

ARTICLE 2

ZONING DISTRICTS AND MAPS

2-100 ESTABLISHMENT OF ZONING DISTRICTS AND BOUNDARIES

2-101 Zoning Districts Established

The incorporated territory of the Town of North Beach shall be divided into the zoning districts defined in Article 3 and the overlay districts defined in Article 4 of this Ordinance.

2-102 Zoning Map

The locations and boundaries of the zoning districts are established as shown on the “Official Zoning Map, North Beach, Maryland”. The Official Zoning Map and all explanatory material on the map is incorporated by reference and made a part of this Ordinance. The Official Zoning Map shall be located in the North Beach Town Hall. Copies of the map will be prepared and published for guidance but shall not be considered to supersede the Official Zoning Map.

2-103 Critical Area Overlay District Maps

Official Critical Area Overlay District Maps shall be prepared and maintained as part of the Official Zoning Map of the Town. The maps shall delineate the extent of the Critical Area Overlay District (CAD) that shall correspond to the following:

- A. The Critical Area Overlay District shall be drawn to include all lands and waters defined in Section 8-1807 of the Natural Resources Article, Annotated Code of Maryland. They include:
 1. All waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the State Wetland Boundaries Maps, and all State and private wetlands designated under Title 9 of the Natural Resources Article, Annotated Code of Maryland;
 2. All lands and water areas within 1,000 feet beyond the landward boundaries of State or private wetlands and the heads of tides designated under Title 9 of the Natural Resources Article, Annotated Code of Maryland; and
 3. Modification to these areas through inclusion or exclusions proposed by the Town of North Beach and approved by the Critical Area Commission as specified in Section 1-1807 of the Natural Resources Article, Annotated Code of Maryland.
- B. Within the designated Critical Area, all land shall be classified into one of the following land use designations:
 1. Intensely Developed Area (IDA)
 2. Limited Development Area (LDA)
 3. Resource Conservation Area (RCA)

The land use designations shall be determined as described in the Town of North Beach Chesapeake Bay Critical Area Protection Program. The Mayor and Council may modify the Critical Area Overlay District Maps in compliance with amendment provisions in this Ordinance, the Maryland Critical Area Law, and Critical Area Criteria.

- C. The Mayor and Council may elect to adjust the Critical Area Boundary to delete areas of the Town from the Critical Area District. The Mayor and Council may also elect to add areas to the Critical Area. Any adjustments or changes shall be treated as amendments to the Critical Area Overlay District on the Official Critical Area Overlay Map for the Town of North Beach and may be approved only after review and approval by the Critical Area Commission. Procedures and requirements for amending the Critical Area District Maps are set forth in Article 7, 7-300.

2-200 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

The following conditions shall apply to interpretations of the boundaries of the various districts:

- A. District boundaries shall be intended to follow street, alley or lot lines, or lines parallel or perpendicular thereto, unless such boundaries are otherwise shown on the Zoning Map.
- B. Where a boundary line is shown within a street, alley or stream, it shall be intended to follow the centerline of such street, alley or stream. Should the actual location of such street, alley or stream vary from the location as shown on the Zoning Map, then the actual natural location shall control.
- C. Where a boundary line is shown as being located a specific distance from a street line or other physical feature, then this distance shall control.
- D. In un-subdivided property, unless otherwise indicated, a district boundary line on the Zoning Map shall be determined by the use of the scale on the Zoning Map.
- E. In cases of disagreement or uncertainty as to the exact location of the boundary, the Zoning Administrator shall seek a recommendation from the Planning Commission before making a determination as to the exact location of the boundary. Such determination may be appealed to the Board of Appeals, upon an appeal filed in accordance with Article 7, Part 4.