

ARTICLE I PURPOSE AND AUTHORITY

Section 1. Short Title

This Ordinance shall be known, cited, and referred to as the Town of Elkton Zoning Ordinance.

Section 2. Authority

This Ordinance is enacted under the authority granted by the General Assembly of Maryland, as provided in Land Use Article, Annotated Code of Maryland, as amended.

Section 3. Intent/Authority

1. This Ordinance is intended to promote the orderly development of the Town of Elkton, Maryland, in accordance with the Elkton Comprehensive Plan or any of the component parts thereof and in compliance with the Land Use Article of the Annotated Code of Maryland, as amended. It is also the intent of this Ordinance that the extent of its applicability shall be automatically changed in accordance with the provisions hereof or with any provision of State Law which may hereinafter affect the applicability of this Ordinance.
2. The purpose of this Zoning Ordinance is to implement the Comprehensive Plan for the Town of Elkton, Maryland in order to promote the health, safety, order, convenience and general welfare of the citizens of the Town in accordance with present and future needs as expressed in the Comprehensive Land Use Plan. It is the further purpose of this Zoning Ordinance to provide for economic and efficient land development, encourage the most appropriate use of land, provide convenient and safe movement of people and goods, control the distribution and density of population to areas where necessary public service can be provided, protect historic and environmental areas, encourage good civic design, and provide for adequate public utilities, facilities, and services.
3. It is also the objective of this Ordinance to implement the 12 "Visions" contained in the Maryland 2009 Smart, Green and Growing Legislation, namely:
 - Vision 1. Quality of Life and Sustainability: A high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment;
 - Vision 2. Public Participation: Citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;
 - Vision 3. Growth Areas: Growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;
 - Vision 4. Community Design: Compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources;

- Vision 5. Infrastructure: Growth areas have water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;
- Vision 6. Transportation: A well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;
- Vision 7. Housing: A range of housing densities, types, and sizes provides residential options of citizens of all ages and incomes;
- Vision 8. Economic Development: Economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged;
- Vision 9. Environmental Protection: Land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;
- Vision 10. Resource Conservation: Waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;
- Vision 11. Stewardship: Government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and
- Vision 12. Implementation: Strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, state, and interstate levels to achieve these Visions.

Section 4. Jurisdiction

This Ordinance shall be effective throughout the Town of Elkton's planning jurisdiction. The Town's planning jurisdiction comprises all areas within the corporate boundaries of the Town of Elkton, Maryland.

Section 5. Severability

It is hereby declared to be the intention of the Town Mayor and Commissioners that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any such section, paragraph, sentence, clause, or phrase is declared unconstitutional or otherwise invalid by any court of competent jurisdiction in a valid judgement or decree, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, or phrases of this ordinance since the same would have been enacted without the incorporation into this ordinance of such unconstitutional or invalid section, paragraph, sentence, clause, or phrase.

Section 6. Adequate Public Facilities Requirements

1. No site plan, final subdivision plat shall be approved, nor shall a development plan for a Planned Unit Development (PUD) be approved unless the Planning Commission first determines that

adequate facilities are available to support and service the proposed site plan, subdivision or PUD.

2. The applicant shall submit with any subdivision concept plan or PUD development plan sufficient information and data to demonstrate the expected impact on and use of the public facilities by the residents or occupants of the proposed site plan, subdivision or PUD.

Section 7. No Use or Sale of Land or Buildings Except in Conformity with Ordinance Provisions

1. Subject to Article VIII of this Ordinance, no person may use, occupy, or sell any land or buildings or authorize or permit the use, occupancy, or sale of land or buildings under his control except in accordance with all of the applicable provisions of this Ordinance.
2. For the purposes of this section, the "use" or "occupancy" of a building or lands relates to anything and everything that is done to, on, or in that building or land.

Section 8. Violations and Penalties

Violation of this ordinance shall be punishable as provided in Article VII.

Section 9. Relationship to Existing Zoning, Subdivision, and Flood Control Ordinances

To the extent that the provisions of this Ordinance are the same in substance as the previously adopted provisions that they replace in the Town's Zoning Ordinance or Subdivision Regulations, they shall be considered as continuations thereof and not as new enactments unless otherwise specifically provided. In particular, a situation that did not constitute a lawful, nonconforming situation under the previously adopted Zoning Ordinance does not achieve lawful, nonconforming status under this Ordinance merely by the repeal of the Zoning Ordinance.

Section 10. Fees

Fees established in accordance with Town of Elkton procedures shall be paid upon submission of a signed application or notice of appeal, unless otherwise determined by the Zoning Administrator.

Section 11. Reserved