

ORDINANCE NO. 7-2023

AN ORDINANCE OF THE TOWN OF TRAPPE AMENDING THE TRAPPE ZONING ORDINANCE, TITLE IV, SECTION 6 TO PERMIT CERTAIN ADDITIONAL USES IN THE C-2 HIGHWAY COMMERCIAL DISTRICT; SECTION 10 TO REDUCE THE NUMBER OF REQUIRED PARKING SPACES FOR RETAIL STORES AND THE SIZE OF EACH PARKING SPACE; AND TITLE VI, SECTION 7 TO PERMIT FLEXIBILITY IN THE APPLICATION OF COMMERCIAL DESIGN GUIDELINES

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 retail businesses in excess of 3,000 square feet and has recommended that the Zoning Ordinance be amended to permit such establishments in the Highway Commercial (“C-2”) District and to provide flexibility in the commercial design guidelines; and

WHEREAS, on December 6, 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”, Subsection 6.10 is hereby amended as follows:

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

7) Uses and structures permitted in the “C-1” district.

8) Retail businesses generally which may have greater than 3,000 square feet of gross floor area, but not including uses which would comprise a nuisance to adjacent property owners due to excessive noise, traffic, light or other offensive conditions.

89) 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: Title IV of the Trappe Zoning Ordinance, Section 10 titled “Special Provisions”, Subsection 10.00 is hereby amended as follows:

Subsection 10.00 – Offstreet Parking. In all districts, no building structure or premise shall be erected or any use changed, modified or increased unless offstreet parking space is provided which is consistent with the provisions of this section. Each required parking space shall be of no less than ~~twenty feet~~ *eighteen* in length and nine feet in width and shall contain no less than ~~180~~ *162* square feet. Aisles between rows of parking spaces shall be no less than twenty-two feet in width. The number of parking spaces provided shall be determined according to the following schedule of minimum requirements.

13) Retail Stores – ~~one parking space for each 200 square feet of building gross floor area.~~ *3.25 parking spaces per 1,000 square feet of building gross floor area.*

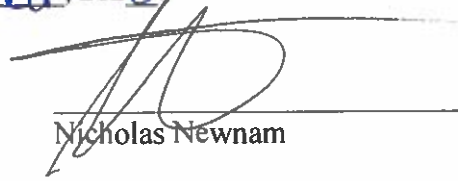
Section 3: Title VI of the Trappe Zoning Ordinance, Section 7 titled “Commercial Development Design Guidelines”, Subsection 7.10 is hereby amended as follows:

Subsection 7.10 Applicability. The following guidelines apply to commercial development in the Town of Trappe in the Highway Commercial District (C2), Highway Commercial Mixed Use District (HCM), and the Planned Regional Commercial District (PRC). The Commercial Guidelines are intended to supplement existing design guidelines in Title VI, Sections 1 through 6 of the Trappe Zoning Ordinance and the quality of design implied in the Comprehensive Plan. Persons proposing commercial development in Trappe should consult these guidelines and incorporate them into their development plans. All existing commercial uses and structures are exempt from these guidelines until such time that a change to the use or structure of an existing commercial property expands the size of the primary structure by greater than 50%. *The Planning Commission has the authority to deviate from the provisions of the guidelines upon a finding that the deviation is consistent with the purpose and intent of this Section.*

Section 4. 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 5. This Ordinance shall become effective on the 20th day after passage which

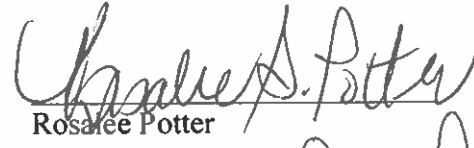
shall be the 21st day of December, 2023.



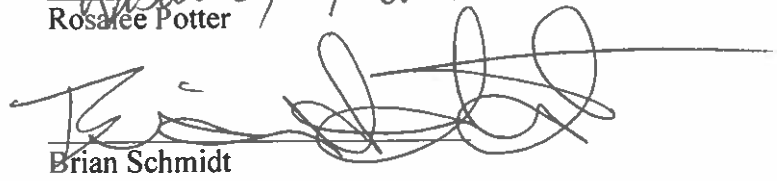
Nicholas Newnam



Walter Chase



Rosalee Potter



Brian Schmidt



Michael Sullivan

I hereby certify that the above Ordinance was adopted by a yea and nay vote of the Council
this 16th day of December, 2023.



Erin Braband, Town Administrator/Town Clerk

Language in ***bold and italicized*** reflects language added
Language ~~stricken~~ reflects language to be deleted

