ORDINANCE NO. 772

INTRODUCED BY: _____

AN ORDINANCE OF THE TOWN OF DENTON TO AMEND CHAPTER 73, LAND SUBDIVISION OF THE TOWN CODE TO CORRECT INCONSISTENCIES WITH LOT DEPTH-TO-WIDTH RATIO REQUIREMENTS AND OTHER TYPOGRAPHICAL ERRORS

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WHEREAS, by Ordinance No. 767, the Town of Denton repealed and replaced Chapter 73, Land Subdivision of the Town Code, to adopt revised land subdivision regulations; and

WHEREAS, after adopting Ordinance No. 767, the Town recognized inconsistencies with the lot depth-to-width ratio requirements and other typographical errors within Chapter 73 worth amending; and

WHEREAS, the Denton Planning Commission considered certain revisions to Chapter 73, to address both matters 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 make certain amendments to the Denton Town Code Chapter 73, titled, "Land Subdivision"; and

NOW, THEREFORE, BE IT ENACTED, the Denton Town Council hereby ordains as follows:

SECTION 1: Chapter 73, Section 73-5, is hereby amended as follows:

§ 73-5 Procedure for plat submission and approval.

...

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. **The** 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.

. . .

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 Chapter 128, Zoning, and the applicable provisions of this chapter, except for design guidelines. A departure from the depth-to-width guideline in § 73-6.F(3) shall not disqualify an administrative subdivision** ~~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.

SECTION 2: Chapter 73, Section 73-6, is hereby amended as follows:

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

...

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.

(b) Minor collector streets, commercial, and industrial streets, as provided in the Denton Standard Specifications and Details for Public Works Construction.

(c) Alleys, service drives as provided in the Denton Standard Specifications and Details for Public Works Construction.

~~(b)~~**(d)** Private street**s** as provided in the Denton Standard Specifications and Details for Public Works Construction.

. . .

(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: ~~r~~**R**eference the most current standard.

[2] Collector streets: ~~r~~**R**eference the most current standard.

[3] Minor residential streets: Reference the most current standard.

. . .

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.~~

(a) For newly created conventional single-family lots in a major or minor subdivision, a depth-to-width ration not exceeding two to one (2:1) is a design guideline. It is not a mandatory dimensional standard and shall not, by itself, be grounds to deny a plat or lot-line revision.

(b) This guideline does not apply to:

[1] Administrative subdivisions under § 73-5.J;

[2] Lot-line adjustments, lot combinations, or conveyances that do not create an additional lot;

[3] Nonresidential or mixed-use lots; or

[4] Innovative or attached housing types (cottage courts, townhouses, multiplexes, or compact clusters).

(c) Where the guideline is considered for a conventional single-family lot, the Planning Commission or Planning Director may approve a greater ratio upon a finding that the resulting lot will have adequate building area, access, drainage, privacy, and compatibility with adjoining development.

(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.

SECTION 3: Chapter 73, Section 73-7, is hereby amended as follows:

§ 73-7 Preliminary plat.

. . .

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**s**, pavements, curbs and gutters, stormwater management facilities, and private utilities, including but not limited to electricity, telephone, cable, and propane or natural gas.

. . .

SECTION 4: Chapter 73, Section 73-8, is hereby amended as follows:

§ 73-8 Improvements.

. . .

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

. . .

(7) Driveways.~~,~~ Driveways shall be designed in conformance with the following requirements:

. . .

(13) Street signs.

(a) Street and alley names. **Street names shall be approved by the Town Council.** 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.

SECTION 5: Chapter 73, Attachment 1 – Appendix 1, Basic Information Required with Subdivision Plats and Plans, is hereby repealed and replaced with the table attached hereto as **Exhibit A**.

SECTION 6: If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Denton Town Council hereby declares that it would have passed this Ordinance and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 7: In accordance with § C3-12 of the Town Charter, this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect seven (7) days from and after the date of its final passage and adoption, except that 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 is held.

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 <u>underlined</u>** reflects additions to the Town Code

Exhibit A

Town of Denton
Appendix 1
Basic InformationRequired 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.

		Development Stage				
				Subdivision Plats		Checklist
Item	Description	Concept Plan	Minor Sub. Plat	Prelim.	Final	Provided/ NA*
I	**Project – Plat Information**					
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	
6	A vicinity map at a specified scale (no smaller than 1" = 200') showing location of the tract with reference to surrounding properties, streets, landmarks, streams, etc. Show all of the property owned according to the Tax Map(s) if only part of the property is to be developed.	X	X	X	X	
7	Existing and proposed zoning of 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	

		Development Stage				
				Subdivision Plats		Checklist
Item	Description	Concept Plan	Minor Sub. Plat	Prelim.	Final	Provided/ NA*
11	Appropriate certification blocks.		X	X	X	
12	Certification and dedication by the owner or owners to the effect that the subdivision as shown on the final plat is made with 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	

		Development Stage				
				Subdivision Plats		Checklist
Item	Description	Concept Plan	Minor Sub. Plat	Prelim.	Final	Provided/ NA*
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		
II	**Setting -Environmental Information**					
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			

		Development Stage				
				Subdivision Plats		Checklist
Item	Description	Concept Plan	Minor Sub. Plat	Prelim.	Final	Provided/ NA*
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		

		Development Stage				
				Subdivision Plats		Checklist
Item	Description	Concept Plan	Minor Sub. Plat	Prelim.	Final	Provided/ NA*
	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		
III	**Plats, Improvement Plans, and Construction Information**					
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	

		Development Stage				
				Subdivision Plats		Checklist
Item	Description	Concept Plan	Minor Sub. Plat	Prelim.	Final	Provided/ NA*
	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.