

MINOR SUBDIVISION PROCESS

On existing lots of record, a subdivider may create up to five (5) lots, including the remaining lands, provided the existing lot of record can meet the minimum standards outlined by the Cecil County Zoning Ordinance, the Cecil County Subdivision Regulations, the Cecil County Road Code and the Environmental Health Regulations.

In April of 1976, the Cecil County Subdivision Regulations took effect and set limitations on the number of lots that can be approved through the Minor Subdivision process. The count of five (5) lots includes all new lots created after April 15, 1976 and created from the existing lots of record that were existing on that date. The count excludes land subdivided after that date for the following:

- a. Additions of land to an existing lot of record;
- b. Subtraction of land from an existing lot of record;
- c. Agricultural land transfers, where no development is proposed;
- d. Land separated or divided by court orders/actions;
- e. Land separated or divided by actions of Local, State or Federal actions.

(See Sections 2.1.3 to 2.1.5 of the Cecil County Subdivision Regulations for further clarification)

OFFICE OF PLANNING AND ZONING

The Office of Planning and Zoning is responsible for the creation, addition and/or subtraction of lots for a minor subdivision. The process for a minor subdivision is as follows:

1. Has the property been subdivided since April 14, 1976? If so, how many lots have been created? A total of four (4) new lots plus the remaining lands can be approved through this process. If there are more than five (5) lots including the original parcel, it becomes a major subdivision.
2. For projects which involve more than 25 acres from the “original” parcel of record, the sub divider shall prepare a concept plat of the proposed subdivision conforming to the requirements set forth in Article IV, Section 4.0 of the Cecil County Subdivision Regulations. The concept plat will be reviewed by the Technical Advisory Committee (TAC) and the Planning Commission.
3. Zoning Classification – Will a rezoning, variance, or special exception be required for the proposal?

4. Does the proposed lot have the required amount of frontage on a County or State road? If not, a variance is necessary. If the proposed lot is for a child or grandchild, a “Perpetual Road Maintenance Agreement” may be obtained.
5. The minimum lot size for new lots shall not be non-conforming or cause the original parcel to become non-conforming.
6. Critical Area - Development in the area 1,000 feet back from the mean high tide is contingent upon how the proposed development will affect the water quality and fish, plant, and wildlife habitats in the immediate area. The subdivider may be required to take measures to prevent any negative impacts that may occur.
7. If non-tidal wetlands are present on site, they must be identified and proper buffers must be shown.
8. If the area lies in a floodplain, the 100-year floodplain line must be noted.
9. A Forest Standard Delineation and a Forest Conservation Plan must be submitted and approved as required by the Forest Conservation Regulations.
10. There is a submittal fee of fifty dollars (\$50.00) per submittal, plus fifty dollars (\$50.00) per lot.

HEALTH DEPARTMENT

1. Perc tests are required for all new lots.
2. There is a charge per lot; also, you will need to hire a backhoe.
3. Check to see if there are any other requirements or restrictions are applicable.

DEPARTMENT OF PUBLIC WORKS

1. Sufficient frontage is required on a county road.
2. Thirty-foot (30') road widening easement and/or dedication should be noted on the plat.
3. Stormwater management is required, if necessary.
4. Check to see if any other requirements or restrictions are applicable.

APPLICATION FOR MINOR SUBDIVISION SUBMITTAL

1. The Application for Minor Subdivision is to be submitted to the Cecil County Office of Planning and Zoning.
2. All review fees must be paid upon submittal (see Submittal and Fee Schedule).
3. The application forms must be complete.
4. Four (4) paper copies and two (2) mylars of survey plats and all other required materials are required.

PLAT INFORMATION

The following information should be indicated on all plats:

1. All existing topography at two (2) or five (5) foot contour intervals should be indicated on plat. Contour intervals should be indicated at least 50 feet beyond the subdivision boundary. Contours shall be based upon government bench marks when available or by estimation from USGS quadrangle maps unless otherwise required by the Office of Planning and Zoning.
2. All existing pertinent features either man-made or natural that may influence the design of the subdivision, such as important trees or wooded areas, power transmission towers, existing buildings and structures, and water courses.
3. The location of existing and recorded utility easements on or within 200 feet of the tract. This should include utility poles, underground cables, and towers.
4. The location and extent of permanent erosion and sediment control facilities, (e. g., sedimentation ponds, drainage ditches, diversion terraces, etc.), if required by the Cecil County Soil Conservation District, shall be shown on the plat, as well as the location of the septic disposal area, wells, percolation information, and soil types.
5. The tax map and parcel number must be shown on the plat.
6. The 100-year floodplain must be noted, if applicable.
7. The identification of non-tidal wetlands and proper buffers (25') should be shown, if applicable. The non-tidal wetlands note must also be included.
8. The perennial stream buffer should be 110 feet for all perennial streams designated on the USGS 7.5 minute quads.
9. The areas of 15% and greater slope must be shaded.

10. The identification of the critical area designation, indication of buffer, total area in critical area, environmental impact study, and critical area note, if applicable.
11. Any notes associated with the Forest Conservation Regulations should be included.
12. The current zoning classification.
13. The surveyor's seal.
14. The landowner's signature.
15. Signature blocks for the three department chairs (Environmental Health, Department of Public Works, and the Office of Planning & Zoning) must be included on the subdivision plat.

PLANNING COMMISSION

1. The Planning Commission shall require that the remaining original tract be shown, as stated in Section 2.4.4. of the Cecil County Subdivision Regulations, as follows:
 - a. If less than five (5) acres of land remain in the original tract after the lots are excluded, then all of the tract (lots and remainder) must be platted.
 - b. If more than five (5) acres of land remain in the original tract after the lots are excluded, then the owner is not required to plat the remaining acreage.
2. The developer is required to provide a sketch of the tax map showing his entire acreage and the location of the lots being platted and any previously platted lots.

ACTIONS

1. Once the Minor Subdivision plats are stamped and signed by the Office of Planning and Zoning, the subdivision is approved.
2. The Minor Subdivision is assigned a recording number, paper copies are filed in the Office of Planning & Zoning, and the mylars are recorded in the Office of the Clerk of the Court.

BUILDING PERMITS

No building permits will be approved by the Building Inspector's Office on any subdivision or development until or unless the requirements of these regulations have been met as verified by the Cecil County Office of Planning and Zoning.