

(c) Existing Features

- (1) Complete outline survey of the property to be subdivided, showing all bearings, distances, area, and tie-ins to all adjacent street intersections and adjacent Town Boundary lines.
- (2) The location, names, and widths, of streets, the location of property lines and names of adjacent owners, the location of water courses, and other natural features where they constitute property boundaries.
- (3) Location of all existing markers and monuments.
- (4) Location, size, purpose and ownership of any utilities and rights-of-way and/or easements within the property.
- (5) The location of areas within the 100 year floodplain.

(d) Proposed Layout

- (1) A complete survey of the subdivision including street and lot layout, showing bearings, distances, area, and numbering of lots under such system as the Town may designate.
- (2) The names and widths of all proposed streets and alleys, along with grades for each street, sidewalks (as required), and stormwater devices located within road rights-of-way.
- (3) The size, location and design of central water and sewerage systems serving the development. The locations and capacity of fire hydrants are also to be shown.
- (4) The location, size and design of all stormwater management facilities.
- (5) The plan for erosion and sediment control.
- (6) The building setback lines.
- (7) Accurate location of all monuments, markers and reference points.
- (8) The location, width, purpose and ownership of all easements or rights-of-way and the boundaries by bearings and distances.

(9) The location, size and purpose of land offered for dedication for parks, schools, and widening of streets or other community uses.

(10) When the subdivision is to be developed in two or more phases, the lines delineating such phases shall be shown.

(e) Seals

(1) The seal of the licensed surveyor responsible for plat.

(2) The corporation seal, if the applicant is a corporation.

(f) Acknowledgements

(1) A statement to the effect that the applicant is the owner of the subdivision shown on the final plat which is made with his or their consent and that it is desired to record the same and that all requirements of Maryland law have been met.

(g) Signatures

The following signatures shall be placed directly on the plat in black ink:

(1) The owner or owners of the land. If the owner of the land is a corporation, the signatures of the duly authorized officers of the corporation shall appear.

(2) The licensed surveyor who prepared the plat.

(3) The signature of the Chairman or Vice-Chairman of the Planning Commission certifying approval of the subdivision plat. However, the Chairman or Vice-Chairman of the Commission shall not sign the plat until the Mayor and Council and applicable agencies have signed to their approval of the plat. Furthermore, the Chairman or Vice-Chairman shall not sign the plat until either the improvements required in connection with the subdivision have been constructed or guaranteed in a public works agreement duly executed by all parties.

(4) The signature of the Mayor and Council indicating the approval of the subdivision. However, the Mayor and Council shall not sign the subdivision plat until the improvements required in connection with this subdivision have either been constructed, inspected and accepted by the Town (when publicly dedicated) or the Mayor and Council have executed a public works agreement for the improvements with the appropriate parties.

(5) The signatures of the applicable agencies reviewing the plat who have regulatory authority over the subdivision. These may include, but are not limited to:

- (a) Dorchester County Health Department
- (b) Dorchester Soil Conservation Service and District
- (c) Dorchester County Highway Department
- (d) State Highway Administration

#### SECTION 410 APPROVED FINAL PLAT PROCEDURES

- (a) Once the Planning Commission has approved the final plat of the subdivision, the applicant shall submit a reproducible copy to the Planning Staff to obtain signatures of the agencies, Mayor and Council and Planning Commission. After the reproducible has been signed by all of these, it is returned to the applicant. The applicant shall then return to the Staff the following copies for recording and distribution:
  - (a) Reproducible copies - The number as required by Clerk of the Court for Dorchester County plus one (1) copy for the Town of Hurlock.
  - (b) Paper prints - One (1) for the Planning Commission, one (1) for the Mayor and Council and one (1) for every agency signing the plat.
- (b) The Planning Staff or other Town designee shall record the approved plat with the Clerk of the Court of Dorchester County and distribute the other copies to the respective parties.
- (c) For subdivisions where the required improvements are to be constructed, inspected and accepted by the Town in lieu of a public works agreement, the Commission may allow the signatures of all the agencies, except the Mayor and Council and the Planning Commission, on the recording copy prior to the completion and acceptance of the improvements. However, the Mayor and Council's as well as Planning Commission's signatures shall not appear on the subdivision recording copy, nor shall the document be filed with the Clerk of Court of Dorchester County until the improvements are completed, inspected and accepted. If the required improvements have not been completed within two (2) years of the Planning Commission's vote authorizing approval of the subdivision, then the subdivision must be re-submitted as a preliminary plat and re-approved by all respective agencies.

#### SECTION 411 EFFECT OF RECORDING FINAL PLAT

- (a) Streets, rights-of-way, easements, water and sewerage facilities and other public improvements shown on the final plat to be recorded shall be offered for dedication to the Town by formal notation thereof on the plat, or the owner

must note on the plat those improvements which have not been offered for dedication to the Town.

- (b) Recording of the final plat shall not be deemed to constitute or effect an acceptance by the Town of the dedication. Said improvements so noted by dedication may be accepted through a subsequent act.

SECTION 500

ARTICLE V - PHASING OF SUBDIVISIONS

SECTION 500 PURPOSE

In order to promote orderly completion of a subdivision and to contain the out-of-pocket expenses for the developer to a reasonable amount, the developer with the consent of the Planning Commission and Mayor and Council may phase the development of the subdivision.

SECTION 501 APPROVAL OF PRELIMINARY

If the developer proposes to phase the subdivision, the phasing shall be shown on the Preliminary Plat, with an estimate of the time for the completion of each phase on a separate document. If the Planning Commission and Mayor and Council agree to the phasing and schedule, an agreement among the developer, Commission and Mayor and Council shall be prepared. This document shall state the approval of the phasing concept, the time limits for each phase to be completed and shall guarantee to the developer that the zoning standards and Hurlock Standard Specifications Manual shall not be revised for this subdivision unless mandated by State or Federal law, or agreed to by all parties, as long as the time limits are adhered to. The Planning Commission approval of the preliminary subdivision shall be contingent upon this document being executed by all parties.

SECTION 502 APPROVAL OF THE FINAL

The final plat is to show that phase which is to be approved and recorded. Subsequent phases are not to be shown until they are ready for final approval with the required improvements constructed, inspected and accepted by the Town or a public works agreement executed for the improvements.

No final plat for a subsequent phase may be submitted until the required improvements for the first phase have been completed, inspected and accepted. No final plat will be accepted that is submitted later than the time limits established in the agreement among the developer, Planning Commission and Mayor and Council.

SECTION 600

ARTICLE VI - REQUIRED IMPROVEMENTS

SECTION 600 PURPOSE

- (a) The purpose of this article is to establish and define the community improvements which will be required to be guaranteed or constructed by the applicant prior to final plat approval.
- (b) All construction shall be completed in accordance with approved plans and specifications, and in the manner acceptable to the Town of Hurlock.
- (c) All proposed construction shall be coordinated in design and in construction scheduling with the existing improvements and the requirements or activities of other agencies.

SECTION 601 IMPROVEMENTS

- (a) The following improvements shall be designed and constructed by the developer in accordance with the standards of the Town of Hurlock and the approved plans and specifications:
  - (1) Streets and street drainage structures
  - (2) Sidewalks
  - (3) Stormwater management facilities
  - (4) Hydrants
  - (5) Sanitary sewerage system
  - (6) Water supply system
  - (7) Recreational areas
  - (8) Monuments
  - (9) Lights
- (b) Plans for the required improvements shall be prepared, submitted, revised, and approved in accordance with the standards set forth in these Regulations.

SECTION 602 COMMUNITY FACILITIES

Where the subdivision contains other physical facilities or easements necessary or desirable for the welfare of the area, and which are of common use or benefit, and which are of such character that neither the Town nor a public agency desires to maintain them, then provisions shall be made by legal instruments for the proper and continuous maintenance and supervision of such facilities by the lot owners in

the subdivision. Such instruments shall be approved by the Planning Commission prior to the recording of the Final Plat and shall be a part of the deed covenants and shall be recorded in the Land Records of Dorchester County.

SECTION 603 INSPECTIONS

All improvements shall be inspected by the Superintendent of Public Works or appropriate agencies for compliance with approved plans, prior to final acceptance.

SECTION 604 REPAIR OF DAMAGE IMPROVEMENTS

The developer shall be required to repair damage to storm drainage systems, curb and gutter, sidewalks, utilities, survey markers, and any other required improvements as a result of grading or construction activities by the developer in the subdivision.

ARTICLE VII - STANDARDS

SECTION 700 APPLICATION

The standards outlined herein shall be considered minimum standards for the promotion of the public health, safety, morals and general welfare.

SECTION 701 GENERAL PROVISIONS

- (a) All portions of a tract being subdivided shall be taken up in lots, streets, public lands, or other proposed uses, so that remnants and/or landlocked areas shall not be created.
- (b) Where trees, waterways, scenic points, historic spots, graveyards, or other assets and landmarks are located within a proposed subdivision, every possible means shall be provided to preserve and provide access to these features.
- (c) The subdivision shall conform to the Hurlock Comprehensive Plan and the Hurlock Zoning Ordinance then in effect.
- (d) The subdivision name approved by the Commission and recorded, shall constitute the subdivision's official and only name. No other name may be used unless an approved and amended plat is recorded bearing the revised name.
- (e) Block and Lot Dimensions
  - (1) Block length and width or acreage within bounding streets shall be such as to accommodate the size of lots required in the area by the Hurlock Zoning Ordinance and shall provide for convenient access, circulation control, and safety of street traffic. Blocks that are unreasonably large or small shall not be approved.
  - (2) All lots shall have at least the minimum width as required by the applicable regulations of the Hurlock Zoning Ordinance.

SECTION 702 STREETS AND STREET DRAINAGE STRUCTURES

All streets and street drainage structures in a subdivision shall be designed in accordance with the Hurlock Standard Specifications Manual.

SECTION 703 SIDEWALKS

All sidewalks in subdivisions shall be designed in accordance with the Hurlock Standard Specifications Manual.



#### SECTION 704 STORMWATER MANAGEMENT FACILITIES

All stormwater management facilities in and for a subdivision shall meet the requirements of the Stormwater Management Ordinance adopted by the Town of Hurlock and the Hurlock Standard Specifications Manual.

#### SECTION 705 FIRE HYDRANTS

All fire hydrants within a subdivision shall be designed in accordance with the Hurlock Standard Specifications Manual.

#### SECTION 706 SANITARY SEWERAGE FACILITIES

All sanitary sewerage facilities serving a subdivision shall be designed in accordance with the Hurlock Standard Specifications Manual.

#### SECTION 707 WATER SUPPLY SYSTEM

All water supply systems serving a subdivision shall be designed in accordance with the Hurlock Standard Specifications Manual.

#### SECTION 708 RECREATIONAL AREAS

For subdivisions designed for single family or two-family dwellings the recreational standards below apply. Subdivisions for industrial, commercial, apartment, townhouse or cluster developments are not regulated under this recreational area requirement:

- (a) When the original tract size of the area where new lots are created is one (1) acre or less, no recreational area is required.
- (b) When the original tract size of the area where new lots are created before subdivision is greater than one (1) acre but less than thirty (30) acres, recreational land shall be provided on a ratio of one (1) acre of recreational land per every seven (7) acres of gross land being subdivided into new lots.
- (c) When the original tract size of the area where new lots are created is thirty (30) acres or more, recreational land shall be provided on a ratio of one (1) acre of recreational land per every seven (7) acres of gross land being subdivided into new lots. However, taking into account the nature of the subdivision and the proximity of other recreational resources in the area, the Planning Commission at its discretion may reduce the required recreational area by fifteen (15) per cent.
- (d) No water impoundment areas, including ponds or stormwater management basins, shall be included as recreational area.

- (e) Any recreational area located adjacent to a water impoundment area including stormwater basins shall be enclosed by a six (6) foot chain link fence.
- (f) No land with a grade of more than ten (10) percent shall be included as recreational area.
- (g) Recreational areas shall be served with central water.
- (h) Recreational areas shall be either publicly owned or owned by private interests that have the right and responsibility to own and maintain the recreational area.
- (i) Where subdivisions for single-family and two-family dwellings adjoin commercially or industrially zoned or used property, up to thirty (30) percent of the required recreational land may consist of a planted buffer strip to screen it from the commercial or industrial areas.

#### SECTION 709 MONUMENTS

All monuments placed in a subdivision shall be designed in accordance with the Hurlock Standard Specifications Manual.

#### SECTION 710 LIGHTS

Street lights and exterior lighting in subdivisions shall be designed in accordance with the Hurlock Standard Specifications Manual.

SECTION 800

ARTICLE VIII - IMPROVEMENT GUARANTEES

SECTION 800 CONTRACTS

The Planning Commission shall not approve any subdivision plat until:

- (a) Required improvements have been completed, inspected and accepted by the Town or other proper authorities; or
- (b) The developer has entered into a written public works agreement with the Town in the manner and form set forth by the Town Attorney where the developer shall agree:
  - (1) To construct or cause to be constructed, at his own expense, all required improvements in strict accordance with the standards and specifications of the Town of Hurlock or other proper authorities;
  - (2) To maintain, at his own cost, the improvements until the same are accepted by the Town of Hurlock or other appropriate authorities; and
  - (3) To obtain, at his own cost, any easement or release required for the construction or extension of any required improvement.

SECTION 801 GUARANTY

In order to assure the Town that the required improvements shall be constructed and installed at his own expense, in strict accordance with the standards, regulations, and specifications of the Town, and will be maintained until accepted by the Town, the developer shall furnish the Town cash, bond, irrevocable letter of credit, or other such surety as the Town shall approve in an amount sufficient to cover the total cost, as estimated by the Superintendent, of the construction and installation of the aforesaid improvements.

The improvement guaranty shall be conditioned upon:

- (a) The developer constructing and installing, or causing to be constructed or installed, in strict accordance with the standards, regulations, and specifications of the Town, as finally approved, the required improvements;
- (b) The developer in maintaining at his own cost the said improvements, until the same are accepted by the Town for community use; and
- (c) The faithful performance by the developer of the obligations imposed by the Public Works Agreement.

SECTION 802 ACCEPTANCE OF IMPROVEMENTS

(a) Preliminary Inspection

- (1) The applicant shall notify the Town of Hurlock of the construction and completion of the required improvements.
- (2) The appropriate agency shall inspect the completed required improvements, and notify the developer of approval or specify those items of construction, material, and workmanship which do not comply with the specifications or the approved construction plans.
- (3) The applicant, upon notification from the appropriate agency of items not approved shall:
  - a. Proceed, at his own cost, to make such corrections as shall be required to comply with the specifications and approved construction plans; and
  - b. Notify the appropriate agency upon completion, requesting final inspection.

(b) Final Inspection: The appropriate agencies shall make a final inspection with the applicant of all required improvements.

(c) Acceptance: The Town of Hurlock shall notify the applicant, in writing, of acceptance of the required improvements if satisfied that the applicant has complied with all standards, regulations, fees and specifications of the Town of Hurlock.

SECTION 900

ARTICLE IX - CHANGES AND AMENDMENTS

SECTION 900 CHANGES AND AMENDMENTS

The Mayor and Council may, from time to time amend, supplement or change , by ordinance, the regulations herein established. Any such amendment or change shall be accomplished in accordance with the provisions of the Town Charter and the laws of the State of Maryland.

SECTION 1000

ARTICLE X - ADMINISTRATION

SECTION 1000 FEES

Fees to cover the cost of considering, examining, and checking the several plats and plans required herein shall be collected at the time of filing a preliminary plat, in accordance with a fee schedule of charges adopted by resolution of the Mayor and Council.

SECTION 1001 SEVERABILITY

It is hereby declared to be the legislative intent that:

- (a) If the court declares any provisions of these Regulations to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of these Regulations shall continue to be separately and fully effective.
- (b) If the court finds the application of any provision or provisions of these Regulations to any lot, building, or other structure, or tract of land, to be invalid or ineffective, in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be affected.

SECTION 1002 ENFORCEMENT OFFICER

The Planning Staff shall be the enforcement officer for these Regulations. If he shall find that any of the provisions of these Regulations are being violated, he shall notify in writing the person responsible for such violation and take such action as may be necessary to prevent the violation of these Regulations, including obtaining a court injunction to discontinue the transfer, sale, or negotiations for sale of illegal lots or parcels, or any action authorized herein.

SECTION 1003 APPEALS

Any person aggrieved by a decision of the Planning Commission or Planning Staff in approving or denying a subdivision under the terms of these Regulations shall have the right to appeal said decision to the Hurlock Board of Appeals.

Any person who feels that unwarranted hardship and injustice would result from the enforcement of the Subdivision Regulations may file for a variance from the Hurlock Board of Appeals.