



OFFICE OF THE PLANNING AND ZONING COMMISSION

**PLANNING COMMISSION
AGENDA
MARCH 27, 2024
6 PM**

- I. Call to Order & Roll Call**
- II. Approval of the March 27, 2024 Planning Commission Agenda.**
- III. Approval of the minutes of the February 21, 2024 Planning Commission Meeting.**
- IV. Public Comment on any item on the agenda.**
- V. Old Business**
 - 1. Review of Section 290-19(F) Zoning Code**
 - 2. Fines/Penalties**
 - 3. Site Approval Plan Process**
- VI. New Business**
 - 1. Signage/Fences**
- VII. Comments by Commissioners**
- VIII. Adjournment**



PLANNING AND ZONING COMMISSION

**MINUTES OF THE
PLANNING COMMISSION MEETING
FEBRUARY 21, 2024**

- I. Commission Chair Kathleen Berault called the meeting to order at 6:04 pm. In attendance were Chair Berault, Laura Blackwelder, Larry Brown, Cindy Greengold, Kelly Huhn, and Jan Ruttkay, Commission Members, Sarah Franklin, Town Planner, and Sharon L. Humm, Commission Clerk. Absent was Commissioner Weaver.

Chair Berault took the opportunity to recognize Chuck Ruttkay, husband of Commissioner Jan Ruttkay, in his passing.

II. **Approval of the February 21, 2024 Planning Commission Agenda**

MOTION: Commissioner Brown moved to approve the February 21, 2024 Planning Commission agenda. Seconded by Vice-Chair Greengold.

MOTION: Vice-Chair Greengold moved to amend the agenda to remove from Old Business #3 Signage, and place under New Business as #1 and remove under New Business #1 Site Approval Plan Process and put under Old Business in place of #3 Signage. Seconded by Commissioner Ruttkay, all in favor.

The agenda was approved as amended.

III. **Approval of the January 24, 2024 Planning Commission meeting minutes**

MOTION: Vice-Chair Greengold moved to approve the January 24, 2024 Planning Commission meeting minutes. Seconded by Commissioner Brown, all in favor.

IV. **Public Comment on any item on the agenda** – None Received.

Chair Berault informed the Commission that she met with the Town Administrator, Councilman Jaworski, and Chair Jeff Foltz of the Coastal Resiliency committee on February 12th. The purpose of the meeting was to discuss the Planning Commission, in collaboration with the Steering Committee, working together on recommendations presented in the coastal resiliency plan as the Town moves forward. It is suggested that a joint session be held allowing the Commission the opportunity to ask questions and discuss any concerns.

V. **Old Business**

1. Review of Section 290-30 Zoning Code – The Commission will defer discussion of any modification to this section until the Chesapeake Bay Critical Area Commission (CBCAC) has done its review. Ms. Franklin will prepare a staff report for the Commission addressing those CBCAC comments and discuss at the next meeting.

The Commission requested Ms. Franklin do a comparison study relating to fines and penalties of other towns and cities, preferably this side of the Chesapeake Bay, providing a guide to work with to bring the Town's fines and penalties to a more current state.

2. Zoning Ordinance – Ms. Franklin brought to the attention of the Commission several items of concern within the zoning ordinance that she would like them to consider. Currently, the most pressing are decks. The Town's code currently limits the ability of residents to add decks to townhomes and other attached single-family units due to the required open space on the lot and the required side and rear yards. Because these types of developments typically have shared open space, the individual lots are smaller, meant to allow a small amount of private yard space. For townhomes and other attached single-family homes, decks are the preferred access to the private yard due to the interior layout of these homes. Presently, there are a number of deck applications that cannot be approved, and if pursued, would need to go before the Board of Appeals for a variance. Ms. Franklin is recommending some changes to the language of Section 290-19(F) that would allow approval of such decks, easing the burden on the Board of Appeals and giving the homeowner a reasonably sized deck. The Commission directed Ms. Franklin to draft language for their review.
3. Site Plan Approval Process – Commissioner Blackwelder is seeking guidance from Ms. Franklin and her experience related to site plan approval and the process she follows. Ms. Franklin gave a brief description as to what the Commission should expect from her but will prepare a document outlining a check list for their information.

VII. Adjournment:

There being no further comments, Vice-Chair Greengold moved to adjourn the meeting at 8:20 PM. Seconded by Commissioner Brown, all in favor.

Submitted by,

Sharon L. Humm
Commission Clerk

This meeting can be viewed in its entirety on the Town website on the Planning Commission page www.chesapeakebeachmd.gov.

MEMO

To: Town of Chesapeake Beach Planning and Zoning Commission

From: Sarah Franklin, Town Planner

CC: Holly Wahl, Town Manager

Date: 3/6/2024

Regarding: Exceptions to projections into required yards & lot coverage

Decks for attached single family dwellings.

The Town's code currently limits the ability of residents to add decks to townhomes and other attached single-family units due to the required open space on the lot and the required side and rear yards. Because these types of developments typically have shared open space, the individual lots are smaller, meant to allow a small amount of private yard space. For Townhomes and other attached single family homes, decks are the preferred access to the private yard due to the interior layout of these homes.

There are two limitations in the code to the reasonable construction of those decks:

1. Required rear and side yard setbacks, which maintain a minimum of five feet of unimproved space along the rear and side property lines.
2. Lot coverage minimums that are meant to preserve open space in neighborhoods.

To address these two issues I recommend that Section 290-19(F) be amended as follows, (changes are in bold, italics, and underlined) including splitting this subsection into further, numbered sub-subsections.

F. Permitted projections into required yards.

- (1) Subject to Subsection J, the provisions of Subsection A shall not apply to fences or walls which are less than six feet above the natural grade, nor to terraces, steps, or other similar features not over three feet high above the floor level of the ground story.
- (2) Covered porches over 35 square feet or decks, whether covered or uncovered, shall not be permitted in the setbacks required by Subsection A, **except as allowed in this Subsection F(3), below.** Subject to Subsections J and M, the setback requirements of Subsection A shall not apply to accessory signs and off-street parking spaces.
- (3) **Subject to Subsections J and M, the minimum side yard setback (E), minimum rear yard setback (F), lot provisions of Subsection A shall not apply to decks and porches less than 120 square feet for a townhouse or other single family attached dwelling, subject to the following:**
 - (a) **That the rear lot line of the subject property abuts permanent open space.**
 - (b) **That the side of any projection align with the side setback of the main building.**
 - (c) **Notwithstanding (a) or (b), no deck or porch shall be permitted in the front yard.**
- (4) **Subject to Subsections J and M the minimum open space requirements (G) lot provisions of Subsection A may be up to 90% for decks and porches less than 100 square feet when there are no other accessory uses on the lot where a townhouse or other single family attached dwelling is sited, provided that the lot abuts permanent open space in common ownership of the owners of the adjacent lots.**

Decks (and other projections) for lots with grandfathered non-conforming side setbacks.

Lots that have dwellings predating the current zoning requirements can have non-conforming side yard setbacks. In order to reduce the burden on both homeowners and the Board of Appeals I would recommend the following addition to Section 290-19 (F):

- (5) **For any dwelling subject to Subsections D, subject to Subsection J, the provisions of Subsection A, minimum side yard setbacks (E) shall not apply for an uncovered deck or porch in the rear yard that is less than 450 square feet provided that the setback of the deck or porch align with the side setback of the main building and all other setbacks and lot coverage requirements are met.**

MEMO

To: Town of Chesapeake Beach Planning and Zoning Commission
From: Sarah Franklin, Town Planner
CC: Holly Wahl, Town Manager
Date: 3/20/2024
Regarding: Violations and Penalties

The Planning Commission wishes to recommend changes and modernization of the Town's violations and penalties section of the zoning code. In order to consider updates, in part one of this memo, I have evaluated the violations and penalties of a handful of other municipalities for comparison and a base for discussion. In part two of this memo I have provided recommended changes to the existing ordinance.

Part 1: Consideration of violations and penalties

The state of Maryland caps fines for a municipal infraction at \$1,000 per violation per day. There is state legislation being considered to increase the allowable infraction to \$2,000.

A larger percentage of municipalities that I research use an approach where the fine in their code "can be no higher than \$1,000", and that the fines may be set by resolution "from time to time". Many other municipalities have fines lower than the ones set by the Town of Chesapeake Beach. It is also worth noting that the violation fees are often charged per violation per day that the violation persists.

This is an approach to consider for the Town's ordinance. Allowing the fines to be set by resolution by the Board of Commissioners allows the fines to be more flexible and change more regularly than fines set by ordinance.

Part 2: Recommended Changes to Existing Regulations

Given the research and information collected above it is my recommendation that the Planning Commission recommend a simplified and more flexible approach to violations and penalties. Allowing fees to be set by resolution will make it easier to keep the fees more in-line with inflation rates.

Below you will find a track-change version of my recommendations regarding the Violations and Penalties section of the Town Code.

§ 290-30 Violations and penalties. [Amended 2-16-2006 by Ord. No. O-06-1]

A. Fines and penalties.

(1) Except for violations of §§ 290-17 and 290-18 of Article IV of this chapter, which relate to the Critical Area, the violation of all provisions of this chapter shall constitute a municipal infraction and the penalties for violating said provisions shall be provided by this section. All citations for violations subject to this section shall be issued by the Zoning Administrator, in accordance with the provisions of Article 23A, § 3, of the Annotated Code of Maryland. A person shall violate the provisions of this chapter if he or she is the owner of a property upon which a condition exists that is in violation of this chapter or if the person participates in acts which violate this chapter (whether as an owner, tenant, contractor, or agent of the owner), but excludes those acting in an official capacity on behalf of the Town.

(2) The violation of any provision of this chapter for which a penalty is not provided in Subsection A(3) below shall be subject to a fine of \$200.

(3) Violations of the following provisions shall subject the violator to the following fines:

<i>Section Violated</i>	<i>Fine</i>
<i>§ 290-3D</i>	<i>\$500</i>
<i>§ 290-11</i>	<i>\$400</i>
<i>§ 290-12C(2)</i>	<i>\$400</i>
<i>§ 290-19G</i>	<i>\$300</i>
<i>§ 290-20A(4)</i>	<i>\$500</i>
<i>§ 290-22B</i>	<i>\$500</i>
<i>§ 290-22E</i>	<i>\$500</i>
<i>§ 290-26B(8)</i>	<i>\$1,000</i>
<i>§ 290-28C</i>	<i>\$500</i>

(4) Whenever a person violates the provisions of this chapter, the Administrator may notify the person in writing of the violation. The Administrator may provide said notice in addition to the citations for a municipal infraction provided for in Subsection A(1) or the Administrator may provide the notice of violation prior to issuing a citation. The notice shall state the nature of the violation, the code section being violated, and state that the failure to commence the correction of the violation or violations may result in legal action, the person being cited for a municipal infraction, or any other form of remedy authorized by this chapter and the laws of Maryland. If

the person given notice of a violation under this Subsection A(4) fails to commence the correction or abatement of all violations within 15 days, and/or fails to complete the correction or abatement of the violations within 30 days, then each day that the violation continues thereafter shall constitute a separate offense, punishable by a fine as set forth in Subsection A(2) or (3).

(5) Nothing in this Subsection A shall be construed as a predicate or condition to the Town exercising the remedies provided for in Subsection B or C. The imposition of fines or the giving of a notice of violation provided by this Subsection A shall not be construed as a replacement of, or waiver of, the right of the Town to exercise or institute actions to seek the remedies provided for in Subsection B or C.

B. Remedies. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this chapter, the appropriate authorities of the Town of Chesapeake Beach, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct, or abate such violation; to prevent any illegal act, conduct, business, or use in or about such premises. The rights and remedies provided in this chapter are cumulative and are in addition to all other remedies provided by law.

C. Critical Area fines and penalties. [Added 5-11-2005 by Ord. No. O-05-5]

Planner's Comments and Notes:

(Deleted references to 290-17, will be replaced by appropriate references with the Critical Area Update) dollar amounts are highlighted for consideration and discussion.

Additionally, if fines can be consolidated this section can be consolidated. I would recommend this approach. This will result in consolidating numbers 6 & 8, and numbers 7 & 9. If desired it is also possible to combine number 3 with 6 & 8 and number 4 with 7 & 9, while still having more severe fines within the buffer.

It is my recommendation that the ordinance not include the actual fines but the maximum fines. This gives more flexibility and ability to scale the size of the fines as inflation impacts whether the fine is adequate to deter violations.

I have also included an alternative approach to the whole section that is based on the Critical Area model ordinance. I would like to have feedback from the planning commission on which approach is preferred.

(1) Except as set forth in Subsection C(2) through (9) hereof, the violation of any provision of § 290-17, Critical Area Overlay District, and § 290-18, Growth Allocation Floating Districts, of Article IV of this chapter shall be a civil code violation and, upon conviction thereof, the offender shall be subject to a fine in the amount of \$100.

(2) Any person or persons who engage in development within the Buffer without a valid zoning permit, and who is in violation of § 290-17D(1) of this chapter, shall be guilty of a civil code violation. If the person or persons violating § 290-17D(1) undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$600. If the person or persons violating § 290-17D(1) undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$3,000.

(3) Any person or persons who remove vegetation and/or trees within the Buffer without a valid zoning permit, and who is in violation of § 290-17D(5) of this chapter, shall be guilty of a civil code violation. If the person or persons violating § 290-17D(5) undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$1,000. If the person or persons violating § 290-17D(5) undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$5,000. If the area from which vegetation was removed exceeds 100 square feet, there shall be a rebuttable presumption that the violation was intentional and willful.

(4) Any person or persons who alter the slope of the land surface within the Buffer, without a valid grading permit and who is in violation of § 290-17D(5) of this chapter, shall be guilty of a civil code violation. If the person or persons violating § 290-17D(5) undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$1,000. If the person or persons violating § 290-17D(5) undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$5,000. If the area of slope which was altered exceeds 100 square feet, there shall be a rebuttable presumption that the violation was intentional and willful.

(5) Any person or persons who violate the provisions of § 290-17G(1), Development Standards in Buffer Exemption Area, of this chapter and who does so without a valid zoning permit, shall be guilty of a civil code violation. If the person or persons violating § 290-17G(1) undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$200. If the person or persons violating § 290-17G(1) undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$1,000.

(6) Any person or persons who cut or clear trees in a forest or developed woodland (as defined in § 290-44) in a Limited Development Area (LDA) in violation of the provisions of § 290-17J(2)(h)[6][b] of this chapter, and does so without a valid grading plan and/or permit, shall be guilty of a civil code violation. If the person or persons violating § 290-17J(2)(h)[6][b] undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$600. If the person or persons violating § 290-17J(2)(h)[6][b] undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be

subject to a fine in the amount of \$3,000. All fines imposed in this Subsection B(6) are in supplementation of the mitigation requirements of § 290-17J(2)(h)[6][b] and shall not be inferred as a substitute for the mitigation requirements contained therein.

(7) Any person or persons who engages in development on slopes greater than 15% in a Limited Development Area (LDA) in violation of the provisions of § 290-17J(2)(h)[7] of this chapter, and who does so without a valid grading plan and/or permit, shall be guilty of a civil code violation. If the person or persons violating § 290-17J(2)(h)[7] undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$600. If the person or persons violating § 290-17J(2)(h)[7] undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$3,000. If the area of slope which was altered exceeds 200 square feet, there shall be a rebuttable presumption that the violation was intentional and willful.

(8) Any person or persons who cut or clear trees in a forest or developed woodland (as defined in § 290-44) in a Resource Conservation Area (RCA) in violation of the provisions of § 290-17J(3) of this chapter to the extent said section adopts by reference § 290-17J(2)(h)[6][b] as being applicable to RCA Districts, and does so without a valid grading permit, shall be guilty of a civil code violation. If the person or persons violating § 290-17J(3) undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$1,000. If the person or persons violating § 290-17J(3) undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$5,000. All fines imposed in this Subsection B(8) are in supplementation of the mitigation requirements of § 290-17J(2)(h)[6][b] and shall not be inferred as a substitute for the mitigation requirements contained therein.

(9) Any person or persons who engage in development on slopes greater than 15% in a Resource Conservation Area (RCA) in violation of the provisions of § 290-17J(3) of this chapter to the extent said section adopts by reference § 290-17J(2)(h)[7] as being applicable to the RCA Districts, and does so without a valid grading plan and/or permit, shall be guilty of a civil code violation. If the person or persons violating § 290-17J(3) undertook acts which demonstrate that the violation was a mistake or unintentional violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$1,000. If the person or persons violating § 290-17J(3) undertook acts which demonstrate that the violation was an intentional, willful violation, then, upon conviction thereof, the offender shall be subject to a fine in the amount of \$5,000. If the area of slope which was altered exceeds 200 square feet, there shall be a rebuttable presumption that the violation was intentional and willful.

(10) Any person or persons who engage in a civil code violation described in Subsection B(1) through (9) above, and said violation(s) occurs after a refusal by the Administrator to issue a permit for the specific actions taken, or which occur in violation of a stop-work order or cease-and-desist order issued by the Administrator, shall, upon conviction thereof, be subject to

a fine in the amount of \$10,000, regardless of whether the actions are a mistake, unintentional, intentional or willful.

(11) The imposition of fines for civil code infractions shall be supplemental to, and not as a substitute for, any and all development requirements imposed by this chapter, including but not limited to any requirements for afforestation, reforestation, mitigation, planting, construction of stormwater management facilities, and site design limitations, including such requirements as are imposed only upon a violation of the provisions of this chapter.

(12) In addition to the civil penalties set forth in Subsection B(1) through (10), and not as a substitution for said civil penalties, the Administrator may seek the abatement of the conditions which are the basis of the violation. If required, an order of abatement shall require the restoration of the disturbed area to the conditions existing prior to the offending disturbance and may include an order for the removal of any structures within said area. Any abatement shall be undertaken in a manner which is consistent with the critical area requirements of the Natural Resources Article of the Annotated Code of Maryland, COMAR, and the Town's Local Critical Area Program found in this chapter.

Alternative based on Model Critical Area Ordinance:

(1) No person shall violate any provision of this Zoning Ordinance. Each violation that occurs and each calendar day that a violation continues shall be a separate offense subject to separate fines, orders, sanctions or other penalties.

(2) Noncompliance with any permit or order issued by The Town of Chesapeake Beach related to the Critical Area shall be a violation of this Ordinance and shall be enforced as provided herein.

(3) Responsible Persons. The following persons may each be held jointly or severally responsible for a violation: (1) any persons who apply for or obtain any permit or approval, (2) contractors, (3) subcontractors, (4) property owners, (5) managing agents, or (6) any person who has committed, assisted, or participated in the violation.

(4) Administrative civil penalties for continuing violations shall accrue for each violation, every day each violation continues, with no requirements for additional assessments, notice, or hearings for each separate offense. The total amount payable for continuing violations shall be the amount assessed per day for each violation multiplied by the number of days that each violation has continued.

(5) The person responsible for any continuing violation shall promptly provide the Town of Chesapeake Beach with written notice of the date(s) the violation has been or will be brought into compliance and the date(s) for Town of Chesapeake Beach inspection to verify compliance. Fines and penalties for continuing violations continue to accrue as set forth herein until the Town of Chesapeake Beach receives such written notice and verifies compliance by

inspection or otherwise.

- (a) Assessment and payment of fines and penalties shall be in addition to and not in substitution for recovery by the Town of Chesapeake Beach of all damages, costs, and other expenses caused by the violation.
- (b) Payment of all fines and penalties assessed shall be a condition precedent to the issuance of any permit or other approval required by this Ordinance.

MEMO

To: Town of Chesapeake Beach Planning and Zoning Commission
From: Sarah Franklin, Town Planner
CC: Holly Wahl, Town Manager
Date: 3/20/2024
Regarding: Category 1 Site Plan Checklist

The following items are proposed to be part of a site plan review checklist for a Category 1 site plan before it would be deemed ready to come before the Chesapeake Beach Planning Commission. This includes several checklists. The first three sections address the requirements of 290-24 & 25 of the Town Code. The fourth section is to confirm compliance with regulations prior to bringing the plan before the board.

Section 1: General

- Is the plan certified by the appropriate engineer, architect, landscape architect, or land survey authorized by the State of Maryland (290-24-A-1)
- Is the site plan to scale of 1 inch = 30 feet or larger.
- Are the sheets sized properly (If more than one sheet, match lines and an index sheet required)
- Is all information clear and legible
- Written comments from other technical agencies, departments, agencies, and officials.

Section 2: Complete Site Plan

- Is the submitted site plan complete with regard to 290-24 (B) :
 - Project name, name, address and phone number - landowner and builder.
 - Location, height, ground coverage and use of all structures.
 - Number & type of dwelling units, (number of bedrooms, commercial floor area.
 - Floor areas of all nonresidential buildings & proposed uses.
 - Locations of recreational & open spaces.
 - Renderings & architectural elevation drawings (appearance of structures)

- Calculations of:
 - building coverage,
 - density,
 - open space,
 - numbers of parking spaces,
 - areas of land use.
- Streets & easements, names, numbers/widths; existing & proposed utilities.
- Landscaping scheme, dimensions and distances, location, size and descriptions.
- Vegetation: existing, proposed removal, and proposed replacement.
- Location, type, size and height of fencing, retaining walls and screen planting.
- Development over 10,000 square feet & commercial with regular evening hours:
 - the type, location and direction of all exterior lighting.
 - lighting will not interfere with
 - drivers on adjacent roads
 - residents of nearby homes or others
 - not directly focused on the property of the development.
- Parking plan: Off-street parking, driveways, loading spaces and walkways:
 - Type of surfacing
 - size
 - angle of stalls
 - width of aisles
 - specific schedule showing the number of spaces provided & required
- How the physical improvements associated with proposed development interrelates with existing or proposed development on adjacent properties.
- Existing and proposed water and sanitary sewer facilities,
 - pipe sizes
 - types and grades
 - where connection is to be made.
- Preliminary Calvert County approval of stormwater management
- Provisions for adequate control of erosion and sedimentation,
 - proposed temporary and permanent control practices
 - measures during clearing, grading and construction.
- Recommendation to PC to require a traffic study if applicable

Section 3 Critical Area:

- Is the site plan in compliance with 290-25(A)
- Area or vicinity map
 - (scale 1" = 2,000 feet or greater)

- names and numbers of adjoining roads, streams, bodies of water, railroads, subdivisions, election districts, or other landmarks.
- Boundary survey plat of the entire site (1" = 100 feet or greater)
 - Existing topography at two five-foot contour intervals with source indicated (U.S.G.S. quadrangle maps not accepted).
 - Slopes in excess of 15%.
 - Existing and proposed graded surface of the land.
 - Location of natural features & trees greater than 12" diameter
 - Floodplain boundaries (one-hundred-year).
 - Location and extent of soils (wet soils, hydric soils and highly erodible soils).
- A detailed drawing showing:
 - Location, proposed use, and height of all buildings and accessory structures
 - Location of all parking and loading areas with ingress and egress
 - Location of outdoor storage
 - Location and type of recreational facilities
 - Location of all existing or proposed site improvements
 - Storm drains, culverts, retaining walls, fences, SWM facilities
 - Sediment, erosion control & existing shore erosion control structures,
 - Proposed structural and nonstructural controls, (scale 1" = 100 feet)
 - Description, method, and location of water and sewage facilities
 - Location, size, and type of all signs;
 - Location, size and type of vehicular entrances
 - Critical Area Overlay District boundary, Buffer & other buffer areas, open space areas, and forested areas;
 - Location of all Habitat Protection Areas;
 - Location of adjacent contiguous forested areas linked to forested areas
 - Location of agricultural fields, barrens lands, pasture, etc.;
 - Location of tidal and nontidal wetlands
 - Location of existing water-dependent facilities on and adjacent, including the number of existing slips and moorings on the site
 - Location and extent of existing/proposed erosion abatement
 - Locations of threatened/endangered species on or adjacent to site
 - Detailed drawing of shore erosion abatement techniques
- Computations of:
 - Total lot area;
 - Building floor area for each type of proposed use;
 - Building ground coverage (percentage);
 - Road area;
 - Number and area of off-street parking and loading spaces;
 - Total site area in the Critical Area;
 - Total man-caused impervious surfaces areas and the percentage of site

- Total acres of existing forest cover in the Buffer
- Total acres of existing forest cover in the Critical Area
- Proposed forest open space areas
- Total area of the site that will be temporarily disturbed
- Total area that will be permanently disturbed.
- Commercial or industrial uses must include:
 - Specific uses proposed
 - Maximum number of employees for whom buildings are designed
 - Type of energy to be used for any manufacturing processes
 - Type of wastes or by-products to be produced by manufacturing
 - Proposed method of disposal of wastes or by-products
 - Location of outdoor lighting facilities
 - Other information required for industrial or commercial uses/zones
- Forest Management Plan with Bay Watershed Forester comments
- Habitat Protection Plan with Maryland Forest Park & Wildlife Service comments
- Stormwater Management Plan approved by Calvert County
- Sediment and Erosion Control Plan
- Planting Plan
- Environmental Assessment Report Including, at a minimum:
 - A statement of existing conditions,
 - A discussion of the proposed development project:
 - including number and type of residential units,
 - amount of impervious surfaces,
 - proposed sewer treatment and water supply,
 - acreage devoted to development,
 - proposed open space and habitat protection areas
 - Discussion of proposed development's impacts on water quality
 - Documentation of all correspondence and findings.

Section 4: Does the site plan comply with other Town Regulations

Underlying zoning district:

- Is use allowed in the district, if C, SE, SC are proper approvals present and conditions of 290-10 Land use table, and 290-11 Conditions and standards for conditional and special exception uses are met.
- Are dimensional requirements met or is there an exception or grandfathering provision
- Are setbacks in compliance with the relevant underlying zoning district.
- Are the buffer requirements of waterfront lots met
- If a Townhouse, multifamily development are all standards of 290-20(M) met.

Residential Planned Community District

- Does the submitted development plan meet the requirements of 290-16(C)
- Is the proposed land use in compliance with 290-16(E)
- What are the purposes of the proposed RPC?

Critical Area Overlay District (290-17)

- Are the conditions of the applicable Critical Area Zone met
 - Are all mitigation requirements met on site
 - If fee-and-lieu is requested - must be approved by PC
- Is the property in the 100-foot buffer
 - Are development standards for the buffer met
 - Are all mitigation requirements met
 - If fee-and-lieu is requested - must be approved by PC

Growth Allocation Floating District

- (Compliance with 290-18)

Parking and Loading

- Are parking facilities in compliance with 290-20(A) & 290-20(B)
- Do the parking facilities meet the design standards in 290-20(C)
- If off-street loading is required, is it in compliance with 290-20(D)
- Is bicycle parking required and in compliance with 290-20(E) & 290-20(F)

Landscaping and Screening

- Are the requirements of 290-21 met
- Is there a Maintenance plan in compliance with 290-21(H) met

Signs

- Are all proposed signs in compliance with 290-22

Standards of Compatibility

- Does the plan meet these requirements, how is this demonstrated,

Floodplain

- Plan is consistent with the need to minimize flood damage
- Plan has utilities and facilities located & constructed to minimize flood damage.

- Adequate drainage paths reduce exposure to flood hazards and guide floodwaters away from structures.
- If five or more lots or acres, in flood hazard areas where base flood elevation data are not available supported by determinations of base flood elevations Access roads - driving surface at or above base flood elevation.
- In special flood hazard areas of non tidal waters of the state:
 - Building pads located outside of the special flood hazard area - land areas below the base flood elevation used for other purposes, deed restricted, or preserved.
 - Subdivision access roads shall have the driving surface at or above the base flood elevation.

Steep Slopes (Soils with a slope greater than 15% or soils with a K value greater than 0.35 and slopes greater than 5%)

- a storm drain discharge and stormwater management plan and a global stability analysis for the lot and the slopes adjoining or abutting the property to the east
- prepared by a professional engineer licensed in Maryland.
- prepared by a professional geotechnical engineer licensed in Maryland and shall include at least two borings, permitted by the town
- drainage from the proposed development on the lot will not cause destabilization of the lot and/or adjacent slope or cause or contribute unreasonably to landslides, mudslides or sloughing of the slope