

ORDINANCE NO. 767

INTRODUCED BY: \_\_\_\_\_

AN ORDINANCE OF THE TOWN OF DENTON REPEALING AND REENACTING WITH AMENDMENTS CHAPTER 73, LAND SUBDIVISION OF THE TOWN CODE

WHEREAS, the Town of Denton (“Town”) is authorized by the Maryland Annotated Code (“Code”), Land Use Article, Section 5-102 to enact and administer subdivision regulations, which regulations are Chapter 73 of the Denton Town Code; and

WHEREAS, in order to clarify and amend current regulations, and to implement numerous prior revisions to Chapter 73, Land Subdivision of the Town Code, the Town wishes to repeal and reenact with amendments the entire Chapter 73, Land Subdivision; and

WHEREAS, the Denton Planning Commission considered the revised Chapter 73, Land Subdivision, and has recommended that the Town Council approve this Ordinance; and

WHEREAS, the Town Council has determined that it is desirable and in the public interest to repeal and reenact Denton Town Code Chapter 73, titled, “Land Subdivision” adopting subdivision regulations; and

NOW, THEREFORE, the Town of Denton hereby ordains:

Section 1: The recitals set forth above are incorporated herein by reference and made a part of this Ordinance.

Section 2: Chapter 73, Land Subdivision of the Code of the Town of Denton, is hereby repealed and reenacted with amendments to read as shown on the attached Exhibit A.

Section 3. In accordance with Md. Code Ann., Land Use § 4-203(b)(3), this Ordinance shall not be effective until at least ten (10) days after a public hearing.

ENACTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

DENTON TOWN COUNCIL:

\_\_\_\_\_  
Abigail McNinch, Mayor

\_\_\_\_\_  
Dallas Lister, Councilperson

\_\_\_\_\_  
Lester L. Branson, Councilperson

\_\_\_\_\_  
Walter Keith Johnson, Councilperson

\_\_\_\_\_  
Frank Taylor, Councilperson

ATTEST:

\_\_\_\_\_  
Karen L. Monteith, Clerk-Treasurer

Approved for legal sufficiency this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Lyndsey Ryan, Town Attorney

Date Introduced \_\_\_\_\_

Date Amendments Introduced \_\_\_\_\_

Date Passed \_\_\_\_\_

Effective Date \_\_\_\_\_

Text that is stricken reflects language omitted from the Town Code

Text in **bold** and *italicized* reflects additions to the Town Code

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**§ 73-1. Title and applicability.**

- A. Title. This chapter shall be known, referred to, and cited as the "Land Subdivision Ordinance of Denton, Maryland."
- B. Applicability. This chapter shall apply to the incorporated territory of Denton, Maryland. The regulations contained herein are adopted under the authority of the Land Use Article, Annotated Code of Maryland, as amended. They shall be in addition to any regulations pertaining to land subdivision promulgated by the State Department of Health or other agency of the State of Maryland. In the case of any conflict, stricter regulation shall prevail.

**§ 73-2. Purpose.**

- A. This chapter has been established to guide and accomplish the coordinated and harmonious development of the Town of Denton, Maryland, and its environs, to promote, in accordance with present and future needs, the health, safety, morals, order, convenience, prosperity, and general welfare of the citizens of the Town. In the accomplishment of this purpose, the regulations as herein established provide for, among other things, efficiency and economy in the process of development; the proper arrangement of streets in relation to each other and to the existing and planned streets and other features of the Comprehensive Plan of the Town; adequate open spaces for recreation, light, and air; convenient distribution of population and traffic; adequate provision for public utilities and other public facilities; and other requirements for land subdivision which will tend to create conditions favorable to the health, safety, convenience, and prosperity of the citizens of Denton, Maryland, and its environs.
- B. This chapter aims to foster resilient, inclusive communities by promoting low-impact development, affordable housing, and meaningful community engagement to address present and future needs while mitigating climate impacts.

**§ 73-3. Definitions.**

- A. General rules of construction. The following general rules of construction shall apply to the regulations of this chapter:
  - (1) The singular number includes the plural and the plural the singular unless the context indicates the contrary.
  - (2) Words used in the present tense include the past and future tenses, and the future tense includes the present tense.
  - (3) The word "shall" is mandatory; "may" is permissive.
  - (4) The word "public" means "open to common use," whether or not public ownership is involved.
  - (5) Words and terms not defined herein shall be interpreted according to their normal dictionary meaning, the customary usage, or the Denton Zoning Ordinance, if applicable. Where terms overlap with Chapter 128 (Zoning), the zoning definition prevails unless specified
- B. Definitions. For this chapter, certain terms and words are hereby defined:

ADEQUATE PUBLIC FACILITIES — Infrastructure and services provided by the government sufficient to meet the current and projected needs.

**ADMINISTRATIVE SUBDIVISION** — The replatting, redefining, or adjusting the boundary of two or more existing lots, tracts, or parcels that do not result in any additional lots.

**AFFORDABLE HOUSING** - Housing affordable to households earning up to 80% of the Caroline County area median income (AMI), with a subset affordable to households earning up to 60% AMI.

**ALLEY** — A public or private right-of-way primarily designated to serve as secondary access to the side or rear of those properties whose principal frontage is on some other public way.

**ARTERIAL ROAD (PRINCIPAL AND MINOR)** — A state road that is a moderate- or high-capacity through route providing direct service between Maryland Eastern Shore cities and towns.

**BONDING** — The act of providing a financial surety instrument, e.g., a bond, to cover the cost of the construction or installation of infrastructure and other required improvements in the event of a default.

**BUILDING LINE** (also known as **BUILDING RESTRICTION LINE (BRL)**) — A line beyond which the foundation wall and/or any porch, vestibule, or other portion of a building shall not project unless otherwise provided for in this chapter.

**COLLECTOR STREET** — A street that is intended to collect traffic from the minor streets within a neighborhood, or a portion thereof, and distribute such traffic to arterial roads and provide access to properties abutting thereon.

**COMPREHENSIVE PLAN** - The most recent adopted version of the Town of Denton's Comprehensive Plan that meets the requirements of the Maryland Code, Land Use Article.

**CONCEPT PLAN** (also known as **SKETCH PLAN**) — A sketch of the property, drawn to an appropriate scale, showing the boundaries, general topography, important physical features, and other significant information, as well as the proposed scheme for development of the property, including the proposed street and lot locations, areas to be reserved for public use, and proposed improvements.

**CORNER LOT** — A lot contiguous to two intersecting streets and having access to both streets.

**CROSSWALKWAY** — A public way intended for pedestrian use and excluding motor vehicles, which cuts across a block to furnish improved access to adjacent streets or properties.

**CUL-DE-SAC** — A minor street having but one end open for vehicular traffic and with the other end permanently terminated by a turnaround or backaround for vehicles.

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

**DIRECTOR OF PLANNING** — The Denton Director of Planning and Codes Administration.

**DOUBLE-FRONTAGE LOT** — A lot with frontage on two nonintersecting streets.

**EASEMENT** — An area of land for which the owner grants a right of use to someone else for one or more designated purposes, whose purposes are consistent with the owner's general property rights.

**ENGINEER** — A licensed professional civil engineer retained by the Town of Denton.

**ENVIRONMENTAL JUSTICE** — The term has the meaning stated in § 1-701 of the Environment Article

Annotated Code of Maryland.

**EQUITY** — The promotion of justice, impartiality, and fairness in subdivision procedures, processes, and resource distribution, including assessment of environmental impacts, public participation, and access to amenities like waterways.

**EXISTING LOT** — A lot of record that exists at the time the application for administrative subdivision is filed.

**FINAL PLAT** — A plan or map prepared per the provisions of this regulation and those of any other applicable local regulation, and is prepared to be placed on record in the office of the Clerk of the Circuit Court of Caroline County.

**FLAG LOT** — The shape of a property, where access to a road is provided along the long, narrow "flagpole," and the usable land itself is the rectangular "flag" at the end of the pole. A "flagpole" shall have a minimum width of 25 feet.

**GEOGRAPHIC INFORMATION SYSTEM (GIS)** — A system that captures, integrates, stores, analyzes, manages, and displays data linked to location and merges cartography, statistical analysis, and database technology.

**GREEN INFRASTRUCTURE** - Natural systems and processes (e.g., rain gardens, permeable pavements, bioswales) that provide environmental, social, and economic benefits.

**GREENWAY** — A long, narrow piece of land that is often used for recreation and pedestrian and bicycle traffic.

**HEALTH OFFICER** — The Health Officer of Caroline County.

**IMPROVEMENT PLANS** — Construction plans of the required improvements.

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

**LOCAL ACCESS STREET** — A street that is primarily used to gain access to the property bordering it.

**LOT** — A portion of a subdivision or other parcel of land intended for building development, whether immediate or future, and having access to a street. It is used interchangeably with "plot."

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

**LOT DEPTH** — The mean horizontal distance between the front and rear building lot lines.

**LOT LINE** — The boundary line of the lot.

**LOT WIDTH** — The horizontal distance between the side lot lines measured at the required front and rear building setback lines.

**LOW-IMPACT DEVELOPMENT (LID)** - Design strategies that manage stormwater at the source to mimic natural hydrology.

**MAJOR COLLECTOR** — A relatively low-speed, low-volume street that provides circulation within and between neighborhoods, and is intended for collecting trips from local access streets.

MINOR COLLECTOR — A relatively low-speed, lower-volume-than-major-collector street that provides circulation within and between neighborhoods and is intended for collecting trips from local access streets.

PARCEL — A tract of land, which may encompass one or more lots, used interchangeably with 'lot' unless context requires distinction.

PLANNING COMMISSION — The Denton Planning Commission.

PLANNING STAFF — Members of the Town of Denton Department of Planning and Codes Administration.

PLAT — A plan or map of a piece of land.

PLOT — A parcel of land, potentially including multiple lots, intended for a permitted use under this chapter, encompassing the principal building, accessories, yards, and parking, with frontage on a street.

PRELIMINARY PLAT — A map made to show the design of a proposed subdivision and the existing conditions in and around it.

PRIVATE STREET — An improved right of way that is not a component of the Town, County, State, or Federal road systems.

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

RESULTING LOT — A lot that will exist if the application for administrative subdivision is approved.

RIGHT-OF-WAY — A strip of land designated for the use of a road, highway, driveway, alley, or walkway, or any drainage or public utility purpose, or other similar uses.

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

SERVICE DRIVE or SERVICE ROAD — A minor street, also called a "frontage road," is a local access street running parallel to and adjacent to an arterial road or major collector that provides access to abutting properties and restricts access to the arterial or major collector road.

SOLAR MICROGRID - A localized, small-scale power system that integrates solar energy generation (typically through photovoltaic panels) with energy storage (like batteries), distribution infrastructure, and control systems to supply electricity to a specific area or community.

STREET — A public thoroughfare that affords the principal means of access to property abutting thereon.

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

SUBDIVIDER — Any person, individual, contract purchaser (option holder), firm, partnership, association, corporation, limited liability company, estate, trust, or any other group or combination, acting as a unit, dividing, or proposing to divide land to constitute a subdivision as defined herein, and including any agent of the subdivider.

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

**SUBDIVISION, ARCHITECTURALLY INTEGRATED OR CLUSTER** — A subdivision where land division and building layouts (dimensions, height, location) are approved together to concentrate development and preserve open space, per Chapter 128. **SUBDIVISION, MAJOR** — Any subdivision other than a minor subdivision.

**SUBDIVISION, MINOR** — A subdivision that does not involve any of the following: the creation of more than three lots; the creation of any new public streets; the extension of a public water or sewer system; or the installation of stormwater management improvements through one or more lots to serve one or more other lots.

**TECHNICAL ADVISORY COMMITTEE (TAC)** — A team of Town staff members, no more than two Planning Commission members, and Town professionals for the explicit reason of reviewing proposed plan submittals.

**UNDERREPRESENTED COMMUNITY** – The term has the meaning stated in §19-106 of the Business Regulation Article, Annotated Code of Maryland.

**UNDERSERVED COMMUNITY** — The term has the meaning stated in §1-701 of the Environment article Annotated Code of Maryland.

**UTILITY EASEMENT** — A utility company's right to access and control the portion of another person's land near utility facilities and structures (i.e., utility poles, transformers, overhead or underground electrical lines).

#### **§ 73-4. General provisions.**

- A. The subdivider must prepare and record a plat. From and after the effective date of this chapter, any owner, agent, or proprietor of any tract of land located within the Town of Denton to which these regulations shall apply who subdivides such land into lots, blocks, streets, alleys, public ways, or public grounds, shall cause a plat of such subdivision to be made per the regulations set forth herein and the laws of the State of Maryland, and shall cause a copy of the said plat to be recorded in the Land Records at the office of the Clerk of the Circuit Court.
- B. Approval of plat required. The Clerk of the Circuit Court shall record no plat of subdivision unless it has been approved by the Planning Commission or the Director of Planning as provided herein. The Planning Commission or the Director of Planning shall not approve a plat unless and until the plat satisfactorily complies with these regulations requirements.
- C. Transfer of land; building permits. No parcel of land in a subdivision created after the effective date of this chapter shall be transferred, sold, or offered for sale, nor shall a building permit be issued for any structure thereon, until a plat of subdivision shall have been recorded with the Clerk of the Circuit Court per these regulations and the laws of the State of Maryland. Any person who violates this provision shall be subject to the penalties contained herein.
- D. Requirements for plat preparation. In the preparation of a plat of subdivision, the subdivider shall comply with the general principles of design and minimum requirements for the layout of subdivisions as outlined in § 73-6 and with the rules and regulations concerning required improvements as outlined in § 73-8 and the standards and specifications for improvements as adopted by the Town Council, and in every case, the preparation of such a plat shall be in accordance with the procedure required by § 73-5 herein.
- E. Delegation of power of approval.

- (1) The Director of Planning is authorized to approve administrative and minor subdivisions.

- (2) The Director of Planning, to whom the authority is granted per this section, may approve a final plat. The Director shall have those powers conferred on the Planning Commission by this chapter that are necessary to exercise such authority. Concerning any subdivision the Director of Planning is authorized to approve, the words "Planning Commission" in other sections of this chapter shall be construed to mean Director of Planning.

### **§ 73-5. Procedure for plat submission and approval.**

#### **A. Preliminary conference.**

- (1) Before undertaking the preparation of a subdivision plat, the subdivider may prepare and submit a concept plan of the property in question, drawn to an appropriate scale, showing the boundaries, general topography, important physical features, and other significant information, as well as the proposed scheme for development of the property, including the proposed street and lot locations, areas to be reserved for public use, and proposed improvements. The subdivider shall provide the Planning Commission with 12 copies of the concept plan.
- (2) The subdivider may then consult with the Planning Commission and/or its staff to ascertain the location of proposed major streets, highways, open space, parks, playgrounds, school sites, and any other planned public improvements and to determine the zoning regulations and other requirements relating to, affecting, or applying to the proposed subdivision. The subdivider may also consult with the Engineer, the Health Officer, and others, including, but not limited to, the Denton Volunteer Fire Department and Emergency Management Services, on the proposed street layout and the proposed facilities for sanitary sewage disposal, stormwater management, and water supply serving the proposed subdivision. Large subdivisions may require consultation with the Technical Advisory Committee. The purpose of the Technical Advisory Committee is to assist the subdivider by furnishing information and advice to expedite matters for the subdivider, save him unnecessary expense, and promote the best coordination between the plans of the subdivider and those of the Town.
- (3) The consultations and the preliminary conference results in no way constitute or imply subsequent preliminary and/or final plat approval by the Planning Commission.

#### **B. Pre-Application Consultation for Major Subdivision Projects**

##### **(1) Requirement and Purpose.**

- (a) A mandatory pre-application consultation with Town of Denton Planning staff is required for all major subdivision projects. The purpose of this informal, nonbinding meeting is to provide an early opportunity for the applicant and Planning staff to discuss the proposed project, identify potential issues or constraints, review applicable regulations and standards, and clarify the required review procedures and submittal requirements before the formal application.
  - (b) Participation in the consultation is for informational and advisory purposes only. It does not constitute formal approval, a commitment, a waiver of any requirements, or a binding determination by the Town. No representations made during the consultation shall be construed as granting any rights or approvals.
- (2) Request and Required Materials The applicant shall contact the Director of Planning to schedule the pre-application consultation. The request shall include, at a minimum:
- (a) A conceptual site plan or sketch illustrating the proposed subdivision layout;

- (b) A written project description, including the intended land uses, number of lots/units, and any known site constraints (e.g., environmental features, utilities, or access issues); and
- (c) Any additional information the applicant believes may assist in the discussion (optional but encouraged).

C. Community Engagement: For major subdivisions, the subdivider shall host at least one public meeting to present the concept plan and gather feedback, prioritizing active engagement with overburdened and underserved communities, such as communities of color and low-income populations. Engagement shall include accessible outreach, including multilingual materials, translation services, and convenient meeting times and locations, to ensure meaningful opportunities for input. A summary of community feedback shall be submitted to the Planning Commission for consideration in the review process.

D. Submission of the preliminary plat.

- (1) The subdivider shall prepare a preliminary plat of the proposed subdivision conforming to the requirements for preparing such a plat as outlined in § 73-7. At least 45 days before a regularly scheduled meeting of the Planning Commission at which action on such plat is desired, the following items shall be filed with the Secretary of the Planning Commission: 12 black-line or blue-line prints of the preliminary plat supporting statements on required improvements and proposed deed restrictions, as set forth in § 73-7; and an application for the approval of the plat on a form to be supplied by the Planning Commission. Appropriate application fees shall be paid at the time of application submittal. Property taxes on the property proposed to be subdivided, or other owners' taxes owed to the Town, shall not be in arrears.
- (2) The Planning staff and Planning Commission shall check the preliminary plat for its conformity with the Comprehensive Plan of the Town, the applicable zoning and other regulations, the design principles and standards, and the requirements of submission as outlined in this chapter, and any other standards and specifications for improvements as adopted by the Town Council. Copies of the preliminary plat shall be referred to the Engineer, Health Officer, and other appropriate public officials concerned with public improvements or health and safety requirements for review and approval.
- (3) Affordability Plan. If applicable, as determined in the sole discretion of the Planning Commission, the preliminary plat shall include an affordability plan specifying the number, type, and location of affordable housing units (up to 80% AMI, with 60% AMI), along with deed restrictions or agreements ensuring affordability for at least 30 years.

E. Preliminary plat approval.

- (1) A review of the preliminary plat shall be held at the next regular meeting of the Planning Commission (within 45 days after an application has been deemed complete and is accepted by the Town). The Planning Commission shall hold no hearing until notice thereof shall have been sent to the subdivider and other interested parties as may be determined by the Planning Commission, and as required by the notification requirements indicated in Chapter 128, Zoning, Article XVII, Requirements for Public Hearing and Public Notice. At the hearing, the Planning Commission shall submit its findings and recommendations, together with those of the other public officials to whom copies were referred. The Planning Commission shall either tentatively approve or disapprove the preliminary plat or approve the plat subject to specific changes or modifications. One copy of the preliminary plat, with any comments, shall be returned to the subdivider, and the other copies shall be retained in the Planning Commission's files.
- (2) Approval of the preliminary plat shall be valid for not more than eighteen months, except that the

Planning Commission may grant an extension for an additional six-month period. Unless a final plat, substantially following the approved preliminary plat and including any required changes or modifications, shall be filed with the Planning Commission within nine (9) months from the date of approval of the preliminary plat or any extension thereof, the Planning Commission's approval thereof shall be deemed canceled; provided, however, that the final plat may include only a portion of the area in the preliminary plat, and that the final plat for remaining portions may be filed at a later date without a new preliminary plat, but subject to any changes in the regulations contained herein made after such six-month period or any extension thereof.

- (3) The Planning Commission may appoint a Subdivision Technical Advisory Committee to review, comment, and make recommendations concerning subdivision applications and improvement plans.

F. Installation of improvements. Following the preliminary plat's approval, the subdivider shall prepare and submit plans for installing the improvements required under this chapter. Copies of such improvement plans shall be submitted to appropriate public officials for approval. Upon being notified that such improvement plans have been approved, the subdivider may furnish the Town of Denton with a cash deposit, a performance bond, or a letter of credit executed per the provisions of § 73-8A of this chapter.

G. Submission of a final plat.

- (1) After completing the required improvements to the satisfaction of the appropriate public officials or following the posting of a performance bond or letter of credit in lieu of such completion, the subdivider shall prepare a final plat of the subdivision. Such a final plat may be for all the property included in the preliminary plat, or it may be limited to any portion intended to be developed as a unit. Final plats for additional property units may be submitted later, provided the preliminary plat remains valid. Every final plat shall be substantially in accordance with the approved preliminary plat, including any changes or additions required by the Planning Commission as a prerequisite for its approval. It shall conform in every respect with the requirements for preparing such a plat outlined in § 73-9.
- (2) Final Plat Submission and Review Process. At least forty-five (45) days before a regularly scheduled meeting of the Planning Commission at which action on the final plat is desired, the subdivider shall submit the final plat application materials to the Department of Planning and Codes.
- (3) Staff Review and Determination. Upon receipt, Planning staff shall review the submission for completeness, accuracy, and compliance with these regulations, the approved preliminary plat (if applicable), and all other applicable requirements. Staff shall notify the subdivider in writing whether the application is deemed appropriate for referral to the Planning Commission.
  - (a) If the submission is incomplete or does not substantially comply with requirements, staff shall return it to the subdivider with specific deficiencies identified. It shall not refer it to the Planning Commission until the deficiencies are corrected and the application is resubmitted and accepted as complete and appropriate.
  - (b) Only after the staff determines that the application is appropriate for review shall the final plat be referred to the Planning Commission for action. The 45-day period for Commission consideration shall commence upon the date of the staff's referral notification.
- (4) Required Submittal Materials. The following items shall be filed with Planning and Codes as part of the final plat application:
  - (a) 12 black-line or blue-line prints of the plat;
  - (b) A digital copy of the parcel layer GIS in the NAD83 coordinate system, tied to a state-certified survey

point;

(c) A properly executed statement of dedication of all streets in the subdivision to the appropriate jurisdiction, constituting an irrevocable offer to dedicate for not less than five (5) years from the date of its filing with the Planning Commission; and

(d) An application for approval of the plat on a form supplied by Planning and Codes.

(5) Appropriate application fees must be paid at the time of submittal. Property taxes on the property proposed to be subdivided shall not be in arrears.

#### H. Final plat approval and recording.

(1) Upon receipt of the required documentation by the Planning Commission, the Planning Commission shall consider the final plat's approval at its next regular meeting. If the final plat is found to comply with this chapter's requirements and with the approved preliminary plat, the Planning Commission shall approve it. It shall endorse the approval on each of the several copies submitted by placing the signature of its Planning Commission Chairman thereon.

(2) The Planning Commission shall approve or disapprove the final plat within sixty (60) days after filing such plat with the Planning and Codes, provided all other agency approvals are given. Otherwise, such a plat shall be deemed to have been approved. Planning Commission Planning Commission shall issue a certificate to that effect shall issue a certificate to that effect on demand, provided, however, that the subdivider may waive this requirement and consent to an extension of such period. The grounds for the disapproval of any final plat shall be stated upon the Planning Commission's record.

(3) Upon approval of the final plat by the Planning Commission, the subdivider shall file seven (7) signed copies of the plat with the Clerk of the Circuit Court and the Health Officer. Proof of filing shall be provided to the Planning and Codes. The Planning Commission shall forward the signed black-line or blue-line prints to the Town Clerk, the Police Chief, and the Engineer, with one print retained by the Planning Commission and one print returned to the subdivider.

I. Before the final plat's recordation, the property owner and/or developer shall execute a public works agreement, using a form acceptable to the Town. Such agreement shall outline the owner's and/or the developer's standards and responsibilities for the required improvements. The public works agreement shall include provisions for the payment of fees, costs, and expenses incurred by the Town in enforcing the agreement.

#### J. Administrative subdivision.

(1) Applicability. This section applies only to a subdivision which is made for a purpose referred to in Subsection I(2) below and which:

(a) Involves the replatting, redefining, or adjusting the boundaries of three or fewer existing lots;

(b) Will provide a number of resulting lots equal to or less than the number of existing lots involved in the subdivision;

(c) Does not affect required improvements or existing covenants or guarantees required by this chapter; and

(d) Does not involve the creation of new roads or new rights-of-way.

(2) Purpose and limitations.

(a) An administrative subdivision may be approved only for one of the following purposes:

- [1] Establishing one or more resulting lots, but not creating new lots, that conform to all this chapter's provisions and Chapter 128, Zoning.
- [2] Increasing the size of one or more nonconforming existing lots by adding contiguous land.
- [3] Combining existing lots, or parts of existing lots, to meet any requirements of this chapter and Chapter 128, Zoning.

(b) Resulting lots. The administrative subdivision shall not be approved unless:

- [1] All resulting lots will comply with all requirements of this chapter and Chapter 128, Zoning.
- [2] Except as provided in Subsection I(2)(b)[3] following, the administrative subdivision increases the size of one or more existing nonconforming lots. All lots created shall meet all other requirements of this chapter and Chapter 128, Zoning.
- [3] Where an existing structure encroaches onto an adjacent property, the Director of Planning may approve an administrative subdivision to adjust lot lines without regard for increasing the nonconformity. Such an application shall include a survey showing the location of all existing structures and lot lines.
- [4] An administrative subdivision shall be applied for in the same manner as a minor subdivision.

**§ 73-6. Design requirements and standards.**

A. General requirements.

- (1) The subdivision layout shall be consistent with the applicable infill or new development strategies outlined in the Denton Pattern Book.
- (2) The subdivision layout shall be consistent with the transportation element of the Comprehensive Plan and with other aspects of the roads and streets policies outlined in the Comprehensive Plan.
- (3) The subdivision layout shall be in full compliance with the zoning district's provisions in which it is located, as provided in Chapter 128 (Zoning).
- (4) The subdivision layout shall be designed following the principles and standards contained in this section and any other standards and specifications for improvements as adopted by the Town Council, with the objective of achieving the most advantageous development of the subdivision and adjoining areas.

B. Suitability of land.

- (1) Land proposed for subdivision shall be evaluated for its suitability in the context of climate change impacts, resilience, wetland loss and migration, and forest loss.
  - (a) Demonstrate measures to mitigate risks associated with climate-related hazards, including but not limited to:

- [1] Flooding
- [2] Extreme heat
- [3] Stormwater management

(b) Address the preservation or restoration of wetlands in order to:

- [1] Support their ecological functions, and
- [2] Accommodate their potential inland migration due to sea-level rise

(c) Minimize forest loss to:

- [1] Maintain biodiversity
- [2] Support carbon sequestration
- [3] Preserve ecosystem services

(2) Subdivision design shall incorporate measures to ensure equitable access to a safe and healthy environment, advance equitable, sustainable, and resilient development, ensuring that subdivision designs contribute to environmental justice by reducing risks, enhancing access to natural resources, particularly for overburdened and underserved communities. These requirements include:

(a) Equitable Site Selection: Prioritize locations that minimize exposure to climate-related hazards, such as flooding and extreme heat, for affordable housing and community facilities, ensuring safe and resilient living conditions for low-income and marginalized populations.

(b) Preservation of Natural Systems for Community Benefit: Protect or restore wetlands and minimize forest loss to provide flood mitigation, air quality improvement, and cooling benefits, with a focus on enhancing environmental quality in communities disproportionately affected by environmental hazards. Maintain wetland buffers and migration corridors to support ecological functions and resilience.

(c) Integration of Green Infrastructure: Incorporate green infrastructure, such as permeable surfaces, tree canopies, and stormwater management systems, to reduce urban heat islands and manage flooding, prioritizing implementation in underserved areas to address environmental disparities.

(d) Cumulative Impact Assessment:

[1] Stormwater management plans shall comply with all applicable Maryland state requirements for stormwater management, including the evaluation of cumulative impacts as set forth in the Environment Article, Title 4, Subtitle 2, Annotated Code of Maryland; COMAR 26.17.02; and the Maryland Stormwater Design Manual (as amended). Compliance includes assessing the combined effects of the proposed development, along with existing and future watershed development, on flooding, water quality, stream channel stability, habitat, and downstream resources.

[2] In addition to state requirements, plans shall specifically assess and mitigate cumulative environmental impacts on vulnerable communities (including underserved and underrepresented communities as defined in Maryland law), such as pollution, flooding, and habitat loss, to ensure that the subdivision does not exacerbate existing environmental disparities or burdens in the area.

### C. Street layout.

(1) Street design and layout shall accommodate pedestrians, cyclists, and transit users where appropriate, as

determined by the Town.

- (2) The street layout shall be designed to create desirable building sites while respecting existing topography, minimizing street grades, avoiding excessive cuts and fills, ensuring compliance with stormwater regulations, protecting environmentally constrained areas, and preserving natural resources, including trees, to the maximum extent possible.
- (3) Streets shall be spaced to allow blocks to meet the dimensional requirements contained herein and to minimize the number of intersections with existing or proposed major collector streets.
- (4) Where the subdivision adjoins or embraces any part of major collector streets as designated on the transportation element of the Comprehensive Plan, the layout of such subdivision shall provide for the platting and dedication of such part of the major collector streets in the location and at the width indicated on such plan, except that the subdivider shall not be required to dedicate that part of such major collector streets which exceeds the minimum right-of-way width requirement for a major collector street, as defined in the Denton Standard Specifications and Details for Public Works Construction.
- (5) Wherever deemed desirable to the layout of the subdivision and adjoining areas, the Planning Commission may require the platting and dedication of one or more collector streets, or parts thereof, to serve the subdivision.
- (6) Local access streets, designed primarily for property access, shall promote speeds of 25 mph or less via traffic calming features (e.g., narrow lanes, on-street parking, wide sidewalks, curb extensions). They shall support safe two-way traffic and provide adequate width for emergency (fire/EMS) and waste collection vehicles. Widths and designs shall comply with the Denton Standard Specifications and Details for Public Works Construction, with prior verification by the Fire, EMS, and waste management providers. Streets shall be laid out to intersect at right angles (90°) unless topography and the limiting factors of good design prohibit. Proposed streets intersecting at less than 90° shall require approval from the Department of Public Works. No street shall intersect another street at an angle of less than 60°.
- (7) Proposed streets in the subdivision shall provide for the continuation of existing, planned, or platted streets on adjacent tracts unless such continuation shall be prevented by topography or other physical conditions or unless such extension is found by the Planning Commission to be unnecessary for the coordination of development between the subdivision and such adjacent tract.
- (8) Street Extensions to Adjacent Tracts.
  - (a) Where adjacent land remains unsubdivided or undeveloped, proposed streets in the subdivision shall be extended to the boundary line of such adjacent tracts, and temporary turnarounds (using temporary easements or other approved means) shall be provided at the ends of such streets, as determined by the Town to be necessary or desirable to facilitate future access and development. Such extensions shall be required where future subdivision of the adjacent tract is feasible, based on:
    - [1] Applicable zoning that permits subdivision or additional development (e.g., minimum lot sizes, density allowances, or use permissions);
    - [2] Parcel size or configuration indicating reasonable potential for future subdivision (e.g., tracts of sufficient acreage or frontage); or
    - [3] Consistency with the adopted Comprehensive Plan, transportation plan, or other official plans showing future street connections or development patterns.
  - (b) Where the subdivision abuts or contains a major or minor collector street as designated in the

transportation element of the Comprehensive Plan, the Planning Commission may require that measures be taken to reduce the impact of heavy traffic on the residential lots abutting or fronting upon such major or minor collector street and to afford separation of through and local traffic, by one of the following means:

- [1] Provide vehicular access via a service drive separated from the arterial or major collector by a buffer strip including a berm and planting for screening and safety. The service drive shall connect to the higher-classification road infrequently, with connection points spaced to comply with access management best practices (e.g., a minimum 1/4-mile interval for connections involving major collectors, or 1 mile for arterials, unless site-specific conditions warrant adjustment). All proposed connection locations and spacing shall be reviewed and approved by the Town, in consultation with the Fire Department, Emergency Services, and MDOT SHA, to ensure safe operations and alignment with adopted plans.
  - [2] Reverse frontage lots shall provide vehicular access only from a parallel local access street or loop street, with direct access to the abutting arterial prohibited by deed restrictions or equivalent means; a bufferyard meeting the planting requirements of Bufferyard D, Appendix II of the Denton Zoning Ordinance shall be installed along the rear lot line abutting the arterial to provide screening from traffic noise, headlights, and visual intrusion, in accordance with the buffer and landscaping requirements in Article X, Denton Zoning Ordinance.
  - [3] The choice of the most appropriate method to accomplish the desired purpose in a specific instance shall be made by the Planning Commission, considering topography and other physical conditions, the character of existing and contemplated development in the subdivision and its surroundings, and other pertinent facts.
- (9) Cul-de-sac streets are not preferred; however, they shall be permitted only where necessitated by topographic conditions or where, in the Planning Commission's judgment, they are appropriate to the type of development contemplated. Cul-de-sac streets shall not exceed the maximum length as defined in the Town of Denton Standard Specifications and Details for Public Works Construction. All cul-de-sac designs, including the turnaround (bulb) radius, pavement dimensions, and any island or landscaped features, shall meet the design standards of the Town of Denton Standard Specifications and Details for Public Works Construction and shall be adequate to accommodate safe turnaround maneuvers by the largest emergency vehicle (e.g., fire apparatus) expected to serve the area, as verified by the Denton Fire Department during plan review.
- (10) Alleys. Alleys are discouraged in all areas due to potential conflicts with traffic, emergency vehicle access (EMS/Fire), and waste collection, particularly where narrow widths limit safe maneuvering.
- (a) In commercial and industrial areas, alleys shall be provided only where adequate alternative access to parking, loading, and service areas cannot be achieved through other means (e.g., direct frontage roads or shared driveways). Where provided, alleys shall comply with the Town of Denton Standard Specifications and Details for Public Works Construction and shall be verified for adequacy by the Fire Department, EMS, and waste collection providers.
  - (b) In residential areas, alleys shall not be permitted unless specifically required by topographic conditions, unusual site constraints, or other factors approved by the Planning Commission, and where no feasible alternative exists. Instead, access to dwellings (including rear or side access) shall utilize two-way local streets designed with narrow travel lanes (consistent with safe two-way passage), wide sidewalks, on-street parking (where appropriate), and traffic calming features such as curb extensions (bulb-outs), chokers/neckdowns, raised crossings, or similar measures to promote low speeds, enhance pedestrian safety, and ensure unobstructed passage for emergency and service vehicles.

- (c) In the absence of alleys, easements shall be required for utility lines, stormwater facilities, or other infrastructure as needed.
- (d) All alley access designs shall be reviewed and approved by the Fire Department, EMS, and solid waste collection providers to confirm compliance with emergency access and operational needs.

(11) Half streets will be prohibited.

(12) Private streets shall not be permitted in any proposed major subdivision.

(13) Traffic Impact Studies or Operational Analyses. A traffic impact study (TIS) or operational analysis shall be required for any proposed major subdivision that:

- (a) Is projected to generate 50 or more net new vehicle trips during the peak hour of the adjacent street (AM or PM, whichever is higher), as estimated using the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual or other approved methodology; or
- (b) Will directly impact a key intersection, roadway segment, or sensitive area (e.g., school zone, existing congestion point, or state highway) where the development adds 10 or more peak-hour trips to an affected movement, as determined during preliminary review.
- (c) The scope, study area, assumptions, and methodology shall be approved by the Planning Commission prior to preparation. The Planning Commission may require a TIS or analysis for smaller projects if site-specific conditions (e.g., proximity to high-volume roads, safety concerns, or cumulative impacts) warrant it, or may waive the requirement for projects below the thresholds if impacts are deemed negligible.

#### D. Street design standards.

(1) General. Streets shall comprise a public realm (the dedicated right-of-way from back-of-curb to back-of-curb, matching the minimum street-type requirements) and a semipublic realm (a public frontage easement across lots adjacent to the public right-of-way). The semipublic easement shall have a minimum width of ten (10) feet (or greater as required by the Department of Public Works). It may accommodate utilities (outside the public realm), street trees, sidewalks, and pedestrian facilities in accordance with the Town of Denton Standard Specifications and Details for Public Works Construction and these Regulations.

(2) Right-of-way widths.

- (a) Minor arterials or major collectors. Right-of-way widths for minor arterials or major collectors, as designated in the transportation element of the Comprehensive Plan, shall be as provided in the Denton Standard Specifications and Details for Public Works Construction; however, widths above these minimums may be required for state roads by the State Highway Administration to meet particular traffic conditions. Minor collector streets, commercial, and industrial streets, as provided in the Denton Standard Specifications and Details for Public Works Construction. Alleys, service drives as provided in the Denton Standard Specifications and Details for Public Works Construction.
- (b) Private street as provided in the Denton Standard Specifications and Details for Public Works Construction.

(3) Roadway widths.

- (a) Minor arterial and major collector streets: as provided in the Denton Standard Specifications and Details for Public Works Construction, but not less than the minimum specified for state roads by the State Highway Administration.
- (b) Roadway widths for other street types shall be not less than the following:
  - [1] Minor collector streets and local access streets in multiple-family residential: as provided in the Denton Standard Specifications and Details for Public Works Construction.
  - [2] Minor collector streets and local access streets in commercial and industrial areas: as provided in the Denton Standard Specifications and Details for Public Works Construction.
  - [3] Local access streets in single-family residential areas and service drives: as provided in the Denton Standard Specifications and Details for Public Works Construction.
  - [4] Local access streets in single-family residential areas, where lots can be accessed from an alley, shall provide a minimum roadway width as specified in the Town of Denton Standard Specifications and Details for Public Works Construction. Parking shall be restricted to one side of the street only, to ensure safe two-way traffic flow, adequate emergency vehicle passage (EMS/Fire), and waste collection access. The restricted side shall be clearly marked with "No Parking" signs (or equivalent signage/pavement markings) installed by the developer in accordance with the Town of Denton Standard Specifications and Details for Public Works Construction and Chapter 120 (Vehicles and Traffic) of the Town Code. Signs shall be placed at regular intervals (e.g., every 50–100 feet or at intersections/endpoints) and maintained in perpetuity by the Town upon acceptance of the street.
  - [5] Streets serving lots of one acre or more may have, with the Planning Commission's approval, a minimum roadway width of 20 feet inside the curb to the inside of the curb.
  - [6] Alleys: as provided in the Denton Standard Specifications and Details for Public Works Construction.
  - [7] Private streets: The design and construction specifications for private streets shall be consistent with the Town of Denton Specifications & Details for Public Works Construction Manual (most recent addition) and approved by the Department of Public Works as adequate for the level and expected frequency of use of the private street. Repair and maintenance covenants shall be approved by the Planning Commission to ensure that private streets are maintained and remain safe for those using them, and to include clear notice that the Town is not responsible for their repair or maintenance. Private streets shall be conspicuously marked as private streets on both the subdivision plat and at the intersection with a public street. A private street that bisects a parcel of land or a lot of record is not a subdivision of the parcel or lot, provided that ownership of the private street is the same as ownership of the parcel or lot.
  - [8] Cul-de-sac: as provided in the Denton Standard Specifications and Details for Public Works Construction. The use of cul-de-sac street design is discouraged.
- (4) Street grades: Street grades shall not exceed 5% for arterial and collector streets and 8% for local access streets, service drives, and alleys. Street grades shall be not less than 1/2 of 1%.
- (5) Vertical curves shall connect all changes in street grades of more than one percentage point. Vertical curves shall connect all changes in street grades of more than one percentage point with a minimum length of 50 feet or 15 times the algebraic difference in the change in grade, whichever is greater.

- (6) Curvature. The curvature radius on the center line shall be not less than 400 feet for arterial streets, 300 feet for collector streets, and 100 feet for local access streets, service drives, and alleys. Between reversed curves, either of which has a radius of less than 200 feet, there shall be a tangent section at least 100 feet in length.
- (7) Street intersections shall be designed in conformance with the following requirements:
- (a) The intersection design should provide clear sight distance for oncoming vehicles, and the street grade should be properly leveled within and approaching the intersection.
  - (b) No more than two streets shall cross at the same point.
  - (c) An arc shall be rounded at each property corner at street intersections. Curbs at street intersections shall be rounded off concentrically with the property lines. Minimum curb or edge of pavement radii shall be provided in accordance with the following:
    - [1] Alleys: reference the most current standard.
    - [2] Collector streets: reference the most current standard.
    - [3] Minor residential streets: Reference the most current standard.
  - (d) Right-of-way lines at intersections shall be rounded by tangential arcs concentric with the paved radii lines and a minimum radius of the paved radii plus an additional 10 feet.
  - (e) Sight Lines and Clear Sight Triangles. Proper sight lines shall be maintained at all intersections of streets (including local access streets) to ensure safe visibility for vehicles, pedestrians, and cyclists. A clear sight triangle shall be provided and maintained at each intersection, measured along the centerlines of the intersecting streets to a point 75 feet from the center of the intersection (or as otherwise required by the Town of Denton Standard Specifications and Details for Public Works Construction or MDOT SHA standards for higher-classification roads). The clear sight triangle shall be depicted on all preliminary and final subdivision plats/plans as a dashed or hatched triangular area at each intersection corner. Plat notes or plan language shall explicitly state:
    - [1] No building, structure, sign (except official traffic control devices), fence, wall, berm, hedge, shrubbery, or other obstruction shall be erected, placed, planted, or allowed to grow within the clear sight triangle in a manner that obstructs vision between a height of 2 feet and 10 feet above the centerline grade of the intersecting streets (or roadway surface).
    - [2] Permitted exceptions include: utility poles, street lights, traffic signs/signals, fire hydrants, single-trunk trees with canopies trimmed to at least 8 feet above the pavement (provided they do not create a "picket fence" effect), and existing permanent features approved prior to adoption (subject to Town review).
    - [3] The clear sight triangle shall be kept free of obstructions in perpetuity, with maintenance responsibility assigned to the adjacent property owner(s) or homeowners' association. Violations may result in enforcement under these Regulations and the Town Code.
    - [4] The Department of Public Works or Planning Commission may require larger triangles or additional measures (e.g., based on AASHTO guidelines, posted speeds, or site-specific conditions) during plan review.
  - (f) Signage shall comply with the Manual on Uniform Traffic Control Devices (MUTCD) as adopted by the Maryland State Highway Administration (MD SHA).

- (g) Geometric design requirements, such as a vertical curve, shall be required for a change in vertical alignment (slope) exceeding 1%. A combination of a minimum radius horizontal curve and maximum grade is not permitted.
- (h) Sight Distances. Sight distances for driveways, entrances, and intersections shall provide safe stopping and maneuvering, based on stopping sight distance (SSD) per the MDOT SHA Access Manual and AASHTO A Policy on Geometric Design of Highways and Streets (latest edition). Designs shall use AASHTO Table 3-1 (or equivalent) for minimum SSD based on design/posted speed (e.g., 200–400 ft for 25–35 mph typical residential speeds, adjusted for grade). The intersection sight distance shall meet the AASHTO criteria for gap acceptance. Plans shall include measurements and clear sight triangles, with obstructions prohibited. The Town may require engineering analysis and may adjust for local conditions in coordination with MDOT SHA standards. Signage and pavement markings shall be in accordance with the MUTCD as adopted by MDOT SHA.
- (i) Public Utility Easements (PUEs). A public utility easement (PUE) of ten (10) feet in width shall be created along all road-front property lines (adjacent to and outside the dedicated public right-of-way).

[1] These easements are granted in favor of the Town of Denton (for municipal utilities such as water, sewer, and stormwater) and any applicable public utility providers (e.g., electric, telecommunications, cable, natural gas companies) authorized to serve the subdivision. The purpose is to provide for the installation, construction, maintenance, inspection, repair, replacement, relocation, and operation of public utilities and associated facilities (including underground lines, conduits, poles, pedestals, meters, and appurtenances).

[2] No buildings, structures, fences, walls, berms, trees (with deep roots), or other permanent obstructions shall be placed or permitted within the PUE without prior written approval from the Department of Public Works and the affected utility provider(s). The easement shall remain unobstructed to allow full access for utility vehicles and equipment. Maintenance of the easement area (e.g., grass mowing, removal of debris) shall be the responsibility of the adjacent property owner(s) or homeowners' association, unless otherwise accepted by the Town. The Town and utility providers shall have a perpetual, non-exclusive right of ingress and egress over the easement for the stated purposes.

[3] All PUEs shall be shown on the final subdivision plat with appropriate notes and dedicated upon recordation. Wider easements may be required by the Department of Public Works or utility providers based on site-specific needs (e.g., for larger facilities or poor soil conditions). Designs and placements shall comply with the Town of Denton Standard Specifications and Details for Public Works Construction.

- (j) Pavement Design. All pavement in subdivisions shall meet the structural, material, and construction requirements of the Town of Denton Standard Specifications and Details for Public Works Construction, including references to MDOT SHA standards and AASHTO guidelines. A site-specific pavement design (including subgrade evaluation and layer thicknesses) shall be submitted by a licensed engineer for approval prior to construction.

#### E. Blocks.

- (1) Residential Blocks. Residential blocks shall typically be 400 to 600 feet in length between street lines to promote walkability and efficient circulation.
- (2) Residential blocks shall be designed with sufficient width and configuration to accommodate a variety of lot depths, promoting a suitable mix of housing types, sizes, and densities consistent with the underlying

zoning district and the Town's comprehensive plan. Blocks should generally allow for varied lot depths (e.g., shallower for smaller or attached dwellings, deeper for larger single-family homes) to provide diverse housing options, enhance neighborhood character, and optimize land use efficiency.

- (a) The Planning Commission may approve single-tier blocks (e.g., reverse frontage or single-loaded streets) where justified by topography, arterial adjacency, environmental constraints, or to facilitate housing diversity. Block width shall be adequate to support safe, functional lot layouts, pedestrian connectivity, and utilities. Blocks for business or industrial use shall be of such length and width as may be necessary to serve their prospective use, including making adequate provision for off-street parking and the loading and unloading of delivery vehicles.
  - (b) Irregularly shaped blocks indented by cul-de-sacs or looped streets, containing interior parks or playgrounds, will be acceptable when appropriately designed, including adequate parking and maintenance of the public or joint-use areas.
- (3) In any residential block exceeding 500 feet in length, a mid-block pedestrian crossing (crosswalkway) shall be required at approximately the midpoint (or as close as feasible to provide convenient, direct access) to community open space, schools, playgrounds, shopping centers, parks, or other community facilities. The mid-block crossing shall:
- (a) Have a minimum clear width of 10 feet, with a minimum 5-foot wide marked crosswalk (ladder-style or zebra per MUTCD).
  - (b) Comply fully with ADA and PROWAG requirements (U.S. Access Board guidelines, as adopted by MDOT SHA), including:
    - [1] Curb ramps at both ends with running slopes  $\leq 1:12$ , cross slopes  $\leq 1:48$ , level landings (min. 36 inches x 48 inches), and detectable warnings (truncated domes, 24 inches deep).
    - [2] Accessible surfaces free of gaps  $> \frac{1}{2}$  inch, changes in level  $> \frac{1}{4}$  inch (or beveled if  $\frac{1}{4}$ – $\frac{1}{2}$  inch), and slip-resistant materials.
    - [3] Clear pedestrian access route (min. 60 inches wide where crossing medians/refuges if applicable).
    - [4] Be designed and located to ensure safe visibility (per AASHTO Green Book sight distance guidelines), with enhancements such as refuge islands (if multi-lane), high-visibility markings, signage, and lighting as determined by the Department of Public Works.
    - [5] The Planning Commission or Department of Public Works may require additional or adjusted mid-block crossings based on site-specific pedestrian demand, traffic analysis, or proximity to destinations. All designs shall be reviewed for ADA compliance by a qualified professional and conform to the Town of Denton Standard Specifications and Details for Public Works Construction and MDOT SHA standards.

#### F. Lots.

- (1) The lot arrangement, design, and orientation shall be such that all lots will provide satisfactory building sites properly related to topography and the character of surrounding development.
- (2) The dimensions and areas of all lots shall comply with the zoning district's requirements in which they are located, as provided in Chapter 128 (Zoning).
- (3) Depth-to-Width Ratio.

- (a) Lot depth-to-width ratios should generally not exceed two to one (2:1) as a desirable maximum for conventional single-family lots.
- (b) Flexibility in this ratio is encouraged and may be granted for innovative housing types (e.g., cottage courts, townhouses, attached dwellings, or compact clusters) upon approval by the Planning Commission. The Commission shall evaluate proposals based on their ability to maintain livability, access, privacy, drainage, and compatibility with the surrounding neighborhood.
- (4) Corner lots shall desirably have extra width to permit appropriate building setbacks from both streets per Chapter 128, Zoning.
- (5) Every lot in a major subdivision shall abut and have access to a public street. Every lot in a minor subdivision shall abut and have access to a public street or, with the approval of the Planning Commission, a private street.
- (6) Double-frontage and reverse-frontage lots shall be avoided, except where their use is essential to overcoming unique topographic problems or to separating residential development from heavy street traffic.
- (7) Residential lots fronting or abutting major arterial or major collector streets should ideally have greater lot depths and deeper building setbacks, including a buffer strip of berms and plantings.
- (8) Insofar as possible, side lot lines shall be substantially at right angles or radial to the street line, except where a variation to this requirement will provide an improved street and lot layout.
- (9) The size and shape of lots intended for single-family residential use shall be sufficient to permit the ultimate provision of a garage on each lot, except that the Planning Commission may permit the grouping of garages into a compound serving several such lots.

#### G. Easements.

- (1) Where alleys are not provided in appropriate locations, easements of not less than ten (10) feet in width shall be provided where necessary to meet public utility requirements. Easements of greater width may be required along lot lines or across lots, as necessary, to extend trunk sewers or other primary utility lines.
- (2) Where a proposed subdivision is traversed by any stream, watercourse, or drainageway, the subdivider shall make adequate provision for the proper stormwater management of surface water, including the provision of easements along such streams, watercourses, and drainageways.
- (3) Utility Easements and Stormwater Facilities in Open Space.
  - [a] Utility easements may be permitted in private rights-of-way or joint-use open space areas at the discretion of the Planning Commission when justified by subdivision design needs.
  - [b] Stormwater management facilities are prohibited in designated open space areas, except for minor Environmental Site Design (ESD) practices such as swales, vegetated filters, or other low-impact techniques. All stormwater management shall conform to MDE requirements under COMAR 26.17.02 and the Maryland Stormwater Design Manual, prioritizing ESD to the Maximum Extent Practicable (MEP). Any exceptions require Planning Commission approval and demonstration of minimal impact on open space functions.
- (4) Construction Within Easements.

[1] No building, structure, including propane gas farms, or other permanent improvement shall be constructed on any easement without the prior written authorization of the Mayor and Council, following review and recommendation by the Planning Commission.

[2] The Planning Commission shall review the request for consistency with subdivision design standards, utility needs, and these Regulations, and forward a recommendation to the Mayor and Council for final action. Where a proposed greenway shown in the Comprehensive Plan of the Town of Denton or Caroline County crosses a proposed subdivision, a greenway public use easement of at least twenty-five (25) feet shall be provided.

#### H. Public sites and open spaces.

- (1) Where the proposed subdivision includes lands proposed for use as open space, recreation and parks, playgrounds, playfields, public landings, and/or school sites under the Comprehensive Plan, the subdivider shall indicate the location of such lands on the subdivision plat and shall dedicate such lands to the appropriate jurisdiction.
- (2) Open spaces shall be designed as functional, accessible amenities (e.g., pocket parks, community gardens) rather than residual undeveloped areas. Deemed essential by the Planning Commission, upon consideration of the type and size of development proposed in the subdivision, the subdivider may be required to dedicate open space, sites, and recreational facilities of a character, extent, and location suitable to meet the needs of such development.
- (3) In lieu of dedicating such additional areas, they may be reserved for all property owners' common use in the proposed subdivision through deed restrictions. Additional requirements for common open space, use areas, and/or facilities are set forth in Article XII of Chapter 128, Zoning.

I. Drainage and storm sewers. The design of all drainage and stormwater facilities shall comply with Chapter 106, Stormwater Management, and the Denton Public Works Details and Specifications Manual requirements. Low Impact Development (LID) techniques (e.g., bioswales, rain gardens) are prioritized over traditional storm drains, aligned with Maryland's Environmental Site Design (ESD) standards.

#### J. Green Infrastructure.

- (1) Subdivisions shall implement Green Infrastructure through Environmental Site Design (ESD) to the Maximum Extent Practicable (MEP) per MDE regulations (COMAR 26.17.02) and the Maryland Stormwater Design Manual. Low Impact Development (LID) techniques (e.g., permeable pavements, bioswales, disconnection practices) shall be prioritized within ESD to manage at least 50% of stormwater on-site, as required by Chapter 106, Stormwater Management.
- (2) Urban tree canopy shall be maximized, targeting 30% coverage of the subdivision area to provide shade, reduce heat island effects, improve air quality, and support stormwater benefits. All designs shall comply with the Town of Denton Standard Specifications and be reviewed for ESD MEP compliance.

K. Major subdivisions shall install conduits for future fiber-optic or 5G networks and incorporate smart technologies, such as energy-efficient lighting, as approved by the Town Engineer.

### § 73-7. Preliminary plat.

A. General requirements. The preliminary plat of the proposed subdivision shall comply with the following general requirements concerning style and content:

- (1) It shall be prepared by a registered land surveyor, preferably at a scale of one inch to 50 feet, but, in any case, at a scale not smaller than one inch to 100 feet.
  - (2) It shall provide all the pertinent information on existing site conditions, property ownership, and the like, which may be necessary for the Planning Commission to consider the proposed subdivision adequately, and such information shall be accurate and reliable.
  - (3) It shall show the general plan for the ultimate development of the property, including so much of the surrounding areas as may be necessary for an adequate consideration of the land to be subdivided. Such a plan shall be accurately drawn to scale, but surveyed dimensions are not required.
- B. Information to be shown. The preliminary plat shall be drawn clearly and legibly and shall contain the information required for preliminary plats shown in Appendix 1 at the end of this chapter. In addition, the preliminary plat shall include digital submissions in GIS-compatible formats (e.g., shapefiles) alongside traditional prints to facilitate data integration and analysis.
- C. Supporting statements. Accompanying the preliminary plat shall be the following written and signed statements in support of the subdivider's application for tentative approval:
- (1) Statements explaining how and when the subdivider proposes to provide and install required water supply, sewers or other means of sewage disposal, street, pavements, curbs and gutters, stormwater management facilities, and private utilities, including but not limited to electricity, telephone, cable, and propane or natural gas.
  - (2) Statement concerning any proposed deed restrictions to be imposed by the subdivider (owner).
  - (3) For major subdivisions in the Denton Critical Area, the 100-year Floodplain, and/or the Conservation Corridor on Map 6-8 in the 2020 Denton Comprehensive Plan, a climate resilience assessment of the impacts of sea level rise, storm surge, increased storm intensity, wetlands loss, and forest cover changes. The assessment will evaluate vulnerabilities, propose mitigation measures, and discuss implications for subdivision design to ensure long-term resilience and sustainability.

**§ 73-8. Improvements.**

A. Required improvements by the subdivider.

- (1) Except for the roadway-wearing surface, the subdivider shall be required to provide and install all improvements in the subdivision as a condition for approval of the final plat by the Planning Commission. All such required improvements shall be constructed in accordance with the minimum requirements of these regulations and the construction standards and specifications adopted by the Town Council or other government agencies that may have jurisdiction over a particular improvement. However, nothing contained herein shall be construed as prohibiting the subdivider from installing improvements meeting higher standards than the minimum requirements.
- (2) Before filing the final as-built plat with the Planning Commission, the required improvements shall be completed, inspected, and approved by the proper authorities, except that, in lieu of completing all improvements before submission of the final plat, the subdivider may furnish Town of Denton with a cash deposit, a secured line of credit, or a performance bond executed by a surety company and running to the Town.
  - (a) Such financial instruments shall be in an amount sufficient to cover the cost of the improvements required to be installed.

- (b) Such financial instruments shall be in place before the time that such improvements are needed to serve buildings placed on abutting lots.
- (c) The cost of required improvements shall be estimated by the Engineer or other authority having jurisdiction. In the event of any dispute concerning the amount of cash deposit or bond required, the Town of Denton shall make the final decision based on at least two additional cost estimates.

B. Inspections, warranties, and bonding.

(1) Inspection of improvements.

- (a) Before commencing construction, the developer shall notify the Town Engineer of the proposed construction schedule. The developer shall also conduct an on-site preconstruction meeting with representatives from the Caroline Soil Conservation Service (SCS), Maryland Department of the Environment (MDE), Denton Public Works, and Planning and Codes.
- (b) Pursuant to the developer's notification, the Town Engineer shall inspect the required improvements during the initial construction phase and periodically thereafter, as may be required, to ensure proper adherence to this chapter.
- (c) The Town Engineer shall submit reports to the Town specifying those items of construction, material, and workmanship that do not comply with the Town construction standards or the approved final plan.
- (d) The developer, upon notification from the Town, shall proceed at his own cost to make such corrections as shall be required to comply with the Town construction standards and approved final plans and shall notify the Town Engineer upon completion, requesting a final inspection.
- (e) If such inspection reveals that the repair work is not in accordance with approved plans and the Town construction standards, the Planning and Codes, at the request of the Town Engineer, may suspend subdivision approval and issue a cease-and-desist order, which may include any or all the following sanctions:
  - [1] That no lot or subdivision shall be conveyed or placed under an agreement of sale;
  - [2] All construction on any lots for which a building permit has been issued shall cease; and/or
  - [3] No further building permits for any lots shall be issued.
- (f) The cease-and-desist order shall be terminated upon a determination by the Town Engineer that said defects and deviations from plan requirements have been corrected.
- (g) No underground pipes, structures, subgrade, subbase, or base course shall be covered until inspected and approved by the Town Engineer.
- (h) The developer shall notify the Town's designated representative at least 48 hours in advance of the completion of any construction operations requiring an inspection.
- (i) The Town Engineer shall make a final inspection with the developer of all required improvements.
- (j) Within thirty (30) days after completion and Town approval of the subdivision or land development improvements as shown on final plans and before Town acceptance of such improvements, the developer shall submit to the Town as-built plans, showing actual dimensions and conditions of

streets and all other improvements, certified by a professional engineer to be in accordance with actual construction. Digital submissions in GIS-compatible formats (e.g., shapefiles) shall be provided alongside traditional prints to facilitate data integration and analysis.

- (k) The Town Council shall notify the developer of acceptance of the required improvements if satisfied that the developer has complied with all specifications and ordinances of the Town.

(2) Bonding.

- (a) The developer shall deposit with the Town financial security in an amount sufficient to cover the construction cost of all improvements required by the approved final plans.
- (b) Financial security required herein shall be in the form of a federal or state-chartered lending institution's irrevocable letter of credit, a restrictive or escrow account in such institution or with a financially responsible bonding company, or such other type of financial security which the Town may, in its reasonable discretion, approve. The bonding company may be chosen by the party posting the financial security, provided that the bonding company or lending institution is authorized to conduct business within the state and agrees to submit to Maryland jurisdiction and Caroline County venue in the event of legal action.
- (c) Said financial security shall provide for and secure to the public the completion of all improvements required by the approved final plans for which such security is being posted on or before the completion date fixed in the formal action of approval or development agreement.
- (d) The final plan shall not be signed or recorded until the financial improvements agreement is executed. The resolution of contingent approval shall expire and be deemed revoked if the financial security agreement is not executed within ninety (90) days, unless the Town grants a written extension.
- (e) The amount of financial security shall be equal to 125% of the cost of completing all improvements required by the approved final plans. The amount of the financial security shall be based on an estimate of the cost of completing the required improvements, prepared by a licensed professional engineer or a contractor, and submitted by the developer for review and approval by the Town Engineer.

(3) Release from performance guaranty (initial construction).

- (a) Partial release of performance guaranty. As the work of installing the required improvements proceeds, the party posting the financial security may request that the Planning and Codes Department and/or Denton Public Works release, or authorize to be released, from time to time, such portions of financial security as are necessary for payment to the developer performing the work. Any such requests shall be in writing and addressed to the Director of Planning and Codes or the Director of Denton Public Works. The Town shall have sixty (60) days from receipt of such request within which to allow the Town Engineer to certify, in writing, that such portion of the work upon the improvements has been completed in accordance with this chapter and the approved plans. Upon such certification, the Town may authorize the bonding company or lending institution to release an amount estimated by the Town Engineer to represent the fair value of the improvements completed. In certifying the completion of work for a partial release, the Town Engineer shall not be bound by the amount requested by the developer but shall certify to the Town his/her independent evaluation of the proper amount of partial release. Before final release upon completion and certification by the Town Engineer, the Town may require retention of 10% of the estimated cost of the improvements above.
- (b) Incomplete improvements. If the required improvements are not completely installed within the

period fixed or extended by the Town, the Town shall declare the financial security in default to collect the amount payable thereunder. Upon receipt of such amount, the Town shall install such improvements as were covered by the security and are commensurate with the extent of building development that has taken place in the subdivision or land development, not exceeding in cost; however, the amount collected upon the security.

- (c) Release in full. When the developer has completed all necessary and appropriate improvements, they shall notify the Planning and Codes Department in writing by certified or registered mail of the completion of the aforesaid improvements. The developer shall send a copy thereof to the Town Engineer for inspection of all the aforesaid improvements. The Town Engineer shall, thereupon, file a report in writing with Planning and Codes and shall promptly mail a copy of the same to the developer by certified mail. The report shall be made and mailed within a reasonable period after receipt by the Town Engineer or the aforesaid authorization from Planning and Codes. The said report shall be detailed and shall indicate approval or rejection of said improvements, either in whole or in part. If said improvements, or any portion thereof, shall not be approved or shall be rejected by the Town Engineer, said report shall contain a statement of reasons for such non-approval or rejection.
- (d) Notification. Planning and Codes shall notify the developer, in writing by certified mail, of Planning and Codes' action on the approval, non-approval, or rejection of improvements.
- (e) Rejection of improvements. If any portion of said improvements is not approved or is rejected, the developer shall proceed to complete those improvements. Upon completion, the same notification procedure outlined herein shall be followed.
- (f) Maintenance of improvements. The developer shall be responsible for maintaining all subdivisions or land development improvements until such improvements are offered for dedication and are accepted by the Town. Also, 10% of the performance guarantee shall be held back by the Town until the developer has posted the maintenance guarantee and as-built plans are verified and accepted by the Town.
- (g) Maintenance Guarantees (Maintenance Period).

[1] Where the Town of Denton accepts dedication of all or some required improvements following completion and final inspection, the developer shall post financial security to guarantee the structural integrity and proper functioning of the improvements in accordance with the approved final plans, specifications, and these Regulations.

[2] The security shall be in the same form as authorized for the performance guarantee (e.g., surety bond, irrevocable letter of credit, or cash escrow). It shall be an amount equal to 10% of the actual costs of installing the dedicated improvements. The guaranty shall cover a period of two (2) years from the date of acceptance of dedication.

[3] During the maintenance period, the developer shall, at no cost to the Town, correct any defects in materials or workmanship that appear and are reported in writing to the developer. Upon satisfactory completion of the maintenance period with no outstanding defects, the security shall be released in full. If defects require repair beyond the original term, the Town may extend the guaranty (and retain a portion of the security) until the repairs are completed and accepted.

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

- (1) Roads and streets.

- (a) All new roads and streets shall be constructed per the minimum requirements of these regulations and the minimum construction standards as indicated in the Public Works Details and Specifications Manual, as amended by the Director of Public Works. Existing roads and streets that do not meet these specifications regarding width or type of construction shall be widened and brought into conformity on that portion of the road or street within or adjoining the subdivision.
  - (b) The roadbed and roadway wearing surface shall be constructed in accordance with applicable Town standards (see the Public Works Details and Specifications Manual). Curbs and gutters shall be provided in all subdivisions where the average lot area is less than one acre. Where curbs and gutters are not required, stabilized shoulders and stabilized drainageways outside the shoulders shall be provided. Street name signs of an approved design shall be erected at each new street or road intersection. All stormwater facilities shall be maintained by the property owner and/or the applicable homeowners' association. Provisions for maintenance and assessment of maintenance costs shall be provided in a form acceptable to the Town.
- (2) Stormwater facilities. The subdivision shall be provided with such storm drains, culverts, drainageways, or other works necessary to collect and dispose of surface and stormwater originating on or flowing across the subdivision to prevent inundation and damage to streets, lots, and buildings. All stormwater facilities must conform to the requirements of Chapter 106, Stormwater Management, which aims to manage stormwater through environmental site design to the maximum extent practicable.
- (3) Public Water and Sewer Requirement. No subdivision plat shall be approved or recorded in the Town of Denton unless the proposed development is served by the Town's public water and public sanitary sewer systems. Private on-site water supply (wells) or sewage disposal (septic) systems are prohibited in all new subdivisions. All subdivisions shall demonstrate public water and sewer availability, capacity, and allocation (including any required extensions) prior to approval. Connections and extensions shall be constructed by the developer in accordance with the Town of Denton Standard Specifications and Details for Public Works Construction, MDE standards, and the Caroline County Comprehensive Water and Sewerage Plan, at no cost to the Town.
- (4) Plantings.
- (a) The Planning Commission shall require street trees and other landscaping on all new streets and parking lots per Article X requirements of Chapter 128, Zoning. The proposed location and the plant material species to be used shall be subject to the Planning Commission's approval. Trees are to be placed behind the sidewalk, not between the sidewalk and the road.
  - (b) All residential lots shall be planted with at least one one-and-one-half-inch diameter yard tree, in addition to buffers, forestation, or critical area requirements. Yard tree species and quantities shall meet Town arborist specifications. A tree warranty is required for one year after acceptance by the Town.
- (5) Sidewalks, pedestrian paths, and cycleways. The minimum width of sidewalks shall be five feet along all streets. Where the Planning Commission determines that projected pedestrian traffic volumes warrant it, a wider sidewalk may be required. The construction specifications for sidewalks shall comply with the Public Works Details and Specifications Manual, as amended by the Director of Public Works.
- (a) Sidewalks may be required on all streets; sidewalks may be placed on at least one side of any road and may be required on both sides of the street at the Planning Commission's discretion.
  - (b) Where a development fronts on an existing state road, county road, or Town street and where a sidewalk terminates at the property line of the proposed development, the sidewalk shall be extended along the entire road frontage of the proposed development.

- (c) Pedestrian and cycle paths shall be provided in accordance with the Denton Comprehensive Plan's transportation element. Pedestrian-only paths shall be at least five (5) feet wide. Shared cycle and pedestrian paths shall be at least eight (8) feet wide.
- (d) All sidewalks and pedestrian paths shall be Americans with Disabilities Act (ADA) compliant.
- (6) Streetlighting. Purchase and installation of the required lighting shall be the subdivider's responsibility, in accordance with the Public Works Details and Specifications Manual, as amended by the Director of Public Works. Energy-efficient LED lighting with smart controls (e.g., motion sensors and dimming capabilities) is required to reduce energy use.
- (7) Driveways, Driveways shall be designed in conformance with the following requirements:
  - (a) The minimum width of driveways is as provided in the Denton Standard Specifications and Details for Public Works Construction.
  - (b) Driveways on corner lots shall be located at least 40 feet from the point of intersection of the nearest street right-of-way lines.
  - (c) To provide a safe and convenient means of access, grades on private driveways should not exceed 8% unless specifically authorized by the Town, and in no case shall the grade exceed 5% for the first 30 feet of the driveway as measured from the road cartway. The minimum slope shall not be less than 1.0%.
  - (d) Sight distance from a point on the driveway 10 feet from the edge of the public road cartway upon which the driveway opens shall not be less than 150 feet in either direction with respect to the view of oncoming traffic.
  - (e) All driveways shall be located, designed, and constructed in such a manner as not to interfere or be inconsistent with the design, maintenance, and drainage of the street.
- (8) Site grading. An overall site grading plan, including detailed requirements for minimum and maximum slopes, grading around structures, ditch/swale grading, retaining walls, etc., shall be provided by the developer. The site grading plan shall conform to the requirements of Chapter 49, Erosion and Sediment Control.
- (9) Community facilities. All residential plans submitted to the Planning Commission, preliminary or final, will be referred to the Caroline County Board of Education for an advisory report and recommendation.
- (10) Public Utilities.
  - (a) The subdivider shall place or cause to be placed underground extensions of electric distribution lines, telephone distribution lines, and broadband infrastructure necessary to furnish permanent residential electric, telephone, and high-speed internet service to all residential units in new residential developments. Such installations shall comply with the rules and regulations of the Public Service Commission of Maryland (as originally adopted July 1, 1968, and subject to further orders of that Commission). Depending on proximity to existing facilities, the Planning Commission may require major subdivisions to install EV charging stations in public areas or designate spaces for future installation. In addition, solar-ready designs or microgrid systems for new subdivisions are encouraged.

- (b) Broadband infrastructure, including conduit and related facilities for high-speed internet service, shall be extended underground to serve the subdivision in a manner that supports current and future needs. The broadband conduit shall be owned by the Town and included among other town-owned utilities (e.g., water and sewer lines). All broadband infrastructure shall be installed and constructed to meet the specifications outlined in the Denton Department of Public Works Standard Specifications and Details for Public Works Construction. The Town-owned conduit shall be installed to facilitate open access or future provider connections consistent with applicable laws and regulations, ensuring compatibility with town utility standards and long-term public benefit.
  - (c) For nonresidential major subdivisions or developments (including commercial, industrial, or mixed-use with a nonresidential component), the Planning Commission may require or encourage the installation of underground broadband conduit extensions or related infrastructure where deemed necessary or beneficial for adequate public facilities, economic development, or compatibility with adjacent residential areas.
- (11) Off-street parking. Applicability. Every subdivision plan submitted to the Planning Commission for approval shall provide off-street parking spaces and facilities in accordance with the requirements of Chapter 128, Zoning.
- (a) Design.
    - [1] Parking spaces and all access and maneuvering space for off-street parking shall be surfaced and maintained with a dustless, all-weather material, except for single-family and two-family dwellings.
    - [2] Every parking facility shall have a safe and efficient means of vehicular access to a recorded street.
    - [3] No driveway serving a parking facility shall be closer than 7 1/2 feet to a side property line.
    - [4] No parking space shall be located to permit parking in any yard or court closer than five feet to any door, window, or other openings of a dwelling, institution, or other property.
    - [5] In the design of off-street facilities for multiple dwellings, the public right-of-way shall not be obstructed by using the same as aisle space or maneuvering space. Each off-street parking facility shall provide sufficient maneuvering space within the boundaries of the lot or lots on which it is located. It shall be so designed that no unreasonable difficulty or inconvenience will be entailed in making necessary maneuvers for parking and removing a vehicle. Maneuvers shall not entail driving over any other required parking space. The layout of parking areas shall conform to the minimum dimensions for spaces and accessways.
    - [6] Each parking facility shall be so designed that ingress or egress to a parking space entails no backing maneuver across a sidewalk or established footway or a backing maneuver into or from the public right-of-way.
    - [7] Neither the turnaround diameter nor a cul-de-sac or rotary shall be used for the parking of vehicles.

- [8] In a multifamily residential subdivision, no parking area shall exceed 108 feet in length. No portion of a motor vehicle shall be closer than 20 feet from the right-of-way line of a public street.
- [9] All lighting and fixtures shall comply with the requirements of Chapter 128, Article XI, and the standards outlined in the Public Works Details and Specifications Manual as amended by the Director of Public Works.
- [10] At its discretion, the Planning Commission may require off-street parking facilities to be screened by a wall, berm, fence, or compact planting when adjoining the side or rear lot line. Screening, at the time of planting, shall be at least 3 1/2 feet high. Screening shall not be so placed or maintained as to constitute a traffic hazard by obstruction of visibility.
- [11] Drive aisles within parking lots shall conform to the following dimensions to the requirements of Chapter 128, Article VIII.
- [12] Entrance from public or private streets shall conform to the Denton Standard Specifications and Details for Public Works Construction. Additional off-street parking requirements and standards are contained in Article VIII of Chapter 128, Zoning.
- (13) Refuse collection. If refuse is to be collected at points exterior to a residential subdivision structure, such points shall be shielded from view on three sides by screening and landscaping and placed on a pad of concrete, where necessary, in a location approved by the Town. A clear and acceptable pathway to the receptacle for refuse pickup shall be provided. The design and location of all refuse collection areas and facilities shall comply with Denton Town Code Chapter 64, Garbage and Trash.
- (a) In a residential subdivision, if refuse is to be collected at points within a structure, the marginal notes to the subdivision plan shall so indicate.
- (b) In a multifamily, commercial, or industrial subdivision, refuse storage and collection points shall be housed in containers, shielded from view by screening made of brick, masonry, or wood, and completely enclosed and landscaped.
- (14) Street signs.
- (a) Street and alley names. The Town Council may, by resolution, adopt procedures or criteria for naming streets and alleys in the Town, or designate other agencies to review street and alley names in accordance with the county road naming guidelines.
- (b) Improvements required. The subdivider shall pay for Denton Public Works to install a street sign, or street signs, and snow emergency route signs, where determined necessary by Denton Public Works, at every intersection, having thereon the names of the intersecting streets. There shall be at least two such street signs at intersections where streets cross, and, at the intersections where one street ends or joins with another street, there shall be at least one such street sign.
- (c) Construction standards. Street signs and snow emergency route signs shall conform to the requirements of the Public Works Details and Specifications Manual.
- (15) Handicapped accessibility. Whenever curb, gutter, and sidewalk construction is used on public roads, wheelchair ramps for people with disabilities shall be provided at all intersections and other major points of pedestrian flow. Wheelchair ramps and depressed curbs shall be constructed following published standards.

(16) Reference monuments.

- (a) Permanent reference monuments of stone or concrete at least 30 inches in length and four inches square with suitable center points shall be set flush with the finished grade at such locations as may be required by the Planning Commission and the laws of the State of Maryland.
- (b) Each subdivision parcel shall have a reference monument of stone or concrete at least 30 inches in length and four inches square with a suitable center point that shall be set flush with the finished grade at each parcel corner.
- (c) Open space shall have a reference monument of stone or concrete at least 30 inches in length and four inches square with a suitable center point that shall be set flush with the finished grade at each parcel corner.
- (d) Conservation easements shall have a reference monument of stone or concrete at least 30 inches in length and four inches square, with a suitable center point, set flush with the finished grade at each easement corner.
- (e) Monuments of metal pipe, 3/4 inch in diameter and at least 18 inches in length, shall be set flush with the finished grade at all lot corners.
- (f) All monuments shall be specified using NAD83 latitude and longitude coordinates. Coordinates shall be documented on detailed engineering drawings of the monument as it was placed.
- (g) Bonds or other financial surety shall not be released until all monuments are set and inspected by the Town.

D. Improvement plans. Plans, profiles, and specifications for the required improvements shall be prepared by the subdivider and submitted to the appropriate public authorities for approval before construction. Plans and profiles shall be drawn to a horizontal scale of one inch to 50 feet or less and a vertical scale of one inch to 10 feet or less unless the Engineer specifies otherwise. Such plans and profiles shall be sufficiently detailed to show the proposed location, size, type, grade, and general design features of each proposed improvement. The plans, profiles, and specifications to be submitted shall include the following:

- (1) Plans and profiles of each street, showing proposed grades and street intersection elevations.
- (2) Cross sections of proposed streets, showing the width of roadways, present and proposed grade lines, and the location and size of utility mains, taken at intervals of not more than 100 feet along each street center line if required by the Engineer. Such cross sections shall extend laterally to the point where the proposed grade intersects the existing grade, except that in no case shall less than the full width of the street right-of-way be shown.
- (3) Plans and profiles of proposed sanitary sewers and storm drains, with indicated grades and pipe sizes.
- (4) Plans of the proposed water distribution system, showing pipe sizes and all valves and fire hydrants' locations.
- (5) A site plan and details of proposed street trees and other landscaping improvements.
- (6) Plans of proposed curbs, gutters, and sidewalks, including ADA features.
- (7) Plans and profiles of proposed stormwater management facilities.

- (8) Traffic plans.
- (9) Lighting plans.
- (10) Construction details.
- (11) Written specifications for all proposed improvements.
- (12) Calculations as required by Chapter 106, Stormwater Management.

E. Inspection and acceptance.

- (1) All construction work on improvements required herein shall be subject to inspection and approval by the Engineer, Health Officer, and other authorized public officials during and upon completion of such construction work. Upon the completion of each improvement, the subdivider shall furnish the appropriate official with accurate and detailed engineering drawings of the improvement as it was actually constructed.
- (2) The Engineer shall not approve the final as-constructed plat of the subdivision until all required improvements have been satisfactorily completed and approved as complying herewith, or a satisfactory bond has been posted in lieu of such completion. No such bond shall be released until all improvements secured by such bond shall have been completed and approved as complying herewith, provided, however, that a partial release may be approved for such improvements as may have been completed and approved by appropriate officials.
- (3) This improvement guarantee shall be conditioned upon the following:
  - (a) The developer constructing and installing, or causing to be constructed or installed, in strict accordance with the standards, regulations, and specifications of the Town, as finally approved, the required improvements;
  - (b) The developer maintains at his own cost said improvements until the Town accepts the same for community use; and
  - (3) The faithful performance by the developer of the public works and stormwater management agreements.
- (4) Approval of the final plat by the Engineer shall not be deemed to constitute or effect an acceptance by the Town of the dedication of any street or other proposed public way or public grounds shown on said plat. The Town shall have no obligation to accept and to make public any street in a subdivision unless:
  - (a) All required improvements shown on the approved final plat have been constructed in conformity with the required standards and specifications, or
  - (b) A petition signed by the owners of at least 50% of the frontage of the street in question, requesting that the street be taken over and made public, is filed with the Town Council, establishing that the street needs to be taken over and made public.
- (5) The Town shall have no responsibility for any street within a subdivision, notwithstanding the use of such street by the public, unless the street is accepted by resolution of the Town. The street shall be transferred to the Town through a recorded Deed of Dedication approved by the Town Council.
- (6) Acceptance of rights-of-way shall be by deed conveyance in a form acceptable to the Town.

F. Sediment control.

- (1) Nothing in this chapter shall be deemed to relieve any person or corporation of Chapter 49, Erosion and Sediment Control.
- (2) All subdivision applications must incorporate an approved sediment control plan before final approval of the plat.

**§ 73-9. Final plat.**

A. General requirements. The final plat of the subdivision shall comply with the following general requirements concerning style and content:

- (1) It shall comply with the applicable provisions of the laws of the State of Maryland relative to the making of plats. The final plat shall be provided in digital formats: GIS (shapefile or geodatabase), CAD (DWG), and PDF.
- (2) It shall be prepared by a registered land surveyor, preferably at a scale of one inch to 50 feet, but, in any case, at a scale not less than one inch to 10 feet. It shall be drawn on sheets not less than 11 inches by 17 inches and not more than 24 inches by 36 inches in size, including a margin of 1/2 inch outside ruled border lines.
- (3) All dimensions and bearings of lines and all areas shall be based upon a field survey of sufficient accuracy and detail that the data shown thereon may be reproduced on the ground. All distances and the length of all lines shall be given to the nearest hundredth of a foot. Bearings of all lines shall be referenced to the same azimuth and coordinate system as shown on the plat of the official Town controls. Additions to existing subdivisions shall conform to the azimuth and coordinate system of the original subdivision. All bearings shall be given to the nearest minute, and all areas shall be given to the nearest square foot.
- (4) Another final plat of the subdivision, including only lot boundaries, roads, rights-of-way lines, easement areas, and public utilities line work, shall be provided digitally (in shapefile or geodatabase format) or in DXF format compatible with a geographic information system (GIS), and shall utilize the NAD83 coordinate system. Points of beginning coordinates shall tie to official state coordinates to enable alignment with the Town's existing GIS data.

B. Information to be shown. The final plat shall be legibly and accurately drawn. It shall include the information required for the final plats shown in Appendix 1 at the end of this chapter, as well as the following information:

- (1) The Planning Commission shall make a final determination of the plat's completeness and accuracy in accordance with this section's provisions before recording the plat. See Appendix 1 for a complete list of requirements for the final plat. All information requirements outlined in Appendix 1 shall be provided unless the applicant requests and Planning and Codes waives such requirement.
- (2) The final subdivision plat shall be submitted to the Planning Commission, drawn in a manner acceptable to the Circuit Court's Clerk. When more than one sheet is required to include the entire subdivision, all sheets shall be of the same size and shall show appropriate match lines on each sheet and appropriate references to other sheets of the subdivision. A location map for each sheet shall be submitted to the Planning and Codes Department and kept on file. The plat's scale shall be 1 inch to 100 feet or less. The applicant shall also submit 12 prints of the plat and a digital final plat of the subdivision, including only

lot boundaries, roads, rights-of-way lines, easement areas, and public utility line work, in DXF format compatible with a geographic information system (GIS) and utilizing the NAD83 coordinate system. Points of beginning coordinates shall tie to official state coordinates to enable alignment with the Town's existing GIS data.

- (3) The accurately positioned North arrow shall be placed on the plat.
- (4) All plat lines shall be measured horizontally (level). Enlargement of portions of a plat is acceptable in the interest of clarity, where inserts are shown on the same sheet.
- (5) Where a curved line forms a boundary, actual survey data from the point of curvature to the point of tangency shall be shown as standard curve data or as a traverse of bearings and distances around the curve. If standard curve data is used, the bearing and distance of the long chord (from the point of curvature to the point of tangency) must be shown on the face of the plat.
- (6) Where a subdivision of real property is set out on the plat, all streets, easements, and lots shall be carefully plotted with dimension lines indicating widths and all other information pertinent to reestablishing all lines in the field, including bearings and distances sufficient to form a continuous closure of the entire perimeter.
- (7) Permanent reference monuments, shown on the plat, shall be placed. Such permanent reference monuments shall be stone or concrete at least 30 inches in length and four inches square with suitable center points and shall be set flush with the ground and finish grade. Concrete monuments shall be placed on road rights-of-way where street direction changes, at all intersections of streets; at all intersections of streets and alleys with subdivision boundary lines; at all points on boundary lines where there is a change in direction or curvature. The Town shall approve all locations. All monuments shall be in place when finish grading is completed. Monuments shall be placed at all block corners and angle points required by the Town Engineer, who shall also approve the material, size, and length of such monuments. A Maryland registered land surveyor shall set monuments, record their geographic position system (GPS) coordinates with sub-meter accuracy, align them with modern surveying standards, and mark them on the plat. It shall be the developer's responsibility to have these monuments placed before the Town of Denton accepts the streets, and they shall be guaranteed in the public works agreement. The developer shall be responsible and pay all costs necessary to replace any Town grid monuments or control points disturbed by his development activities. A Maryland-registered surveyor shall replace such monuments to ensure they are accurately placed. Such payments to restore monuments are to be secured by a public works agreement.
- (8) If the Planning Commission disapproves the final plat, the applicant shall be furnished with a written statement of the reasons for the disapproval.
- (9) Approval of a final plat is contingent upon the plat being recorded within one (1) year after the Planning Commission or its designee signs the approval certificate. The subdivider will furnish copies of the recorded plat to all applicable county and state agencies, as directed by the Town. If the final plat is not recorded within one (1) year, the Planning Commission's approvals will become null and void.
- (10) Street and development names shall not be the same nor closely approximate, phonetically or in spelling, to the name of any other street in Denton or the Denton Fire Company's jurisdiction. They shall meet Caroline County Emergency Services' 911 addressing protocol.
- (11) For subdivisions in the Critical Area, accurate outlines (metes and bounds, where required) of the following:
  - (a) 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 forest areas, reforested areas, and

afforested areas.

- (b) Any areas to be maintained for resource protection use (e.g., agriculture, natural parks, forest, etc.).
- (c) Any areas to be maintained as permanent wildlife and plant habitat protection areas.

(12) In addition to the information above, the preliminary plan 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 the Maryland Forest Service and addressing the comments of the Maryland Forest Service.
- (b) A habitat protection plan, including the comments of the Maryland Fish, Heritage, and Wildlife Administration, the Water Resources Administration, and other agencies, as appropriate.
- (c) Stormwater management plan.
- (d) Sediment and erosion control plan.
- (e) Shore erosion protection plan, if applicable.
- (f) Natural park management plan, if applicable.
- (g) An environmental impact assessment that provides a coherent statement of how the proposed development addresses the Denton Chesapeake Bay Critical Area Program's goals and objectives. At a minimum, the environmental impact assessment shall include:

[1] A statement of existing conditions (amount and type of forest cover, wetlands, existing agricultural activities, soil types, topography, etc.);

[2] Description of the proposed development project, including number and type of residential and commercial units, amount of lot coverage, proposed sewer treatment and water supply, acreage devoted to development, proposed open space, and habitat protection areas;

[3] A description of the proposed development's impacts on water quality and habitat protection areas, and

[4] Documentation of all correspondence and findings.

- (h) The total area of the subdivision to be recorded and, where density restrictions apply, the acreage dedicated to development.
- (i) Total area of subdivision or parcels to be recorded in the Critical Area.
- (j) Total number of lots in the Critical Area.
- (k) Residential density in the Critical Area.

C. Certificates and supporting statements. Accompanying the final plat and made a part thereof shall be the following certificates and statements:

- (1) Notarized owner's certificate, acknowledging ownership of the property, and agreeing to the subdivision thereof as shown on the plat, and signed by the owner or owners and any lienholder.

- (2) Notarized owner's statement of dedication, offering all streets, alleys, and other public ways and public grounds for dedication, and constituting an irrevocable offer to dedicate for not less than five years from the date of filing the final plat with the Planning Commission.
  - (3) Certificate of the surveyor that the final plat, as shown, is a correct representation of the survey as made, that all monuments indicated thereon exist and are correctly shown, and that the plat complies with all requirements of this chapter and other applicable laws and regulations.
  - (4) A summary of deed restrictions applicable within the subdivision, including any trust agreements for the operation and maintenance by the property owners in the subdivision of any sewage disposal system, water supply system, stormwater management facility, park area, or other physical facilities that are of common use or benefit, but which are not to be held in public ownership.
  - (5) Certificate of approval by the Health Officer of the means of providing water supply and sewage disposal services for the subdivision.
  - (6) Certificate of approval from the Town Engineer stating that all specifications established by the developer comply with the Town's specifications and desires.
  - (7) Certificate of approval by the Sediment Control Officer that the proposed subdivision is in conformance with Chapter 49, Erosion and Sediment Control.
  - (8) Certificate of approval by the Planning Commission, ready for signature and in a form acceptable to the Planning Commission.
  - (9) Certificate of approval by the Critical Area Commission for any required growth allocation.
  - (10) Certificate of approval by the Director of Planning and Codes, Town Administrator, and Public Works.
- D. Digital As-Built Model. The subdivider shall submit a digital as-built model of all infrastructure, including roads, utilities, and stormwater facilities, in a GIS-compatible format to be maintained by the Town for asset management purposes.

**§ 73-10. Adequate public facilities.**

A. General.

- (1) Unless expressly indicated otherwise, this section's provisions shall apply only to major subdivisions and multifamily development projects.
- (2) The Planning Commission shall review all subdivisions and site plans to determine whether existing or planned public facilities are adequate to serve the subdivision's needs. If the Planning Commission determines that adequate public facilities do not exist or will not be available when required, it may deny site plan and/or plat approval.
- (3) Public facilities that may be considered under this section include, but shall not be limited to, sewer, water, roads, drainage, schools, fire protection, and solid waste collection and disposal.

B. Sewer.

- (1) An adequate public sewerage system shall serve the proposed development.

- (2) A public sewerage system shall be considered adequate if, taking into account demands generated or projected to be generated by existing connections, buildings under construction that will be connected to the system, buildings unconnected but required by law to connect to the system, buildable approved lots for which building permits have not been issued in active developments served by the system, other buildable approved lots adjusted for the degree of inactivity, application of any water and/or sewer rules and regulations, and other proposed developments to be served by the system for which sewer allocation has been approved:
  - (a) Lateral systems to serve the proposed development are designed to accommodate expected ultimate peak flows from the development.
  - (b) Interceptors serving the proposed development have sufficient available capacity to accommodate ultimate peak gravity flows from the development, with adjustments for pump flows, where applicable.
  - (c) Pumping stations and force mains in the service area have sufficient available capacity to accommodate expected ultimate peak flows from the proposed development and
  - (d) Treatment plants in the service area have sufficient available capacity to accommodate expected peak flows from the proposed development for the hydrologic system and average daily flows for the treatment process.
- (3) The calculations required by Subsection B(2) of this section shall be based upon criteria specified in the Comprehensive Water and Sewerage Plan and the Water Resources Element of the Comprehensive Plan.
- (4) A public sewage system shall also be considered adequate if the Town has awarded, or the developer has posted a bond satisfactory to the Town, a contract for the construction or improvement of the facilities necessary to comply with the requirements of Subsection B(2) of this section and the facilities will be available for use before the issuance of the first building permit for development.

C. Water.

- (1) An adequate public water supply shall serve the proposed development.
- (2) A public water supply system shall be considered adequate if, taking into account demands generated or projected to be generated by existing connections, buildings under construction that will be connected to the system, buildings unconnected but required by law to connect to the system, buildable approved lots for which building permits have not been issued in active developments served by the system, other buildable approved lots (adjusted for the degree of inactivity), and other proposed developments to be served by the system for which final plats have been approved:
  - (a) Source facilities in the service area have sufficient available capacity to provide maximum day demand for the proposed development;
  - (b) Storage tanks in the service area have sufficient available capacity to meet peak-hour demand, in addition to fire flow, for the proposed development.
  - (c) Local pumping stations to provide water to the proposed developments have sufficient available capacity to provide maximum day demand, where storage facilities are available on the discharge side, or have sufficient capacity to provide for fire flow where storage facilities are not available on the discharge side, and

(d) The distribution system can provide the normally required pressure and the minimum residual pressure to the proposed development under fire flow for the planned type of development.

(3) A public water supply system shall also be considered adequate if the Town has awarded a contract for the construction or improvement of the facilities necessary to comply with the requirements of Subsection C(2) of this section, and the facilities will be available for use before the issuance of the first building permit for development.

(4) The calculations required by Subsection C(2) of this section shall be made based on criteria specified in the Comprehensive Water and Sewerage Plan and the Water Resources Element of the Comprehensive Plan.

#### D. Roads.

(1) All development shall have access from a public road adequate to meet existing and projected traffic loads. Off-site road access shall not be hazardous or unsafe by virtue of inadequate site distances, width, vertical alignment, horizontal alignment, drainage, surfacing, grades, or cross-sections.

(2) Where access is from an inadequate public road, no final plat or site plan shall be approved unless and until one of the following is met:

(a) The road is improved by the Town, county, or state, or programmed for improvement during the next year's construction program, or

(b) The developer has elected to place funds in an escrow account to improve the road. The amount of the developer's contribution shall be determined by the Town, with consideration to the Engineer's estimate of the construction cost, the existing average daily traffic count on the road, the estimated traffic volume to be generated by the development upon build-out, and the location of the development with respect to other segments of the Town's road system.

#### E. Stormwater management.

(1) All developments shall have appropriate stormwater management facilities to effectively and efficiently address stormwater requirements as required by Chapter 106, Stormwater Management, and provide drainage for roads and all lots.

(2) The Town Engineer shall advise the Planning Commission on the adequacy of the proposed stormwater management facilities.

#### F. Schools.

(1) Schools serving the area where the development is located shall have adequate capacity to meet residents' educational needs.

(2) The Caroline County Board of Education shall be consulted regarding the adequacy of school facilities.

#### G. Fire protection.

(1) Fire protection services and facilities in the area where the development is located shall be adequate to protect residents' lives and property.

(2) Where necessary, the Planning Commission shall request an evaluation from the appropriate authority of the fire protection services and facilities.

H. Solid waste.

- (1) Solid waste collection facilities serving the area where the development is located shall be adequate to handle the additional waste generated by the development's residents. Refer to Chapter 64.
- (2) If the Planning Commission determines that solid waste collection facilities are inadequate, it may require the developer to provide the necessary facilities.

I. Broadband Infrastructure. Major subdivisions shall demonstrate adequate broadband capacity to support high-speed internet access for all lots, with a minimum speed of 100 Mbps, as verified by the Town or a designated provider.

**§ 73-11. Variances.**

- A. Variances. Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this chapter would result in extraordinary hardship to the subdivider because of unusual topography or other conditions that are not self-inflicted or that these conditions would result in inhibiting the achievement of the objectives of these regulations, and except where expressly allowed, the Board of Appeals as established in Chapter 128, Article XIV may grant a variance from the requirements so that substantial justice may be done and the public interest secured; provided, however, that such variance will not have the effect of nullifying the intent and purpose of this chapter or being contrary to the goals and objectives of the Comprehensive Plan. In no case shall any variance be more than a minimum easing of the requirements. In no instance shall it result in any conflict with the proposals of the adopted Comprehensive Plan or the applicable zoning regulations.
- B. Variance requests shall be referred to the Planning Commission for review and recommendation prior to hearing by the Board of Appeals. The Planning Commission shall provide its findings and recommendations to the Board of Appeals, which shall consider them in rendering a decision.
- C. Approval of modifications and exceptions. In granting a variance, the Board may require such conditions as will, in its judgment, substantially secure the objectives of the requirements so varied, modified, or waived.
- D. Procedure. Applications for variances, modifications, or waivers shall be processed as provided for variances in Chapter 128, Article XIV of the Denton Zoning Ordinance.

**§ 73-12. Revised subdivision plat.**

- A. Request for revisions. A revised plat may involve one or more revisions of any existing subdivision of land or recorded subdivision plat whereby no additional lots are created. The Director of Planning shall determine whether a revision request is major or minor. In no case shall a revised plat create a nonconforming situation or worsen an existing nonconforming situation.
- B. Examples of revisions.
  - (1) Major revisions. Examples of major revisions may include, but are not limited to, relocation or elimination of any public or private road; relocation or adjustment of acreage for any commonly owned open space areas or any reserved lands; or revisions of lot lines that significantly affect the overall layout of the subdivision.
  - (2) Minor revisions. Examples of minor revisions may include, but are not limited to, correcting minor plat or surveying errors, minor changes to plat notations, or changes to lot lines that do not significantly affect the

subdivision's overall layout.

- C. Procedure for major revisions. In the case of a major revision, the application, review, and approval process for minor or major subdivision approval shall be followed as determined by the Director of Planning. The Director of Planning shall also determine the specifications for application documents to be submitted. At a minimum, the revised plat shall clearly show all property lines to be abandoned, as well as any other requested revisions or changes to the existing approved plat. An application fee shall also be required as determined by a fee schedule adopted by the Town Council.
- D. Procedure for minor revisions. In the case of a minor revision, the following application, review, and approval process shall be followed:
  - (1) The application shall be made on the Planning Commission review application form available at the Planning and Codes Office.
  - (2) The application shall be accompanied by an adequate number of paper copies, as determined by the Director of Planning, of the revised plat that clearly shows all property lines to be abandoned, all new property lines, and any other revisions or changes from the existing situation or existing approved subdivision plat.
  - (3) The application shall be accompanied by all other information, plans, and drawings as determined by the Director of Planning.
  - (4) Upon receipt of a completed application, the Director of Planning shall review it. They may refer the application to other county, state, and federal agencies, as applicable, for review, comment, and approval. If the minor revision will impact an existing or approved water or sewer allocation (or private well or septic system) or change the size of an existing lot, the County Health Department shall review the plat. If the minor revision will impact an existing or approved road or street, the Town Engineer shall review the plat. In most other cases, only the Director of Planning is required to review the plat.
  - (5) The revised plat shall be recorded in the land records of the office of the Clerk of the Circuit Court pursuant to § 73-4A.
- E. An appeal of the Planning Director's decision concerning any minor revision may be made to the Denton Board of Appeals per the procedures of § 73-15.

### **§ 73-13. Changes and amendments.**

- A. The Town Council may, from time to time, amend, supplement, or change, by ordinance, the regulations herein established. Any such amendment or change may be initiated by the Town Council or by the Planning Commission. Before acting on any proposed amendment or change, the Town Council shall submit the same to the Planning Commission for its recommendations and report. Failure of the Planning Commission to report within 60 days after its first meeting following the proposal's referral shall be deemed approval by the Planning Commission.
- B. Before approving any proposed amendment or change, the Town Council shall hold a public hearing thereon.
- C. Periodic Review. The Town Council shall review and update these regulations at least every five years to incorporate emerging best practices, state mandates, and community priorities.

### **§ 73-14. Violations and penalties.**

- A. Whoever, being the owner or agent of the owner of any land located within the jurisdiction of these regulations, knowingly or with intent to defraud, 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 land subdivision, before such plat has been approved by the Planning Commission and recorded or filed in the office of the Clerk of the Circuit Court, shall forfeit and pay a penalty of not more than \$1,000 for each lot or parcel so transferred or sold or agreed or negotiated to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or the remedies herein provided. The Town Council may enjoin such transfer, sale, or agreement by action for injunction brought in any court of equity jurisdiction or recover said penalty by civil action in any court of competent jurisdiction.
- B. Every act or omission in violation of this chapter shall be punishable as provided herein. Where such an act or omission is continuing, each day during which such an act or omission continues shall be deemed a separate misdemeanor.
- C. Corrective Action Plans. Violators may be required to submit and implement a corrective action plan, approved by the Planning Commission, to restore environmental or public resources impacted by the violation.

**§ 73-15. Appeals.**

Any person aggrieved or any officer, department, board, or bureau of the Town affected by any decision of the Planning Commission, Director of Planning, or Town Engineer may, within thirty (30) days after the decision appealed from, appeal such decision to the Denton Board of Appeals under the terms and provisions outlined in Chapter 128, Zoning, of the Denton Town Code. Appeals related to environmental or safety requirements must demonstrate compliance with state and federal standards.

## Appendix 1

73 Attachment 1

### Town of Denton Appendix 1 Basic Information Required with Subdivision Plats and Plans

**Note:** All plats and plans must be clear and legible. Incomplete plats will be returned to the applicant for completion and resubmission.

Final plats will include a GIS submittal in NAD\_1983\_StatePlane\_Maryland\_FIPS\_1900, Datum: D\_North\_American\_1983 with metadata.

Item I	Description	Development Stage				
		Concept Plan	Minor Sub. Plat	Subdivision Plats		Checklist
				Prelim.	Final	
<b>I</b>	<b>Project – Plat Information</b>					
1	Name, address of owner, applicant, developer, and lienholder, date of application.	X	X	X	X	
2	Name and address of engineer, land surveyor, architect, planner, and/or landscape architect, as applicable, involved in document preparation.	X	X	X	X	
3	Date of survey.	X	X	X		
4	Seal, signature, and license number of the engineer, land surveyor, architect, and/or landscape architect, as applicable, involved in document preparation. Each sheet must have a surveyor’s seal.	X	X	X		
5	Title block denoting name and type of application, Tax Map sheet, block and lots, parcel, and street location.	X	X	X	X	
7	Existing and proposed zoning of the tract and adjacent property.	X	X	X	X	
8	Adjacent property owners, names, Liber, and Folio.	X	X	X	X	
9	Title, North arrow, and scale (1 = 100’).	X	X	X	X	
10	Appropriate signature block for Planning Commission Chairman, Town Engineer, Director of Planning and Codes, Director of Public Works, or Town Administrator, as applicable, and the Health Department.		X	X	X	
11	Appropriate certification blocks.		X	X	X	

Item I	Description	Development Stage					Checklist Provided/ NA*
		Concept Plan	Minor Sub. Plat	Subdivision Plats			
				Prelim.	Final		
12	Certification and dedication by the owner or owners to the effect that the subdivision as shown on the final plat is made with their consent and that it is desired to record the same.					X	
13	Monumentation, location, and description.	X				X	
14	Standardized sheets 24" x 36" (final: black ink).	X	X	X	X		
15	Metes and bounds survey showing dimensions, bearings, curves, data, lengths of tangents, radii, arcs, chords, and central angles for all center lines and rights-of-way, center-line curves on streets, datum and benchmark, and primary central points approved by the Town Engineer. (The boundary of the proposed subdivision can be a deed plot.)		X	X		X	
16	Acreage of tract to the nearest thousandth of an acre.	X	X	X		X	
17	Date of original and all revisions.	X	X	X		X	
18	Size and location of any existing or proposed structures, with all setback dimensions (for concept plan, general location only, not setbacks). Include storm drains, culverts, retaining walls, fences, stormwater management facilities, sediment and erosion structures.	X	X	X		X	
19	Number of dwelling units.	X	X	X		X	
20	Location, dimensions, bearings, and names of any existing or proposed roads or streets. The location of pedestrian ways and driveways. Right-of-way widths (for concept plans, general locations).	X	X	X		X	
21	All proposed lot lines (width and depth), area of lots in square feet, number of lots, and lot numbers.	X	X	X		X	
22	Location and type of utilities.		X	X		X	
23	Copy and/or delineation of any existing or proposed deed restrictions or covenants.	X	X	X		X	
24	References to protective covenants governing the maintenance of undedicated public spaces or reservations.					X	
25	Summary of repair and maintenance covenants for private streets on the final plat or as a supporting document.		X				
26	Location and size of proposed natural park areas, playgrounds, and other public areas.	X	X	X		X	

Item I	Description	Development Stage					Checklist Provided/ NA*
		Concept Plan	Minor Sub. Plat	Subdivision Plats			
				Prelim.	Final		
27	Any existing or proposed easement (drainage and utility) or land reserved for or dedicated to public use.	X	X	X	X		
28	Location, dimensions of proposed reservations, rights-of-way, open space, buffers, forested areas, along with the means by which these areas will be permanently maintained.	(general)					
29	Designate any private streets, including notation indicating that they are privately owned and maintained, not part of the Town, County, State, or Federal road systems.		X				
30	Statement of owner dedicating streets, right-of-way, and any sites for public use.				X		
31	Development stages or phasing plans (for concept plans, general phasing). Sections numbered by phase.	X (general)		X	X		
32	Total number of off-street parking spaces, including ratio and number of units per space.			X	X		
33	List of required regulatory approvals/permits.	X	X	X	X		
34	List of variances required or requested.	X	X	X	X		
35	Requested or obtained design waivers or exceptions	X	X	X	X		
36	Payment of application fees.	X	X	X	X		
37	Payment of property taxes and corporation taxes.		X	X	X		
38	Community Engagement Documentation: For major subdivisions, the preliminary plat submission must include a summary of community feedback from the required public meeting, prioritizing engagement with overburdened and underserved communities, as per § 73-5.B.			X			
<b>II</b>	<b>Setting -Environmental Information</b>						
39	Total area of the site that will be temporarily and/or permanently disturbed.		X	X	X		
40	All existing streets, watercourses, floodplains, wetlands, or other environmentally sensitive areas on or adjacent to the site.	X (general)	X	X	X		
41	Existing rights-of-way and/or easements on or immediately adjacent to the tract.	X	X	X	X		
42	Topographical features of the subject property from a USGS map or more accurate source at two-foot to five-foot intervals, 50 feet beyond the boundary, with the source stated on maps.	X	X				

Item I	Description	Development Stage				
		Concept Plan	Minor Sub. Plat	Subdivision Plats		Checklist
				Prelim.	Final	
43	Field delineated or survey topo.			X	X	
44	General areas with slopes greater than 15% are shaded and identified as steep slopes.	X	X	X	X	
45	Slope analysis of greater than 15% slopes. These areas shall be shaded and identified as steep slopes.		X	X	X	
46	Forest stand delineation.		X	X	X	
47	Existing system of drainage of the subject site and adjacent sites, and of any larger tract or basin of which it is a part.	X	X	X	X	
48	A 100-year floodplain based on FEMA maps.	X	X	X	X	
49	Tidal and nontidal wetland delineation based on NWI maps and field review.	X	X	X	X	
50	Nontidal wetlands identification based on field delineation/determination.		X	X	X	
51	Location of sensitive areas and their buffers.	X	X	X	X	
52	Location and width of the bufferyards.	X	X	X	X	
53	Soil types based on the county soil survey.	X	X	X	X	
54	Traffic impact study, as required.	X		X	X	
55	Statement of effect on the school district and school bus service, as required.	X	X	X	X	
56	Location of the Critical Area District boundary and Critical Area designation.	X	X	X	X	
57	Number of acres in the Critical Area.	X	X	X	X	
58	Mean high-water line and landward edge of tidal wetlands.	X	X	X	X	
59	Location of existing forested areas to be disturbed by construction. Planting plan approved by the Maryland Forest Service.	X	X	X	X	
60	The known locations of HPAs, the habitat of any threatened or endangered species, and the habitat of any species in need of conservation. Habitat protection plan reviewed by the MD DNR.	X	X	X	X	
61	The location of the Critical Area buffer and the expanded buffer, as required.	X	X	X	X	
62	Hydric and highly erodible soils based on the county soil survey.	X	X	X	X	
63	Natural park management plan, if applicable.				X	
64	Shore erosion protection plan, if applicable.				X	
65	Environmental assessment. For major subdivisions located in the Denton Critical Area, the 100-year Floodplain, and/or the Conservation Corridor (as	X		X		

Item I	Description	Development Stage				
		Concept Plan	Minor Sub. Plat	Subdivision Plats		Checklist
				Prelim.	Final	
	identified on Map 6-8 in the 2020 Denton Comprehensive Plan), a climate resilience assessment, as specified in § 73-7.C(3).					
66	Statement of consistency with the Critical Area Program. For subdivisions in the Critical Area, the preliminary and final plats must include detailed outlines and supporting plans addressing environmental protection requirements, as per § 73-9.B(11) and (12).	X		X		
67	Suitability of Land for Climate Change Impacts. Demonstrate that the land proposed for subdivision is suitable in the context of climate change impacts, resilience, wetland loss and migration, and forest loss, as required in § 73-6.B.	X		X		
68	Environmental Justice Considerations: Demonstrate measures to ensure equitable access to a safe and healthy environment, particularly for overburdened and underserved communities, as outlined in § 73-6.B, as applicable.	X	X	X		
69	Green Infrastructure Integration: Show the incorporation of low-impact development (LID) techniques to manage at least 50% of stormwater on-site, as mandated in § 73-6.J.	X		X	X	
70	Affordability Plan with Environmental Justice Focus: If applicable, the preliminary plat must include an affordability plan that specifies the number, type, and location of affordable housing units, ensuring their placement in low-impact areas, as per § 73-5.C.	X		X		
<b>III</b>	<b>Plats, Improvement Plans, and Construction Information</b>					
71	Information required in § 73-9B.				X	
72	Grading and drainage plans, including roads, drainage ditches, sediment basins, and berms.			X	X	
73	Existing and proposed contour intervals as follows: slope of less than 5% = one foot; slope of 5% to 15% = two feet or less; greater than 15% = as required for construction.			X	X	
74	Proposed street grades, typical cross sections and profiles, right-of-way widths, pedestrianways, and total area of roads.			X	X	
75	Existing and proposed utility infrastructure plans and profiles, including sanitary sewer, water, storm		X	X	X	

Item I	Description	Development Stage					Checklist Provided/ NA*
		Concept Plan	Minor Sub. Plat	Subdivision Plats			
				Prelim.	Final		
	drainage, and stormwater management, as appropriate in the case of minor subdivisions.						
76	Grades and sizes of sanitary sewers and waterlines.			X	X		
77	Direction and distance to water and sewer, if not available on or adjacent to the site, with invert and elevation of sewer.		X	X	X		
78	Certification from the electric and telephone utilities of adequate facilities to serve the proposed development.	X (general)		X			
79	Location of fire hydrants.			X	X		
80	Construction details as required by ordinance.			X	X		
81	Stormwater management plan.		X	X	X		
82	Soil erosion and sediment control plan.		X	X	X		
83	Lighting plan and details, as required.		X	X			
84	Landscape plan and details, including required bufferyards.		X	X	X		
85	Forest conservation plan.		X	X	X		
86	Proposed street names.			X	X		
87	New block and lot numbers.			X	X		
88	Solid waste management plan.		X	X	X		
89	Approved architectural plan and elevations. Statement of compatibility with the Denton Pattern Book		X	X	X		
90	Required county, state, and/or federal approvals, e.g., State Highway Administration, County Public Works, Army Corps of Engineers, DNR wetlands permit/license, MDOE quality certification, MDOE sanitary construction permit, local Health Department approvals.		X		X		
91	Public works agreement and surety.		X		X		
92	Approved 911 plat and rear alley access 911 numbers.		X		X		

**NOTES:**

- X = Item required at the indicated development stage
- A completed Appendix must be submitted with each site plan application.
- In addition to the physical document submission, provide an electronic copy of the full submission package. Electronic files should not be protected.
- Provide as-built drawings at project completion.
- All N/A responses require an explanation, including the item number, on a separate page.