

QUEENSTOWN SUBDIVISION ORDINANCE

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ARTICLE I. Title; Applicability; Purpose

§ 1. Title.

This chapter shall be known, referred to and cited as the “Land Subdivision Regulations of Queenstown, Maryland.”

§ 2. Applicability.

This chapter shall apply to the incorporated territory of Queenstown, Maryland. The regulations contained herein are adopted under the authority of Land Use Article of the Maryland Code, as amended, and shall be in addition to any regulations pertaining to land subdivision promulgated by the State Department of Health or other agency of the State of Maryland, and in the case of any conflict, the more exacting regulation shall prevail.

§ 3. Purpose.

This chapter has been established for the purpose of guiding and accomplishing the coordinated and harmonious development of the Town of Queenstown, Maryland, and its environs in order to promote, in accordance with present and future needs, the health, safety, morals, order, convenience, prosperity and general welfare of the citizens of the Town. In the accomplishment of this purpose, the regulations as herein established provided for, among other things, efficiency and economy in the process of development; the proper arrangement of streets in relation to each other and to the existing and planned streets and other features of the Community Plan¹ of the Town; adequate open spaces for recreation, light and air; convenient distribution of population and traffic; adequate provision for public utilities and other public facilities; and other requirements for land subdivision which will tend to create conditions favorable to the health, safety, convenience and prosperity of the citizens of Queenstown, Maryland, and its environs.

ARTICLE II. Definitions and Word Usage

§ 4. General rules of construction.

The following general rules of construction shall apply to the regulations of this Chapter:

- A. The singular number includes the plural, and the plural the singular, unless the context clearly indicates the contrary.
- B. Words used in the present tense include the past and future tenses, and the future the present.
- C. The word “shall” is always mandatory. The word “may” is permissive.

¹ Editors Note: The Queenstown Community Plan is on file in the office of the Town Clerk.

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- D. The word “public” means “open to common use,” whether or not public ownership is involved.
- E. Words and terms not defined herein shall be interpreted in accordance with their normal dictionary meaning, or as may be specifically defined in the Queenstown Zoning Ordinance.

§ 5. Definitions.

For the purpose of this chapter, certain terms and words are hereby defined:

ALLEY - A narrow public thoroughfare, not exceeding sixteen (16) feet in width, which provides a secondary means of vehicular access to abutting properties and which is not intended for general circulation.

BUILDING LINE - A line within a lot, so designated on a plat of subdivision, between which line and the street line of any abutting street no building or structure may be erected.

COLLECTOR STREET - A Street which is intended to collect traffic from the minor streets within a neighborhood or a portion thereof and to distribute such traffic to major thoroughfares in addition to providing access to properties abutting thereon.

CROSS WALKWAY - A public way intended for pedestrian use and excluding motor vehicles, which cuts across a block in order to furnish improved access to adjacent streets or properties.

CUL-DE-SAC - A minor street having but one (1) end open for vehicular traffic and with the other end permanently terminated by a turnaround or back around for vehicles.

DEDICATION: The deliberate setting aside or appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

EASEMENT - A strip of land for which the owner grants a right of use to someone else for one (1) or more designated purposes, which purposes are consistent with the general property rights of the owner.

ENGINEER - The Town Engineer of Queenstown a qualified civil engineer designated by the Town Commissioners.

HEALTH OFFICER - The Health Officer of the County.

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

LOT - A portion of a subdivision or other parcel of land intended for the purpose of building development, whether immediate or future.

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LOT AREA - The total horizontal area within the lot lines of the lot.

LOT DEPTH - The average horizontal distance between the front and rear lot lines.

LOT LINE - The boundary line of the lot.

LOT WIDTH - The horizontal distance between the side lot lines, measured at the required building setback line.

MINOR STREET - A Street other than a major thoroughfare or Collector Street and intended primarily for providing access to abutting properties.

PLANNING COMMISSION - The Queenstown Planning Commission.

PUBLIC WORKS AGREEMENT - A contract, between the developer and the Town, to complete the necessary improvements in accordance with approved plans and specifications by a given date; such contract to be guaranteed by an approved surety bond or performance bond, a certified check, cash, irrevocable letter of credit or such other security as the Town deems appropriate.

REGULATIONS - The whole body of regulations, text, charts, diagrams, notations and references contained or referred to in this chapter.

RESUBDIVISION - a further division or modification of an existing subdivision properly recorded in the land records of Queen Anne's County after August 7, 1977.

ROADWAY - That portion of a street or highway available for and intended for use by motor vehicle traffic.

SERVICE DRIVE - A minor street which is parallel to and adjacent to a major thoroughfare and which provides access to abutting properties and restricts access to the major thoroughfare.

STREET - A public or private thoroughfare which affords the principal means of access to abutting properties, whether designated as a freeway, expressway, highway, road, avenue, boulevard, lane, place, circle or however otherwise designated.

STREET LINE - A dividing line separating a lot, tract or parcel of land and a contiguous street, and also referred to as a "right-of-way line."

SUBDIVIDER - Any person, individual, firm, partnership, association, corporation, estate, trust or any other group or combination acting as a unit dividing or proposing to divide land so as to constitute a subdivision as defined herein, and including any agent of the subdivider.

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

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TOWN -Town of Queenstown, Maryland.

TOWN ROADS - a road for which the easement for use or title is vested with the Town Commissioners by grant, condemnation or dedication, and for which the Town Commissioners or roads board have accepted maintenance responsibility.

ARTICLE III. General Provisions

§ 6. Plat required for subdivision; recording.

From and after the effective date of these regulations, any owner, agent or proprietor of any tract of land located within the territory to which these regulations shall apply who subdivides such land into lots, blocks, streets, alleys, public ways or public grounds shall cause a plat of such subdivision to be made in accordance with the regulations set forth herein and the laws of the State of Maryland and shall cause a copy of said plat to be recorded in the office of the Clerk of the Circuit Court.

§ 7. Approval of plat by Planning Commission.

No plat of a subdivision shall be recorded by the Clerk of the Circuit Court unless and until it shall have been submitted to and approved by the Planning Commission as provided herein. The Planning Commission shall not approve said plat unless and until the plat satisfactorily complies with the requirements of these regulations.

§ 8. Transfer of land; issuance of building permit.

No parcel of land in a subdivision created after the effective date of these regulations shall be transferred, sold or offered for sale nor shall a building permit be issued for any structure thereon until a plat of subdivision shall have been recorded with the Clerk of the Circuit Court in accordance with these regulations and the laws of the State of Maryland. Any person who violates this provision shall be subject to the penalties contained herein.

§ 9. Requirements for plat preparation.

In the preparation of a plat of a subdivision, the subdivider shall comply with the general principles of design and minimum requirements for the layout of subdivisions as set forth in Article VI and with the rules and regulations concerning required improvements as set forth in Article VII and in the standards and specifications for improvements as adopted by the Town Commissioners, and in every case the preparation of such plat shall be in accordance with the procedure of Article V.

ARTICLE IV. Minor Subdivision Approval

§ 10. Minor Subdivision Approval

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

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- A. The Planning Commission shall approve or disapprove Minor Subdivision Final Plats in accordance with the provisions of this Section.
- B. The applicant for approval of a Minor Subdivision Plat shall submit a "Sketch Plat" to the Planning Commission 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.
- C. Applicants for approval of a Minor Subdivision shall submit to the Planning Commission a plat conforming to the requirements set forth in Appendix A of these regulations.
- D. The Planning Commission shall take expeditious action on an application for approval of a Minor Subdivision Plat, as provided herein. However, either the Planning Commission or the applicant may, at any time, refer said application to the approval process for Major Subdivisions.
- E. Not more than a total of three (3) lots may be created out of one tract using the approval process for Minor Subdivision Plats, regardless of whether the lots are created at one time or over an extended period of time starting with the effective date of these regulations.
- F. If the subdivision is disapproved, the Planning Commission shall promptly furnish the applicant with a written statement of the reasons for disapproval.
- G. Minor Subdivisions shall comply with all requirements of these regulations and the Queenstown Zoning Ordinance.
- H. Approval of any plat is contingent upon recordation within nine (9) months after the date approved and signed by the Planning Commission or their designee.

§ 11. Minor Subdivisions resulting from Resubdivision, Addition, and Subtraction of Lots

- A. Resubdivision
 - 1. For any modification, division, addition, deletion, or correction, which is proposed to a previously recorded lot(s) in a subdivision, the owner must file a "Re-Subdivision Plat" to be approved as if it were a Final Plat and recorded by the applicant. Changes occurring as a result of highway, road, or street improvements which require additional right-of-way shall not require a Re-Subdivision Plat to be recorded.
 - 2. In cases where two (2) or more lots in the same ownership are effectively utilized to meet zoning requirements for setbacks, yard requirements, density requirements, etc., a Re-Subdivision Plat combining the affected lots into one lot will be required. Any remaining lots shall conform to all existing zoning requirements and, if conveyed, shall not effectively create a zoning violation on

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the remaining lots. If these conditions cannot be met, the lot(s) involved shall also be included on the Re-Subdivision Plat and shall become part of the single parcel thereby created.

B. Addition and Subtraction of Lots

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

1. A "Survey Plat" showing the following shall be submitted:
 - (a) Boundary survey of additional land.
 - (b) The lot or parcel to which the addition is being made.
 - (c) The original lot or parcel as shown by a boundary survey.
 - (d) The signature of a registered surveyor, certifying it as an accurate survey.
 - (e) A signature block for Planning Commission approval.
 - (f) A note on the plat stating the following:

"Application is hereby made for your 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".
2. No transfer of land shall be approved if the original lot from which the transfer was made causes this lot to be less than the minimum lot size required for its zoning district or causes the lot to be in violation of any other applicable zoning or health requirements.

C. The Planning Commission is empowered to approve land transfers described in this section and such approval shall be noted on the Survey Plat.

D. The Survey Plat shall be recorded with the Clerk of the Circuit Court.

ARTICLE V. Plat Submission and Approval Procedure

§ 12. Preparation of sketch; consultation with Planning Commission, Health Officer and Engineer.

- A. Before undertaking the preparation of a subdivision plat, the subdivider may prepare a sketch plan guided by the information outlined in Appendix A. The purpose of the Sketch Plan is to provide a means of early communication between the subdivider and the Planning Commission. It is the subdivider's responsibility to decide how much detail he or she wishes to provide at this stage.
- B. The subdivider shall consult with the Planning Commission or its staff to ascertain the location of proposed major streets, highways, parks, playgrounds, school sites and other

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planned public improvements and to determine the zoning regulations² and other requirements relating to, affecting or applying to the proposed subdivision. The subdivider shall also consult with the Town Engineer on the proposed street layout and the County Health Officer on the proposed facilities or techniques for sanitary sewage disposal, stormwater management and water supply to serve the proposed subdivision. The purpose of these consultations is to assist the subdivider by furnishing information and advice in order to expedite matters for the subdivider, save unnecessary expense and promote the best coordination between the plans of the subdivider and those of the Town.

§ 13. Submission of preliminary plat.

- A. The subdivider shall then prepare a preliminary plat of the proposed subdivision conforming to the requirements for the preparation of such plat as set forth in Article VI and Appendix A. At least two (2) weeks prior to a regularly scheduled meeting of the Planning Commission at which action on such plat is desired, the following items shall be filed with the Town Clerk
- (1) Three (3) black-line or blue-line prints of the preliminary plat and one (1) digital version (pdf).
 - (2) Supporting statements on required improvements and proposed deed restrictions, as set forth in Article VI.
 - (3) An application for the approval of the plat on a form to be supplied by the Planning Commission.
- B. The preliminary plat shall be checked by the Planning Commission or its staff for its conformity to the Queenstown Community Plan, the applicable zoning and other regulations and the design principles and standards and requirements for submission as set forth in these regulations. Copies of the preliminary plat shall be referred for review and approval to the Engineer, Health Officer and other appropriate public officials concerned with public improvements or health requirements.

§ 14. Consideration of the preliminary plat; approval; expiration of approval.

- A. The Planning Commission shall act for approval, conditional approval with conditions as 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:
1. Preliminary Subdivision Plat approval automatically grants a subdivider one (1) year within which he shall submit Final Subdivision Plats for all property shown on the preliminary plat for approval. Before expiration, the Planning Commission may grant an extension for just cause of the approval period in increments not to exceed one (1) year at a time. In connection with such request, the Planning

² Editors Note: See Chapter 80, Zoning

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Commission shall consider the following:

- (a) Change in adjoining land use;
- (b) Change in street and highway plan; and/or
- (c) Change in zoning or subdivision regulations.

A request for extension of approval for Preliminary Subdivision Plats shall be filed thirty (30) days prior to the deadline date for Final Subdivision 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.

2. Conditional approval means the subdivider may proceed with preparation of the Final Plat but only after the Preliminary Subdivision Plat has been corrected to reflect all requirements placed on the plat by the action of the Planning Commission. Actual approval of the Preliminary Subdivision Plat shall not be made until such conditions have been satisfied.
3. 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 no completely new submittal of the Preliminary Subdivision Plat is required of the subdivider.
4. Disapproval means disapproval of the Preliminary Subdivision Plat. For further action, the subdivider must file a new application along with a filing fee and plat copies as required by Appendix A of these regulations.

§ 15. Submission of final plat.

- A. A final plat may be for all the property included in the preliminary plat or it may be limited to any portion thereof which is intended to be developed as a unit. Additional final plats, covering additional units of the property, may be submitted later, provided that the preliminary plat is still valid. Every final plat shall be substantially in accordance with the tentatively approved preliminary plat, including any changes or additions required by the Planning Commission as a condition for its tentative approval, and it shall conform in every respect to the requirements for the preparation of such plat as set forth in Article IX.

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- B. At least two (2) weeks prior to a regularly scheduled meeting of the Planning Commission at which action on the final plat is desired, the subdivider shall file the following items with the Town Clerk:
- (1) Two (2) copies of the plat on 18 x 24 mylar with a ½ inch margin at the bottom and one (1) digital copy (pdf).
 - (2) Six (6) black-line or blue-line prints of the plat.
 - (3) A properly executed statement of dedication of all streets in the subdivision to the appropriate jurisdiction, constituting an irrevocable offer to dedicate for a period of not less than five (5) years from the date of its filing with the Planning Commission.
 - (4) An application for approval of the plat on a form to be supplied by the Town.

§ 16. Final plat approval and recording.

- A. The Planning Commission shall approve or disapprove the final plat within thirty (30) days after the filing of such plat with the Town. otherwise, such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Planning Commission on demand; provided, however, that the subdivider may waive this requirement and consent to an extension of such period. The grounds for the disapproval of any final plat shall be stated upon the record of the Planning Commission.
- B. Upon approval of the final plat by the Planning Commission, the two (2) signed copies of the plat on mylar shall be filed by the subdivider with the Clerk of the Circuit Court. The signed black-line or blue-line prints shall be forwarded by the Planning Commission to the Supervisor of Assessments, the State Department of Health, the Health Officer and the Town Engineer, with one (1) print retained by the Planning Commission and one (1) print returned to the subdivider.

§ 17. Fees to be set by Town Commissioners.

- A. The Town shall establish a schedule of fees, charges and expenses and a collection procedure for applications for land subdivisions. Such schedule shall be posted at the Town. The Town Commissioners may amend the fee schedule by resolution.
- B. These fees may include the cost of the consulting services of an independent engineer, architect, landscape architect, land planner, attorney or similar service as may be used to assist the Town in the review of proposed subdivision plans.
- C. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application for subdivision.

ARTICLE VI. Design Requirements and Standards

§ 18. General requirements.

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- A. A subdivision shall be harmonious with the goals and policies of the Queenstown Community Plan.
- B. The subdivision layout shall be in full compliance with the provisions of the zoning districts in which it is located.
- C. The subdivision layout shall be designed in accordance with the principles and standards contained in this Article, with the objective of achieving the most advantageous development of the subdivision and adjoining areas.

§ 19. Suitability of land.

- A. Land subject to periodic flooding shall not be subdivided for residential occupancy except as may be provided in the Queenstown Floodplain Regulations, nor for any other use which might involve danger to health, life, or property or aggravate the flood hazard, and such land within any proposed subdivision shall be reserved for uses which will not be endangered by periodic or occasional inundation.
- B. A plat for the subdivision of land with poor drainage or other adverse physical conditions will be considered for approval only if the subdivider shall agree to make whatever improvements are necessary, in the judgment of the Planning Commission, to render the land safe and otherwise acceptable for development.
- C. If existing poor drainage conditions are evident in areas adjacent to the proposed subdivision said developer will attempt (within reason) to remedy the existing drainage problems during the development process.

§ 20. Street layout

- A. The street layout shall be designed to create desirable building sites while respecting existing topography, minimizing street grades, avoiding excessive cuts and fills, and preserving trees to the maximum extent possible.
- B. Streets shall be spaced to allow for blocks meeting the dimensional requirements contained herein and to minimize the number of intersections with existing or proposed major thoroughfares.
- C. Where the subdivision adjoins or embraces any part of a major thoroughfare, the layout of such subdivision shall provide for the platting and dedication of such part of the major thoroughfare in the location and at the width indicated on such plan, except that the subdivider shall not be required to dedicate that part of such major thoroughfare which is in excess of eighty (80) feet in width.
- D. Wherever deemed desirable to the layout of the subdivision and adjoining areas, the Planning Commission may require the platting and dedication of one (1) or more collector streets or parts thereof to serve the subdivision.
- E. Minor residential streets, intended primarily for access to individual properties, shall be

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so arranged as to discourage their use by through traffic and excessive speed.

- F. Streets shall be laid out to intersect one another at as near to right angles as topography and the limiting factors of good design will permit, and no street shall intersect another street at an angle of less than sixty degrees (60°).
- G. Proposed streets in the subdivision shall provide for the continuation of existing, planned or platted streets on adjacent tracts unless such continuation shall be prevented by topography or other physical condition or unless such extension is found by the Planning Commission to be unnecessary for the coordination of development between the subdivision and such adjacent tract.
- H. Where the Planning Commission deems it desirable or necessary to providing access to adjacent tracts not presently subdivided, proposed streets in the subdivision shall be extended to the boundary lines with such adjacent tracts, and temporary turnarounds shall be provided at the ends of such streets, by means of temporary easements or otherwise.
- I. Reduction of impact of heavy traffic.
 - (1) Where the subdivision abuts or contains a primary highway the Planning Commission may require that measures be taken to reduce the impact of heavy traffic on the residential lots abutting or fronting upon such highway and to afford separation of through and local traffic through one (1) of the following means:
 - (a) By providing vehicular access to such lots by means of a service drive separated from the major thoroughfare by a planting strip and connecting therewith at infrequent intervals.
 - (b) By designing reverse-frontage lots having access only from a parallel minor street or from cul-de-sac or loop streets and with vehicular access to such lots from the major thoroughfare prohibited by deed restrictions or other means.
 - (2) The choice of the most appropriate method of accomplishing the desired purpose in a specific instance shall be made by the Planning Commission, giving consideration to topography and other physical conditions, the character of existing and contemplated development in the subdivision and its surroundings and other pertinent factors.
- J. Cul-de-sac streets, generally not exceeding six hundred (600) feet in length, shall be permitted where they are necessitated by topographic conditions or where, in the judgment of the Planning Commission, they are appropriate to the type of development contemplated.
- K. Alleys shall be provided in commercial and industrial areas unless adequate access to parking and loading areas is provided by other means.

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- L. Half-streets will be prohibited, except where they are essential to the reasonable development of the proposed subdivision in conformity with the other requirements of these regulations and where the Planning Commission finds that it will be practicable to require dedication of the remaining half when the adjoining property is subdivided. Wherever a half-street adjoins the proposed subdivision, the remaining half of the street shall be platted within such subdivision.
- M. Private streets shall not be permitted in any proposed subdivision.

§ 21. Street design standards.

- A. All streets shall be designed in compliance with the Queenstown Road Standards.

§ 22. Blocks.

- A. 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 five-hundred feet (500) in length, nor be less than two-hundred feet (200) in length. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets. Whenever practicable, blocks along major arterial and collector streets shall be not less than five hundred feet (500) in length.
- B. Residential blocks shall normally be of sufficient width to provide two (2) tiers of lots of appropriate depth.
- C. Blocks for business or industrial use shall be of such length and width as may be necessary to serve their prospective use, including making adequate provision for off-street parking and for the loading and unloading of delivery vehicles.
- D. Irregularly shaped blocks indented by cul-de-sac or looped streets and containing interior parks or playgrounds will be acceptable when they are properly designed, including making provision for adequate parking and for the maintenance of the public or joint-use recreation area.

§ 23. Lots.

- A. The lot arrangement, design and orientation shall be such that all lots will provide satisfactory building sites properly related to topography and the character of surrounding development.
- B. The dimensions and areas of all lots shall comply with the requirements of the zoning district in which they are located.
- C. Excessive lot depth in relation to lot width shall be avoided. A ratio of depth to width of two to one (2:1) shall be considered a desirable maximum.

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- D. Corner lots shall desirably have extra width to permit appropriate building setback from both streets in accordance with the Queenstown Zoning Ordinance.
- E. Every lot shall abut upon and have access to a public street.
- F. Double-frontage and reverse-frontage lots shall be avoided, except where their use is essential to overcoming special topographic problems or to separating residential development from heavy street traffic.
- G. Residential lots fronting or abutting on major thoroughfares shall desirably have extra lot depths and deeper building setbacks.
- H. Insofar as possible, side lot lines shall be substantially at right angles or radial to the street line, except where a variation to this requirement will provide an improved street and lot layout.
- I. The size and shape of lots intended for single-family residential use shall be sufficient to permit the ultimate provision of a garage on each lot, except that the Planning Commission may permit the grouping of garages into a compound serving several such lots.

§ 24. Easements.

- A. Where alleys are not provided in appropriate locations, easements of not less than ten (10) feet in width shall be provided, where necessary, to meet public utility requirements. Easements of greater width may be required along lot lines or across lots where necessary for the extension of trunk sewers or other primary utility lines.
- B. Where a proposed subdivision is traversed by any stream, watercourse or drainage way, the subdivider shall make adequate provision for the proper drainage of surface water, including the provision of easements along such streams, watercourses and drainage ways.
- C. Utility easements in private rights-of-way or in joint-use recreation areas may be permitted at the discretion of the Planning Commission if the design considerations of the proposed subdivision warrant such easements.
- D. No building or structure shall be constructed on any easement without the written authorization of the Planning Commission.
- E. An appropriate easement shall be provided for any burial site located on land. The easement shall be subject to the subdivision plat for entry to and exit from the burial site by an individual related by blood or marriage or a person in interest, as defined in § 14-121 of the Real Property Article of the Maryland Code.

§ 25. Public sites and open spaces.

- A. Where deemed essential by the Planning Commission, upon consideration of the type and

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size of development proposed in the subdivision, the subdivider shall be required to dedicate public facility sites and recreational facilities, of a character, extent, and location suitable to meeting the needs of such development.

- B. Where the proposed subdivision includes lands required for use for public facilities, parks, playgrounds, or play fields, the subdivider shall indicate the location of such lands on the subdivision plat and shall dedicate such lands to the appropriate jurisdiction at the time of recordation of all or any portion of the subdivision.

§ 26. Residential Buildings – Diversity of Housing Styles.

- A. If a developer is constructing either single-family or two-family dwellings in conjunction with the approval of a subdivision, diversity in the style of the dwellings is encouraged. The Planning Commission may request that the applicant implement diverse styles of residential dwellings in a given subdivision.
- B. To qualify as diverse styles of dwellings, the dwellings shall differ from one another in two of the following:
 - 1. Wall or siding materials;
 - 2. Architectural style;
 - 3. Major addition features such as porches or turrets;
 - 4. Roof type or shape;
 - 5. Building footprint; or
 - 6. Window and door orientation.

§ 27. Critical Area District

Subdivisions located in the Queenstown Critical Area Overlay District shall comply with all requirements of the Queenstown Zoning Ordinance.

§ 28. Sediment control.

- A. Nothing in these regulations shall be deemed as relieving any person or corporation from the requirements of the Queenstown Sediment Control Ordinance.
- B. All subdivision applications must incorporate a sediment control plan prior to final approval of the plat.

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ARTICLE VII. Preliminary Plat

§ 29. General requirements.

The preliminary plat of the proposed subdivision shall comply with the following general requirements with regard to style and content.

- A. It shall be prepared by a registered land surveyor, preferably at a scale of one (1) inch to one hundred (100) feet, but in any case at a scale not smaller than one (1) inch to two hundred (200) feet.
- B. It shall provide all the pertinent information on existing site conditions, property ownership and the like which may be necessary for the Planning Commission to properly consider the proposed subdivision, and such information shall be accurate and reliable.
- C. It shall show the general plan for the ultimate development of the property, including as much of the surrounding area as may be necessary for an adequate consideration of the land to be subdivided. Such plan shall be accurately drawn to scale, but surveyed dimensions are not required.

§ 30. Information to be shown.

The preliminary plat shall be drawn in a clear and legible manner and shall contain all of the information for preliminary plats set forth in Appendix A.

§ 31. Supporting statements

Accompanying the preliminary plat shall be the following written and signed statements in support of the subdivider's application for tentative approval:

- A. Statements explaining how and when the subdivider proposes to provide and install required water supply, sewers or other means of sewage disposal, street pavements, curbs and gutters and drainage structures, and stormwater management facilities.
- B. Statements concerning any proposed deed restrictions to be imposed by the owner.

ARTICLE VIII. Improvements.

§ 32. Minimum requirements.

The minimum requirements for the installation of improvements in subdivisions shall be as follows:

- A. Roads and streets.
 - (1) All new roads and streets shall be constructed in accordance with the Queenstown Road Standards. Existing roads and streets which do not meet these specifications with regard to width or type of construction shall be widened and

QUEENSTOWN SUBDIVISION ORDINANCE

brought into conformity on that portion of the road or street within or adjoining the subdivision.

- (2) The roadbed and roadway wearing surface shall be constructed in accordance with the Queenstown Road Standards. Curbs and gutters shall be provided in all subdivisions where the average lot area is less than one (1) acre. Where curbs and gutters are not required, stabilized shoulders and stabilized drainage ways outside the shoulders shall be provided. Street name signs of an approved design shall be erected at each new street or road intersection.
- B. Surface drainage facilities. The subdivision shall be provided with such storm drains, culverts, drainage ways or other works as are necessary to collect and dispose of surface and storm water originating on or flowing across the subdivision in order to prevent inundation and damage to streets, lots and buildings.
- C. Storm Water System. The owner shall construct storm water management facilities in order to prevent erosion, flooding and other hazards to life and property. Storm water management facilities shall comply with Queenstown's Stormwater Management Ordinance and the Queen Anne's County Grading and Sediment Control Ordinance, and the 10% rule applicable in the Intensely Developed Areas. The Soil Conservation Service and the County shall advise the Planning Commission on the adequacy of proposed drainage.
- D. Water supply facilities. Every subdivision shall require a public water supply under the regulations of the Queen Anne's County Department of Health.
- E. Sanitary sewerage facilities. Every subdivision shall require a public sewer system under the regulations of the Maryland Department of the Environment.
- F. Plantings.
- (1) It will be the responsibility of the subdivider to provide street trees and other landscaping in all of the public rights-of-way in the proposed development. The proposed location and species of plant material to be used shall be subject to approval of the Planning Commission.
 - (2) The trees shall be preferably of a hardwood variety, shall be planted in fertile or fertilized ground, and shall be watered and nurtured after planting until growth is ensured. The subdivider shall be responsible for the trees for two (2) growing seasons after planting. Each tree shall have a minimum trunk diameter of at least one and one-half inches as measured at breast height. The trees shall be at least six (6) feet high above ground level, and shall be planted at intervals of no less than 35 feet in accordance with a planting plan approved by the Planning Commission. The preservation of existing trees along the right-of-way may compensate for a portion of the required new plantings.
 - (3) All parking areas shall be landscaped in accordance with the provisions of the Queenstown Zoning Ordinance.

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- G. Sidewalks.
- (1) For the safety of pedestrians and of children at play and to ensure the continuation of the system of pedestrian circulation in Queenstown, installation by the subdivider of sidewalks on both sides of all subdivision roads shall normally be required. Each sidewalk shall be a minimum of four (4) feet wide, built to the construction standards adopted by the Town Commissioners. Sidewalks shall conform with the requirements of the American Disabilities Act and be separated from road paving by a planting strip. The Planning Commission may require wider sidewalks in heavily trafficked areas.
 - (2) Where for a considerable distance, one side of a road abuts on farmland or other type of use that does not require a sidewalk and where the continuity of the overall sidewalk system is not interrupted, the Planning Commission may waive the requirements for a sidewalk on one side of the road. On cul-de-sac roads serving six (6) lots or less and if conditions are such as to eliminate or discourage non-local traffic and street parking, the Planning Commission may waive the requirement of sidewalks on one or both sides.
- H. Street lighting. The subdivider shall make application to the Planning Commission and Town Engineer for necessary streetlights. Purchase and installation of the required lighting shall be the responsibility of the subdivider.
- I. Community facilities. All residential plans submitted to the Planning Commission, preliminary or final, will be referred to the County Department of Education for an advisory report and recommendation.
- J. Public utilities. The subdivider shall place or cause to be placed underground, extensions of electric and telephone distribution lines necessary to furnish permanent residential electric and telephone service to new detached, semidetached, group or townhouse single-family residences within a new residential subdivision or to new apartment buildings in accordance with the rules and regulations of the Public Service Commission of Maryland, effective July 1, 1968 and subject to the further order of that Commission.
- K. Off-street parking.
- (1) Applicability. Every subdivision plan which shall be submitted to the Planning Commission for approval shall provide off-street parking space and facilities in accordance with the requirements of the Queenstown Zoning Ordinance.
 - (2) Design.
 - (a) Parking spaces and all access and maneuvering space for off-street parking shall be surfaced and maintained with a dustless, all-weather material, except for single-family and two-family dwellings.
 - (b) Every parking facility shall have a safe and efficient means of vehicular access to a recorded street.

QUEENSTOWN SUBDIVISION ORDINANCE

- (c) No driveway serving a parking facility shall be closer than five (5) feet to a side property line.
- (d) No motor vehicle shall be parked in any yard or court closer than ten (10) feet to any door, window or other opening of a dwelling, institution or other property.
- (e) In the design of off-street facilities for multiple dwellings, the public right-of-way shall not be obstructed by the use of the same as aisle space or maneuvering space. Each off-street parking facility shall provide sufficient maneuvering space within the boundaries of the lot or lots on which it is located and shall be so designed that no unreasonable difficulty or inconvenience will be entailed in making necessary maneuvers for parking and removing a vehicle. Maneuvers shall not entail driving over any other required parking space. The layout of parking areas shall conform to the minimum dimensions for spaces and access ways.
- (f) Each parking facility shall be so designed that ingress or egress to a parking space entails no backing maneuver across a sidewalk or established footway or a backing maneuver into or from the public right-of-way.
- (g) Neither the turnaround diameter of a cul-de-sac or a rotary nor the turn slot of a T-type or L-type cul-de-sac shall be used for the parking of vehicles.
- (h) Any fixture used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjacent residential sites, institutional sites and public roads.
- (j) Off-street parking facilities shall be screened by a wall, fence or compact planting when adjoining the side or rear lot line. Screening shall be at least (3) three feet high. Screening shall not be so placed or maintained as to constitute a traffic hazard by obstruction of visibility.
- (k) Entrances from public or private streets shall conform to the following dimensions:
 - (i) One-way traffic entrances shall not be less than seventeen (17) feet in width.
 - (ii) Two-way traffic entrances shall not be less than twenty-four (24) feet nor more than thirty-five (35) feet in width; such entrances shall be not less than fifteen (15) feet apart.

QUEENSTOWN SUBDIVISION ORDINANCE

- (iii) Monumental entrances shall be provided with a six-foot-wide median, and the traffic lanes shall not be less than seventeen (17) feet in width.
- (iv) All entrances shall be not less than seven and one-half (7 1/2) feet from a side lot line.

L. Refuse collection.

- (1) In a residential subdivision, if refuse is to be collected at points exterior to a structure, such points shall be shielded from view on three (3) sides by screening and landscaping and placed on a pad of concrete where necessary.
- (2) In a residential subdivision, if refuse is to be collected at points within a structure, the marginal notes to the subdivision plan shall so indicate.
- (3) In a commercial or industrial subdivision, refuse storage and collection points shall be housed in containers and shielded from view by screening and/or landscaping.

M. Street signs.

- (1) Improvements required. The subdivider 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 (2) such street signs, and at the intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign.
- (2) Construction standards.
 - (a) Street nameplates shall be of metal construction; all corners shall be rounded; and the lettering shall be of standard proportions and spacing in accordance with one (1) of the alphabets used by the United States Bureau of Public Roads. The plates shall be horizontal. The lower edge of the nameplate shall be seven (7) feet above the ground level or curb. The nameplate shall be attached by rustproof metal fasteners.
 - (b) The standard shall be rustproof metal and shall be of sufficient length to permit the same to be embedded in the ground a distance of not less than three (3) feet. The standard shall be embedded in a concrete base for a depth of not less than three (3) feet below the surface of the ground and not less than twelve (12) inches in diameter.
 - (c) The standard shall be heavy wall pipe not less than two and one-half (2 1/2) inches in diameter. The pipe shall be capped.

N. Reference monuments.

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- (1) Permanent reference monuments of stone or concrete and at least thirty (30) inches in length and four (4) inches square with suitable center point shall be set flush with the finished grade at such locations as may be required by the Planning Commission and the laws of the State of Maryland.
- (2) Monuments of metal pipe, three-fourths (3/4) inch in diameter and at least eighteen (18) inches in length, shall be set in place flush with the finished grade at all intersections of streets and alleys with subdivision boundary lines, at all points on streets, alleys and boundary lines where there is a change in direction or curvature and at all lot corners.

§ 33. Plans, profiles and specifications.

- A. Plans, profiles and specifications for the required improvements shall be prepared by the subdivider and submitted for approval by the appropriate public authorities prior to construction.
- B. Plans and profiles shall be drawn to a horizontal scale of one (1) inch to one hundred (100) feet or less and a vertical scale of one (1) inch to twenty (20) feet or less, unless the Planning Commission shall specify otherwise, and such plans and profiles shall be sufficiently detailed to show the proposed location, size, type, grade and general design features of each proposed improvement.
- C. The plans, profiles, and specifications to be submitted shall include the following:
 - (1) Plans and profiles of each street, showing proposed grades and street intersection elevations.
 - (2) Cross-sections of proposed streets, showing the width of roadways, present and proposed grade lines and the location and size of utility mains, taken at intervals of not more than fifty (50) feet along each street center line, unless otherwise required by the Engineer. Such cross-sections shall extend laterally to the point where the proposed grade intersects the existing grade, except that in no case shall less than the full width of the street right-of-way be shown.
 - (3) Plans and profiles of proposed sanitary sewers and storm drains, with proposed grades and pipe sizes indicated.
 - (4) Plans of the proposed water distribution system, showing pipe sizes and the locations of all valves and fire hydrants.
 - (5) A site plan of proposed street trees and other landscaping improvements.
 - (6) Written specifications for all proposed improvements.

§ 34. Inspection and acceptance.

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- A. All construction work on improvements required herein shall be subject to inspection and approval by the Town Engineer and other authorized public officials during and upon completion of such construction work. Upon the completion of each improvement, the subdivider shall furnish the appropriate official with accurate and detailed engineering drawings of the improvement as it was actually constructed. Digital versions of all final plans shall be provided as well.
- B. The final plat of the subdivision shall not be approved by the Planning Commission until the developer has entered into a public works agreement and posted a satisfactory bond with surety, an irrevocable letter of credit or any other form of acceptable security for the completion of the improvements. No such surety shall be released until all improvements secured by such surety shall have been completed and approved as being in compliance herewith; provided, however, that a partial release may be approved for such improvements as may have been completed and approved by appropriate officials.
- C. Approval of the final plat by the Planning Commission shall not be deemed to constitute or affect an acceptance by the public of the dedication of any street or other proposed public way or public grounds shown on said plat. The Town of Queenstown shall have no obligation to accept and to make public any street in a subdivision unless all required improvements shown on the approved final plat have been constructed in conformity with the required standards and specifications or a petition signed by the owners of at least fifty percent (50%) of the frontage of the street in question, requesting that the street be taken over and made public, is filed with the Town and it is established by the Town that there is a need for the street to be taken over and made public. The Town shall have no responsibility with respect to any street within a subdivision, notwithstanding the use of such street by the public, unless the street is accepted by ordinance or resolution of the Town Commissioners.

§ 35. Bonding of Improvements.

The subdivider shall be required to enter into agreements to provide and install certain minimum improvements in the subdivision as a condition for approval of the final plat by the Planning Commission. The Town, in its discretion, may require a bond with surety, an irrevocable letter of credit or any other form of acceptable security to secure the construction of the required improvements. All such required improvements shall be constructed in accordance with the minimum requirements of these regulations and the construction standards and specifications adopted by the Town Commissioners or such other governmental agency as may have jurisdiction over a particular improvement. Nothing contained herein, however, shall be construed as prohibiting the subdivider from installing improvements meeting higher standards than the minimum requirements.

ARTICLE IX. Final Plat

§ 36. General requirements.

The final plat of the subdivision shall comply with the following general requirements with regard to style and content:

QUEENSTOWN SUBDIVISION ORDINANCE

- A. It shall be on a 18x24 Mylar with a ½ inch margin and shall comply with the applicable provisions of the laws of Queen Anne’s County and the State of Maryland relative to the filing of plats.
- B. It shall be prepared by a registered land surveyor, preferably at a scale of one (1) inch to one hundred (100) feet, but in any case at a scale not less than one (1) inch to two hundred (200) feet.
- C. All dimensions and bearings of lines and all areas shall be based upon a field survey of sufficient accuracy and detail that the data shown thereon may be reproduced on the ground. All distances and the length of all lines shall be given to the nearest hundredth of a foot. Bearing of all lines shall be magnetic bearings referenced to the date of the plat, and all bearings shall be given to the nearest minute. All areas shall be given to the nearest square foot.

§ 37. Information to be shown.

The final plat shall be legibly and accurately drawn and shall include the information set forth in Appendix A.

§ 38. Certificates and statements.

Accompanying the final plat and made a part thereof shall be the following certificates and statements:

- A. Notarized owner’s certificate, acknowledging ownership of the property and agreeing to the subdivision thereof as shown on the plat and signed by the owner or owners and any lien holders.
- B. Notarized owner’s statement of dedication, offering all streets, alleys and other public ways and public grounds for dedication and constituting an irrevocable offer to dedicate for a period of not less than five (5) years from the date of filing the final plat with the Planning Commission.
- C. A certificate of the surveyor that the final plat, as shown, is a correct representation of the survey as made, that all monuments indicated thereon exist and are correctly shown and that the plat complies with all requirements of these regulations and other applicable laws and regulations.
- D. A brief summary of deed restrictions applicable within the subdivision, including any trust agreements for the operation and maintenance by the property owners in the subdivision of any sewage disposal system, water supply system, park area or other physical facility which is of common use or benefit but which is not to be held in public ownership.
- E. A certificate of approval by the County Health Officer of the means of providing water supply and sewage disposal services for the subdivision.

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- F. A certificate of approval by the Town Engineer that all specifications established by the developer are in accordance with Town specifications and desires.
- G. A certificate of approval by the Sediment Control Officer that the proposed subdivision is in conformance with the County Sediment Control Regulations.
- H. A certificate of approval by the Planning Commission, ready for signature and in a form acceptable to the Planning Commission.

ARTICLE X. Modifications and Exceptions

§ 39. Variance, modification and 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 other conditions which are not self-inflicted or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Planning Commission may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured; provided, however, that such variance, modification or waiver will not have the effect of nullifying the intent and purpose of these regulations or being contrary to the goals and objectives of the Queenstown Community Plan. In no case shall any variation, modification or waiver be more than a minimum easing of the requirements.

§ 40. Approval of modifications and exceptions.

Variations, modifications and waivers from the requirements of these regulations shall be granted only by the affirmative vote of the Planning Commission. In granting variances, modifications and waivers, the Planning Commission may require such conditions as will, in its judgment, substantially secure the objectives of the requirements so varied, modified or waived.

§ 41. Initiation of Changes; Planning Commission report.

The Town Commissioners may from time to time amend, supplement or change, the regulations herein established. Any such amendment or change may be initiated by resolution of the Town Commissioners or by motion of the Planning Commission. Before taking action on any proposed amendment or change not initiated by the Planning Commission, the Town Commissioners shall submit the same to the Planning Commission.

§ 42. Public hearing by Planning Commission.

The Planning Commission may hold a public hearing on any proposed amendment or change before submitting its report to the Town Commissioners. Notice of such public hearing before the Planning Commission shall be given at least fifteen (15) days prior to the hearing by publishing the time, place and the nature of the hearing in a newspaper having general circulation in the Town. The published notice shall contain reference to the place or places within the Town where the full text of the proposed amendment or change may be examined.

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§ 43. Public hearing by Town Commissioners.

Before approving any proposed amendment or change, the Town Commissioners shall hold a public hearing thereon, notice of said hearing to be accomplished by publication in a newspaper as prescribed in § 42.

ARTICLE XII. Control and Penalties

§ 44. Transfer of Land - Issuance of Building Permits

- A. No land in a subdivision created after the adoption of these regulations shall be transferred, sold, or offered for sale, nor shall a building permit be issued for any lands within such subdivision until such subdivision shall have been recorded in accordance with these regulations and the provisions of the State, and until the municipal improvements required in connection with the subdivision have been guaranteed as hereinafter provided.
- B. No building depending upon public water and sewerage facilities shall be permitted to be occupied before such facilities are fully provided and operational.

§ 45. Penalty

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

Appendix A
Basic Information Required with Subdivision Plats and Plans

Note: All plats and plans must be clear and legible. Incomplete plats will be returned to the applicant for completion and re-submission

ITEM	DESCRIPTION	DEVELOPMENT STAGE			
		Sketch Plan	Minor Sub. Plat	Subdivision Plats	
				Prelim.	Final
I.					
1	Name, address of owner, applicant, developer and lienholder, date of application.	X	X	X	X
2	Name and address of engineer, land surveyor architect, planner, and/or landscape architect, as applicable, involved in document preparation.	X	X	X	X
3	Date of survey.		X	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
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
7	Existing and proposed zoning of tract and adjacent property.	X	X	X	X
8	Adjacent property owners, names, Liber and Folio.	X	X	X	X
9	Title, north arrow and scale (1"=50') or other scale as determined by the Planning Commission.	X	X	X	X
10	Appropriate signature block for Planning Commission chairman and other approving authorities.		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	Monuments, location and description.		X		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

ITEM	DESCRIPTION	DEVELOPMENT STAGE			
		Sketch Plan	Minor Sub. Plat	Subdivision Plats	
				Prelim.	Final
16	Acreage of tract to the nearest thousandth of an acre.	X*	X	X	X
17	Date of original and all revisions.	X	X	X	X
18	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, and sediment and erosion structures.	X	X	X	X
19	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
20	All proposed lot lines (width and depth) and area of lots in square feet, number of lots, lot numbers.	X*	X	X	X
21	Location and type of utilities.		X	X	X
22	Copy and/or delineation of any existing or proposed deed restrictions or covenants.	X**	X	X	X
23	References to protective covenants governing the maintenance of public spaces or reservations not dedicated to the Town.				X
24	Location and size of proposed Natural Park areas, play grounds and/or other public areas.	X	X	X	X
25	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
26	Statement of owner dedicating streets, right-of-way, and any sites for public use.				X
27	Development stages or phasing plans (for GDP and concept plans, general phasing). Sections numbered by phase.	X*		X	X
28	List of required regulatory approvals/permits.	X	X	X	X
29	List of variances required or requested.	X	X	X	X
30	Requested or obtained design waivers or exceptions.	X	X	X	X
31	Payment of application fees.	X	X	X	X
32	Total area of the site that will be temporarily and/or permanently disturbed.		X	X	
33	All existing streets, water courses, flood plains wetlands, or other environmentally sensitive areas on or adjacent to the site.	X*	X	X	X
34	Existing rights-of-way and/or easements on or immediately adjacent to the tract.	X	X	X	X
35	Topographical features of subject property from USGS map or more accurate source at 2'-5' intervals, 50' beyond the	X	X		

ITEM	DESCRIPTION	DEVELOPMENT STAGE			
		Sketch Plan	Minor Sub. Plat	Subdivision Plats	
				Prelim.	Final
	boundary, with source stated on maps.				
36	Field delineated or survey topo.			X	X
37	General areas of >15% slope shaded and identified as steep slopes.	X			
38	Slope analysis of >15% slopes. These areas shall be shaded and identified as steep slopes.			X	X
39	Forest Stand Delineation.		X	X	
40	Existing system of drainage of subject site and adjacent sites and of any larger tract or basin of which it is a part.	X	X	X	X
41	A 100-Year Flood Plain based on FEMA maps.	X	X	X	X
42	Tidal and non-tidal wetland delineation based on NWI maps and field review.	X			
43	Non-tidal wetlands identification based on field delineation/determination.		X	X	X
44	Location of sensitive areas and their Buffers.	X	X	X	X
45	Location and width of Bufferyards.	X	X	X	X
46	Soil types based on County Soil Survey.	X	X	X	X
47	Traffic Impact Study, as required.	X		X	
48	Statement of effect on schools district and school bus service, as required.	X			
49	Location of the Critical Area District boundary and Critical Area designation.	X	X	X	X
50	Number of acres in the Critical Area.	X	X	X	X
51	Mean high waterline and landward edge of tidal wetlands.	X	X	X	X
52	Location of existing forested areas to be disturbed by construction. Planting plan approved by the Maryland Forest Service.	X	X	X	X
53	The known locations of HPA's, the habitat of any threatened or endangered species, and the habitat of any Species in Need of Conservation. Habitat Protection Plan reviewed by the Maryland Fish, Heritage and Wildlife Administration.	X	X	X	X
54	The location of the Critical Area Buffer, the expanded Buffer, and any Buffer Establishment Areas as required.	X	X	X	X
55	Hydric and highly erodible soils based on the County Soil Survey.	X	X	X	X
56	Shore erosion protection plan, if applicable.				X
57	Environmental assessment, as required by Planning Commission.	X	X	X	
58	Subdivision Plat.		X	X	X
59	Grading and drainage plans including roads, drainage ditches,			X	X

ITEM	DESCRIPTION	DEVELOPMENT STAGE			
		Sketch Plan	Minor Sub. Plat	Subdivision Plats	
				Prelim.	Final
	sediment basins, and berms.				
60	Existing and proposed contour intervals.			X	X
61	Proposed street grades, typical cross sections and profiles, right-of-way widths, pedestrian ways, total area of roads.			X	X
62	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
63	Grades and sizes of sanitary sewers and waterlines.			X	X
64	Direction and distance to water and sewer if not available on or adjacent to the site with invert and elevation of sewer.		X	X	
65	Certification from electric and telephone utilities of adequate facilities to serve proposed development.	X*			X
66	Location of fire hydrants.			X	X
67	Construction details.				X
68	Stormwater Management Plan.		X	X	X
69	Soil Erosion and Sediment Control Plan.		X	X	X
70	Lighting plan and details.		X	X	X
71	Landscape plan and details, including required Bufferyards.		X	X	X
72	Forest Conservation Plan.		X	X	X
73	Forest Management Plan (in the Critical Area)				X
74	Proposed street names.			X	X
75	New block and lot numbers.			X	X
76	Required County, State, and/or Federal or approvals, e.g., State Highway Administration, County Public Works, Army CORPS of Engineers, DNR Wetlands Permit/License, MDOE Quality Certification, MDOE sanitary construction permit, local Health Department approvals.		X		X
77	Public works agreement and surety and/or Developers Rights and Responsibility Agreement (DRRA).		X		X

* General

** Existing

ORDINANCE NO 13-02

Introduced by: Thomas B. Willis, Jr., Commissioner

**AN ORDINANCE OF THE TOWN OF QUEENSTOWN REPEALING
AND REENACTING IN THE ENTIRETY THE QUEENSTOWN
SUBDIVISION ORDINANCE**

WHEREAS, the Commissioners of Queenstown are authorized by the Maryland Code Annotated, Land Use Article, Section 5-101, *et. seq.* to provide subdivision regulations; and

WHEREAS, the Queenstown Planning Commission undertook a review of the Queenstown Subdivision Ordinance and determined that the Queenstown Subdivision Ordinance was in need of updating; and

WHEREAS, the Queenstown Planning Commission met in open session and reviewed drafts of the revised subdivision ordinance and on March 13, 2013, the Planning Commission, by motion, voted to submit the revised Queenstown Subdivision Ordinance to the Commissioners of Queenstown for adoption; and

WHEREAS, the revised Queenstown Subdivision Ordinance is attached hereto; and

WHEREAS, the Commissioners of Queenstown have determined that it is desirable and in the public interest to repeal and reenact in the entirety the Queenstown Subdivision Ordinance and adopt the attached ordinance and the Queenstown Subdivision Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF QUEENSTOWN AS FOLLOWS:

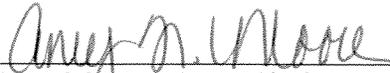
SECTION 1. The Queenstown Subdivision Ordinance enacted in 1999 and all amendments thereto be, and is hereby repealed, as of the date this Ordinance becomes effective.

SECTION 2. That the attached Queenstown Subdivision Ordinance is hereby adopted, and shall govern the subdivision of land within the Town of Queenstown as herein provided.

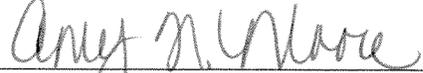
SECTION 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Commissioners of Queenstown hereby declare that they would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

ORDAINED, APPROVED, AND PASSED by the Town Commissioners for the Town of Queenstown on this 28th day of May, 2013.

WITNESS:



Amy Moore, Town Clerk



Amy Moore, Town Clerk

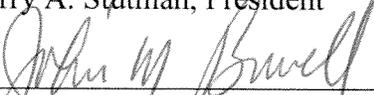


Amy Moore, Town Clerk

TOWN COMMISSIONERS FOR THE
TOWN OF QUEENSTOWN:



Perry A. Stutman, President



John M. Bowell, Commissioner



Thomas B. Willis, Jr., Commissioner