

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 limitations, topography, steep slopes, climate, ecology, visual features, past (historical) 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) Habitat Protection Areas in the Elkton Critical Area;
 - (5) Historically significant structures and sites, as listed on Federal, State, County, or Town lists of historic places. A Phase I Archeological Investigation may be required by the Planning Commission if it is determined that significant historic or archeological resources could be impacted.
 - (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) wetlands and their buffers;
 - (e) Steep slopes; and
 - (f) 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 concept, preliminary or 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 in accordance with the Town Stormwater Management Ordinance.
 - (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. All single family detached and attached (duplex, semi-detached and townhome) dwellings shall be designed and constructed with an entrance to the front and rear of the dwelling.
- g. Cluster open space intended for a recreation or public use shall be easily accessible to pedestrians.
- h. Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationships between development and the land.
- i. 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.
- j. 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.
- k. Orientation of lots and dwellings to maximize solar access and conservation of energy shall be encouraged.
- l. When proposed, cluster boxes and development monument signs shall be indicated on the subdivision plans and shall be located on separate lots from residential dwellings.

4. Commercial and industrial developments shall be designed according to the same principles governing the design of residential developments as specified in 3. above, including but not limited to; 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/lanes and/or signage shall be required as indicated in the Elkton Bicycle 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. All required landscaping shall be guaranteed with a Landscape Agreement or included in the Public Works Agreement.
- 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. Wherever possible, native species shall be utilized.

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 be designed in accordance with Environment Site Design principles to maximum extent practicable in accordance with the 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. The Planning Commission may require the applicant to submit a Traffic Impact Study. The study area and parameters of said study shall be established by the Town and the State Highway Administration if applicable.

Section 4. Reserved

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. Pie shaped lots shall not be permitted. 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 an 85 foot wide panhandle, otherwise the minimum size of the panhandle shall be 25 feet.

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.** 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. All residential lots shall include adequate area to accommodate a 10 foot wide deck extending from the rear of the dwelling that does not infringe on any required setback.
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 Department 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 Unit Developments

Design Requirements for a Planned Unit Development shall comply with all requirements in the Zoning Ordinance and Subdivision Regulations unless Article XI of the Zoning Ordinance specifically sets forth an alternate requirement or standard.

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, storm drains, stormwater management systems, water and sewer facilities and any other improvements shall be retained by the owner and shall meet Elkton's Department of Public Works Standard Specifications, Construction Details, and General Conditions for Construction Contracts, 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. 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 10. 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. Trees shall be preserved in accordance with the Town Forest Conservation Regulations and/or the Critical Area regulations and other requirements of the Town Zoning Ordinance. Notwithstanding the requirements of the Forest Conservation Regulations or the Critical Area requirements, the

Planning Commission may still 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. All subdivisions shall be designed in accordance with Article XVIII, Part IV Environmental Standards for Sensitive Areas of the Town Zoning Ordinance.
4. 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 11. Development in the Chesapeake Bay Critical Area

All subdivisions shall be designed in accordance with Article IX, Part IV Critical Area District of the Town Zoning Ordinance.

Section 12. 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 13. 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 14. 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 15. 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. Common open space areas shall meet the requirements contained in Article XIV of the Elkton Zoning Ordinance.

Section 16. 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 17. 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.