his own cost, and to obtain from the owner of the lands so abutted or traversed full releases from all damages which may change in grade, construction, or otherwise, the street, drainage facility, or other improvement, and such releases shall insure to the benefit not only of the owner of the subdivision but to the Town as well.

6-102 Improvement Guarantee

In order to assure the Town that all improvements shown on or accompanying the Final Subdivision Plat will be constructed and installed in strict accordance with the plats, as finally approved, and with the standards, regulations, and specifications of the Town, and will be maintained until and if accepted by the Town, the owner shall furnish to the Town cash or bond with such surety as the Town Council shall approve in an amount sufficient to cover cost of the construction and installation of the improvements.

6-200 ACCEPTANCE OF IMPROVEMENTS

6-201 General

All construction of improvements shall be subject to inspection by the Town during construction, and to approval by appropriate public authorities upon completion of construction.

6-202 Standards

All improvements shall be designed and constructed in accordance with the "North Beach Standards for Roads and Streets".

6-203 Acceptance by the Town Council

If public improvements are to be accepted by the Town, the Town Council shall notify the applicant of acceptance of the improvements if satisfied that the applicant has complied with all standards and ordinances of the Town.

ARTICLE 7

ADMINISTRATION

Part 1	7-100	Modifications
Part 2	7-200	Appeals
Part 2	7-300	Amendments to these Regulations
Part 3	7-400	Violations and Penalties

7-100 MODIFICATIONS

7-101 Modification of Requirements

A. Where in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this regulation would result in extraordinary hardship to the subdivider because of unusual topography or shape, or other physical conditions of the parcel, 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, modify, or waive the requirements so that substantial justice may be done and the public interest secured; provided, that such modification or waiver will not have the effect of nullifying the intent and purpose of these Regulations or interfering with carrying out the North Beach Comprehensive Plan.

B. In no case shall any modification or waiving of these Regulations be more than a minimum easing of the requirements and in no instance shall it conflict with the Zoning Ordinance or Zoning Map.

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

7-102 Modifications During Construction

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. After approval by the Planning Commission, the revised Final Plat will be recorded in accordance with Section 5-502.

7-200 APPEALS

Any person or agency aggrieved or affected by a decision of the Planning Commission under these Regulations, may appeal to the County Circuit Court. The decision of the Circuit Court may be

appealed to the Maryland Court of Appeals.

7-300 AMENDMENTS TO THESE REGULATIONS

7-301 General

These Regulations may from time to time be amended, supplemented, changed or repealed by the Town Council.

7-302 Initiation of Amendments

Any person or agency may petition for such change or amendment to these Regulations. The Planning Commission shall conduct a review of such change or amendment and will make recommendations to the Town Council.

7-303 Public Hearing Requirement

A. All recommended changes or amendments to these Regulations shall be subject to a public hearing before the Planning Commission and Town Council. A single public hearing on the same amendment may be held jointly by the Planning Commission and Town Council.

B. Notice of any public hearing shall be published once a week for two (2) successive weeks in a local newspaper having general circulation in Calvert county. The first such notice shall be published at least fourteen (14) days prior to the date of the hearing, and shall specify the time and place of the hearing and the nature of the amendment to the Subdivision Regulations.

7-304 Recommendation and Adoption of the Amendment

A. After a public hearing, the Planning Commission shall make recommendations to the Town Council concerning any amendment to these Regulations.

B. The Town Council shall take action on such amendment after considering the recommendations of the Planning Commission and the comments made during any public hearing on such amendment.

7-400 VIOLATIONS AND PENALTIES

Any person, corporation, association, partnership, or the agent of any such person, who violates any provision of these Regulations or fails to comply with any of the requirements hereof shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to punishment as provided by law.

ARTICLE 8

DEFINITIONS

The following definitions shall be used in the interpretation and administration of these Regulations.

ALLEY: A service way providing a secondary means of access to abutting properties whose principal frontage is on another street. It is not intended for general traffic circulation.

DRIVEWAY: A private access and travel way to an individual residence which is contained within the lot or parcel and is not intended to serve any other parcel of land.

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

FINAL SUBDIVISION PLAT: A master drawing of all or any portion of the subdivision, prepared in accordance with the approved Preliminary Subdivision Plat, which is to be recorded in the official Plat or Land Records of Calvert County.

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

LOT: A parcel of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed or built upon as a unit.

PRELIMINARY SUBDIVISION PLAT: A drawing prepared for the overall planning of a proposed subdivision in accordance with these Regulations.

RIGHT-OF-WAY: A strip of land occupied or intended to be occupied by a street, alley, walkway, sanitary or storm sewer, water line, drainage ditch, or for another special use.

SKETCH PLAN: An optional drawing prepared for informal discussions with the Zoning Administrator and the Planning Commission before preparation of the Preliminary Plat and Final Plat.

STREET: A strip of land intended primarily for vehicular traffic and providing the principal means of access to property.

SUBDIVIDER: Any individual, partnership, firm, corporation, or agent thereof, that undertakes or participates in the establishment of a subdivision.

SUBDIVISION: The division of a lot, tract, or parcel of land into two or more lots, plats, sites or other divisions of land for the purpose, whether

immediate or future, of sale or of building development. It includes re-subdivision and, when appropriate to the context, relates to the process of re-subdividing or to the land or territory subdivided.

SUBDIVISION, MAJOR: A subdivision that creates five (5) or more lots or requires the creation of any new rights-of-way.

SUBDIVISION, MINOR: A subdivision that creates four (4) or fewer lots having frontage on an existing recorded right-of-way which provides legal and adequate access and does not require the creation of any new right-of-way.