

TOWN OF GALENA, MARYLAND  
ORDINANCE NO: 2020-03

AN ORDINANCE OF THE TOWN OF GALENA TO REPEAL THE TOWN'S SUBDIVISION ORDINANCE OF 1997 AS AMENDED FROM TIME TO TIME, TO ADOPT THE TOWN'S LAND SUBDIVISION ORDINANCE OF 2020, AND TO ADOPT THE TOWN'S DESIGN STANDARDS.

WHEREAS, Article 11 of the Town's Subdivision Ordinance authorizes the Mayor and Council to amend, supplement, or change by Ordinance, the regulations contained therein;

WHEREAS, the Town's Subdivision Ordinance provides that such amendment, supplement, or change may be initiated by Motion of the Planning Commission;

WHEREAS, the Town's Planning Commission has initiated such a change for the repeal of the existing Subdivision Ordinance, and to Adopt a new Subdivision Ordinance and Design Guidelines;

WHEREAS, the Town's Planning Commission has reviewed the new Land Subdivision Ordinance and Design Guidelines and have given them a favorable recommendation; and

WHEREAS, the Mayor and Council have held a public hearing that has been duly advertised.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF GALENA AS FOLLOWS:

SECTION 1. The Document titled "Town of Galena Design Guidelines Approved by the Planning Commission on May 22, 2017, and Land Subdivision Ordinance 2020, Ordinance No. 2020-03" is adopted in its entirety, and is incorporated by reference as if fully set forth herein.

SECTION 2. The Town of Galena Sub-Division Ordinance Adopted August 4, 1997, as amended from time to time is hereby repealed in its entirety.

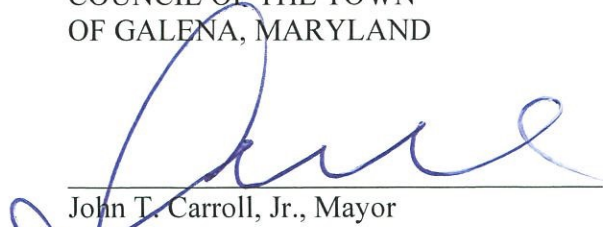
SECTION 3. If any section, subsection, or portion of this Ordinance shall be declared to by any competent court to be invalid for any reason, it is the intent of The Town of Galena that all other sections, subsections or portions of this Ordinance shall remain valid.

SECTION 4. The title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

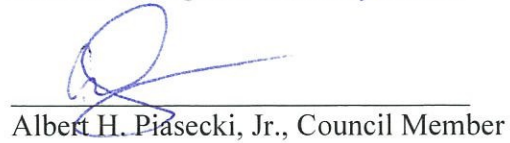
This Ordinance, having been introduced on November 2, 2020, and adopted on December 7, 2020, we hereby affix our signatures. Effective December 28, 2020. A summary of this Ordinance shall be published twice in a newspaper having general circulation within the Town of Galena.

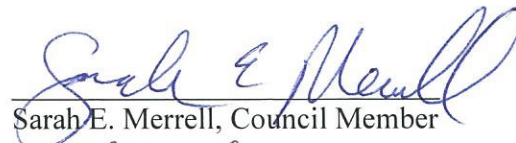
BY AUTHORITY OF THE MAYOR AND  
COUNCIL OF THE TOWN  
OF GALENA, MARYLAND

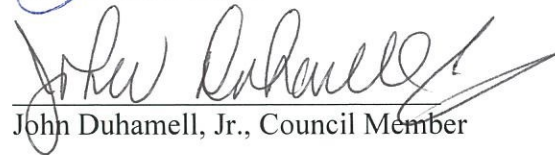
  
Kathleen Billmire, Zoning Coordinator

  
John T. Carroll, Jr., Mayor

  
Francis V. Bogdan, Council Member

  
Albert H. Piasecki, Jr., Council Member

  
Sarah E. Merrell, Council Member

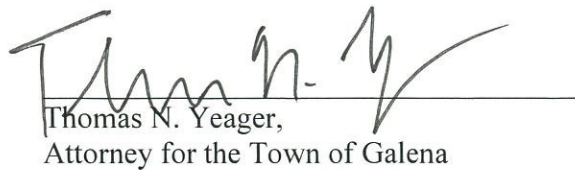
  
John Duhamell, Jr., Council Member

5  
Ayes

0  
Nays

0  
Absent

Approved as to Form:

  
Thomas N. Yeager,  
Attorney for the Town of Galena

# TOWN OF GALENA

## DESIGN GUIDELINES

Approved by Planning Commission  
on May 22, 2017

## LAND SUBDIVISION ORDINANCE 2020

Ordinance No. 2020-03



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Recommended by Planning Commission  
to Mayor and Council  
on September 28, 2020

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**TOWN OF GALENA  
MARYLAND**

**DESIGN GUIDELINES**

**(Approved BY P&Z May 22, 2017)**

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**DESIGN GUIDELINES FOR TOWN OF GALENA**

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## **RECOMMENDED DESIGN GUIDELINES FOR NEW DEVELOPMENT**

### **SECTION 1: INTENT**

These guidelines are established to foster the development of comprehensively planned, pedestrian-oriented neighborhoods and to encourage new development that strengthens the small-town character promoted for new development in the Town of Galena. This is to be accomplished by promoting a variety of land uses, housing types, and density, and by requiring skillful architecture in building design accompanied by landscaping, as well as site design for the location of lots, placement of structures and open spaces.

The design of the new development in town should reflect the following features:

1. Architectural harmony, including compatibility in styles, materials, colors, and building size, setbacks, or use of build-to-lines.
2. Variety in housing types, density, and cost.
3. Parks, squares, and other common open spaces for residents to interact and recreate, and to provide a setting for the architecture of the development.
4. Neighborhood commercial centers and civic spaces that are in scale with the neighborhood.
5. An interconnected street system that is based on a modified grid system or is composed of interconnecting, curvilinear streets, designed to conform to the topography (for sloping terrain, streams and wetland, environmentally sensitive areas).
6. Sidewalks, street trees, and substantial on-street parking, providing distinct separation between pedestrians and traffic.
7. Streets and sidewalks that are spatially defined by buildings in a regular pattern, and unbroken by parking lots.
8. Traffic calming techniques, including more narrow streets with shorter turning radii than suburban streets, and medians, circles and related features along prominent streets.
9. Lighting that is designed for safe walking, and signage that has a pedestrian-orientation; and
10. A system of land subdivision and development in potential municipal annexation areas which links one neighborhood to another and can logically be extended.

## **SECTION 2: GENERAL DEVELOPMENT GUIDELINES**

### **A. PHYSICAL DISTRIBUTION OF LAND USES**

A range of residential single-family unit types and lot sizes is appropriate and should be mixed throughout the Town's residential zones, with a range of lot sizes to encourage a variation in unit types.

### **B. MIX OF HOUSING TYPES**

New residential development should support economic diversity and serve people with different housing needs. Housing that is affordable to the average median income of the people living within the Town of Galena.

### **C. LOGICAL EXTENSION OF COMMUNITIES**

Pedestrian and vehicular connections shall be provided between existing and future development to disperse traffic flow and provide route options. Design shall provide for continuity of protected on- and off-site environmental features to increase environmental protection, connect on and off-site wildlife habitat and support the community benefits provided by natural systems.

### **D. BUILDING DESIGN AND MASSING GUIDELINES:**

#### **Architectural Compatibility**

- A. A building must incorporate architectural styles, building materials, and colors used in surrounding buildings or buildings within town.
- B. Design styles of both residential and non-residential buildings should reflect the local vernacular architecture representative of Galena and surrounding areas,
- C. A building greater than one story should clearly delineate the boundary between each floor of the structure through belt courses, cornice lines, or similar architectural detailing.
- D. Attached buildings within the same block should maintain consistent cornice lines in buildings of the same height within multi-family, townhome, non-residential, or mixed-use structures.
- E. Commercial buildings along main streets (213 and 290) must be built to the established build-to-line or minimum front setback.
- F. Porch frontages are encouraged on all single-family detached homes and multi-unit structures.
- G. Multi-family structures shall strive to appear as large single-family units. Small groups of townhouses (four (4) or less) may be designed to appear as large single-family structures.
- H. For commercial and non-residential building, significant departures from "off-the-shelf" standardized franchise building design may be required to meet these standards.

## **D. BUILDING DESIGN AND MASSING GUIDELINES: (CONT.)**

### **Human Scale Design**

- A. Doorways, windows, and other openings in the façade of a commercial buildings along main streets (213 and 290) are to be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
- B. A building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of a building should be divided into distinct modules no longer than fifty (50) feet in the C-1 Commercial District and one hundred (100) feet in the C-2 Commercial District.

### **Encouragement of Pedestrian Activity**

- A. In commercial and multi-family developments parking lots are to be located to the rear or side of the structure. If located at the side of the structure, the parking should be screened using solid streetwalls or landscaping.
- B. Awnings, covered walkways, open colonnades, or similar weather protection must be provided by commercial structures.
- C. A commercial use must provide a minimum sixty (60) percent of the front façade on the ground floor as clear or lightly tinted windows, doors, or other treatments sufficiently transparent to provide views into the interior of buildings.

### **Building Design**

The main entrance of a structure should be clearly articulated using architectural detailing.

## **E. OPEN SPACE**

The physical distribution of open space amenities gives all residents visual and functional access to nature and recreational opportunities.

### **GUIDELINES:**

- 1. Public use areas, parks and greens shall be reasonably located, sized and distributed within new development.

## **F. LANDSCAPING**

Landscaping should accentuate the natural and built environment, establish visual connectivity and community identity, and provide environmental and public health benefits. Landscaping accentuates the appearance and improves the function of the public realm, including streets and open spaces.

## **F. LANDSCAPING (CONT.)**

### **GUIDELINES:**

1. All utilities are to be located to accommodate the planting of street trees, planted regular intervals along sidewalks. Tree lawns, (the area between the edge of pavement or curb, and the sidewalk) shall be no less than four (4) feet in width to accommodate the planting of street trees. Shrubs or planters may be used when street trees are not feasible. Landscaping development plans shall clearly reflect the location of all utilities including fire hydrants so that there are no conflicts between the utilities and the location of trees.
2. Trees shall be used as a design element to provide visual identity to the neighborhood.
3. Islands and other landscaping alternatives shall be incorporated into parking areas to add visual interest. The use of islands and perimeter gardens designed and landscaped to serve as bio-retention facilities are encouraged.
4. All parking lots shall include sufficient landscaped areas and include native shade trees, such as, American Dogwood, at least two (2) inch in caliber and five (5) feet in height.
5. Landscaping shall be provided to screen facilities for refuse disposal. Facilities for refuse disposal shall be enclosed by solid fence or walls that are higher than the refuse container and landscaping shall be installed around the perimeter.

## **G. ACCESS AND CIRCULATION**

New development must balance the mobility, safety, and other needs of pedestrians, bicyclists, and vehicular traffic. Pedestrian walkways, bicycle lanes, and other amenities enhance the possibility and desirability of walking and bicycling.

### **GUIDELINES:**

1. Pedestrian ways shall be continuous, direct, and convenient with grade separation where necessary.
2. Pedestrian ways should be secure, well lighted, and have good visibility.
3. Pedestrian Pathways include a planting or buffer strip to separate pedestrians from the street and provide room for street light poles, pedestrian amenities, street trees, etc. The planting or buffer strip (tree lawn) shall be no less than four (4) feet in width.
4. Sidewalks at least five (5) feet in width shall be provided and constructed of similar materials consistent with adjacent sites.

## **G. ACCESS AND CIRCULATION (CONT.)**

### **GUIDELINES:**

5. Pedestrian-scale streetlights (no greater than 12 feet high) shall be provided between eighty (80) and one hundred sixty (160) foot intervals along sidewalks and parking areas.
6. Sidewalks shall be provided the entire length of the property frontage.
7. All non-residential sites shall include an area for parking bicycles. This area may be designated parking space within the parking lot near the building or an area outside the parking lot adjacent to the building. The bicycle parking area must include a bike rack. Parking area for horse-drawn buggies should be considered.
8. Buildings must be oriented to face local streets, with entrances and commercial display windows at the street level.
9. Interconnected streets shall be designed to encourage people to walk and provide a variety of route options.
10. Streets shall terminate at other streets within the neighborhood and, where appropriate, connect to existing and projected through streets outside the development.
11. Street design shall take into account the safety of drivers, pedestrians, and bicyclists.

## **SECTION 3: LOT DEVELOPMENT GUIDELINES**

New lot development must contribute to the development of a continuous streetscape and pedestrian atmosphere.

### **GUIDELINES**

1. Lot widths shall be designed to ensure that garages do not dominate the front facade of residential structures. Garages and parking areas are encouraged at the rear of properties.
2. Lot sizes shall be designed so that houses can be sited close to the street, while accommodating structures that include front porches.
3. Commercial buildings shall be sited to create a continuous streetscape.



# SECTION II

## Land Subdivision Ordinance 2020

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- A-12 On-Street Parking Example



# **TOWN OF GALENA LAND SUBDIVISION ORDINANCE 2020**

## **ARTICLE 1. TITLE AND APPLICABILITY**

### **Section 1. Title**

This Ordinance shall be known, referred to, and cited as the Land Subdivision Ordinance of Galena, Maryland.

### **Section 2. Applicability**

This Ordinance shall apply to the incorporated territory of Galena, Maryland, only. The regulations contained herein are adopted under the authority of Land Use Article of Maryland, as amended, and shall be in addition to any regulations pertaining to land subdivision promulgated by the State of Maryland, and in the case of any conflict, the precise regulation shall prevail.

## **ARTICLE 2. PURPOSE**

This Ordinance has been established for the purpose of guiding and accomplishing the coordinated and harmonious development of the Town of Galena, Maryland, and its environs, in order to promote, in accordance with present and future needs, the health, safety, morals, order, convenience, prosperity, and general welfare of the citizens of the Town. In the accomplishment of this purpose, the regulations as herein established provide for, among other things, efficiency and economy in the process of development; the proper arrangement of streets, in relation to each other and to the existing and planned streets and other features of the Comprehensive Plan of the Town; adequate open spaces for recreation, light, and air; convenient distribution of population and traffic; adequate provision for public utilities and other public facilities; and other requirements for a land subdivision which will tend to create conditions favorable to the health, safety, convenience, and prosperity of the citizens of Galena, Maryland, and its environs.

## **ARTICLE 3. DEFINITIONS**

### **Section 1. General Codes of Construction**

The following general rules of construction shall apply to the regulations of this ordinance:

1. The word "shall" is always mandatory. The word "may" is permissive.
2. The word "public" means "open to common use," whether or not public

ownership is involved.

3. Words and terms not defined herein shall be interpreted in accordance with their normal dictionary meaning and customary usage.
4. The singular number includes the plural and the plural the singular unless the context clearly indicates the contrary.
5. Words used in the present tense include the past and future tenses, and the future the present.

## **Section 2. Definitions**

For the purpose of this Ordinance, certain terms and words are hereby defined:

1. **Alley.** A narrow public thoroughfare, not exceeding eighteen (18) feet in pavement width, which provides a secondary means of vehicular access to abutting properties, and which is not intended for general circulation.
2. **Building Line.** A line within a lot, so designated on a plat of subdivision, between which line and the street line of any abutting street, no building or structure may be erected.
3. **Collector Street.** A street that is intended to collect traffic from the minor streets within a neighborhood or a portion thereof and to distribute such traffic to major thoroughfares, in addition to providing access to properties abutting.
4. **Cross-walkway.** A public way intended for pedestrian use and excluding motor vehicles, which cuts across a block in order to furnish improved access to adjacent streets or properties.
5. **Cul-de-Sac.** A minor street having but one end open for vehicular traffic and with the other end permanently terminated by a turnaround or background for vehicles.
6. **Easement.** A strip of land for which the owner grants a right of use to someone else for one or more designated purposes, which purposes are consistent with the general property rights of the owner.
7. **Engineer.** The Town Engineer of Galena, or other qualified civil engineer designated by the Mayor and Council.
8. **Health Officer.** The Health Officer of Kent County.
9. **Half Street.** A portion of the width of a street, usually along the edge or boundary of a development, where the remaining portion of the street is to be provided by the development of the adjacent property.
10. **Lot.** A portion of a subdivision or other parcel of land intended for the purpose of building development, whether immediate or future.

11. **Lot Area.** The total horizontal area within the lot lines of the lot.
12. **Lot Depth.** The average horizontal distance between the front and rear lot lines.
13. **Lot Line.** The boundary line of the lot.
14. **Lot Width.** The horizontal distance between the side lot lines measured at the required building setback line.
15. **Major Thoroughfare.** A primary street or highway so designated on the *Galena Transportation Plan, Appendix H, of the Zoning Ordinance.*
16. **Minor Street.** A street other than a major thoroughfare or collector street and intended primarily for providing access to abutting properties.
17. **Planning Commission.** The Galena Planning Commission.
18. **Regulations.** The whole body of regulations, text, charts, diagrams, notations, and references contained or referred to in this Ordinance.
19. **Roadway.** That portion of a street or highway available for and intended for use by motor vehicle traffic.
20. **Service Drive.** A minor street which is parallel to and adjacent to a major thoroughfare, and which provides access to abutting properties and restricts access to the major thoroughfare.
21. **Street.** A public or private thoroughfare which affords the principal means of access to abutting properties, and whether designated as a freeway, expressway, highway, road, avenue, boulevard, alley, lane, place, circle or however otherwise designated.
22. **Street Line.** A dividing line separating a lot, tract, or parcel of land and from a contiguous street, and also referred to as a right-of-way line.
23. **Subdivider.** Any person, individual, firm; partnership, association, corporation, estate, trust, or any other group or combination, acting as a unit, dividing or proposing to divide the land so as to constitute a subdivision as defined herein, and including any agent or the Subdivider.
24. **Subdivision.** The division of any tract or parcel of land into two or more plots, parcels, lots, or sites, for the purpose, whether immediate or future, of transfer of ownership or of building development. The term shall include re-subdivision, and where appropriate to the context shall relate to the process of subdividing or to the land subdivided.

The sale or exchange of parcels between adjoining lot owners where such sale or exchange does not create additional building sites shall be exempted from this definition.

## **ARTICLE 4. GENERAL PROVISIONS**

### **Section 1. Subdivider Must Prepare and Record Plat**

From and after the effective date of this Ordinance any owner, agent, or proprietor of any tract of land located within the territory to which these regulations shall apply, who subdivides such land into lots, blocks, streets, alleys, public ways, or public grounds, shall cause a plat of such subdivision to be made in accordance with the regulations set forth herein and the laws of the State of Maryland and shall cause a copy of said plat to be recorded in the office of the Clerk of the Circuit Court of Kent County.

### **Section 2. Approval of Plat Required**

No plat of subdivision shall be recorded by the Clerk of the Circuit Court unless and until it shall have been submitted to and approved by the Planning Commission as provided herein. The Planning Commission shall not approve said plat unless and until the plat satisfactorily complies with the requirements of these regulations.

### **Section 3. Transfer of Land; Building Permits**

No parcel of land in a subdivision created after the effective date of this Ordinance shall be transferred, sold, or offered for sale, nor shall a building permit be issued for any structure thereon, until a plat of subdivision shall have been recorded with the Clerk of the Circuit Court in accordance with these regulations and the laws of the State of Maryland. Any person who violates this provision shall be subject to the penalties contained herein.

### **Section 4. Requirements for Plat Preparation**

In the preparation of a plat of subdivision, the Subdivider shall comply with the general principles of design and requirements for the layout of subdivisions as set forth in *Article 6, Design Requirements and Standards*, and with the rules and regulations concerning required improvements as set forth in *Article 8, Improvements*, and in the standards and specifications for improvements as adopted by the Mayor and Council, and in every case, the preparation of such plat shall be in accordance with the procedure of *Article 5, Procedures for Plat Submission and Approval*.

## ARTICLE 5. PROCEDURES FOR PLAT SUBMISSION AND APPROVAL

### Section 1. Preliminary Sketch or Concept Plan

Before undertaking the preparation of a subdivision plat, the Subdivider shall have prepared a sketch or concept plan of the property in question, drawn to approximate scale, showing the boundaries, general topography, important physical features, and other significant information, as well as the proposed scheme for development of the property, including the proposed street and lot locations, areas to be reserved for public use, and proposed improvements. The sketch or concept plan, and any government agency review comments, must be submitted to the Zoning Coordinator at least two (2) weeks prior to the regularly scheduled meeting of the Planning Commission.

The concept plan, any available government agency comments, or other consults, will be reviewed by the Planning Commission. All subdivisions of more than two (2) lots, shall be reviewed by the Planning Commission. Subdivisions of two (2) lots, may be reviewed at the discretion of the Zoning Administrator.

The Subdivider shall then consult with the Planning Commission or its staff to ascertain the location of proposed major streets, highways, parks, playgrounds, school sites, and other planned public improvements, and to determine the zoning regulations and other requirements relating to, affecting or applying to the proposed subdivision. The Subdivider shall also consult with the Engineer and the Health Officer on the proposed street layout and the proposed facilities for sanitary sewage disposal, storm drainage, and water supply to serve the proposed subdivision. The purpose of these consultations is to assist the Subdivider by furnishing information and advice, in order to expedite matters for the Subdivider, save him unnecessary expense, and promote the best coordination between the plans of the Subdivider and those of the Town.

### Section 2. Submission of Preliminary Plat

The Subdivider shall then prepare a Preliminary Plat of the proposed subdivision conforming with the requirements for the preparation of such plat as set forth in *Article 7, The Preliminary Plat*. At least two (2) weeks prior to a regularly scheduled meeting of the Planning Commission at which action such plat is desired, the following items shall be filed with the Zoning Coordinator of the Planning Commission: three (3) black-line or blue-line prints of the Preliminary Plat; supporting statements on required improvements and proposed deed restrictions, as set forth in *Article 7, The Preliminary Plat*; and an application for the approval of the plat on a form to be supplied by the Planning Commission.

The Preliminary Plat shall be checked by the Planning Commission or its staff for its conformity with the *Galena Transportation Plan, Appendix H, of the Zoning Ordinance*, and other pertinent features of the Comprehensive Plan of the Town, the applicable zoning and other regulations, and the design principles and

standards and requirements for submission as set forth in this Ordinance. Copies of the Preliminary Plat shall be referred to the Engineer, Health Officer, and other appropriate public officials concerned with public improvements or health requirements, for review and approval.

### **Section 3. Preliminary Plat Approval**

A hearing on the Preliminary Plat shall be held at the next regular meeting of the Planning Commission. No hearing shall be held by the Planning Commission until notice thereof shall have been sent to the Subdivider and to such other interested parties as may be determined by the Planning Commission. At the hearing, the Planning Commission shall submit its findings and recommendations, together with those of the other public officials to whom copies were referred. The Planning Commission shall either tentatively approve or disapprove the Preliminary Plat, or it may approve the plat subject to specific changes or modifications. One copy of the Preliminary Plat, with any comments, shall be returned to the Subdivider, with other copies retained in the files of the Planning Commission.

Tentative approval of a Preliminary Plat shall be valid for not more than six (6) months. Unless a Final Plat, substantially in accordance with the approved Preliminary Plat and including any required changes or modifications, shall be filed with the Planning Commission within six months from the date of approval of the Preliminary Plat, the Planning Commission's approval thereof shall be deemed canceled; provided, however, that the Final Plat may include only a portion of the area in the Preliminary Plat, and that Final Plats for remaining portions may be filed at a later date without a new Preliminary Plat, but subject to any changes in the regulations contained herein made after such six-month (6) period.

The Planning Commission may grant an extension of the tentative approval of a Preliminary Plat, of up to six (6) months, but subject to any changes in the regulations contained herein, or made after the initial approval.

### **Section 4. Installation of Improvements**

Following tentative approval of the Preliminary Plat, the Subdivider shall prepare and submit plans for the installation of those improvements which he/she is required to make under the provisions of the Ordinance. Copies of such improvement plans shall be submitted to appropriate public officials for approval. Upon being notified that such improvement plans have been approved, the Subdivider shall proceed with the installation of such improvements prior to filing a Final Plat for the subdivision with the Planning Commission, except that, in lieu of completing the required improvements prior to such filing, the Subdivider may furnish the Planning commission with a cash deposit or performance bond executed in accordance with the provisions of *Article 8, Section 1*, of this Ordinance.



## **Section 5. Submission of Final Plat**

Following the completion of the required improvements to the satisfaction of the appropriate public officials, or following the posting of a performance bond or cash deposit in lieu of such completion, the Subdivider shall prepare a Final Plat of the subdivision. Such Final Plat may be for all the property included in the Preliminary Plat, or it may be limited to any portion thereof which is intended to be developed as a unit.

Additional Final Plats, covering additional units of the property, may be submitted later, provided that the Preliminary Plat is still valid. Every Final Plat shall be substantially in accordance with the tentatively-approved Preliminary Plat, including any changes or additions required by the Planning Commission as a condition for its tentative approval, and it shall conform in every respect with the requirements for the preparation of such plat as set forth in *Article 9, The Final Plat*.

At least two (2) weeks prior to a regularly scheduled meeting of the Planning Commission at which action on the Final Plat is desired, the Subdivider shall file the following items with the Secretary of the Planning Commission: two (2) copies of the plat on Mylar; six (6) black-line or blue-line prints of the plat; a properly executed statement of dedication of all streets in the subdivision to the appropriate jurisdiction, constituting an irrevocable offer to dedicate for a period of not less than five (5) years from the date of its filing with the Planning Commission; and an application for approval of the plat on a form to be supplied by the Planning Commission. Upon final action of approval by the Planning Commission, the applicant must submit two (2) copies of the plat on Mylar to the Secretary of the Planning Commission. The applicant must file the final plat within ten (10) days of the date the last Town of Galena Official signed it.

## **Section 6. Final Plat Approval and Recording**

Upon receipt by the Planning Commission of evidence of the satisfactory completion of required improvements or the posting of a cash deposit or performance bond therefor, the Planning Commission shall consider approval of the Final Plat at its next regular meeting. If the Final Plat is found to comply with the requirements of this Ordinance and with the Preliminary Plat as approved, the Planning Commission shall approve said plat and shall endorse the fact of such approval on each of the several copies submitted by placing the signature of its Chairman thereon.

The Planning Commission shall approve or disapprove the Final Plat within thirty (30) days after the filing of such plat with the Secretary of the Planning Commission; otherwise, such plat shall be deemed to have been approved, and a certificate to that effect shall be issued by the Planning Commission 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 record of the Planning Commission.

Upon approval of the Final Plat by the Planning Commission, the two (2) signed copies of the plat on Mylar shall be filed by the Subdivider with the Clerk of the Circuit Court. The signed black-line or blue-line prints shall be forwarded by the Planning Commission to the Supervisor of Assessments, the State Department of Health, the Health Officer, and the Engineer, with one print retained by the Planning Commission and one (1) print returned to the Subdivider.

### **Section 7. Filing Fees**

Fees shall be set by the Galena Mayor and Council.

## **ARTICLE 6. DESIGN REQUIREMENTS AND STANDARDS**

### **Section 1. General Requirements**

1. In designing a subdivision, the subdivider shall comply with the legislative intent, principles, and requirements of these regulations and all applicable standards established in pursuance of these regulations.
2. The Planning Commission, in considering an application for the subdivision of land, shall be governed by the consideration and standards contained herein.
3. The subdivision layout shall conform in all essential respects with the *Galena Transportation Plan, Appendix H*, of the Galena Zoning Ordinance, and other aspects of the adopted Comprehensive Plan for the Town.
4. The subdivision layout shall be in full compliance with the provisions of the zoning districts in which it is located.
5. The subdivision layout shall be designed in accordance with the principles and standards contained in this article, with the objective of achieving the most advantageous development of the subdivision and adjoining areas.
6. The subdivision layout shall be of such character and design that it protects the health, safety, and general welfare of the residents of the Town.

### **Section 2. Suitability of Land**

1. The land use goals and objectives of the Comprehensive Plan of the Town shall form the basic theme of the design pattern of the proposed subdivision.
2. The subdivision design shall consider the uniqueness of the site's topography, soils, forested area, and water bodies. The subdivision design shall also consider the relationship to, and connectivity to, adjoining subdivision and land uses, both proposed and existing,

3. Land subject to periodic flooding shall not be subdivided for residential occupancy nor for any other use which might involve danger to health, life, or property, or aggravate the flood hazard, and such land within any proposed subdivision shall be reserved for uses which will not be endangered by periodic or occasional inundation.
4. A plat for the subdivision of land with poor drainage or other adverse physical conditions should strive to include these areas within the required open space. Poorly drained lands or other adverse physical conditions will be considered for approval only if the Subdivider shall agree to make whatever engineered improvements are necessary, in the judgment of the Planning Commission, to render the land safe and otherwise acceptable for development.

### **Section 3. Street Layout**

1. The street layout shall be designed to create desirable building sites while respecting existing topography, minimizing street grades, avoiding excessive cuts and fills, and preserving trees to the maximum extent possible.
2. The street system layout shall be continuous in alignment and grade with existing streets and planned or platted streets, with which they are to connect.
3. Streets shall be spaced to allow for blocks meeting the dimensional requirements contained herein, as specified in *Article VI, Parking, Accessibility, Loading, & Thoroughfare Regulations of the Galena Zoning Ordinance*, and to minimize the number of intersections with existing or proposed major thoroughfares.
4. Streets and roads shall be suitably located, of sufficient width, and adequately improved to accommodate the proposed traffic, afford access to police, fire fighting, emergency service, road maintenance vehicle equipment, pedestrians, and bicyclists.
5. Where the subdivision adjoins or embraces any part of a major thoroughfare as designated on the *Galena Transportation Plan, Appendix H, of the Zoning Ordinance*, the layout of such subdivision shall provide for the platting and dedication of such part of the major thoroughfares in the location and at the width indicated on such plan, except that the Subdivider shall not be required to dedicate that part of such major thoroughfare which is in excess of one hundred-five (105) feet in width.
6. Wherever deemed desirable to the layout of the subdivision and adjoining areas, the Planning Commission may require the platting and dedication or one or more collector streets, or parts thereof, to serve the subdivision.
7. Minor residential streets, intended primarily for access to individual properties, shall be so arranged as to discourage their use by through traffic and to discourage excessive speed.

8. Streets shall be laid out to intersect one another at as near to right angles as topography and the limiting factors of good design will permit.
  - a. No street shall intersect another street at an angle of less than sixty (60) degrees.
  - b. Or closer than 125 feet from another intersection on the opposite side of the road.
9. Proposed streets in the subdivision shall provide for the continuation of existing, planned, or platted streets on adjacent tracts, unless such continuation shall be prevented by topography or other physical condition, or unless such extension is found by the Planning Commission to be unnecessary for the coordination of development between the subdivision and such adjacent tract.
10. Street design, right-of-way, and paving shall be in accordance with these regulations and the Illustrations in *Appendix A, Street Design, Right-of-way, & Paving*, of this Ordinance.
11. Rights-of-way for proposed streets shall be extended to the boundary lines of the proposed subdivision so that a connection can be made to all adjacent properties unless such extension is not feasible because of topography, or other physical conditions. No subdivision shall be designed so as to create or perpetuate the landlocking of adjacent undeveloped land. Temporary turn-arounds shall be provided at the ends of such streets, by means of temporary easement or otherwise.
12. Where the subdivision abuts or contains a primary highway as designated on the *Galena Transportation Plan, Appendix H*, of the Zoning Ordinance, the Planning Commission may require that measures be taken to reduce the impact of heavy traffic on the residential lots abutting or fronting upon such highway and to afford separation of through and local traffic, through one of the following means:
  - a. By providing vehicular access to such lots by means of a service drive separated from the major thoroughfare by a planting strip and connecting therewith at nfrequent intervals.
  - b. By designing reverse frontage lots having access only from a parallel minor street or from loop streets, and with vehicular access to such lots from the major thoroughfare prohibited by deed restrictions or other means.
13. Land dedicated or reserved for right-of-way shall not be counted in satisfying the minimum yard and/or minimum lot area requirements of the Galena Zoning Ordinance but can be counted in computing density on the gross acreage.

The choice of the most appropriate method of accomplishing the desired purpose in a specific instance shall be made by the Planning Commission,

giving consideration to topography and other physical conditions, the character of existing and contemplated development in the subdivision, and its surroundings, and other pertinent factors.

14. Cul-de-sac streets are not permitted unless necessitated by topographic conditions or where, in the judgment of the Planning Commission, there is no other appropriate thoroughfare type possible.
15. Alleys shall be permitted in all districts.
16. Half streets will be prohibited.
17. Private streets shall not be permitted in any proposed subdivision.

#### **Section 4. Street Design Standards**

1. **Right-of-Way Widths:** Right-of-way widths for primary and secondary highways shall be as designated in *the Galena Transportation Plan, Appendix H*, of the Zoning Ordinance, and in any case not less than fifty-four (54) feet for primary and secondary highways.

Right-of-way widths for other street types shall be not less than fifty-four ( 54) feet for collector streets, commercial and industrial areas; thirty-one (31) feet for minor streets in residential areas; forty-two (42) feet for service drives and eighteen (18) feet of for alleys.

2. **Roadway Lane Widths:** Roadway lane widths for major primary and secondary highways shall be not less than the minimum specified by state officials but in any case not less than nine (9) feet.

Roadway lane widths for other street types shall be not less than specified in *Article VI, Parking, Accessibility, Loading, & Thoroughfare Regulations* of the Galena Zoning Ordinance.

3. **Street Grades:** Street grades shall not exceed five percent for primary and secondary highways and collector streets and eight (8%) percent for minor streets, service drives, and alleys, except that the Planning Commission may permit a variation of not greater than two (2%) percent from these minimums where topographic conditions warrant. Street grades shall be not less than one-half (1/2%) of one percent at the gutter.

All changes in street grades of more than one percent shall be connected by vertical curves with a minimum length of fifty (50) feet or fifteen (15) times the algebraic difference in the change in grade, whichever is greater.

4. **Curvature:** The radius of curvature on the centerline shall be not less than four hundred (400) feet for primary and secondary highways, three hundred (300) feet for collector streets, and one hundred(100) feet for minor streets, service drives, and alleys. Between reversed curves, either of which has a radius of less than two hundred (200) feet, there shall be a tangent section at least one hundred (100) feet in length.

5. **Intersections:** Each property corner at street intersections shall be rounded off by an arc, the radius of which shall be not less than twenty (20) feet, except that in a business area a chord may be substituted for such arc. Curbs at street intersections shall be rounded off concentrically with the property lines. The design of the intersection should provide clear sight distance for oncoming vehicles, and there should be a suitable leveling of the street grade within and approaching the intersection.

### **Section 5. Blocks**

1. Residential blocks shall normally not exceed one thousand six hundred (1,600) feet in perimeter, nor any block face greater than five hundred (500) feet in length without a dedicated alley or vehicular pathway providing through access. In any residential block more than eight hundred (800) feet in length, a cross-walkway of not less than ten (10) feet in width may be required where necessary to provide convenient access to schools, playgrounds, shopping centers, and other community facilities.
2. Residential blocks shall normally be of sufficient width to provide two (2) tiers of lots of appropriate depth and rear alleyways.
3. Blocks for business or industrial use shall be of such length and width as may be necessary to serve their prospective use, including making adequate provision for off-street parking and for the loading and unloading of delivery vehicles.
4. Irregularly-shaped blocks and containing interior parks or playgrounds will be acceptable when they are properly designed, including making provision for adequate parking and for the maintenance of the public or joint-use recreation area.

### **Section 6. 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 requirements of the zoning district in which they are located, except that in any case where public water supply and/or public sewerage are not available or are not to be provided, all residential lots shall comply with the minimum lot dimensions and areas established by the Health Officer or State Department of Health after appropriate water percolation tests, where these requirements are greater than required under the zoning regulations.
3. Excessive lot depth in relation to lot width shall be avoided. A ratio of depth to width of two (2) to one (1) shall be considered a desirable maximum.
4. Corner lots shall desirably have extra width to permit appropriate building setback from both streets in accordance with the zoning regulations.

5. Every lot shall abut upon, and have access to, a public street.
6. Double frontage and reverse frontage lots shall be avoided, except where their use is essential to overcoming special topographic problems or to separating residential development from heavy street traffic.
7. Residential lots fronting or abutting on major thoroughfares shall desirably have extra lot depths and deeper building setbacks.
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 rear yard garage on each lot, except that the Planning Commission may permit the grouping of garages into a compound serving several such lots.

### **Section 7. Easements**

1. Where alleys are not provided in appropriate locations, easements of not less than ten (10) feet in width shall be provided where necessary to meet public utility requirements. Easements of greater width may be required along lot lines or across lots where necessary for the extension of trunk sewers or other primary utility lines.
2. Where a proposed subdivision is traversed by any stream, watercourse, or drainage-way, the Subdivider shall make adequate provision for the proper drainage of surface water, including the provision of easements along such streams, watercourses, and drainage-ways.
3. Utility easements in private rights-of-way or in joint-use recreation areas may be permitted at the discretion of the Planning Commission if the design considerations of the proposed subdivision warrant such easements.
4. No building or structure shall be constructed on any easement without the written authorization of the Planning Commission.

### **Section 8. Lot Access**

1. The Planning Commission shall have the right to approve or disapprove any point of ingress or egress to any lot, tract, parcel, or development for any street or road.
2. The Planning Commission may require the subdivider to provide ingress and egress to a particular lot or tract through the remainder of his property or other properties over which he has control.
3. In approving ingress or egress from any State Highway, the Planning Commission shall solicit the technical assistance and opinion of the State Highway Administration and may only approve those access points that are not in conflict with State Highway Administration policies and procedures.

### **Section 9. Acceptance**

The approval of a final subdivision plat shall not be deemed to constitute or imply the acceptance by the Town of any street shown on said plat. Acceptance of streets by the Town occurs only after all public improvements have been completed in accordance with the requirements of this code.

### **Section 10. Public Sites and Open Spaces**

1. Where deemed essential by the Planning Commission, upon consideration of the type and size of development proposed in the subdivision, the Subdivider shall be required to dedicate public facility sites and recreational facilities, of a character, extent, and location suitable to meeting the needs of such development.
2. Where the proposed subdivision includes lands required for use for public facilities, parks, playgrounds, or play-fields, the Subdivider shall indicate the location of such lands on the subdivision plat and shall dedicate such lands to the appropriate jurisdiction at the time of recordation of all or any portion of the subdivision.

## **ARTICLE 7. THE PRELIMINARY PLAT**

### **Section 1. General Requirements**

The Preliminary Plat of the proposed subdivision shall comply with the following general requirements with regard to style and content:

1. It shall be prepared by a registered Land Surveyor, preferably at a scale of one (1) inch to one hundred (100) feet, but in any case, at a scale not smaller than one (1) inch to two hundred (200) feet.
2. It shall provide all the pertinent information on existing site conditions, property ownership, and the like, which may be necessary for the Planning Commission to properly consider the proposed subdivision, and such information shall be accurate and reliable.
3. It shall show the general plan for the ultimate development of the property, including so much of the surrounding area as may be necessary for an adequate consideration of the land to be subdivided. Such plan shall be accurately drawn to scale.

### **Section 2. Information to be Shown**

The Preliminary Plat shall be drawn in a clear and legible manner and shall show the following information:

1. Proposed subdivision name, which shall not duplicate nor closely approximate the name of any other subdivision in the county.



2. Description of the proposed subdivision's location.
3. Names and addresses of the owner of record, the Subdivider, and the surveyor preparing the plat.
4. Scale, date, north-point, and a small-scale vicinity map showing the location of the proposed subdivision.
5. Boundaries of the land being subdivided in heavy outline, with the approximate dimensions of the property and the approximate acreage contained therein.
6. Names and locations of adjacent subdivisions and the location of adjoining parcels of unplatted land, with the names of owners of record.
7. Topographic contours at five (5) foot intervals and referenced to U.S. Geological Survey data, except that, where the average slope is less than three (3%) percent, a contour interval of two (2) feet shall be used.
8. Location of existing property lines, streets and alleys, easements, buildings, utilities, wooded areas, watercourses, and any other significant natural or man-made physical features affecting the proposed subdivision.
9. The present zoning classifications of the proposed subdivision and adjoining properties and proposed uses of property within the area being platted.
10. Layout, widths, and names of all streets, alleys, cross-walkways, and easements. Street names shall not duplicate nor closely resemble existing street names in the county, except for extensions of existing streets.
11. Layout, numbering, and approximate dimensions and areas of all proposed lots or parcels.
12. Proposed building lines along all streets, with the amount of setback required.
13. Designation of parcels of land to be conveyed or reserved for public use or for the common use of property owners within the subdivision.
14. Tentative locations for all utilities and drainage facilities, with easements indicated where necessary.

### **Section 3. Supporting Statements**

Accompanying the Preliminary Plat shall be the following written and signed statements in support of the Subdivider's application for tentative approval:

1. Statements explaining how and when the Subdivider proposes to provide and install required water supply, sewers, or other means of sewage disposal, street pavements, curbs and gutters, and drainage structures.
2. Statement concerning any proposed deed restrictions to be imposed by the owner.

## ARTICLE 8. IMPROVEMENTS

### Section 1. Required Improvements by Subdivider

The Subdivider shall be required to provide and install, or to enter into agreements to provide and install, certain minimum improvements in the subdivision as a condition for approval of the Final Plat by the Planning Commission. All such required improvements shall be constructed in accordance with the minimum requirements of these regulations and the construction standards and specifications adopted by the Mayor and Council or such other governmental agencies as may have jurisdiction over a particular improvement. Nothing contained herein, however, shall be construed as prohibiting the Subdivider from installing improvements meeting higher standards than the minimum requirements.

Prior to filing the Final Plat with the Planning Commission, the required improvements shall be completed, inspected, and approved by the proper authorities, except that in lieu of completing all improvements prior to submission of the Final Plat, the Subdivider may furnish the Mayor and Council with a cash deposit, or a secured line of credit, or a performance bond in an amount sufficient to cover one hundred twenty-five (125%) percent of the cost of the improvements required to be installed by the Subdivider, thereby insuring the actual construction and installation of such improvements prior to, or in no case later than, the time that such improvements are needed to serve buildings placed on abutting lots. The cost of required improvements shall be estimated by the Engineer or other authority having jurisdiction. In the event of any dispute concerning the amount of cash deposit or bond required, the Mayor and Council shall make the final decision based upon at least two (2) additional cost estimates.

### Section 2. Minimum Requirements

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

1. **Roads and Streets:** All new roads and streets shall be constructed in accordance with the minimum requirements of these regulations and the minimum construction standards adopted by the Mayor and Council in *Article VI. Parking, Accessibility, Loading, and Thoroughfare Regulations* of the Galena Zoning Ordinance. Existing roads and streets which do not meet these specifications with regard to width or type of construction shall be widened and brought into conformity on that portion of the road or street within or adjoining the subdivision.

The roadbed and roadway wearing surface shall be constructed in accordance with applicable Town standards. Curbs and gutters shall be provided in all subdivisions where the average lot area is less than one acre. Where curbs and gutters are not required, stabilized shoulders and stabilized drainage-ways outside the shoulders shall be provided. Street name signs of approved design shall be erected at each new street or road intersection.

2. **Surface Drainage Facilities:** The subdivision shall be provided with such storm drains, culverts, drainage-ways, or other works as are necessary to collect and dispose of surface and stormwater originating on or flowing across the subdivision, in order to prevent inundations and damage to streets, lots, and buildings.
3. **Water Supply Facilities:** Every subdivision shall require a public water supply under the regulations of the State Department of Health where a public source of water supply will not be available, a private on-site source of water supply, approved by the Health Officer, shall be provided.
4. **Sanitary Sewerage Facilities:** Every subdivision shall require a public sewer system under the regulations of the State Department of Health.
5. **Plantings:** It will be the responsibility of the Subdivider to provide street trees and other landscaping in all of the public rights-of-way in the proposed development. The proposed location and species of plant material to be used shall be subject to the approval of the Planning Commission.

The trees shall be preferable of a hardwood variety, shall be planted in fertile or fertilized ground, and shall be watered and nurtured after planting until growth is ensured. The Subdivider shall be responsible for the trees for two (2) growing seasons after planting. Each tree shall have a minimum trunk diameter of at least one and one-half (1-1/2") inches as measured at breast height. The trees shall be a least six (6) feet high above ground level and shall be planted at intervals of no less than fifty (50) feet minimum in accordance with a planting plan approved by the Planning Commission. The preservation of existing trees along the right-of-way may compensate for a portion of the required new plantings.

All parking areas shall be landscaped with trees planted at a rate of not less than one tree per two thousand five hundred (2,500) square feet of the gross parking area.

6. **Sidewalks:** For the safety of pedestrians and of children at play and to ensure the continuation of the system of pedestrian circulation in Galena, an installation by the Subdivider of sidewalks on both sides of all subdivision roads shall normally be required. Each sidewalk shall be a minimum five (5) feet wide, built to the construction standards adopted by the Mayor and Council, and separated from road paving by a planting strip, by Thoroughfare Plan type, *Galena Transportation Plan, Appendix H*, of the Zoning Ordinance.

Where for a considerable distance, one (1) side of a road abuts on farmland or another type of use that does not require a sidewalk and where the continuity of the overall sidewalk system is not interrupted, the Planning Commission may waive the requirements for a sidewalk on one or both sides of the road.

7. **Street Lighting:** The Subdivider shall make an application to the Planning Commission and Town Engineer for necessary streetlights. The purchase and installation of the required lighting shall be the responsibility of the Subdivider.
8. **Community Facilities:** All residential plans submitted to the Planning Commission, preliminary or final, will be referred to the Kent County Department of Education, for an advisory report and recommendation. The Department of Education will determine the projected school population anticipated from the subject development and compare the future school-age population to existing and proposed school capacities in determining whether that agency can endorse the development.
9. **Public Utilities:** The Subdivider shall place or cause to be placed underground, extensions of electric and telephone distribution lines necessary to furnish permanent residential electric and telephone service to new detached, semi-detached, group, or townhouse, single-family residences within a new residential subdivision, or to new apartment buildings, in accordance with the rules and regulations of the Public Service Commission of Maryland, effective July 1, 1968, and subject to the further order of that Commission.

#### 10. Off-Street Parking

##### a. Applicability

Every subdivision plan which shall be submitted to the Planning Commission for approval shall provide off-street parking space and facilities in accordance with the requirements of *Article VI*, Zoning Ordinance.

##### b. Design

- i. Parking spaces and all access and maneuvering space for off-street parking shall be surfaced and maintained with a dustless, all-weather material, except for single-family and two-family dwellings.
- ii. Every parking facility shall have a safe and efficient means of vehicular access to a recorded street.
- iii. No driveway serving a parking facility shall be closer than five (5) feet from a side property line.
- iv. No motor vehicle shall be parked in any yard or court closer than ten (10) feet to any door, window, or other openings of a dwelling, institution, or other property.
- v. In the design of off-street facilities for multiple dwellings, the public right-of-way shall not be obstructed by the use of the same as aisle space or maneuvering space. Each off-street parking facility shall provide sufficient maneuvering space within the boundaries of the lot or lots on which it is located and shall be so designed that no unreasonable difficulty or inconvenience will be entailed in making necessary

maneuvers for parking and removing a vehicle. Maneuvers shall not entail driving over any other required parking space. The layout of parking areas shall conform to the minimum dimensions for spaces and access-ways.

- vi. Each parking facility shall be so designed that ingress or egress to a parking space entails no backing maneuver across a sidewalk or established footway, nor a backing maneuver into or from the public right-of-way.
- vii. Neither the turn-around diameter of a cul-de-sac or a rotary nor the turn-slot or a T-type or L-type cul-de-sac shall be used for the parking of vehicles.
- viii. In a multi-family residential subdivision, no parking area shall exceed one hundred twenty-six (126) feet in length, and no portion of a motor vehicle shall be closer than twenty (20) feet from the right-of-way line of a public street.
- ix. Any fixture used to illuminate arranged any off-street parking area shall be arranged to reflect the light away from adjacent residential sites, institutional sites, and public roads.
- x. Off-street parking facilities shall be screened by compact planting, or wall or fence when adjoining the side or rear lot line. Screening shall be at least three-and-a-half (3 ½) feet high. Screening shall not be so placed or maintained as to constitute a traffic hazard by obstruction of visibility.
- xi. Entrance from public or private streets shall conform to the following dimensions:
  - a) One-way traffic entrances shall be not less than seventeen (17) feet in width.
  - b) Two-way traffic entrances shall not be less than twenty-four (24) feet nor more than thirty-five (35) feet in width; such entrances shall be not less than fifteen (15) feet apart.
  - c) Monumental entrances shall be provided with a six (6) foot-wide median, and the traffic lanes shall not be less than seventeen (17) feet in width.
  - d) All entrances shall be not less than five (5) feet from a side lot line.

**11. Refuse Collection:** In a residential subdivision, if refuse is to be collected at points exterior to a structure, such points shall be shielded from view on three (3) sides by screening and landscaping and placed on a pad of concrete where necessary.

- a) In a residential subdivision, if refuse is to be collected at points within a structure, the marginal notes to the subdivision plan shall so indicate.
  - b) In a commercial or industrial subdivision, refuse storage and collection points shall be housed in containers and shielded from view by screening and/or landscaping.
12. **Street Signs:** The Subdivider shall erect at every intersection a street sign or street signs having thereon the names of the intersecting streets. At intersections where streets cross, there shall be at least two (2) such street signs and at the intersections where one (1) street ends or joins with another street, there shall be at least one (1) such street sign.
- a) Street nameplates shall be of metal construction; all corners shall be rounded; the lettering shall be of standard proportions. The plates shall be horizontal. The lower edge of the nameplate shall be seven (7) feet above the ground level or of the curb. The nameplate shall be attached by rustproof metal fasteners.
  - b) The standard shall be rust-proof metal and shall be of sufficient length to permit the same to be embedded in the ground a distance of not less than three (3) feet. The standard shall be embedded in a base for a depth of not less than three (3) feet below the surface of the ground, and not less than twelve (12) inches in diameter.
  - c) The standard shall be heavy wall pipe not less than two-and-a-half (2 ½) inches in diameter. The pipe shall be capped.
13. **Reference Monuments:** Permanent reference monuments, of stone or concrete and at least thirty (30) inches in length and four (4) inches square with suitable center point, shall be set flush with the finished grade at such locations as may be required by the Planning Commission and the laws of the State of Maryland.

Monuments of metal pins or metal pipe, five-eighths (5/8) inches in diameter and at least eighteen (18) inches in length, shall be set in place flush with the finished grade at all intersections of streets and alleys with subdivision boundary lines; at all points on streets, alleys, and boundary lines where there is a change in direction or curvature; and at all lot corners.

### **Section 3. Inspection and Acceptance**

All construction work on improvements required herein shall be subject to inspection and approval by the Engineer, Health Officer, and other authorized public officials, during and upon completion of such construction work. Upon the completion of each improvement, the Subdivider shall furnish the appropriate official with accurate and detailed engineering drawings of the improvement as was actually constructed.

The Final Plat of the subdivision shall not be approved by the Planning Commission until all required improvements shall have been satisfactorily completed and approved as being in compliance herewith, or satisfactory bond posted in lieu of such completion. No such bond shall be released until all improvements secured by such bond shall have been completed and approved as being in compliance herewith; provided, however, that a partial release may be approved for such improvements as may have been completed and approved by appropriate officials. Approval of the Final Plat by the Planning Commission shall not be deemed to constitute or effect an acceptance by the public of the dedication of any street or other proposed public way or public grounds shown on said plat. The jurisdiction involved shall have no obligation to accept and to make public any street in a subdivision unless:

1. All required improvements shown on the approved Final flat have been constructed in conformity with the required standards and specifications; or
2. A petition signed by the owners of at least fifty (50%) percent of the frontage of the streets in question, requesting that the street be taken over and made public, is filed with the governing body of the jurisdiction involved, and it is established by such governing body that there is a need for the street to be taken over and made public.

The jurisdiction involved shall have no responsibility with respect to any street within a subdivision, notwithstanding the use of such street by the public, unless the street is accepted by ordinance or resolution of the governing body of such jurisdiction.

#### **Section 5. Sediment Control**

Nothing in this Ordinance shall be deemed as relieving any person or corporation of the Kent County Sediment Control Ordinance.

All subdivision applications must incorporate a Sediment Control Plan prior to final approval of the Plat.

## ARTICLE 9. THE FINAL PLAT

### Section 1. General Requirements.

The Final Plat of the subdivision shall comply with the following general requirements with regard to style and content:

1. It shall be drawn on Mylar and shall comply with the applicable provisions of the laws of the State of Maryland relative to the making of plats.
2. It shall be prepared by a registered Land Surveyor, preferably at a scale of one (1) inch to one hundred (100) feet, but in any case at a scale not less than one (1) inch to two hundred (200) feet, and it shall be drawn on sheets not less than eight (8) inches by twelve (12) inches and not more than twenty-four (24) inches by thirty (30) inches in size, including a margin of a one-half (1/2) inch outside ruled border lines.
3. All dimensions and bearings of lines and all areas shall be based upon a field survey of sufficient accuracy and detail that the data shown thereon may be reproduced on the ground. All distances and the length of all lines shall be given to the nearest hundredth of a foot. Bearings of all lines shall be magnetic bearings referenced to the date of the plat, and all bearings shall be given to the nearest degree, minute, and second. All areas shall be given to the nearest square foot.

### Section 2. Information to be Shown

The Final Plat shall be legibly and accurately drawn and shall show the following information:

1. The name under which the subdivision is to be recorded, and the subdivision's location.
2. Scale, date, north-point, and a small-scale vicinity map showing the general location of the subdivision in relation to its surroundings.
3. Distances and bearings for all the boundary lines of the subdivision.
4. Locations and descriptions of all permanent survey monuments, of at least four (4) monuments, with coordinates of all monuments.
5. Names and locations of adjacent subdivisions and the location of adjoining parcels of unplatted land, with the names of the owners of record.
6. Locations, dimensions, and names of all streets and alleys within and adjoining the subdivision, with the lengths and bearings of tangents, the lengths of arcs and radii, internal angles, points of curvature, and any other necessary engineering data.
7. Locations, dimensions, and bearings of all lot lines, and the area of every lot or parcel.



8. Building restriction lines along all streets, dimensional to street lines.
9. Blocks lettered in alphabetical order, with the lots within each block numbered in numerical order.
10. Locations, dimensions, and purposes of all cross-walkways, easements, and other public ways.
11. Locations, dimensions, and purposes of any other property offered for dedication, or to be reserved for acquisition for public use, or to be reserved by deed covenant for the common use of property owners in the subdivision.

### **Section 3. Certificates and Supporting Statements**

Accompanying the Final Plat and made a part thereof shall be the following certificates and statements:

1. Notarized owner's certificate, acknowledging ownership of the property and agreeing to the subdivision thereof as shown on the plat, and signed by the owner or owners and any lien-holders.
2. Notarized owner's statement of dedication, offering all streets, alleys, and other public ways and public grounds for dedication, and constituting an irrevocable offer to dedicate for a period of not less than five years from the date of filing the Final Plat with the Planning Commission.
3. Certificate of the surveyor that the Final Plat, as shown, is a correct representation of the survey as made, that all monuments indicated thereon exist and are correctly shown, and that the plat complies with all requirements of this Ordinance and other applicable laws and regulations.
4. A brief summary of deed restrictions applicable within the subdivision, including any trust agreements for the operation and maintenance by the property owners *in* the subdivision of any sewage disposal system, water supply system, park area or other physical facilities which is of common use or benefit but which is not to be held in public ownership.
5. Certificate of approval by the Health Officer of the means of providing water supply and sewage disposal services for the subdivision.
6. Certificate of approval by the Town Engineer that all specifications established by the developer are in accordance with Town specifications and desires.
7. Certificate of approval by the Sediment Control Officer that the proposed subdivision is in conformance with the Sediment Control Ordinance.
8. Certificate of approval by the Planning Commission, ready for signature and in a form acceptable to the Planning Commission.

## **ARTICLE 10. MODIFICATIONS AND EXCEPTIONS**

### **Section 1. Modification for Unusual Conditions**

Where, in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this Ordinance would result in extraordinary hardship to the Subdivider because of unusual topography or other conditions which are not self-inflicted, or that these conditions would result in inhibiting the achievement of the objectives of these regulations, the Planning Commission may vary, modify or waive, the requirements so that substantial justice may be done and the public interest secured; provided, however, that such variance, modification, or waiver will not have the effect of nullifying the intent and purpose of this Ordinance or being contrary to the goals and objectives of the Comprehensive Plan for the Town. In no case shall any variation, modification, or waiver be more than a minimum easing of the requirements, and in no instance shall it result in harm to a neighboring property or cause any conflict with the proposals of the adopted Transportation Plan for the Town or the applicable zoning regulations.

### **Section 2. Approval of Modifications and Exceptions**

Variances, modifications, and waivers from the requirements of this Ordinance shall be granted only by the affirmative vote of three-fourths ( $\frac{3}{4}$ ) of the members of the Planning Commission. In granting variances, modifications, and waivers, the Planning Commission may require such conditions as will, in its judgment, substantially secure the objectives of the requirements so varied, modified, or waived.

## **ARTICLE 11. 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 may be initiated by a resolution of the Mayor and Council or by the motion of the Planning Commission. Before taking action on any proposed amendment or change, the Mayor and Council shall submit the same to the Planning Commission for its recommendations and report. Failure of the Planning Commission to report within sixty (60) days after its first meeting subsequent to the proposal being referred shall be deemed approved by the Planning Commission.

The Planning Commission may hold a public hearing on any proposed amendment or change before submitting its report to the Mayor and Council. Notice of such public hearing before the Planning Commission shall be given at least 15 days prior to the hearing by publishing the time, place, and the nature of the hearing in a newspaper having general circulation in the Town. The published

notice shall contain a reference to the place or places within the Town where the full text of the proposed amendment or change may be examined.

Before approving any proposed amendment or change, the Mayor and Council shall hold a public hearing thereon, a notice of said hearing to be accomplished by publication in a newspaper as prescribed above.

## **ARTICLE 12. PENALTIES FOR VIOLATION**

Whoever, being the owner or agent of the owner of any land located within the jurisdiction of these regulations, knowingly, or with intent to defraud, transfers or sells or agrees to sell or negotiates to sell any land by reference to, or exhibition of, or by other use of a plat of land subdivision, before such plat has been approved by the Planning Commission and recorded or filed in the office of the Clerk of the Circuit Court, shall forfeit and pay a penalty of not more than One Hundred Dollars (\$100.00) for each lot or parcel so transferred or sold or agreed or negotiated to be sold, and the description of such lot or parcel by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from such penalties or from the remedies herein provided. The Mayor and Council may enjoin such transfer or sale or agreement by action for injunction brought in any court of equity jurisdiction or may recover the said penalty by civil action in any court of competent jurisdiction.

Every act or omission in violation of this Ordinance shall be punishable as provided herein. Where such an act or omission is of a continuing nature, each and every day during which such act or omission continues shall be deemed a separate misdemeanor.

## **ARTICLE 13. APPEALS**

Any person aggrieved, or any officer, department, board, or bureau of the Town affected by any decision of the Planning Commission may, within thirty (30) days after the decision appealed from, file a notice of appeal with the Circuit Court. Upon the hearing of such appeal, the decision of the Planning Commission shall be presumed by the Court to be proper and to best serve the public interest. The burden of proof shall be upon the appellant or appellants, to show that the decision appealed from was against the public interest and that the Planning Commission's discretion, in rendering its decision, was not honestly and fairly exercised, or that such decision was arbitrary, or procured by fraud, or unsupported by any substantial evidence, or was unreasonable, or that such decision was beyond the powers of said Planning Commission and was illegal. The Court shall have the power to affirm, modify, or reverse in whole or in part any decision appealed

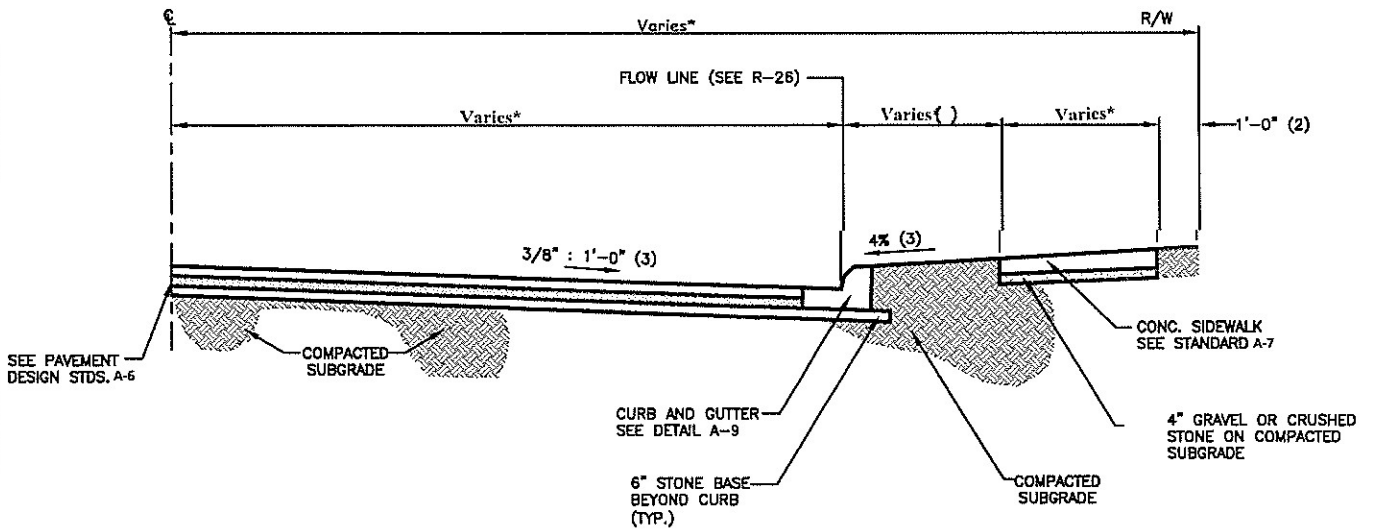
from and may remand any case for the entering of proper order or for further proceedings, as the Court shall determine.

**ARTICLE 14. VALIDITY**

If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

**ARTICLE 15. REPEAL OF CONFLICTING ORDINANCES**

All ordinances or parts of ordinances in conflict herewith are hereby repealed, except any ordinance which imposes more restrictive regulations than are imposed herein.



NOTES:

1. FOR COMMUNITIES WHERE LOTS  $\leq$  10,000 SF.
2. UNSURFACED AREAS WITHIN THE RIGHT-OF-WAY SHALL RECEIVE A MINIMUM SURFACE TREATMENT OF 2" TOPSOIL, SEED AND MULCH.
3. SLOPES SHOWN ARE THE STEEPEST SLOPES ALLOWED, UNLESS SPECIFIED ON DETAIL.

TOWN OF  
GALENA

STANDARD ROAD & STREET DETAILS

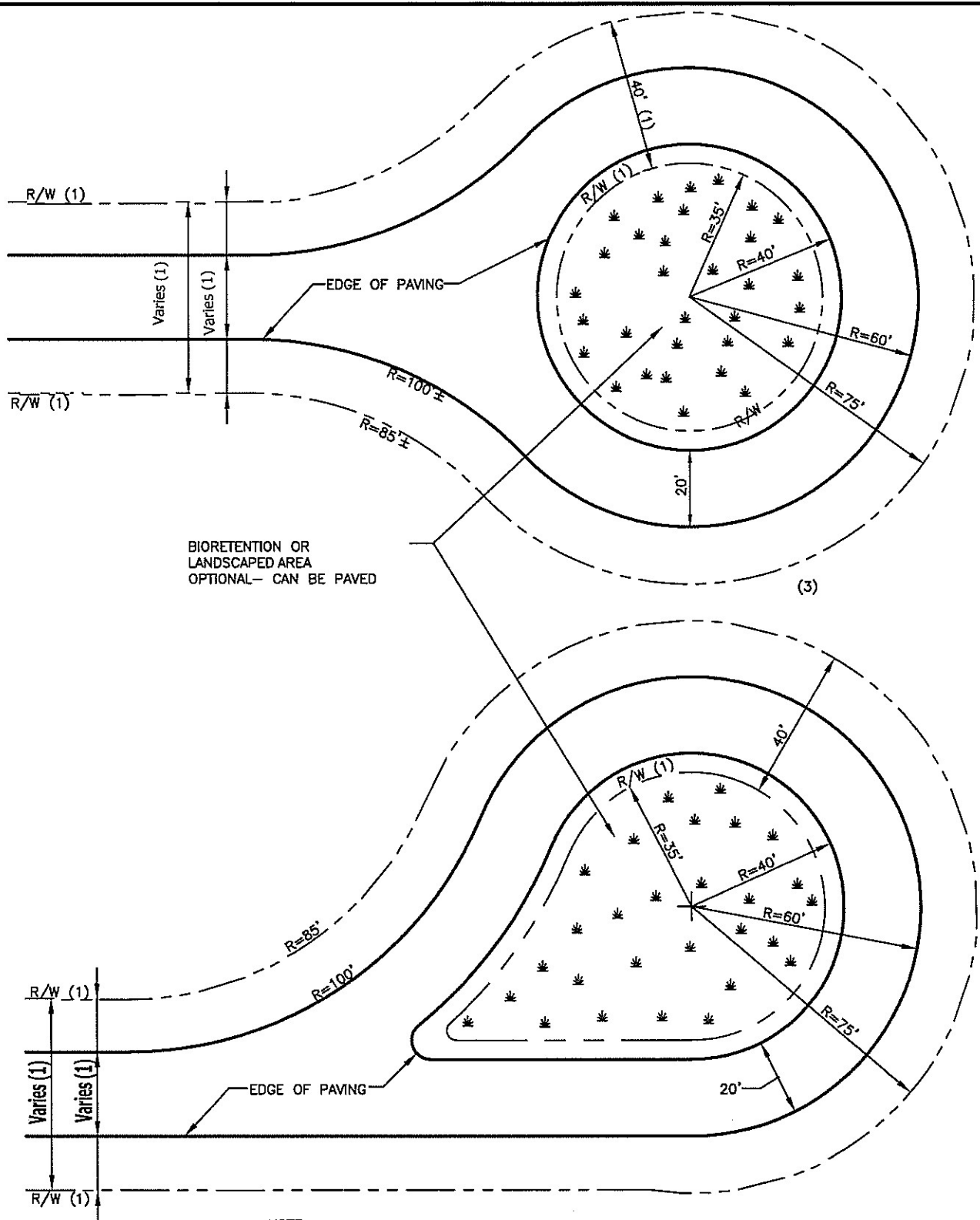
\*See Galena Zoning Ordinance Section 45  
Thoroughfare Standards and Table 45.2  
Thoroughfare Dimensions

REVISED

08/20

A-1





BIORETENTION OR  
LANDSCAPED AREA  
OPTIONAL - CAN BE PAVED

**NOTE:**

(1) WILL VARY ACCORDING TO ROAD TYPE.

(2) A LEFT OFFSET IS SHOWN. A RIGHT OFFSET  
DESIGN CONFORMING THE SAME DIMENSIONS MAY  
BE USED.

Town of Galena

STANDARD ROAD & STREET DETAILS

RESIDENTIAL  
CUL-DE-SAC ROAD  
CUL-DE-SAC DETAIL

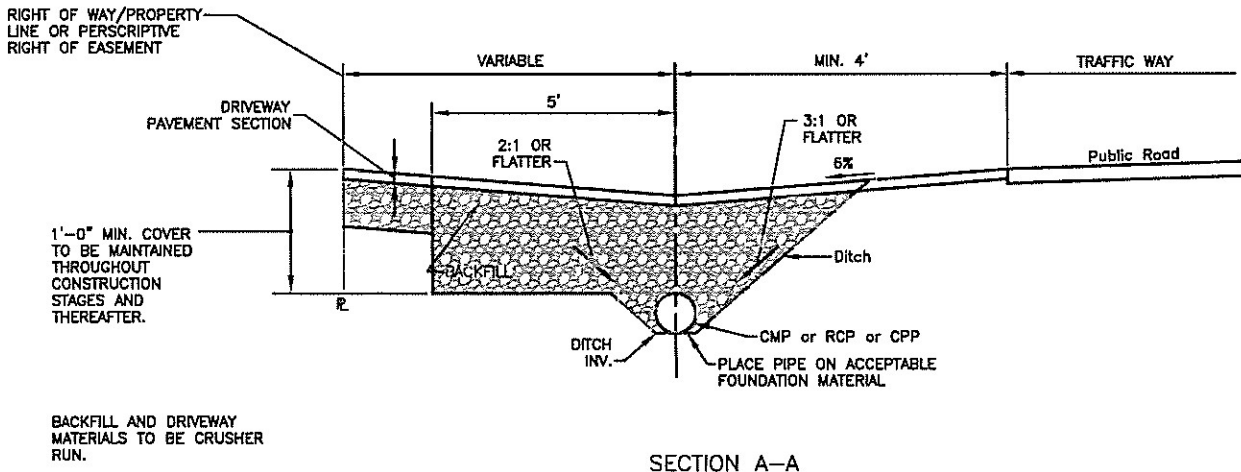
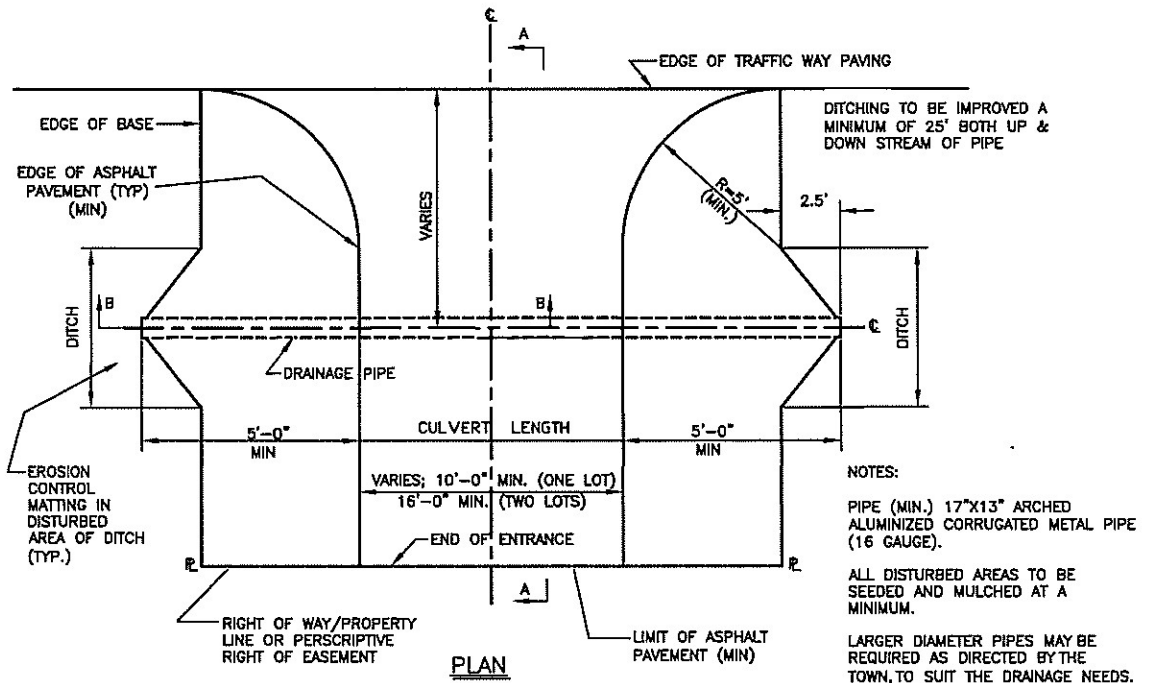
REVISED

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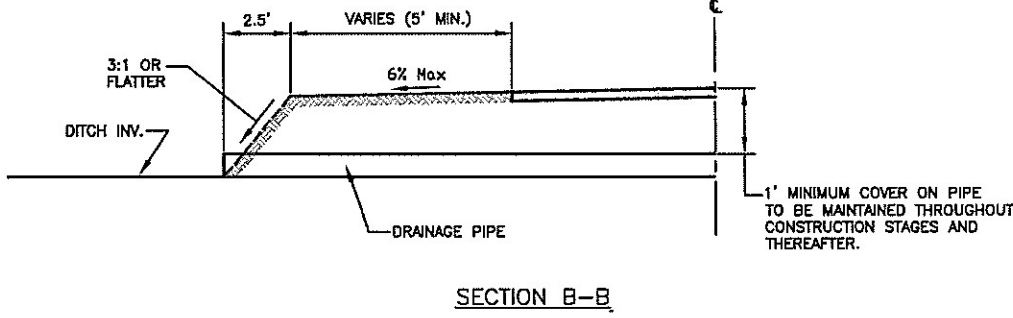
A-2





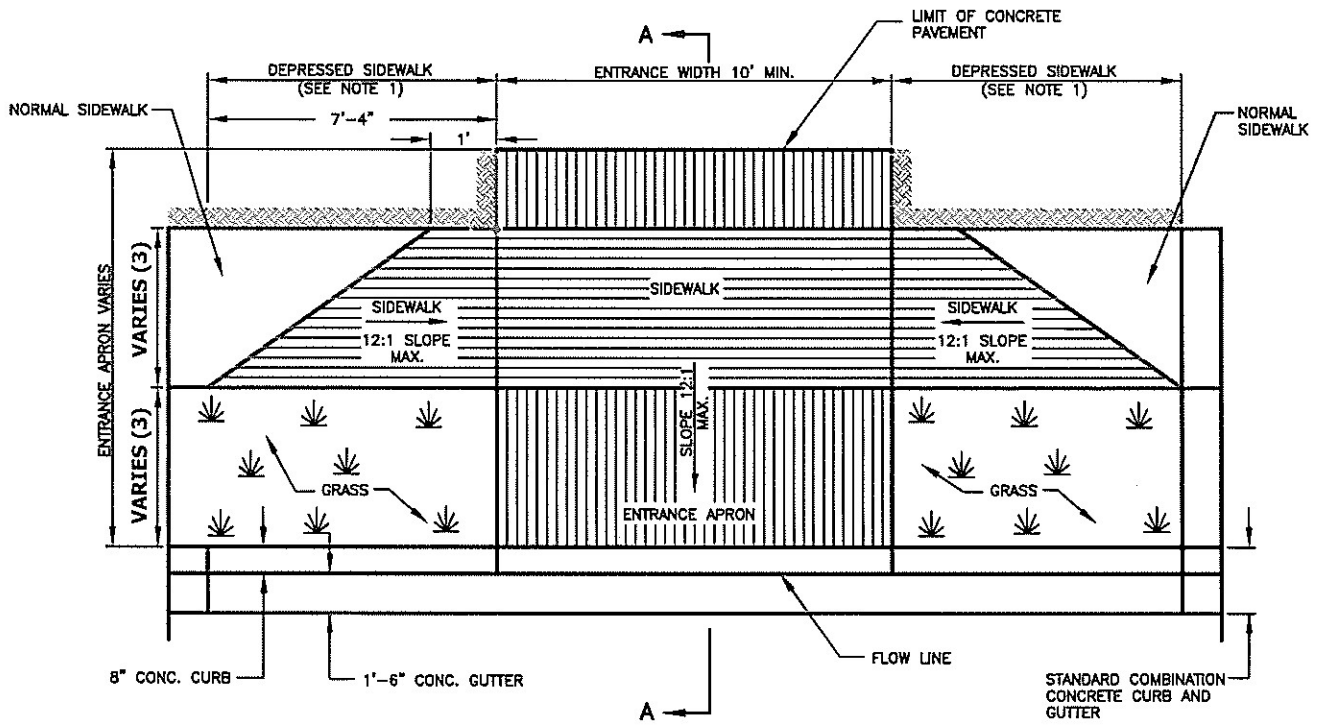


ALL DRIVEWAYS MUST BE PAVED AT LEAST TO THE RIGHT-OF-WAY.

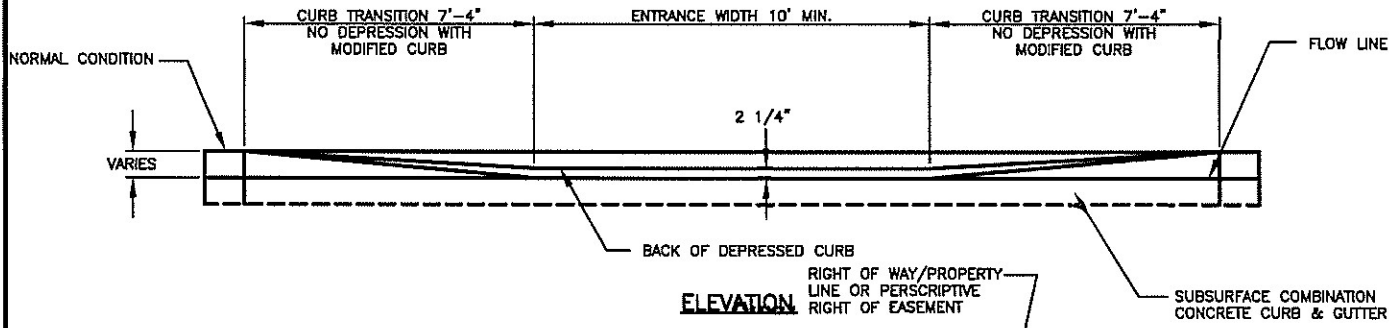


TOWN OF GALENA	STANDARD ROAD & STREET DETAILS	REVISED
		08/2020
TYPICAL DRIVEWAY ENTRANCE FROM ROAD WITH DRAIN PIPE		A-3

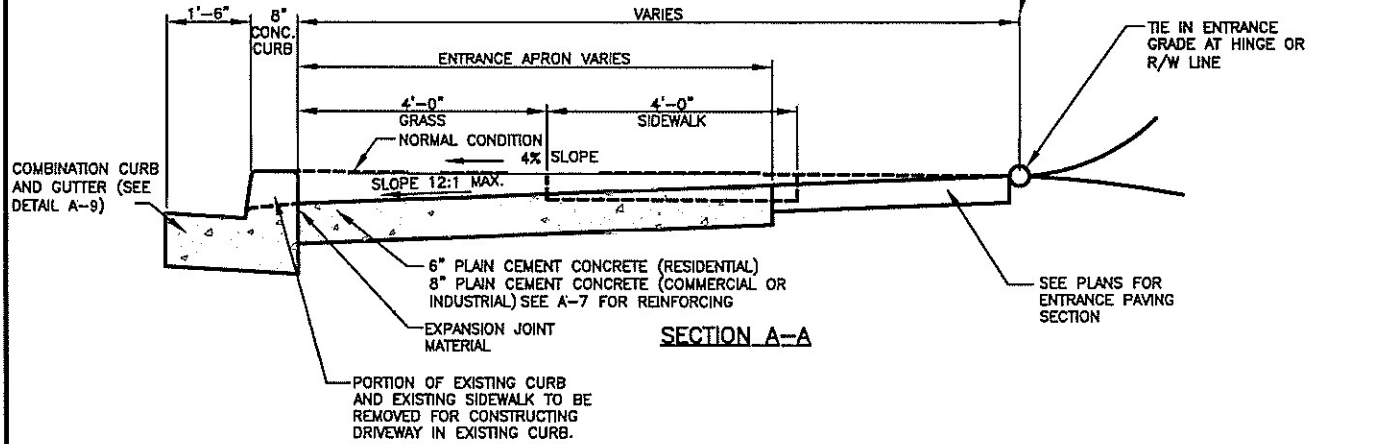




**PLAN**



**ELEVATION**

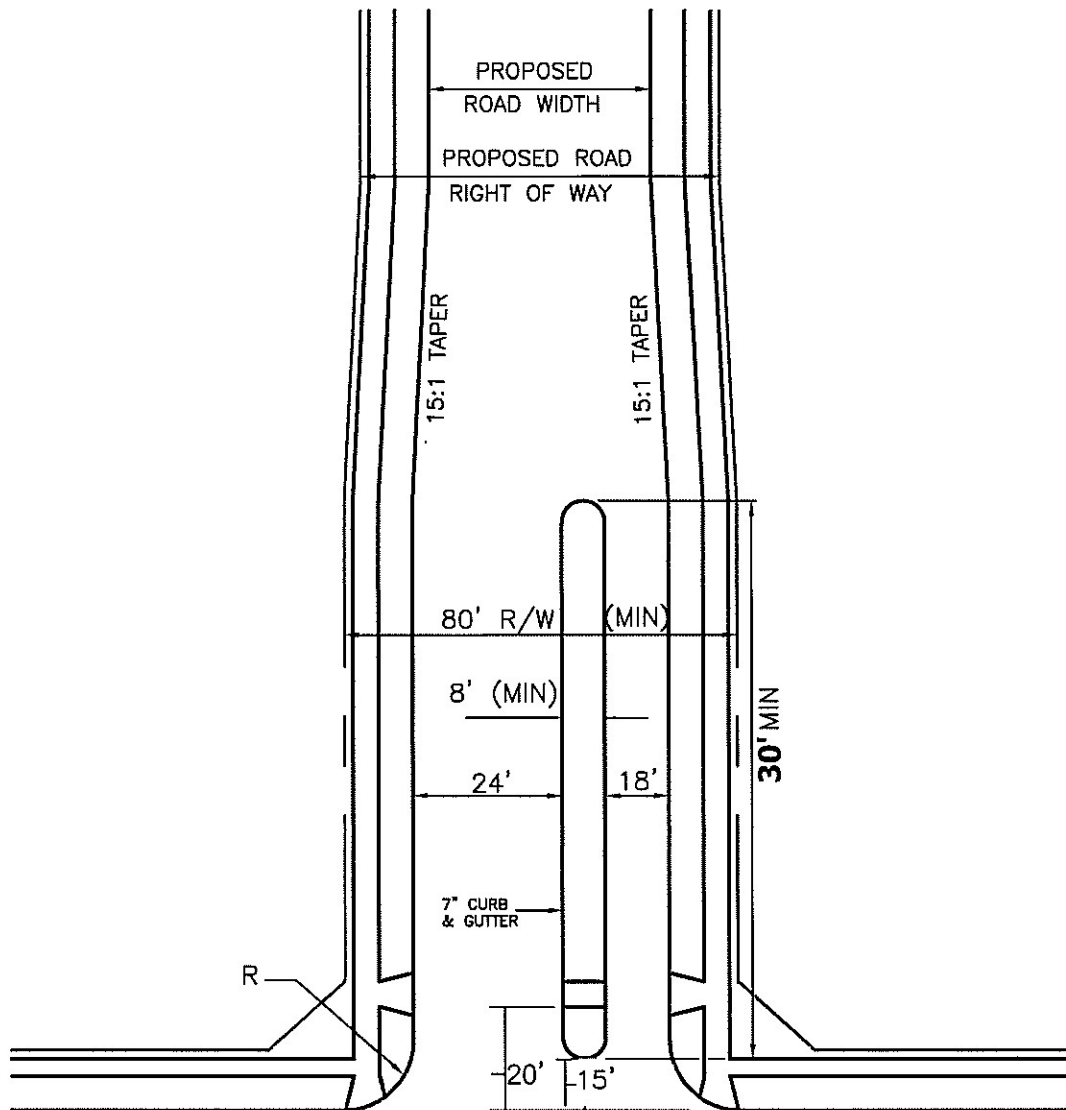


**SECTION A-A**

- NOTES:**
1. THE BACK EDGE OF THE 5' WIDE SIDEWALK TO BE DEPRESSED SO THAT THE ENTRANCE APRON GRADE WILL NOT EXCEED 12:1 (8.33%) WITHIN SIDEWALK
  2. ALL EXPANSION JOINTS TO BE 1/2" PERFORMED BITUMINOUS EXPANSION JOINTS.
  3. WILL VARY ACCORDING TO ROAD TYPE

TOWN OF GALENA	STANDARD ROAD & STREET DETAILS	REVISED
	TYPICAL DRIVEWAY ENTRANCE SIDEWALK ABUTTING STANDARD COMBINATION CURB AND GUTTER	08/2010
		A-4





NOTE: FOR RESIDENTIAL OR COMMERCIAL SUBDIVISIONS WITH ONE ENTRANCE, THE MEDIAN SHALL BE EXTENDED TO THE FIRST INTERSECTION OR COMMERCIAL ENTRANCE, OR AS DETERMINED BY THE TOWN.

R = 40' RESIDENTIAL ROADS  
 R = 50' COMMERCIAL/INDUSTRIAL ROADS

TOWN OF GALENA

STANDARD ROAD & STREET DETAILS

MONUMENTAL ENTRANCE  
 (MAJOR COLLECTOR ROAD) – 80' R/W (Min)

REVISED

08/2020

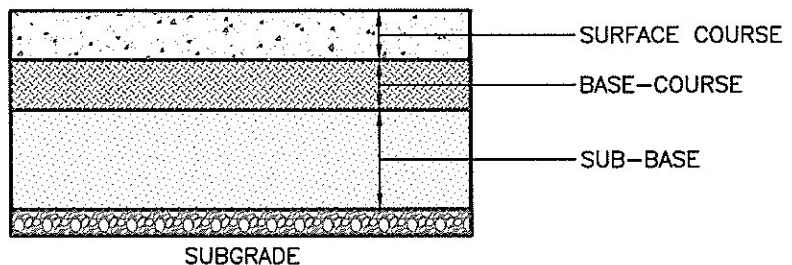
A-5



TYPE AND ROAD CLASSIFICATION	COMMERCIAL/INDUSTRIAL ROADS			ALL OTHER ROADS			
	MINOR	MINOR COLLECTOR	MAJOR (3) COLLECTOR	MINOR	MINOR COLLECTOR	MAJOR (4) COLLECTOR	TOWNHOUSE PARKING
SURFACE COURSE:  TYPE  THICKNESS (IN.)	N/A	*	*	LEVEL 1 9.5 mm 76-22	LEVEL 2 9.5 mm 76-22	LEVEL 2 9.5 mm 76-22	LEVEL 1 9.5 mm 64-22
	N/A	2.00	2.00	1.50	1.50	1.50	1.50
BASE-COURSE  TYPE  THICKNESS (IN.)	N/A	*	*	LEVEL 1 19 mm 76-22	LEVEL 2 19 mm 76-22	LEVEL 2 19 mm 76-22	LEVEL 1 19 mm 64-22
	N/A	10.00	12.00	3.00	4.50	7.00	N/A
SUB-BASE  TYPE  THICKNESS (IN.)  NO. OF LIFT (2)	N/A	GA (1)	GA	GA	GA	GA	GA
	N/A	15.00	15.00	10.00	12.50	15.00	15.00
	N/A	2	2	2	2	2	2
MINIMUM STRUCTURAL NUMBER (SN) (4) (5)	N/A	6.90	7.70	3.20	4.15	5.50	2.90

\* ENGINEER MUST SUBMIT PAVEMENT DESIGN TYPE IN ACCORDANCE WITH STATE HIGHWAY ADMINISTRATION'S PAVEMENT DESIGN GUIDE.

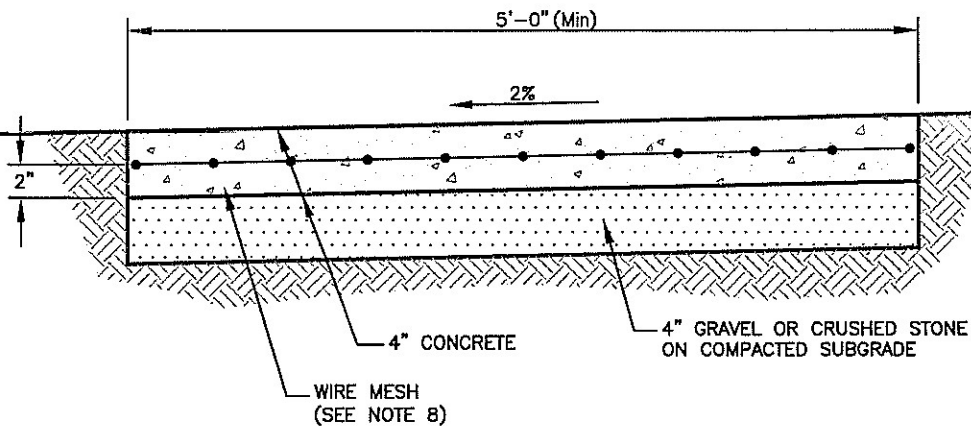
- (1) GA = GRADED AGGREGATE (CAN BE REPLACED WITH BANK RUN GRAVEL AS SPECIFIED BY THE SHA SPECIFICATIONS, CERTIFIED BY A GEOTECHNICAL ENGINEER OR QUALIFIED SOILS TECHNICIAN, AND APPROVED BY THE TOWN. MINIMUM STRUCTURAL NUMBER SHALL BE MAINTAINED AT ALL TIMES.); IF BANK RUN GRAVEL IS USED, INCREASE THICKNESS BY 2".
- (2) LIFT THICKNESS SHALL NOT BE LESS THAN 4" AND SHALL NOT EXCEED 8".
- (3) FOR MAJOR COLLECTOR WITH TRAFFIC VOLUME EXCEEDING 5000 ADT OR TRUCK TRAFFIC VOLUME EXCEEDING 500/DAY/DIRECTION A DETAILED DESIGN PREPARED BY A PROFESSIONAL ENGINEER EXPERIENCED IN HIGHWAY PAVEMENT DESIGN SHALL BE SUBMITTED FOR APPROVAL BY THE TOWN.
- (4) THESE MINIMUM DESIGNS ARE BASED ON POOR SUB GRADE SOILS. THE STRUCTURAL NUMBER REQUIREMENTS, CAN BE REDUCED BY 0.8 IF A GEOTECHNICAL REPORT DEMONSTRATES EXISTENCE OF GOOD SUB GRADE SOILS AND IS APPROVED BY THE TOWN.
- (5) ALTERNATE PAVEMENT SECTIONS MEETING THE MINIMUM STRUCTURAL NUMBER REQUIREMENTS, CAN BE SUBMITTED TO THE TOWN FOR APPROVAL.
- (6) MIX DESIGN SHALL BE SHA CERTIFIED AND CURRENT CERTIFICATION SHALL BE PROVIDED BY THE CONTRACTOR UPON REQUEST OF THE TOWN.



TOWN OF GALENA	STANDARD ROAD & STREET DETAILS	REVISED
	<b>MINIMUM PAVEMENT SECTION STANDARDS</b>	08/2020
		A-6







NOTES:

1. SIDEWALKS TO BE SCRIBED IN 5' SQUARES.
2. EXPANSION JOINTS ACROSS THE SIDEWALK NOT LESS THAN 12' APART AND NOT MORE THAN 16' APART.
3. 1/2" PRE FORMED BITUMINOUS EXPANSION JOINT FILLER IN EXPANSION JOINTS TO BE 1/4" WIDE, 1/4" BELOW SURFACE OF SIDEWALK.
4. CONCRETE TO BE 3000 P.S.I., S.H.A. MIX NO. 2
5. WHEN SIDEWALK ABUTS CURB, WALK SHALL BE 1/4" ABOVE CURB.
6. FOR LOCATION OF SIDE WALK SEE DETAILS (R-1 THRU R-17).
7. FOR MODIFICATIONS TO SUIT DRIVEWAYS AND RAMPS SEE DETAIL (R-22 & R-25)
8. 6" x 6" 10 GAUGE WIRE MESH TO BE USED CONTINUOUSLY FOR ALL SIDEWALKS, PLACED 2" CLEAR OF THE BASE.

TOWN OF  
GALENA

STANDARD ROAD & STREET DETAILS

STANDARD 5' SIDEWALK

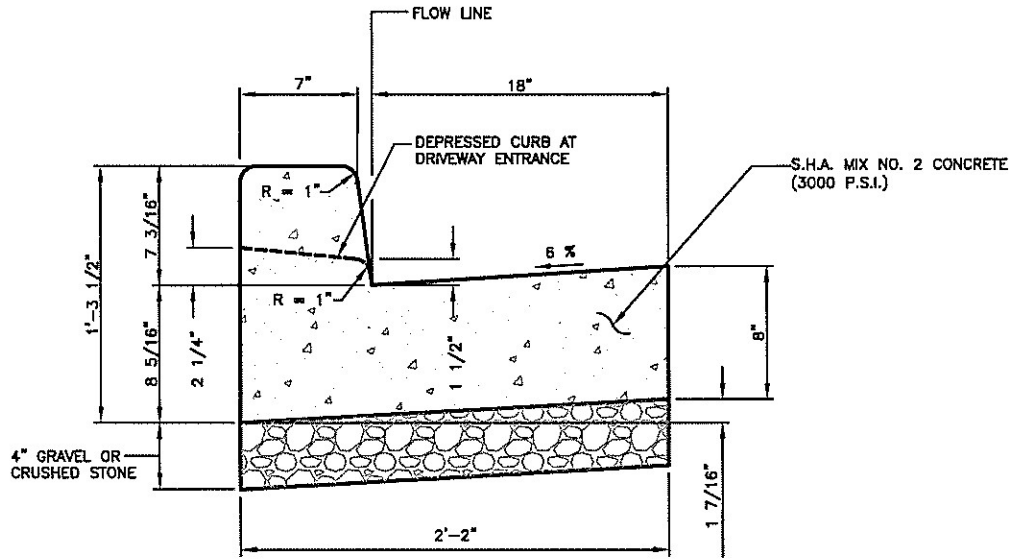
REVISED  
08/2020

A-7





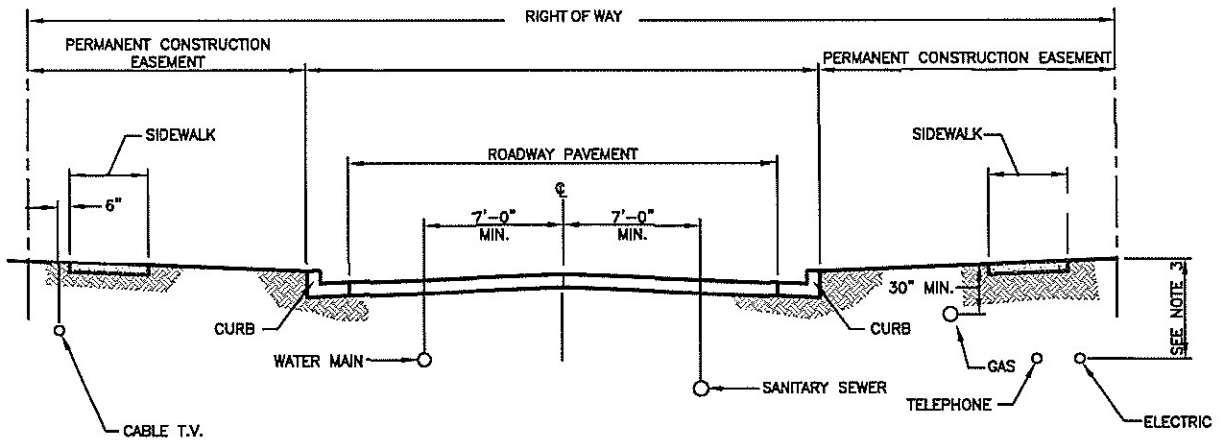




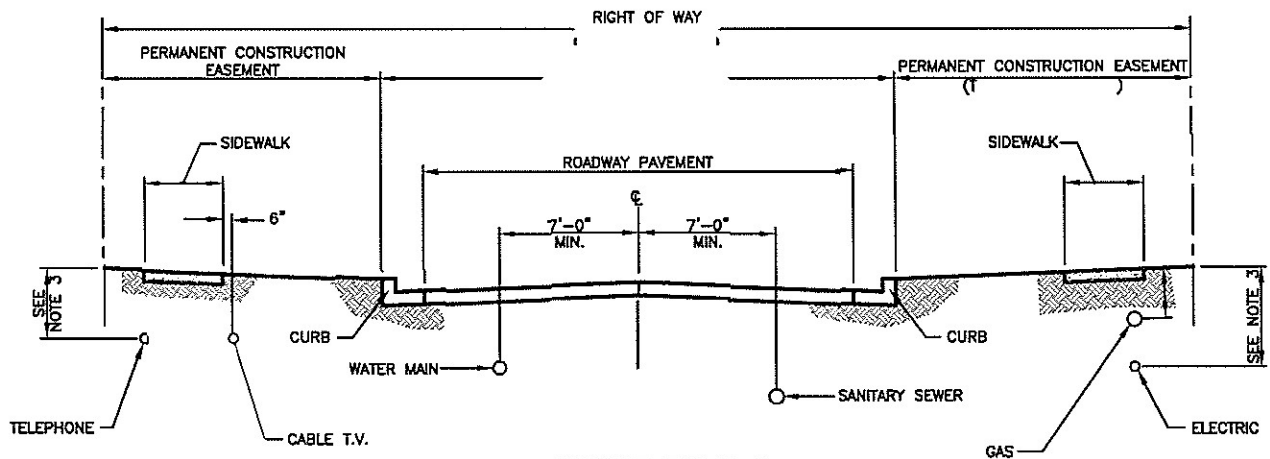
**STANDARD COMBINATION CURB AND GUTTER**

TOWN OF GALENA	STANDARD ROAD & STREET DETAILS  CURB DETAILS	REVISED
		08/2020
		A-9





**ARRANGEMENT No.1**



**ARRANGEMENT No.2**

**NOTES:**

1. THE DEPARTMENT OF PUBLIC WORKS SHALL BE CONSULTED CONCERNING THE UTILITY LOCATION ARRANGEMENT FOR A GIVEN STREET PROJECT.
2. GAS, ELECTRIC AND TELEPHONE LINES MAY BE PLACED IN SAME TRENCH.
3. ELECTRIC: 0-600V 24" COVER, OVER 600 V 36" COVER,  
CABLE T.V. 11" COVER  
TELEPHONE: MAIN SERVICE 24" COVER, RESIDENTIAL CONNECTION 11" COVER

TOWN OF  
GALENA

STANDARD ROAD & STREET DETAILS

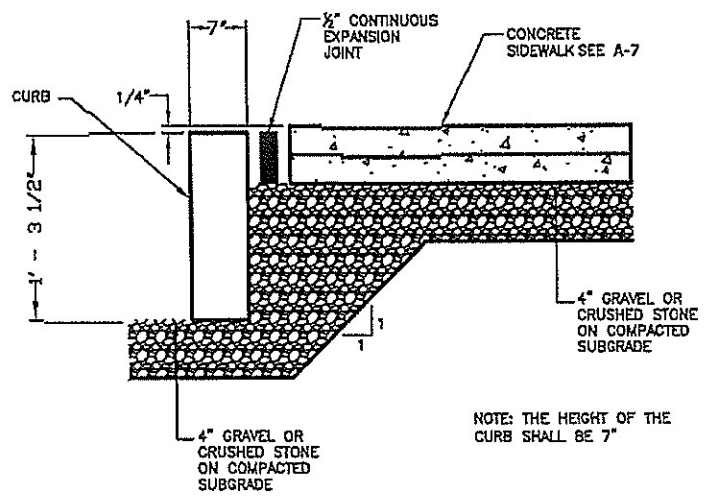
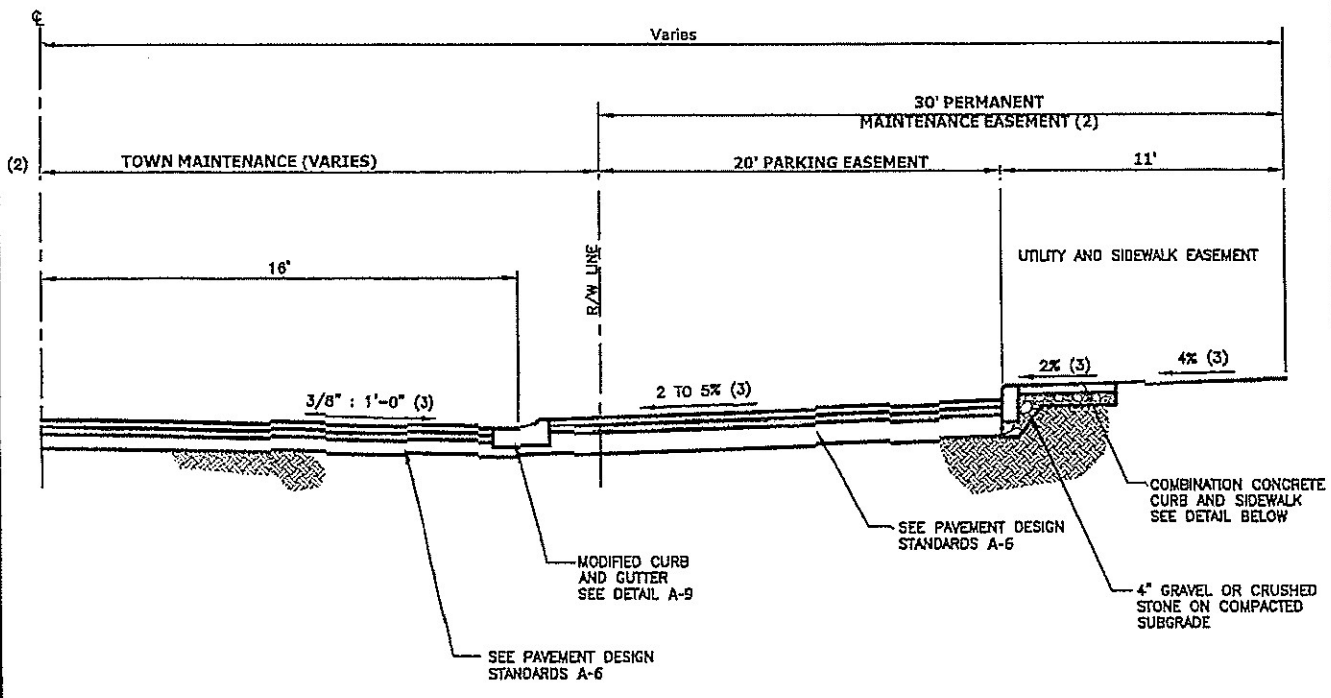
NORMAL LOCATION OF PUBLIC UTILITY  
CLOSED SECTION

REVISED  
08/2020

**A-10**



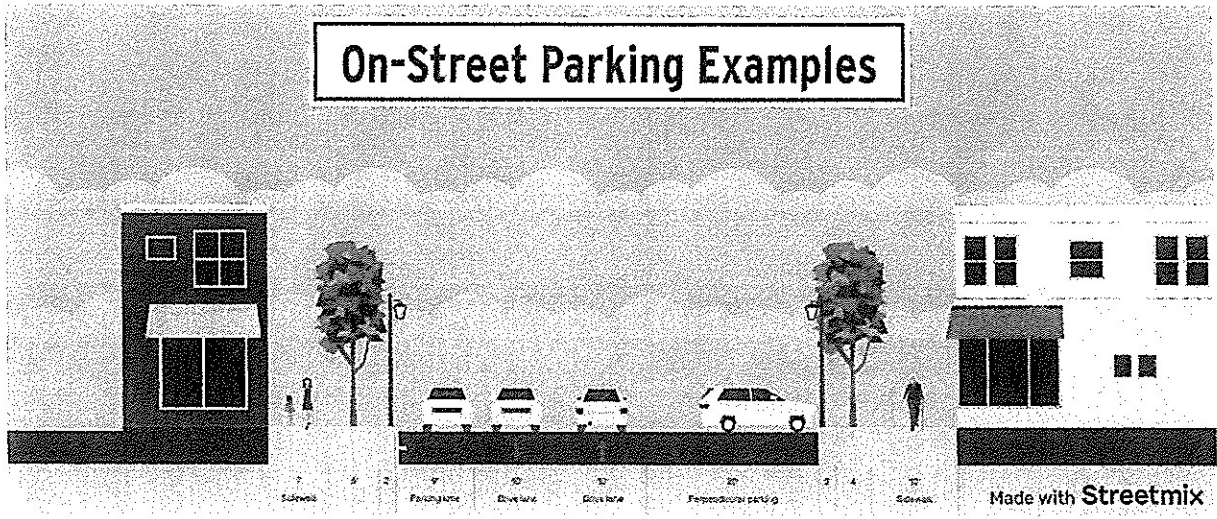
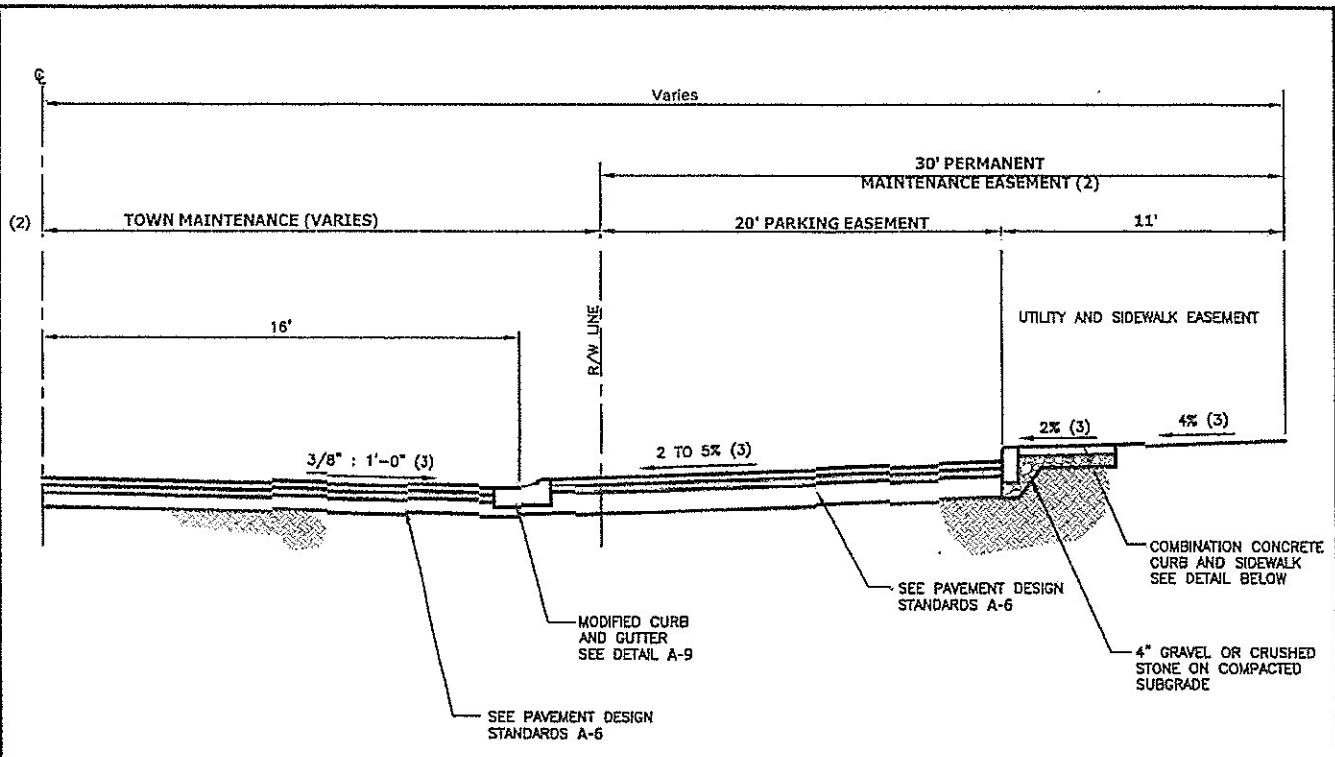




- NOTES:
1. UNSURFACED AREAS WITHIN THE RIGHT-OF-WAY SHALL RECEIVE A MINIMUM SURFACE TREATMENT OF 2" TOPSOIL, SEED AND MULCH.
  2. PERMANENT MAINTENANCE EASEMENT PROVIDES RIGHT OF USING THAT AREA TO APPLICABLE PARTIES (TOWN, UTILITY COMPANIES, HOME OWNERS ASSOCIATION, ETC.) FOR INSTALLATION AND MAINTENANCE OF ROAD, UTILITIES AND OTHER COMMON FACILITIES, SUCH AS PARKING, SIDEWALK, ETC.
  3. SLOPES SHOWN ARE THE STEEPEST SLOPES ALLOWED, UNLESS SPECIFIED ON DETAIL.

TOWN OF GALENA	STANDARD ROAD & STREET DETAILS	REVISED
	ROAD WITH PERPENDICULAR PARKING	08/2020
		<b>A-11</b>





- NOTES:
1. UNSURFACED AREAS WITHIN THE RIGHT-OF-WAY SHALL RECEIVE A MINIMUM SURFACE TREATMENT OF 2" TOPSOIL, SEED AND MULCH.
  2. PERMANENT MAINTENANCE EASEMENT PROVIDES RIGHT OF USING THAT AREA TO APPLICABLE PARTIES (TOWN, UTILITY COMPANIES, HOME OWNERS ASSOCIATION, ETC.) FOR INSTALLATION AND MAINTENANCE OF ROAD, UTILITIES AND OTHER COMMON FACILITIES, SUCH AS PARKING, SIDEWALK, ETC.
  3. SLOPES SHOWN ARE THE STEEPEST SLOPES ALLOWED, UNLESS SPECIFIED ON DETAIL.

TOWN OF GALENA	STANDARD ROAD & STREET DETAILS ON-STREET PARKING EXAMPLE	REVISED
		08/2020
		<b>A-12</b>

