

ARTICLE V GENERAL DESIGN REQUIREMENTS

Section 1. Purpose

The purpose of this article is to establish the basic and minimum design and improvement standards that will be required as a pre-condition to development of any property or in conjunction with the development for lots, streets, utilities, and other physical elements in a subdivision. Standards exceeding these minimum requirements may be provided by the developer or required by the Planning Commission. A major direction of this Article is to promote development that is most harmonious with the existing environment while providing guidelines and standards to protect the public health, safety, and welfare. To achieve this end, development should follow as closely as possible the contour of the land and should be designed to minimize cuts and fills. The developer's engineer shall design the work, and the Town's agent shall review all design work and inspect the improvements during construction.

Section 2. General Site Design Standards

- 1.** A site analysis shall be made of the characteristics of the development site, such as site context, geology and soil, topography, climate, ecology, visual features, past and present use of the site, and existing vegetation, structures, and road networks.
- 2.** Subdivision and Site Design.
 - a.** Design of the development shall take into consideration all existing local and regional plans for the surrounding community.
 - b.** Development of the site shall be based on the site analysis. To the maximum extent practicable, development shall be located to preserve the natural features of the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features.
 - c.** The following specific areas include, but are not limited to, areas that shall be preserved as undeveloped open space, to the extent consistent with the reasonable use of land, and in accordance with applicable state or local regulations:
 - (1)** Unique and/or fragile areas, including tidal and non-tidal wetlands and their buffers as defined in Section 404 of the most current Federal Water Pollution Control Act Amendments and as shown on wetlands maps prepared by the U.S. Fish and Wildlife Service (sketch plat) and field delineated on-site (preliminary and final plat);
 - (2)** Significant trees or stands of trees, defined as the largest known individual trees of each species in the state, large trees approaching the diameter of the known largest tree, or species or clumps of trees that are rare to the area or of particular horticultural or landscape value (see Article XVIII, Part III for Forest Conservation Requirements);

- (3) Lands in the flood plain, as defined in Article II and elsewhere in Town regulations;
 - (4) In the Elkton Critical Area, habitats of endangered wildlife, as identified on federal or state lists. Particular attention shall be given to fish spawning areas, rare, threatened, or endangered species habitat, Habitat Protection Areas as identified in Program 9 of the Elkton Critical Area Program and other ecologically significant features;
 - (5) Historically significant structures and sites, as listed on Federal, State, County, or Town lists of historic places.
 - (6) Sensitive Areas for which special standards, designed to protect these areas from the adverse effects of development, have been included in the Elkton Zoning Ordinance (See Article XVIII, Part IV) including:
 - (a) Streams and their buffers;
 - (b) 100-year floodplain;
 - (c) Habitats of threatened and endangered species;
 - (d) Steep slopes; and
 - (e) Any other areas determined by the Town.
- d.** The development shall be laid out to avoid adversely affecting ground water and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties.
 - e.** Development in the Chesapeake Bay Critical Area shall also comply with the design standards of Elkton Critical Area Program and the Elkton Zoning Ordinance (See Article IX, Part IV).
 - f.** Stormwater Management
 - (1) No final plat of subdivision shall be approved unless a plan for stormwater management is submitted by the developer as appropriate and approved by the Town Engineer.
 - (2) Subdivisions may be exempted from this provision if it qualifies for an exemption as provided in Elkton's Stormwater Management Ordinance and such waiver is approved by the Mayor and Commissioners. However, subdivisions located in Intensely Developed Area (IDA) of Elkton's Critical Area shall not be

exempted from the requirement that pollutant loadings leaving the site be reduced by at least ten (10) percent of pre-development loadings.

- (3)** In the event that storm water must be managed or contained, stormwater management facilities shall be planned, designed, improved, and constructed as required in accordance with Elkton's Stormwater Management Ordinance.

3. Residential Development Design.

- a.** Newly platted and configured residential lots shall front on residential access or sub-collector streets, not on collector or arterial streets or roads.
- b.** Every lot shall have sufficient access to it for emergency vehicles, as well as for those needing access to the property in its intended use.
- c.** The placement of units in residential developments shall take into consideration topography, privacy, building height, orientation, drainage, and aesthetics.
- d.** Buildings shall be spaced so that adequate privacy is provided for units.
- e.** Residential structures shall be located and sited to facilitate pedestrian and visual access to common open space whenever possible.
- f.** Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians.
- g.** Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationships between development and the land.
- h.** Individual lots, buildings, and units shall be arranged and situated to relate to surrounding properties, to improve the view from the view of buildings, and to lessen areas devoted to motor vehicle access.
- i.** Individual lots, buildings, units, and parking areas shall be situated to avoid the adverse effects of shadows, noise, and traffic on the residents of the site.
- j.** Solar access and conservation of energy shall be encouraged.

4. Commercial and industrial developments shall be designed according to the same principles governing the design of residential developments; namely, buildings shall be located according to topography, with environmentally sensitive areas avoided to the maximum extent practicable; factors such as drainage, noise, odor, and surrounding land uses considered in siting buildings; sufficient access shall be provided; and adverse impacts buffered.

5. Circulation System Design.

- a.** The road system shall be designed to permit the safe, efficient, and orderly movement of traffic; to meet, but not exceed the needs of the present and future population served; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.
- b.** In residential subdivision, the road system shall be designed to serve the needs of the neighborhood and to discourage use by through traffic except where the subdivision street implements any aspect of the Transportation Plan element of the Elkton Comprehensive Plan.
- c.** The pedestrian system shall be located as required for safety. In conventional developments, walks shall be placed parallel to the street, with exceptions permitted to preserve natural features or to provide visual interest. In planned developments, walks may be placed away from the road system, but they may also be required parallel to the street for safety reasons.
- d.** Bikeways shall be required only if specifically indicated in the General Development or master plan.

6. Landscape Design.

- a.** Reasonable landscaping should be provided at site entrances, in public areas, and adjacent to buildings. The type and amount of landscaping required shall be allowed to vary with the type of development, except that the Bufferyard provisions of Article XVIII, Part I shall be complied with as required.
- b.** The plant or other landscaping material that best serves the intended functions shall be selected. Landscaping materials shall be appropriate for the local environment, soil conditions, and availability of water. The impact of the proposed landscaping plan at various time intervals shall also be considered.

- 7. Open Space and Recreation.** Residential subdivisions, including Planned Unit Developments and residential cluster developments shall be required to provide neighborhood parks and open space as specified in Article XIII, Section 9 and Article XIV of the Elkton Zoning Ordinance. Developed open space shall be designed to provide active recreational facilities to serve the residents of the development. Undeveloped open space shall be designed to preserve important site amenities and environmentally sensitive areas.

Section 3. Adequate Public Facility Standards

In addition to the specific design standards and requirements contained herein, the following minimum site conditions shall exist prior to Planning Commission approval of any subdivision, whether such facilities are provided by the developer, a private utility, or the Elkton Town Government. In pursuit of its responsibility and obligation to provide for the health, safety, and general welfare of existing and future

residents in any subdivision with Elkton, the Planning Commission may disapprove the subdivision of land if it is found that any one public facility is not adequately provided for in the proposed subdivision, including but not limited to, adequate sewer and water.

1. The following shall be the minimum standards for utilities such as telephone supply, electric supply, water supply, or other utilities:
 - a. Every subdivision shall be provided with a proper telephone and electric system as required in Article XV of the Elkton Zoning Ordinance.
 - b. Every subdivision shall be provided with a complete water distribution system adequate to serve the area being developed with pipe lines, valves, fire hydrants, and other water facilities as required.
 - c. Easements for new, or the continuations of existing, utilities shall be provided for all subdivision with the width or other characteristics as required by the Town.
2. Every subdivision shall be provided with a sewage disposal system approved by the Health Department, the appropriate state agency with jurisdiction, and the Town. Construction requirements shall be as approved by the MDE.
3. Every subdivision shall provide satisfactory drainage of storm water by means of underground sewer pipes and/or surface ditches, provided that such storm water drainage system conforms to the requirements of Town (see the Town of Elkton Stormwater Management Ordinance).
4. The Planning Commission will review each proposed subdivision to determine whether it is served by proper community access roads. The Planning Commission may postpone or deny approval of any such subdivision until it has determined that such needs are properly met.

Section 4. Street Standards

1. The arrangement of streets shall conform to the Transportation Plan element of the Comprehensive Plan.
2. For streets not shown on the Comprehensive Plan or official map, the arrangement shall provide for the appropriate extension of existing streets.
3. Residential streets shall be arranged so as to discourage through traffic and to provide for maximum privacy.
4. Street Hierarchy.
 - a. Streets shall be classified in a street hierarchy system with design tailored to function.
 - b. The street hierarchy system shall be defined by road function and average daily traffic (ADT), calculated by trip generation rates prepared by the Institute of Transportation

- c. Speed humps are to be continuous across all lanes of traffic to discourage erratic driving;
- d. Speed humps are to be located mid-block along a property line whenever possible;
- e. Speed humps shall be placed adjacent to street lights whenever possible;
- f. Speed humps are not to extend into bicycle lanes or drainage gutters;
- g. A minimum of twelve (12) inches along curb lines and edge of pavement is to be maintained clear of the speed hump and taper;
- h. Speed humps shall not be placed in the following locations:
 - (1) Grades steeper than 8%,
 - (2) Adjacent to driveways and catch basins,
 - (3) Directly over utility lines, utility service lines (water service and sanitary laterals), manholes, and water valves,
 - (4) Within a horizontal curve with a radius less than three-hundred (300) feet;
- I. Speed hump warning signs are to be placed one-hundred twenty-five (125) feet in advance of the hump.

Section 5. Lot and Block Standards

1. In general, intersecting streets, which determine block length, shall be provided at such intervals as necessary to meet existing street patterns, topography, and requirements for safe and convenient vehicular and pedestrian circulation. Residential blocks generally shall not exceed 1,600 feet in length, nor be less than 500 feet in length, with the block width generally being sufficient to allow two tiers of lots of appropriate depth. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, or waterways. Non-residential blocks shall be of such length, width, and other design as the Planning Commission finds necessary for the prospective use, including adequate provision for off-street parking, truck loading and unloading, buffer areas, pedestrian movement, and proper vehicular access to adjacent streets. Whenever practicable, blocks along major arterial and collector streets shall be not less than 750 feet in length.
2. Lot Shape. Excessive depth in relation to width should be avoided, with a proportion of 2.5 to 1 normally considered a desirable maximum for lot widths of 60 feet or greater. Pointed or very irregular-shaped lots shall be avoided where possible. Additional depth of at least 20 feet over the minimum lot depth shall be required on lots that back up to railroads or are through lots. Flag, pipe-stem, or panhandle lots are permitted, except however, not more than two (2) such lots may have adjoining driveway entrances to a public right-of-way. In addition, any subdivided lot greater than five (5) acres in size may be required to provide a 85 foot wide panhandle, otherwise

the minimum size of the panhandle shall be 25 feet. Only one (1) principal building shall be permitted on any lot.

3. **Lot Frontage and Access.** All lots shall abut an approved public street for at least the minimum frontage requirement for the zone in which the lot is located. Frontage shall be measured at the street right-of-way line, except that in cases where curved streets or cul-de-sac radii are involved, the measurements shall be taken at the building line as set forth for the zone in which the lot is located, or, if more restrictive, as set forth on the subdivision plan. All lots shall be designed so as to provide safe and convenient vehicular and pedestrian access to the street.
4. **Lot Lines.** Side lot lines should generally be at right angles to straight street centerline and radial to curved street center lines. However, this design standard is not intended to prohibit the creation of lots at a reasonable angle to the street where the intent of the developer is to create a north-south lot orientation for the purposes of maximizing the potential for use of solar related energy and technology and techniques.
5. **Lot Area and Minimum Building Setback Line.** With the exception of Cluster Subdivisions lots for residential or non-residential use shall meet the minimum standards required by the Zoning Ordinance. In no case shall any new residential lot hereafter platted be of less size or width than what is designated on the Zoning Map and described in the Zoning Ordinance for said Zoning District in which the lot is located except as may be provided elsewhere in this Ordinance.
6. **Corner Lots.** Corner lots should be of sufficient width and depth to equal non-corner lots in subdivision plus sufficient area to comply with the required minimum building setback line on each street frontage.
7. **Double Frontage Lots.** Double frontage and reverse frontage lots shall be prohibited except where employed to prevent excessive vehicular driveway access to streets, to avoid fronting lots on non-access streets and highways, to separate residential areas from other areas of conflicting land or traffic use, or to overcome specific disadvantages of topography and orientation.
8. **Land Remnants.** If remnants of land exist after subdividing and have no apparent future use that can be properly controlled, they shall be incorporated into the lots of the proposed lotting scheme (See Article IV, Section 14 of these Regulations).
9. **Street Addresses.** Street address numbers shall be assigned to each lot by the Planning Commission in order to provide a separate and distinct address for each lot.
10. **Lots shall not, in general, derive access exclusively from a major or secondary street.** Where driveway access from a major or secondary street may be necessary for several adjoining lots, the Planning Commission may require that such lots be served by a combined access drive in order to limit possible traffic hazard on such street. Where possible, driveways should be designed and arranged so as to avoid requiring vehicles to back into traffic on major or secondary arterial streets.

11. Building lines shall be shown on the plan, along each street, at least as required in each case by the applicable regulations. The locations of these lines shall be clearly indicated by dimensions.
12. All lot measurements shall be net measurements, not including any part of any street, alley, or crosswalk. Easements, however, shall be regarded as within the lot.

Section 6. Reserved

Section 7. Planned Developments - Residential

1. Planned Developments may be developed according to conventional or cluster standards. The Planning Commission shall have the right to require changes in any plat submitted for review.
2. The developer of any Planned Unit Development may be required to provide an Architectural Design Review committee, which shall have initial approval of any design for proposed structures within the Planned Unit Development. Approved designs will then be submitted to the Planning Commission or its designated representative for approval. The Planning Commission will be the final authority for design approval.
3. Designs approved by the Architectural Design Review Committee shall not be regarded as automatically approved by the Planning Commission. The Commission shall have the right to reject any design submitted by the Architectural Design Review Committee for approval.
4. Designs rejected by the Architectural Design Review Committee shall not have recourse to the Planning Commission. The Commission will not serve as an appellate board for design review.
5. After the completion of the Planned Unit Development, the Architectural Design Review Committee shall remain in existence to review all requests for construction, reconstruction, or remodeling by any property owner therein. Construction approved by the Architectural Design Review Committee shall not be required to be submitted to the Planning Commission unless it concerns any new structure intended as a dwelling unit.

Section 8. Special Requirements Applicable to Residential, Commercial and Industrial Subdivisions

1. In development designed and used exclusively for rental occupancy under single ownership, the maintenance of the local roads may be retained by the owner; however, the constructing of private roads shall meet Elkton's Department of Public Works Standard Specifications and Design Manual, the Zoning Ordinance and all other applicable ordinances.
2. Site development plans and commercial and industrial subdivision plats shall be submitted in the same manner and contain the information, style and format as required of residential development.

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

Section 9. Manufactured Home Developments

1. For manufactured home park developments, a preliminary plat shall be submitted in accordance with Section 11 and Maryland Department of Environment, Regulation 10.03.23, governing construction, equipment, sanitation, operation, and maintenance of manufactured home parks.
2. A final plat shall be submitted showing the final layout of the development as approved by the Planning Commission. The Final Plat shall be submitted in accordance with Article IV, Section 4. The approved final plat shall be recorded.
3. General requirements.
 - (a) A manufactured home park shall submit the same plat and data requirements listed in Appendix A for major subdivisions.
 - (b) Condition of soil, ground water level, drainage, and topography shall not create hazards to the property or health or safety of the occupants.
4. Soil and ground cover requirements.
 - (a) Exposed ground surfaces in all parts of every manufactured home development shall be planted in vegetation. A Sediment and Erosion Control Plan is required.
 - (b) The ground surface in all parts of every manufactured home development shall be graded and equipped to drain all surface water in a safe, efficient manner. A Stormwater Management Plan is required.
5. All manufactured home developments shall be provided with safe and convenient vehicular access from abutting public streets or roads to each manufactured home lot.
 - (a) Such access shall be provided by streets or driveways.
 - (b) Entrances to manufactured home development shall be designed in accordance with State and Town of Elkton specifications to minimize congestion and hazards and allow free movement of traffic on adjacent streets.
 - (c) No parking shall be permitted in the streets.
 - (d) Off-street parking shall be provided at a rate of 2.5 spaces per manufactured home.
 - (e) Internal streets shall be built to Town of Elkton standards and specifications listed in this document.

- (f) All streets shall be privately owned and maintained.
 - (g) Grades of all streets shall be sufficient to insure adequate surface drainage, but shall not be more than ten (10) percent.
 - (h) All streets shall be provided with a concrete or asphalt curb and gutters.
 - (i) Streets shall intersect at approximately right angles.
 - (j) A distance of at least one hundred (100) feet shall be maintained between the centerlines of offset intersecting streets. Intersections of more than two (2) streets at one point shall be avoided.
6. The area of the manufactured home lot shall be improved to provide adequate support for placement and tie-down of the manufactured home, thereby securing the super-structure against uplift, sliding, rotation, and over-turning.
- (a) The manufactured home lot shall be constructed so as not to heave, shift, or settle unevenly under the weight of the manufactured home due to frost action, inadequate drainage, vibration or other forces acting on the structure.
 - (b) The manufactured home lot shall be provided with anchors and tie-downs, such as cast-in-place concrete "dead men", eyelets imbedded in concrete foundation or runways, screw augers, arrowhead anchors or other devices securing the stability of the manufactured home to be installed within thirty (30) days after the installation of the unit. At least four (4) anchors and tie-downs shall be provided for each manufactured home lot.

Section 10. Reservation or Dedication of Land for Parks, Open Space, Schools, and Other Public Facilities

1. The developer, in the design of the subdivision plan, and the Planning Commission, in the review of the plan, shall consider the adequate provision of sites for parks, open space, schools, and other public facilities as indicated in the Comprehensive Plan. Where such facilities are shown and located in the Comprehensive Plan or where the Planning Commission otherwise determines that a portion of the land is required for such public facilities -- especially in large-scale residential developments not anticipated in the Comprehensive Plan -- the developer may be required to reserve such sites for a period not to exceed two (2) years after preliminary subdivision plan approval, during which time the developer shall deed the property to the Town.
2. The Planning Commission, shall require from each subdivision either a dedication of land to the Town or a fee in lieu of said land in accordance with the provisions set forth in Article XIV of the Elkton Zoning Ordinance.

Section 11. Preservation of Natural Features and Amenities

- 1.** Existing features that would add value to residential development or to the local government as a whole -- such as trees, watercourses and falls, beaches, historic sites, and similar irreplaceable assets -- shall be preserved in the design of the subdivision.
- 2.** Prior to the submission for approval of the final plat, the Administrator will require at least one (1) copy of the plat that shows the existing stands of trees and other growth on each lot and the proposed clearing plan (see Article XVIII, Part III, Forest Conservation). The Planning Commission may require certain stands of vegetation or individual trees, bushes, etc., to be left undisturbed. No trees shall be removed from any subdivision nor any change of grade of the land affected until approval of the plat has been granted and a clearing and grading plan has been submitted to and approved by the Planning Commission or their designated representative. All trees on the plat required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. In no case shall the Planning Commission allow any developer to completely clear growth from any lot unless not doing so shall cause undue hardship for the developer and can be so shown to the Planning Commission at the time of review.
- 3.** Where a tract of land bordering water compound is to be subdivided, a buffer shall be reserved. In addition, the Planning Commission may require a buffer be reserved around any other impounded water body.
 - (a)** If lot ownership extends to the water, wetlands or tributary stream bed, then the Buffer shall be included in the required setback distance for building on that lot except in the case of water-dependent facilities. Where the Buffer is to be owned and maintained by the Town the required setback distance shall be measured from the property line separating that lot from the designated Buffer. This Buffer, when not included in the lots, may be included in calculating gross density.
 - (b)** Within the buffer, no excavating or grading shall be permitted, except for the provision of access to the shoreline. Community access shall be provided for by allowing one (1) point of access of at least thirty (30) feet in width for any amount of shoreline up to one thousand (1,000) feet and one (1) point of access for every additional one thousand (1,000) feet of shoreline. Within the remainder of the development, seasonal control of excavation and grading may be a recommendation for inclusion in the Sedimentation and Erosion Control Plan as approved by the Cecil County Soil Conservation District.
 - (c)** Natural vegetative cover shall be preserved to the maximum degree possible. In the buffer zone, sufficient trees and ground cover shall be preserved to insure, in the opinion of the Cecil County Soil Conservation District, that natural soil stability and water absorption capacity are not impaired.

Section 12. Development in the Chesapeake Bay Critical Area

- 1.** Where a tract of land bordering tidal water, tidal wetlands, or tributary streams in the Critical Area is to be subdivided and a Buffer Exemption has not been granted by the Mayor and Commissioners, a Buffer of at least one hundred (100) feet shall be established in natural vegetation (except areas of the Buffer which are planted in vegetation where necessary to protect, stabilize, or enhance the shoreline). No development including septic systems, impervious surfaces, parking areas, roads, or structures, are permitted in the Buffer. However, approved development or expansion of water-dependent facilities, as provided in Article IX, Part IV, Section 8 of the Zoning Ordinance are excepted from these Buffer provisions.
- 2.** If lot ownership extends to the water, wetlands or tributary stream bed, then the Buffer shall be included in the required setback distance for building on that lot except in the case of water-dependent facilities. Where the Buffer is to be owned and maintained by the Town the required setback distance shall be measured from the property line separating that lot from the designated Buffer. This Buffer, when not included in the lots, may be included in calculating gross density.
- 3.** The Buffer shall be expanded to include contiguous sensitive areas on the parcel whose development or disturbance may impact streams, wetlands, or other aquatic environments unless the applicant can prove that the development or disturbance of these areas will not adversely impact streams, wetlands or other aquatic environments. Development may be allowed by the Town on soils having development constraints if it includes mitigation measures that adequately address the identified constraints and that will not have significant adverse impacts on water quality or plant, fish or wildlife habitat.
 - a.** Sensitive areas have the following features: 1) Hydric soils and soils with hydric properties as designated by the Soil Conservation Service; 2) Highly erodible soils; and 3) Slopes greater than fifteen (15) percent.
 - b.** This expansion will occur whenever new land development or other land disturbing activities, such as clearing natural vegetation for development, are proposed.
 - c.** The Buffer expansion, when required, shall meet the following standards:
 - (1)** The Buffer shall be expanded four (4) feet for every percent of slope over fifteen (15) percent or to the top of slope, whichever is greater in extent.
 - (2)** The Buffer shall be expanded to the upland limit of adjacent hydric soils, soils with hydric properties, and highly erodible soils, within the Critical Area.
 - (3)** The expanded Buffer must be shown on plans required for such development.
- 4.** All subdivisions in Elkton's Critical Area shall be subject to the Habitat Protection criteria and guidelines prescribed in the Town's Critical Area Program.

- 5.** The subdivider shall be required to identify stormwater management practices appropriate to site development which achieve the following standards:

 - a.** In areas designated as Intensely Developed Areas (IDA) on the Elkton Critical Area Maps, the subdivider shall demonstrate that the Best Management Practices for stormwater assure a ten (10) percent reduction of pre-development pollutant loadings.

Offsets may be provided either on or off site as determined by the Town, provided that water quality benefits are equivalent, that the benefits are obtained within the same watershed, and that the benefits can be determined through the use of modeling, monitoring, or other computation of mitigation measures.
 - b.** The subdivider shall delineate those site areas not covered by impervious surfaces, and that are to be maintained or established in vegetation. Where vegetation is not proposed, the developer shall demonstrate why plantings for such portions of the site are impracticable. The types of planting and vegetation proposed shall be in accordance with guidelines established in Article IX, Part IV, Section 12 of the Elkton Zoning Ordinance.
 - c.** The subdivision shall be designed to assure those features or resources identified as Habitat Protection Areas are afforded protection as prescribed in the Habitat Protection Element of the Town's Chesapeake Bay Critical Area Program.
- 6.** In Limited Development Areas (LDA) and Resource Conservation Areas (RCA) roads, bridges and utilities serving development that must cross a Habitat Protection Area shall be located, designed, constructed, and maintained so as to provide maximum erosion protection and minimize negative impacts to wildlife, aquatic life and their habitats and maintain hydrologic processes and water quality. When no alternative exists and such infrastructure must cross or be located in Habitat Protection Areas, the developer shall demonstrate that no feasible alternative location for such infrastructure exists and must show how these standards will be met at each phase of the project, i.e., location, design, construction and maintenance.
- 7.** In LDA and RCA all roads, bridges, lots, and other development that must cross, or are located adjacent to, tributary streams in the Critical Area shall:

 - a.** Be designed in a manner to reduce increases in flood frequency and severity;
 - b.** Provide for the retention of natural streambed substrate;
 - c.** Minimize adverse impacts to water quality and storm water runoff; and
 - d.** Retain the existing tree canopy so as to maintain stream temperatures in the normal range of variation.
- 8.** Lots and open space shall be located and designed to provide for the maintenance of the wildlife and plant habitats on the existing site and to maintain continuity with those on adjacent sites.

When wildlife corridors exist or are proposed they shall include any existing Habitat Protection Areas and connect large forested areas on or adjacent to the site.

- 9.** Impervious surfaces in subdivisions located in LDA or RCA of the Town's Critical Area shall be limited to fifteen (15) percent of the gross site area except if an individual lot one (1) acre or less in size is part of a subdivision approved after December 1, 1985, then man-made impervious surfaces of the lot may not exceed twenty-five (25) percent of the lot. However, the total of the impervious surfaces over the entire subdivision may not exceed fifteen (15) percent.
- 10.** Subdivisions located in LDA and RCA are required to meet the following minimum standards for forest and developed woodlands. Forest and developed woodland, as defined by the Elkton Critical Area Program, shall be created or protected in accordance with the following:

 - a.** When less than fifteen (15) percent of the site is in forest cover, at least fifteen (15) percent of the gross site area shall be afforested. The location of the afforested area should be designed to reinforce protection to habitats on the site or to provide connections between forested areas when they are present on adjacent sites.
 - b.** When forests or developed woodlands exist on the site and the proposed development requires the cutting or clearing of trees, the developer shall submit plans for development showing areas to be cleared to the Maryland Forest Service for comments and recommendations and shall transmit the comments to the Building and Planning Office. A grading permit shall be obtained by the applicant prior to any clearing or cutting associated with proposed development. In addition, cutting or clearing associated with development shall be subject to the following limits and replacement conditions:

 - (1)** All forests cleared or developed shall be replaced on not less than an equal area basis on the site or on an alternative site approved by the Planning Commission.
 - (2)** No more than twenty (20) percent of the forest or developed woodland within the site proposed for development may be removed and the remaining eighty (80) percent shall be maintained as forest cover through the use of appropriate instruments (e.g., recorded restrictive covenants). Removal of forest or developed woodland cover in the Buffer is prohibited.
 - (3)** Clearing of forest or developed woodlands of up to twenty (20) percent shall be replaced on an area basis of one-to-one. A developer may propose clearing up to thirty (30) percent of the forest or developed woodland on a site, provided an area 1.5 times the entire area cleared shall be planted in forest cover.
 - (4)** If more than thirty (30) percent of the forest on a site is cleared, the forest is required to be replanted at three (3) times the total extent of the cleared forest.
 - (5)** If the cutting of forests occurs before a grading permit is obtained, the forest is required to be replanted according to the requirement in (4) above.

(6) All reforestation and/or afforestation shall be included in a planting plan.

11. Development on slopes greater than fifteen (15) percent shall be prohibited unless such development is demonstrated to be the only effective way to maintain or improve slope stability.

Section 13. Land Suitability

1. No land shall be subdivided for building development that is held unsuitable for its intended use by the Planning Commission for reasons of flooding, inadequate drainage, excessive slope, severe erosion potential, or any other natural features that may be harmful to the health, safety, and welfare of future residents, property owners, or the community at large.
2. All improvements necessary to make land suitable for development shall be in full compliance with any other laws and ordinances regulating such improvements and with any conditions as may be required by the Planning Commission to reduce risks to health and safety.
3. When a subdivider does not intend to develop the plat himself and the improvements are necessary to reduce hazards and to make land suitable for development, the Planning Commission shall require appropriate deed restrictions to be inserted on every deed and noted on every recorded plat.

Section 14. Landscaping and Tree Planting Standards

All land subdivision plans shall conform to the requirements of Article XVIII of the Elkton Zoning Ordinance.

1. Existing trees shall be preserved wherever possible. The protection of trees six (6) inches or more in diameter (measured diameter at breast height) shall be given high priority in determining the location of open space, structures, underground utilities, walks, and paved areas. Areas in which trees are preserved shall remain at original grade level and shall remain undisturbed wherever possible.
2. Where extensive natural tree cover and vegetation does not exist, landscaping shall be provided to enhance the appearance of the development, aid in erosion control, provide protection from wind and sun, screen streets and parking areas, and enhance the privacy of dwelling units.

Section 15. Historic Zones

All land subdivision occurring within historic zones as defined by this Ordinance shall conform to the requirements of Article IX, Part III of the Elkton Zoning Ordinance.

Section 16. Provision of Common Open Space

Common open spaces (spaces designed and intended for the use and enjoyment of all residents of the development) may contain such complimentary structures, improvements as are necessary and appropriate for the use, benefit, and enjoyment of residents of the development. Open space provided for

the purpose of protection of existing site features may include areas in agricultural use. Use of agricultural lands to meet open space requirements shall be encouraged when the site contains few significant natural features. Common open space areas shall meet the requirements contained in Article XIV of the Elkton Zoning Ordinance.

Section 17. Lot Coverage

Impervious surfaces (surfaces that do not absorb rain, including all buildings, roads, sidewalks, patios, parking areas, and any other areas paved in concrete or asphalt) shall be minimized to the maximum extent possible. Efforts to minimize impervious surfaces shall be encouraged. Lot and density and dimensional regulations are contained in Article XIII of the Elkton Zoning Ordinance.

Section 18. Subdivision Name

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