

CECIL COUNTY

SUBDIVISION REGULATIONS

Adopted: March 15, 1976

Effective: April 15, 1976

<i>Amended:</i>	<u>Section</u>	<u>Amendment Type</u>
<i>September 26, 1978</i>		<i>incorporated in text</i>
<i>July 5, 1988</i>		<i>incorporated in text</i>
<i>August 8, 1989</i>		<i>incorporated in text</i>
<i>April 23, 1991</i>	<i>7.5.2(i)</i>	<i>impervious surface in Cr. Area</i>
<i>February 4, 1992</i>	<i>7.5.1</i>	<i>Floodplain development</i>
<i>November 24, 1992</i>	<i>3.3, 3.8, 3.9</i>	<i>Appeal Procedure; Filing</i>
	<i>4.0, 4.1, 4.2</i>	<i>schedule; public posting</i>
<i>December 9, 1992</i>	<i>2.0, 2.1, 2.3, 4.0</i>	<i>Forest Conservation Regs</i>
	<i>4.1, 4.2, 6.3</i>	
<i>August 9, 1994</i>	<i>7.5, 7.6</i>	<i>Critical Area and Forest</i>
		<i>Conservation Regulations</i>
<i>May 27, 1997</i>	<i>3.4</i>	<i>Penalty transferring prop.</i>
<i>July 16, 2002</i>	<i>7.2.12</i>	<i>Cul-de-sac length</i>
<i>August 26, 2003</i>	<i>2.0, 2.1 & 2.4</i>	<i>Minor Subdivisions</i>
<i>March 8, 2004</i>	<i>7.2.12</i>	<i>Right of way dedication</i>
<i>October 5, 2004</i>	<i>7.2.12, 2</i>	<i>Right of Way Widths and</i>
		<i>Pavements Requirements</i>
<i>November 16, 2004</i>	<i>2.4</i>	<i>Minor Subdivisions</i>
<i>December 12, 2004</i>	<i>3.8</i>	<i>Filing Schedule</i>
<i>August 16, 2005</i>	<i>2.0, 4.2.6, 4.2.13(b)</i>	<i>Senior Engineer DPW</i>
<i>August 21, 2007</i>	<i>3.9.1 & Article IV</i>	<i>Notice, Plat provisions</i>
<i>August 21, 2007</i>	<i>Appendix A & B</i>	<i>Fee & Submittal Schedule</i>
<i>April 7, 2009</i>	<i>4.0, 4.1</i>	<i>Concept Plats, Preliminary Plats</i>

Board of County Commissioners for Cecil County:

*Mary A. Maloney
Joseph B. Biggs
Walton R. Mason*

SUBDIVISION REGULATIONS
for
Cecil County, Maryland

Board of County Commissioners

Mary A. Maloney, President

Joseph B. Biggs

Walton R. Mason

April, 1976

RESOLUTION

WHEREAS, pursuant to Article 66B of the Code of Public General Laws of Maryland, the Planning Department of Cecil County, Maryland has prepared Subdivision Regulations for the County; and

WHEREAS, the Planning Commission of Cecil County held a Public Hearing for the Subdivision Regulations on January 29, 1976, and, thereafter approved the Subdivision Regulations for Cecil County, Maryland which is hereby submitted for adoption by the Commissioners;

NOW, THEREFORE, BE IT RESOLVED by the County Commissioners of Cecil County, Maryland on March 15, 1976 the Subdivision Regulations for Cecil County, Maryland are hereby adopted and implementation is to commence on or before April 15, 1976.

BOARD OF COUNTY COMMISSIONERS
OF CECIL COUNTY

Mary A. Maloney
MARY A. MALONEY, PRESIDENT

Joseph B. Biggs
JOSEPH B. BIGGS, COMMISSIONER

Walton R. Mason
WALTON R. MASON, COMMISSIONER

ATTEST:

Mildred O. McGuirk
Mildred O. McGuirk, Clerk

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(Amended 8/21/07)

ARTICLE I

SECTION 1.0 - Legislative Authority

The Cecil County Planning Commission has the power and authority to prepare rules and regulations governing the subdivision of land and building development within the County excluding the municipalities. After adoption of said rules and regulations by the local legislative body, the Planning Commission is empowered to review and rule upon said subdivision of land and building development under the authority granted by Article 66B of the Code of General Public Laws of Maryland.

SECTION 1.1 - Legislative Intent

These subdivision and development regulations are adopted for the purpose of promoting the health, safety, and general welfare of the residents of the County and to legislate the intent of the policies of the Comprehensive Plan by providing for:

- (1) the orderly, efficient and integrated development of land.
- (2) the coordination of existing streets and public utilities with new facilities.
- (3) the insurance of proper drainage, water supply, sewage and other improvements found to be necessary.
- (4) efficient and orderly extension of community facilities and services when possible, at a minimum cost and maximum convenience to all concerned.
- (5) substantial conformance to the land use provision of the County Comprehensive Plan and the Cecil County Chesapeake Bay Critical Area Program (County Critical Area Program).
- (6) guidelines that will promote the erection of building in areas which are free from the danger of flooding, erosion, stream siltation, unsuitable sanitary conditions and other hazards.
- (7) protection of wetlands, streams, areas of steep slope, highly erodible and other soils with development constraints, shorelines, and plant and wildlife habitats.
- (8) equitable handling of all subdivision plats by providing and observing uniform procedures and standards for the various development categories, by both the subdivider and the County.
- (9) the acquisition of adequate land title records for County officials.

SECTION 1.2 - Conflict with other regulations

Whenever any provision of these regulations conflict with any other provision of law, whether set forth in these regulations or contained in any restrictions covering any of the same subject matter, that provision which is more restrictive or imposes the higher standard or requirement shall govern. Such determination shall be made by the Planning Commission.

SECTION 1.3 - Separability of Provisions

In the event, it be judicially determined that any word, phrase, clause, sentence, paragraph, section or part in or of these regulations, or the application thereof to any person or circumstances is invalid, the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, it being hereby declared that the remaining provisions and the application of such provisions to other persons or circumstances shall not be affected thereby, and it being hereby declared that the remaining provisions of these regulations with the word, phrase, clause, sentence, paragraph, section or part in or of the regulations, or the application thereof, so held valid would have been adopted and approved.

ARTICLE II. GENERAL PROVISIONS

SECTION 2.0 - Definitions

General - The following definitions apply to the text of these regulations:

- (1) The particular shall control the general.
- (2) In cases of any differences of meaning or implication between the text of these regulations and any caption, illustration, summary table, or illustrative table, the text shall control.
- (3) The words “shall and will” are always mandatory and not discretionary. The word “may” is permissive.
- (4) Words used in the present tense shall include the future; and words used in the singular number shall include the plural; and the plural implies the singular, unless the context indicates the contrary.
- (5) A “building” or “structure” includes any part thereof.
- (6) The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for”, or “occupied for”.
- (7) The word “person” includes an individual, a corporation, a partnership, an unincorporated association, or any other similar entity.
- (8) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction “and”, “or”, or “either...or”, the conjunction shall be interpreted as follows:
 - (a) “And” indicates that all the connected items, conditions, provisions, or events shall apply.
 - (b) “Or” indicates that the connected items, conditions, provisions, or events may apply separately or in any combination.
 - (c) “Either...or” indicates that the connected items, conditions, provisions, or events shall apply separately but not in combination.

- (9) The word “includes” shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances or like kind or character.
- (10) All terms defined under various sections of the County Zoning Regulations and the County Building Code, where occurring in these regulations, shall have the meanings specified in the Zoning Regulations, except where specifically defined in these regulations.
- (11) The word “County” means Cecil County, Maryland. The word “State” means the State of Maryland. The term “County boundary” means any exterior boundary of the County.
- (12) The terms “County Commissioners”, “Board of Appeals”, “Planning Director”, “Planning Commission”, “Planning Department”, “County Attorney”, “Public Works Department”, “Senior Engineer”, “Building Inspector”, “Road Inspector”, “Board of Education”, “County Health Officer”, and “District Conservationist”, means the respective council, boards, and officers of the County.
- (13) Throughout these regulations, all words other than the terms specifically defined above and below, shall have the meanings implied by their context in these regulations or their ordinarily accepted definitions.
- (14) The word “he” shall also be read as “she”.
- (15) Activities which fall under the requirements of the Forest Conservation Regulations shall use the definitions contained therein. Definitions in the Forest Conservation Regulations shall take precedence over definitions in the Subdivision Regulations.

Definitions - **Specific**

As used in these regulations, the following terms shall be defined as follows:

“Afforestation”: Means the establishment of a tree crop on an area from which it has always or very long been absent, or the planting of open areas that are not presently in forest cover.

(Amended 12/9/92 and 8/16/05)

“Agricultural Activity”: The exclusive use of land for a bona fide farming operation and occupation by the owner and/or tenant. This includes the use of land for agricultural purposes including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, fish culture, animal and poultry husbandry; provided that the above uses shall not include the business of garbage feeding hogs, fur farms or the raising of animals for use in medical or other tests or experiments, commercial slaughtering of livestock, poultry, fish or meat processing.

“Alley”: See “Road” or “Street”.

“Anadromous Fish”: Means fish that travel upstream (from their primary habitat in the ocean) to freshwater in order to spawn.

“Best Management Practices (BMPs)”: Means conservation practices or systems of practices and management measures that control soil loss and reduce water quality degradation caused by nutrients, animal waste, toxic substances, and sediment. Agricultural BMPs include, but are not limited to, strip cropping, terracing, contour stripping, grass waterways, animal waste structures, ponds, minimal tillage, grass and naturally vegetated filter strips, and proper nutrient application measures.

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

“Buffer”: (spelled with a capital B): Means a naturally vegetated area or vegetated area established or managed to protect aquatic, wetland shoreline, and terrestrial environments from man-made disturbances. In the SD-1 Critical Area District, the minimum Buffer is a continuous area located immediately landward of tidal waters (measured from the Mean High Water Line), tributary streams in the Critical Area, and tidal wetlands and has a minimum width of one hundred and ten (110) feet. The Buffer shall be expanded beyond the minimum depth to include certain sensitive areas as per requirements established in the Zoning Ordinance.

“Building Development”: The term building development means the improvement of land by the addition thereto of structures for residential, commercial, or industrial uses.

“Building Envelope”: The area formed by the front, side, and rear building lines in which the principal buildings must be located.

“Building Setback Line”: A line beyond which the foundation wall and/or any enclosed porch vestibule or other enclosed portion of a building or structure shall not project in accordance with the minimum yard requirements of the zoning in which the lot is located as established by the Zoning Ordinance. The handle of a panhandle lot shall not be considered in determining the location of the building line.

“Cluster Development”: A subdivision using varying lot sizes to group houses while maintaining the same density as a conventional subdivision within a specific zoning district.

“Community Piers”: Means boat docking facilities associated with subdivisions and similar residential areas, and with condominium, apartment, and other multiple-family dwelling units. Private piers are excluded from this definition.

“Comprehensive Development Plan”: A composite of mapped and written proposals to guide the systematic physical development of the County, adopted by the County legislative body, including all changes and additions thereto made under the provisions of Article 66B. The Comprehensive Development Plan includes a land use plan, a transportation plan, a community facilities plan, a recreation plan and other attendant facility plans.

“Concept Plat”: See “Plats”.

“Condominium”: A condominium is an ownership arrangement, not a land use; therefore, it is allowed in any district and under the same restrictions as the residential land uses that it comprises. A condominium shall not negate lot nor other requirements intended to provide adequate light, air, and privacy. A condominium is a dwelling unit which has all of the following characteristics:

- (a) The use (the interior and associated exterior areas designated for private use in the development plan) is owned by the occupant.
- (b) The unit may be any permitted dwelling type.
- (c) All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Condominium Act of the State of Maryland and other requirements specified in the County Code regarding such open spaces.

“Conservation Easement”: Means a non-possessory interest in land that restricts the manner in which the land may be developed in an effort to conserve natural resources for future use.

“Corner Lot”: See “Lot Types”.

“Critical Area”: Means all lands and waters defined in Section 8-1807 of the Natural Resources Article, Annotated Code of Maryland. They include:

- (a) All waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the state wetlands maps, and all state and private wetlands designated under Title 9 of the Natural Resources Article, Annotated Code of Maryland;
- (b) All land and water areas within 1,000 feet beyond the landward boundaries of State or private wetlands and the heads of tides designated under Title 9 of the Natural Resources Article, Annotated Code of Maryland; and
- (c) Modification to these areas through inclusions or exclusions proposed by local jurisdictions and approved by the Commission as specified in Section 8-1807 of the Natural Resources Article, Annotated Code of Maryland.

“Critical Area Commission”: Means the Maryland Chesapeake Bay Critical Area Commission.

“Crosswalks”: A pedestrian crosswalk, affording means of pedestrian travel from one side of the street to the other.

“Cul-de-sac”: See “Streets”.

“Declaration of Intent”: A signed and witnessed statement by a landowner or the landowner’s agent certifying that the activity on the landowner’s property.

- (1) is for certain activities exempted under the Forest Conservation Regulations.
- (2) does not circumvent the requirements of the Forest Conservation Regulations, and
- (3) does not conflict with the purposes of any other Declaration of Intent.

“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.

“Density”: Means the number of dwelling units per acre of gross area of a development tract.

“Density, Gross”: An individual, partnership, or corporation (or agent therefore) that undertakes the responsibility for any or all of the activities covered by these regulations, particularly the designing of a subdivision or development plan or plat showing the layout of the land and the public improvements involved therein. Inasmuch as the subdivision plat is merely a necessary means to the end of assuring a satisfactory development, the term

(Amended 12/9/92)

“Developer” is intended to include the term “subdivider”, even though the personnel involved in successive stages of the project may vary.

“Develop or Development”: Means the building of structures, storm drainage, roads and other public improvements. Storm drainage includes those areas at the edge of improvements including parking lots, cuts and fills and where the natural terrain is disturbed by increased run-off.

“Developed Woodlands”: Means areas one (1) acre or more in size that predominantly contain trees and natural vegetation and that also include residential, commercial, or industrial structures and uses.

“Development or Development Activities”: Means any construction, modification, extension, or expansion of buildings or structures; placement of fill or dumping; storage of materials; land excavation; land clearing; land improvement; or any combination thereof, including the subdivision of land.

“Double Frontage Lot” (through lot): See “Lot Types”.

“Drainageways”: Are defined as minor watercourses that are defined either by soil type or by the presence of intermittent or perennial streams of topography that indicates a swale where surface sheet flows join, including: the land, except where areas are designated as floodplain, on either side of and within fifty (50) feet of the centerline of any intermittent or perennial stream shown on the U.S. Geological Service’s 7.5’ Quadrangle sheets covering the unincorporated areas of Cecil County.

“Easement Reservation”: A strip of land extending along a property line or across a lot, from which an easement has been or is to be granted for a specific purpose of purposes. All easement reservations are to be maintained in perpetuity for intended purposes unless otherwise noted on the record plat.

“Environmental Assessment”: Means a comprehensive report that describes the natural features and characteristics of a proposed development site, the changes that will occur as the result of proposed development activities on the site, the anticipated environmental impacts and consequences of the proposed development, and mitigation measures to be taken to minimize undesirable impacts to the environment.

“Exclusion”: Means an act of the County Commissioners, approved by the Critical Area Commission, that excepts an area of the County from the Zoning and Subdivision provisions applicable only to the SD-1 Critical Area District.

“Exemption”: Means an act of the County Commissioners, approved by the Critical Area Commission, that relieves an area of the County from the Buffer provisions of the SD-1 Critical Area District.

“Farm”: A parcel of land not less than ten (10) acres in size on which an agricultural activity as herein defined is being actively conducted for profit.

“Final Subdivision Plat”: See “Plats”.

“Fisheries Activities”: Means commercial water-dependent fisheries facilities including structures for the packing, processing, canning, or freezing of finfish, crustaceans, mollusks, and amphibians and reptiles and also including related activities such as wholesale and retail sales, product storage facilities, crab shedding, off-loading docks, shellfish culture operations, and shore-based facilities necessary for aquaculture operations.

“Floodplain”: Those areas defined by soil types designated by the U.S. Conservation Service, such being principally a natural water course or retention area of generally wetland and contiguous to a historical floodway. This definition is valid until flood area delineation maps prepared by the Department of Housing and Urban Development are completed and adopted by the County Commissioners.

“Forest”: Means a biological community dominated by trees and other woody plants covering a land area of one (1) acre or more. This also includes forests that have been cut but not cleared.

“Forest Conservation Regulations”: Regulations adopted by the Board of County Commissioners of Cecil County implementing Natural Resources Article Section 5-1601 – 5-1613, Annotated Code of Maryland.

“Forest Conservation Technical Manual”: The technical manual adopted by the Board of County Commissioners used to establish standards of performance required in preparing forest stand delineations and forest conservation plans.

“Forest Management”: Means the protection, manipulation, and utilization of the forest to provide multiple benefits, such as timber harvesting, wildlife habitat, etc.

“Forest Practice”: Means the alteration of the forest either through tree removal or replacement in order to improve the timber, wildlife, recreational, or water quality values.

“Frontage”: See “Lot Frontage”.

“Grandfathered”: Describes the status accorded certain properties and development activities that are of record prior to the date of adoption of the Zoning Ordinance or provisions of the Zoning Ordinance.

(Amended 12/9/92)

“Growth Allocation”: Means

- (a) An area of land calculated as five (5) percent of the total Resource Conservation Area (excluding tidal wetlands and federally owned land), that the County may convert to more intense management areas to accommodate land development; also
- (b) An act of the County Commissioners, approved by the Critical Area Commission, that provides for conversion of a property or properties located in Resource Conservation Areas (RCAs) and/or Limited Development Areas (LDAs) in the SD-1 Critical Area District to another land management classification that allows an increase in the permitted density.

“Habitat Protection Area”: Means Threatened or Endangered Species Habitats, Plant and Wildlife Habitats, Species in Need of Conservation, Anadromous Fish Propagation Waters, Non-Tidal Wetlands, and the Buffer.

“Half or partial streets”: See “Roads and Streets”.

“Health Department Approving Authority”: The Secretary of Health and Mental Hygiene or his designee.

“Highly Erodible Soils” and **“Erodible Soils”**: Means soils with a slope greater than 15 percent or soils with a “K” value greater than 0.35 and slopes greater than 5 percent.

“Hydric Soils”: Means soils that are wet frequently enough to periodically produce anaerobic conditions, thereby influencing the species composition or growth, or both, of plants on those soils.

“Land Clearing”: Means any activity than removes the vegetative ground cover.

“Lot”: A parcel, tract, or portion of land separated from other parcels, tracts, or portions by separate description as on a subdivision plat or record of survey map, or by metes and bounds, for purpose of sale, lease, transfer of ownership or separate use.

“Lot Area”: The total horizontal area included within the rear, side and front lot lines excluding any streets.

“Lot Depth”: The mean horizontal distance between the front and rear lot lines of a lot.

“Lot Frontage, Minimum”: As established by the Zoning Ordinance the least permissible width of a lot line abutting a street.

“Lot Line, Front”: The lot line or lines abutting a road, except in cases of panhandle lots in which case the handle shall not be counted and the front lot line shall be that line determined to be closest to being the most parallel to the street on which the lot has frontage.

“Lot Line, Rear”: The lot line or lines generally opposite or parallel to the front lot line, except in a through lot. If the rear lot line is less than ten feet long or the lot comes to a point at the rear, said rear lot line is assumed to be a line not less than ten feet long, wholly within the lot, parallel to the front lot line, or in the case of a curved front lot line, parallel to the chord of the arc of said front lot line.

“Lot Line, Side”: Any lot line other than a front lot line or a rear lot line.

“Lot Types”: The following terminology is used in this ordinance with reference to various types of lots.

- (a) **Corner Lot**: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the lot meet at an interior angle of less than 135 degrees.
- (b) **Interior Lot**: Defined as a lot (other than a corner) with only one frontage on a street other than an alley.
- (c) **Panhandle Lot**: A polygonal shaped lot with the appearance of a “frying pan” or “flag and staff” in which the handle is most often used as the point of access to a street or road. The “handle”, when less than the minimum width for a building lot in the zoning district in which it is located, is not to be used in computing the minimum required area or delineating the minimum required “building envelope”. The handle must also be of a uniform width.
- (d) **Through Lot**: Defined as a lot other than a corner lot with frontage on more than one street other than an alley.

“Lot Width, Minimum”: A building line the least permissible width of a lot measured horizontally along the front building line.

“Marina”: Means any facility for the mooring, berthing, storing, or securing of watercraft, but not including community piers and other non-commercial boat docking and storage facilities.

“Master Highway Plan”: The official plan of highways, roads, and other ways adopted by the Board of County Commissioners in accordance with Article 66B of the Annotated Code of Maryland. (This shall include all subsequent revisions of the plan).

“Master Plan”: See “Comprehensive Development Plan”.

“Mean High Water Line”: Means the average level of high tides at a given location.

“Minor or Insignificant Impact”: Means

- (1) any land disturbance that will affect less than 5,000 square feet of land area not located in Habitat Protection Area identified in the Cecil County Critical Area Program; or
- (2) any land disturbance in the Buffer that will affect less than 50 square feet of land area that is not a Nontidal Wetland, a Plant or Wildlife Habitat Area, or the habitat of a Threatened or Endangered Species or Species in Need of Conservation located in the Buffer as identified in the Cecil County Critical Area Program.

“Minor Subdivision”: Any subdivision containing not more than five (5) lots (including the remaining parcel), which if approved, will be recorded in the Land Records for Cecil County.

“Mobile Home”: A portable dwelling unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities and designed without a permanent foundation for year-round living. A unit may contain parts that may be combined, folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. It must be listed by the State of Maryland as a mobile home. This does not include modular or sectional homes as classified by the State.

“Mobile Home Park”: Any site, lot or parcel or groups maintained or intended for the purpose of supplying a location or accommodation for four (4) or more mobile homes for living quarters and including all buildings, structures, vehicles, accessories and appurtenances used or intended as equipment in such a park.

“Natural vegetation”: Means plant communities that develop in the absence of human activities.

“Natural Features”: Means components and processes present in or produced by nature, including but not limited to soil types, geology, slopes, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, flood plains, aquatic life, and wildlife.

(Amended 8/26/03 to become effective 10/01/03)

“Non-tidal Wetlands”: Refers to lands in the Critical Area (excluding tidal wetlands regulated under Title 9 of Natural Resources Article, Annotated Code of Maryland), farm ponds, and other man-made bodies of water whose purpose is to impound water for agriculture, water supply, recreation, or waterfowl habitat where the water table is usually at or near the surface, or lands where the soil or substrate is covered by shallow water at some time during the growing season, and that are usually characterized by one or both of the following:

- (a) At least periodically, the lands support predominantly hydrophytic vegetation; and/or
- (b) The substrate is predominantly undrained hydric soils.

“Offsets”: Means structures or actions that compensate for undesirable impacts.

“Open Space”: Means land and water areas retained for use as active or passive recreation areas in an essentially underdeveloped state.

“Open Water”: Means tidal waters of the state that do not contain tidal wetlands and/or submerged aquatic vegetation.

“Original Parcel”: Any lot which was recorded prior to the date set by the County Commissioners for commencing the implementation of this document.

“Owner”: The person, partnership, corporation, company, or other legal entity holding current legal title.

“Pad Development”: Means the area of a lot, within a larger overall lot area, that is devoted to structures and septic systems. In general, where a development pad is prescribed, the remaining area of the lot must be maintained in natural vegetation.

“Pavement”: The portion of a street or walkway surfaced for vehicular or pedestrian movement and constructed according to the Cecil County Road Code.

“Physiographic Features”: Means the soils, topography, land slope and aspect, and local climate that influence the form and species composition of plant communities.

“Planning Commission”: The Cecil County Planning Commission.

“Planning Department”: A department within the Cecil County government that performs the staff function for the Planning Commission and other functions as directed by the Planning Commission and/or the Board of County Commissioners.

“Planning Director”: The chief executive officer of the Planning Department.

“Plats”:

- (a) **“Concept Plat”**: A plat indicating to the Planning Department the subdivider’s general objectives and desires in regard to the future development of his land.
- (b) **“Preliminary Plat”**: The preliminary drawings and supplementary material indicating the proposed layout of the subdivision to be submitted to the Planning Commission for its consideration.
- (c) **“Final Plat”**: The final map, drawing or chart upon which the subdivider’s plan of subdivision is presented to the Planning Commission for approval, and which, if approved, will be submitted to the County Court House for recording.
- (d) **“Site Development Plan”**: The plan indicating the location of existing and proposed buildings, structures, paved areas, walkways, vegetative cover, landscaping and screening within a site proposed for development which is to be submitted to the Planning Commission for approval prior to the release of building permits on the site. In the case of Cluster or Planned Unit Development, information normally required for the site development plan, will be included on or in conjunction with the preliminary plat.
- (e) **“Combined Preliminary/Final Plat”**: The final drawing for subdivisions from one (1) to five (5) lots, upon which the subdivider’s plat of subdivision is presented to the Planning Commission for approval along with certain information normally shown only on the Preliminary Plat, as described in Section 4.1 and which, if approved, will be recorded in the Land Records of Cecil County.

“Public”: The word “public” means “open to common use”, whether or not public ownership is involved.

“Public Improvements”: Any of the following: street pavement, with or without curbs and gutters, alley pavement, sidewalks, bridges, crosswalks; water mains; sanitary sewers and storm water management facilities, with appurtenant construction; screen planting; street trees; street lighting; and street signs.

“Public Works Agreement”: A contract, between the developer and the county, to complete the necessary improvements in accordance with approved plans and specifications by a given date; and such contract to be guaranteed by a surety bond, performance bond, a certified check, cash, or an irrevocable letter of credit from a bank or other accredited institution.

“Redevelopment”: Means the process of developing land that is or has been developed.

“Reforestation”: Means the establishment of a forest through artificial reproduction or natural regeneration.

“Reservation”: The assignment of land by a subdivider for a specified use, to be held by him for that use and no other to a future time.

“Resubdivision”: A further division or modification of an existing subdivision either previously approved by the Planning Commission and recorded or recognized by the Planning Commission and recorded in either the Land or Plat Records of Cecil County. Resubdivision or modification of existing lots shall conform with the current zoning of the property, the Comprehensive Development Plan, and fully conform with the Subdivision Regulations.

“Right-of-way”: A strip of land designated for the use of a street, highway, driveway, alley, or walkway, or for any drainage or public purpose or other similar uses.

“Road”: See “Street”.

“Setback”: Same as “Building Line”.

“Shore Erosion Control Measures”: Means any number of structural and nonstructural methods or techniques used to control the erosion of shoreline areas. More specifically, the term may refer to:

(a) Structural

Revetment -- Facing laid on a sloping shore to reduce wave energy and contain shore materials;

Bulkhead -- Excluded due to adverse impacts to the near-shore marina environment, except in the following special cases:

Where erosion impact is severe and high bluffs and/or dense woodland preclude land access, bulkheads can be installed by shallow-draft barge and pile driver; and

In narrow, man-made lagoons for activities that require frequent interchange between boats and land.

(b) Nonstructural - Creation of an intertidal marsh fringe channelward of the existing band by one of the following methods:

Vegetation -- Planting an existing shore with a wide band of vegetation;

Bank Sloping/Vegetation -- Sloping and planting a non-wooded bank to manage tidal water contact, using structures to contain sloped materials if necessary; and

Contained Beach -- Filling alongshore with sandy materials, grading, and containing the new beach to eliminate tidal water contact with the bank.

“Sidewalk”: A paved walk for pedestrian traffic only placed generally parallel to a street or highway and within the street right-of-way.

“Sight Distance”: Visual distance along a road or access at intersection. Refer to Cecil County Road Code.

“Significant Impact”: Means any land disturbance not defined as a “minor impact” in the Cecil County Critical Area Program.

“Site Development Plan”: See “Plats”.

“Soil Conservation and Water Quality Plans”: Means land-use plans for farms that show farmers how to make the best possible use of their soil and water resources while protecting and conserving those resources for the future. It is a document containing a map and related plans that indicate:

- (a) How the landowner plans to treat a farm unit;
- (b) Which Best Management Practices the land owner plans to install to treat undesirable conditions; and
- (c) The schedule for applying Best Management Practices.

“Steep Slope”: Means slopes of 15 percent or greater incline.

“Street”: The term “street”, “road”, or “highway” means a public way for vehicular traffic of such width, design, construction, and specifications as the Cecil County Road Code now requires or might hereafter require. A public right-of-way which provides primary access to abutting properties. The term also applies to rights-of-way which provide access to abutting properties. The term also applies to rights-of-way under County ownership prior to enactment of these regulations. The County’s highways and streets are classified into one of the following:

- (a) **“Freeway”**: An access-free, high speed road with gradeseparated interchanges that carries primarily intercounty traffic. It is a specialized highway with one function—to carry traffic via a roadway with controlled access, no parking and no at-grade intersections. Individual property access is prohibited.
- (b) **“Expressway”**: A high speed, access free road with atgrade crossings (intersections) rather than controlled access interchanges. Its primary function is to carry major County traffic to other points within the County. Parking and individual property access are prohibited.
- (c) **“Parkway”**: A scenic road serving primarily pleasure vehicles and permitting continuous movement as well as frequent stopping and providing access to related recreational lands. Its design standards will vary between those for a freeway and those for a local road depending on the function which the individual “parkway” is intended to serve. Depending on design requirements and standards, individual property access may be prohibited.
- (d) **“Major Arterial”**: A street with the primary function being to move large volumes of intercounty vehicular traffic. It is intended to provide unity throughout a contiguous area with channelized intersections and no parking. Individual property access is prohibited.

- (e) **“Minor Arterial”**: A street which is intended as a main feeder street for local traffic. Individual property access is prohibited.
- (f) **“Collector”**: A street which is intended as a main interior street, non-conductive to through traffic and primarily for local traffic. Its primary function is to conduct traffic from local streets to arterials or expressways. Individual property access is permitted.
- (g) **“Local”**: A street which provides access service exclusively to abutting properties and which is not conducive to through traffic. Individual property access is permitted.
- (h) **“Cul-de-sac”**: A short residential street having but one end open for vehicular traffic, the other being permanently terminated by a turnaround for vehicles.
- (i) **“Alley”**: A right-of-way, which provides service access for vehicles and pedestrians to the side or rear of abutting properties particularly in townhouses, apartment, commercial, or industrial developments.

“Structure”: Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

“Structure, principal”: That construction or assembly of materials which combine to form an occupiable building, dwelling or dwellings, the intent of which is to provide for the main function of the principal structure. Accessory buildings attached to principal structure either directly or by breeze-way will also be considered principal structure.

“Subdivider”: See “Developer”.

“Subdivision”: The division of a lot, parcel or tract of land into two (2) or more lots, plats, sites or other divisions for the purpose, whether immediate or future, for transfer of ownership or for building development. It includes resubdivision and when appropriate to the context, relates to the process of resubdividing or to the land or territory subdivided.

“Subdivision Review Meeting”: The Planning Commission as administering the Subdivision Regulations has established that subdivision plats will be reviewed six (6) times per year in months designated by the Commission.

“Technical Advisory Committee”: In order to assist developers in getting information concerning this chapter, the Planning Commission may organize a Technical Advisory Committee. The committee shall meet at intervals necessary to enable developers to conveniently contact all departments involved. The developer shall prepare a Preliminary Plat before meeting with the committee. The committee will be composed of staff members of the Planning Commission, Public Works Department, State Highway Administration, County Health Department, Board of Education, County Soil Conservation Committee and any other department or agency concerned with development; as well as a citizen at large to be designated by the Planning Commission along with representatives of the local utility companies and the County Home Builders Association.

“Tidal Wetlands”: Means state wetlands that are defined as any land under the navigable waters of the state below the Mean High Water line, affected by the regular rise and fall of tide, and private wetlands that are defined as any land not considered ‘state wetlands’ bordering or lying beneath tidal waters, that is subject to regular or periodic tidal action and supports aquatic growth. Private wetlands includes wetlands transferred by the state by a valid grant, lease, patent, or grant confirmed by Article 5 of the Declaration of Rights of the Constitution to the extent of the interest transferred. The term “regular or periodic tidal action” means the rise and fall of the sea produced by the attraction of the sun and moon, not influenced by the wind or any other circumstances.

“Topography”: Means the existing configuration of the earth’s surface including the relative relief, elevations, and position of land features.

“Tributary Streams”: Means perennial and intermittent streams in the Critical Area that are so noted on the most recent U.S. Geological Survey 7.5’ topographic quadrangle maps (scale 1:24,000) or on more detailed maps or studies at the discretion of the local jurisdictions.

“Walkway”: As distinguished from a sidewalk and crosswalk which are incorporated in a street right-of-way, a walkway is a pedestrian right-of-way usually extending from a street into a block or across a block to another street.

“Water-dependent Facilities”: Means structures or works associated with industrial, maritime, recreational, educational, or fisheries activities which Cecil County has determined require location at or near the shoreline within the Buffer.

“Water Compound”: Means a body of water such as a pond or lake confined by a dam, dike, or floodgates or other man-made barrier that:

- (a) Capture drainage from an area in excess of 640 acres, or
- (b) Has a normal depth of water greater than 15 feet, or
- (c) Has a normal surface area of water in excess of 12 acres.

“Wildlife Corridor”: Means a strip of land having vegetation that provides habitat and a safe passageway for wildlife.

“Yard”: An open space on the same lot with a building or group of buildings, lying between the building, or outer building of a group, and the nearest lot or street line, and unoccupied and unobstructed from the ground upward, except as provided for in the Zoning Ordinance.

SECTION 2.1 - General Requirements for Subdivision

- 2.1.1 - In planning and developing a subdivision, the subdivider or his agent shall comply with the general principle of design and minimum requirements for the layout of subdivisions set forth in Article 7, with the regulations concerning improvements as set forth in Article 5, and in every case he shall observe the procedure outlined in Article 4.
- 2.1.2 - Any owner or proprietor of any tract of land located in the territory to which this ordinance may apply, who subdivides the same for the creation of a minor or major subdivision to be made in accordance with the regulations set forth herein and in Article 66B of the Annotated Code of Maryland, and after securing the approval thereof by the Planning Commission or Director of Planning, Zoning, Parks & Recreation, shall cause a copy of such plat to be recorded in the office of the Clerk of the Circuit Court of Cecil County.

(Amended 8/26/03 to become effective 10/01/03)

- 2.1.3 - Platting and recording of a subdivision plat under these regulations shall not be required in the following cases:
- (1) For uses as a farm, such land to be used for crops, pasture, or other pursuits normally associated with farming, drainage, or non-residential farm structures.
 - (2) Partition of lands by will or through action of a court of competent jurisdiction unless or until development of the land is proposed.
 - (3) Where a property has been changed in size or shape by reason of the taking of a part of such property for public use by reference to a properly drawn and recorded plat, such as a right-of-way plat; provided that the outlines and dimensions of such remainder may be clearly determined by references to the previously recorded plats.
 - (4) A bona fide division of a tract of land in order that one or more of the resulting parcels may be used as a part of an electric transmission right-of-way or other public utility right-of-way; provided that if a parcel resulting from such division is ever to be used as a building site for other than an electric transmission line or other public utility right-of-way, then before a building permit may be issued for such other use, a plat must be filed in accord with these regulations (Article 4) and recorded.

2.1.4 - If land is subdivided for the purpose listed in 2.1.3 previously, then the requirements for platting and recording shall, according to these regulations, be waived provided that:

- (1) No public right-of-way or easements are extinguished.
- (2) No residential structures excepting tenant houses (tenant houses are excepted provided that there is no more than one (1) per fifty (50) acres of farm) are to be placed or built on the acreage, unless subdivided in accordance with subdivision platting requirements of Article 4.

If no reservation of lots for building purposes is made, then a copy of the deed and a copy of the tax map or survey plat showing the location and manner of the transaction shall be all that is required to be submitted to the Planning Department for record keeping purposes. Such submission shall be reviewed by the Planning Department and if in accord with the above and any applicable zoning regulations, shall be approved by the Planning Director. Appeals from the Planning Director shall be to the Planning Commission.

2.1.5 - In case of the reservation of building lots, such lots shall be platted according to the Subdivision Regulations and Zoning Ordinance and Forest Conservation Regulations.

SECTION 2.2 - Resubdivisions

Any modification, division, addition, deletion, or correction which is proposed to a previously recorded lot or lots in a subdivision, the owner must file a "re-subdivision plat" to be approved by those agencies normally approving Final Plats and recorded by the Developer together with a notation in the form of a resolution, which shall make reference to the original plat and shall be affixed to the resubdivision plat. Changes occurring as a result of highway, road or street improvements which require additional right-of-way shall not require a resubdivision plat to be recorded. In cases where two (2) or more lots in the same ownership are effectively utilized so as to virtually eliminate the interior lot lines, such as construction of a permanent structure across lot lines, a resubdivision plat combining the affected lots into one lot will be required. An exception to this will occur only when the two lots are under one deed. Any remaining lots shall conform to all existing Zoning Regulations and; if conveyed shall not effectively create a zoning violation on the remaining lots. If these two conditions cannot be met, the lot or lots involved shall also be included on the resubdivision plat and shall become part of the single parcel thereby created.

(Amended 12/9/92)

SECTION 2.3 - Addition and Subtraction of Lots

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

2.3.1- A survey plat showing the following:

- (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 required below:
 - 1. if five (5) acres or under remains, a boundary survey shall be made.
 - 2. if over five (5) acres remain, a deed plotting can be made.
- (d) when applicable, the signature of a registered surveyor certifying it as an accurate survey.
- (e) a signature block for the Planning Director 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”.
- (g) a road dedication, if applicable.

2.3.2 - No transfer of land shall be approved if the original lot from which the transfer was made causes said lot to be less than the minimum lot size for its zoning district or causes the lot to be in violation of any other applicable zoning or health requirements.

2.3.3 - The Planning Director would be empowered to approve land transfers described in this section and such approval shall be noted on the survey plat.

2.3.4 - The approved survey plat shall be recorded with the Clerk of the Circuit Court of Cecil County.

2.3.5 - A Declaration of Intent must be filed with the Department to comply with the Forest Conservation Regulations.

SECTION 2.4 - Minor Subdivision

2.4.1 - The Planning Director has the authority to approve minor subdivisions of land and/or minor adjustments in lot lines without necessity of the subdivision complying with preliminary plat procedures, or going before the Planning Commission. The actual acreage of the minor subdivision lots shall be deducted from the gross acreage of the parcel for each lot created through the minor subdivision process. This acreage deduction shall be included in the density calculation for any major subdivision subsequently proposed on the parcel. As an incentive to discourage the creation of new lots accessing onto existing County roads the following calculation can be performed. If the remaining minor subdivision lots are created as a part of a major subdivision and are served by an internal road, these minor subdivision lots shall be added as a bonus, up to five (5) additional lots if full minor subdivision potential exists, to the maximum number of lots yielded by the regular density calculation of the original parcel.

(Amended 12/9/92 and 11/16/04)

- 2.4.2 - A property owner shall apply to the Planning Department for approval of up to five (5) lots by submitting a Combined Preliminary/Final Plat providing the proposed subdivision does not involve a proposed new street. The combined preliminary/final plat application shall be submitted on forms provided and fees shall be paid as shown in Section 3.7. The combined preliminary/final plat shall follow all requirements of a normal final plat as provided in Section 4.2. The approved minor subdivision plat shall be recorded in the Land Records of Cecil County. The combined preliminary/final plat shall also contain the following information:
- (a) existing topography at two (2) or five (5) foot contours intervals. Contour lines shall be indicated at least fifty (50) feet beyond the subdivision boundary. Contours shall be based on government bench marks when available or by estimation from USGS quadrangle maps unless otherwise required by the Planning Department. A reference or bench mark shall be described on the plat together with elevation. The source of contours shall be stated on the plat.
 - (b) all existing pertinent features, either natural or man-made, that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures and water courses.
 - (c) location of existing and recorded utility easements on or within two hundred (200) feet of the tract. (Should include electric and telephone poles, underground cables, and towers).
 - (d) location and extent of permanent erosion and sediment control facilities (e.g., sedimentation ponds, drainage ditches, diversion terraces, etc.) if required by the Cecil County Soil Conservation District, shall be shown, as well as location of wells, septic disposal areas, percolation information and soil types.
 - (e) information required by the Cecil County Critical Area Program including, but not limited to, the Critical Area Buffer (see Section 4.05, Yard Requirements, SD-1 Critical Area District, Cecil County Zoning Ordinance), the Critical Area Boundary line on parcels created, and Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed minor subdivision, limits of tidal wetlands, the Mean High Water Line, and an Environmental Assessment.
 - (f) the location and extent of existing and/or proposed shore erosion abatement approaches.
 - (g) shall conform to Section 2.4.4 on the designation of the remainder.

(Amended 8/26/03 to become effective 10/1/03)

- 2.4.3 - The Planning Commission shall require that the major subdivision procedures be followed in the event that any subsequent plat brings the number of lots off the original tract to five (5) or more.
- 2.4.4 - The Planning Commission shall require that the remaining original tract be shown as stated in the appropriate section below.
- (a) if less than five (5) acres of land remain in the original tract after the lots are excluded, then all of the tract (lots and remainder) must be platted.
- (b) if more than five (5) acres of land remain in the original tract after the lots are excluded, then the owner is not required to plat the remaining acreage.

He is required to provide a sketch of the tax map showing his entire acreage and the location of the lots being platted and any previously platted lots.

SECTION 2.5 - Building Permits

No building permits will be approved by the Building Inspector's Office on any subdivision or development until or unless the requirements of these regulations have been met as verified by the Planning Department.

SECTION 2.6 - Subdivision Name

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

SECTION 2.7 - Adequate Public Facilities

In pursuit of its responsibility and obligation to provide for the health, safety, and general welfare of existing and future residents in any subdivision, the Planning Commission may disapprove the subdivision of land if it is found that any one of the following public facilities is not adequately provided for in the proposed subdivision.

- 2.7.1 - Off-site road access to the proposed subdivision must not be hazardous and unsafe by virtue of one or more of the following:
- (a) lack of compliance with the applicable sections of the Cecil County Road Code.
 - (b) poor or non-existent sight distances, due to topography, natural vegetation or poor road alignment; vertical and/or horizontal.
 - (c) grades exceeding ten (10) percent.
 - (d) width of paved surface too narrow to allow the passing of two (2) vehicles safely.
 - (e) when a proposed entrance access involves a highway under the jurisdiction of the State Highway Administration, the entrance intersection is subject to requirements of that agency and the overall safety of the access shall be coordinated with said agency.
- 2.7.2 - Water and sewer. The proposed subdivision shall be disapproved unless the following provisions are made for the disposal of sewage and the provision of water;
- (a) each building lot has been approved for individual sewer and water facilities by the Health Department Approving Authority, when located outside of a sewerage service area.
 - (b) No inherent factors of drainage, soil character, or other conditions that would tend to produce health problems. This would hold regardless of lot size.
 - (c) each lot inside a sewer and/or water service area is to be served with the public system. Privately owned and operated utility systems for new subdivisions will be approved, provided the developer and the County execute a Public Works Agreement in which it is agreed:
 - 1. the treatment facilities will be abandoned when a regional system is available to the site;
 - 2. the distribution system will be deeded to the owners of the regional system at the time of connection to the regional system;Private utility systems in existence at the time of adoption of these regulations may be expanded up to the capacity of the existing treatment facility.
 - (d) each lot meets the minimum square foot requirements for providing individual sewerage disposal and/or water supply, as established by the approving authority of the State Department of Health and Mental Hygiene.
 - (e) each lot is assured a connection with a public water main when located inside a service area.

ARTICLE III. ADMINISTRATION

SECTION 3.0 - Administrative Responsibility

At the direction of the Cecil County Planning Commission, it shall be the responsibility of the Planning Department to administer and enforce these regulations and to establish the procedures for the proper implementation consistent with these regulations.

SECTION 3.1 - Referral

The Planning Department may refer the subdivision and development plans to any County agency or any other agency (State or Federal) which it deems appropriate for their comments and/or recommendations, the Planning Commission will determine the basis of approval and/or disapproval of a proposed subdivision or development plan.

- 3.1.1 - Approvals for specific elements of a subdivision or development plan, including but not limited to sedimentation and erosion control and sewerage disposal, must come from those County Departments or other agencies (State or Federal) having jurisdiction in that area. All requirements for acquiring approval of a specific element are contained in codes or regulations administered by the agency or department responsible and are not necessarily available in this regulation.
- 3.1.2 - The Technical Advisory Committee shall meet as appropriate to review, discuss, recommend, and coordinate the action of the subdivision or development proposal. All parties involved with the subdivision or development plan shall be advised of the committee's recommendations and actions at the time of their meeting. All determinations shall be made in accordance with the regulations contained herein.

SECTION 3.2 - Application

The provisions of these regulations shall be considered as minimum requirements to promote and protect public health, safety, and general welfare as set forth in the statement of legislative intent. Any subdivision or development complying with these minimum requirements and any regulations pursuant thereto, shall be approved, and a Public Works Agreement, where necessary, shall be executed between the developer and the County prior to any final approval.

The Planning Commission shall require each subdivision to conform to the Zoning Ordinance applicable thereto.

SECTION 3.3 - Appeal

Any person aggrieved by any action of the Planning Commission pursuant to these regulations, taken after October 1, 1992, may appeal to the Circuit Court in accordance with the Maryland Rules of Procedure.

SECTION 3.4 - Penalties

If the owner or agent of the owner of any land located within a subdivision transfers or sells or agrees to sell or negotiates to sell any land by reference to or exhibition of or by other use of a plat of a subdivision, before the plat has been approved by the Planning Commission and recorded or filed in the office of the appropriate county clerk, the owner or agent of the owner shall forfeit and pay a civil penalty of not less than \$200 and not more than \$1,000 in the discretion of the court, for each lot or parcel so transferred or sold or agreed or negotiated to be sold; and the description of the lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from the penalties or from the remedies herein provided.

The County or municipal corporation may enjoin the transfer or sale or agreement by action for injunction brought in any court or equity jurisdiction or may recover the penalty by civil action in any court of competent jurisdiction.

SECTION 3.5 - Modifications

Where the Planning Commission finds that because of unusual circumstances of shape and topography or other physical features or conditions of the proposed subdivision or because of the nature of adjacent developments, extraordinary hardship may result from strict compliance with these regulations, there may be granted a modification of the regulations when requested by the subdivider or developer. However, no such modification shall be granted which will have the effect of nullifying the intent and purpose of the Comprehensive Plan, Zoning Ordinance, these regulations or any other pertinent rules, regulations or laws, of the County. In granting modifications, the Planning Commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards of the requirements so waived or modified.

Any modification of these regulations for a particular subdivision or development shall be noted on the final plat and appear in the records of the Planning Department.

(Amended 11/24/92 and 5/27/97)

SECTION 3.6 - Amendments

The Board of County Commissioners may adopt amendments to the provisions of these regulations if it is determined by the Board that any such amendment will better the public interest and the general purpose of these regulations. Proposals for amendment may be initiated by any person, group, agency, or organization, by resolution of the County Commissioners, by motion of the Planning Commission or by any other governmental agency of the County. All amendments shall be reviewed by the Planning Commission and their recommendation shall be submitted to the Board of County Commissioners. The Planning Commission shall hold a public hearing prior to its submittal of a recommendation to the County Commissioners. Prior to making a decision, the County Commissioners shall hold a public hearing on the proposed amendments. The date and place of all public hearings shall be advertised for two (2) consecutive weeks, at least fifteen (15) days prior to the hearing in at least one (1) newspaper of which must be of largest circulation in Cecil County.

SECTION 3.7 - Fee Schedule

Fees for processing of plats, as well as recordation fees shall be in accordance with a fee schedule approved by the County Commissioners.

SECTION 3.8 - Filing Schedule

The Office of Planning and Zoning shall prepare a filing schedule for applications to the Technical Advisory Committee and the Planning Commission. The filing schedule shall be submitted to the Planning Commission for a recommendation. The County Commissioners shall be the final approval authority. All applications to the Technical Advisory Committee and the Planning Commission shall adhere to the filing schedule. The filing schedule shall be made available at the Office of Planning and Zoning and shall contain the following information:

- (a) Meeting dates, time and location for the Technical Advisory Committee and Planning Commission.
- (b) Submittal deadlines for the Technical Advisory Committee and Planning Commission.
- (c) Appropriate number of copies of subdivision plats and other material that is to be reviewed by the Technical Advisory Committee or the Planning Commission.

Prior to the submittal of a concept plat to the Technical Advisory Committee, notice shall be given by certified mail, to the extent possible based on best available information, to all immediately contiguous property owners of the proposal to subdivide the property. Notification shall include the name, address and telephone number of the developer, the acreage and zoning of the parcel proposed for subdivision, and the proposed number of lots. Additionally, the developer shall be responsible for the erection and maintenance of a clearly visible sign containing a copy of the proposed plat on each of the property's road frontages.

(Amended 11/24/92, 12/21/04, and 8/21/07)

Each sign shall be provided by the developer and fabricated to specifications provided by the Office of Planning and Zoning. The signs shall be durable, weather resistant, have a minimum dimension of 30 by 36 inches and shall be maintained in place throughout until the final plat approval. If the Director of Planning and Zoning, or his designee, determine that the applicant has failed to maintain or properly install the sign in compliance with these requirements, the proposed project will be withdrawn for the Technical Advisory Committee and Planning Commission agenda. The plat shall also be posted on the County's website.

SECTION 3.9.1 - **Relating To Public Notification**

It shall be the responsibility of the applicant, based upon the best available information, to send by Certified Mail to all property owners immediately contiguous to the property on which a subdivision is proposed, notice of the initial review of the subdivision proposal by the Technical Advisory Committee (TAC). Said notices shall be sent by Certified Mail no later than the date of the Technical Advisory Committee's submission deadline. It shall be the responsibility of the applicant to provide documentation that this requirement has been met one week prior to the initial review of the subdivision proposal by the TAC.

The notice shall contain the following information:

- (a) Property owner/developer, address, telephone number
- (b) Acreage, zoning
- (c) Proposed number of lots/units
- (d) TAC Citizen Representative telephone number
- (e) Office of Planning and Zoning telephone number
- (f) Date, location and time of the TAC meeting.

(Amended 11/24/92, 12/21/04, and 8/21/07)

ARTICLE IV - PLAT PROVISIONS

SECTION 4.0 - Concept Plat

- 4.0.1 - For projects involving fewer than ten (10) lots or fewer than twenty-five (25) acres from the original parcel of record, the subdivider may prepare a concept plat of the proposed subdivision conforming with the requirements set forth in these regulations and submit said plat as stipulated in Appendices A and B to the Office of Planning and Zoning. For projects involving more than ten (10) lots or more than twenty-five (25) acres from the original parcel of record, whichever is more restrictive, the subdivider shall prepare a concept plat of the proposed subdivision conforming with the requirements set forth in these regulations and submit said plat to the Office of Planning and Zoning.
- 4.0.2 - The concept plat will also be scheduled for a Technical Advisory Committee meeting for review by committee members and representatives of the developer. Concept plats for subdivision of more than ten (10) lots or more than twenty-five (25) acres from the original parcel of record, whichever is more restrictive, will be scheduled for review by the Planning Commission at its regular meeting. If, for any reason, after Technical Advisory Committee review, a Concept Plat is revised to propose fewer lots but the same layout, said revised Concept Plat does not first have to be re-reviewed by the Technical Advisory Committee before being scheduled for review by the Planning Commission. Concepts Plats submitted to the Technical Advisory Committee or the Planning Commission shall adhere to the filing schedule as prescribed by the Office of Planning and Zoning.
- 4.0.3 - It shall be the responsibility of the Office of Planning and Zoning to distribute plat and information to other agencies and to notify the developer as to the time, date, and place of the meeting regarding his development. All Technical Advisory Committee and Planning Commission meetings shall be open to the public.
- 4.0.4 - The Concept Plat shall be checked by the Office of Planning and Zoning, Public Works Department, and Health Department as to its conformity with all plans and ordinances in effect. Each agency to which a plat is distributed shall submit written comments or can present their views and comments at the Technical Advisory Committee meeting. If such agency comments are not made to the Office of Planning and Zoning prior to review by the Planning Commission, the Concept Plat shall be considered acceptable to the respective agency, and the Planning Commission may proceed to take action upon the plat at a regularly scheduled subdivision review meeting.
- 4.0.5 - The Technical Advisory Committee will make recommendations and findings with regard to the concept plat and they will be presented to the developer. For concept plats for subdivisions more than ten (10) lots or more than twenty-five (25) acres from the original parcel of record, whichever is more restrictive, the recommendations and findings of the Technical Advisory Committee will be presented to the Planning Commission for their review and comment. Questions of maximum permitted density for original parcel of record shall be determined by the Planning Commission at this time.

(Amended 11/24/92 and 8/21/07)

- 4.0.6 - The Technical Advisory Committee will in general be reviewing the Concept Plat with regard to the following points:
- (a) Interior street configuration
 - (b) Entrance locations (both street and driveways)
 - (c) Traffic effect on existing and proposed roads
 - (d) Water and sewer facilities
 - (e) Feasibility of a subdivision in the area
 - 1. Total number and size of lots
 - 2. Effect on school district and school bus service
 - 3. Approximate lot layout and other reserved areas, if any
 - (f) New land development technique
 - (g) The affect on waterways, shorelines, due to run-off, erosion, etc.
 - (h) Consistency with the Cecil County Critical Area Program requirements.
 - (i) Consistency with the Cecil County Forest Conservation Regulations.
- 4.0.7 - The Technical Advisory Committee will review the concept plat for general suitability of design without regard for drainage, erosion, or vertical alignment of streets. These will be reviewed in the Preliminary Plat submission. The Technical Advisory Committee shall review all concept plats for development if it involves more than ten (10) lots or more than twenty-five (25) acres from the original parcel of record, whichever is more restrictive.
- 4.0.8 - The review by the Planning Commission of the Concept Plat is to allow the subdivider to determine feasibility of his project prior to incurring extensive costs for surveying and engineering and to determine the maximum density allowable and an acceptable layout on the parcel. Acceptance for Planning Commission review does not guarantee approval. Approval of a Concept Plat does not guarantee subsequent (i.e., Preliminary and Final) approvals.
- 4.0.9 - Approval of the density and layout of a Concept Plat shall be valid for a period of three (3) years from the date of Planning Commission approval. Preliminary approval by the Planning Commission of any section of the Concept Plat shall extend the density approval of the Concept Plat for as long as the Preliminary Plat is valid. Otherwise, then the developer may request an extension in accordance with Section 4.0.10.
- 4.0.10 - The Planning Commission may, at their regular monthly meeting, grant an extension of the approval of a Concept Plat for one (1) year upon application of the developer. If granted, said extension shall run for one (1) from the anniversary of the original date of approval. In connection with such request, the Planning Commission shall consider the following:

(Amended 12/9/92, 8/21/07, and 4/7/09)

- (a) Change in the zoning classification of the property.
- (b) Change in the Zoning Ordinance.
- (c) Change in the Subdivision Regulations.
- (d) Change in the Comprehensive Plan.
- (e) Change in the Critical Area designation of the property.
- (f) Change in the Critical Area Program.
- (g) Change in the Forest Conservation Regulations.

A request for extension of the approval of a Concept Plat shall be filed no later than the date of the submission deadline for the Planning Commission meeting prior to the expiration of said Concept Plat, as established in Appendices A and B of these Regulations.

4.0.11 - If an extension of the density and layout approval of a Concept Plat has been denied or approved, the subdivider and other concerned agencies shall receive written notice to that effect.

4.0.12 - A disapproved or voided density and layout of a Concept Plat has no status and any further consideration or review submission shall be treated as a new application.

4.0.13 - Required Information:

- (a) Concept Plats shall be submitted on paper and shall be clear and legible. Illegible plats will be discarded and the subdivider notified. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Concept Plat shall be not considered complete if the Forest Stand Delineation has not been approved prior to submission of said Concept Plat (if in the Critical Area, a Concept Plat will not be considered complete unless the Conceptual Environmental Assessment has been approved prior to submission of said Concept Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Concept Plat shall be not considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County's website, and if the submission fee, established in Appendix A, has not been paid prior to submission of said Concept Plat. Incomplete Concept Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date.
- (b) A vicinity map indicating the location of the property with reference to surrounding property, streets, landmarks, streams, etc. Show all property owned according to the tax maps if only a part of the property is to be developed. The tax map, block (grid), and parcel number(s) shall also be provided.
- (c) In the event that a record subdivision adjoins the property to be developed, the subdivision should be indicated by dashed lines.
- (d) Title information:
 1. Proposed name
 2. Scale of Plat
 3. Date
- (e) Name and address of owner or person representing owner who is responsible for preparation of the plat.

(Amended 11/24/92, 8/21/07, and 4/7/09)

- (f) North point.
- (g) Boundary of proposed subdivision. This can be a deed plot.
- (h) Location, widths, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines).
- (i) Location of existing utilities on or within two hundred (200) feet of the parcel.
- (j) The layout of all proposed and existing lots with appropriate dimensions and minimum area.
- (k) The approximate location and area of all property proposed to be reserved to public use or to be reserved for use by all property owners in the subdivision, also the purposes of any proposed easements.
- (l) Existing zoning of the tract and adjacent property. Any proposed zoning for the tract must be effectuated by a rezoning prior to the Planning Commission's review of the Concept Plat.
- (m) In the case of multi-family projects (apartments, townhouses, etc.), the following additional items shall be shown:
 1. Approximate location of buildings.
 2. Total number of units in each building.
 3. Total number of off-street parking spaces and the space to unit ratio.
- (n) General location and areal extent of the following when the subdivision is proposed in the Cecil County Critical Area:
 1. Tidal and non-tidal wetlands;
 2. Streams (perennial and intermittent);
 3. Areas of steep slopes, highly erodible and other soils with development constraints;
 4. Shore and stream Buffer (110-foot minimum);
 5. Natural resource protection areas, Habitat Protection Areas, forests and developed woodlands on or in the vicinity of the proposed subdivision;
 6. The Critical Area Boundary and the applicable land management classification(s), i.e. Intensely Developed Area (IDA), Limited Developed Area (LDA), or Resource Conservation Area (RCA);
 7. Computation of the amount of acres in the Critical Area District; and
 8. The location and extent of existing and/or proposed shore erosion abatement approaches.
- (o) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

SECTION 4.1 - Preliminary Plat

- 4.1.1 - The subdivider shall prepare a Preliminary Plat of the proposed subdivision conforming with the requirements set forth in these regulations and as stipulated in Appendices A and B, and submit said plat to the Office of Planning and Zoning.
- 4.1.2 - The Preliminary Plat shall be reviewed by the Technical Advisory Committee and the Planning Commission. Submission of the Preliminary Plat shall adhere to the filing schedule as prescribed by the Office of Planning and Zoning.
- 4.1.3 - The Office of Planning and Zoning will transmit the Preliminary Plat to the appropriate agencies.
- 4.1.4 - The plat will be scheduled for a Technical Advisory Committee meeting for review by its members and representatives of the developer.
- 4.1.5 - It shall be the responsibility of the Office of Planning and Zoning to distribute plats and information to other agencies, to receive comments from those agencies, and to notify the developer and the Technical Advisory Committee as to the time, date, and place of meetings and hearings regarding the development. All such meetings shall be open to the public. As applicable for subdivisions or development in the Critical Area District, the Technical Advisory Committee will obtain comments and recommendations of the Critical Area Commission staff, and other applicable State and/or Federal agencies for proposed subdivisions.
- 4.1.6 - Each agency to which a plat is distributed shall submit written comments or can present their views and comments at the Technical Advisory Committee meeting. If such agency comments are not made to the Office of Planning and Zoning prior to review by the Planning Commission, the plat shall be considered acceptable to the respective agency, and the Planning Commission may proceed to take action upon the plat at a regularly scheduled subdivision review meeting.

(Amended 11/24/92 and 8/21/07)

- 4.1.7 - The Preliminary Plat will be checked by the Office of Planning and Economic Development as to its substantial conformity with the Comprehensive Plan of Cecil County and the County Critical Area Program, as applicable; the requirements of the Zoning and Subdivision Regulations of Cecil County, including the intent and purposes of those ordinances; and the recommendation of the Technical Advisory Committee and other Federal, State, and County agencies. Incomplete plats or those lacking the required information shall be returned to the subdivider for completion and subsequent resubmission.
- 4.1.8 - At the regularly scheduled subdivision review meeting of the Planning Commission, the Office of Planning and Zoning will present the recommendations and findings of other agencies and the Office's own recommendation of approval, conditional approval, or disapproval of the Preliminary Plat.
- 4.1.9 - The Planning Commission shall review the plat with regard to the following:
 - 1. Substantial conformance to the land use provision of the Cecil County Comprehensive Plan and provisions of the Cecil County Critical Area Program, where applicable.
 - 2. Guidelines that will promote the erection of buildings in areas which are free from the danger of flooding, erosion, stream siltation, unsuitable sanitary conditions, and other hazards.
 - 3. Protection of wetlands, streams, area of steep slope and shorelines.
 - 4. Protection of forested, reforested, or afforested areas as required by the Forest Conservation Regulations.
- 4.1.10 - The Planning Commission will act either to: approve, conditionally approve, or disapprove the Preliminary Plat at a regular subdivision review meeting. A Preliminary Plat may be tabled only if the Commission feels it needs more information on some aspect of the proposal, pursuant to §4.1.14. Approval is tentative involving the general acceptability of the layout submitted and shall in no way constitute approval of the Final Plat. Preliminary Plat approval shall be effective for a period of two years from the date of approval.
- 4.1.11 - Approval shall be noted in the meeting minutes and in a letter mailed to the applicant.
- 4.1.12 - If the Commission disapproves the Preliminary Plat, it shall set forth the reasons for disapproval in its records and provide the applicant with a copy.

(Amended 12/9/92 and 8/21/07)

- 4.1.13 - Conditional approval of a Preliminary Plat shall state the conditions or modifications necessary to satisfy the requirements of this ordinance, and the actual approval of the Preliminary Plat shall not be made until such conditions have been satisfied.
- 4.1.14 - The Planning Commission may continue a decision on a plat if there is a lack of information or if substantial changes are necessary to be performed in order to make a plat acceptable to the Commission.
- 4.1.15 - Any approved Preliminary Plat or any plat continued for further study by the Commission shall be exempt from any changes in the Subdivision Regulations or other applicable law for a period of two (2) years from the date of approval of the Preliminary Plat. Any Preliminary Plat approved after July 1, 1991 and prior to December 31, 1992 and not receiving final plat approval prior to December 31, 1992, shall not be exempt from the requirements of the Forest Conservation Regulations.
- 4.1.16 - The subdivider and concerned County agencies shall receive written notification as to approval, conditional approval, or disapproval of the plat.
- 4.1.17 - Preliminary Plat approval shall be valid for a period of three (3) years from the date of Planning Commission approval. The recordation of any section of a Final Plat shall extend the Preliminary Plat approval for an additional two (2) year period from the date of said recordation. If a Final Plat is not recorded during the period, then the developer may request an extension in accordance with Section 4.1.18.
- 4.1.18 - The Planning Commission may, at their regular monthly meeting, grant an extension of the Preliminary approval for two (2) years upon application of the developer. If granted, said extension shall run for two (2) years from the date said extension is granted. In connection with such request, the Commission shall consider the following:
- (a) Change of adjoining land use.
 - (b) Change in street or highway plan.
 - (c) Change in zoning or subdivision regulations.
- A request for extension of a preliminary plat approval shall be filed no later than the date of the submission deadline for the Planning Commission meeting prior to the expiration of said Preliminary Plat, as established in Appendices A and B of these Regulations.
- 4.1.19 - If an extension of a Preliminary Plat has been denied, or approved, the subdivider and other concerned agencies shall receive written notice to that effect.

(Amended 11/24/92, 8/21/07, and 4/7/09)

- 4.1.20 - A disapproved or voided Preliminary Plat has no status and any further consideration or review submission shall be treated as a new application.
- 4.1.21 - The Planning Commission will, in general, be reviewing the Preliminary Plat with regard to the following points:
- (a) interior street configuration
 - (b) entrance locations (both street and driveway)
 - (c) traffic effect on existing and proposed roads
 - (d) water and sewer facilities
 - (e) feasibility of a subdivision in the area
 1. total number and size of lots
 2. effect on school district and school bus service
 3. approximate lot layout and other reserved areas, if any.
 - (f) new land development techniques
 - (g) the effect on waterways, shorelines, due to runoff, erosion, etc.
 - (h) boundary of proposed subdivision and remaining parcel or tract where applicable.
 - (i) conformity of the subdivision to the letter and intent of the Cecil County Critical Area Program and related implementation requirements.
 - (j) conformity of the subdivision to the requirements and intent of the Cecil County Forest Conservation Regulations.
- 4.1.22 - Required information:
- (a) The Preliminary Plat shall be submitted by the developer on paper and shall be clear and legible. The scale shall be no smaller than 1" = 100' (1" = 200' where the average lot size is greater than five (5) acres as approved by the Office of Planning and Zoning). When more than one (1) sheet is required, an index sheet of the same size shall be submitted showing the entire subdivision drawn to scale. Each sheet must have the surveyor's seal. Incomplete plats will not be accepted by the Office of Planning and Zoning. For Planning Commission review only, a Preliminary Plat will be not considered complete if the boundary line survey has not been completed, the Traffic Impact Study (if required) has not been completed, the documentation of the completed jurisdictional determination (if applicable) has not submitted, and the Preliminary Forest Conservation Plan has not been approved prior to submittal of said Preliminary Plat (if in the Critical Area, a Preliminary Plat will not be considered complete unless the Preliminary Environmental Assessment has been approved prior to submission of said Preliminary Plat). In addition, for Technical Advisory Committee and Planning Commission review, a Preliminary Plat will not be considered complete if the public notification sign(s) have not been properly installed, if the electronic version of the plat has not been submitted for posting on the County's website, and if the submission fee, established in Appendix A, has not been paid. Incomplete Preliminary Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date.

(Amended 12/9/92 and 8/21/07)

- (b) A vicinity map indicating the location of the property with reference to surrounding property, streets, landmarks, streams, etc. (scale shall be no smaller than 1"=2000'), and conforming to Section 2.4.4 on the designation of the remainder. The tax map, block (grid), parcel number(s) shall also be shown.
- (c) The names, liber and folio of all adjoining property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference shall be indicated. In the event that a historic district or other officially designated historic site adjoins the land to be developed, it shall be identified.
- (d) Title information:
 - 1. Proposed name.

2. Scale of Plat (feet and meters).
 3. Location by election district, County and State.
 4. Date.
- (e) Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of engineer, surveyor, and corporation required.
- (f) Northpoint. Indicate if true north.
- (g) Boundary of proposed subdivision.
- (h) All existing pertinent features, either natural or manmade, that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures and water courses.
- (i) Existing topography at two (2) or five (5) foot contour intervals. Contour lines shall be indicated one hundred (100) feet beyond subdivision boundary. Contours shall be based on government bench marks, when available, within two thousand (2000) feet of property or by estimation from USGS quadrangle maps. Datum shall be stated in all cases and a reference or benchmark described on plat together with elevation. Source of contours shall be stated on plat, such as, field run topo, or aerial topo, etc. Interpolation of contours from USGS quadrangle maps will not be accepted unless previously approved by the Office of Planning and Economic Development.
- (j) Location, width, and names of all streets and/or alleys on or adjoining the subdivision; this should include plats which have preliminary approval, as well as those recorded but unimproved and all existing easements. (to be indicated by dashed lines.)
- (k) Location of existing and proposed utilities on or within two hundred (200) feet of the tract with approximate pipe sizes and directions of slope indicated. (Should include electric and telephone poles or towers.)
- (l) The layout of all proposed and existing lots with approximate dimensions and minimum building line should be indicated. All major subdivisions must be provided with coordinates consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.

(Amended 8/21/07)

- (m) The preliminary layout of all proposed streets and pedestrian ways, including width of right-of-way, pavements, storm drains, and grades.
- (n) The approximate location, dimensions, and area of all property proposed to be reserved or temporarily reserved for public use, or to be reserved for use of all property owners in the subdivision, and the location, dimensions and purposes of any proposed easements, including drainage easements.
- (o) Zoning district classification of the tract or parcel being subdivided.
- (p) Existing and proposed (schematic) drainage system, including the type(s) of structures, the floodplain, proposed stormwater management facility locations, and any deviations from standards, consistent with Section 7.5.
- (q) Locations of the septic disposal area, proposed wells and percolation information are to be indicated in accordance with the specifications of the Maryland State Department of Health and Mental Hygiene when individual sanitary facilities are to be used. If community sewerage and/or water systems are to be used, such notation shall be made on the Preliminary Plat.
- (r) Total number of lots, area of lots, density, total area and types of right-of-way dedicated, and total area of subdivision shall be indicated in table form.
- (s) In cases of condominium or multi-family projects (apartments, townhouses, etc.), the following additional items shall be shown:
 - 1. Approximate location of each building, setbacks from all streets (public or private), property lines and distance between buildings.
 - 2. Number and types of units in each building.
 - 3. Total number of units and sub-totals of each type.
 - 4. Number of parking spaces in each off-street parking area, and the space to unit ratio.
- (t) Soil types shall be shown.
- (u) Perimeter of the entire parcel, as well as the section requiring approval.

(Amended 8/21/07)

- (v) For proposed subdivision located in the Critical Area, the following additional information will be shown on the Preliminary Plat as applicable:
1. Computation of the total area within the Critical Area District, area within each of the land management classifications (i.e., IDA, LDA, RCA), and number of lots in the Critical Area;
 2. Slopes 15 percent of greater;
 3. Location and area extent of all soils exhibiting the following characteristics as determined by the Soil Survey, such as:
 - (a) Wet Soils.
 - (b) Hydric Soils and soils with hydric properties, and
 - (c) Highly erodible soils (soils on slopes greater than 15 percent or soils on slope greater than 5 percent with “K” values greater than 0.35).
 4. Location of all existing or proposed site improvements (including storm drains, culverts, retaining walls, fences, and stormwater management facilities, as well as sediment and erosion control structures);
 5. Location of open space, the Buffer and other buffer areas, forested areas and landscaping (the plan shall show all areas to be maintained as landscaping to be provided and the means by which such landscaping will be permanently maintained shall be specified);
 6. Location of all Habitat Protection Areas on the site;
 7. Location of tidal and non-tidal wetlands on and adjacent to the site and delineation of the watershed thereof;
 8. Location of eroding shoreline reaches, the rates of erosion, areas where shore erosion measures are in place, areas to be protected by installation of proposed erosion abatement approaches;
 9. Areas to be retained in agricultural use;
 10. Areas proposed for reforestation and afforestation;

11. Total area of the site that will be temporarily disturbed during development and area that will be permanently disturbed (disturbed is defined as any activity occurring on an area which may result in the loss of or damage to existing natural vegetation);
12. Proposed natural park areas, as appropriate; and
13. The location of the Critical Area District Boundary, the Mean High Water Line and the landward edge of tidal wetlands.

(w) Additional information as required by the Forest Conservation Regulations and/or the Forest Conservation Technical Manual.

4.1.23 - Additional Information Required

In addition to the information above, the Preliminary Plat shall be accompanied by the following when the subdivision or development is proposed in the Critical Area, as required:

- (a) A Planting Plan reviewed by and addressing the comments of the Bay Watershed Forester;
- (b) A Habitat Protection Plan, including the comments of the Maryland Forest, Park and Wildlife Service, the Water Resources Administration and other agencies as appropriate;
- (c) An executed Cooperators Agreement with the Cecil County Soil Conservation District or a farm plan, as applicable;
- (d) A preliminary Stormwater Management Plan;
- (e) A preliminary Sediment and Erosion Control Plan;
- (f) A Shore Erosion Protection Plan – complete specification for complete shore erosion work;
- (g) Natural Park Management Plan, as appropriate; and
- (h) An Environmental Assessment, which provides a coherent statement of how the proposed development addresses the goals and objectives of the Cecil County Chesapeake Bay Critical Area Program. At a minimum, the Environmental Assessment shall include:
 1. A statement of existing conditions, e.g. amount and type of forest cover, amount and type of wetlands, discussion of existing agricultural activities on the site, soil types, topography, etc.;
 2. A discussion of the proposed development project, including number and type of residential units, amount of impervious surface, proposed sewer treatment and water supply, acreage devoted to development, proposed open space and habitat protection areas;
 3. A discussion of the proposed development's impacts on water quality and Habitat Protection Areas; and
 4. Documentation of all correspondence and findings.

(Amended 12/9/92)

SECTION 4.2 - Final Plat

The Final Plat is the culmination of the subdivision process and shall include all information necessary to comply with this section of these regulations. The Final Plat is intended to become the official record of the division of land within a development and no lot therein may be legally sold, and the owner or agent of the owner shall not transfer or sell or agree to sell or negotiate to sell any lot by reference or to advertise any lot(s) until a Final Plat has been approved by the Office of Planning and Zoning and recorded by the developer.

- 4.2.1 - After approval of the Preliminary Plat, the developer shall submit his Final Plat, which may consist of a section of the Preliminary Plat. Final plats shall be submitted in accordance with the filing schedule prescribed by the Office of Planning and Zoning.
- 4.2.2 - Submittal shall be presented to the Office of Planning and Zoning. Submittal shall be accompanied by the appropriate number of copies of the Final Plat as stipulated in Appendix B, fees established in Appendix A, and required Public Improvement plans and shall be certified by the Office of Planning and Zoning as to the date of receipt.
- 4.2.3 - Final plats must be brought before the Planning Commission at their regular meeting before they can be signed and recorded as directed by this document.
- 4.2.4 - The Planning Director shall be empowered to sign the final plat when satisfactory review indicates that said plat meets all requirements of the Ordinance and all conditions for approval of said plat have been met.
- 4.2.5 - The final plat is reviewed against the approved Preliminary Plat and any modification contained therein. The final plat shall receive approval or disapproval at the next regularly-scheduled monthly Planning Commission meeting after submission, in accordance with §4.2.1. If approval is not given, then the reason therefore, shall be given to the developer in writing by the Office of Planning and Zoning.
- 4.2.6 - The Public Works Director or Senior Engineer of Cecil County will certify receipt and approval of public improvement plans, public works agreements, and necessary financial arrangements by affixing his signature to the final plat prior to the signing by the Planning Director.
- 4.2.7 - The authorized signature of the “Health Department approving authority” shall likewise be affixed to the plat prior to signing by the Planning Director.
- 4.2.8 - Upon approval, the developer, or his representative, shall submit to the Office of Planning and Zoning the original Final Plat and public improvement plans for signature by the various County agencies.

(Amended 11/24/92, 8/16/05, and 8/21/07)

- 4.2.9 - The subdivider or developer shall record the Plat in the Land Records of Cecil County upon signature of the approving authority.
- 4.2.10 - The subdivider will furnish copies of the recorded Plat to all applicable County and State agencies, as directed by the Office of Planning and Zoning.
- 4.2.11 - In the event that the recording fees are not received within two years after receiving signatures attesting approval (see §4.2.8 and §4.2.9), the application shall be considered withdrawn and any previous approval or waivers shall be voided, unless such delay is caused by action or lack of action of a County or State agency.
- 4.2.12 - Model homes may be erected on the proposed development site only after final approval is given by the Planning Commission but prior to the recording of the final plat. The developer may erect up to five (5) residences upon approval of the terms and conditions for such buildings from the Public Works Department of Cecil County.
- 4.2.13 - Required information: The Final Plat submitted for Planning Commission review and approval shall be on paper and be clear and legible. It shall not be considered complete unless the Final Forest Conservation Plan and Landscape Plan have been approved, and all conditions of Preliminary Plat approval have been satisfied prior to submission of said Final Plat (if in the Critical Area, a Final Plat will not be considered complete unless the Environmental Assessment has been approved prior to submission of said Final Plat). Incomplete Final Plats will be returned to the subdivider within fifteen (15) days of submission for completion and resubmission by the subdivider at a later date. The Final Plat submitted for recordation shall be clearly and legibly drawn in black waterproof ink on a reproducible linen of good quality or comparable material such as mylar approved by the Cecil County Office of Planning and Zoning. The minimum size of the plat shall be eighteen (18) by twenty-four (24) inches, including a one (1) inch margin along the left hand edge and one-half (½) inch margin on all other sides. Where necessary, the Final Plat may be on several sheets accompanied by an index sheet showing the entire subdivision submitted.
- (a) Title – The title block shall appear in the lower right hand corner of the plat and shall include the following information:
1. Name of the subdivision. The name approved by the Planning Department and recorded in the Land Records shall constitute the subdivision's official and only name. No other name may be used for advertising or sales purpose unless an approved and amended plat is recorded bearing the revised name.
 2. Section and lot numbers.
 3. Scale and date of completion. Scale shall be no smaller than one (1) inch equals one hundred (100) feet (one (1) inch = two hundred (200) feet where the average lot size is greater than 5 acres, as approved by the Office of Planning and Zoning).
 4. County, State and election district.
 5. Name and address of the owner and registered engineer or surveyor licensed in the State of Maryland responsible for the preparation of the plat, signature, and seal of the engineer, surveyor, and corporation required.

(Amended on 8/21/07)

- (b) Approval blocks in the form required by the Office of Planning and Zoning shall be provided in the lower left hand corner of the plat for signature by the Planning Director, the Public Works Director or Senior Engineer, and the Health Department, approving authority.
- (c) Tabulation on Final Plat (above approval block) showing the following:
 - 1. Total number of lots and/or parcels to be recorded.
 - 2. Total area of lots and/or parcels including widening strips.
 - 3. Total area of roadways to be recorded.
 - 4. Total area of subdivision to be recorded and where density restrictions apply, the acreage dedicated to the development.
 - 5. Total area of subdivision or parcels to be recorded in the Critical Area District.
 - 6. Total number of lots in the Critical Area District.
 - 7. Residential density in the Critical Area District.
- (d) A heavy line indicating the boundary of the Final Plat with the distances of courses to hundredths of a foot and bearings relating to and consistent with the geodetic control requirements approved by the Board of County Commissioners on 15 May 2007.
- (e) Exact locations, widths, bearings and names of all streets and pedestrian ways within the subdivision or of adjoining subdivisions abutting on the outline of the subdivision as well as any common and community grounds.
- (f) The bearings and the lengths of all arcs, radii, tangents, chords, and distances in tabular form.
- (g) All easements, reservations, or rights-of-way provided for public service or utilities in the subdivision, and any limitations of such easements. All existing recorded easements, if they are in excess of a five (5) foot drainage and utility easement, shall be indicated with recording references if known.
- (h) All lot lines with dimensions in feet and hundredths, and with bearings to a minimum accuracy of one (1) second.
- (i) Minimum area of each lot in square feet if under one (1) acre or in acres if lot size is greater than one (1) acre.
- (j) Coordinates shown for the outside boundary of the plat.
- (k) Lot numbers in numerical order throughout the entire subdivision. In case there is a resubdivision of lots in any block, such resubdivided lots shall have a number and letter to denote their origin and the original lot lines shown dashed and original lot number dotted.
- (l) Minimum rear and side building restriction lines, and minimum five (5) foot drainage and utility easements should be given by written note. The front building restriction line and the Critical Area Buffer restriction line should be drawn graphically with dimensions for each lot.

(Amended 8/16/05 and 8/21/07)

- (m) The names, liber and folio of all adjoining unsubdivided property. In the event that a recorded subdivision adjoins the land to be developed, the subdivision name, and recording reference should be indicated. (To be indicated with dashed lines.)
- (n) The plat shall contain a north arrow which represents and designates either true or magnetic meridian as of a date specified on the plat or shall be referenced to a recognized coordinate system within the County.
- (o) Accurate outlines of any areas to be reserved for common use by residents of the subdivision or general public use, with the purposes indicated thereon.
- (p) A certification that the owner or equitable owner of the land proposed to be subdivided shall be noted on the Final Plat. Such wording as specified by the Planning Department shall be utilized.
- (q) A certification and dedication by the owner or owners of property to the effect that the subdivision as shown on the Final Plat is made with his consent and that it is desired to record the same and shall be noted on the Final Plat. Such wording as specified by the Planning Department shall be utilized.
- (r) When a development is being resubdivided, the owners certification shall be noted on the plat. Such wording as specified by the Planning Department shall be utilized.
- (s) References of protective covenants governing the maintenance of undedicated public spaces or reservations.
- (t) If a community water supply or community sewerage system is to be used on a development of any new subdivision, the record plat shall contain a statement signed by the Health Department approving authority, to the effect that use of such community water supply or community sewerage system is in conformance with the Comprehensive Water and Sewer Plan. The Final (record) Plat shall also contain a statement, signed by the owner, that such facilities will be available to all lots offered for sale.
- (u) If a community water supply or community sewerage system is to be constructed to serve any new subdivision, the Final (record) Plat shall contain a statement signed by the owner to the effect that plans for such facilities, including any necessary point of discharge, have been approved by the appropriate Federal, State, or County authority.
- (v) Location of minimum required septic area and proposed well, if applicable.
- (w) Reservation of road rights-of-way.

- (x) Accurate outlines (metes and bounds, where required) of any common or reserved areas or portions of lots to be maintained by covenant, easement, or similar approved instrument, in permanent forest cover, including existing forested areas, reforested areas and afforested areas to meet the requirements of the Critical Area Program and/or Forest Conservation Regulations, as applicable.
- (y) Accurate outlines (metes and bounds, where required) of any areas to be maintained as resource protection use (e.g., agriculture, natural parks, forest, etc.) to meet the requirements of the Critical Area Program and/or Forest Conservation Regulations, as applicable.
- (z) Accurate outlines (metes and bounds, where required) of any areas to be maintained as permanent wildlife and plant habitat protection areas to meet the requirements of the Critical Area Program and/or Forest Conservation Regulations, as applicable.

4.2.14 - Public Improvement Plans:

- (a) The subdivider shall obtain final technical design approval of all required street and storm drain plans, water and sewer plans, and stormwater management plans prior to submitting for Final Plat review.
- (b) Public Improvement Plans shall be signed and sealed by registered professionals licensed in the State of Maryland as designated herein:
 1. Professional Engineer – All engineering and grading plans, road, grading and sediment control plans, as well as community sewer and water plans.
 2. Land Surveyor – Survey drawings, road, grading and sediment control plans.
 3. Landscape Architect – Grading and sediment control plans.
- (c) Following approval, the subdivider shall provide the Public Works Department with three (3) sets of all Public Works Improvement Plans. In addition, following approval, the subdivider shall provide one (1) copy of all final Public Works Improvement Plans to the Office of Planning Zoning.

- (d) Public Improvement Plans shall be prepared in accordance with the applicable regulations relating thereto.
- (e) The subdivider in the Cecil County Critical Area shall prepare and submit a planting plan and/or Forest Management Plan for areas where planting is required and a shoreline protection plan for areas of eroding shore to be stabilized.
- (f) The subdivision shall prepare and submit a Planting Plan, Forest Conservation Plan, or Forest Management Plan as required by the Forest Conservation Regulations.

4.2.15 - Public Works Agreements

Public Works Agreements must be recorded prior to the Department of Public Works signing the record plat. Inspection and Maintenance Agreements must be recorded prior to the Department of Public Works signing the record plat.

(Amended 12/9/92 and 8/21/07)

4.2.16 - Maintenance of Public or Common Open Space

A detailed proposal, including covenants, agreements, and other specific documents showing ownership and method of assuring perpetual maintenance to be applied to those areas of common open space, recreation areas, and habitat and resource protection areas in developments located in the Cecil County Critical Area. All covenants and easements shall be reviewed and approved by the Planning Commission Attorney prior to recordation of plats. Proposed covenant, easement or restrictions on private open space areas shall also be approved by the Planning Commission Attorney.

4.2.17 - Landscape Agreement

The subdivider shall execute the necessary guarantees with the County Commissioners in the form of escrow accounts, letter of credit, or a bond with surety to guarantee that the requirements of the Forest Conservation Regulations will be met. Protective agreements to ensure the continued protection of certain areas shall also be executed and filed at the time financial securities are executed. Any guarantee shall be executed prior to the Director of the Office of Planning and Zoning signing the record plats.

(Amended 12/9/92 and 8/21/07)

ARTICLE V - REQUIRED IMPROVEMENTS

SECTION 5.0 - Required Improvements - General

Minimum improvements required for all subdivisions shall be as set forth in these regulations. Any construction required must be in accordance with the requirements of the Cecil County Board of County Commissioners.

SECTION 5.1 - Gas, Electric and Telephone Utilities

Extensions of electric distribution lines necessary to furnish permanent electric and telephone service to any residential, commercial, or industrial subdivision, shall be made in accordance with Public Service Commission Rules and existing tariffs.

SECTION 5.2 - Water and Sewer Facilities Required

A proposed final plat shall be disapproved unless one of the following provisions are made for disposal of sewage and the provision of water:

- 5.2.1 - Each building lot has been approved for individual and/or community sewage and water facilities by the Health Department Approving Authority.
- 5.2.2 - Prior to Final Plat approval, a Public Works Agreement for community water and/or sewage facilities has been consummated with the Cecil County Public Works Department in accordance with its rules and regulations.

SECTION 5.3 - Storm Water Management

- 5.3.1 - No Final Plat of subdivision should be approved unless a plan for storm water management is submitted by the developer as appropriate and approved by the Cecil County Soil Conservation District.
- 5.3.2 - Subdivisions may be exempted from this provision if, in the opinion of the Cecil County Soil Conservation District, such plans are not required by virtue that little or no storm water problems will be created on-site by the subdivision. However, subdivisions located in the Intensely Developed Area (IDA) of the Cecil County Critical Area shall not be exempted from the requirement that pollutant loadings leaving the site be reduced by at least ten (10) percent of predevelopment loadings.
- 5.3.3 - In the event that storm water must be managed or contained on the site of the subdivision under review, improvements that must be constructed shall be constructed by the developer at the developer's expense.
- 5.3.4 - Storm water management facilities shall be planned, designed, improved, and constructed as required in accordance with the Storm Water Management Pond Design Manual.

SECTION 5.4 - Monuments and Markers

- 5.4.1 - The plat shall show the position by coordinates of not less than three (3) monuments set sequentially so that the position of one (1) monument is visible from the position of one (1) other monument. From these monuments, commonly called “traverse points”, every corner and line can be readily calculated and marked on the ground. These monuments shall be made of hard durable stone or concrete and shall be planted at least two and one-half (2 ½) feet into the ground. Existing corner stones and monuments can be used to satisfy this requirement.
- 5.4.2 - If the subdivision lies in an area where a recognized coordinate system already is established or USGS bench marks are available, and traverse points of the system can be found and used, the coordinate values shall be marked in the same datum as those of the points found and identified by datum on the plat. In this case, no markers are required, but the owner of the land shall comply with all other requirements.
- 5.4.3 - Markers shall be placed at all points of curvature along the street line, at all angle breaks and at all lot corners not already monumented. Markers shall be steel bars or iron pipes at least five-eighths inches (5/8”) diameter, eighteen inches (18”) long.
- 5.4.4 - It shall be the responsibility of the developer to have these monuments placed prior to the acceptance of the streets by Cecil County and shall be guaranteed in the Public Works Agreement.
- 5.4.5 - The developer shall be responsible and pay all costs necessary to replace any Cecil County Grid Monuments or control points disturbed by his development activities. Replacement shall be done only by a registered surveyor to accurately place such monuments. Such payment to restore any monuments is to be secured by a Public Works Agreement.

SECTION 5.5 - Street Construction

The subdivider shall provide for the complete construction of street improvements, drainage facilities, and sidewalks, in accordance with the requirements of the Cecil County Road Code. The developer shall be required to repair damage to County roads, drainage facilities, curbs, gutters and sidewalks as a result of grading or construction activities in his subdivision. If the proposed road involves a highway under the jurisdiction of the State Highway Administration, it shall be the responsibility of the developer/owner to obtain all necessary permits from that agency.

SECTION 5.6 - Final Grading Plan

The Department of Public Works shall require a final site grading plan on all subdivisions containing interior streets and may require one (1) for other subdivisions. This plan shall be submitted after the road plans have been approved by the Department of Public Works and before the final plats are approved. The final grading plan shall show the new grades around roads, drainage ditches, sediment basins, berms, etc.

ARTICLE VI - OTHER DIVISIONS OF PROPERTY

SECTION 6.0 - Planned Unit Development

- 6.0.1 - Planned Unit Development shall be permitted only as authorized by the Zoning Regulations.
- 6.0.2 - The standards and requirements of these regulations may be modified by the Planning Commission in the case of Planned Unit Developments which achieve substantially the objectives of the regulations contained herein and which further protected by such covenants or other legal provisions as will assure conformity to and the achievement of the Cecil County Comprehensive Development Plan.

SECTION 6.1 - Residential Cluster Development

The intent of this article is to permit greater flexibility for creative design and to provide recreational opportunities close to home by providing for residential subdivision which incorporate permanent usable open space. These provisions in accordance with Section 6.3 of these regulations allow individual lot areas and yard requirements to be reduced so as to permit closer grouping or “clustering” of homes on a portion of the site if the land thus saved is used for permanent open space. Developers cannot, however, construct more dwelling units on the site than normally would be permitted in the respective zoning district. In order to obtain approval of plats under Residential Cluster Development, the following procedure shall be complied with:

- 6.1.1 - Concept Plan. A concept plan shall be submitted to the Planning Department and will show:
- (a) General areas of building and the type of dwelling unit (single-family, townhouse, garden apartment, etc.).
 - (b) Street layout.
 - (c) Open space system.
 - (d) Vicinity map. (Scale: no smaller than 1” = 2000’)
 - (e) Estimated staging of construction.
 - (f) Topography with minimum 10’ contours (USGS topographic maps are permitted for the concept plan).
 - (g) Number of acres in the entire tract.
 - (h) Overall density.
- 6.1.2 - Preliminary Plat. If the concept plan is favorably recommended by the Technical Advisory Committee, a preliminary plat shall be submitted following standard Preliminary Plat procedures as specified in Article IV and will also include the required information as specified in Section 6.3.4 entitled, Site Development Plan.

- 6.1.3 - Site Development Plan. If the preliminary plat is approved by the Commission, the developer shall submit a Site Development Plan, to the Planning Department for review and approval. This requirement may be waived if the entire development consists of single-family detached dwelling units.
- 6.1.4 - A Final Plat(s) shall be submitted in accordance with standard subdivision regulations for approval, signature, and recordation. Final Plats filed on cluster development shall bear a statement indicating that the land lies within an approved residential cluster development.
- 6.1.5 - In addition, the following shall be observed:
- (a) Resubdivision shall not be permitted in cluster development so as to reduce lot areas below those permitted in the originally recorded Final Plat.
 - (b) The development of land within the cluster is permitted only in accordance with the approved site development plan on file at the Planning Department.
 - (c) The agreements concerning the ownership and maintenance of open space land shall be recorded simultaneously with the Final Plat.

SECTION 6.2 - Condominiums

In condominium development, the developer shall submit the necessary Preliminary Plat and Final Plat in accordance with the normal procedural requirements, and the Condominium Act of the Real Property Article of the Annotated Code of Maryland.

SECTION 6.3 - Site Development Plan

No building permit or occupancy certificate shall be issued for the construction or use of any multi-family dwelling (townhouse, apartment, etc.) except in accordance with a plan of development approved by the Planning Commission for the lot or tract on which such multi-family units are to be located. It is the intent and purpose of this regulation that multi-family development be of varying design to avoid the monotony of repetitive development.

- 6.3.1 - Copies of the plan shall be submitted to the Planning Department following the standard Preliminary Plat procedures as specified in Article IV.

- 6.3.2 - For any residential multi-family development, a preliminary plat/plan must be submitted to the Technical Advisory Committee and the Planning Commission in accordance with the information requirements contained in 4.1.22.
- 6.3.3 - A Final Plat/Plan for any residential multi-family development must be submitted to the Planning Commission for approval in accordance with 4.2.13 and 4.2.14.
- 6.3.4 - Required Information:
 - (a) The location and site of all buildings and structures.
 - (b) The area devoted to parking facilities and accessory buildings.
 - (c) All access roads and drives.
 - (d) The topography and major vegetation features existing on the lot or tract.
 - (e) The proposed grading, landscaping, and screening.
 - (f) Recreation, outdoor living, and other open spaces.
 - (g) A detailed proposal, including covenants, agreements, and other specific documents showing ownership and method of assuring perpetual maintenance to be applied to those areas of common open space and recreation.
- 6.3.5 - A public works agreement shall be executed that guarantees the required improvements in accordance with 4.2.15.
- 6.3.6 - Upon approval, the developer, or his representative, shall submit the required number of copies of the site plan or subdivision plat to the Office of Planning and Economic Development along with the public improvement plans for the signature by the various County agencies.
- 6.3.7 - Upon approval, as evidenced by the signature of the appropriate approving authority, the subdivider or developer shall record the Final Plat in the Land Records of Cecil County prior to the issuance of any building permits.
- 6.3.8 - All planned unit developments shall conform to the requirements of the Forest Conservation Regulations.

SECTION 6.4 - Commercial and Industrial Subdivisions

Commercial and industrial subdivision plats shall be submitted in the same manner and contain the same information, style and format as required of residential development.

(Amended 12/9/92)

- 6.4.1 - The Preliminary Plat shall follow the procedural requirements of Section 4.1 and shall incorporate any necessary changes required as a result of any Concept Plat review.
- 6.4.2 - The Final Plat shall basically follow the procedural requirements of Section 4.2. The plat shall include the entire tract and shall also include any public right-of-way as required by the Concept Plat or Preliminary Plat. In the event that only a portion of the entire tract is to be developed, the developer may elect to record only that portion of the tract together with any required public right-of-way.

SECTION 6.5 - Special Requirements Applicable to Residential, Commercial, and Industrial Subdivisions

In developments designed and used exclusively for rental occupancy under single ownership, the maintenance of the local roads may be retained by the owner; however, the constructing of private roads shall meet Cecil County Road Code and Standard Specifications and Details for Highways and Structures.

SECTION 6.6 - Mobile Home Park Developments

- 6.6.1 - Preliminary Plat. For mobile home park developments, a preliminary plat shall be submitted in accordance with Section 4.1 and Maryland Department of Health and Mental Hygiene, Regulation No. 10.03.23, governing construction, equipment, sanitation, operation, and maintenance of mobile home parks.
- 6.6.2 - Final Plat. A Final Plat shall be submitted showing the final layout of the development as approved by the Planning Commission. The Final Plat shall be submitted in accordance with Section 4.2. The Final Plat shall be recorded.
- 6.6.3 - General Requirements. Condition of soil, ground water level, drainage, and topography shall not create hazards to the property or the health or safety of the occupants.
- 6.6.4 - Soil and ground cover requirements. Exposed ground surfaces in all parts of every mobile home development shall be protected with materials capable of preventing soil erosion and of eliminating objectionable dust.
- 6.6.5 - Site drainage requirements. The ground surface in all parts of every mobile home development shall be graded and equipped to drain all surface water in a safe, efficient manner.

6.6.6 - Street system and car parking

- (a) General requirements. All mobile home developments shall be provided with safe and convenient vehicular access from abutting public streets or roads to each mobile home lot. Such access shall be provided by streets or driveways.
- (b) Development entrance. Entrances to mobile home developments shall be designed in accordance with State or County specifications to minimize congestion and hazards and allow free movement of traffic on adjacent streets. No parking shall be permitted on the entrance street for a distance of one hundred (100) feet from its point of beginning.
- (c) Internal streets. Surfaced roadways shall be of adequate width to accommodate anticipated traffic, and in any case shall meet the following minimum requirements:

Street Type	ROW Feet	Pavement Feet	Curb and Gutter
Collector	42	36	Yes
Local Access	34	28	Yes
Cul-de-sac	34	28	Yes

May have thirty (30) foot with twenty-four (24) foot pavements if two (2) off-street parking spaces per mobile home having frontage on the cul-de-sac are provided.

- (d) Street construction and design standards.
 - (1) Ownership. All streets shall be privately owned and maintained by the owner.
 - (2) Construction. All streets will be inspected by the County to insure adherence to these regulations and no permit will be issued until completion is certified by the County. The owner/developer will pay the standard inspection fee.
 - (3) Grades. Grades of all streets shall be sufficient to insure adequate surface drainage, but shall be not more than ten (10) percent.
 - (4) Curb and gutter. All streets shall be provided with a concrete or asphalt curb and gutter.
 - (5) Intersections. Streets shall intersect at approximately right angles. A distance of at least one hundred (100) feet shall be maintained between center lines of offset intersecting streets.
Intersections of more than two (2) streets at one point shall be avoided.

- 6.6.7 - Mobile Home Lots. The area of the mobile home lot shall be improved to provide adequate support for the placement and tie-down of the mobile home, thereby securing the super-structure against uplift, sliding, rotation, and overturning.
- (a) The mobile home lot shall be constructed so as not to heave, shift, or settle unevenly under the weight of the mobile home due to frost action, inadequate drainage, vibration or other forces acting on the structure.
 - (b) The mobile home lot shall be provided with anchors and tie-downs, such as cast-in-place concrete “dead men”, eyelets imbedded in concrete foundation or runways, screw augers, arrowhead anchors or other devices securing the stability of the mobile home to be installed within thirty (30) days after the installation of the unit.
 - (c) At least four (4) anchors and tie-downs shall be provided for each mobile home lot.
- 6.6.8 - An accessible, adequate, safe, potable, and central water supply shall be provided in each mobile home development.
- 6.6.9 - An adequate and safe sewerage system shall be provided in all mobile home developments for conveying and disposing of all sewage. Such system shall be designed, constructed, and maintained in accordance with State and County laws.
- 6.6.10 - All utilities, including, but not limited to, electric and telephone lines, shall be placed in accordance with rules and procedures established by the Maryland Public Service Commission.

ARTICLE VII - DESIGN STANDARDS AND REQUIREMENTS

SECTION 7.0 - General Design Standards and Requirements

- 7.0.1 - In designing a subdivision, the subdivider shall comply with the legislative intent, principles, and requirements of these regulations and all applicable standards established in pursuance of these regulations.
- 7.0.2 - The Planning Department and the Planning Commission, in considering an application for the subdivision of land, shall be governed by the consideration and standards contained herein.
- 7.0.3 - The subdivision layout shall be in conformance with the Comprehensive Plan and Zoning Regulations as adopted or amended by the County Commissioners and shall be of such character that it protects the health, safety, and general welfare of the County and its residents. Subdivision layout in the Cecil County Critical Area shall, in addition to the above, conform to the Cecil County Critical Area Program and be of such character that it protects water quality and plant and wildlife habitat.

SECTION 7.1 - Land Requirements

- 7.1.1 - The land use pattern of the Comprehensive Development Plan, of the Cecil County Critical Area Program, and the Zoning Regulations shall form the basic theme of the design pattern of the proposed subdivision.
- 7.1.2 - The subdivision design should take advantage of the uniqueness of the site reflected by the topography, soils, the wooded areas, water bodies, and the relationship to adjoining subdivision and land uses, both proposed and existing.

SECTION 7.2 - Highways, Streets and Roads

In designing a highway, street or road system, the subdivider shall be guided by the following principles:

- 7.2.1 - Adequate vehicular and pedestrian access shall be provided to all parcels.
- 7.2.2 - Local residential street systems shall be designed to minimize through traffic movement and to discourage excessive speed.
- 7.2.3 - Local street patterns shall provide reasonable direct access to the primary circulation system.
- 7.2.4 - Local circulation systems and land development patterns shall not conflict with the efficiency of bordering arterial routes.

- 7.2.5 - Elements in the local circulation system should be designed with the least amount of interruptions possible in order to function effectively and safely.
- 7.2.6 - Land uses which create high volumes of traffic within residential areas shall be considered in the design of the circulation pattern.
- 7.2.7 - Residential streets shall clearly relate to their local function.
- 7.2.8 - Pedestrian-vehicular conflict points shall be minimized.
- 7.2.9 - The number of intersections shall be minimized.
- 7.2.10 - Local streets shall be related to topography.
- 7.2.11 - Highways, streets, and roads shall be suitably located, of sufficient width, adequately improved to accommodate the prospective traffic and afford access to police, fire fighting, or road maintenance equipment.
- 7.2.12 - Street design, right-of-way and paving shall be in accordance with these regulations and the Cecil County Road Code and Standard Specifications and Details for Highways and Structures.

A. RIGHT-OF-WAY WIDTHS AND PAVEMENTS REQUIREMENTS

1. Streets, as defined in “Definitions-Specific”, shall require a minimum right-of-way and pavement width as stated in the Cecil County Road Code and Standard Specifications and Details for Highways and Structures.
2. Whenever a proposed subdivision includes or abuts streets designated on the Official County Highway Map, the Planning Commission shall require, by dedication to public use, adequate right-of-way for the coordination of roads within the subdivision with other existing, planned or platted roads. Major and Minor subdivisions shall dedicate a fee simple strip of land on the lots being created. Any remaining road frontage not encumbered by a new lot shall dedicate a road widening easement along the total remaining road frontage. The County shall prepare and execute with the landowner a fee simple dedication/easement agreement to be recorded in the land records for Cecil County. The fee simple dedication and/or road widening easement shall be indicated on the record plat. Such dedication to the public use shall be to the full extent of the right of way as required by the Cecil County Road Code to permit sufficient width of the right of way to meet the applicable standards of the Cecil County Road Code. Any improvements located within the easement, such as fences, accessory buildings, etc., that need to be removed or relocated due to road construction, or widening activities, or installment of County utilities by the County or its contractor, shall be relocated, the minimum distance necessary, at the County’s expense. Properties that have sold their

- development right so the Maryland Agricultural Land Preservation Foundation (MALPF) shall not be required to provide the fee simple dedication or easement if they are creating a lot, to the extent that said dedication shall cause the property owner to be in violation of the owner's MALPF agreement, but the owner shall agree to provide said dedication upon termination of the MALPF agreement.
3. Where a proposed street involves State jurisdiction and is designated on the State Highway Plan and no definite alignment has been established, the Planning Commission may withhold approval of a subdivision plat for not more than one hundred eighty (180) days from the application date to permit the State Highway Administration, if they so desire, to establish an accurate road alignment.
 4. Coordination with the State Highway Administration will be required where existing or proposed State Highways are involved.

(Amended 7/16/02, 3/8/04 and 10/5/04)

B. LAYOUT

1. The street system layout shall be continuous in alignment and grade with existing streets, planned or platted with which they are to connect.
2. Rights-of-way for proposed streets shall be extended to the boundary lines of the proposed subdivision so that a connection can be made to all adjacent properties unless such extension is not feasible because of topography, or other physical conditions, or unless, in the determination of the Planning Commission, such extension is not necessary or desirable for the coordination with existing streets or the most advantageous development of adjacent tracts. In any event, no subdivision shall be designed so as to create or perpetuate the landlocking of adjacent undeveloped land.
3. Dead-end streets are prohibited except to permit future extensions to adjoining tracts in which case, temporary turnarounds shall be provided according to Cecil County Road Code. Where necessitated by topography, or where they are appropriate for the type of development contemplated and they are of reasonable length, they shall be designated as cul-de-sacs.
4. Land dedicated or reserved for State and County street widening shall not be counted in satisfying the minimum yard or minimum lot area requirements of the Zoning Regulations, but may be counted in computing the overall gross density under the Zoning Regulations.
5. Where lots in the proposed subdivision are large enough to permit resubdivision and/or a portion of the tract is left unsubdivided, then appropriate rights-of-way shall be provided to permit future subdivision activity. The above will not apply where recorded restrictions are placed on resubdivision of the reserved parcel.
6. Street and subdivision names shall be approved by the Planning Department. Such names shall not duplicate those used elsewhere in the County and must be approved before the submission of any final plats. In order to change an existing recorded street name, the above procedure will apply.
7. Street system layout shall provide for the acceptable disposal of storm water and provision shall be made by the developer to handle storm water to comply with provisions elsewhere in these regulations and in the Standard Specifications and Details for Highways and Structures.
8. The street system layout shall be so designed, insofar as practicable, to preserve natural features such as trees, water bodies, hilltops and other natural features. A looped road system shall be considered in new subdivisions greater than twenty-five (25) lots whenever possible. The physical and environmental characteristics of the property shall be considered in determining the feasibility of a looped road system.

(Amended 7/16/02)

9. Cul-de-sac streets greater than one thousand five hundred (1,500) feet shall be designed with mid-block turnarounds, such that the distance between the subdivision entrance and the mid-block turnaround, the distance between two mid-block turnarounds, or the distance between a mid-block turnaround and the cul-de-sac terminus shall be no greater than one thousand two hundred (1,200) feet. Mid-block turnarounds shall be designed in accordance with the Cecil County Road Code. Downhill cul-de-sacs are to be avoided wherever possible.
10. Cul-de-sac streets shall be provided with a paved turnaround at the closed end in accordance with the provisions of these regulations and the Road Code.
11. Where a major subdivision plat includes only part of the tract owned by the developer, a sketch plat layout of proposed streets and roads, if applicable, for the entire tract shall be submitted.
12. Unobstructed easements at least ten (10) feet in width may be required to facilitate pedestrian walkways to commercial facilities, community recreational areas, schools, or other nearby streets where existing access is inadequate. Such easements will be the responsibility of the County or a community association.
13. Where topography or other conditions are such as to make impractical the inclusion of utilities or drainage facilities within street rights-of-way, perpetual unobstructed easements for such utilities shall be provided across property outside the street right-of-way, of at least five (5) feet in width. Location to be determined by the Public Works Department.
14. Roads serving development shall be located to avoid disturbances to Habitat Protection Areas as described in the Cecil County Critical Area Program. When no alternative exists and such infrastructure must cross or be located in Habitat Protection Area, the developer shall demonstrate how impacts to Habitats have been minimized and that no feasible alternative location of such infrastructure exists.

C. GRADES

1. Street grades shall conform as closely as possible to the original topography and shall be designed to produce usable lots.
2. Street alignment and grades of streets shall be arranged to obtain as many building sites as possible at or above the elevation of the abutting street.
3. Grades of streets shall adhere to the design standards in the Cecil County Road Code and shall not, in general, exceed those standards.

D. ALIGNMENT

Horizontal and vertical alignment for streets shall conform to the Cecil County Road Code and Standard Specification and Details for Highways and Structures.

(Amended 7/16/02)

E. INTERSECTIONS

1. Streets shall be laid out to intersect as close to right angles as possible, but in no case shall any intersection of less than 75 degrees be considered.
2. Multiple intersections involving junctions of more than two (2) streets shall be avoided.
3. The right-of-way lines of corner lots at an intersection shall be truncated by straight lines joining points twenty-five (25) feet back from the intersection in each quadrant. In a case where more width is deemed necessary to provide safe sight distance or for traffic channelization, the Planning Department shall specify a greater cut-off than normally cited above.
4. Intersections with State highways shall be located not less than seven hundred fifty (750) feet apart; measured from centerline to centerline. Intersections with County arterial roads shall be located not less than four hundred fifty (450) feet from centerline to centerline, as determined by the official County Road Map.
5. Roadways intersecting opposite sides of another roadway shall be laid out either directly opposite one another or with a minimum of one hundred twenty-five (125) feet between their centerlines.
6. Minimum curb radii and paving radii at street intersections shall adhere to the Road Code and Standard Specifications.

F. LOT ACCESS TO STREETS, ROADS, HIGHWAYS

1. The Planning Commission shall have the right to approve or disapprove any point of ingress or egress to any lot, tract, parcel or development from any street or highway.
2. The Planning Commission may require the subdivider to provide ingress and egress to a particular lot or tract through the remainder of his property or other properties over which he has control.
3. In approving ingress or egress from any State highway, the Commission can only approve those access points that are not in conflict with safety standards of the State Highway Administration or with the right-of-way or through highway line of a limited or denied access highway.
4. Where a proposed commercial, industrial, or residential subdivision involves frontage on an expressway, freeway, major arterial or a minor arterial, highway or street, the street layout should provide vehicular access to such subdivision by one of the following means:
 - (a) A parallel street, supplying frontage for lots backing onto the street or highway; or providing the approach for vehicles to a development.
 - (b) A series of cul-de-sacs or short loops entered from and planned at right angles to the major highway. Cul-de-sacs or short loop streets may not be established within seven hundred fifty (750) feet of existing or proposed streets, reserve strips, common driveways, right-of-way stubs or other cul-de-sacs or short loop streets.

- (c) An Access drive, separated by a planting strip from the highway to which vehicular access from the drive is provided at points suitably spaced.
 - (d) A reserve strip of fifty (50) feet in width may be used to provide vehicular access to no more than two (2) lots (not including original parcel). Reserve strips may not be established within seven hundred fifty (750) feet of existing or proposed streets, common driveways, right-of-way stubs or other reserve strips. Access to the lots shall be solely by means of the reserve strips. Before a third lot (not including the original parcel) may be approved for access from the reserve strip, the reserve strip shall be designed and constructed according to public road standards contained in the Road Code and dedicated to public use.
 - (e) Common driveways should be utilized where possible.
 - (f) Where any of the aforementioned arrangements are used, the statement "Vehicular egress and ingress restricted" shall be shown with limits on the final subdivision plat, or other means should prevent residential, commercial, or industrial driveways from having direct access to freeways, expressways, major arterial and minor arterial highways and streets.
5. Where a proposed development is planned to utilize more than two panhandle lots on the original parcel, the approving authority may, at its discretion, require alternative means of access in the form of a road constructed to an appropriate county standard when it would lead to a more harmonious design, a better utilization of the land, or the elimination of safety hazards. The approving authority may disapprove any proposed division of land when it finds that due to topography, drainage, entrance locations, pattern of adjacent development, or design, that the resulting lot would impair the orderly growth and division of the remainder of the property or any adjacent property.

G. ACCEPTANCE

The approval of a final subdivision plat shall not be deemed to constitute or imply the acceptance by the County of any street shown on said plat. Acceptance of streets into the Cecil County Highway System occurs only after all public improvements have been completed, in accordance with the requirements of the Board of County Commissioners, as expressed in the Cecil County Road Code.

SECTION 7.3 - Block Shape

Block length and width or acreage within bounding streets shall be such as to accommodate the size of lot required in the areas by the Zoning Regulations and to provide for convenient access, circulation control, and safety of street traffic.

- 7.3.1 - With the exception of Planned Unit Development and Cluster Subdivisions, the maximum block dimension shall be eighteen hundred (1800) feet. In the design of blocks longer than one thousand (1000) feet, special consideration shall be given to the provisions of pedestrians interior walkways near the center, or wherever most useful to facilitate pedestrian circulation to a school, park, recreation area, shopping center, bus stop, or other significant neighborhood destination. Walkways will only be approved if maintained by individual lot owners, a Homeowners Association or similar organization.
- 7.3.2 - Residential blocks shall be of sufficient depth to accommodate two (2) tiers of lots of minimum depth, except where double frontage lots bordering a controlled-access highway/street or floodplain are used.

SECTION 7.4 - Lot Sizes

- 7.4.1 - With the exception of Planned Unit Development and Cluster Subdivisions, the size, width, depth, shape, orientation and yards of lots shall not be less than specified in the Zoning Regulations for the district within which the lots are located and shall be appropriate for the type of development, the use contemplated and future utilities.
- 7.4.2 - The relation of the depth of any single family lot to its width at the building restriction line, generally should not be greater than three (3) to one (1), and only one (1) principal building shall be permitted on any such lot. Flag, or pipe-stem, or panhandle lots are permitted, except however, not more than two (2) such lots may have adjoining driveway entrances to a public right-of-way. In addition, any subdivided lot greater than five (5) acres in size may be required to provide a fifty (50) foot width panhandle, otherwise the minimum size shall be twenty-five (25) feet.
- 7.4.3 - Side lot lines shall be at right angles or radial to street lines, unless a variation from this rule will give a better street or lot plan as determined by the Planning Department.
- 7.4.4 - Lots which abut two (2) streets, other than corner lots, will be permitted only when necessary to avoid fronting lots on non-access streets and highways or where their use will produce advantages in meeting special situations in relation to topography, good site planning, and proper land use.
- 7.4.5 - Lots should not derive direct access from freeways, expressways, major arterial or minor arterial highways or streets.
- 7.4.6 - Minimum lot areas and widths shall comply with the applicable sections of the Zoning Regulations of Cecil County.

SECTION 7.5 - Constraints on Development

This section sets forth minimum restrictions with regard to floodplains, waterfront, and other sensitive development areas by virtue of their susceptibility to erosion, leaving as much latitude as possible to the developer and the County to resolve conditions of each individual proposal.

7.5.1 - Floodplain Development

All development within the designated floodplain zone shall adhere to the provisions of Section 6.09 SD-3 (Floodplain Management Ordinance) as specified in the Cecil County Zoning Ordinance.

7.5.2 - Development in the Chesapeake Bay Critical Area

In addition to other provisions of the County Zoning Ordinance and Subdivision Regulations, the following will apply to all subdivision of land located within the Cecil County Critical Area Program and the Chesapeake Bay Critical Area Law and Criteria:

- (a) Where a tract of land bordering tidal water, tidal wetlands, or tributary streams in the Critical Area is to be subdivided and a Buffer exemption has not been granted by the Cecil County Commissioners, a Buffer of at least one hundred ten (110) feet shall be established in natural vegetation (except areas of the Buffer that are planted in vegetation where necessary to protect, stabilize, or enhance the shoreline). No development, including septic systems, impervious surfaces, parking areas, roads, or structures, are permitted in the Buffer. However, approved development or expansion of water-dependent facilities, as defined in the Cecil County Zoning Ordinance, are excepted from these Buffer provisions.
- (b) If the lot ownership extends to the water, wetlands, or streambed, then the Buffer shall be included in the required setback distance for building on that lot except in the case of water-dependent facilities. Where the Buffer is to be owned and maintained by a Home owners or similar appropriate organization, the required setback distance shall be measured from the property line separating that lot from the designated Buffer. This Buffer, when not included in the lots, may be included for calculating gross density.

- (c) The Buffer shall be expanded to include contiguous sensitive areas on the parcel whose development or disturbance the Planning Commission determines may impact streams, wetlands, or other aquatic environments. This expansion will occur whenever new land development or other land disturbing activities, such as clearing natural vegetation for development, are proposed.

Sensitive areas have the following features: 1) Hydric soils and soils with hydric properties as designated by the Soil Conservation Service; 2) Highly erodible soils with a “K” value greater than 0.35; and 3) Steep slopes greater than fifteen (15) percent. The Buffer expansion, when required, shall meet the following standards:

1. The Buffer shall be expanded four (4) feet for every percent of slope over fifteen (15) percent or to the top of slope, whichever is greater, but in no case more than ten (10) feet beyond the top of the slope greater than fifteen (15) percent;
 2. The Buffer shall be expanded to the upland limit of adjacent hydric soils, soils with hydric properties, and highly erodible soils, within the Critical Area, whichever is less. The Buffer will be expanded to include those soils lying in the drainage area between the property land disturbance and the Buffer; and
 3. The expanded Buffer must be shown on plans required for such development.
- (d) All subdivisions in the Cecil County Critical Area shall be subject to the Habitat Protection criteria and guidelines prescribed in the County Chesapeake Bay Critical Area Program.
- (e) The subdivider shall be required to identify the stormwater management practices appropriate to site development that achieve the following standards:
1. In areas designated as Intensely Developed Areas on the Cecil County Critical Area Map, the subdivider shall demonstrate that the Best Management Practices for stormwater assure a ten (10) percent reduction of predevelopment pollutant loadings (see Stormwater Management Ordinance for computation methodology). Offsets may be provided either on or off site as determined by the County, provided that water quality benefits are equivalent, that the benefits are obtained within the same watershed, and that the benefits can be determined through the use of modeling, monitoring, or other computation of mitigation measures.

2. The subdivider shall delineate those site areas not covered by impervious surfaces to be maintained or established in vegetation. Where vegetation is not proposed, the developer shall demonstrate why plantings for such portions of the site are impracticable. Types of planting and vegetation proposed shall be in accordance with guidelines established as part of the County Critical Area Program.
 3. The subdivision shall be designed to assure those features or resources identified as Habitat Protection Areas are afforded protection as prescribed in the Habitat Protection Element of the Cecil County Critical Area Program.
- (f) In LDA and RCA, roads, bridges, and utilities serving lots shall be located to avoid disturbances to Habitat Protection Areas. When no alternative exists and such infrastructure must cross or be located in Habitat Protection Areas, the developer shall demonstrate how impacts to habitats have been minimized and that no feasible alternative location of such infrastructure exists.
- (g) In LDA and RCA, all roads, bridges, lots, and other development that must cross or be located adjacent to tributary streams in the Critical Area shall:
1. Be designed in a manner to reduce increases in flood frequency and severity.
 2. Provide for the retention of natural streambed substrate.
 3. Minimize adverse impacts to water quality and stormwater runoff.
 4. Retain existing tree canopy so as to maintain stream temperatures in the normal range of variation.
- (h) Lots and open space areas shall be located and designed to provide for maintenance of existing site wildlife and plant habitats and continuity with those on adjacent sites. Existing wildlife corridors shall be identified on proposed development plats. When wildlife corridors exist or are proposed, they shall include any existing Habitat Protection Areas and connect large forested areas on or adjacent to the site.
- (i) Impervious surfaces in subdivisions located in Limited Development Areas (LDAs) and Resource Conservation Areas (RCAs) of the Cecil County Critical Area shall be limited to fifteen (15) percent of the gross site area proposed for development, except as provided below. Man-caused impervious surfaces will be limited to twenty-five (25) percent of the Critical Area portion of the site for:
1. a parcel or lot of one-half (1/2) acre or less in size that was in residential use or zoned for residential purposes on or before December 1, 1985,
 2. a parcel or lot of one-quarter (1/4) acre or less in size in non-residential use on or before 12/1/85;

(Amended 4/23/91)

3. a lot of one acre or less in size, as part of a subdivision approved after 12/1/85, provided that the total impervious surface of the entire subdivision does not exceed fifteen (15) percent of the Critical Area portion of the site.

Impervious surface limitations shall not apply to mobile home parks in existence prior to December 1, 1985.

7.5.3 - Other Waterfront Development

- (a) Where a tract of land bordering a water compound is to be subdivided, a Buffer shall be reserved.
- (b) If lot ownership extends to the water, then the one hundred (100) feet shall be included in the required setback distance for building on that lot. Where the buffer is to be owned and maintained by a Homeowners or similar appropriate organization, the required setback distance shall be measured from the property line separating that lot from designated buffer. This buffer, when not included in the lots, may be included for calculating gross density.
- (c) Within the buffer, no excavating or grading shall be permitted, except for the provision of access to the shoreline. Community access shall be provided for by allowing one (1) point of access of at least thirty (30) feet in width for any amount of shoreline up to one thousand (1,000) feet and one (1) point of access for every additional one thousand (1,000) feet of shoreline. Within the remainder of the development, seasonal control of excavation and grading may be a recommendation for inclusion in the Sedimentation and Erosion Control Plan as approved by the Cecil County Soil Conservation District.
- (d) Natural vegetative cover shall be preserved to the maximum degree possible. In the buffer zone, sufficient trees and ground cover shall be preserved to insure, in the opinion of the Cecil Soil Conservation District, that natural soil stability and water absorption capacity are not impaired.

7.5.4 - Development of Sensitive Areas

- (a) While it is generally undesirable to develop land with slope exceeding 15%, it is possible through good planning, design, and construction to utilize such sites responsibly and achieve unique and attractive results. It is the purpose of this section to stress the undesirability of conventional development on steeply sloped sites, but to encourage sound proposals for unique solutions.

(Amended 8/9/94)

- (b) In the Critical Area, development on slopes greater than 15 percent shall be prohibited unless such development is demonstrated to be the only effective way to maintain or improve slope stability. Any construction, repair or maintenance activities associated with bridges or other stream crossings or with utilities and roads which involve disturbance within the Buffer or which occur instream shall be prohibited between March 1 and June 15.

SECTION 7.6 - Preservation of Natural Cover

- (a) Land to be subdivided shall be designed and improved in reasonable conformity to existing topography, in order to minimize grading, cut and fill; to retain, insofar as possible, the natural contours; to minimize stormwater run-off; and to conserve the natural cover and soil. No soil, sand or gravel shall be removed from any lots shown on any subdivision plat, except in accordance with the provisions of the Sediment Control Plan approved by the Soil Conservation District Board.
- (b) Subdivision and development in the Cecil County Critical Area are encouraged to increase natural vegetation on the development site.
- (c) Subdivisions located in Limited Development Areas (LDAs) and Resource Conservation Areas (RCAs) are required to meet the following minimum standards for forest and developed woodlands. Forest and developed woodlands, as defined by the County Critical Area Program, shall be created or protected in accordance with the following:
 - 1. When no forest exists on the site, at least fifteen (15) percent of the gross site area shall be afforested. The location of the afforested area should be designed to reinforce protection to site habitats or provide connections between forested areas when they are present on adjacent sites.
 - 2. When forest or developed woodland exists on the site and proposed development requires the cutting or clearing of trees, the developer shall submit plans for development and areas to be cleared to the Maryland Forest, Park and Wildlife service for comments and recommendations and shall transmit comments to the Cecil County Office of Planning and Economic Development. A grading permit shall be issued prior to any clearing or cutting associated with proposed development. In addition, cutting or clearing that is associated with development shall be subject to the following limits and replacement conditions.

(Amended 8/9/94)

3. All forests cleared or developed shall be replaced on not less than an equal area basis either on the site or on another site approved by the Planning Commission. Clearing on a fully forested qualified grandfathered or Buffer Exempt lot is limited to the minimum extent necessary for the development pad and those cleared areas shall be reforested to the extent practical.
4. No more than 20 percent of the forested or developed woodland within the site proposed for development may be removed and the remaining 80 percent shall be maintained as forest cover through the use of appropriate instruments (e.g., recorded restrictive covenants). Removal of forest or developed woodland cover in the Buffer is prohibited.
5. Clearing of forest or developed woodlands up to 20 percent shall be replaced on an area basis of one to one. A developer may propose clearing up to 30 percent of the forest or developed woodland on a site, but the trees removed must be replaced at the rate of 1.5 times the amount removed either on the site or on another site approved by the Planning Commission.
6. If more than 30 percent of the forest on a site is cleared, the forest is required to be replanted at three (3) times the total area extent of the cleared forest.
7. If the cutting of forests occurs before a grading permit is obtained, the forest is required to be replanted according to (6) above.
8. All reforestation and/or afforestation shall be included in a planting plan.
9. Clearing of forest or developed woodland shall be minimized to the extent practical.

APPENDIX A

MAJOR SUBDIVISION DEVELOPMENT REVIEW FEE SCHEDULE

<u>MAJOR SUBDIVISIONS</u>	(Concept, Preliminary, Preliminary-Final, and Final Plat submittals to the Technical Advisory Committee or the Planning Commission, per submittal)					
0-19 units	.	.	.	.	.	\$125 + \$ 10/unit
20-49 units	.	.	.	.	.	\$150 + \$ 9/unit
50-99 units	.	.	.	.	.	\$175 + \$ 8/unit
100-249 units	.	.	.	.	.	\$350 + \$ 7/unit
250 units and over	.	.	.	.	.	\$500 + \$ 6/unit
<u>Revisions After Approval</u>	.	.	.	.	.	\$250
<u>Extension of Approval</u>	.	.	.	.	.	\$250
<u>Check Print Reviews</u>						
0-99 units	.	.	.	.	.	\$125 + \$ 4/unit
100-249 units	.	.	.	.	.	\$175 + \$ 5/unit
250 units and over	.	.	.	.	.	\$500 + \$ 6/unit

(Amended 8/21/07)

APPENDIX “B”

MAJOR SUBDIVISION DEVELOPMENT REVIEW **SUBMITTAL SCHEDULE**

MAJOR SUBDIVISIONS (Concept, Preliminary, Preliminary-Final, and Final Plats)

Technical Advisory Committee (TAC)

The TAC meets the 1st Wednesday of each month at 9:00 a.m. to review Concept, Preliminary, Preliminary-Final Plats. The deadline to submit plats for TAC review is Wednesday at 4:30 p.m., two weeks prior to the TAC meeting. If the scheduled TAC meeting date falls on a public holiday, then the submittal deadline remains Wednesday at 4:30 p.m., two weeks prior to the regular TAC meeting date, had the public holiday not fallen on that date.

19 plat copies are required, 20 if any part of the project is in the Critical Area.

If a Traffic Impact Study (TIS) is required, it is the responsibility of the applicant to ensure copies are distributed not less than forty-five (45) days prior to the TAC review date, as follows:

Cecil County Department of Public Works	2 copies
Cecil County Office of Planning & Zoning	2 copies
Maryland State Highway Administration	5 copies

When required, 11 copies of environmental assessment must be submitted.

Planning Commission

The Planning Commission meets the 3rd Monday of each month at either 10:00 a.m. or 12 noon (depending on the length of the agenda).

16 plat copies are required, 17 if any part of the project is in the Critical Area. The deadline to submit plats for Planning Commission review is the 3rd Thursday of the previous month at 4:30 p.m.

(Amended 8/21/07)