



**TOWN OF CAMDEN, DELAWARE  
LAND SUBDIVISION REGULATIONS  
ORDINANCE NUMBER 59**

**Adopted May 1, 1989  
Amended January 6, 2003  
Amended March 10, 2004  
Amended October 3, 2005**

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF CAMDEN:

**Article 1. Purpose**

These regulations are adopted in order to promote and protect the public health, safety, convenience and general welfare, insure the orderly growth and development of the Town, the conservation, protection and proper use of land, and adequate provision for housing, recreation, circulation, utilities, and services; safeguard the Town from undue future expenditure for the maintenance of streets and public spaces.

**Article 2. Title**

These regulations shall be known and may be cited as "Town of Camden, Delaware, Land Subdivision Regulations".

**Article 3. Definitions**

A. Commission: The Camden Planning Commission.

B. Subdivision: Division or redivision of any tract of land into two or more lots, plots, sites, or parcels, for immediate or future sale or for building development,

C. Minor Subdivision: Any subdivision fronting on an existing street, not involving any new street or road or the extension of municipal facilities and not adversely affecting the development of the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the development plan, official map, zoning ordinance or this ordinance if so designated as provided in Article 5.

D. Plat: Final drawing, on acid-free archival quality paper, on which the subdivision plan is transcribed and presented to the Commission for approval, and submitted to the Kent County Recorder of Deeds for recording.

E. Subdivider: Any person, firm, corporation, partnership, or association, or duly authorized agent, who shall apply to the Commission for approval of the layout of any subdivision.

**F. Street:** A public or private thoroughfare which affords the principal means of access to abutting properties, including all land between property lines, whether designated as a street, highway, throughway, thoroughfare, avenue, boulevard, road, parkway, right-of-way, lane, place, court, or similar term.

Arterial street or highway: Street primarily used for fast and/or heavy traffic.

Collector Street: Street carrying traffic from minor streets to arterial streets and highways, including the principal traffic and entrance streets of a residential development,

Minor Street: Street primarily used for access to the abutting properties.

Marginal Access Street: Minor street paralleling and adjacent to an arterial street or highway, and providing access to abutting properties and protection from through traffic.

Dead End Street (cul-de-sac): Street closed at one end, and having only one connection with any other street.

Half Street: Street paralleling the boundary of a subdivision and lying partly in an abutting tract.

**G. Roadway:** (Cartway) Paved portion of the street primarily used for vehicular traffic.

**H. Superblock:** Oversize residential block wherein private open spaces, closed to automobile traffic, are provided for the common use of all residents in the block.

**I. Active Public Recreational Facility:** An open space available to the general public, which may be a park, playground, school yard, or church yard, that has been dedicated permanently to public use under a formal deed or covenant, and that is equipped for athletic activities, which may include such sports as tennis, basketball, softball, soccer, touch football, track and field, archery, and hopscotch.

**J. Council:** Town Council of the Town of Camden.

**K. Town:** Town of Camden

## **Article 4. General Requirements and Design Standards**

The following shall be deemed to be minimum requirements and shall be varied or waived by the Commission only under circumstances set forth in Article 7, Section A:

### **General Requirements**

1. In addition to the requirements established in these regulations, all subdivision plats shall comply with the following laws, rules, and regulations:

- (a) All applicable statutory provisions.
- (b) The Town of Camden Zoning Ordinance, Building and Housing Codes, and all other applicable laws of the appropriate jurisdictions.
- (c) The Official Master Plan, Official Map, Public Utilities Plan, and Capital Improvements Program of the Town of Camden, including all streets, drainage systems, and parks shown on the Official Map or Master Plan as adopted.
- (d) The special requirements of these regulations and any rules of the Delaware Division of Public Health.
- (e) The rules of the Delaware Department of Transportation if the subdivision or any lot contained therein abuts a state highway or connecting street.
- (f) The rules of the Delaware Department of Natural Resources and Environmental Control with regard to air and water resources, hazardous or solid waste, wetlands, or any matter within the jurisdiction of that agency.
- (g) The standards and regulations adopted by the Town Engineer and all boards, commissions, agencies, and officials of the Town of Camden.
- (h) Plat approval may be withheld if a subdivision is not conformity with the above laws, regulations, guidelines, and policies as well as the purposes of these regulations established in Article I of these regulations.

2. No preliminary plat shall be approved unless the Commission determines that public facilities will be adequate to support and service the area of the proposed subdivision. The applicant shall, at the request of the Commission, submit sufficient information and data on the proposed subdivision to demonstrate the expected impact and use of public facilities by possible uses of said subdivision. Public facilities and services to be examined for adequacy include roads and public transportation facilities, storm sewers and drainage systems, sanitary sewerage, water service, and police and fire protection.

3. Land that the Commission finds to be unsuitable for subdivision or development due to flooding, improper drainage, steep slopes, adverse earth formations or topography, utility easements, or other features that will be reasonably be harmful to the safety, health, and general welfare of the present or future inhabitants of the subdivision and/or its surrounding areas, shall not be subdivided or developed unless adequate methods are formulated by the developer and approved by the Commission, upon recommendation of the Town Engineer, to solve the problems created by the unsuitable land conditions. Such land shall be set aside for uses and shall not involve any danger to public health, safety, and welfare.

## **B. Streets**

1. The layout, character, extent, width grade and location of proposed streets shall be established with due regard to:

- (a) Public convenience and safety;
- (b) Proposed uses of the land to be served by said streets;
- (c) Proper relation and connection with, continuation and projection of streets in the adjacent areas; whether these streets are existing, or proposed in another subdivision, in a neighborhood plan, or in official planning maps approved or adopted by the Commission.

2. The layout of proposed streets shall furthermore be arranged in a manner acceptable to the Commission.

3. Minor streets shall be laid out so as to discourage their use by through traffic.

4. Where a subdivision abuts or contains an existing or proposed arterial street, limited access highway or railroad, the Commission may require marginal access or service streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or other treatment, such as parks, which may be necessary for protection of residential properties, and for separation of through and local traffic with due regard for the requirements of future approach grades and grade separations.

5. Where a tract of land is subdivided into lots substantially larger than the minimum size required in the zoning classification in which a subdivision is located, the Commission may require that streets and lots be laid out so as to permit future resubdivision in accordance with the requirements of these regulations.

6. Reserve strips controlling access to streets shall be prohibited except where the control and disposal of land comprising such strips has been placed in the Town under conditions approved by the Planning Commission such as provided in paragraph 4 above.

7. Certain proposed streets or alleys may be required to be extended to the boundary line of the subdivision to provide access to tracts which may be subdivided in the future. Wherever necessary, when a street is carried to the boundary line of the subdivision, the Commission may require a temporary turn-around improved to the satisfaction of the Town Engineer and of the size specified in paragraph 16 below at the stub end.

8. Creation of dead end or loop streets and superblocks will be encouraged wherever the Commission finds that such layout will not interfere with traffic convenience and safety. The Commission shall determine the number of connections of streets in the proposed subdivision with existing streets. At least two (2) such connections, preferably with at least two (2) different external streets, shall be provided except where a proposed subdivision contains only one dead end street.

9. Street jogs and speed bumps shall be prohibited. Street intersections, where center lines do not meet, shall have center line offsets of one hundred fifty (150) feet or more.

10. A tangent at least one hundred (100) feet long shall be introduced between reverse curves.

11. Street right-of-way lines deflecting from each other at any point shall be connected with a curve, the radius of which for the inner right-of-way lines shall not be less than seven hundred fifty (750) feet on arterial streets, three hundred (300) feet on collector streets, and one hundred (100) feet on minor streets. The outer right-of-way line shall be parallel to said inner right-of-way line.

12. Streets shall be laid out so as to intersect as nearly as possible at right angles, and never less than 70°.

13. Street right-of-way lines at intersections shall be connected with a curve, the radius of which shall be twenty-five (25) feet.

13.1 Where subdivision streets intersect with streets or highways under the jurisdiction of the Delaware Department of Transportation, street and intersection design shall be coordinated with the Delaware Department of Transportation.

14. Street right-of-way widths and roadway widths (in feet) shall be as follows:

street type	right of way width	paved roadway between curbs
Arterial .....	80-100 .....	60-80
Collector .....	60 .....	38
Minor (Townhouses or apartments and lots under 60' wide) .....	60 .....	38
Minor (lots over 60' feet wide) .....	60 .....	38
Dead end ... 60 .....	38	
Marginal access .....	50 .....	30
Alley .....	20 .....	12

These widths are required for streets on which parking is not to be permitted. If on-street parking is to be permitted, the Commission shall require appropriately wider pavements.

15. Half streets shall be prohibited. Wherever an existing or platted half street shall lie adjacent to a proposed new subdivision, the other half of the street shall be platted within the new subdivision.

16. Dead end streets, designed to be so permanently, shall not be longer than four hundred (400) feet long and shall be provided at the closed end with a turn around having an outside roadway diameter of eighty (80) feet and a street right-of-way diameter of one hundred (100) feet.

17. Street names shall be selected so as not to duplicate, or be confused with, the names of existing streets in Kent County or in any municipality in Kent County. Street names shall be subject to approval of the Commission. Street names shall reflect the history or environment of the site or of the community. The Commission may refuse to approve any street name that refers to any natural, historical, or cultural feature that does not exist in the immediate vicinity of the street.

18. Roads shall be related appropriately to the topography. Local roads shall be curved wherever possible to avoid conformity of lot appearance. All streets shall be arranged so as to obtain as many building lots as possible at, or above, the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. As a general rule, streets shall not have grades in excess of 5% or less than .05%.

19. Changes in street grades shall be connected by vertical curves of suitable length.

20. Width of streets adjacent to areas designed, proposed, or zoned for non-residential use, shall be increased by such amount as may be deemed necessary by the Commission to assure the free flow of through traffic without interference by parked or parking cars and to provide adequate and safe parking space.

21. All residential subdivisions, easements centered on rear lot lines shall be provided for utilities (private and municipal) and such easements shall be at least ten (10) feet wide. Proper coordination shall be established between the subdivider and the applicable utility companies for the establishment of utility easements established in adjoining properties. When topographic or other conditions are such as to make impractical the inclusion of utilities within rear lot lines, perpetual unobstructed easements at least ten (10) feet in width shall be provided along side lot lines with satisfactory access to the road or rear lot lines. Easements shall be indicated on the plat.

#### **C. Sidewalks**

Sidewalks at least five feet wide shall be required in all subdivisions. All required sidewalks shall be constructed in accordance with specifications as issued by the Town Engineer, and shall be ramped at corners to facilitate handicapped access.

#### **D. Watercourses**

Where a subdivision is traversed by a watercourse, drainage way, channel, pipe or stream, there shall be provided a storm water easement or drainage right-of-way, of such which as will be adequate for the purpose, in accordance with requirements specified by the Town Engineer. Parallel streets or parkways may be required in relation thereto. Such easements or rights-of-way shall not be counted as part of the open spaces described in Article 4, Paragraph G hereof

#### **E. Blocks**

1. The lengths, widths, and shapes of blocks shall be determined with due regard to:

- (a) Provision of building sites suitable to the needs of the type of use contemplated.
- (b) Zoning requirements as to lot sizes and dimensions.
- (c) Control, safety, and convenience of pedestrian and vehicular traffic.
- (d) Characteristics of topography.

2. Block length shall not exceed one thousand two hundred (1200) feet.

3. Block widths shall not be less than two hundred seventy five (275) feet nor more than four hundred fifty (450) feet, and shall be planned to provide two rows of lots with an alley separating them.

4. Pedestrian walkways other than adjacent to streets, may be required where deemed essential to provide for circulation, or access to schools, playgrounds, shopping centers, transportation and other community facilities. Such walkways shall be no less than five (5) feet wide, and shall be provided with an all-weather paved or gravel surface approved by the Building Inspector.

#### **F. Lots**

1. Lot width, depth, shape and orientation, and the building setback lines shall be appropriate for the location of the subdivision, for the type of development, and for the use contemplated.

2. Lot sizes shall conform to the requirements of the zoning ordinance and to the density standards set forth in Article 6 below.

3. Depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to comply with the off-street parking and loading requirements contained in the zoning ordinance.

4. Corner lots shall have sufficient width to provide an adequate building site within all yard requirements.

5. Each lot in a subdivision shall have frontage on a public street.

6. Double frontage lots shall be avoided. Reverse frontage lots shall be provided where necessary for protection of residential properties from through traffic and adverse non-residential uses, for separation of through and local traffic, and to overcome difficulties of topography or other specific conditions. Screen planting and a fence or wall shall be provided along the real property line within an easement of ten (10) feet or more in width, across which there shall be no right of access.

7. Side lot lines shall be substantially at right angles or radial to street lines.

8. No lots shall be platted on land impacted by the 100 year flood as depicted on the most current flood plain map produced by Federal Emergency Management Agency, or as determined by FEMA approved engineering study. Such land should be set aside for uses which would not be endangered by periodic or occasional inundation.



### **G. Parks, Open Spaces, School Sites, and Natural Features**

1. The Commission will require the dedication or reservation of contiguous tracts of well-drained land for parks or playgrounds in subdivisions where the Commission deems such requirements to be reasonable, based upon the anticipated population of the subdivision. In no case shall the Commission require more than ten percent (10%) of the gross area of the subdivision be so dedicated or reserved.

2. All residential building sites must be within one-quarter of a mile of a developed Active Public Recreational Facility that is available for the use of the general public.

3. The Commission may require a subdivider to set aside such area as it may deem to be required for a school or other public use. Upon failure of the appropriate authorities to purchase such site within one (1) year after the date of the approval of the Plat, the subdivider, upon application to the Commission and approval of such application, may be relieved of the responsibility of reserving such land for public purposes.

4. The Commission may require the preservation of all natural features which add value to residential developments and to the community, such as large trees or groves, wetlands, water courses, and historic sites, and similar irreplaceable assets. In no case shall a tree over twelve (12) inches in diameter measured three (3) feet from the base be removed without prior approval of the Commission.

### **H General Grading**

No final slope on the property shall exceed the normal angle of repose of the soil of said slope as determined by the Town Engineer except where said slope is supported by a retaining wall or equivalent, of a design acceptable to the Town Engineer.

### **I. Improvements**

1. In major subdivisions, the following improvements are required and are to be constructed according to standards established or approved by the Town Engineer:

- (a) Paved streets, all of which must be public streets.
- (b) Streets signs of the standard design used elsewhere in the Town of Camden.
- (c) Curbs or gutters, or both.
- (d) Sidewalks.
- (e) Street lighting.
- (f) Shade trees located so as not to interfere with utilities, street lights, or sidewalks.
- (g) Erosion and sediment control: Soil stabilization measures acceptable to the Town Engineer shall be implemented during construction to minimize soil erosion due to stormwater runoff,

wind, and vehicular or foot traffic. No topsoil shall be removed from the site or used as spoil. Topsoil moved during the course of construction shall be redistributed so as to provide at least six (6) inches of cover to all areas of the subdivision and shall be promptly stabilized by seeding, sodding, or planting.

- (h) Monuments: To be of the type, size, and shape required by the Town Engineer.
- (i) Storm water drainage systems shall be provided. Methods for calculating flows and standards for system design shall be consistent with those established or approved by the Town Engineer. The storm water drainage system shall be separate and independent of any sanitary sewer system. A culvert or other drainage facility shall in each case be large enough to accommodate potential runoff from its entire upstream drainage area, whether inside or outside the subdivision. The impact of storm water from the new subdivision on downstream drainage facilities shall be evaluated. If, in the opinion of the Town Engineer, additional runoff the Commission may withhold approval of the subdivision until provision has been made for the expansion of the existing drainage facility. No subdivision shall be approved unless adequate drainage will be provided to an adequate drainage watercourse or facility. Drainage courses, streams, channels, and other drainage facilities shall be contained in dedicated easements of adequate width and design to provide ready access for maintenance or future connection.
- (j) All dwelling units within a subdivision shall be connected to central municipal water and sanitary sewage systems. Construction of subdivision water distribution and sanitary sewage collection systems shall be in accordance with standards for design and flow calculation established by the Town Engineer. Subdivisions shall also be provided with fire hydrants adequate in number and distribution to provide for fire protection. All facilities, with the exception of individual house connections, shall be contained in dedicated easements.
- (k) Underground television cable, gas mains, telephone, and electric service in residential subdivisions.

All of the above listed improvements shall be subject to inspection and approval by the Town Engineer who shall be notified by the subdivider at least twenty-four (24) hours prior to the start of construction. No underground installation of any kind shall be covered until inspected and approved by the building inspector.

2. The developer shall complete all utilities, plantings, and street improvements not specifically waived by the Commission in accordance with specifications as issued by the Town Engineer and with any additional requirements specified by the Commission. Construction drawings shall be submitted in a form satisfactory to the Town Engineer.

3. When the Commission or the Town Engineer, due to planning considerations extraneous to the subdivision, require a standard of improvements higher than that which is sufficient to serve the subdivision, the amount of the bond to be posted shall be deemed to be satisfactory if it adequately covers the cost of improvements which normally would be required.

4. The Town shall require that an “as-built” or record drawing file, in electronic format, be submitted and approved prior to the release of the bond(s). The file shall be in AutoCAD format (release 2000 or newer) and shall be based on the Delaware State Plane coordinate system. The file shall include the following:

- a. All boundary, right-of-way, and lot lines.
- b. Back of curb, edge of paving, and sidewalk.
- c. Stormwater ponds, pipe, culverts, and catch basins.
- d. Water mains, valves, fire hydrants, blow-off valves, etc. in the as-built locations.
- e. Sewer mains, manholes, cleanouts, pump stations, etc. in the as-built locations.

5. The Town shall require that a closed circuit TV inspection be provided for all storm water sewers to be taken over by the Town. The TV inspection shall be accompanied with audio description of location based on catch basin and/or pipe numbers, which correspond to the numbering system shown on the drawings. Crossroad culvert pipes, which can be visually inspected, shall be exempt from this requirement. The Town shall not accept the storm sewer system, and no bond(s) shall be released, until the Town has approved the TV inspection. Specific requirements are listed below:

- a. The inspection shall be performed by an impartial, accredited inspection agency.
- b. Forty-eight hours notice shall be given to the Town prior to the inspections so that the Town’s inspector may be present.
- c. A type written inspection report documenting the condition of the system shall be submitted with the video and audiotape.
- d. All defects shall be repaired and a subsequent TV inspection shall be performed
- e. All storm sewers shall be mandrel tested using a “Go-No-Go Mandrel”. The mandrel tests shall be performed no sooner than 60 days after installation of the pipe. The Town’s Inspector shall supervise the inspection.

- f. Storm sewers shall be inspected and eventually accepted by the Town as inter-connected networks, and not on a pipe-by-pipe basis.
- g. All surcharged pipe shall be de-watered prior to TV and Mandrel inspection.
- h. The Developer/Contractor shall be responsible for all costs which result from the above inspections and any necessary repairs.

## **Article 5. Subdivision Procedure**

All subdivision applications, except minor subdivisions which shall be reviewed by the Town Engineer, shall be processed through three steps, as follows:

### **A. Pre-Application (First Step) – No fee for application**

1. Prior to the filing of an application for Conditional Approval, the subdivider shall meet in person with the Commission, to discuss the proposed subdivision, so that the necessary subsequent steps may be undertaken with a clear understanding of the Commission's other special arrangements that will be necessary in order to conform to Article 7 hereof.

2. Following the initial meeting and at least 15 days prior to the meeting at which it is to be considered, the subdivider shall submit to the Commission Pre-Application plans and data as specified in Article 5, Section A-1 below. A Pre-Application does not require any formal application or fee.

3. Within fifteen (15) days after the next regularly scheduled meeting of the Commission following said Pre-Application, the Commission shall formally notify the subdivider in writing whether his proposal is classified as a minor subdivision and that the plans and data as submitted do or do not meet the objectives of these regulations, and, if not, it shall state its reasons.

4. In addition, the Commission shall notify the developer as to whether the proposal requires a Conditional Use approval from the Town Council under provisions of the Town Zoning Ordinance regarding residential housing types or density of residential units.

5. If the Commission or Staff recommends the pre-application be reviewed by the Town Engineer, the applicant will be responsible for all costs associated with the review. Those charges incurred will be billed to the applicant by the Town of Camden and the fees must be paid prior to the application being forwarded to the Conditional Approval of Preliminary Layout.

**A-1. Pre-Application Plans and Data--Required Documents**

1. Sketch Plan or topographic map shall show in simple sketch form the proposed layout of streets, lots, and other features in relation to existing conditions. The sketch may be a freehand pencil sketch made directly on a print of the topographic map by a professional land surveyor, landscape architect, or professional engineer.

2. General subdivision information shall describe or outline existing conditions of the site and the proposed development as necessary to supplement the required drawings. This information shall include data on zoning, existing covenants, land characteristics (i.e. woodlands, existing buildings, stream courses, etc.) and information describing subdivision proposals such as number of residential lots, typical lot width and depth, range of density classes, building types and sizes, price range, business areas, playgrounds, parks, and other public areas, protective covenants, parking, utilities, and street improvements.

**B. Conditional Approval of Preliminary layout (Second Step) - Fee**

1. A Preliminary Layout and other documents, as specified in Article 5, Section B-1 below, shall be prepared by a professional engineer, registered land surveyor, or landscape architect, in accordance with the general requirements and design standards specified in Articles 4 and 6, and conforming to the conclusions reached with respect to the Pre-Application plan.

**2. Application for Conditional Approval of Preliminary Layout**

Approval of the Preliminary Layout shall be submitted in writing by the subdivider to the Commission together with ten (10) prints of the Preliminary Layout and ten (10) copies of other specified documents at least thirty (30) days before the meeting at which it is to be considered, together with a receipt from the Town for a filing fee of two hundred dollars (\$200.00) per acre. The minimum fee shall be one thousand dollars (\$1,000.00). The Commission may direct that additional copies of prints and supporting documents be submitted when it deems necessary.

2.1 If uses or activities proposed in the preliminary subdivision proposal are permitted only as a conditional use under the provisions the Town of Camden Zoning Ordinance, the applicant shall submit a request for conditional use approval to the Town Council in conjunction with the application for conditional approval of the preliminary subdivision layout. The request for conditional use approval shall be accompanied by reports, impact statements, and supporting documents deemed necessary by the Commission or the Town Council.

2.2. If the Commission or Staff recommends the application be reviewed by the Town Engineer, the applicant will be responsible for all costs associated with the review. Those charges incurred will be billed to the applicant by the Town of Camden and the fees must be paid prior to the application being forwarded to the Approval and Filing of Plat.

3. Since the provision of some public facilities and utilities are the responsibilities of special districts, governments, boards, agencies, or utility companies, the Commission or its representative shall direct the referrals of proposed subdivision preliminary layouts to such agencies as may be involved.

4. The Commission shall, within sixty (60) days from the date of the submission of the Preliminary Layout, act on said layout as submitted or modified, and within fifteen (15) days thereafter, shall notify the subdivider in writing of its decision, and state the conditions of approval if any, the suggested modifications if any, or reasons for disapproval of the Layout. Approval by the Commission of the Preliminary Layout shall be expressed as Conditional Approval.

5. Any condition required by the Commission shall be noted on two copies of the Preliminary Layout. The Chairman and one member of the Commission shall sign the two copies as approved by the Commission. One copy shall be returned to the subdivider, and the other copy shall be retained in the Commission files.

6. Conditional Approval of the Preliminary Layout shall not constitute approval of any subsequent Plat; rather it is an expression of approval of the general design submitted to be used as a guide to the preparation of the Plat to be submitted to the Commission for its approval. For the protection of the subdivider, it is stressed that the Commission's approval of the Preliminary Layout should be secured before undertaking final surveys of streets and lots and final construction plans, and that the start of any grading or street construction work must await the approval of the Plat and of a grading plan. However, in the case of minor subdivisions, approval of the Preliminary Layout shall be equivalent to final approval and the subdivider shall follow procedures set forth in paragraphs C7, C8, and C9 of this Article.

7. After Conditional Approval of the Preliminary Layout by the Planning Commission, the proposed plan shall be referred to Council with the Commission's recommendations attached. Council shall then consider any applications for conditional use as might be necessary under Article IV, Section 5 of the Zoning Ordinance of the Town of Camden. The subdivider should not proceed with final surveys and plans until after Council has granted all appropriate or necessary conditional use approvals.

#### **B-I. Preliminary Layout and Data--Required Documents**

The following documents shall be submitted for conditional approval:

1. Preliminary Layout, legibly drawn on sheets not exceeding twenty-four by thirty-six (24" by 36") inches, at a scale not smaller than one hundred (100) feet to the inch, and showing:

- (a) Proposed subdivision name, acreage, date, north point, scale, name and address of owner, subdivider and engineer or surveyor, and tax map parcel numbers of the tract being subdivided, and the name of the Town of Camden.
- (b) Names of owners and property lines and current zoning of abutting properties, and the names of abutting subdivisions.
- (c) Boundaries of the property, existing and proposed easements, building lines, wetlands, areas subject to flooding, archaeological sites, marked or unmarked human burials, underground storage tanks, water courses, marshes, wooded areas, single trees with a diameter of six (6) inches or more, and other significant existing features on the property to be divided.
- (d) Width and location of any streets or other public ways, sidewalks, and other paving or places within or adjacent to the property to be subdivided.
- (e) Location of existing sewers, water mains, gas mains, culverts, drains, underground cables, and manholes on or adjacent to the property, with pipe sizes, grades, and directions of flow, as appropriate.
- (f) Existing and proposed contours at intervals of one (1) foot or less, referred to a datum specified by the Town Engineer and acceptable to the Delaware Department of Transportation.
- (g) Approximate location and dimensions of lots, easements, and public or community areas.
- (h) Approximate location of proposed water lines, valves and hydrants, and sanitary sewer lines with profiles, indicating connections with existing lines or alternate means of water supply or sewage disposal and treatment.
- (i) Storm drainage plan, showing approximate location of proposed stormwater drainage improvements, bridges, culverts, and basins, and the preliminary design of said bridges and culverts.
- (j) Proposed street names with a justification of the choice of each name.
- (k) Cross-sections and profiles indicating grades of proposed streets showing width of roadway, location and width of sidewalks, and location and size of utility lines.
- (l) Zoning classifications in and adjacent to the property to be subdivided.
- (m) Required building setback line and any proposed building locations.
- (n) Types, sizes, and locations of proposed street trees.

2. When the application covers only a part of the applicant's entire holding, a map of the entire tract, drawn at a scale of not less than two hundred (200) feet to the inch showing an outline of platted area with its proposed street system and probable future street system in the remaining portion of the tract.

3. Copy of such covenants or deed restrictions as are intended to be imposed on all or any part of the tract.

4. A vicinity sketch map shall accompany the Preliminary Layout.

### C. Approval and Filing of Plat (Third Step) - Fee

1. The Plat shall conform substantially to the Preliminary Layout approved by the Commission and, if desired by the subdivider, it may constitute only that portion of the approved Preliminary Layout which he proposes to record and develop at the time, provided, however, that said portion conforms to all requirements of these regulations, and, in the Commission's opinion, is consistent with the conditions of approval of the preliminary plan and with sound development practices.

2. The Plat and other documents as specified in Article 5 shall be prepared by the subdivider in accordance with the general requirements and design standards specified in Articles 6 and 7, and shall be submitted to the Commission within twelve (12) months after approval of the Preliminary Layout; otherwise said approval shall become null and void unless an extension of time is applied for, and granted by the Commission within the said twelve (12) month period.

3. Application for Approval and Filing of the Plat shall be submitted in writing by the subdivider to the Commission together with ten prints of the Plat at least ten (10) days before the meeting at which it is to be considered, together with a receipt from the Town for a filing fee of one thousand dollars (\$1,000.00) plus one hundred dollars (\$100.00) per lot for each lot in the subdivision. The minimum fee shall be one thousand five hundred dollars. (\$1,500.00).

3.1 If the Commission or Staff recommends the application be reviewed by the Town Engineer, the applicant will be responsible for all costs associated with the review. Those charges incurred will be billed to the applicant by the Town of Camden and the fees must be paid prior to the application being signed for Final Approval and recordation.

4. Prior to approval of the Plat, and after Council has approved any conditional uses:



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- (a) The Commission shall hold a public hearing to be advertised in a newspaper having paid general daily circulation in the Town of Camden at least seven (7) days prior thereto;
- (b) At least five (5) days prior to the hearing the subdivider shall notify by mail all property owners within two hundred (200) feet of the extreme limits of the subdivision as their names appear on the Town tax record and provide the Commission with return receipts for all letters,
- (c) Following said hearing, and within sixty (60) days from the date of submission of the plat, the Commission shall approve or disapprove said Plat, and within fifteen (15) days, shall notify the subdivider in writing of its decision and state the conditions of approval, if any, the required modifications, if any, or the reasons for disapproval;
- (d) Approval of the Plat shall not become final until the provisions of paragraphs 5 and 6 below have been complied with.

5. The subdivider shall follow with the following procedures regarding approval of construction plans and guaranteeing completion of improvements:

- (a) The subdivider shall prepare construction plans for the required improvements in accordance with Article 4, Section 1, and with commonly accepted design and construction standards as specified by the Town Engineer. Construction plans shall be submitted to the Town Engineer on drafting vellum sheets 24 inches by 36 inches in size.
- (b) The subdivider shall complete all required improvements to the satisfaction of the Town Engineer before any certificate of occupancy shall be issued. Said improvements shall commence within twelve months of the Plat approval, otherwise, said approval shall become null and void, unless an extension of time is applied for and granted by the Commission.
- (c) If the Town Engineer or the Commission feels that, once undertaken, a failure to complete improvements as approved potentially threatens natural resources or community facilities and systems, the Commission may require the subdivider to provide a performance bond to ensure against such occurrence. The bond shall be approved as to sufficiency by the Town Engineer, approved as to form by the Town Solicitor, and filed with the Town Clerk. In the event that the subdivider fails to complete work as required and forfeits the posted bond or surety, the Town may use the forfeited proceeds for site restoration such as grading, seeding, the re-establishment of channels, and similar work necessary to prevent flooding, erosion, sedimentation, or other actions detrimental to resources, facilities and public systems. In the

case of forfeiture, the Town is not otherwise obligated to complete construction of subdivision improvements such as streets and utility systems.

- (d) If the subdivider desires that certificates of occupancy be issued prior to completion of all required improvements to the satisfaction of the Town Engineer, the subdivider shall furnish a completion bond or guaranty in the amount of one hundred fifty (150) percent of the cost of all uncompleted improvements. The bond shall be approved as to sufficiency by the Town Engineer, approved as to form by the Town Solicitor and filed with Town Clerk. The completion guaranty shall be in effect until such time as the dedication of all streets, easements, and other public areas are accepted by the Town Council. To qualify for the acceptance of a one hundred fifty (150) percent completion guaranty the following conditions must be met:

- (i) The streets cannot be completed due to limitations caused by weather;
- (ii) Other improvements have been completed and are in place to the satisfaction of the Town Engineer including drainage structures and water and sewer mains, curb and gutters, asphalt base course, and street lights, street signs and traffic control signs;
- (iii) The subdivider has requested an inspection of the uncompleted improvements by the Town Engineer.
- (iv) The contractor shall provide an itemized cost estimate of the actual cost to complete the uncompleted work. The estimate shall include an item for contingencies in the amount of fifty (50) percent of the estimated cost.
- (v) The completion guaranty is to be indemnified by a three-party construction agreement between the contractor, the subdivider and the Town. This agreement will provide that the contractor shall complete the uncompleted improvements to the satisfaction of the Town Engineer on demand of the subdivider or the Town by a given date in the written agreement.
- (vi) The total amount of the completion bond may be reduced from the required one hundred fifty (150) percent at any time during its effective period, provided that at all times it is for an amount not less than one hundred fifty (150) percent of the cost remaining to be completed. At no time shall the completion guaranty be permitted to be reduced to an amount less than ten (10) percent of the total cost of all public improvements. Improvements guaranteed by the completion bond shall be completed within twelve (12) months of the acceptance of the completion bond.

6. Upon filing of an approved performance bond with the Town Clerk, or upon completion of all required improvements to the satisfaction of the Town Engineer, the Chairman and one member of the Commission shall sign two copies of the Plat as approved by the Commission. Such Final Approval

shall in no way constitute a commitment of acceptance by the Town of the dedication of any street, highway, park or other public open space. To secure said acceptance by the Town, the subdivider shall address a written request to the Town Council.

7. When all improvements and plantings are completed to the satisfaction of the Town Engineer and when the subdivider shall make application for dedication or cession of streets and other public areas and easements, such application shall be accompanied by a maintenance bond in the amount determined by the Planning Commission upon the advice of the Town Engineer to be adequate to assure the satisfactory condition of the initial improvements and plantings for the period of three (3) years following their completion. Such bond shall be satisfactory to the Town Solicitor as to form, sufficiency, manner of execution, and surety.

8. The approved Plat shall be filed and recorded in the Kent County Recorded of Deeds office within thirty (30) days from the date of Final Approval by the Commission; otherwise said approval shall become null and void, unless an extension of time is applied for, and granted by the Commission within the said thirty (30) day period.

9. After filing the Plat with the Recorder of Deeds, the subdivider, shall enter the county plat book reference and date of filing on the original, and shall deliver four prints of the Plat on acid-free, archival-quality paper to the Commission, together with one print reduced to a scale of 400 feet to the inch and one to a scale of 50 feet to the inch, also on acid-free, archival-quality paper.

10. The subdivider shall assign assessment lot numbers, and house numbers, subject to Commission approval and approval of the Kent County Emergency Dispatch Center (911).

11. Upon receipt of notification that a satisfactory performance bond has been filed with the Town Clerk, the Building Inspector may issue building permits for lots within the approved Plat, upon his finding that the plans and data submitted are in full compliance with all requirements of the Zoning Ordinance and all other applicable codes and ordinances.

12. Upon receipt of notification of the Town Engineer that the required improvements and all plantings have been satisfactorily installed, and that a satisfactory maintenance bond that includes plantings has been approved by the Town Solicitor and filed with the Town Clerk, the Commission shall advise the Town Clerk that the performance bond filed in connection with the approved Plat, may be released. No bond may be released until all required plantings are in place.

#### **C-1. Plat and Data--Required Documents**

The following documents shall be submitted for Plat approval:

1. Plat, legibly drawn or printed, in sheets not exceeding twenty-four by thirty-six inches (24" x 36"), and at a scale not smaller than fifty (50) square feet to the inch. When more than one sheet is required, an additional index sheet of the same size shall be filed showing to scale the entire subdivision with lot and block numbers. The plat shall show:

- (a) All information required to be provided on the Preliminary Layout.
- (b) Certification of title, showing ownership, name, address, and signature of the owner of record.
- (c) Names of owners and property lines of abutting land, with appropriate citation of the recorded titles to all abutting land.
- (d) Seal and license number of a professional engineer or surveyor and his or her certification as to the accuracy of the survey and Plat.
- (e) Primary control points, or descriptions and "ties" to said control points, to which all dimensions, angles, bearings, and similar data on the Plat shall be referred, as directed by the Town Engineer, to enable the immediate determination of the location, bearing, and length of every line shown on the Plat and their reproduction upon the ground.
- (f) Boundaries of the property: Building or set back lines, and proposed building when required by the Commission, lines of streets, including physical centerlines, lots, reservations, easements and lands to be dedicated to public use; lengths and bearings of all straight lines; radii, lengths and bearings, tangent distances, and radial bearing of all curves. All lengths shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten seconds unless otherwise specified by the Town Engineer. The error of closure shall not exceed one (1) in ten thousand (10,000).
- (g) Area of each lot in square feet, decimal fractions of an acre and square meters.
- (h) Location of all existing and proposed monuments, as specified by the Town Engineer. Monument lines shall have a closure error of not more than 1:10,000.
- (i) Approved street names.
- (j) Designation, purpose, and area in square feet, square meters, and acres of all lands to be dedicated or reserved for public use.
- (k) Notation of dedication to the Town of all streets, public sites, or open spaces shown on the Plat.
- (l) Construction drawings and erosion and sediment control plan, as required in Article 6. Section H, hereof.

2. Deeds of cession of streets, rights-of-way, easements, and any land for public use; copies of agreements, covenants or other documents showing the manner in which areas to be reserved for the common use of the residents of the subdivision are to be maintained; all certified as to their legal sufficiency by the Town Solicitor.

2.1 The Commission may require that agreements, covenants, deed restrictions, or common use agreements allow the Town to enforce provisions relating to maintenance of common areas and facilities such as open space required as a condition for approval of the subdivision plan and allow the Town to make assessments against owners or participants to these agreements for costs incurred by the Town.

3. Landscape plans showing types, sizes, and location of street trees, shrubbery and other planting materials.

## **Article 6. Density Requirements and Quality of Life**

### **A. Parking**

Subdividers shall provide adequate parking. Each residential unit shall contain at least two parking spaces plus one space for each bedroom. These spaces may be provided on paved driveways, unpaved ground suitable prepared as parking turf, convenient public parking spaces, or as on-street parking. If on-street parking is to be included among the required parking spaces, the roadway between curbs must be increased beyond the widths that are required in Article 4, Section B, paragraph 14, above, to widths established by the Commission.

### **B. Density Categories**

Four density categories are established:

Density Category	Lot Area		Minimum lot Width (feet)
	Minimum	Maximum	
1	2,000	3,600	18
2	1,600	7,500	35
3	7,500	15,000	50
4	15,000	-	120

### **C. Variation of Lot Size and Dwelling Types**

Uniform lot sizes and narrow price ranges are to be avoided within residential subdivisions. No more than half the lots in any subdivision containing twenty (20) or more residential lots shall belong to the same density category. Subdivisions containing more than seventy-five (75) residential lots must include

lots in at least three density categories, in roughly equal numbers, evenly distributed throughout the tract.

#### **D. Re-subdivision**

Any change in a map of an approved or recorded subdivision plat that affects any street layout on the map or area reserved thereon for public use or any lot line, or that affects any map or plan legally recorded prior to the adoption of any regulations controlling subdivisions, shall be considered a new subdivision and subject to the provisions of this ordinance.

#### **E. Incremental Development**

If a tract is subdivided in sections or increments, each separate section or increment shall be separately required to comply with this Article. If the Commission finds that a prospective subdivision containing less than twenty (20) lots is in fact part of a larger prospective subdivision that would be affected by this Article, the Commission shall require mixture of density categories as if the whole tract were being developed.

#### **F. Clusters and Townhouses**

The mixture of unit sizes and prices within cluster developments or townhouse developments shall conform to the principals of diversity of price and size that would be required of Individual structures on separate individual residential lots.

### **Article 7. Special Provisions**

#### **A. Waiver and Variance**

Upon the findings of the Commission or Town Council that, due to special conditions peculiar to a subdivision or a site, certain requirements of these regulations may cause extraordinary and unnecessary hardships, the Town Council may vary or waive said requirements; provided that such variance or waiver shall not be detrimental to the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of the official zoning map, the zoning ordinance, or the comprehensive plan or these regulations. In varying or waiving certain requirements, the Commission or Town Council may specify such conditions as will, in its judgment, secure substantially the objectives of the requirements as varied or waived.

#### **B. Severability**

Should any section or provision of the regulations contained herein, or as amended hereafter, be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the regulations as a whole or any part thereof other than the part so declared as invalid.

**Article 8. Appeal to Council**

If any person shall be aggrieved by the action of the Building Inspector, under this ordinance, an appeal in writing to the Town Council may be taken within ten (10) days after the date of such action. A hearing thereon shall be had on notice to all parties in interest, who shall be afforded an opportunity to be heard. After such hearing the Town Council may affirm or reverse the action of the Building Inspector by a recorded vote of the majority of the total members thereof. The findings and reasons for the disposition of the appeal shall be stated on the records of the Town Council, and the applying party shall be given a copy.

**Article 9. Repeal of Conflicting Ordinance**

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