

Ordinance No.96
Zoning Ordinance Amendment
Subject: Site Development Plans and
Standards

Purpose

For the purpose of amending the Zoning Ordinance in order to revise existing provisions.
Text amendments adopted May 10, 1999.

Ordinance

Whereas, under the provisions of Article 66B of the Annotated Code of Maryland, the
Town Council of Leonardtown for Leonardtown, Maryland, is empowered to adopt,
revise and amend the Leonardtown Zoning Ordinance; and

Whereas, the current Zoning Ordinance, XVIII, Site Development Plan has been
amended.

Section 1. The Leonardtown Zoning Ordinance heretofore adopted and currently in
effect shall be and the same is hereby amended as follows: See schedule A attached.

Section 2. This ordinance shall have retroactive effect, effective the date of adoption.

Approval date: March 12, 2001

Attest: Laschelle E. Miller
Laschelle E. Miller
Town Administrator

Commissioners of Leonardtown

J. Harry Norris
J. Harry Norris, Mayor

Ruth W. Proffitt
Ruth W. Proffitt, Vice President

Michael L. Bridges
Michael L. Bridges, Councilman

Charles R. Faunce
Charles R. Faunce, Councilman

Walter R. Gillette
Walter R. Gillette, Councilman

Walter Wise
Walter Wise, Councilman

Schedule A

TEXT AMENDMENT TO THE LEONARDTOWN ZONING ORDINANCE

§ XVIII-6 SITE DEVELOPMENT PLANS AND STANDARDS

A. Purpose

The purpose of these Site Development Standards is to assure detailed compliance with the applicable requirements of this Ordinance and/or subdivision regulations, and to prescribe the standards for the preparation and submission of site plan drawings and for the design and construction of required improvements.

§ XVIII-7 DEVELOPMENT OR LAND USE REQUIRING A SITE PLAN

A site plan is required and shall be submitted for any development or land use involving:

- A. A planned unit development (excluding single family dwellings).
- B. Any residential development, excluding single-family detached dwellings and one (1) individual duplex unit.
- C. Commercial and industrial structures or changes of uses therein.
- D. Churches, temples, synagogues, and similar institutions.
- E. Conditional uses.
- F. Public buildings or land, such as, but not limited to, schools, government offices and ancillary uses, recreational uses.

§ XVIII-8 REQUIRED INFORMATION

Every site plan that is submitted in accordance with this Article shall contain the following information:

- A. Location of tract by an insert map such that the reviewer can easily identify location of the site and such information as the names and numbers of adjoining roads, streams, and bodies of water, railroads, subdivisions, election districts, or other landmarks sufficient to clearly identify the location of the property.
- B. A boundary survey of the tract
- C. Certificate setting forth the source of title of the owner of the tract and the place of record or the last instrument in the chain of title, if such certificate has not been provided with a development plan or concept development plan.

D. Location, dimensions, height, and setbacks of all existing and proposed buildings.

E. All existing and proposed streets and easements, their names, numbers, and width; existing and proposed utilities; water courses and their names; owners, zoning, and present use of adjoining tracts if not previously submitted with a development plan; tax map/parcel number; current and proposed zoning; parking required/provided; structure use; plan preparer; percent landscaped, etc. should be provided in tabular form.

F. Location, type, and complete dimensions of vehicular entrances to the site and same for sidewalks and parkways and provisions for handicapped movement, including any off-site improvements such as traffic control devices and acceleration and deceleration lanes.

G. Location, type, size, and height of fencing retaining walls, trash containers and screen planting where required under the provisions of this Ordinance.

H. All off-street parking, loading spaces, and walkways, indicating type of surfacing, size, angle of stalls, width of aisles, and a specific schedule showing the number of parking spaces provided and the number required in accordance with Section XI of this Ordinance, including connection with adjacent developments and dimensions of landscaped areas, and type of curbing.

I. All locations and sizes of proposed water and sewer installations or proposed additions to existing water and sewer installations, as well as any design features which are unusual or which deviate from normal design practices. The proximity to the nearest hydrant and its area of coverage shall also be shown.

J. Provisions for the adequate disposition of natural and storm drainage in accordance with the duly adopted design criteria and standards of the Town as delineated in Article XV of this Ordinance indicating location, sizes, types and grades of ditches, catch basins and pipes and connections to existing drainage system. Copies of all pertinent calculations and assumptions relative to the storm drainage design (to include the delineation and consideration of the off-site contributing watershed and affected areas) and provisions for sediment control and/or stormwater management which are to be incorporated in all phases of construction, shall accompany the site plan submissions for review.

K. Description of all watercourses, impoundments, and wetlands on or adjacent to the site or into which stormwater flows.

L. Delineation of 100 year floodplains, if applicable.

M. Structure classification (SCS Pond Standard 378).

N. Computations of hydrology; hydraulic and structural.

O. Where deemed necessary by the approving authority, the developer shall submit to the

approving authority an analysis of the impacts of stormwater flows downstream in the watershed. The analysis shall include hydrologic and hydraulic calculations necessary to determine the impacts of hydrographic timing modifications of the proposed development upon a dam, highway, structure, or natural point of restricted stream flow, established with the concurrence of the approving authority, downstream of a tributary of the following size:

- (1) The first downstream tributary whose drainage area equals or exceeds the contributing area to the pond; or
- (2) The first downstream tributary whose peak discharge exceeds the largest designed release rate of the pond.

P. Existing topography with a maximum of two (2) foot contour intervals. Where existing ground is on a slope of less than two (2%) percent, either one (1) foot contours or spot elevations where necessary, but not more than fifty (50) feet apart in all directions. A drainage area map shall be to a usable scale.

Q. Proposed finished grading by contours supplemented where necessary by spot elevations.

R. All horizontal dimensions shown on the site plan shall be in feet and decimals of a foot to be closest to one hundredth (1/100) of a foot; and all bearings in degrees, minutes, and seconds to the nearest 10 seconds. (Closure to be within acceptable survey tolerances - minimum 1:10,000).

S. Plan for signage.

T. Other information required by the Planning Commission

§ XVIII-9 CONCEPT DEVELOPMENT PLAN

A. A Concept Development Plan may be submitted to the Planning Commission for approval prior to submission of a site plan or shall accompany a site plan or subdivision where application for plan approval is made for 75% or less of the land area of the parcel within which the development will occur.

B. The concept development plan shall contain the following information:

- (1) Accurate sketch of the property to scale.
- (2) Record owner of property.
- (3) Vicinity sketch.

- (4) Identification of adjacent property owners.
- (5) Topographic information in sufficient detail to determine drainage patterns and sedimentation or grading permit problems.
- (6) Proposed access to public rights-of-way.
- (7) Generalized identification of existing features on the site, including vegetation, drainage patterns, structures and other site improvements.
- (8) Proposed siting of water and sewage facilities for the entire parcel.
- (9) Proposed siting of structures and their uses.
- (10) Proposed siting of parking facilities.
- (11) Proposed siting of vehicular and pedestrian circulation facilities.

§ XVIII-10 PROCEDURE FOR PREPARATION

A. Plans to Be Prepared by Authorized Persons

Any site plan or any portion thereof, including "as-built" site plans involving the practice of engineering, architecture, or land surveying, shall be prepared and certified respectively by an engineer, architect, landscape architect, or land surveyor duly authorized by the State of Maryland to practice as such. A site plan may be prepared in one (1) or more sheets to show clearly the information required by this Section and to facilitate the review and approval of the plan. If prepared in more than one (1) sheet, match lines shall clearly indicate where the several sheets join. Every site plan shall show the name and address of the owner or developer, election district, north point, date and scale of drawing, number of sheets, existing zoning, Town Zoning Case Number and the tax map and parcel number. Date of originals and index of all previous revisions shall be provided with each revision. In addition, it shall reserve adequate space for the use of the approving authority.

B. Scale and Sheet Size

Site plans shall be prepared to a scale sufficient to show all required details; the sheet shall not exceed the dimensions of 36 inches by 48 inches.

C. Number of Copies, Submission Deadlines and Fees

Clearly legible, blue-line or black-line copies of a site plan shall be submitted to the Planning Director, together with the payment of any site plan fees for processing and approval. Fees for filing site plans shall be those as adopted by the Town Council. Copies shall be submitted in sufficient number to satisfy agency review requirements as determined by the

Planning Director or designee. The number of copies and deadlines for submission shall be determined by the Planning Director and shall be listed as an Appendix to this Ordinance. This Appendix may be changed as needed by the Planning Director without having to amend this Ordinance.

§ XVIII-11 APPROVAL, EXTENSION OR APPEAL

A. Approval of a site plan submitted under the provisions of this Article shall expire one (1) year after the date of such approval unless building permits have been obtained for construction in accordance therewith.

B. A single one (1) year extension may be given by the Planning Director upon written request by the applicant to be made at least thirty (30) days before the expiration of the approved site plan. The Planning Director shall act on the request within fifteen (15) days of receipt of the request.

C. An appeal of a Planning Commission decision regarding site plans is to the Circuit Court of St. Mary's County. An appeal must be made within thirty (30) days of the Planning Commission decision.

§ XVIII-12 REVISION AND WAIVER

Any currently valid site plan may be revised in the same manner as originally approved. Any requirement of this chapter may be waived by the Planning Commission in specific cases where such requirement is found to be unreasonable or unnecessary to evaluate the revision. No such waiver shall be adverse to the purpose of this Section.

§ XVIII-13 BUILDING PERMIT: COMPLIANCE WITH SITE PLAN

No permit shall be issued for any structure or improvement in any area covered by the site plan that is required under the provisions of this Article except as it is in conformity to such site plan which has been duly approved.

§ XVIII-14 INSPECTION AND SUPERVISION DURING INSTALLATION

A. Unless specifically provided in this Section, the construction standards for all off-site improvements and on-site improvements required by this Article shall conform to the County design and construction standards. Appropriate authorities shall approve the plans and specifications for all required improvements and shall inspect the construction of such improvements to assure conformity thereto.

B. Inspection during the installation of the off-site improvements shall be made by the department responsible for such improvements as required to certify compliance with the approved site plan and applicable standards.

C. The owner shall notify the Town in writing three (3) days prior to the beginning of all street, storm sewer or water and sewer facilities work shown to be constructed on the site plan.

D. Upon satisfactory completion of the required improvements and after having received verification by the appropriate approving authorities, the Planning Director or the Town Administrator shall have the authority on behalf of the Town Council to release any bond, other form of surety which may have been furnished for the guarantee of satisfactory installation of such improvements or parts thereof. This release may provide for ten (10) percent of the total bond to be retained for a period of twelve (12) months after completion of all work. Said retainer shall be for the protection of the Town to cover failures, discrepancies, etc., in the previously approved improvements.

E. The installation of improvements as required in this Article shall in no case serve to bind the Town to accept such improvement for the maintenance, repair, or operation thereof.

§XVIII-15 As Built Site Plan

Upon satisfactory completion of required improvements as shown on the approved site plan or a section thereof, the developer shall submit to the Planning Director the number of copies as required of the "as built" site plan, certified by the licensed professional as defined by "COMAR" for occupancy of any building, for the review and approval for conformity with the approved site plan by the Town as designated in this Section. The Planning Director shall not process the occupancy permit until the appropriate "as built" site plan has been reviewed and approved by the appropriate agencies. If built as approved, said approved plan may be certified by the licensed professional as the "as-built."

§XVIII-16 PROCEDURE FOR PROCESSING

A. Planning Director

The Planning Director or designee shall be responsible for checking the site plan for general completeness and compliance with such administrative requirements as may be established prior to routing copies thereof to reviewing departments, agencies, and officials. The Planning Director shall see that all reviews are completed in a timely manner and that site plans are submitted to the Planning Commission within a reasonable period, except under abnormal circumstances, from the receipt thereof in the planning office. All site plans shall be submitted for consideration by the Planning Commission after having been reviewed for completeness by the Planning Director and appropriate state or County departments, relative to the following requirements:

- (1) The location and design of the vehicular entrances and exits for streets giving access to the site and pedestrian traffic.

(2) The concurrence of the State Department of Transportation or County Department of Public Works with the location and design of the vehicular entrances and exits to and from state or County maintained streets and highways.

(3) Location and adequacy of automobile parking areas.

(4) Adequate provision for traffic circulation and control within the site and for access to adjoining property.

(5) Compliance with requirements of this Ordinance for set-backs and screening.

(6) Adequacy of drainage, water supply, fire protection, and sanitary sewer facilities.

(7) Compliance with applicable established design criteria, construction standards, and specifications for all improvements as may be required by the Town Council and Town Ordinances.

(8) Check for inclusion of erosion and sediment control measures.

(9) Compliance with this Ordinance.

(10) Availability and adequacy of other public services.

(11) Reforestation Plan

§XVIII-15 GENERAL SITE DEVELOPMENT STANDARDS

In furtherance of the purposes of this Ordinance and to assure public safety and general welfare, the Town shall require the improvements as shown in the following Standards Section.

A. Site Plan Standards - General

(1) Designation of pedestrian walkways so that patrons may walk on same from store to store or building to building within the site and to adjacent sites.

(2) Construction of vehicular travel lanes or driveways to the appropriate standard in the Leonardtown Road Ordinance which will permit vehicular travel on the site and to and from adjacent parking areas and adjacent property, provided that on any site bordering a state primary highway or adjacent to an existing service road in the arterial highway system, the developer of any site, in lieu of providing travel lanes or driveways in order to provide vehicular travel to and from adjacent parking areas and adjacent property, may dedicate, where necessary, and construct a service road under the appropriate Town, County or state specifications for such.

(3) Connection wherever possible of all walkways, travel lanes, and driveways with similar facilities in adjacent developments.

(4) Screening, fences, landscaping, walls, curbs, and gutters as are required by the provisions of this Ordinance and other ordinances of the Town.

(5) Easements or rights-of-way for all facilities to be publicly maintained. Such easement shall be clearly defined for the purpose intended.

(6) Adequate traffic control devices along such vehicular travel lanes or driveways to prohibit parking on such.

(7) Adequate drainage system for the disposition of storm and natural waters to include, when required, stormwater management devices.

(8) Temporary and permanent erosion and sediment controls measures.

(9) Where not otherwise specified in this Ordinance, open space and recreation area designations and reservations may be required by the Planning Commission, upon recommendation by the staff to preserve natural areas, stream belts, historic sites, wetlands and other areas of critical concern to the Town, County and/or state. Such designations and reservations of open space and recreation area may be prescribed by easements, acquisitions, dedications or other appropriate means. Flood plains, flood hazard areas, and areas within the regulatory flood zones may be included in such reservations and designations. The Planning Commission shall require in all cases that the applicant shall submit for appropriate approval specific arrangements for the perpetual management and responsibility of the designated open space and recreation area.

(10) Solid waste disposal stations shall be provided in such numbers and at such locations so as to provide for the convenient storage and collection of garbage and trash.

(11) Agricultural uses shall be exempted from those standards set forth in this Section of this Ordinance.

§XVIII-16 SITE ACCESS CRITERIA

The proposed development project shall be designed to minimize left turn movements or conflicts on the site and in the street. Driveways should be designed to achieve clear sight lines in accordance with the Leonardtown Road Ordinance standards. Site access and circulation should conform to the following standards:

A. Where reasonable access is available, the vehicular access to the site should be arranged to avoid traffic use of local residential streets situated in or bordered by

residential districts.

B. Where a site or lot has frontage on two or more roads, the access to the site should be provided to the site from the lower classified road, unless there is less potential for traffic congestion and for hazards to traffic and pedestrian movement from the higher classified road.

C. The road giving access to the site should have traffic carrying capacity and be suitably improved to accommodate the amount and type of traffic generated by the proposed development.

D. Where necessary to safeguard against hazards to traffic and pedestrians and/or to avoid traffic congestion, the Planning Commission may require that provisions shall be made for turning lanes, traffic directional islands, frontage roads, driveways and traffic controls when necessary within the road or on existing access roads. The Planning Commission may prohibit such traffic control devices it determines to be unnecessary or in appropriate, whether on the site or off-site.

E. Access driveways should be designed with sufficient capacity to avoid queuing of entering vehicles on any road or street.

F. Driveways into sites should have proper grades and alignments, as well as transition grades and sight distances, for safe, convenient and efficient access and should meet the road right-of-way and travelways of the road in such a manner as to conform to the standard cross section for the road or street as specified by the county road ordinance.

G. Where topographic and other conditions are reasonably usable, provision should be made for circulation driveway connections to adjoining lots of similar existing or potential use when such driveway connection will facilitate fire protection services or when such driveway will enable the public to travel between two existing or potential uses, open to the public generally, without need to travel upon a road.

H. There should be no more than one driveway connection from any site or lot to any street, except where separate entrances and exit driveways may be necessary to safeguard against hazards and to avoid congestion. Additional driveways should also be considered for large tracts and uses of extensive scope, if traffic flow on adjacent roads will be facilitated by the additional connections.

I. Where necessary to provide for suitable access or for extension or construction of planned highway system improvements, provisions should be made for appropriate continuation of such streets and roads terminating on a site.

§XVIII-17 APPROVING AUTHORITY

The Planning Commission shall be the approving authority for all site plans. Such approval

shall be based on recommendation of the Planning Director, and other appropriate agencies, and provisions contained in this Ordinance.

Where the requirements of this Article are found to be unreasonable in specific cases, the Planning Commission may state specific findings and waive the requirement in favor of an alternative standard which is found to be consistent with this Article. No such waiver shall be adverse to the purpose of this Section.

Commissioners of Leonardtown
Minutes
Monday, May 10, 1999
4:00 P. M.

Attendees:

J. Harry Norris, III, Mayor
Ruth W. Proffitt, vice-president
Charles R. Faunce, Commissioner
Walter R. Gillette, Commissioner
Walter Wise, Commissioner
Teresa A. Saulen, Secretary

Also, in attendance were: Robert O. Guyther, Town Administrator; Colleen Bonnel, Town Planner; Rebecca Sothoron, Treasurer; DFC Mark Clark, SMCSO; Evelyn Arnold, Clerk of the Circuit Court; Doug Ritchie, SMENS and, Frank and Joan Holmes.

The regular meeting of the Commissioners of Leonardtown was called to order by the Town Administrator, Mr. Robert Guyther and convened at 4:00 P.M. Evelyn Arnold, Clerk of the Circuit Court, installed the newly reelected Mayor, J. Harry Norris, III, who in turn administered the oath of office to reelected Council members Ruth W. Proffitt and Walter Wise. The Pledge of Allegiance was led by Teresa Saulen.

Election of Vice President

Commissioner Wise made a motion to nominate Becky Proffitt as the Vice President. The motion was seconded by Commissioner Faunce; approved and carried unanimously.

APPROVAL OF MINUTES

Commissioner Gillette made a motion to approve the Minutes of April 12, 1999, as presented. The motion was seconded by Commissioner Wise; approved and carried unanimously.

Commissioner Gillette made a motion to approve the Public Hearing FY2000 Budget Minutes of April 12, 1999, as presented. The motion was seconded by Commissioner Proffitt; approved and carried unanimously.

Commissioner Gillette made a motion to approve the Public Hearing Annexation, Rezoning and Text Amendment Minutes of April 12, 1999, as presented. The motion was seconded by Commissioner Faunce; approved and carried unanimous.

Minutes 5/10/99

Police Report the *calls for service monthly*, because it does not accurately reflect the *calls for service*.

Leonardtown now has a new Leonardtown Watch Program for Lawrence Avenue currently consisting of approximately 20 members. Friday night was the first walk for the Lawrence Avenue Watch team with a follow up on Saturday. Commissioner Gillette said that he rode with DFC Clark the night of the CAT meeting. There were several issues discussed during the ride and commented he was very pleased to have DFC Clark on board with Leonardtown. Mayor Norris said he extended an invitation to some of the members of the CAT to come to the meeting and talk about the group.

Commissioner Proffitt made a motion to close the regular Town Council meeting to open the Public Hearing for the *Text Amendment to Zoning Ordinance: Site Plan Requirements*. The motion was seconded by Commissioner Faunce; approved and carried unanimously. The meeting closed temporarily at 4:35.

The Regular Town Council meeting reconvened at 4:50.

Commissioner Wise made a motion to approve the *Text Amendment to the Zoning Ordinance for Site Plan Requirements*. The motion was seconded by Commissioner Gillette; approved and carried unanimously.

COUNCIL REPORT'S CONT...

Planning and Zoning. Mrs. Bonnel stated the Shops of Breton Bay came before the Board for Site Plan approval. There are still a number of conditions that have to be met. Phase 1 is on hold for the Building Permit until those conditions are done. There was a Subdivision for Singletree, for a corner lot located on Greenbrier Road. Taco Bell gave a general presentation. The site still has some pending conditions for stormwater management, afforestation and DPW review. St. Mary's County Capital Improvements Office gave an update for the Community College's next building as well as the Court House renovation.

Mayor Norris asked when the Control Center staff will be relocating to their new location? Mrs. Bonnel said construction will not be starting any time within the next few months. Mayor Norris asked if it would be within the next two years. Mrs. Bonnel responded yes. Once the new building is constructed, the first year the old building will be used as a back up facility. The Sheriff's Department may also be relocated to the Governmental Center.

Mr. Guyther said he and Mrs. Bonnel will be traveling to Easton, Maryland to meet with the consultants that are doing the Plan with the Downtown Development Guidelines. They are on

Commissioners of Leonardtown
Public Hearing Text Amendment to Zoning Ordinance
Site Plan Requirements

May 10, 1999

4:00 P.M.

Attendees:

J. Harry Norris, III, Mayor
Ruth W. Proffitt, Vice President
Charles R. Faunce, Commissioner
Walter R. Gillette, Commissioner
Walter Wise, Commissioner

Also in attendance were: Robert O. Guyther, Town Administrator; Colleen Bonnel, Town Planner; Rebecca Sothoron, Treasurer; Doug Ritchie, SMENS, and Frank and Joan Holmes.

Mayor Norris opened the Public Hearing meeting at 4:35 P.M. for the Text Amendment to Zoning Ordinance: Site Plan Requirements. Mayor Norris introduced Mrs. Bonnel, the Town Planner, to present and explain the text amendment.

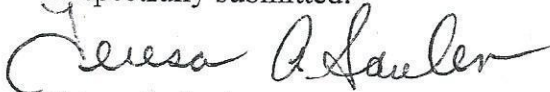
Mrs. Bonnel said the text amendment was approved at the Planning and Zoning meeting. This was due to needing stricter guidelines when the developers present there cases. There was a legal notice in the Enterprise on Wednesday, April 22, 1999.

Mrs. Bonnel said the primary points were to require information for concept plan submittal to broken down to be very specific. Also a break down list of the site plan requirements. Last procedures for preparation. **(Attached is the text amendment)**

Mayor Norris asked if any comments were received. Mrs. Bonnel responded no. Mayor Norris asked the audience if they had any comments. No comments were made from the audience.

Commissioner Wise made a motion to close the Public Hearing. The motion was seconded by Commissioner Faunce; approved and carried unanimously. The meeting adjourned at 4:45 P.M.

Respectfully submitted:



Teresa A. Saulen
Town Secretary

