

ORDINANCE NO. 4-2022

**AN ORDINANCE OF THE TOWN OF TRAPPE AMENDING THE TRAPPE ZONING ORDINANCE, TITLE IV, SECTION 6 TO PERMIT RESTAURANTS AND FOOD CARRY OUT ESTABLISHMENTS IN THE C-2 HIGHWAY COMMERCIAL DISTRICT**

WHEREAS, the Town of Trappe is authorized by the Md. Code Ann. § 4-102 to adopt a comprehensive Zoning Ordinance;

WHEREAS, in accordance with Md. Code Ann. Land Use Article, §4-204, the Town of Trappe is authorized to amend, supplant or modify the Zoning Ordinance; and

WHEREAS, the intent of the Highway Commercial (“C-2”) District is to provide for certain types of commercial uses which are directly related to highway or street activity and which customarily are located adjacent to major streets or roads; and

WHEREAS, the Trappe Planning Commission believes the intent of the C-2 District is to permit restaurants and has recommended that the Zoning Ordinance be amended to permit restaurants and food carry out establishments in the Highway Commercial (“C-2”) District; and

WHEREAS, on January 4, 2023, the Council of Trappe held a duly advertised public hearing on the Ordinance after publishing notice in the newspaper once a week for two successive weeks prior to the hearing; and

WHEREAS, the Council of Trappe has determined that it is desirable and in the public interest to amend the Zoning Ordinance as recommended by the Planning Commission.

NOW, THEREFORE, be it ordained by the Council of Trappe as follows:

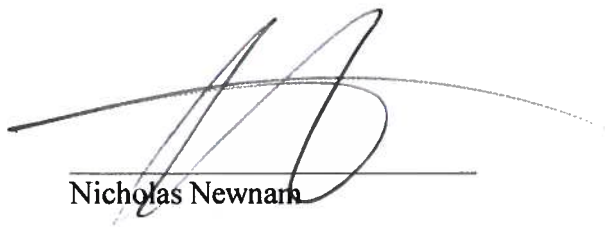
**Section 1.** Title IV of the Trappe Zoning Ordinance, Section 6 titled “C-2 Highway Commercial”, is hereby amended to include Subsection 6.10(8), as follows:

**Subsection 6.10 – Permitted Principal Uses and Structures.** The following principal uses and structures shall be permitted in the “C-2” district:

- 8) Restaurants and food carry-out establishments, providing that no such use shall occupy greater than 10,000 square feet of gross floor area.

**Section 2.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance, which can be given effect without the invalid section, subsection, sentence, clause or phrase, and to that end, all provisions of this Ordinance are hereby declared to be severable.

**Section 3.** This Ordinance shall become effective on the 20<sup>th</sup> day after passage which shall be the 25<sup>th</sup> day of January, 2023.



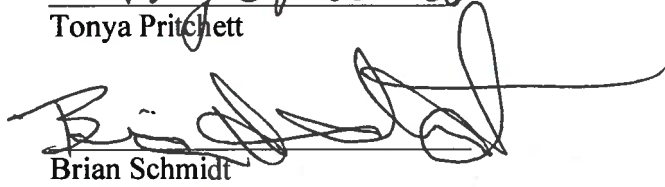
Nicholas Newnam



Walter Chase



Tonya Pritchett



Brian Schmidt

I hereby certify that the above Ordinance was adopted by a yea and nay vote of the Council  
this 4<sup>th</sup> day of January, 2023.



Erin Braband, Town Administrator/Town Clerk