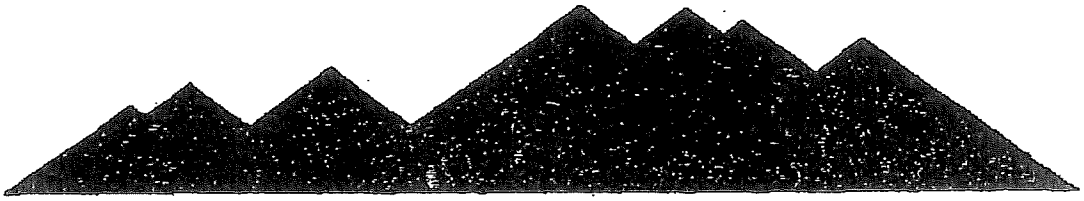
Subdivision Regulations

Thurmont, Maryland



Revised May 2005

ACKNOWL EDGEMENTS

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An Ordinance to amend and recodify the subdivision regulations for the Town of Thurmont, Maryland; adopted by the Commissioners of Thurmont on March 30, 1967, and all amendments thereto.

"The following Ordinance establishing regulations for the control of subdivisions is adopted by the Mayor and Commissioners of Thurmont, Frederick County, Maryland, under authority granted by Article 66B of the Annotated Code of Maryland, as amended. These regulations have been prepared and adopted with the purpose of guiding and coordinating the development of land in accordance with present and future needs, and to best promote efficiency and economy in the process of development; including among other things, adequate provisions for traffic, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provisions of public utilities and other public requirements in order to protect the public health, safety and welfare, and to further the goals and recommendations of the Thurmont Comprehensive Development Plan.

Adopted this seventh day of November, 1979.
Effective date seventh day of November, 1979.

Mayor and Commissioners
of Thurmont

James I. Black
Mayor

Harry O. Miller

David A. Wilson

Earl A. Mayne

Terrena R. Best

ATTEST:

Richard F. Mey

AN ORDINANCE PURSUANT TO THE PROVISIONS
OF ARTICLE 66B OF THE ANNOTATED CODE OF
MARYLAND TO AMEND AND RECODIFY THE SUB DIVISIO
REGULATIONS OF THURNONT, MARYLAND.

WHEREAS, the Mayor and Commissioners of Thurmont, acting in accordance with the provisions of Section 5.03 of Article 66B of the Annotated Code of Maryland, has the authority to adopt, amend or repeal subdivision regulations, and

WHEREAS, the Thurmont Planning Commission held a public hearing on October 25, 1979, to receive public comment on proposed amendments to the Subdivision Regulations and after said hearing recommended adoption of the proposed amended Subdivision Regulations to the Mayor and Commissioners, and

WHEREAS, the Mayor and Commissioners held a public hearing on November 7, 1979, on the Planning Commission's recommended changes as contained in a document entitled "PROPOSED CHANGES, THURMONT SUBDIVISION REGULATIONS", and

WHEREAS, the Mayor and Council has considered all comments received at the public hearing,

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, BY THE MAYOR AND COMMISSIONERS OF THURMONT, that the Thurmont Subdivision Regulations are hereby amended and recodified to include the Planning Commission's recommended changes, and

BE IT FURTHER ENACTED AND ORDAINED, that these amendments shall take effect from the date of its enactment by the Mayor and Commissioners on November 7, 1979 .

The undersigned hereby certifies that said amendments were approved
and adopted on the seventh day of November, 1979.

MAYOR AND COMMISSIONERS OF

THURMONT MARYLAND

James I. Black
Mayor

Harry O. Miller

David R. Wilson

Earl A. Mayer

Terrena R. Best

ATTEST:

Richard F. Mey

Clerk-Treasurer

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ARTICLE I
JURISDICTION AND ADMINISTRATION OF REGULATIONS

SECTION 1.1 JURISDICTION

These rules and regulations governing the subdivision of land shall apply to the incorporated territory of Thurmont, Maryland.
Whenever the provisions of these regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, that provision which is more restrictive or imposes higher standards or requirements shall govern.

SECTION 1.2 ADMINISTRATION

The subdivision regulations shall be administered by the Thurinont Planning Commission, hereinafter referred to as the Planning Commission. All applications, fees, maps, documents relative to subdivision approval shall be submitted to the Planning Commission.

SECTION 1.3 SEPARABILITY OF PROVISIONS

If any section or article of these regulations is found to be unconstitutional or illegal by the Court, the said section or article will cease to be effective until an amendment is made and adopted. The unconstitutionality of any section or article, however, shall have no bearings on the effectiveness of the rest of these regulations.

ARTICLE II
DEFINITIONS

SECTION 2.1 GENERAL DEFINITIONS

For the purpose of these regulations, the following terms, phrases, words and their derivations shall have the following meaning. Words used in the present tense include the future, the singular number includes the plural and the plural is the singular. The word "shall" is mandatory and the word "may" is permissive. The words "used for" shall include "arranged for", "designed for", "intended for", "maintained for", "constructed for", or "occupied for". The word "Person" shall mean individual, a corporation, partnership, incorporated association or any other similar entity.

SECTION 2.2 SPECIFIC DEFINITIONS

For the purpose of these regulations certain terms are defined as follows:

ALLEY: See Streets.

APPLICATION - formal: An application is formal when the Zoning Administrator is assured all plans and documents are in proper form, content and number required by these regulations and all fees have been paid.

BLOCK: An area of land containing one or more lots and bounded by streets, providing access to such lot or lots.

BUILDING ENVELOPE: The area formed by the front, side and rear building lines in which the principal building must be located.

BUILDING LINE: A line beyond which the foundation wall and/or any enclosed roofed porch, vestibule, or other enclosed approved portion of a building shall not project as determined by the yard requirements of the Thurmont Zoning Ordinance.

CLUSTER DEVELOPMENT: A subdivision using varying lot sizes to group houses while maintaining the density of a specific zoning district.

COMPREHENSIVE DEVELOPMENT PLAN: The policies, statements, goals, and long range plan for desirable use of land and structures in Thurmont, as officially adopted and amended from time to time by the Town Commissioners in the form of texts and maps, which constitute a guide for the area's future development including zoning determinations. The term shall be also used for Master Plan, Comprehensive Plan, and the like as adopted in accordance with Article 66B of the Annotated Code of Maryland.

CORNER LOT: See "LOT TYPES".

COUNTY MASTER HIGHWAY PLAN: The official plan of roads, highways, streets, and other ways adopted by the Frederick County Planning and Zoning Commission and approved by the Board of County Commissioners of Frederick County in accordance with Article 66B of the Annotated Code of Maryland.

CUL DE SAC: See "STREETS".

DEDICATION: The deliberate setting aside or appropriation of land by its owner for any general or public uses, reserving to himself no other rights than such are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.

DEVELOPER: An individual, partnership or corporation (or agent therefore) that undertakes the responsibility for any or all of the activities covered by these regulations, particularly the designing of a subdivision or development plan or plat showing the layout of the land and the public improvements involved therein. Inasmuch as the subdivision plat is merely a necessary means to the end of assuring a satisfactory develop ment, the term "developer" is intended to include the term "subdivider", even though the personnel involved in successive stages of the project may vary.

DEVELOPER'S POLICY: The official policy of the Mayor and Commissioners of Thurmont in regard to the sharing of the cost of the necessary improvements, as it may be amended from time to time.

DEVELOPMENT: Any activity, other than normal agricultural activity which materially effects the existing condition or use of any land or structure.

DOUBLE FRONTAGE LOT: See "LOT TYPES".

EASEMENT: A strip of land on which a limited right-of-way is provided for one or more designated purposes, without including title to the land.

EASEMENT RESERVATION : A strip of land extending along a property line or across a lot, for which an easement has been or is to be granted for a specific purpose or purposes. All easement reservations are to be maintained in perpetuity for intended purposes unless otherwise noted on the record plat.

FLOODPLAIN: Those lands defined by soil type as they are designated by the U. S. Soil Conservation Service; such being principally a natural water retention area of generally wet land.

LOT: A piece or parcel of land occupied or intended to be occupied by a principal building or use or group of buildings and accessory buildings and uses, including all open spaces and yards required by the Thurmont Zoning Ordinance and having frontage on a road as defined herein.

LOT AREA,NET: The total horizontal area included within the rear, side and front lot lines or proposed street line including off street automobile parking areas and other accessory uses.

LOT, DEPTH OF: The average distance between the front lot line and the rear lot line.

LOT, FRONT OF: The side or sides of a lot which abut a street.

LOT, FRONTAGE: Minimum at Building Line: the least permissable width of a lot measured horizontally along the front lot line as established by the Thurmont Zoning Ordinance.

LOT LINES: The lines bounding a lot as herein defined.

FRONT: The lot line separating the lot from a road. In cases where a lot abuts upon more than one road, either line may be considered the front.

REAR: The lot line opposite and most distant from the front lot line.

SIDE: Any lot line other than a front or rear lot line.

LOT WIDTH: The width of the lot measured at right angles to its centerline.

LOT TYPES: The following terminology is used in this Ordinance with reference to various types of lots.

CORNER LOT: A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the lot meet at an interior angle of less than 135 degrees.

INTERIOR LOT: Defined as a lot (other than a corner) with only one frontage on a street other than an alley.

OUTLOT: A parcel of land within a subdivision which has been included on a Preliminary or Final Plat, but not designated as a buildable lot. Consideration may only be due to the necessity of providing for access to adjoining properties or a continuation of appropriate street patterns.

PANHANDLE LOT: A polygonal shaped lot with the appearance of a "frying pan" or "flag and staff" in which the handle is most often used as the point of access to a street or road. The "handle", when less than the minimum width for a building lot in the zoning district in which it is located, is not to be used in computing the minimum required area or delineating the minimum required "building envelope". The handle must also be of a uniform width.

DOUBLE FRONTAGE LOT: Defined as a lot other than a corner lot with frontage on more than one street or alley.

PERFORMANCE BOND: A surety bond or cash deposit made out to the Town in an amount equal to the full cost of the public improvements which are required by this Ordinance, and said surety bond or cash deposit being legally sufficient to secure to the Town that said improvements will be constructed in accordance with this Ordinance.

PLANNING COMMISSION: The Planning Commission of Thurmont.

PUBLIC IMPROVEMENTS: Changes and/or additions to land necessary to prepare it for future transfer or building development and located in areas or easements to be deeded to or dedicated to public use. They may include streets, curbing, grading, drainage- ways, sewerage facilities, fire hydrants, water facilities, sidewalks, and other works and appurtenances to be deeded to or dedicated to public use as may be required by the Mayor and Commissioners of Thurmont under the Developers Policy.

RESERVATION: The assignment of land by a subdivider for a specific use to be held for that use and no other to a future time.

ROAD: A public or private right-of-way fifty (50) feet or more in width which provides a public means of access to abutting property, or any public or private right-of-way not less than thirty (30) feet in width which existed prior to the enactment of this Ordinance. The term shall include street, avenue, drive, circle, highway or similar term.

STREET: A public or dedicated way, or a public proposed right-of-way, widening, or extension of an existing street or public way shown on any plan approved by the Planning Commission. Streets and Roads shall be defined and classified as follows:
Highways: Primary and Secondary State Highways.

MAJOR STREETS: The main Town streets designated as such on the Comprehensive Plan.

COLLECTOR STREET: A street which in addition to providing access to properties thereon, is intended to collect traffic from or distribute it to a series of local streets within a neighborhood.

LOCAL STREET: A street intended to serve and provide access exclusively to properties abutting thereon and not to be used as a channel for through traffic

SERVICE ROAD: A road not serving as a Collector Road, but merely providing access to properties fronting on a highway, which road is contiguous and parallel to the major highway. Adjacent here shall mean that no structure shall be built between the service road and the major highway.

ALLEY: A way which affords generally a secondary means of access to abutting properties and not intended for general traffic circulation.

CUL DE SAC: A short street with one end open for vehicle traffic, the other end permanently terminated by a turn around for vehicles.

STORM-WATER MANAGEMENT FACILITIES: Those facilities and structures constructed for the purpose of collection, conveyance, retention or disposition of surface and / or ground water including, but not limited to, storm drains, culverts, drainage ways, catch or retention basins, roads, curbs, gutters, swales, or ditches.

SUBDIVISION: The division of any tract or parcel of land into two or more lots, plats, parcels, or sites for the purpose whether immediate or future, of transfer of ownership or building development.

SUBDIVIDE: The act of creating a subdivision as herein defined.

WALKWAY: A designated public or private right-of--way which cuts through a block and used exclusively by pedestrians.

WET SOILS: Soils set forth in the "Soils Interpretation and Water Features Report" as extracted from the Frederick County, Maryland Soils Survey Supplement Text and Tables published by the Frederick Soil Conservation District (issued May 1985 or as amended).

ARTICLE III

GENERAL REQUI REMENTS

SECTION 3.1 SUBDIVIDER MUST PREPARE AND RECORD PLAT

From and after the adoption of these regulations, any owner or proprietor of any tract of land located in Thurmont, Maryland, who subdivides shall cause a plat of such subdivision to be made in accordance with the regulations set forth herein and in Article 66B of the Annotated Code of Maryland, and after having secured the approval thereof by the Planning Commission,, shall cause a copy of such plat to be recorded in the office of the Clerk of the Court of Frederick County.

SECTION 3.2 APPROVAL OF FLAT REQUIRED

No plat of any subdivision shall be recorded 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 it is satisfied that the requirements of these regulations have been complied with.

The Planning Commission reserves the right to determine the rate of development based upon health, safety, welfare of the community economic and other factors including the availability of sewer and water for development.

SECTION 3.3 TRANSFER OF LAND - BUILDING PERMITS

No land in a subdivision created after the adoption of these regulations shall be transferred, sold or offered for sale, nor shall a building permit be issued for a structure thereon until the Final Plat of such subdivision shall have been recorded in accordance with these regulations and the provisions of the State code.

SECTION 3.4 VIOLATIONS AND PENALTIES

Any violation of this Ordinance or the regulations herein shall constitute a misdemeanor and shall be punishable upon conviction by a fine not to exceed One Hundred ($100.00) Dollars. Each day that a violation continues shall be deemed a separate offense. In addition to any other remedies, the Mayor and Commissioners of the Town of Thurmont may institute any appropriate actions or proceedings to compel compliance to this Ordinance, as provided for in Article 66B of the Annotated Code of Maryland as amended.

SECTION 3.5 STRUCTURES WITH A BASEMENT NEAR WET SOILS

No zoning certificate or building permit shall be issued for construction of residential structure with a basement if proposed on or within one hundred (100) feet of "wet soils" until a soils delineation report is prepared by a licensed soils scientist or professional engineer registered in the State of Maryland. The soils report shall be submitted to the Frederick County Permits and Inspections Department for review by the Soil Conservation District and must be approved by the Permits and Inspections Department prior to the zoning administrator's approval of the certificate or permit.

ARTICLE IV

PROCEDURE

In planning and developing a subdivision, the subdivider or his agent shall comply with the general principles of design and minimum requirements for the layout of subdivision set forth in Article XI and with the regulations concerning improvements as set forth in Article VII of these regulations, and in every case he shall observe the following procedures.

SECTION 4.1 PRELIMINARY CONFERENCE

Before undertaking the preparation of a subdivision plat, the subdivider or his engineer shall consult or see the Planning Commission to ascertain the location of proposed major roads or highways, parkways, parks, playgrounds, land use, and other planned development, as well as the zoning, sanitation and other requirements and the requirements for drainage and utilities related to, affecting or applying to the subdivision of his property. He shall bring with him a sketch of his property to approximate scale showing the boundaries, general topography, important physical features, and other significant information as well as his conception of the proposed scheme for the development of the property. The Planning Commission will try to assist the subdivider by furnishing information and advice so as to expedite matters for the subdivider, save him from unnecessary expense and promote the best conditions between the plans of the subdivider and those of the Town. The Planning Commission, however, will not undertake to design the subdivision or to perform other services for which a qualified land planner or engineer should be engaged.

SECTION 4.2 PRELIMINARY PLAN

The subdivider shall, following the Preliminary Conference, prepare a preliminary plan of the proposed subdivision conforming with the requirements set forth in Article VI. At least 30 days prior to a regularly scheduled meeting of the Planning Commission, at which action on such is desired, five (5) black line or similar prints of the plan shall be filed with the Planning Commission, together with an application in writing for its tentative approval. In case the proposed subdivision or any part thereof is located outside of the corporate limits, additional copies of the preliminary plan sufficient to meet the requirements of the County authorities, shall be filed at the same time. If a State Road is involved, four (4) additional prints shall be provided. The Planning Commission shall transmit these copies to the County and State authorities for their information.

SECTION 4.3 PRELIMINARY PLAN APPROVAL

The preliminary plan will be checked by the Planning Commission, as to its conformity with the Comprehensive Plan, and other applicable provisions and the principles, standards and requirements hereinafter set forth. Copies will be referred for their recommendations or other appropriate action to any other County or State officials concerned with public improvements or health requirements. At the regular Planning Commission meeting, their findings and recommendations together with those of the other officials to whom copies were referred, will be reviewed, and the Planning Commission will tentatively approve or disapprove the preliminary plan or may approve it subject to specific changes or modifications. A copy shall be retained in the Planning Commission's files. Tentative approval of a preliminary plan shall be valid for not more than two (2) years unless extended by the Planning Commission upon request. No plan shall be approved that is in conflict with the Thurmont Zoning Ordinance or any part of the Thurmont Comprehensive Plan.

SECTION 4.4 IMPROVEMNT PLANS

Upon tentative approval of the preliminary plan, the subdivider shall prepare and submit to the Planning Commission plans for the installation of improvements in accordance with requirements of Article VII of these regulations. Such plans shall be sufficient to show the proposed location, size, type, grade, elevation and other significant characteristics of each improvement. All such improvements shall be designed in compliance with and to the standards, plans and specifications adopted by the Town. Copies of such improvement plans will be referred by the Planning Commission to the Town Engineer and to the appropriate County and State agencies for checking and approval, subject to such changes or conditions as in their judgment may be required. The said plan.. shall then be returnel to the Planning Commission which shall notify the subdivider of such approval. Plans for the installation of improvements need not be prepared at any one time to cover more than the portion of the subdivision which is to be included in a Final Plat.

SECTION 4.5 COMPLETION OR GUARANTEE OF IMPROVEMENTS

Before seeking approval of the final plat, the developer or the subdivider shall present to the Planning Commission, either:

A. Certificates from all appropriate officials that improvements required by Article VII and as shown on approved improvement plans have been properly and completely installed.

B. A performance bond in an amount sufficient to cover the estimated costs of such improvements and to insure their complete and proper installation within a time period of eighteen (18) months of the date of recording of the final plat.

C. Other guarantees acceptable to the Mayor and Commissioners of Thurmont in accordance with the Developer's Policy.

SECTION 4.6 FINAL FLAT

A final plat may include all the property covered by the preliminary plan or may be limited to any logical portion thereof that is intended to be developed as a first unit. Additional final plats may be submitted later covering additional units of the property provided the preliminary plan is still valid or its approval has been extended. Each final plat shall be substantially in accordance with the tentatively approved preliminary plan including such changes or additions as may have been required by the Planning Commission as a condition to its tentative approval and it shall conform in every respect with the requirements specified in Article VIII of these regulations. The subdivider shall file with the Planning Commission at least thirty (30) days prior to its meeting, a minimum of six (6) black line prints of the final plat together with an application in writing for the approval thereof.

SECTION 4.7 APPROVAL OF FINAL FLAT

The plats shall be checked by the Planning Commission for compliance with these regulations, the preliminary plan and conditions of tentative approval; and upon receipt by the Planning Commission of the reports from the responsible officials as to the satisfactory installation of the required improvements or the posting of bond instead; the Planning Commission may then approve said final plat and shall endorse the fact of such approval on each of the several prints by the signature of its Chairman in the space to be provided thereon. No final plat shall be approved, however, unless it is found by the Planning Commission to conform with the preliminary plat as tentatively approved and to be in conformity otherwise with the requirements of these regulations. Reasons for disapproval of any plat shall be stated in the records of the Planning Commission.

SECTION 4.8 RECORDING FINAL FLAT

If approved, the developer shall then file three black line linen prints with the Clerk of Court of Frederick County and shall distribute the other prints as follows: One linen print to the Planning Commission, two paper prints to the Supervisor of Assessments and one paper print each to the Review Agencies. Approved final plats must be recorded within 30 days of approval and the subdivider must provide to the Town, within 30 days of recording proof of recording (receipt from Clerk). 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 proposed public way or space shown on said plat.

SECTION 4.9 MINOR SUBDIVISIONS

In the event that a subdivision is three (3) lots or less from an original tract of record of March 30, 1967 and it involves no new streets, the following procedure may be followed:

A. The developer may proceed directly to the preparation of a Combined Preliminary/Final Flat in accordance with the requirements of this Ordinance. All minor subdivision plats must be submitted at least 30 days prior to the Planning Commission meeting. A Combined Preliminary/Final Plat shall be reviewed, approved or disapproved and recorded in accordance with the requirements pertaining to Final Flats.

B. In addition to Final Flat data, a minor subdivision Combined Preliminary/Final Plat shall also show the following:

1. Topography at two (2) or five (5) foot contour intervals. This provision may be waived by the Planning Commission.

2. All existing permanent features, natural or manmade, that may influence the design of the plat.

3. Location of existing, recorded and proposed utility lines and easements on or within 200 feet of the
tract.

4. The remaining original tract shall be shown as follows:

a. If less than two (2) acres of land remain in the original tract after the lots are excluded, then all the tract (lots remainder) must be platted.

b. If more than two (2) acres of land remain in the original tract after the lots are excluded, then the owner is not required to plat the remaining acreage. He is required to provide a sketch of the tax map showing his entire acreage and the location of lots being platted and any previously platted lots.

SECTION 4.10 ADDITION FLAT

When the owner of a lot or parcel wishes to add additional land to said lot or parcel, the following requirements only need apply:

A. A survey plat showing the following must be filed at least 30 days prior to the Planning Commission meeting.

1. Boundary survey of additional land.
2. The lot or parcel to which the addition is being made.
3. The original lot or parcel as required below:
   a. If one (1) acre or under remains, a boundary survey shall be made.
   b. If over one (1) acre remains, a deed plotting can be used.
4. Signature of a registered surveyor certifying it as an accurate survey.
5. A signature block for the Planning Commission's approval.
6. A note on the plat signed by the owner stating the following:
   Application is hereby made for your approval of the indicated transfer of land solely for adding to adjoining holdings and not for development. Any future subdivision of this land or building development will be submitted in the regular manner for approval in accordance with the existing Subdivision Regulations.'
7. A road dedication, if applicable.

B. No transfer of land shall be approved if the original lot from which the transfer was made causes said lot to be less than the minimum lot size for its zoning district or causes the lot to be in violation of any other applicable zoning or health requirements.

C. The approved survey plat shall be recorded and distributed as specified in Section 4.8 RECORDING OF FINAL PLAT of these regulations.

ARTICLE V

PRELIMINARY CONFERENCE

A Preliminary Conference is required in order for the developer to obtain the Planning Commission's comments with regard to the proposed development prior to making detailed drawings and formal application for Preliminary or Final Plat approval. In order to provide sufficient information for the Planning Commission to adequately comment on the proposed development a sketch plan showing the following information is required.

SECTION 5.1 SKETCH PLAN - GENERAL STYLE AND FORM

A sketch plan shall be submitted on paper and shall be clear and legible and shall include the following information:

A. A vicinity map indicating the location of the property with respect to surrounding property and streets. Show all property owned according to tax map if only part of the property is being developed.

B. In the event that a recorded subdivision adjoins the land to be developed, the subdivision should
be indicated. (To be indicated with dashed lines.)

C. Title information:
1. Proposed name
2. Scale of plat
3. Date

D. Name and address of the owner and person responsible for the preparation of the plan

E. Northpoint.

F. Boundary of proposed subdivision. This can be a deed plotting.

G. If the slope exceeds eight (8) percent on the tract, then the sketch plat should show topography at five (5) foot contour intervals. Contour lines shall be indicated one hundred (100) feet beyond subdivision boundary lines except along existing roads. Interpolated contours from USGS quadrangle maps will be accepted, and shall be indicated on the plat.

H. Location, widths and names of all streets or alleys on or adjoining the subdivision; those preliminary approved or recorded but unimproved and all existing easements (to be indicated with dashed lines).

I. Location of existing utilities on or within two hundred (200) feet of the tract.

J. The layout of all Proposed and existing lots with approximate or typical dimensions and minimum area. Lots should be numbered for review reference.

K. The layout of all proposed streets, including widths of rights-of--way.

L. The approximate location and area of all property proposed to be reserved to public use, or to be reserved for use of all property owners in the subdivision and the location, and purposes of any proposed easements.

M. Zoning district classification for the subject tract.

N. In cases of condominium or multi—family projects (apartment, townhouse, etc.) the following additional items shall be shown

1. Approximate location of each building.
2. Total number of units in each building.
3. Number of parking spaces in each off—street parking area, and total thereof.
4.. Interior road or street access, whether public or private.

ARTICLE VI

THE PRELIMINARY PLAT

The preliminary plat of the proposed subdivision shall comply with the following requirements and contain the following information:

SECTION 6.1 GENERAL STYLE AND FORM

A. It shall provide all the pertinent information as to existing site conditions, property ownership, and the like, that may be necessary for the
Planning Commission to properly consider the proposed subdivision. This information shall be accurate and reliable.

B. It shall show the general plan of ultimate development for the property, covering the entire tract of land or so much of it as may be considered to be necessary for an adequate consideration of the part to be subdivided. This information should be drawn to scale.

C. It shall be drawn in ink, on a reproducible material, and shall be at a scale no smaller than one inch per 100 feet.

D. It shall include a small scale key map showing the location of the property in the Town, and its relation to other known major subdivisions, roads, streams, etc. The key map shall be drawn at a scale of 1" = 1,200 feet.

E. It shall include the following title information:

1. Proposed subdivision name, which shall not duplicate nor closely approximate the name of any other subdivision in the Town or the County.
2. Names and addresses of Owner, Subdivider or Developer, and the Designer, Surveyor or
Engineer.
3. Description of subdivision location by streets, tract, political subdivision, etc.
4. Scale, north point and date.

F. The Preliminary Flat must have an approval block for the Planning Commission with a space for the date arid signature by the Chairman.

SECTION 6.2 INFORMATION AS TO EXISTING PHYSICAL CONDITIONS

A. Boundaries of the land being subdivided in heavy outline, and the acreage therein. The names of all adjacent property owners must be shown.

B. Topographic contours at five (5) foot intervals except where average slope is less than 3% in which case two (2) foot contours shall be required. Contours shall extend one hundred (100) feet beyond the subdivision boundary except across a public road.

C. Water courses, floodplain areas, wooded areas, buildings, transmission lines, pipelines, other utilities, bridges, and any other significant physical items, with the sizes and grades of any water or sewer lines.

D. Locations, widths, and names of all existing roads, streets, alleys, or other public ways within or adjoining the subdivision or intersecting any street that bounds it; including those recorded but unimproved (shown by dotted lines); railroad, utility, or other rights—of—way or easements; parks and other public spaces; subdivisions, lots, and property lines; corporate lines; and the locations and outlines of permanent buildings.

E. Soil type(s) information shall be provided and appropriate boundaries shown. In the event "wet soils" are located on or within one hundred (100) feet of any proposed residential site plan, the requirements of Article III, Section 3.5 and Article XI, Section 11.4F. must be met. Should the soil type information shown on the Site Plan be questioned by the Planning and Zoning Commission, the Commission may require a soils evaluation of the proposed property by a certified soils scientist prior to its approval of the Site Plan.

SECTION 6.3 INFORMATION AS TO PROPOSED DEVELOPMENT

A. Street Pattern — Layout, widths, proposed roads, streets, alleys, crosswalks and easements.

B. Lots — Layout, numbering and dimensions of proposed lots or parcels.

C. Open Spaces — Parcels of land intended to be conveyed or temporarily reserved for public use or for the joint use of property owners, with an explanation of the provisions or conditions of such conveyance or reservation and the proposed arrangements for ownership and maintenance.

D. Street Grades — Tentative grades on each street.

E. Utilities — Locations for utilities and drainage facilities, with easements ten (10) feet in width along all property lines (5 feet either side of interior lot lines).

F. Building Setback - Proposed building lines along all streets, with the amount of setback indicated.

G. Proposed Use & Zoning - Proposed uses and zoning of property and any proposed zoning changes.

H. Description of Improvements — General description of street and other public improvements proposed to be installed. (See Article VII —detailed plans for these are to be prepared after approval of Preliminary Flat).

I. In cases of condominium or multi-family projects (apartment, townhouse, etc.) the following additional items shall be shown:

1. Approximate location of each building.
2. Total number of units in each building.
3. Number of parking spaces in each off-street parking area, and total thereof.
4. Interior road or street access, whether public or private.

ARTICLE VII

IMPROVEMENTS

Prior to approval of a final plat, plans for required improvements must be approved and the required improvements shall be completed, inspected and accepted by the Town or in lieu of completing improvements the subdivider may furnish the Mayor and Commissioners of Thurmont a guarantee of improvements as specified in Section 4.5 of these regulations.

SECTION 7.1 IMPROVEMENTS REQUIRED

All improvements in a subdivision shall conform with the standards and specifications set forth in these regulations and other requirements which may be adopted by the Town of Thurmont, or by such other governmental agencies which may have jurisdiction over each facility. Nothing, however, shall be constructed as prohibiting a subdivider from installing improvements of a higher type than the minimum required herein.

SECTION 7.2 MINIMUM REQUIREMENTS

A. Roads

All new roads and streets shall be graded and drained, base material applied, curb and gutter constructed where required, surface treatment applied, utilities installed and street name signs erected, all in accordance with the minimum standards of design and construction adopted by the Town. Existing roads and streets along a proposed subdivision, that do not meet these specifications as to width or construction, shall be provided with the required right-of-way and shall be widened and brought up to standards on the side which adjoins the subdivision if any lot in the subdivision fronts thereon.

B. Pavement Widths

The minimum widths of surfacing required to be installed shall be as follows: (dimensions are curb to curb)

1. Collector Street - 40 feet
2. Local Street - 32 feet
3. Alley — 20 feet
4. Cul de Sac turning circles - 80 feet minimum inside diameter.

C. Curbs, Gutters and Sidewalks and Shoulders

These shall be provided in all residential subdivisions. Also required in front of all non-residential lots. The face of the curb shall be located on the line of the outside edge of the required pavement. The construction of these facilities shall be in conformity with the specifications and standards adopted or may hereafter be adopted by the Town.

D. Water Facilities

Every subdivision of lots within the corporate limits shall be served by the municipal water system, in which case the subdivision distribution system including appropriately spaced fire hydrants shall meet the standards for said municipal system and shall become a part thereof.

E. Sewer Facilities

Every subdivision of lots within the corporate limits shall be provided with a complete sanitary sewer system connecting to the municipal system and shall be constructed to meet the standards and requirements of such system and shall become a part thereof.

F. Drainage

Every subdivision shall be provided with storm-water management facilities adequate to collect, convey, and dispose of all water originating on or flowing across the property, without inundating or damaging roads, lots or other properties. Damage or inundation of roads, lots, or other properties is defined as the presence of standing water or the flow of water in locations where these did not occur prior to the subdivision, water flow at a rate greater than experienced prior to the subdivision, erosion where this had not occurred prior to the subdivision, and / or the deposit of silt or other debris where this had not occurred prior to the subdivision. The construction of these facilities shall be in conformity with the standards and specifications adopted or may hereafter be adopted by Town or County.

Any deficiencies in the storm water management facilities and any resulting damage to an affected property as identified by the property owner and verified by the Town, prior to the Town's acceptance of said storm water management facilities and for a period of two (2) years following acceptance of said facilities, require correction by the contractor at their expense and in a timely manner (generally within one month). If such deficiencies and damage are not corrected in a timely manner, the Town of Thurmont may, at its discretion, cause these deficiencies and damage to be corrected drawing on funds from the Sediment and Erosion Control and Storm Water Management letter of Credit. If the cost of correcting the deficiencies and damage exceeds the funds in the Erosion Control and Storm Water Management letter of credit for the development, the contractor shall be responsible for providing the additional funds necessary for completion of the work.

G. Other Facilities

If other facilities are contemplated, easements and lands devoted to such uses shall be clearly indicated. Plans for such facilities shall be checked and recommendations given by an appropriate agency.

H. Street Signs

A name sign of an approved design shall be erected at each new street or road intersection.

I. Monuments and Pipes

Permanent monuments shall be placed as required for markers in Real Property Book, Title 3, Subtitle 1, Section 3-108, 197t edition of the Annotated Code of Maryland. After the grading is completed, the subdivider must see that monuments are at proper locations. Iron pipes shall be set along the property lines of all streets and roads at points of intersection, curvature or tangency and at such points along the subdivision boundaries not already marked by monuments,

J. Street Lighting

Street lighting will be provided in all developments that have new streets.

SECTION 7.3 IMPROVEMENT PLANS

Plans for the foregoing improvements shall be prepared by a registered professional engineer for review by the appropriate public authorities, as provided in Article IV prior to final plat approval. Such plans shall be sufficient to show the proposed location, sizes, type, grades and design features of each facility, including the following:

A. Profiles

Profile of each street centerline, with grades (including projections beyond the subdivision boundaries where significant), and showing water and sewer lines, manholes, culverts, streams, etc. Scale: 1 inch to 100 feet horizontal, 1 Inch to 10 feet vertical.

B. Cross Sections

Typical street cross—sections for all streets, at a scale not smaller than 1 inch to 5 feet, showing width of roadway, type of paving, locations and widths of curbs, sidewalks, trees, utilities, etc. Where considerable cuts or fills are required, special cross-sections shall be shown on the plan. A grading plan showing existing and proposed contours may be furnished in lieu of special cross-sections.

C. Sanitary and Storm Drains

Location plans and profiles for proposed sanitary and storm sewers or drains, with grades and pipe sizes indicated where appropriate.

D. Water System

Location plan of proposed water distribution system showing pipe sizes and locations for valves and fire hydrants where appropriate.

SECTION 7.4- INSPECTION AND ACCEPTANCE

All construction work on improvements required herein shall be subject to inspection during and upon completion of construction by an authorized engineering representative of the Town and to approval and acceptance by such representative on behalf of the Town, if found to be in accordance with the approved plan.

ARTICLE VIII

THE FINAL PLAT

The Final Plat of the subdivision shall comply with the following requirements and contain the following information:

SECTION 8.1 GENERAL STYLE AND FORM

A. It shall be legibly and accurately drawn on tracing linen or mylar sheets 18" x 24" in size and at a scale of one inch to fifty (50) feet, or one inch to one hundred (100) feet, depending upon the size and nature of the subdivision. If more space is needed, additional sheets may be used. Drawing must have a 3 and ½" margin on the left side and a ½" margin on the other sides. Each additional sheet on a Final Plat shall contain all of the necessary information so as to stand on its own.

B. It shall conform in all respects to the requirements of the Real Property Book, Title 3, Subtitle 1, Section 3—108, 1974 edition of the Annotated Code of Maryland, which relates to the making, filing, and recording of plats. Among other things the Article above requires that plats for recording must be surveyed and certified by a registered surveyor.

C. It shall include the following title information:

1. Subdivision name.
2. Location by town, county and state.
3. Names and addresses of the owners of record, the subdivider and the engineer or surveyor.
4. Scale, date and north point.
5. Marginal location map (1" - 1,200').

SECTION 8.2 GRAPHIC INFOR1'4ATION

A. Boundaries

Exact boundaries of the area included within the subdivision with dimensions to hundredths of a foot and bearing to half minutes. These boundaries shall be determined by an accurate survey in the field, which shall be balanced and closed with an error of closure of not to exceed 1-1/10,000. Coordinates must be shown at all boundary break points.

B. Bearings and Distances

Bearings and distances to the nearest recorded property corners or other monuments which shall be located or accurately described on the plat.

C. Monuments

The accurate location and descriptions of all permanent monuments. Where applicable and feasible the coordinates of all permanent markers or monuments should be based on the Maryland Coordinate System, (Lambert Conformal Conic Project, adopted by Act of General Assembly 1939, Chapter 628).

D. Adjoining Owners

Names and locations of adjoining subdivisions and the locations and ownership of adjoining unsubdivided property.

E. Adjoining Roads

Exact locations, width and name of each existing or recorded road or street adjoining or intersecting the boundaries of the tract.

F. Engineering Data

The exact location and width of every road, street, alley, easement, or other public or private way within the tract, with the length and bearing of very tangent, length of arcs, radii, delta angle, tangent, chord length, chord bearings and any other necessary engineering data; with the names of such ways and the purpose of easements or other ways. Accurate location of every lot line with its dimension to hundredths of a foot and bearings to half minutes, except that this data need not be repeated on a series of parallel lines or lines of the same length.

G. Setback Lines

Minimum building setback lines (front, side, rear) on all lots and other sites drawn to scale and dimensioned to the Street lines.

H. Numbering

Blocks lettered in alphabetical order and lots numbered in numerical order.

I. Public Lands

Accurate outlines or any areas dedicated or reserved for public use, or for any other purpose except sale, with the purpose indicated.

J. Lot Area

Accurate area of each lot or parcel, other than public ways.

K. Municipal Lines

Accurate location of any municipal or district line traversing or closely related to the tract.

L. Drainage Lines

Existing and relocated courses of any water courses or storm drainage facilities traversing the tract, with the right-of-way or easement lines provided therefore.

M. Water and Sewer Lines

The location and size of all existing and proposed water and sewer lines.

SECTION 8.3 CERTIFICATES AND OTHER INFORMATION

A. Owner's Certificate

Owner's certificate, signed and notarized, acknowledging ownership of the property and agreeing to the subdividing thereof, as shown on the plat; also offering for dedication all streets and other ways and places intended for public use.

B. Engineer's Certificate

Certificate of the surveyor to the effect that the plat represents a survey made by him, that it is accurate to the best of his knowledge and that all monuments and pipes indicated thereon actually exist and their locations and descriptions are correctly shown and that all requirements of these Subdivision Regulations and of other applicable laws have been fully complied with.

C. Agencies Approvals

A space shall be provided for Certificate of Approval by the Planning Commission of Thurmont. In case any part of the subdivision is located within the jurisdiction of the County, an additional space should be provided for Certificate of Approval by the Chairman of the County Planning Commission. The plat must also contain a space for approval of the appropriate County Health Department with the required Health Department statement on conformance with the County Master Water and Sewer Plan.

D. Protective Covenants

Protective covenants which apply to all the area as shown by the recorded plat shall be part of the recorded plat.

ARTICLE IX

MODIFICATIONS AND EXCEPTIONS

SECTION 9.1 The general principles and standards of subdivision design stipulated in Article XI may be varied by the Planning Commission.

A. In the case of unusual physical conditions where the Planning Commission finds that unusual hardship may result from strict compliance with these regulations, provided that no modifications shall be granted which would conflict with the Comprehensive Plan or with the intent and purposes of these regulations.

B. If a subdivider chooses to provide open space, with the Board of Commissioners' approval he can reduce lot sizes for single-family dwellings by thirty percent; provided that at least twenty percent of the net residential area is devoted to open space, recreation, or like purposes.

Due consideration may be given to the allocation of acres suitable and of adequate size for playgrounds, parks or unimproved open space for local neighborhood use to be offered for conveyance to the Mayor and Town Council, or for conveyance to a Home Owner's Association for the common use of all property owners with maintenance and improvement assessments provided for by deed covenant and also as provided for in Article VIII, Section .O, of the Thurmont Zoning Ordinance.

The minimum size of a parcel which will be accepted in conveyance to the Mayor and Commissioners shall be 20,000 square feet of contiguous land area which is of such shape and condition to be of recreational or scenic value and be maintainable. These factors (suitability, maintenance and recreational or scenic value) are to be determined by the Mayor and Commissioners. All parcels less than 20,000 square feet are to be conveyed to a Home Owner's Association whose By—Laws shall be approved by the Mayor and Commissioners.

ARTICLE X

AME NDME NTS

The procedures, standards and specifications contained in these regulations, when deemed necessary, may from time to time be amended, changed, supplemented or modified and in every case the following Amendment procedure shall be followed.

SECTION 11 AMENDMENT PROCEDURE

A. The Planning Commission shall hold a public hearing prior to recommending the adoption of any amendments or changes, the date and place of such public hearing shall be advertised by the Planning Commission at least fifteen (15) days prior to the hearing in at least one newspaper of general circulation.

B. The Mayor and Commissioners of Thurmont upon receiving the recommendation of the Planning Commission concerning the adoption of any amendments or changes shall hold a public hearing, giving fifteen (15) days notice of said hearing in a newspaper of general circulation.

C. The Mayor and Commissioners of Thurmont, after considering the recommendation of the Planning Commission, other agencies and interested parties, shall approve, disapprove or modify the proposed changes and amendments. Such decision shall be the binding upon the Planning Commission and all parties affected by the regulations,

ARTICLE XI

PRINCIPLES AND STANDARDS OF SUBDIVISION DEVELOPMENT

In laying out a subdivision, the subdivider shall comply with the following general principles and requirements:

SECTION 11.1 GENERAL

A. The subdivision layout shall conform to the Thurmont Comprehensive Development Plan, Zoning Ordinance and where applicable, to the Frederick County Comprehensive Plan and Zoning Ordinance.

B. When a proposed subdivision includes or abuts streets designated on the Town Comprehensive Development Plan or County Comprehensive Development Plan, the Planning Commission shall require, by dedication to public use, adequate right—of-way for the coordination of roads within the subdivision with other existing, planned or platted roads. Such dedication to public use shall be to the full extent of the right—of—way as required in the Comprehensive Development Plan except where the right—of—way to be dedicated is greater than a collector street, then a reservation of land to meet the right—of- way standards may be required. Before a reservation of land may be required for future dedication or acquisition for public streets, a survey plat for the location of the proposed streets must be approved and recorded in accordance with the provisions of Article 66B, Section 6.01 entitled Reservation of Locations of Mapped Streets, etc., for Dedication or Acquisition for Public Use. When a right-of-way reservation is required, the Planning Commission may withhold approval for up to twelve (12) months in order to comply with Article 66B, Section 6.01. However, if the developer incorporates the recommendation of the Comprehensive Development Plan as part of his subdivision plat submission, then the preceding procedure specified in Section 6.01 of Article 66B for reservation shall not be required.

Where a proposed street involves State jurisdiction and is designated on the Comprehensive Development Plan or the State Highway Plan and no definite alignment has been established, the Planning Commission may withhold approval of a subdivision p1st for not more than one hundred eighty (180) days from the application date to permit the State Highway Administration, if they so desire, to establish an accurate road alignment.

C. The subdivision of land subject to periodic flooding or containing floodplain soils will not be approved. A p1st of a proposed subdivision located in an area having poor drainage or otherwise adverse physical conditions may be approved, provided the subdivider agrees to make such improvements as in the judgment of the Planning Commission render the subdivision substantially safe and otherwise acceptable for residential use, and furnishes a performance bond or gives other guarantee satisfactory to the Planning Commission, sufficient to cover the cost of such improvements as estimated by the officials having jurisdiction.

D. Where held appropriate by the Planning Commission, open spaces constituting a reasonable proportion of the gross acreage of the subdivision suitably located and of adequate size and character for parks, playgrounds, or other recreational purposes for local or neighborhood use - shall be provided for the proposed subdivision and, if not dedicated to the Town, shall be reserved for the common use of all property owners in the proposed subdivision by covenant in the deeds.

SECTION 11.2 STREET LAYOUT

The street layout of the subdivision shall be in conformity with the Comprehensive Plan and designed for the most advantageous development of adjoining areas and the entire neighborhood.

The following items shall be considered in laying out streets:

A. Outlots shall be provided only where necessary for access to adjoining properties or where necessary to provide an appropriate future street pattern. Temporary turnarounds shall be required at dead-end streets which are to be extended in the future.

B. Conform to Topography — The street layout shall conform substantially to existing topography, minimizing grades and providing for good drainage, good building sites, and ready access to lots, without excessive cuts or fills. Trees shall be preserved to the maximum extent possible.

C. Cul-de-Sacs - Cul-de-sacs of reasonable length, (normally not over 600 feet) may be used where necessitated by topography or where in the judgement of the Planning Commission they are appropriate for the type of development contemplated. A turnaround shall be provided at the end of such a street.

D. Half Width Street - Subdivisions adjoining dedicated, reserved or platted and recorded half width streets or alleys, shall dedicate or reserve an additional right-of-way width sufficient to bring the overall street to the width requirements of this Ordinance. No new half width alleys or streets shall be approved.

E. Intersection Spacing — Streets shall be spaced to allow for blocks meeting the dimensional requirements specified herein. The number of individual lot access locations and intersections along highways and other major roads shall be held to a minimum, normally spaced not less than 1,200 feet apart. Intersections involving the junction of more than two streets shall be designed with extreme care for both pedestrian and vehicular safety.

F. Minimize Interference With Through Traffic - Land abutting highways or major roads shall be platted with the view of making the lots, if for residential use, desirable for such use by cushioning the impact of heavy traffic upon them; also of minimizing interference with traffic on such highways and roads as well as accident hazards. One or more of the following ways may be used to accomplish this:

1. By platting the lots extra deep and backing the lots upon the highway so that they front on and have access from a parallel minor street one-half block away. Vehicular access to the lots from the highway should be prohibited along the rear of the lots, covered by deed restrictions.

2. By service roads in front, separated from the main thoroughfare connecting therewith at infrequent intervals.

3. By arranging the lots around a series of loop streets or dead—end streets stemming from a collector street generally parallel to and some 600 to 1,000 feet distant from the highway, the ends of such loops or dead—ends being one lot depth away from the highway. Deed restrictions as in (1) above should be provided along the rear of such lots adjoining the highway.

The choice between the foregoing or other methods for accomplishing the desired purpose in a specific case must necessarily be made in consideration of topography and other physical conditions, the character of existing and contemplated development, and other pertinent factors.

G. Where land adjoins a railroad, the street plan should:

1. Make allowance for future grade separation on streets which are to cross the railroad, by providing extra right-of-way for such streets and by keeping intersecting streets a sufficient distance away to allow for the necessary approaches to over - or - under passes.

2. Provide a street arrangement by which residential lots will back upon the railroad and have exceptionally great depths, such as by the use of parallel streets, loops or dead-ends as in (1) above or, in the case of business, industrial, or other development, the street plan should provide for a buffer strip along the railroad.

H. Private Street - Private streets will not be approved nor will public improvements be approved in any private street.

I. Street Names - Street names shall be subject to approval by the Planning Commission. Names shall not duplicate or closely approximate existing street names in the Town or County, except for extension of existing streets.

J. Alignment

1. Where appropriate to design, proposed streets shall be continuous and in alignment with existing, planned or platted streets with which they are to connect.
2. Street jogs with center line offsets of less than 125 feet shall be avoided.
3. When connecting street lines deflect by more than 10 degrees, the minimum radii of curves on the center lines shall be in accordance with the Street Design Standards Table.
4. Between reverse curves on collector and local streets there shall be a tangent at least 100 feet long.

K. Alleys - Alleys shall be platted in all Commercial and Industrial areas if no other provisions are made for adequate access to parking and loading spaces. Alleys will not be approved in residential districts except for row dwelling or unless required by unusual topography or other exceptional conditions. In the absence of alleys, easements will be required for utility lines or drainage.

L. Street Design Standards - The minimum design standards for streets shall be as follows:

	Local Street	Collector Street
1. Right-of-way Width (ft.)	50	60
2. Pavement Width (ft.)	32	40
3. Vertical Face Curb (inches)	6	6
4. Sidewalk Width (ft.)	4	4
5. Sidewalk Distance from "back of curb" (ft.)	4.5	4.5
6. Maximum Grade 10% 7%		
7. Maximum Cul-de-sac Length (ft.) (dead-end street with turnaround)	600	
8. Minimum Center Line Radii (ft.) (around curve)	100	300
9. Minimum Curbing Radius (ft.)	25	30
10. Design Speed (MPH)	25	30
11. Off-Street Parking	Yes	Yes
12. Necessary Street Lighting	Yes	Yes

M. Street Grades

1. Grades will not be less than 1/2 of one percent, and shall not exceed the following:

a. Local access streets, service roads and alleys: 10%

b. Collector Streets: 7%

2. All changes in street grades of more than one (1) percent shall be connected by vertical curves of a minimum length of 50 feet or equal to 15 times the algebraic difference in the change of grade, whichever is larger.

3. Grades at the point of intersection of two streets shall be three (3) percent or less for a distance of fifty (50) feet in all directions from the point of right—of-way intersection.

N. Intersections

1. Street intersections shall be as nearly at right angles as is possible and in no case shall be less than 60 degrees (requirements for intersection with State Roads shall not be less than 70 degrees or greater than 110 degrees). Each property corner shall be rounded off by an arc, the minimum radius of which shall be 20 feet or chord may be substituted for such arc. At alley intersections (within the block), a chord shall be used cutting off the corner at least ten (10) feet back from the point of intersection in each direction. where the smallest angle of intersection is less than 60 feet, the foregoing radii and chords shall be increased.

2. Curbs at street intersections shall be rounded off concentrically with the property line. At street intersections with State Highways the street curb or edges of paving shall be rounded off by an arc, the minimum radius of which shall be 30 feet. Paving flares and concrete curb channelization of the street intersection with the State Highway Administration right-of—way shall conform to and be in accordance with the design and construction standards of the Maryland State Highway Administration.

SECTION 11.3 BLOCKS

A. Residential blocks normally shall have sufficient width to provide for two tiers of lots of appropriate depth. As to length:

1. Maximum length 1,800 feet
2. Minimum length 500 feet

Business and industrial blocks may be specially designed to serve their particular purposes, which designs shall be subject to approval by the Planning Commission.

B. In any block more than 1,000 feet long, a walkway may be required to improve access to a school, church, playground, bus stop or other pedestrian objective.

SECTION 11.4 LOTS

A. Shape and Size

1. Lots shall be of such size, shape and orientation as will be appropriate for the location and for the type of development contemplated. Excessive depths in relation to widths shall be avoided. Normally a proportion of about 2 to 1 in depth and width shall be considered appropriate.

2. Residential lots shall comply with at least the minimum size and area requirements of the Zoning District in which located, except otherwise approved by the Planning Commission, as described in Article VIII, Section 4.0, Modifications of Lot Size (Cluster Development Option) of the Thurmont Zoning Ordinance.

3. Corner lots shall have widths sufficient to meet the yard requirements of such lots in the Zoning Ordinance.

4. All lot measurements shall be net measurements, not including any part of any street, alley or crosswalk. Easements, however, shall be regarded as within the lot.

B. Access

Every lot shall abut on a public street for the minimum required lot width at road as specified in the Zoning Ordinance. Double frontage lots (extending through the block), should be avoided.

C. Building Lines

All building lines (front, side and rear) shall be shown on the plat, as required in each case by the applicable zoning regulations. The locations of these lines shall be clearly indicated by dimensions.

D. Easements

Easements shall be provided for utilities along all lot lines. Such easements shall be designed to provide continuity from block to block and shall be a minimum of 10 feet in width. Within a subdivision an easement should extend 5 feet on either side of an interior property line.

E. Structures with a Basement near Wet Soils

If a residential structure(s) with a basement(s) is proposed within "wet soils" the developer must:

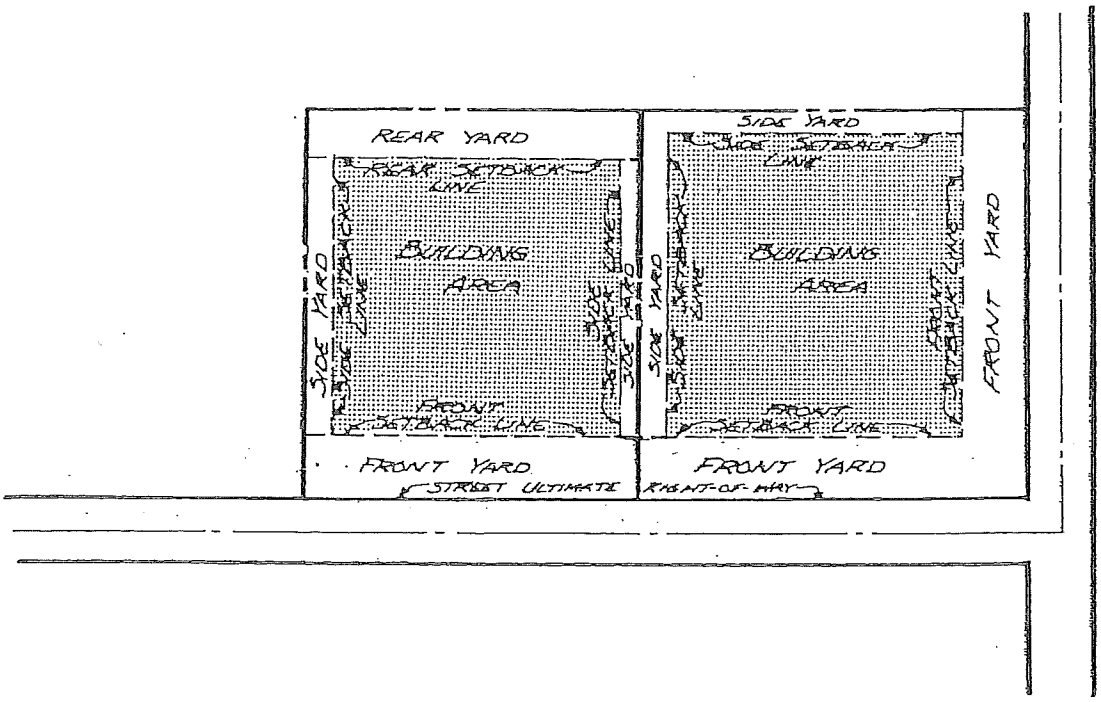
(1) Perform one of the following:

A. Construct a gravity drainage system in accordance with the International Residential Code: or

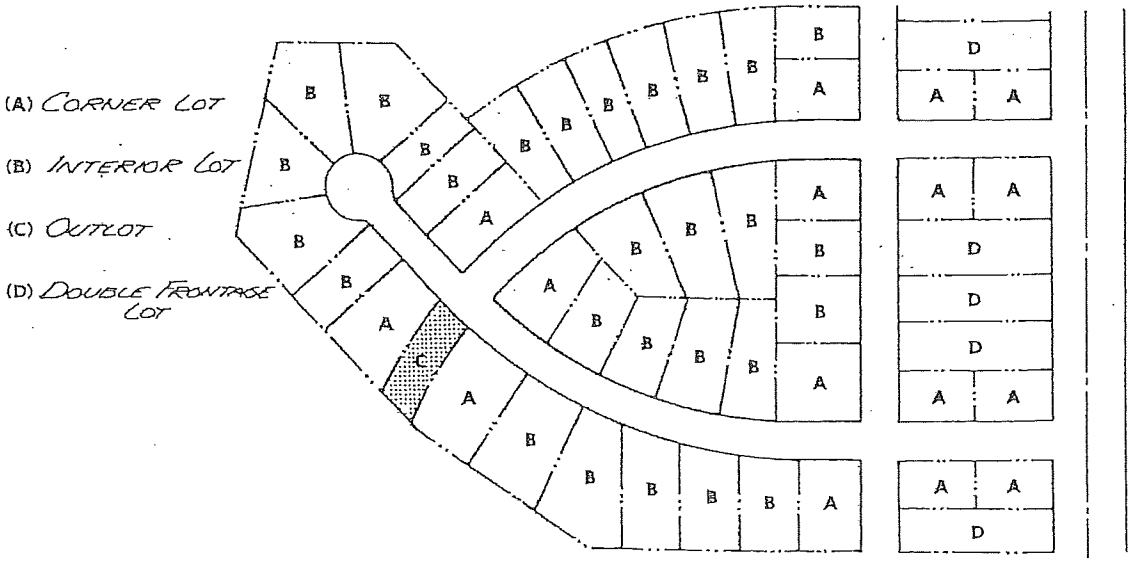
B. Utilize another similar solution acceptable to the Frederick County Department of Permits and Inspections; or

C. Submit for approval to the Frederick County Permits and Inspections Department, a geotechnical report by a registered professional engineer in the State of Maryland to include a soil profile of house location and a certification of the specific basement/footer elevations; and (2) Place a note on that plat requiring that all construction shall be in conformance with the approved solution.

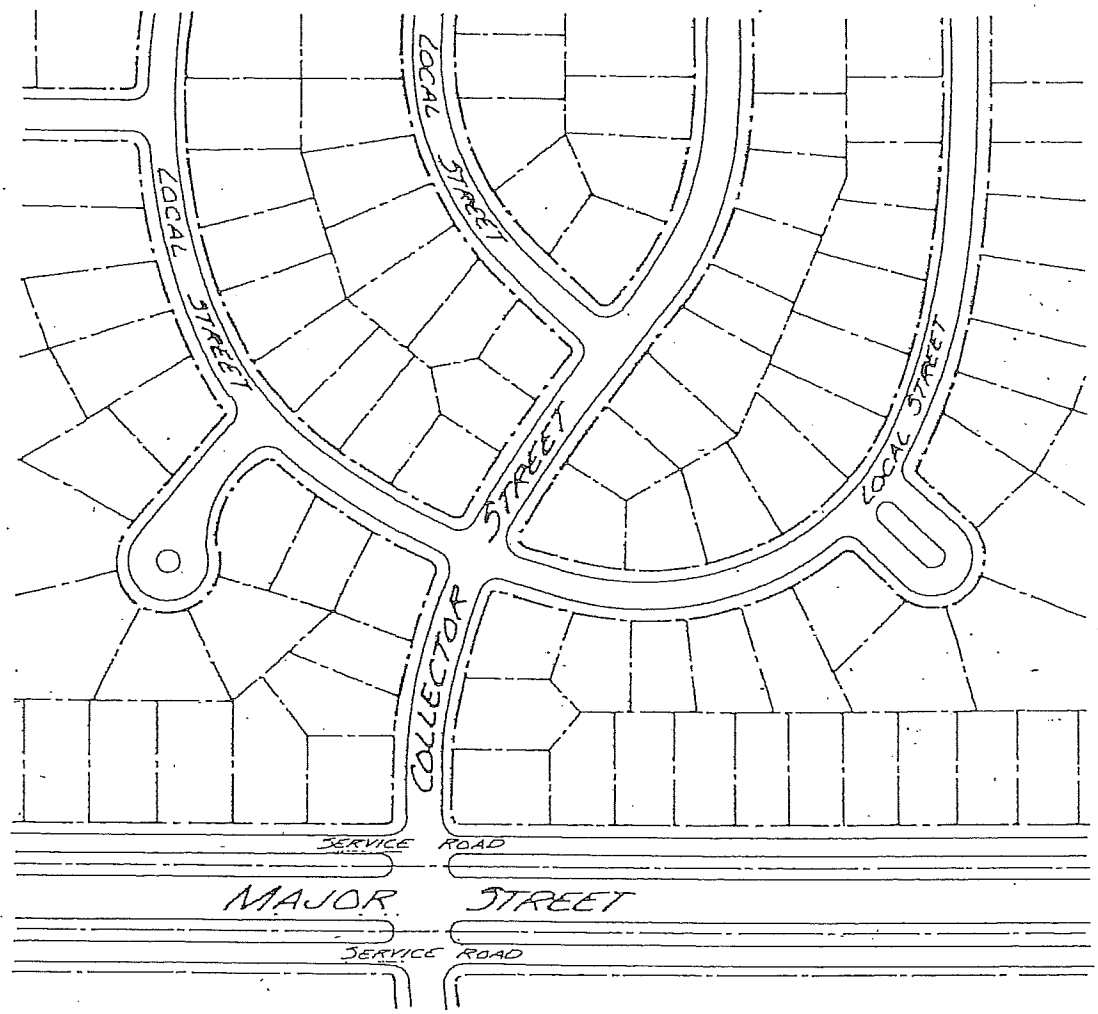
BUILDING SETBACK LINE AND YARD AREA



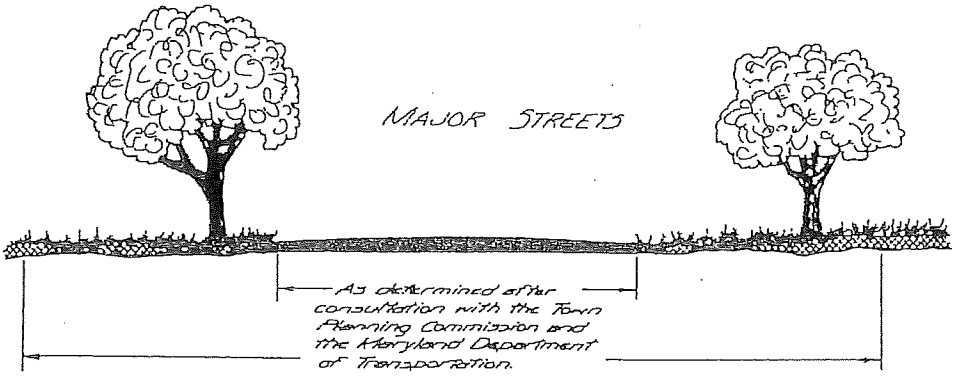
LOT TYPES

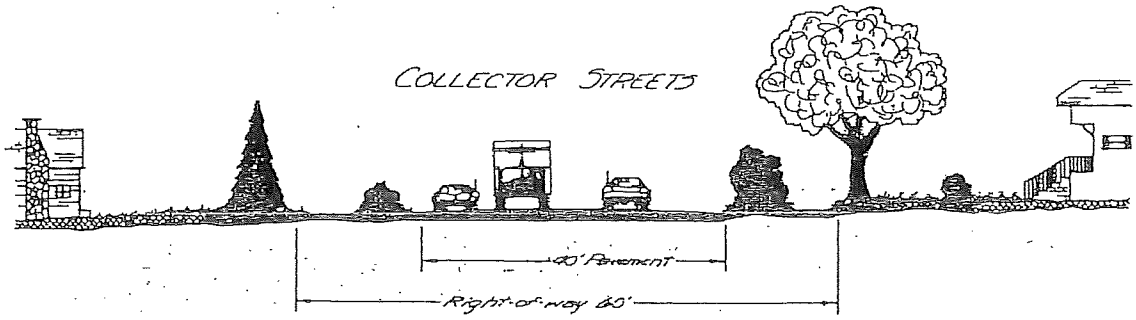


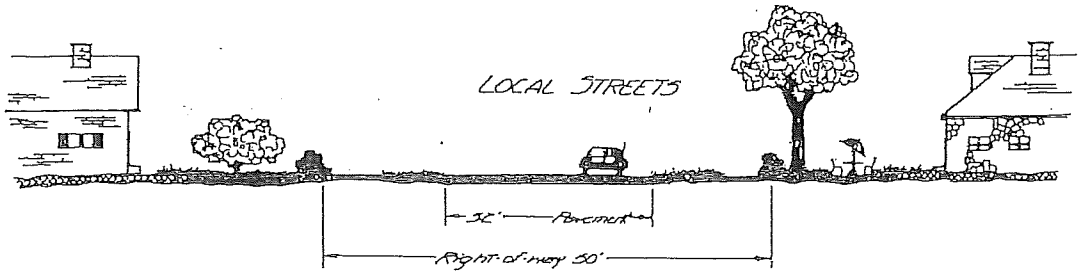
SUBDIVISION STREET TYPES



STREET WIDTHS

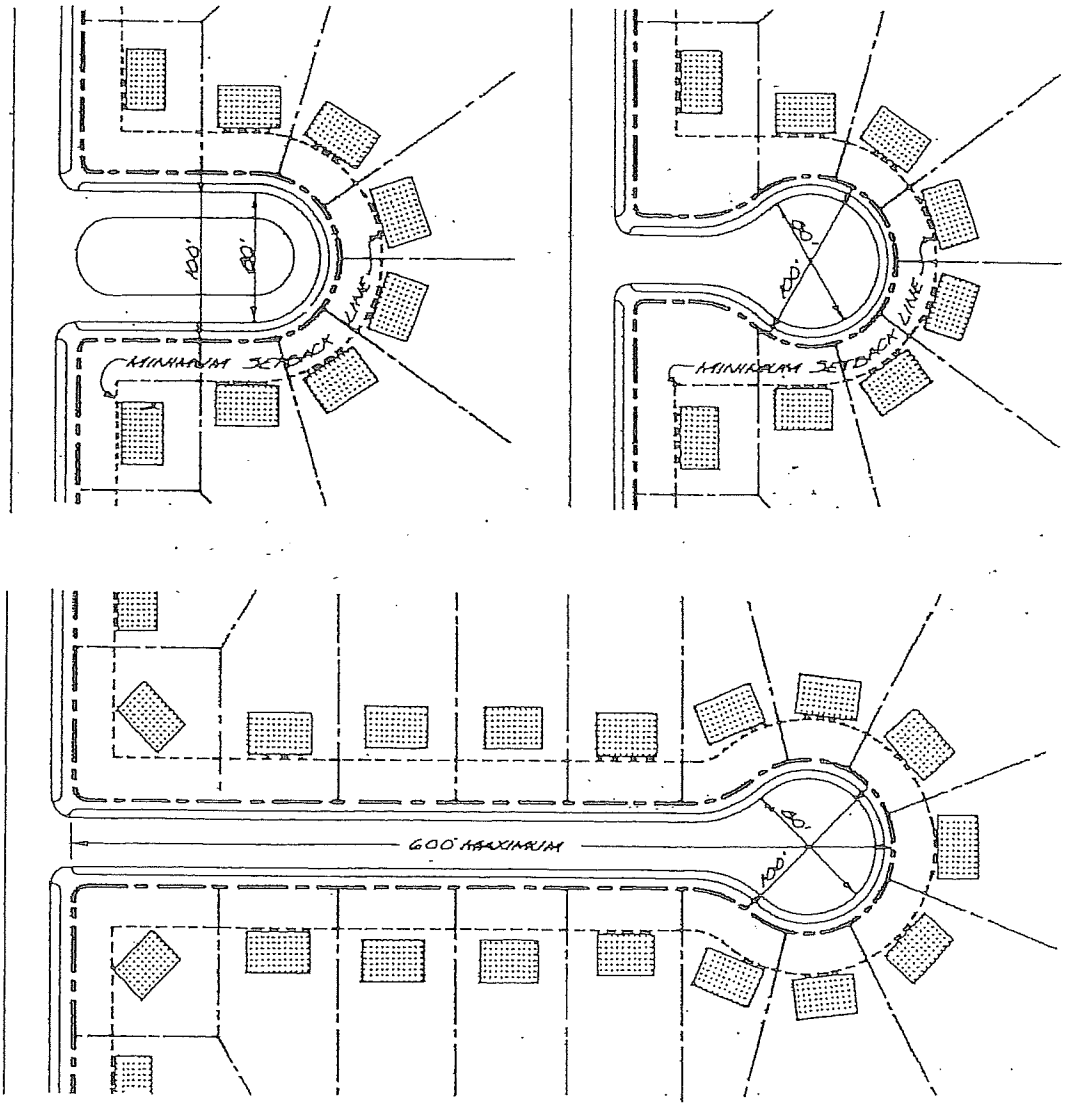




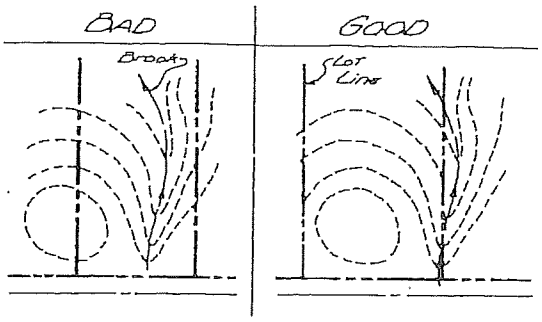


CUL- DE-SACS

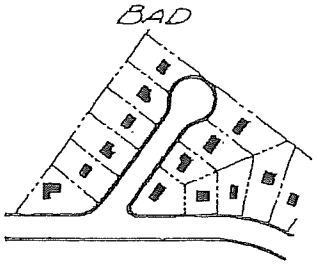
Cul-de-sac Streets in general shall not exceed six hundred (600) feet in length. They must be provided with a paved turn-around with a minimum diameter of eighty (80) feet to the outside curb and one hundred (100) feet to the legal right-of-way.

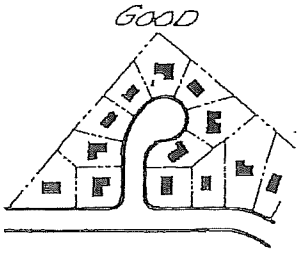


LOTTING



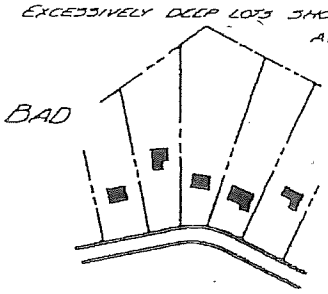
RESERVE THE BEST BUILDING SITES FOR HOUSES, NOT THE LOT LINES.

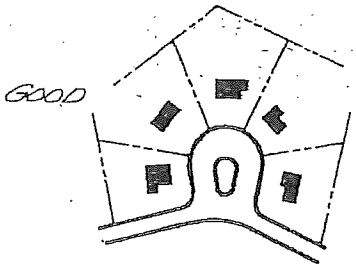


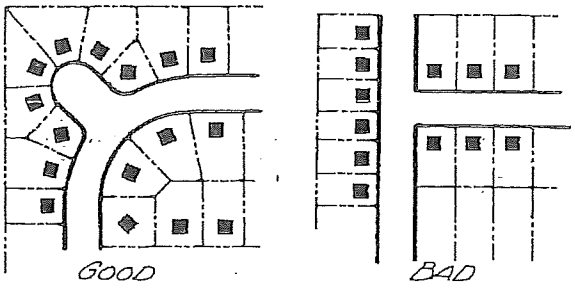


WHEN LOTTING ON CUL-DE-SACS

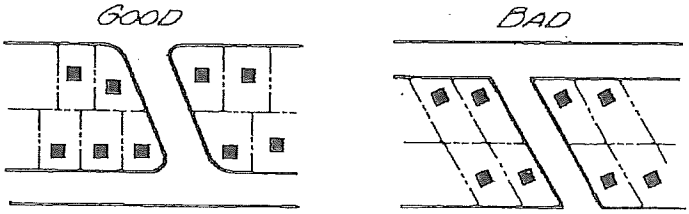
EXCESSIVELY DEEP LOTS SHOULD BE AVOIDED.





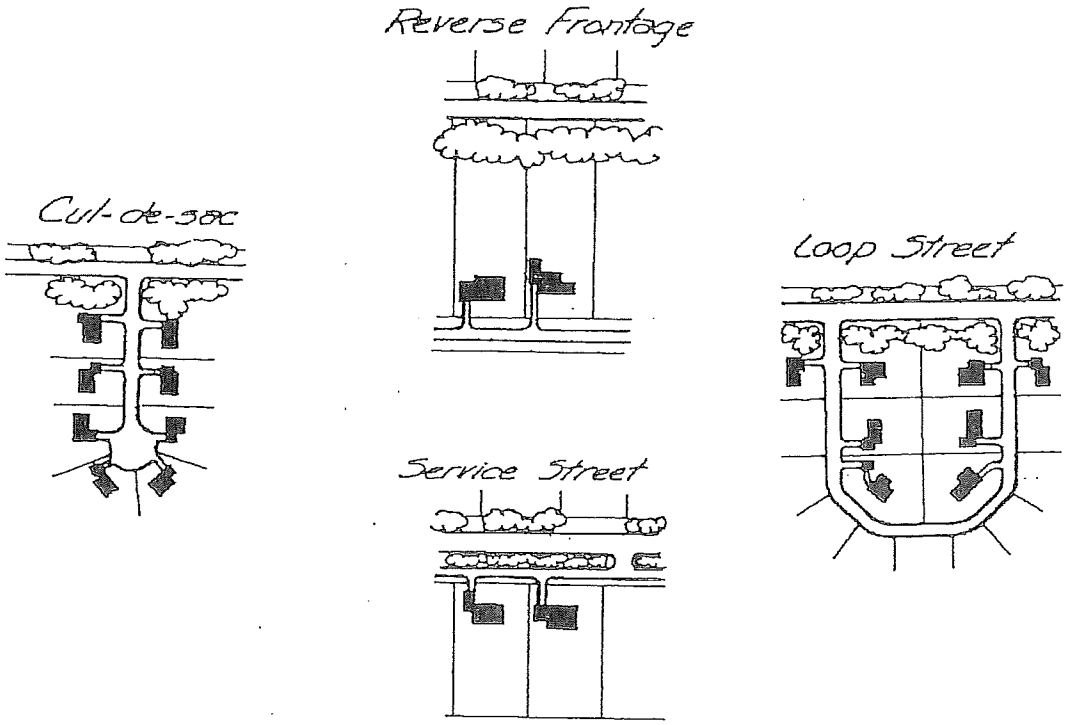


WHEN FUTURE STREET EXTENSIONS ARE NOT REQUIRED

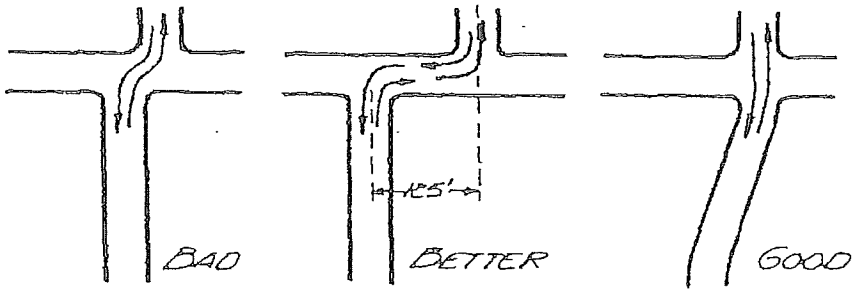


WHEN LOTTING ALONG DIAGONAL STREETS

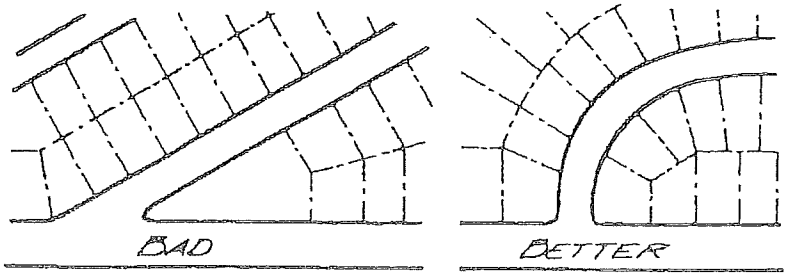
MINIMIZE INTERFERENCE WITH THROUGH TRAFFIC



INTERSECTION ALIGNMENTS



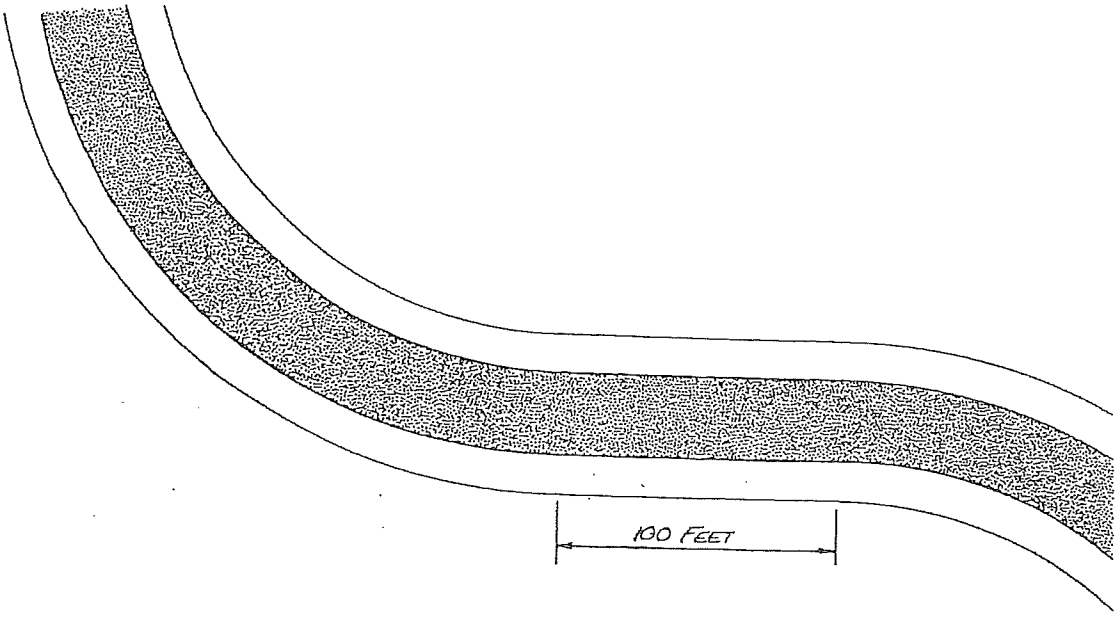
Streets should provide minimum separation or intersect directly opposite each other.



Streets Should Intersect at Nearly Right Angles.

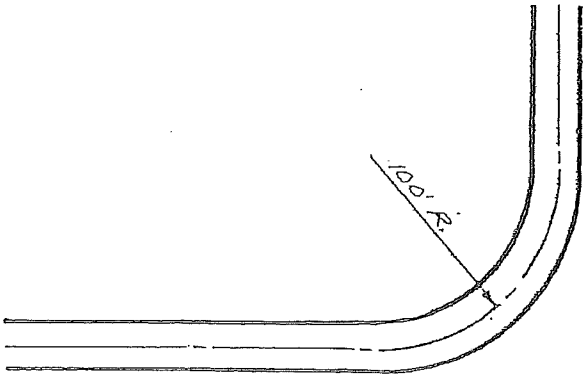
REVERSE CURVES - MINIMUM TANGENT BETWEEN

There shall be a tangent of at least one hundred (100) feet long between reverse curves.

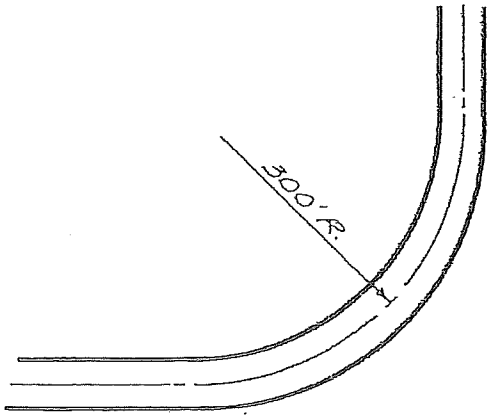


CURVES — MINIMUM RADII

The minimum radius at the center line for curves on Collector Streets: three hundred (300) feet; and for Local Streets: one hundred (100) feet.



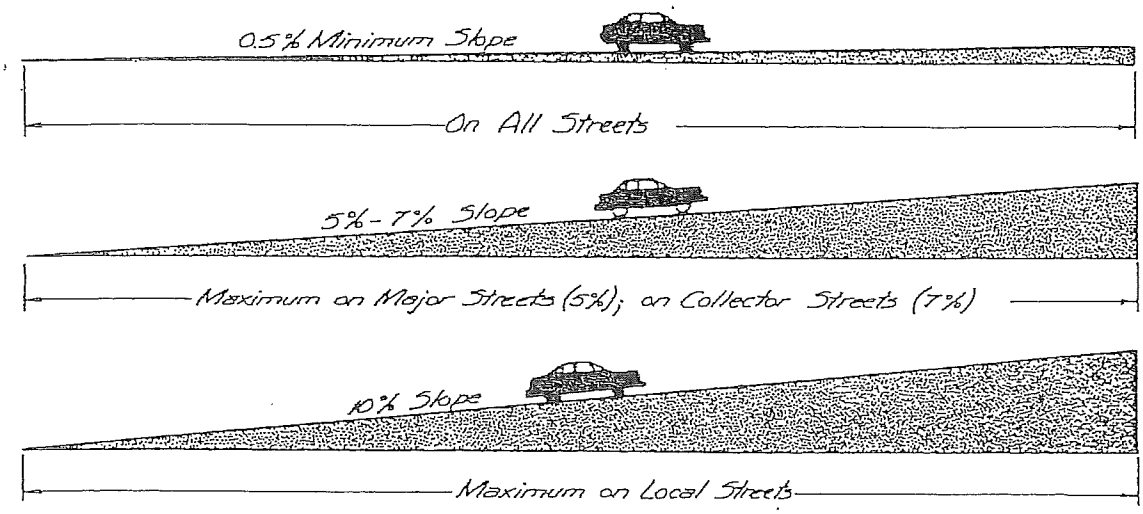
LOCAL STREETS



COLLECTOR STREETS

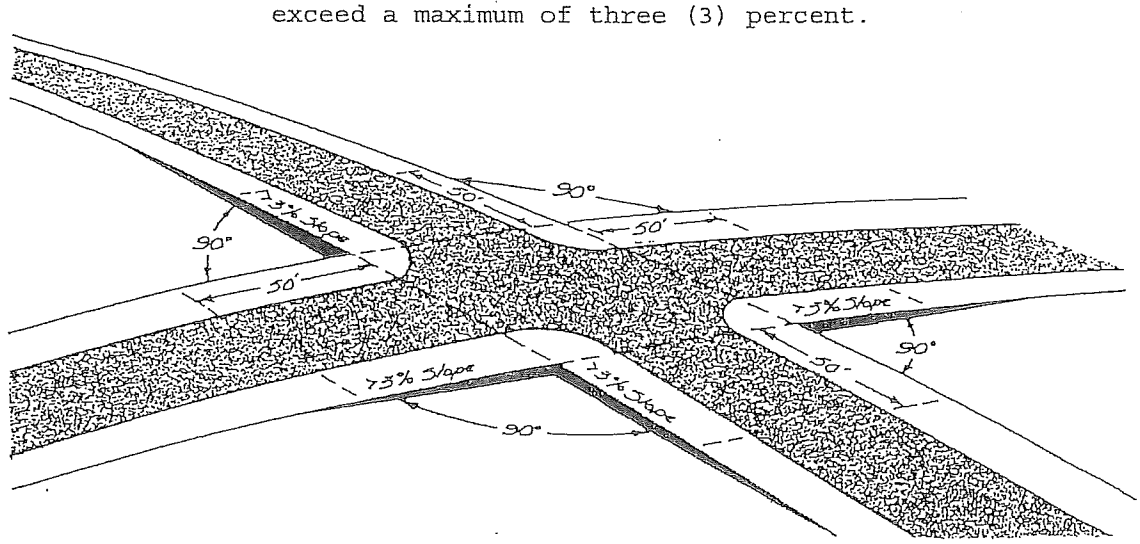
GRADES OF STREETS — MINIMUM AND MAXIMUM SLOPES

There shall be a minimum grade of at least one-half (0.5) percent on all streets; a maximum grade of five (5) percent on Major Streets, seven (7) percent on Collector Streets, and ten (10) percent on Local Streets.



INTERSECTION GRADES

Intersections must be approached on all sides by level areas which must have a minimum length of fifty (50) feet (measured from the intersection of the right-of- way lines) within which no grade shall exceed a maximum of three (3) percent.



COMMISSIONERS OF THURMONT POLICY FOR DEVELOPERS

COVERING

INSTALLATION OF UTILITIES IN A SUBDIVISION

1. PREPARE PLANS AND SPECIFICATIONS TO CONFORM WITH THE TOWN OF THURMONT CONSTRUCTION SPECIFICATIONS.
   A. PLANS TO SHOW LIMITS OF CONTRACTS.

2. PREPARE CONTRACT DOCUMENTS USING THURMONT STANDARDS OR EQUAL. DOCUMENTS SHALL INCLUDE:
   A. TIME LIMIT FOR COMPLETION OF CONTRACT (_____CALENDAR DAYS).
   B. PERFORMANCE, LABOR AND MATERIAL BONDS FURNISHED BY CONTRACTOR TO REMAIN IN EFFECT FOR TWELVE (12) MONTHS AFTER THE COMPLETION OF PHASE I OF ORIGINAL CONTRACT.
   C. BID SHEET USING THURMONT STANDARD.
   D. LIQUIDATED DAMAGES, CHARGED TO CONTRACTOR FOR FAILURE TO COMPLETE CONTRACT ON SPECIFIED TIME AS STATED IN CONTRACT.
   E. SHOP DRAWINGS (IF REQUIRED).

3. CONSTRUCTION PERMIT
   A. MAKE APPLICATION AND SEND PLANS AND SPECIFICATIONS TO THE ENVIRONMENTAL HEALTH ADMINISTRATION FOR APPROVAL OF A CONSTRUCTION PERMIT FOR ALL WORK IN ACCESS OF 400 FEET IN LENGTH OF ANY WATER OR SEWER FACILITIES.

4. PAYMENT TO CONTRACTOR:
   A. THE TOWN INSPECTOR AND SUPERINTENDENT OF PUBLIC WORKS SHALL APPROVE ALL ESTIMATES SUBMITTED EACH MONTH IN ACCORDANCE WITH THE CONTRACT DOCUMENTS FOR LABOR AND MATERIALS THAT ARE INSTALLED AND APPROVED, IN PLACE. DEVELOPER SHALL BE RESPONSIBLE FOR PAYMENT TO CONTRACTOR.

5. CHANGES IN WORK:
   A. NO CHANGE ORDERS SHALL BE APPROVED WITHOUT WRITTEN CONSENT OF BOTH THE DEVELOPER AND THE SUPERINTENDENT OF PUBLIC WORKS.

6. SECURITIES:
   A. A LETTER OF CREDIT OR BOND SHALL BE GIVEN TO THE COMMISSIONERS OF THURMONT IN THE AMOUNT OF 125% OF CONTRACT TO GUARANTEE THE COMPLETION OF CONTRACT. SECURITIES SHALL REMAIN IN EFFECT FOR ONE (1) YEAR AFTER THE FIRST PHASE OF CONTRACT HAS BEEN COMPLETED. LETTER OF CREDIT OR BOND CAN BE REDUCED TO COVER UNFINISHED IMPROVEMENTS PLUS 25%.

7. RESIDENT INSPECTOR:

THE COMMISSIONERS WILL PROVIDE A FULL TIME INSPECTOR FOR THE DURATION OF THE CONTRACT. THE DEVELOPER SHALL REIMBURSE THE COMMISSIONERS OF THURMONT FOR THE HOURLY RATE PAID THE INSPECTOR, TO INCLUDE EMPLOYER'S PAYROLL TAXES. THE DEVELOPER SHALL BE BILLED MONTHLY AND PAYMENT IS DUE UPON RECEIPT OF INVOICE.

8. BIDDING PROCEDURE, IF DEVELOPER CHOOSES TO GO TO PUBLIC BID:

A. ENGINEERING FIRM OR DEVELOPER SHALL ADVERTISE FOR CONTRACT AND HAVE BID OPENING SCHEDULED AT THE TOWN OFFICE ON SPECIFIED TIME AND DATE.

9. CONTRACTOR:

A. THE COMMISSIONERS OF THURMONT RESERVES THE RIGHT TO APPROVE THE GENERAL CONTRACTOR OR SUB-CONTRACTORS.

10. AGREEMENTS:

A. THE DEVELOPER SHALL SIGN AN AGREEMENT FOR COMPLETION OF HIS CONTRACT AND AN AGREEMENT FOR PAYMENT OF INSPECTOR WITH THE COMMISSIONERS OF THURMONT.

REVISED: FEBRUARY 4, 1987

APPROVED BY THE COMMISSIONERS OF THURMONT, MARYLAND:

James F. Black

James F. Black, Pres. of the Board

Date: April 4, 1987