

**ZONING ORDINANCE
TRAPPE, MARYLAND**

Adopted May 7, 2025 by Ordinance 3-2025

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ARTICLE I. GENERAL PROVISIONS.

§ 1. Title.

This Ordinance shall be known and may be cited as the "Trappe Zoning Ordinance."

§ 2. Authority.

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

§ 3. Purpose.

The purpose of this ordinance is to promote the health, safety, morals, and general welfare of the community; to control congestion in the streets; to secure public safety; to provide adequate light and air; to promote the conservation of natural resources; to prevent environmental pollution; to avoid undue concentration of population; to conserve the value of property; and to facilitate the adequate provision of transportation, water, sewerage, schools, recreation, parks, and other public requirements. This ordinance also aims to implement the applicable goals, objectives, and recommendations of the Trappe Comprehensive Plan.

§ 4. Applicability.

This Ordinance shall apply to all lands, buildings, and properties lying within the Town of Trappe, Maryland, corporate boundaries, as the same shall be established from time to time.

§ 5. Provision for official zoning map.

- A. Establishment, Attestation, and Location. The boundaries of the zoning districts are shown on the Official Zoning Map of Trappe, Maryland. Together with all notations and explanatory matters, thereon are made a part of this ordinance. The Official Zoning Map shall be appropriately attested and remain on file at the Circuit Court of Talbot County, with such copies as necessary remaining on file in the Town Office.
- B. Changes to Official Zoning Map. If, per the provisions of this ordinance, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the Town Council has approved the amendment. No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures

outlined in this ordinance. Any unauthorized change of whatever kind by any person shall be considered a violation of this ordinance and punishable as provided under § 10.

C. Replacement of Official Zoning Map.

- (1) If the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the Town Council may adopt a new Official Zoning Map by resolution.
- (2) The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map.
- (3) No such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof.
- (4) The new Official Zoning Map shall be attested appropriately, and a notation of the date of adoption shall be entered on the Map.
- (5) Unless the prior Official Zoning Map has been lost or destroyed, the prior Map and any remaining significant parts shall be preserved, together with all available records on the adoption and amendment of the prior Map.

§ 6. Interpretation of district boundaries

A. Rules for Interpretation. Where uncertainty exists as to the boundaries of districts, as shown on the Official Zoning Map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such lines.
- (2) Boundaries indicated as approximately following property lines shall be construed as following such property lines.
- (3) Boundaries indicated as approximately following the Town's incorporated limits shall be construed as following such incorporated limits.
- (4) Wherever a district adjoins a river or other body of water, the district boundary lines shall be deemed to extend one hundred (100) feet beyond the mean low water line.
- (5) Boundaries indicated as parallel to or extensions of features indicated in (1) through (4) above shall be so construed.

- (6) Where a boundary line is indicated as obviously not coinciding with property lines, center lines, incorporated or jurisdictional limits, or other features as indicated in (1) through (5) above, the boundary shall be determined by the scale of the Map.
- B. Interpretation by Board of Appeals. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map or, under the circumstances not covered in subsection A, the Board of Appeals shall interpret the location of said district boundaries.
- C. Parcels Divided by District Boundary Lines. Where a district boundary line divides a parcel that was in single ownership at the effective date of this ordinance, the Board of Appeals may permit, as a special exception, the extension of the district regulations for either portion of the parcel not to exceed fifty (50) feet beyond the district line into the remaining portion of the parcel.

§ 7. Application of district regulations

- A. Conformance Required. Except as after this specified, no land, building, structure, or premises shall be hereafter occupied or used, and no building, other structure, or part thereof shall be located, erected, reconstructed, extended, moved, enlarged, converted, or altered except in conformity with the district regulations hereinafter provided.
- B. No part of a yard or other open space, or off-street parking or loading spaces, which are required for any building under the provisions of this ordinance shall be included as a part of the yard, open space, off-street parking, or loading spaces which are similarly required for any other building.
- C. Requirements are Minimums. This ordinance's district regulations shall be the minimum and apply uniformly to each class, kind of structure, or land, except as provided hereinafter.
- D. Territory, not Districted. If any territory has not been included explicitly within a district, such territory shall automatically be classified in the "R-1" district until otherwise classified.

§ 8. General provisions

- A. Essential Services Exempted. Essential services shall be permitted in any district; the intent hereof is to exempt such essential services from the application of this ordinance.
- B. Separability Clause. Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such a decision shall not affect the validity of

the ordinance as a whole or any part other than the part declared to be unconstitutional or invalid.

- C. Interpretation and Application of Ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements adopted for the promotion of public health, safety, morals, or general welfare. Wherever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted laws, rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

§ 9. When effective.

This Ordinance shall take effect and become enforceable immediately upon its adoption by the Trappe Town Council.

§ 10. Administration, requirements for public hearings, and enforcement procedures.

A. Zoning Administration.

- (1) The position of Town Zoning Administrator is now established. The Town Zoning Administrator shall administer and enforce this ordinance.
- (2) If the Zoning Administrator finds that any of the provisions of this ordinance are being violated, they shall notify the person responsible for such violations in writing, indicating the nature of the violation and order the action necessary to correct it. In addition, they shall order or seek an injunction to cause the discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures, or illegal additions, alterations, or structural changes; discontinuance of any illegal work or activity being done; or shall take any other action authorized by this ordinance to insure compliance with or prevent violation of its provisions.

B. Schedule of Fees.

- (1) The Town Council shall establish a schedule of fees, charges, and expenses and a payment procedure for building permits, appeals, zoning amendments, floating zone and PUD applications, special exceptions and variances, and other matters under this ordinance.
- (2) Until all applicable fees, charges, and expenses have been paid in full, no final action shall be taken on any application or appeal.
- (3) Fees to Cover Town's Expenses. Fees, charges, and expenses payable to the Town in connection with any proposed project or application may include the

cost of employing consulting services of an independent engineer, architect, landscape architect, planner, attorney, or similar professional to assist the Town in the review of the development and improvement plans and evaluation of potential development impacts.

C. Appeals.

- (1) Who May Appeal to the Courts. Any person allegedly aggrieved by any decision of the Board of Appeals or by a reclassification by the Town Council or any Town officer may appeal the same to the Circuit Court of Talbot County.
- (2) Hearing; Additional Testimony. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the Court with his findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the Court shall be made.
- (3) Costs Against the Board of Appeals. Costs shall not be allowed against the Board of Appeals unless it appears to the Circuit Court that the Board acted, in the decision appealed, with gross negligence, in bad faith, or with malice.
- (4) Decision of Circuit Court; Appeal to Court of Appeals; Costs. Upon determining the case, the Circuit Court shall file a formal order embodying its final decision. An appeal may be taken to the Court of Appeals of Maryland during the period and in the manner prescribed by the rules of the Court of Appeals from any decision of the Circuit Court. In such cases, the award of costs shall be subject to the discretion of the Court of Appeals.

D. Duties of the Zoning Administrator, Board of Appeals, Town Council, and Courts on Matters of Appeal and Enforcement.

- (1) This ordinance intends that all questions of interpretation and enforcement shall be presented to the Zoning Administrator or to the Planning Commission, in which case the Planning Commission shall present the question to the Zoning Administrator along with any recommendations, and that such questions shall be presented to the Board of Appeals from the decision of the Zoning Administrator and that recourse from the decisions of the Board of Appeals shall be the courts.
- (2) Further, this ordinance intends that the duties of the Town Council in connection with this ordinance shall not include hearing and deciding questions of interpretation and enforcement that may arise. Accordingly, under this ordinance, the Town Council shall have only the duties of:

- (a) Considering and adopting or rejecting proposed amendments or repealing this ordinance.
- (b) Establishing a schedule of fees, charges, and expenses as stated in G.
- (c) Appointment of the Zoning Administrator.
- (d) Appointment of Planning Commission members.
- (e) Appointment of Appeals Board members.

E. Complaints Regarding Violations.

- (1) Whenever a violation of this ordinance occurs or is alleged, any person may file a written complaint. Such a complaint shall state fully the causes and basis thereof and shall be filed with the Town Clerk.
- (2) The Zoning Administrator shall then record such complaint. The Zoning Administrator or Planning Commission will immediately investigate and take action as this ordinance provides.

F. Penalties for Violation.

- (1) Violations of the provisions of this ordinance or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with grants of variances or special provisions) shall constitute a misdemeanor.
- (2) Any person who violates this ordinance or fails to comply with its requirements shall, upon conviction thereof, be fined no more than one hundred (\$100) dollars or imprisoned for not more than thirty (30) days, or both, and shall pay all costs and expenses involved in the case.
- (3) A violation shall be considered a separate offense every day.
- (4) The owner or tenant of any building, structure, premises, or part thereof, and any architect, building, contractor, agent, or other people who commit, participates in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.
- (5) Nothing herein contained shall prevent the Town from taking other lawful action necessary to prevent or remedy any violation of this ordinance.

G. Requirements for Public Hearing and Public Notice

- (1) Unless otherwise expressly provided by law, all notices to the general public required by this Chapter shall be made by posting the property affected by the pending proceeding. Such posting shall be made at least fourteen (14) days

before the hearing date by the erection of a sign to be furnished by the Zoning Administrator. Such signs shall be continuously posted until the hearing date and shall not be removed until the time specified in Subsection (5). herein. Such a sign shall be erected by the initiator of the proceeding within ten (10) feet of the property's boundary line, which abuts the most traveled public road. If no public road abuts thereon, then such sign shall face in such direction as designated by the Zoning Administrator.

- (2) The Town shall furnish the sign to the initiator of the proceeding with payment by the initiator of a nonrefundable deposit of \$25. The sign shall be returned by the initiator as a condition of approval by the appropriate administrative board.
- (3) At the hearing, it shall be the duty of the initiator of the proceeding to prove by affidavit or in person that he has fully complied with this section.
- (4) Any sign posted under this section shall be maintained in a visible location and free from obstruction by brush, weeds, or other growth until after the public hearing. Such a sign shall be removed within five (5) days after the appropriate administrative board renders the final decision.
- (5) Posting the property as stated herein shall not be required for sectional or comprehensive amendment procedures.

H. Public hearing.

All proceedings under the terms of this Chapter requiring a public hearing shall be advertised by the Town once a week for two (2) successive weeks by posting on the Town website and at the Town office, with the first such advertisement at least fourteen (14) days before the public hearing, the cost for which publication shall be borne by the petitioner, before the date the proceeding is scheduled for hearing, which advertisement shall state the following:

- (1) The date, time, and place of such hearing.
- (2) A summary of the purpose of the proceeding in sufficient detail to inform the public of the nature of the proceeding and the relief sought by the initiator.
- (3) The location of the property involved, its area, the name of the owner, the file or case number of the proceeding, and the name of the governmental body before such proceeding is to be conducted.
- (4) Any other information deemed necessary by the Zoning Administrator to adequately inform the public of the proceeding.

I. Public notice.

- (1) Except in cases of a proposed amendment to the text of this Chapter or as provided in Subsection (3) below, whenever the application of this Chapter requires the holding of a public hearing, the petitioner requesting the public hearing shall give at least fourteen (14) days notice of the time and place of such hearing by certified U.S. mail, first-class postage prepaid by petitioner, to the owners of property within two hundred (200) feet of the property with which the hearing is concerned. Proof of certified mailing shall be submitted to the Zoning Administrator before the date the proceeding is scheduled. Failure to provide proof of certified mailing to all property owners within two hundred (200) feet of the property on which the proceeding is scheduled shall delay the proceeding. The mailed notice shall be directed to the address to which the real estate tax bill on the property is sent. The notice shall contain the same information as the published notice required in subsection N of this article.
- (2) The Zoning Administrator shall provide a complete, accurate, and up-to-date list of all property owners requiring notice. Failure of a person to receive the notice or accept the service prescribed in this section shall not impair the validity of the hearing. For any Planning Commission or Board of Appeals review requiring notification to contiguous property owners, the petitioner shall also post the subject property at least fourteen (14) days before the meeting.
- (3) Simplified site plans, administrative approvals, and concept plans shall not be required to provide any U.S. mail notice.

§ 11. Provisions for Amendment.

- A. The provisions, regulations, restrictions, classifications, and boundaries outlined in this ordinance may be amended, supplanted, modified, or repealed by the Town Council. The reclassification of any property and the relocation of zoning district boundaries shall be deemed an amendment to this ordinance and subject to the provisions of this Section.
- B. Amendments.
 - (1) An amendment or other change to this Ordinance may be initiated by a) motion, resolution, or proposed ordinance of the Town Council, b) motion of the Planning Commission, or c) petition of any property owner or contract purchaser of property (regarding land owned or under contract by the petitioner(s)), to the Town Council, containing the proposed text or map associated with any proposed amendment.
 - (2) The Town Council shall have no obligation to introduce an ordinance or amendment. The decision whether to introduce or enact any amendment to the

Zoning Ordinance is a matter of the legislative discretion of the Town Council, subject only to the requirements of state and federal law.

(3) Procedure for Amendment.

- (a) Upon request of a petitioner for a zoning amendment, the Trappe Town Council may permit a pre-application work session or conference to discuss any proposed amendment.
- (b) The Town Council shall refer any proposed amendment or other change to the Planning Commission for an investigation and recommendation before formal action. The Planning Commission shall cause such investigation to be made as it deems necessary and may require the submission of pertinent information by any person concerned. It may hold such public hearings as are provided by its rules.
- (c) The Planning Commission shall submit its recommendation and pertinent supporting information to the Town Council within sixty (60) days after receiving completed submissions from the applicant unless the applicant agrees to an extension of time.
- (d) After receiving the recommendation of the Planning Commission concerning any proposed amendment or other change to this ordinance, and before voting upon the proposed amendment, the Town Council shall hold a public hearing so that parties of interest and citizens shall have an opportunity to be heard.
 - [1] The Town Council shall give public notice of such hearing, including notice to adjacent property owners and posting the property or properties as provided in § 10.
 - [2] The applicant shall be responsible for paying all expenses.
 - [3] A complete record of the hearing and the votes of all members of the Town Council in deciding all questions relating to the proposed amendment shall be kept.
- (e) Site Visit. Before the Town Council shall vote upon any proposed amendment for the reclassification of land, a visit to the site in question shall be made by each council member to inspect the property's physical features and determine the character of the surrounding area.

(4) Findings for Reclassification.

- (a) Where the purpose and effect of the proposed amendment are to change the zoning classification of a particular parcel(s) of property, the Town

Council shall make findings of fact in each specific case, including, but not limited to, the following matters: anticipated population change, availability of public facilities to serve the property, present and future transportation patterns, compatibility with the existing and proposed development, and compatibility with the Comprehensive Plan.

- (b) The Town Council shall receive and consider the recommendation of the Planning Commission.
 - (c) The Town Council may grant the reclassification based upon a specific determination and factually supported finding that there has been a substantial change in the character of the area where the property is located or that there is a mistake in the existing zoning classification. The change or mistake standard does not apply to regional or comprehensive rezoning maps or floating zone amendments, according to paragraph (5) below.
- (5) The procedure for zoning map amendments that locate floating zones shall be as outlined in § 19 of this Ordinance.
 - (a) Concurrently with the location of a floating zone, the Town Council may approve a PUD Plan, which, in addition to the provisions of the applicable floating zone, shall govern the subdivision and/or development of the property subject to the particular floating zone.
 - (b) In approving a floating zone map amendment, the Town Council shall make findings of fact including, but not limited to, the following matters: population change, availability of public facilities, present and future transportation patterns, compatibility with existing and proposed development for the area, and the relationship of the proposed amendment to the Comprehensive Plan.
 - (c) The Town Council shall receive and consider the recommendations of the Planning Commission.
 - (d) The Town Council may approve a floating zone map amendment if it finds that the proposed floating zone amendment is:
 - (1) consistent with the Comprehensive Plan;
 - (2) consistent with the stated purposes and intent of the particular floating zone sought to be established;
 - (3) complies with the requirements of this Ordinance; and
 - (4) is compatible with adjoining land uses.

- (6) Application for Reclassification.
 - (a) Every application for reclassification shall be accompanied by a plat drawn to scale showing the existing and proposed boundaries and other information that may be needed to locate and plot the amendment on the Official Zoning Map.
 - (b) Applications for floating zone amendments shall also include the specific information outlined in § 19 of this Ordinance.
 - (c) Filing Fee for Reclassification. A filing fee shall be charged for processing an application for reclassification.
 - (d) Repeated Application for Reclassification. No application for reclassification shall be accepted for filing by the Town Council if the application is for the reclassification of the whole or any part of the land for which reclassification has been denied within twelve (12) months from the Town Council's decision.
- (7) Changing of the Official Zoning Map. It shall be the duty of the Zoning Administrator to prepare an updated Official Zoning Map promptly after the adoption of any amendments so that said Map shall always be an up-to-date public record of the zoning districts in the Town.
- C. Repeal of Conflicting Ordinances; Effective Date. All ordinances or parts of ordinances in conflict with this zoning ordinance or inconsistent with the provisions of this ordinance are repealed to the extent necessary to give this ordinance full force and effect. This ordinance shall be in full force on May 7, 2025.

§ 12. Building permits, site plans, and zoning certificates.

- A. Applicability.
 - (1) No building or other structure shall be erected, placed, moved to another location on site, added to, or structurally altered without a permit, therefore, issued by the Planning Commission or a duly authorized designee.
 - (2) No building permit shall be issued except in conformance with the provisions of this Ordinance unless the Planning Commission receives a written order from the Appeals Board in the form of an administrative review or variance as provided by this Ordinance.
 - (3) No use of property shall be changed to another use except in conformance with the provisions of this Ordinance and only after the Planning Commission has issued a Zoning Certificate.

B. Building Permits.

- (1) The land owner or owner's agent shall make all applications for building permits.
- (2) Application for building permits shall be made to the Zoning Administrator and shall be accompanied by plans in triplicate showing the actual dimensions and shape of the parcel to be built upon; the exact size and locations on the parcel of buildings already existing, if any; and the location and dimensions of the proposed building, structure, or information as lawfully may be required by the Planning Commission including information on existing or proposed construction or alteration; existing or proposed uses of buildings, structures, or land; the number of families, housekeeping units, or rental units which the building or buildings are designed to accommodate; natural features existing to determine conformance with, and provide for the enforcement of, this Ordinance.
- (3) Applications shall be reviewed by the Planning Commission or person or persons designated by the Planning Commission, after which one (1) copy of the application and one (1) copy of the plans shall be returned to the applicant by the Planning Commission after such copy shall have been marked approved or disapproved and attested to same by the signature of the chairperson of the Planning Commission or a person designated by the Planning Commission to review applications for building permits.

C. Expiration of Building Permits.

- (1) If the work described in any building permit has not begun within one (1) year from the date of issuance, said permit shall expire. The Planning Commission may extend the building permit period up to six (6) months upon a showing of good faith.
- (2) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, said permit shall expire, and further work as described in the canceled permit shall not proceed unless a new building permit has been obtained.

D. Site Plan Review and Approval.

- (1) Site plan and review shall be as provided in Article VII, Section 62 of the Trappe Subdivision Regulations, which requires a site plan for the following:
 - (a) Any residential development involving more than detached single-family residential units.
 - (b) Commercial, manufacturing, or industrial structures or uses, or redevelopment or changes in uses of property or building in connection with such use.

- (c) Uses are subject to approval as a special exception by the Board of Appeals.
 - (d) Educational and religious institutions or facilities, private and public or quasi-public clubs, and incidental accessory structures.
- (2) The Planning Commission's review of the preliminary site plan shall include, but is not limited to, the following considerations:
 - (a) Adequacy and arrangement of vehicular traffic and circulation, including emergency vehicle access.
 - (b) Location, arrangement, appearance, off-street parking, and loading sufficiency.
 - (c) Location, arrangement, size, and design of buildings, lighting, and signs.
 - (d) Relationship of the various uses to one another and their scale.
 - (e) Adequacy, type, and arrangement of trees, shrubs, and other landscaping constituting a visual and noise buffer between adjacent uses and adjoining lands.
 - (f) Adequacy of stormwater and sanitary waste disposal.
 - (g) Adequacy of structures, roadways, and landscaping in areas susceptible to flooding, ponding, or erosion.
 - (h) Compatibility of development with the site's natural features and surrounding land uses.
 - (i) Adequacy of floodproofing and flood prevention measures consistent with the flood hazard prevention regulations of the Federal Emergency Management Agency.
 - (j) Adequacy of open space for play areas, informal recreation, and the retention of natural areas such as wildlife habitats, wetlands, and wooded areas.
 - (k) Adequacy of pedestrian access.
- (3) Additional Requirements.
 - (a) Site plan applications shall include the information listed in Appendix A for preliminary and final site plans. Any information or preliminary requirements felt irrelevant to the proposed use and site may be waived at the discretion of the Planning Commission. The applicant must request such waivers in writing.

- (b) Major site plans shall be prepared and certified by an engineer, architect, landscape architect, or land surveyor duly registered to practice in Maryland.
- (4) Expiration and Extension
 - (a) Approval of site plans shall be for two (2) years and expire at the end of such period unless building construction has begun.
 - (b) Upon written request by the applicant, within thirty (30) days before the expiration of said approval, a one (1) year extension may be given by the Planning Commission.
 - (c) Such request shall be acknowledged, and a decision shall be rendered no more than thirty (30) days after filing the said request.
- E. Construction and use to be as provided in plans and applications.
 - (1) Building permits issued based on plans and applications approved by the Planning Commission authorize only the use, arrangement, and construction outlined in such plans and applications, and no other use, arrangement, or construction.
 - (2) Use arrangement or construction at variance with that authorized shall be deemed a violation of this Ordinance and punishable as provided in § 10.
- F. Guarantee of Compliance. The approval of a building permit shall not guarantee compliance with or in any way exempt the applicant from the provisions of this Ordinance. Building permits issued contrary to the provisions of this Ordinance for any reason shall become null and void.

ARTICLE II - PLANNING COMMISSION AND BOARD OF APPEALS

§ 13. Planning Commission.

- A. Planning Commission Appointments.
 - (1) The Town Council of Trappe shall appoint five (5) persons to serve on the Planning Commission. Each member shall be appointed to a five-year term, except that four of the original members will be appointed to shorter terms such that one member's term expires each year.
 - (2) The Town Council shall appoint only persons who are Trappe residents.
 - (3) One member of the Planning Commission may be a member of the Town Council, who serves as an ex officio member concurrent with the member's legislative term.
- B. Chairman of the Planning Commission. The Planning Commission shall elect by majority vote one of its members to serve as chairperson of the Planning Commission for one (1) year, with eligibility for re-election.
- C. The Planning Commission shall hold at least one (1) regular meeting monthly. If there is no business before the Planning Commission, the Chair may cancel the meeting.
- D. Records of the Planning Commission. The Planning Commission shall file copies of all Commission proceedings, including minutes of Commission meetings, hearings, and permits issued, with the Town Clerk. In addition, the records of the Planning Commission shall be available for public inspection at the office of the Town Clerk during posted office hours. Requests for copies of Commission records must be submitted to the Town Clerk and must be accompanied by payment of such fees as may be established by the Planning Commission.

§ 14. Board of Appeals.

- A. Establishment of Composition.
 - (1) A Board of Appeals is now established, consisting of three (3) members appointed by the Town Council, each member for a term of office of three (3) years.
 - (2) Members of the Board of Appeals may be removed from office by the Town Council for cause upon written charges after a public hearing.
 - (3) The Town Council shall fill vacancies for the unexpired terms of any member whose term becomes vacant.

- (4) The Town Council shall designate one alternate member for the Board of Appeals who shall be empowered to sit on the Board in the absence of any member. The Town Council may designate a temporary alternate when the alternate is absent.
- B. Proceedings of the Board of Appeals.
- (1) The Board of Appeals shall adopt rules necessary to conduct its affairs in keeping with the provisions of this ordinance.
 - (2) Meetings shall be held at the call of the chairperson and at such other times as the Board may determine.
 - (3) Such chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses.
 - (4) All hearings of the Board shall be open to the public.
 - (5) The Board shall make a transcript of all proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact.
- C. Powers of the Board of Appeals. The Board shall have the following powers:
- (1) Administrative Review –
 - (a) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Zoning Administrator or Planning Commission in the enforcement or administration of this ordinance.
 - (b) The Board has the power of the Zoning Administrator and Planning Commission on Appeals. In exercising the powers mentioned above, the Board of Appeals may, so long as such action conforms with the terms of this ordinance, reverse, affirm, wholly or partly, or may modify the order, requirement, decision, or determination as ought to be made; and to that end shall have the power of the Zoning Administrator and Planning Commission.
 - (2) Interpretation of District Boundaries on Official Zoning Map – To determine the boundaries of zoning districts consistent with the provisions of § 6.
 - (3) To determine the classifications as to district as provided in § 28 in cases of uncertainty.
 - (4) Special Exceptions – To hear and decide only such special exceptions as the Board of Appeals is expressly authorized to pass on according to the provisions of this ordinance; to decide such questions as are involved in determining

whether special exceptions should be granted, and to grant special exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this ordinance.

- (a) Before the Board decides on any application for a special exception, it shall consider the following, where applicable:
 - (i) The most appropriate use of land, buildings, and structures per the Comprehensive Plan.
 - (ii) Ingress and egress to property and proposed structures thereon, with particular reference to automobile and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - (iii) Utilities, regarding location, availability, and adequacy.
 - (iv) Possible noise, glare, or odor effects of the special exception might adversely affect the district's adjoining properties or properties generally.
 - (v) The special exception will not be detrimental to the use and enjoyment of other property in the immediate vicinity for the permitted purposes, nor substantially diminish and impair property values within the neighborhood.
 - (vi) That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or during the construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood.
 - (vii) That the special exception shall, in all other respects, conform to the applicable regulations of the district in which it is located or to the special requirements established for the specific use.
- (b) Before granting a special exception for multiple uses on the same conforming lot or a valid non-conforming lot, the Board must also find that the proposed uses are compatible.
- (c) Conditions and Guarantees. Before the granting of any special exception, the Board of Appeals shall stipulate such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of

the special exception as are deemed necessary for the protection of the public interest and to secure compliance with applicable standards and requirements specified in this ordinance. In addition, in all cases in which special exceptions are granted, the Board of Appeals may require such evidence and guarantees as necessary to ensure conditions are met.

- (5) Variances – To authorize upon application in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship.
 - (a) A variance from the terms of this ordinance shall not be granted unless and until the applicant has demonstrated that:
 - (i) Special conditions and circumstances are peculiar to the land, structure, or building involved and not applicable to other lands, structures, or buildings in the same district.
 - (ii) Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance.
 - (iii) The special conditions or circumstances do not result from the applicant's actions.
 - (iv) Granting the variance requested will not confer upon the applicant any special privilege this ordinance denies to other lands, structures, or buildings in the same district.
 - (b) In granting any variance, the Board of Appeals may prescribe appropriate conditions and safeguards in conformity with the ordinance. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under the provisions of § 10. Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this ordinance in the district involved.
- (6) Decisions of the Board. All decisions or actions of the Board shall be taken by resolution, in which at least two members must cast concurring votes. Each resolution shall contain a statement of the grounds and findings forming the basis for such action or decision. The full text of said resolution shall be incorporated into the meeting transcript.
- (7) Who May File an Appeal or Application. Any persons may file appeals and applications to the Board: a) allegedly aggrieved by any order, requirement,

- decision, or determination of the Zoning Administrator or Planning Commission;
- b) desirous of obtaining an interpretation of a district boundary consistent with the provisions of § 14 desirous of obtaining the grant of a special exception; or d) desirous of obtaining a grant for a variance from the terms of this ordinance.
- (8) Appeals and applications shall be submitted to the Town Clerk in writing. Such appeals or applications shall be heard within a reasonable time, not to exceed sixty (60) days or such lesser period as may be provided by the rules of the Board. The applicant shall pay the Town Clerk for expenses incidental to the appeal. In the case of an appeal, the Zoning Administrator and/or Planning Commission shall forthwith transmit to the Board all papers constituting the record upon which the action appealed was taken.
- (9) Hearing Notice. The Board of Appeals shall fix a reasonable time for the hearing of applications, interpretation of district boundaries, and appeals.
- (a) The Board of Appeals shall provide notice of such hearing, including notice to adjacent property owners and posting the property, as provided in § 10.
- (b) The Board shall decide all applications and appeals within a reasonable time. Upon the hearing, any party may appear in person, by agent, or by an attorney.
- (10) The Calendar of the Board. Appeals and applications filed in proper form and accompanied by the required fee shall be numbered serially, docketed, and placed upon the calendar of the Board. The calendar shall be posted continuously in a conspicuous location in the Town Office, and the Board shall ensure that a copy of the most current calendar is provided to the Planning Commission
- (11) Advice of the Planning Commission.
- (a) Before deciding on any application for special exception or variance, the Board of Appeals shall seek the advice of the Planning Commission about such applications.
- (b) The advice of the Planning Commission shall concern itself with the impact of the variance or special exception. The Board may request technical services, data, or factual evidence from the Planning Commission to further assist the Board in reaching decisions.
- (12) Stay of Proceedings.
- (a) An appeal shall stay all proceedings in furtherance of the action appealed unless the Zoning Administrator certifies to the Board of Appeals that,

because of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property.

- (b) In such cases, proceedings shall not be stayed other than by a restraining order, which may be granted by the Board of Appeals or by a court of record on application, on notice to the Zoning Administrator, and due cause as shown.

(13) Repeated Applications.

- (a) If the Board disapproves an application or appeal of Appeals, the Board shall not be required to consider another application for substantially the same proposal on the same premises until one (1) year from such disapproval.
- (b) If an appeal to the Board is perfected and the public hearing is advertised, and after that, the applicant withdraws that application or appeal, he shall be precluded from filing another application or appeal for substantially the same proposal on the same premises for six (6) months.

(14) Limitation of Authority of the Board.

- (a) Nothing contained in § 14 shall be deemed to authorize the Board to reverse or modify any refusal of a permit or any other order, requirement, decision, or determination that conforms to the provisions of this ordinance and which is therefore not erroneous; nor to authorize the Board to validate, ratify, or legalize any violation of law or the provisions of this ordinance.
- (b) The Board shall not amend any of these provisions or cause changes to the Official Zoning Map, nor shall such authority be vested in the Board.

ARTICLE III - DEFINITIONS

§ 15. General interpretations.

- A. Unless otherwise explicitly provided or required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this Chapter.
- B. To amplify and clarify all provisions of this Chapter, the following rules shall apply:
 - (1) Words used in the present tense shall include the future tense; words used in the singular number shall include the plural number, and the plural number shall include the singular number unless the apparent construction of the wording indicates otherwise.

- (2) The word "shall" is mandatory and not discretionary.
- (3) The word "may" is permissive.
- (4) The word "lot" shall include the words "piece," "parcel," and "plots"; the word "building" includes all other structures of every kind regardless of similarity to buildings; and the phrase "used for" shall include the phrase "arranged for" and "occupied for."
- (5) The word "person" includes a firm, association, organization, partnership, trust, company, or corporation, and an individual.
- (6) Words and terms not defined herein shall be interpreted according to their usual dictionary meaning and customary usage.

C. For purposes of this Ordinance, the following definitions shall apply:

Accessory Building - an accessory building is a subordinate building or a portion of the main building, the use of which is clearly incidental to or customarily found in connection with and (except as otherwise provided in this Ordinance) located on the same lot as the main building or principal use of the land.

Accessory Use - An accessory use is incidental to or customarily found in connection with and (except as otherwise provided in this Ordinance) on the same lot as the principal use of the premises.

Acre - A commonly referred to measurement of area, which equals 43,560 square feet.

Acreage - A parcel of land, regardless of area, described by metes and bounds, which is not a numbered lot on any recorded subdivision.

Activity - Any business, industry, trade, occupation, vocation, profession, or other use conducted or carried on within a building, covered area, or outdoors on any tract or parcel of land. For zoning purposes, an activity shall be considered separately from any building or structure in which such activity may be conducted.

Agriculture - All production and management methods of livestock, crops, vegetation, and soil. Agriculture includes, but is not limited to, the related activities of tillage, fertilization, pest control, harvesting, and marketing. It also includes, but is not limited to, feeding, housing, and maintaining animals such as cattle, dairy cows, sheep, goats, hogs, horses, and poultry, and handling their by-products.

Alley – See "Roads"

Alteration – Any change in an existing structure's floor area, use, or external appearance.

Amend or amendments - Any repeal, modification, or addition to a regulation; any new regulation; any change in the number, shape, boundary, or area of a zone; or any repeal or abolition of any map, part thereof, or addition to it.

Antenna – Any exterior apparatus designed for the sending and/or receiving of electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals, or other communication signals. A device by which electromagnetic waves are sent and received (whether dish, rod, mast, pole, set of wires, plates, panels, lines, cables, or other arrangement serving a similar purpose) for telecommunication services.

Antenna, minor – Any antenna not attached to a tower that does not extend more than thirty (30) feet above the structure's highest point to which it is attached.

Antenna, wireless communications – Any structure or device deployed by or on behalf of any government-licensed or government-permitted entity to collect or radiate electromagnetic waves, including directional antennas, microwave dishes, satellite dishes, and omnidirectional antennas. A wireless communications antenna does not include a radio operator antenna operated by an amateur radio operator to whom the Federal Communications Commission licenses.

Apartment - A part of a building containing cooking facilities and separate bathroom facilities consisting of a room or group of rooms intended, designed, and used as a residence by an individual or a single family.

Apartment House - See "Dwelling, Multiple-Family."

Aquaculture – The farming or culturing of finfish, shellfish, and other aquatic plants or animals in lakes, streams, inlets, estuaries, and other natural or artificial water bodies or impoundments. Activities include hatching, cultivating, planting, feeding, raising, and harvesting aquatic plants and animals, and maintaining and constructing necessary equipment, buildings, and growing areas. Cultivation methods include but are not limited to seed or larvae development and grow-out facilities, fish pens, shellfish rafts, racks, and longlines, seaweed floats, and the culture of clams and oysters on tidelands and sub-tidal areas. Related activities such as wholesale and retail sales, processing, and product storage facilities are not considered aquaculture practices for this definition.

Area, Gross - All the area within a development plan or plat, including, but not limited to, the area intended for residential use, local access streets or alleys, off-street parking spaces, recreation areas, or floodplains.

Assisted Living – A residential or facility-based program that provides housing and supportive services, supervision, personalized assistance, health-related services, or a combination thereof to meet the needs of residents who are unable to perform, or who need assistance in

performing, the activities of daily living or instrumental activities of daily living in a way that promotes optimum dignity and independence for the residents.

Bed and Breakfast Facility - A building other than a hotel, motel, rooming house, or restaurant containing a single dwelling unit in which guest rooms are offered to the traveling public for temporary occupancy approved for such use by the County Health Department and Fire Marshal.

Board - The Board of Appeals of the Town of Trappe, which is authorized to grant special exceptions and variances, hear appeals from administrative decisions, and provide interpretations as provided in § 13.

Buffer - An area within a property or site, generally adjacent to and parallel with the property line, either consisting of existing natural vegetation or created by the installation of trees, shrubs, berms, and/or fences, and designed to limit views and sounds from the development tract to adjacent properties and vice versa.

Building - Any structure having a roof supported by columns or walls for the housing or enclosure of persons or property of any kind.

Building, Accessory - A minor building located on the same lot as a principal building and is used incidentally to a principal building or houses an accessory use.

Building, floor area of - The total number of square feet in a building, excluding cellars, uncovered steps, and uncovered porches, but including the total floor area of accessory buildings on the same lot.

Building height of - The vertical distance from the highest point of a structure, except the chimney or antenna on a building, to the average ground level of the grade where the walls or other structural elements intersect the ground.

Building Line - A line beyond which the foundation wall and/or any porch, vestibule, or other building portion shall not project unless otherwise provided for in this Ordinance.

Building, Main - Any building that is not an accessory building.

Building, Principal - The primary building on a lot or a building that houses a principal use.

Cannabis – (a) “Cannabis” means all parts of any plant of the genus cannabis, whether growing or not, including (i) The seeds of the plant, (ii) The resin extracted from any part of the plant, and (iii) Any compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin including tetrahydrocannabinol (THC) and all other naturally produced cannabinol derivatives, whether produced directly or indirectly by extraction.

Cannabis Dispensary - an entity licensed by the Maryland Cannabis Administration that acquires, possesses, repackages, processes, transfers, transports, sells, distributes, or dispenses

products containing cannabis, related supplies, related products including tinctures, aerosols, oils, or ointments, or educational materials for use by a qualifying patient or caregiver.

Cannabis Enterprise – An entity licensed by the State of Maryland to grow, produce, acquire, possess, repack, process, transfer, transport, sell, distribute, dispense, or dispose of products containing cannabis, related supplies, related products, including tinctures, aerosols, oils or ointments, or educational materials.

Cannabis Growing Facility - an entity that cultivates, manufactures, packages, or distributes cannabis to licensed processors, licensed dispensaries, or registered independent testing laboratories.

Cannabis Processing Facility - an entity licensed by the Maryland Cannabis Administration that (a) transforms the cannabis into another product or extract and (b) packages and labels cannabis.

Child Care Center – an agency, institution, or establishment that, for part or all of a day, or on a 24-hour basis on a regular schedule, and at least twice a week, offers or provides child care to children who do not have the same parentage except as otherwise provided for in law or regulation.

Club, Private - Buildings and facilities owned or operated by a corporation, association, person, or persons for social, educational, or recreational purposes, but not primarily for profit, which accrues to any individual, and not primarily to render a service that is customarily carried on as a business.

Collector – See “Roads”

Commission - the Planning Commission of the Town of Trappe.

Commercial - A type of activity where goods or services are sold or traded with the expectation of profit or gain.

Commissioners - Town Commissioners of Trappe, Maryland.

Common Area - Any open space, private road, or other lands, structures, or improvements designed or reserved for the common use or benefit of the owners of two or more lots.

"Common area" does not include any public road or other lands, structures, or improvements owned by the Town, the State of Maryland, or any other governmental agency.

Common Open Space – A parcel, or parcels, of land, an area of water, or a combination of land and water, including floodplain and wetland areas within a development site designed and intended for the use and enjoyment of residents of the development and, where designated, the community at large. The area of parking facilities serving the activities in the common open space may be included in the required area computations. Common open space shall not include:

- (1) The land area of lots allocated for single-family detached dwellings, single-family semi-detached dwellings, duplex dwellings, front yards, side yards, and rear yards, whether or not the dwellings are sold or rented.
- (2) The land area of lots allocated for apartment and townhouse dwelling construction, including front yards, side yards, interior yards, and off-street parking facilities, whether or not the dwellings are sold or rented.
- (3) The land area of lots allocated for commercial use, including front yards, side yards, rear yards, and parking facilities, whether or not the commercial facilities are sold or rented.
- (4) The land area of lots allocated for public and semi-public uses, community clubs, and community facilities, including open space for playgrounds and athletic fields which are a part of the principal use (e.g., a school or church site); and front yards, side yards, rear or other open space around buildings; and parking facilities whether or not the public or semi-public use sites are sold or rented.
- (5) Street rights-of-way, parkways, driveways, off-street parking, and service areas, except the landscaped central median of boulevards.

Comprehensive Plan/The Comprehensive Plan of Trappe, Maryland – The legally adopted plan for the Town's development per the Annotated Code of Maryland Land Use Article.

Condominium - A form of ownership consisting of an undivided interest in common with other owners in a portion of a parcel of real property, together with a separate interest in space in a building, such as a townhouse, apartment, or office, established under Maryland law. A condominium may include, in addition, a separate interest in other portions of such real property.

Conservation Easement - A non-possessory interest in land that restricts how the land may be developed to conserve natural resources for future use.

Convenience Store - A one-story retail establishment containing less than 3,000 square feet of gross floor area designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a few items (unlike a "supermarket"). It is designed to attract and depend upon a large volume of stop-and-go traffic. Illustrative examples of convenience stores are those operated by the "Fast Fare," "7-11," and "Pantry" chains.

Conventional Construction – Buildings that are fabricated or assembled in the greater part at the site where such buildings are to be located, not including mobile homes, recreational trailers, vehicles, or buildings designed to be portable.

Council – Town Council of Trappe, Maryland.

Court – An unoccupied open space, other than a yard, on the same lot as a building, which is bounded on two or more sides by the walls of such building.

Covenant – A written undertaking by an owner required by this Ordinance or imposed by the Planning Commission per authorization contained in this Ordinance.

Covenantor – A person who owns legal or equitable title to any land affected by a covenant. It includes a person who holds any mortgage, deed of trust, or other lien or encumbrance on any such land.

Coverage – The percentage of the lot covered by buildings, structures, and other impervious surfaces.

Cul-de-sac – See “Roads”

Developer – An individual, partnership, or corporation responsible for any undertaking that requires a zoning permit, conditional use permit, sign permit, site plan, or subdivision approval.

Drinking Establishments, Alcoholic Beverages – Establishments, including bars, taverns, and pubs, primarily prepare and serve alcoholic beverages for on-site consumption. These establishments may also provide limited food services.

Dwelling – A building used or intended to be used for residential occupancy.

Dwelling, Multi-Family - A structure arranged or designed to be occupied by two or more families on a single or contiguous parcel under the same ownership. Multi-family dwelling units include two-family dwellings (duplexes), townhouses, and apartments, which are defined as follows:

- (1) **Apartment** – a part of a building containing cooking facilities and separate bathroom facilities consisting of a room or group of rooms intended, designed, and used as a residence by an individual or a single family.
- (2) **Two-Family Dwelling (Duplex)** – Two separately deeded single-family dwellings attached by a common wall along a shared property line.
- (3) **Town House** – A single-family dwelling forming one of a series of two or more attached single-family dwellings separated from one another by party walls without doors, windows, or other provisions for human passage or visibility through such walls from the basement to roof, and having roofs which may extend from one such dwelling unit to another.

Dwelling, Single-Family - A building designed for or occupied exclusively by one family.

Dwelling Unit – One room or rooms connected, constituting a separate, independent housekeeping establishment containing independent cooking and sleeping facilities.

Emergency Services - Fire, rescue, ambulance, and police services, including related structures and activities.

Essential Services - Facilities owned or maintained by public utility companies or public agencies located in public ways or easements provided for the purpose or on a customer's premises and not requiring a private right-of-way, and reasonably necessary for the furnishing of adequate water, sewer, gas, electric, communication, or similar services to adjacent customers; but not including any building, yard, station, or facility requiring a site of greater than one hundred (100) square feet, and not including any cross country line on towers or in a private right-of-way.

Family – The definition of family includes the following:

- (1) An individual.
- (2) Two (2) or more persons related by blood, marriage, or adoption living together in a dwelling unit, and (unless the dwelling contains an accessory dwelling unit) may also include not more than two (2) unrelated persons.
- (3) A group of not more than four (4) persons who need not be related by blood, marriage, or adoption, living together in a dwelling unit.
- (4) A family may include five (5) or fewer foster children in a family foster home licensed by the state, but shall not include fraternities, sororities, boarding or rooming houses, tourist homes, or family or maternal care homes.

Farm animals - Include, but not be limited to, cows, horses, mules, donkeys, goats, sheep, hogs, llamas, chickens, turkeys, ducks, geese, pigeons, or similar fowl or hoofed animals.

Fence or Wall - A barrier, other than natural vegetation, intended to mark a boundary or to enclose an area to provide screening or privacy.

Floating Zone: Zoning districts described in a zoning ordinance have not necessarily been included on the zoning map. The zone "floats" over the community until it is affixed to a particular area through an amendment to the zoning map. The floating zone regulations define under what circumstances the Town Council may establish the zone.

Floor Area:

- (1) Commercial business and industrial buildings or buildings containing mixed uses: The sum of the gross horizontal area of the several floors of a building measured from the exterior faces of the exterior walls or the centerline of walls separating two (2) buildings but not including (1) attic space providing headroom of less than seven (7) feet; (2) basements space not used for retailing; (3) uncovered steps or fire escapes; (4) accessory water towers or cooling towers; (5) accessory off-street parking spaces; and (6) accessory off-street loading berths.

- (2) Residential buildings: the sum of the gross horizontal areas of the several floors of a dwelling, exclusive of garages, basements, and open porches, measured from the exterior faces of the exterior walls.

Floor Area Ratio (FAR) – A measure of the allowable size of floor area on a lot compared to the size of the lot. FAR gives the developer flexibility in deciding whether to construct a low building covering most of the lot or a tall building covering only a small part of the lot, as long as the allowable floor area coverage is not exceeded. (See Gross Floor Area)

Frontage:

- (1) Street frontage: all of the property on one side of a street between two intersecting streets (crossing or terminating), measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.
- (2) Lot frontage: the distance between the front boundary line of the lot and the street line coincides.

Gross floor area – The total area of all finished and usable floors, or portions thereof, measured from outside to inside exterior walls.

Home-based Business, Home occupation - A business conducted in a dwelling or an accessory building that is incidental and secondary to using the premises for a dwelling.

Hotel - A building in which lodging or boarding and lodging are provided for more than twenty (20) persons, primarily transient, and offered to the public for compensation and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public as opposed to a boardinghouse, a lodging house, or an apartment house, which are herein separately defined. In addition, a hotel may include restaurants, taverns, club rooms, banquet halls, ballrooms, and meeting rooms.

Impervious Surface - Any artificial surface that is resistant to the penetration of water.

Industrial, Light – A use engaged in the manufacturing, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales, and distribution of such products, excluding industrial processing.

Intermittent Stream - A stream in which surface water is absent during part of the year. Intermittent streams may be found on the most recent U.S.G.S. 7.5 Minute Quadrangle published by the United States. They shall be identified in the field and accurately drawn on all development plans.

Junk - Any salvage or waste material, including old, scrap, dismantled, inoperable, or dilapidated motor vehicles or motor vehicle parts, machinery, household furniture and appliances, construction equipment and materials, tanks and drums, tires, pipes, wood, paper, metals, rags, and glass.

Junkyard - Any land or structure used for the storage, keeping, collection, salvage, sale, disassembling, wrecking, baling, maintenance, or abandonment of junk, but the term does not include an automobile and truck dismantling and recycling processing facility, recyclables recovery facility, rubble landfill, rubble processing facility, or solid waste transfer station.

"K" Value - The soil erodibility factor in the Universal Soil Loss Equation. It is a quantitative value that is experimentally determined.

Kennel, Commercial - A commercial operation that (a) provides food, shelter, and care to domestic animals for purposes not primarily related to medical care (a kennel may or may not be run by or associated with a veterinarian), or (b) engages in the breeding of domestic animals for sale, or (c) any place where more than two adult domestic animals (over six months) are kept for a boarding or other fee.

Light Industry – Manufacturing and assembly activities, research and development (including producing a finished product), storage, warehousing, services, associated offices, and similar uses of limited intensity.

Loading Space - A space within the main building or on the same lot, providing for truck standing, loading, or unloading.

Local, Minor – See "Roads"

Local Street – See "Roads"

Lot - An area of land separated from other land areas by a separate description in a recorded deed or plat.

Lot Area - The total horizontal area within the lot lines.

Lot, Corner - A lot located at the intersection of two or more streets. A lot abutting a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of fewer than 135 degrees.

Lot, Depth of – The average horizontal distance between a lot's front and rear lot lines, measured within the lot boundaries.

Lot, Flag – A tract of land having insufficient lot width along a road or at the minimum setback line to meet the minimum lot requirements of this Ordinance, but with sufficient area to meet all lot requirements further back on the lot (See Diagram 1).

Lot, Interior - A lot other than a corner lot (See Diagram 1).

Lot Line - The boundary line of a lot.

Lot of Record - A parcel of land that has been legally recorded in the land records of Talbot County.

Lot, Through - An interior lot with frontage on two streets (See Diagram 1).

Lot Width - The distance between the side lot lines measured at the required front yard line.

Major Site Plan - Any site plan that would include the extension of public water or sewer lines, placement of roads, or installation of any stormwater management device.

Manufacture, Manufacturing - The process of converting raw, unfinished materials or products into articles or substances of different character or for different purposes.

Manufactured Home - A type of prefabricated home that is built in a factory and then transported to a location for installation. The term "manufactured home" refers to any factory-built home built after June 15, 1976, when the U.S. Department of Housing and Urban Development (HUD) established stricter guidelines for the construction of mobile homes and other factory-built homes.

Minor Local Street – See “Roads”

Mobile Home – (called a manufactured home in the Federal Act). A structure transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in it, except that this term shall include any structure which meets all the requirements of this subsection except the size requirements and concerning which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the Federal Act.

Mobile Home Park – A unified development providing rented or leased spaces to accommodate mobile/manufactured homes.

Modular Home - A dwelling unit composed of components substantially assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. Among other possibilities, a modular home may consist of two sections transported to the site, like a manufactured home, or a series of panels or room sections transported on a truck and erected or joined together on the site.

Motel, Motor Court, Motor Hotel, Lodge, or Inn - same as "Hotel" except that the building or buildings are designed primarily to serve tourists traveling by automobile and that ingress and egress to rooms need not be through a lobby or offices.

Natural Features - Components and processes present in or produced by nature include soil types, geology, topography, vegetation, surface water, drainage patterns, aquifers, recharge areas, climate, flood plains, aquatic life, and wildlife.

Natural Heritage Area - Any communities of plants or animals considered among the best statewide examples of their kind, designated by the Secretary of the Department of Natural Resources.

Natural Vegetation - Plant communities that develop in the absence of human activities.

Neighborhood Essential Services – Any public utility facility needed to provide basic services such as water, sewer, telephone, and cable television to individual users.

Nonconforming Use/Structures – See Article IX of this Ordinance.

Nonprofit Organization - Any organization engaging primarily in civic or community services, including Lions, Kiwanis, Rotary, Optimists, and organizations of a similar nature that are not operated for profit and have been granted 5013c status by the Internal Revenue Service.

Non-tidal Wetlands - An area inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. The determination of whether an area is a nontidal wetland shall be made per the publication known as the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, published in 1989 and may be amended. Nontidal wetlands do not include tidal wetlands regulated under Title 16 of the Environment Article of the Annotated Code of Maryland.

Nursing Home - A facility that provides skilled nursing care and medical supervision at a lower level than that available in a hospital to not more than eight (8) persons.

On-Site Consumption Establishments – an entity licensed pursuant to Section 36-401(c)(4) of the Alcoholic Beverages Article of the Maryland Annotated Code that allows cannabis to be consumed, smoked, vaped, or otherwise ingested on-premises.

Office - A building or part thereof, designed, intended, or used for a profession, the carrying on of business, the conduct of public administration, or, where not conducted on the site thereof, the administration of an industry, but shall not include retail, commercial use, industrial use, clinic, financial institution, or place of amusement or place of assembly.

Office, Professional – the use of a building for the professional practice of a doctor of medicine, dentistry, or psychiatry; a lawyer; an architect, landscape architect, engineer, or similar professional person.

Off-Street Parking Area - Space provided for vehicular parking, not on a street or roadway.

Open Space – See “Common Open Space.”

Overlay Zone – A district applied over other zoning districts that may modify the permitted uses, the intensity of uses, or other development standards that apply to the underlying zoning district.

Owner - The person, partnership, corporation, company, or other legal entity holding current legal title to a lot, tract, or parcel of land.

Parcel – See “Lot.”

Parking Area, Lot, or Structure - A structure or an off-street area for parking or loading and unloading, whether required or permitted by this Zoning Chapter, including driveways, access ways, aisles, and maneuvering areas, but not including any public or private street right-of-way.

Parking Space, Off-street - An all-weather surfaced area not in a street or alley exclusive of driveways, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an all-weather surfaced driveway that affords adequate ingress and egress for automobiles. At a minimum, each parking space shall measure 9' x 18'.

Perennial Stream - A stream containing surface water throughout an average rainfall year. Perennial streams may be found on the most recent U.S.G.S. 7.5 Minute Quadrangle published by the United States. They shall be identified in the field and accurately drawn on all development plans.

Place of Worship - A building or premises where persons regularly assemble for religious worship, and those accessory activities are customarily associated and where the buildings and premises are maintained and controlled by a religious body organized to sustain public worship.

Planned Unit Development (PUD) – A planned combination of diverse land uses, such as housing, recreation, and shopping, in one contained development or subdivision.

Plot – A parcel of land consisting of one or more lots or portions, described by reference to a recorded plat or metes and bounds.

Premises – A lot, together with all buildings and structures thereon.

Principal use – The primary activity or structure for a site.

Property Lines - The lines bounding a lot as defined herein. A recorded boundary of a plot.

Public – The citizens of the Town of Trappe.

Public Utilities - Uses or structures for the public purpose of power transmission and distribution (but not power generation); fuel transmission and distribution (but not manufacturing or storage); water treatment and distribution; sewage collection and treatment; telephone service facilities (but not utility truck terminal facilities); radio and television facilities (not including broadcasting studios); and rail or highway rights-of-way (not including stations or terminals).

Public Water and Sewerage Systems - A water or sewerage system owned and operated by a municipality, county, or authority, owned and operated by the governing body, permitted by the State of Maryland, and subject to special regulations.

Public Works Agreement – An executed agreement between the developer and the Town setting forth the improvements the developer will be responsible for and the conditions for the construction and acceptance of such improvements by the Town.

Reclassification – The changing of the zoning district classification.

Recreation Facility - A place designated and equipped for the conduct of sports, leisure time activities, and other customary and usual recreational activities.

Recreation Vehicle, or RV – A motorized or towable vehicle that combines transportation and temporary living quarters for travel, recreation, and camping. RVs do not include mobile homes, off-road vehicles, or snowmobiles. RVs are classified into two groups - towable and motorized. Towables are designed to be towed by a motorized vehicle (auto, van, or pickup truck) and of such size and weight as not to require a special highway movement permit. Towables are designed to provide temporary living quarters for recreational camping or travel and do not require a permanent onsite hook-up. The towable includes conventional travel trailers, a fifth-wheel travel trailer, a folding camping trailer, and a truck camper. Motorized RVs are recreational camping and travel vehicles built on or as an integral part of a self-propelled motor vehicle chassis. It may provide kitchen, sleeping, and bathroom facilities and be equipped to store and carry fresh water and sewage. Motorized RVs include Motor homes (Class A), Van campers (Class B), Motor homes (Class C), and conversion vehicles.

Redevelopment – The process of developing land that is or has been developed.

Regulations - The whole body of regulations, text, charts, tables, diagrams, maps, notations, references, and symbols contained or referred to in this Chapter.

Residence, Multi-Family – See “Dwelling-Multi-Family”

Restaurants:

- (1) Restaurant, standard - A food-serving establishment whose principal business is selling food. Its principal method of operation is its service when ordered from a menu to seated customers at a table, booth, or counter inside the establishment. A snack bar or refreshment stand at a public or nonprofit

community swimming pool, playground, or park, operated solely for the convenience of its patrons, shall not be considered a restaurant.

- (2) Restaurant, fast food - An establishment where ready-to-eat food primarily intended for immediate consumption is available upon a short waiting time and wrapped or presented so that it can readily be eaten outside or inside the premises.
- (3) Restaurant, drive-in, or drive-thru - Any establishment where ready-to-eat food primarily intended for immediate consumption is available upon a short waiting time and packaged or presented so that it can be readily eaten inside the premises and whose method of operation is also to serve customers in motor vehicles either at a drive-thru window or while parked.

Retail Store - Stores selling one kind or various kinds of goods, as distinct from services, such as, but not limited to, drug stores, grocery stores, department stores, camera shops, book stores, and record shops.

Right-of-Way – A strip of land across privately held property designated for a road, highway, driveway, alley, walkway, drainage, public utility purpose, or other similar uses.

Road - All ways that provide motor vehicle access to (a) two or more lots, distinct areas, or buildings. Under the Trappe street classification system, all roads fall into one of the following categories:

- (1) Alley - A road whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than twenty-five (25) dwelling units. For yard designation, alleys are not considered streets.
- (2) Minor - Local. A road whose sole function is to provide access to abutting properties. It serves or is designed to serve not more than ten (10) dwelling units and is expected to or does handle up to one hundred (100) trips per day.
- (3) Local - A road whose sole function is to provide access to abutting properties. It serves or is designed to serve at least ten but no more than one hundred fifty (150) dwelling units and is expected to or does handle between one hundred (100) and 1,500 trips per day.
- (4) Cul-de-sac - A road that terminates in a vehicular turnaround. A cul-de-sac shall not be longer than three hundred (300) feet. They shall be provided at the closed end with a turnaround having an outside roadway diameter of at least ninety (90) feet and a property line diameter of at least one hundred and ten (110) feet. Sidewalks shall be provided on at least one side of the street.
- (5) Collector - A road whose principal function is to carry traffic between local and sub-collector streets and arterial streets with limited direct access to abutting

properties. It serves or is designed to serve, directly or indirectly, more than one hundred (100) dwelling units and is designed to be used or to carry more than 1,000 trips per day.

- (6) Collector, commercial. – A road with a maximum design speed of twenty miles per hour with on-street parking on both sides. The commercial collector street is designed to carry traffic to and through a commercial business area and to provide access to commercial shared parking facilities and local streets.
- (7) Sub-collector. A road that carries traffic between collector and local streets may also provide direct access to abutting properties. It serves or is designed to serve, directly or indirectly, more than one hundred (100) dwelling units and is designed to be used or to carry more than 1,000 trips per day.
- (8) Service Access Street. A road that is generally parallel to an arterial street and that is designed to provide access to abutting properties so that these properties are somewhat sheltered from the effects of through traffic on the arterial street and so that the flow of traffic on the arterial street is not impeded by direct driveway access from a large number of abutting properties.

Screen – A visual and/or sound barrier with a high degree of opacity designed to hide or obscure unsightly views and reduce or eliminate noise.

Semi-Public - A use owned or operated by a nonprofit, religious, or philanthropic institution providing education, cultural, recreational, religious, or similar public programs.

Sensitive Areas - Environmental protection areas identified in the Economic Growth, Resource Protection, and Planning Act of 1992, for which specific standards designed to protect these areas from the adverse effects of development have been included in this Ordinance. These areas include the following:

- (1) Streams and their buffers;
- (2) 100-year floodplain;
- (3) Habitats of threatened and endangered species;
- (4) Steep slopes; and
- (5) Any other areas determined by the Town.

Service Access Street – See “Roads”

Setback - The minimum required distance between where any structure or use on a lot meets the ground surface and any lot line or boundary of a town or State road right-of-way.

Shopping Center - A group of commercial establishments planned, developed, owned, and managed as a unit, with on-site parking and similar architectural characteristics.

Shopping Center, Community - A commercial establishment designed to provide the basic facilities in a neighborhood center, with a broader range of commercial establishments.

Shopping Center, Neighborhood - A group of commercial establishments selling convenience goods or personal services.

Shopping Center, Regional - A commercial establishment designed to provide a complete scope of retail sales and services. It is designed to attract customers from a more significant population than the county. A regional shopping center ranges in size from 300,000 square feet or greater.

Short-term rentals. See Section 12.4 Trappe Town Code.

Sign – See Article XII of this Ordinance.

Site – A parcel of land consisting of one or more lots or portions described by reference to a recorded plat or by metes and bounds.

Site Plan - A drawing or plat that describes and locates required improvements of a development tract per this ordinance's provisions.

Special Events - Circuses, fairs, carnivals, festivals, or other types of special events that (a) run for longer than one day but not longer than two weeks, (b) are intended to or likely to attract substantial crowds, and (c) are unlike the normal activities generally associated with the property where the special event is to be located.

Special Exception - Permission by the Board of Appeals to establish a specific use that would not be appropriate generally or without restriction throughout a zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would comply with the purpose and intent of this Ordinance. Such uses may be approved within a zoning district if a specific provision for such a Special Exception is made in this Ordinance.

Steep Slopes - Any slope with a grade of fifteen (15) percent or more covering a contiguous area of 10,000 square feet or more.

Storage - The keeping, indoors (including inside a cargo trailer) or outdoors, of equipment, vehicles, or supplies used in a trade, business, or profession. Storage does not include the overnight parking in residential zones of a single vehicle weighing no more than 2.5 tons gross vehicle weight, which, although used primarily for business, trade, or professional purposes, also provides daily transportation to and from work.

Storage Yard - An area of land outside an enclosed building where materials and goods, operable machinery and equipment, and operable vehicles are stored, but does not include a recycling center, a scrapyard, a lumber yard, or an auto wrecking yard.

Stormwater Management:

- (1) For quantitative control, a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by artificial changes to the land and
- (2) For qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

Story - that portion of a building other than a basement, included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between such floor and the ceiling above it.

Street - A platted way for vehicular traffic.

Street Line - A dividing line between a lot, trace, or parcel of land and an adjacent street.

Structure –

- (1) **Structure, general** – Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Other structures include buildings, mobile home signs, tennis courts, and swimming pools.
- (2) **Structure, minor accessory** – An accessory structure of less than 250 square feet of floor area. Lawn sheds, bike sheds, pet shelters, and the like are included.
- (3) **Structure, customary incidental** – Structures customarily associated with a dwelling unit but not designed to shelter large objects. Incidental structures include walls and fences under four feet, clothesline supports, domestic radio and TV antenna towers, utility poles, lamp posts, birdhouses, pet shelters under twenty (20) square feet of gross floor area, sidewalks, flag poles, etc.

Structural Alterations - Any change in the supporting members of a building, including but not limited to bearing walls or partitions, columns, beams, girders, or any substantial change in the roof or the exterior walls.

Sub-collector – See “Roads”

Subdivision – The division of any tract or parcel of land into two or more plots, parcels, lots, or sites for the purpose, whether immediate or future, of transfer of ownership or building

development. The term shall include resubdivision and, where appropriate to the context, shall relate to subdividing or the land subdivided.

Subdivision, Minor – A subdivision that does not involve any of the following: 1) the creation of more than two (2) lots; 2) the creation of any new public streets; 3) the extension of a public water or sewer system, or 4) the installation of drainage improvements through one or more lots to serve one or more other lots.

Temporary Structure - Any structure erected for six (6) months or less, consisting of any material with a running edge of twenty-five (25) feet or more. Temporary structures include tents with a running edge of twenty-five (25) feet or more.

Thinning - A forest practice that accelerates the growth of quality trees in the shortest interval.

Threatened Species - Any species of fish, wildlife, or plants designated as such by regulation by the Secretary of the Department of Natural Resources that appear likely, within the foreseeable future, to become endangered, including any species of wildlife or plant determined to be "threatened" species according to the Federal Endangered Species Act, 16 U.S.C., 1531 et seq., as amended.

Topography – The existing configuration of the earth's surface, including the relative relief, elevations, and position of land features.

Townhouse - A single-family dwelling forming one of a series of three or more attached single-family dwellings separated from one another by party walls without doors, windows, or other provisions for human passage or visibility through such walls from the basement to the roof and having roofs which may extend from one such dwelling unit to another.

Townhouse Building – A structure containing three or more attached townhouse units.

Tract - A lot (see definition). The term tract is used interchangeably with the term lot, particularly in subdivisions, where one "tract" is subdivided into several "lots."

Transition Area – An area between two distinct neighborhoods or land uses with similar character. A transition area can be subtle or abrupt, of varying widths, and may use appropriate variations of natural and artificial features.

Tributary Streams - Perennial and intermittent streams shown on the most recent U.S. Geological Survey 7.5' topographic quadrangle maps (scale 1:24,000) or more detailed maps or studies at the Town's discretion.

Use - When used as a noun, the term means the purpose or activity for which land or any building is designed, arranged, or intended, or for which it is occupied or maintained.

Utility Facilities, Neighborhood – Utility facilities designed to serve the immediate surrounding neighborhood.

Utility Transmission Facilities – Fixed structures that convey or distribute resources, wastes, or both, including, but not limited to, electric lines, water conduits, and sewer lines.

Variance – Permission to construct, alter, or occupy a particular building, structure, or tract of land in a way that does not conform with a provision or provisions of this Ordinance as a relief from its literal interpretation.

Warehouse - A structure used for the storage and/or the sale of products at wholesale, and where the sale of a product at retail is incidental.

Waste disposal site – Any area where waste, discarded, or salvaged materials are bought, sold, exchanged, stored, parked, disassembled, or handled, including landfills, auto-wrecking yards, house-wrecking yards, and the like.

Watercourse - Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash, in and including any area adjacent to that which is subject to inundation because of overflow or water.

Wildlife Corridor - A strip of land with vegetation that provides habitat and a safe passageway for wildlife.

Wholesale - The selling of goods in relatively large quantities and usually at lower prices than retail, mainly selling to retailers for resale to consumers.

Yard - an open space other than a court, on a lot unoccupied and unobstructed from the ground upward except as otherwise provided for in this Ordinance (see Diagram 2).

Yard, Front – An open space extending across the front of the lot between the side lot lines and measured between the front lot line and the front of the main building or any projection other than steps, unenclosed porches, or entranceways. On corner lots, the front yard shall be considered parallel to the street upon which the lot has its least dimension.

Yard, Rear - A yard extending across the rear of the lot between the side lot lines and measured between the rear lot line and the rear of the main building or any projection other than steps, unenclosed porches, or entranceways.

Yard, Side - A yard between the main building and the side line of the lot extending from the front yard to the rear yard and being the minimum horizontal distance between the side lot line and the side of the main buildings or any projection other than steps, unenclosed porches, or entrance-ways.

Zoning Administrator - The zoning administrative officer or an authorized representative designated by the Town Commissioners to carry out duties as specified in this Ordinance.

Zoning Certificate - Document that certifies that the Trappe Planning Commission, or its designated representative, has approved a proposed use of a property as being consistent with

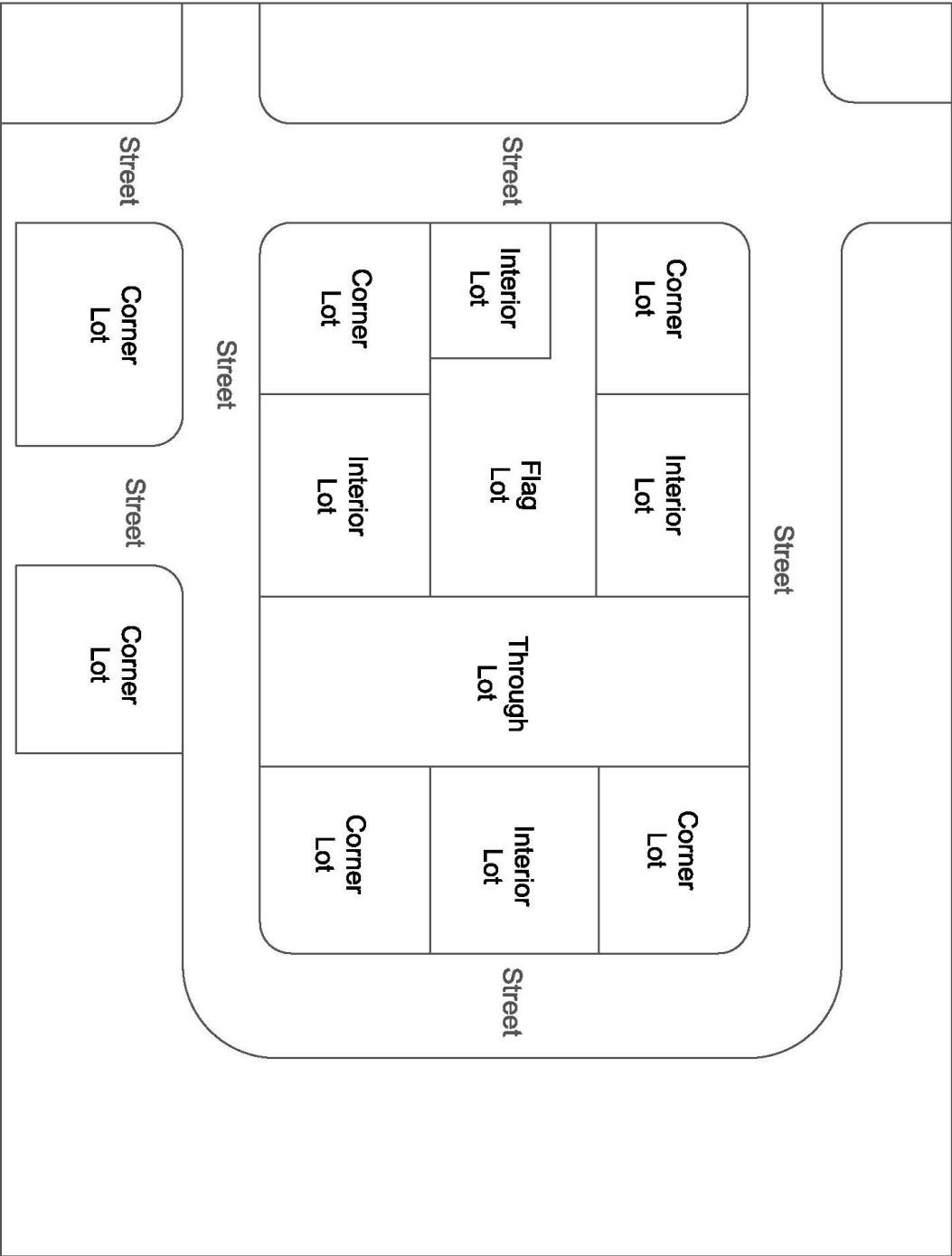
the provisions of this Chapter. A zoning certificate may also be referred to as a certificate of approval or zoning permit.

Zoning District - An area within which specific uses of land and structures are permitted, and certain others are prohibited; yards and other open spaces are required; minimum lot areas and dimensions, and other requirements are established.

Zoning Overlay District – A district applied over other zoning districts that may modify the permitted uses, the intensity of uses, or other development standards that apply to the underlying zoning district.

Zoning Permit - A written statement issued by the Zoning Administrator for buildings, structures, or uses consistent with this Ordinance's terms and for carrying out and enforcing its provisions.

DIAGRAM 1 LOT TYPES





ARTICLE IV - DESIGNATION OF DISTRICTS.

§ 16. Enumeration of districts.

- A. The incorporated area of Trappe is divided into zoning districts, which shall be designated as follows:
 - (1) R-1 – Residential District
 - (2) R-2 – Residential District
 - (3) C-1 – Commercial District
 - (4) C-2 – Highway Commercial District
 - (5) A – Agricultural District
 - (6) M – Industrial
- B. Overlay Zoning Districts:
 - (1) CIR – Community Infill and Redevelopment Overlay District
- C. Floating Zones
 - (1) PN – Planned Neighborhood District
 - (2) PRC – Planned Regional Commercial District
 - (3) PI – Planned Industrial District

§ 17. Purpose of Districts.

- A. Base Zoning Districts.
 - (1) R-1 – Residential District – The intent hereof is that this district shall provide uncongested, hazard-free residential neighborhoods comprising single-family detached residences and compatible structures and uses.
 - (2) R-2 – Residential District - The intent hereof is that the R-2 district shall provide land for moderate-density multifamily residential uses and specific other uses and compatible structures.

- (3) C-1 – Commercial District – The intent is for the “C-1” district to provide general, localized commercial services and not include large-scale or highway-oriented commercial activities.
- (4) C-2 – Highway Commercial District – The intent is that the “C-2” district shall provide for specific commercial uses directly related to highway or street activity and customarily located adjacent to major streets or roads.
- (5) A – Agricultural District - The intent hereof is that the “A” district shall prevent the intense development in outlying areas not served by town water, sewer, and other services. As an additional consideration, the “A” district is intended to help maintain the open, spacious character of the outlying areas of the town.
- (6) M – Industrial - It is the intent hereof that the “M” district should be used to provide for industrial uses and structures which have limited effects upon the use of surrounding land and not to include any industrial use which creates unfavorable or offensive conditions.

B. Overlay Zoning Districts.

- (1) CIR Community Infill and Redevelopment Overlay District.
 - (a) This district intends to encourage context-appropriate development on vacant and underutilized properties where the Planning Commission determines it will achieve efficient land use and enhance the traditional village center as a vibrant place of residence and commerce. Therefore, this district's design standards promote compatible, small-scale infill and redevelopment projects oriented to the Village Center by, among other things, allowing development on sites that may not meet the minimum land area and dimension requirements of the underlying zones or be included as a permitted use.
 - (b) A proposed use's nature, size, scale, or intensity may make a site unsuitable for a specific CIR proposal. Therefore, there is no general presumption that an application for such use at a particular location is valid, inures to the public benefit of the Town, is compatible with surrounding uses, or is in compliance with the Town's Comprehensive Plan. Instead, each application will be evaluated according to its particular location and the degree to which the developer is willing or able to propose a development plan that ameliorates possible adverse

impacts and furthers the goals and objectives of this Section and the Zoning Ordinance generally.

C. Floating Zones.

- (1) PN Planned Neighborhood District. The PN Planned Neighborhood District is intended to promote the following:
 - (a) Implement the recommendations of the Trappe Comprehensive Plan;
 - (b) Develop neighborhoods that accommodate and promote pedestrian travel;
 - (c) Promote design that results in residentially scaled buildings fronting on and generally aligned with streets;
 - (d) Encourage the inclusion of a diversity of household types, age groups, and income levels;
 - (e) Promote traditional village building and site development patterns with an interconnected and broadly rectilinear pattern of streets, alleys, and blocks, providing for a balanced mix of pedestrians and automobiles;
 - (f) Encourage the creation of a functionally diverse but visually unified community;
 - (g) Promote the use of neighborhood greens, landscaped streets, boulevards, and "single-loaded" parkways woven into street and block patterns to provide space for social activity, parks, and visual enjoyment;
 - (h) Provide sites to accommodate buildings for civic or religious assembly or for other everyday or institutional purposes that act as visual landmarks and symbols of identity;
 - (i) Promote the location of dwellings, shops, and workplaces near each other, the scale of which accommodates and promotes pedestrian travel for trips within the community;
 - (j) Permit design flexibility to achieve an appropriate mix of residential and non-residential building uses and
 - (k) Require efficient utilization of designated growth areas.
- (2) PRC Planned Regional Commercial District.
 - (a) The "PRC" Planned Regional Commercial District intends to establish an area for master-planned regional commercial uses at an appropriate location near Route 50 per the Trappe Comprehensive Plan.

(b) The PRC's purposes are:

- (i) Implement the recommendations of the Trappe Comprehensive Plan by encouraging and permitting large-scale commercial uses, including shopping centers and big-box retail, at an appropriate location within the Town of Trappe.
- (ii) Allow for a wide range of commercial and retail trades and uses, as well as offices, business and personal services, and residential accessory or secondary uses that contribute to the positive character of the Town and provide appropriate transitions to adjacent residential neighborhoods, and maintain pedestrian access with links to neighborhoods, and other commercial developments;
- (iii) Allow for new commercial development that is compatible with and contributes to the character of Trappe through the use of appropriate building materials, architectural detail, color range, massing, lighting, and landscaping criteria to soften the visual impact of commercial building sites and parking areas and to accentuate the relationship to streets and pedestrian ways;
- (iv) Require efficient utilization of land;
- (v) Allow commercial development that will serve the Town, Talbot County, and the regional commercial market;
- (vi) Discourage strip forms of development;
- (vii) Provide landscape buffers and appropriate transitions between commercial uses and US Route 50 to improve the visual character along the highway corridor;
- (viii) Permit design flexibility to appropriately integrate more intense commercial uses into the community and minimize their impact on adjacent areas.

(3) PI Planned Industrial District

- (a) The intent of the "PI" Planned Industrial District is to establish areas for innovative employment centers consisting of compatible, sustainable, and low-impact uses, structures, and facilities, including, but not limited to, agricultural processing and production facilities, low impact manufacturing, greenhouses, horticultural, scientific or research facilities, or high tech employment facilities at appropriate locations following the Trappe Comprehensive Plan.

- (b) The PI Planned Industrial District is intended to promote the following:
 - (i) Implement the recommendations of the Trappe Comprehensive Plan;
 - (ii) Allow for a wide range of sustainable and low-impact industrial and manufacturing uses, including by way of example, greenhouses, agricultural processing and production facilities, scientific or research facilities, or high-tech employment facilities with low or minimal impact upon the Town or services that it provides, at locations that will not create undue noise, odor, traffic, or aesthetic conditions;
 - (iii) Encourage the development and expansion of innovative employment centers, including a mixture of industrial, scientific, research, technology, and agriculturally based businesses at appropriate locations near arterial highways, such as Maryland Route 50, to create employment opportunities within Trappe and Talbot County;
 - (iv) Require efficient utilization of land by promoting efficient layout or infrastructure and public utilities, and minimizing adverse traffic impacts; and
 - (v) Permit design flexibility, including massing and scale, to achieve an appropriate integration of low-impact manufacturing, agricultural, industrial, and high-tech uses at appropriate locations within the community and minimize its impact on adjacent areas.

ARTICLE V – SPECIAL DISTRICTS.

§ 18. CIR Community Infill and Redevelopment Overlay District.

- A. Applicability.
 - (1) The provisions of this district apply to all land located within the CIR Overlay Zone as designated on the official zoning map.
 - (2) All land uses and development shall be located and developed following the applicable provisions of the underlying zoning and all other applicable land development regulations, except as modified by this subsection.
- B. General Requirements. Site development shall adhere to the following to enhance compatibility with the surrounding community to the maximum extent practical:

- (1) Add sidewalks that connect to the adjacent sidewalk system where appropriate;
 - (2) Construct public streets that connect to the adjacent street pattern as needed;
 - (3) Preserve architecturally significant structures whenever feasible;
 - (4) Include new or connect with existing civic spaces;
 - (5) Include street furniture, lighting, and landscaping for the comfort and convenience of pedestrians; and
 - (6) Design buildings and sites to be compatible with the surrounding community.
- C. Permitted Uses. See § 26 for infill and redevelopment uses by zoning districts.
- D. Development standards.
- (1) Development standards, including but not limited to density, intensity, height, area, and bulk, shall be set based on a master plan approved by the Planning Commission.
 - (2) Density may exceed the underlying zone to create a neighborhood with various housing types.
 - (3) Development standards applicable to the underlying zoning district shall apply if not included in the approved master plan development standards.
 - (4) Access to the development site shall not be from US 50.
 - (5) The C-1 sign standards shall apply to properties in zone C-1. The Planning Commission may permit any sign permitted in the C-1 district for residentially zoned properties.
- E. Compatibility standards.
- (1) The proposed development shall comply with the Design Guidelines outlined in Article XIII.
 - (2) All planned uses, building types, and landscaping will be included in the preliminary plan and will demonstrate the relationships of the proposed development with the existing surrounding development.
 - (3) Proposed open space and landscaping shall be shown in the plans.

(4) Public Facilities and Utilities.

- (a) Existing and planned public facilities should be shown on development plans.
- (b) The development plans shall show all public streets, walkways, and alleyways. The local street and walkway system shall be safe, efficient, convenient, attractive, and accommodate all population segments.
- (c) Roads, lighting, sidewalks, street furniture, utilities, and other public facilities should be designed to enhance pedestrian circulation.

(5) Parking.

- (a) All parking spaces shall be shown on the site plan.
- (b) The Planning Commission may reduce minimum off-street parking requirements if the project is pedestrian-oriented.
- (c) The parking plan may combine off-street and on-street spaces.
- (d) Shared drives serving no more than two (2) dwellings may be permitted.
- (e) Bicycle parking shall be provided for non-residential projects.
- (f) Parking requirements can be waived where adequate public parking is available nearby and the new parking demand does not interfere with the established parking patterns in the neighborhood. If public parking is proposed to provide any required parking, the Town Commissioners shall approve such an arrangement. Approval shall be documented in a letter signed by the Town Commissioners specifying where public parking is available for regular use by the development.

(6) Proposed signage shall be shown in the plans.

F. Findings Required and Conditions of Approval. The Planning Commission may approve a proposed infill or redevelopment project upon finding that:

- (1) The plan accomplishes the purposes, objectives, and minimum standards and requirements of the overlay district;
- (2) The plan follows the Comprehensive Plan;
- (3) The plan is internally and externally compatible and harmonious with existing

and planned land uses in the area and

- (4) Existing or planned public facilities adequately serve the proposed development.
- (5) To ensure compatibility with adjacent residential uses, the Planning Commission may establish appropriate conditions for approval of all uses, including hours of operation, buffer, screening, signage, and lighting.

G. Application process.

- (1) Notice: Property or properties proposed for mixed-use infill or redevelopment under the terms of this subsection shall be posted by the Town. Such posting shall appear on the site at least fourteen (14) days before the Planning Commission considers the application. As outlined herein, all required application information shall be present and available for review in the Town office at the time of posting.
- (2) The applicant has the entire burden of proof to demonstrate that the proposed infill or redevelopment proposal meets or exceeds the development standards in Section D and compatibility standards in Section E. Applications shall include adequate information to address this burden of proof requirement and shall, at a minimum, include the following:
 - (a) A description of the proposed development site, i.e., a plot plan or survey plot.
 - (b) A description of existing conditions in the vicinity of the site (e.g., block-face on both sides of the street within five hundred (500) feet of the proposed development site). These descriptions shall include documenting photographs and an analysis of the prominent architectural features on the adjacent block faces and shall address the following:
 - (i) site location and topography;
 - (ii) street connections;
 - (iii) pedestrian pathways;
 - (iv) lot coverage;
 - (v) building orientation; and
 - (vi) a description of prominent existing neighborhood architectural styles, characteristics, and features.
 - (c) A master development plan/site plan along with a description of the proposed mixed-use infill or redevelopment, including:
 - (i) elevations of all proposed buildings;

- (ii) parking;
- (iii) landscaping and open space;
- (iv) proposed signs;
- (v) a description of how the proposed infill or redevelopment is compatible with the features described in b above; and
- (vi) A statement of how the proposed infill or redevelopment meets D and E development and compatibility standards and the findings requirements outlined in F.

- I. Remedies. Appeals from the Planning Commission's decision concerning any application for mixed-use infill or redevelopment may be made as provided in § 14 of this Ordinance.

§ 19. Floating Zones.

A. Purpose and Intent.

- (1) Floating zones are land use districts with general areas designated in the Comprehensive Plan. Still, they are not mapped when the most recent comprehensive revision to the Zoning Ordinance is adopted.
- (2) The purpose of the designated floating zones is to permit the specific and detailed mapping of areas for Planned Unit Developments ("PUD").
- (3) The floating zones provide a mechanism for establishing the district in appropriate areas, limiting the areas to be zoned and setting conditions that must be met by any development proposal seeking such a designation.

B. Town Findings.

- (1) The Town Council and Planning Commission find that they cannot plan, locate, and map the floating zones in advance and that it is desirable to leave specific locations and conditions for a future determination as the Town grows.
- (2) These zones permit design flexibility for land developed according to a unified general development plan.

C. Designation of Floating Zones.

The following zoning districts are floating zones, which may only be located per the provisions of Subsection E:

- (1) PN – Planned Neighborhood District
- (2) PRC – Planned Regional Commercial District
- (3) PI – Planned Industrial District

- D. The uses permitted within a floating zone shall be as established by the land use table outlined in § 26 of this Ordinance, which shall prevail over conflicting requirements of this Ordinance or the Town's Subdivision regulations.
- E. Required Procedures.
 - (1) The procedures for amending the Official Zoning Map to locate a floating zone and approving a PUD Plan are outlined in Subsection F.
 - (2) The location of a floating zone by the Town permits the use and development of the subject property per the provisions of the floating zone and the approved PUD Plan. However, no construction, improvement, use, or development of the subject property may occur until applicable construction, use, and/or occupancy permits are issued.
 - (3) The PUD Plan amendment procedures are outlined in Subsection K.
 - (4) Any development, site plan, or subdivision approval for land subject to a floating zoning district shall be consistent with the provisions of the floating zone and the specific PUD Plan applicable to the property, as approved or amended by the Town Council.
 - (5) The administrative procedures for approval of a site plan for property located within a floating zone are outlined in another section of the Zoning Ordinance. Site plans, including the PUD Design standards, shall conform to the approved PUD Plan.
 - (6) The administrative procedures for approval of a subdivision within a floating zone shall be those of the Town's Subdivision Ordinance. Final subdivision plats shall conform to the approved PUD Plan.
- F. Location of Floating Zones; Process for PUD Plan Approval
 - (1) PUD Plan Review Process – Purpose. The purpose and intent of the Planned Unit Development ("PUD") Plan approval process are to create carefully planned, well-designed residential, commercial, and/or mixed-use communities at appropriate locations.
 - (2) Development Guidelines. Applicants shall be guided throughout the review process by the Trappe Development Guidelines. Because it is recognized that design professionals, including architects, landscape architects, and land planners, are trained to strive for creative excellence, the design guideline criteria are not intended to restrict creative solutions or to dictate all design details. Instead, the Trappe Development Guidelines serve as a tool for the Town planning staff by providing a checklist of elements to be considered. The

Guidelines also inform the design professionals of items that should be considered or included from the outset of the design process.

- (3) Preliminary Application. A preliminary application for a floating zone amendment and approval of the PUD Plan shall be made to the Town Council. Preliminary applications shall include:
- (a) A written petition for the location of a floating zone district and approval of a PUD Plan, signed by the owners and contract purchasers, if any, of the property that is the subject of the petition.
 - (b) A narrative describing the following:
 - (i) Statement of present and proposed ownership of all land within the development;
 - (ii) Overall objectives of the proposed Planned Unit Development and a statement of how the proposed Planned Unit Development corresponds to and complies with the goals and objectives of the Zoning Ordinance, the proposed floating zone, and the Comprehensive Plan;
 - (iii) Method of providing sewer and water service and other utilities, such as, but not limited to, telephone, gas, and electric services;
 - (iv) Storm drainage areas and description of stormwater management concepts to be applied;
 - (v) Method of and responsibility for maintenance of open areas, private streets, recreational amenities, and parking areas;
 - (vi) School availability and school population impact analysis;
 - (vii) General description of architectural and landscape elements, including graphic representations; and
 - (viii) If the petitioner desires to develop the property in phases, a preliminary phasing plan indicating:
 - [a] The phase(s) in which the project will be developed, indicating the approximate land area, use densities, and public facilities to be developed during each phase.
 - [b] If different land use types are included within the Planned Unit Development, the plan should include the mix of uses anticipated to be built in each phase.

- (c) A Concept PUD Plan, which includes:
 - (i) Boundary survey of the area subject to the application;
 - (ii) Graphic and tabular presentation of proposed site development information that depicts the following:
 - [a] Total acreage of subject property and identification of all adjoining landowners;
 - [b] Description of proposed land uses, including residential, commercial, institutional, and recreational;
 - [c] Maximum number of dwelling units, approximate densities of residential areas, and anticipated population;
 - [d] Land area and locations generally allocated to each proposed use; and
 - [e] Location of proposed roads, public open space, sensitive resource areas (environmental or cultural), and public facilities.

G. Referral of Preliminary Application to Planning Commission.

- (1) If the Town Council finds that the Preliminary Application for a floating zone amendment and PUD Plan approval is generally consistent with the Comprehensive Plan and the standards of the requested floating zoning district, the Preliminary Application shall be "conditionally approved" and referred to the Planning Commission for review per paragraph H below.
- (2) "Conditional approval" as used herein means that the Town Council has made a preliminary finding that the proposal is generally consistent with the Comprehensive Plan and this Zoning Ordinance.
- (3) "Conditional approval" shall authorize the Planning Commission, Town staff, and Town consultants to continue to analyze the proposal subject to all applicable review processes and procedures.
- (4) No development may occur until:
 - (a) a floating zone has been applied to the property by legislative action of the Town Council,
 - (b) a PUD Plan is approved for the floating zone by the Town Council, and
 - (c) a building permit has been issued, following, if applicable, final subdivision plat and/or site plan approval by all agencies with jurisdiction.

H. PUD Plan Submittal to the Planning Commission. After the Town Council conditionally approves the preliminary application and Concept PUD Plan, the petitioner shall submit the following to the Planning Commission for review and recommendations to the Town Council:

- (1) Graphic PUD Plan Requirements:
 - (i) Conditionally approved Concept PUD Plan;
 - (ii) Boundary Survey, including identification of adjacent property owners;
 - (iii) Existing condition information, including (information may be displayed on more than one sheet for clarity):
 - [a] Topographic survey (minimum 1' contour interval);
 - [b] Soils;
 - [c] Forested areas and tree lines;
 - [d] Wetlands, hydric soils, streams, and water features;
 - [e] Steep slopes;
 - [f] Easements and deed restrictions;
 - [g] Roads, driveways, and right-of-ways;
 - [h] Existing buildings; and
 - [i] Existing land uses.
 - (iv) Proposed open space, protected areas, and public and private parks;
 - (v) Pedestrian and vehicular master plan showing the dominant street configuration and pedestrian walking and biking alignments;
 - (vi) Detailed plan of at least one (1) phase, showing:
 - [a] Road alignments;
 - [b] Lot configuration;
 - [c] Commercial area plan, if applicable;
 - [d] Public and private open space(s);
 - [e] Perspective streetscape (typical for the represented phase);
 - [f] Examples of proposed residential and commercial architecture;

- [g] Plan view, perspective, and elevations of private and/or public community facilities; and
 - [h] Plan view, perspective, and elevations of the entrance to PUD, including gateway improvements, if applicable.
- (2) Phasing plan, including:
 - (i) The general boundaries or location of each phase. Although the Phasing Plan shall include the information required by [b] and [c] below (in narrative, tabular, or graphical form), it is not required to depict the location of the land uses, densities, or public facilities within each phase.
 - (ii) The phase(s) in which the project will be developed, indicating the approximate land area, use densities, and public facilities to be developed during each phase.
 - (iii) If different land use types are included within the Planned Unit Development, the plan should include the approximate mix of uses anticipated to be built in each phase.
- (3) Studies and reports by qualified professionals:
 - (i) Traffic study that evaluates traffic impacts on proposed entrances on existing public (state, county, and town) roads and major existing intersections within one (1) mile of the project that traffic generated by the proposed project may impact.
 - (ii) Nontidal wetlands delineation.
 - (iii) An endangered species study prepared by qualified professionals.
 - (iv) Historical and archeological survey.
- (4) PUD Design Standards shall generally conform to the elements of the Trappe Development Guidelines. The PUD Design Standards should provide specific details regarding the following:
 - (i) Site design standards in the designated neighborhood and/or commercial areas, including permitted uses, building types, frontage, setbacks, lot sizes, building heights, parking, street widths and cross-sections, sidewalks, lighting, and road geometry.
 - (ii) Building standards for designated neighborhood and/or commercial areas, including size and orientation, building facades, regulated architectural elements (windows, trim, etc.), rooflines, architectural styles, fencing, parking, and signage.

- (iii) Landscape standards, including location and scope, materials, and scheduling.
 - (5) Project Scheduling Information: anticipated permitting hearings, approvals, construction start, phasing, anticipated absorption, and completion of key site elements. (Note: This information is understood to represent the best estimate and will be used by the town planning agencies as a tool for long-range planning activities, but it shall not be binding.)
 - (6) Management statement regarding the anticipated ownership, construction, operation, and maintenance of:
 - (i) Sanitary and storm sewers, water mains, culverts, and other underground structures.
 - (ii) Streets, roads, alleys, driveways, curb cuts, entrances and exits, parking and loading areas, and outdoor lighting systems.
 - (iii) Parks, parkways, walking paths, cycleways, playgrounds, and open spaces.
 - (7) The PUD Plan shall comply with the requirements of this section and the requested floating zone. It may be accompanied by other written or graphic material that may aid the decisions of the Planning Commission and Town Council.
 - (8) The Town Council may establish additional and supplemental requirements for the PUD Plan while considering the Preliminary Application if it determines such requirements are necessary to enable the Town Council to evaluate the particular floating zone amendment request.
- I. Planning Commission Review and Recommendation Floating Zone Amendment and PUD Plan.
- (1) The Planning Commission shall review the floating zone amendment request and PUD Plan for compliance with the requirements of this Ordinance and consistency with the Comprehensive Plan and the Trappe Development Guidelines.
 - (2) The Planning Commission shall evaluate the degree to which the floating zone request and PUD Plan incorporate and/or address the Trappe Development Guidelines and further the goals and objectives of the Comprehensive Plan.
 - (3) The Planning Commission may make reasonable recommendations to the petitioner regarding changes to the PUD Plan proposal, which, in the judgment of the Commission, shall cause the proposal to better conform to the

requirements of the Comprehensive Plan, the Trappe Development Guidelines, and the goals and objectives of this Ordinance. Considering the Commission's comments, the petitioner may resubmit the PUD Plan to the Planning Commission.

- (4) If, after four (4) PUD Plan submissions, the Plan has not received a favorable recommendation from the Planning Commission, the Commission shall make a negative recommendation to the Town Council, setting forth its reasons as to why the PUD Plan should not be approved.
- (5) The Planning Commission shall consider and comment on the findings required of the Town Council as outlined in § 11. It shall make a favorable or unfavorable recommendation to the Town Council.
- (6) The Planning Commission shall return the PUD Plan, with any revisions, written comments and recommendations, and its floating zone comments, to the Town Council for action according to the approval process of the floating zone and PUD Plan.

J. Town Council Approval of Floating Zone and PUD Plan.

- (1) The Town Council shall review the PUD Plan and other documents, along with such comments and recommendations as the Planning Commission may have offered.
- (2) The Town Commissioners may approve or disapprove the proposed floating zone map amendment and associated PUD Plan, with any revisions, at their legislative discretion and subject to all hearing requirements and necessary findings for map amendments and the application of a floating zone to a particular area, as more particularly outlined in other provisions of this Ordinance.
- (3) After the Town Council approves a floating zone amendment, two (2) complete copies of the approved PUD Plan shall be filed with the Town Clerk. In addition, one (1) additional complete copy of the approved PUD Plan shall be filed with the Planning Commission for reference during its subsequent review and approval of subdivision plats and/or site plans.
- (4) When a Planned Unit Development is to be constructed in phases, final subdivision plat(s) shall not be required for a phase until applications are filed for a federal, state, or local permit to construct that particular phase.
- (5) As part of the final PUD Plan approval, the Town Council shall approve a date to initiate the proposed development.
- (6) If the Town Council approves a floating zone amendment without subdivision and approval of an associated PUD Plan, the subject property may not be

subdivided until the owner complies with the PUD review and approval provisions of this Ordinance and may not be developed except in conformance with a site plan as required by and in conformance with this Ordinance.

- K. Amendment of PUD Plan. The procedure for amendment of an approved PUD Plan shall be the same as for a new application, except that the Planning Commission may approve minor amendments of a PUD Plan at a regular meeting.
- (1) Using the guidelines set forth below, the Planning Commission shall determine whether the proposed amendment is a "minor amendment. An amendment shall be deemed a "minor amendment," provided that such amendment:
 - (a) Does not conflict with the applicable purposes and land use standards of this Ordinance;
 - (b) Does not prevent reasonable access of emergency vehicles or deprive adjacent properties of adequate light and airflow;
 - (c) Does not significantly change the general character of the land uses of the approved PUD Plan;
 - (d) Does not result in any substantial change of major external access points;
 - (e) Does not increase the total approved number of dwelling units or height of buildings; and
 - (f) Does not decrease the minimum specified setbacks, open space area, or minimum or maximum specified parking and loading spaces.
 - (g) The phrase "minor amendments" includes, but is not limited to, changes to the location, number, or types of uses within the Planned Unit Development or any phase(s) thereof, subject to 1(c), above; internal road locations or configurations; the number, type or location of dwelling units, subject to 1e, above; and the location of public amenities, services or utilities.
 - (2) The Planning Commission may only approve minor amendments that increase residential density or intensify nonresidential uses if the amendments enhance the architectural design and landscaping of the area subject to the amendment.
 - (3) Any amendment of a PUD Plan that adversely impacts the delivery or the Town's cost of public utilities, public services, public infrastructure, or otherwise affects amenities available to the public or the public health and safety shall not be considered a minor amendment.

§ 20. PN Planned Neighborhood District.**A. General.**

- (1) The Planned Neighborhood ("PN") District is a floating zone. That means that while provisions and regulations govern any development within a PN District, no such district will be pre-mapped on the Zoning Map. The PN District is intended to permit master-planned, mixed-use developments in areas designated appropriate for such by the Comprehensive Plan. The PN District permits the development and land use according to a Planned Unit Development ("PUD") Plan approved by the Town Council at the time the PN zoning is applied to specific land(s).
- (2) There is a general presumption that an application for a PUD project at an appropriate location conditionally approved as a PN District, proposing uses permitted within the PN District, with residential densities as provided in this Ordinance, ensures the general benefit of the Town and complies with the Town's Comprehensive Plan.

B. Density Determination.

- (1) General. The total number of dwelling units permissible in a PUD project shall be determined per the provisions of this section (as adjusted by density bonuses as set forth below). Areas used for commercial uses shall be subtracted from the Adjusted Tract Acreage, as described in (2) below, before determining permissible residential density.
- (2) Average Base Density Calculation. The base density shall be determined per the Adjusted Tract Acreage calculations in Table (3) below. The minimum residential density for a proposed PN shall be 3.0 dwelling units per Adjusted Tract Acre. Except as paragraph (3) below provides, the maximum residential density for a proposed PN District shall be no more than 4.0 dwelling units per Adjusted Tract Acre.
- (3) Table Density Factors for Calculating Adjusted Tract Acreage

	Density Factor	Description of Constraint
DF 1	0.00	Floodways within the 100-year floodplain; Existing street rights of way
DF 2	0.05	Wetlands and soils classified by the Talbot County Soil Survey as "very poorly drained." Existing utility easements.
DF 3	0.25	Steep slopes, that is, those greater than 25 percent
DF 4	0.33	Soils classified as "poorly drained" (in unsewered areas);

	Density Factor	Description of Constraint
DF 5	0.75	Soils classified as 'poorly drained' (in sewer areas); Slopes between 15 percent and 25 percent;
DF 6	1.00	Unconstrained land

(4) Density Incentives to Further Certain Public Objectives.

- (a) Provision of affordable housing. A density increase is permitted where the Planned Neighborhood (PN) proposal provides on-site or off-site housing opportunities for low- or moderate-income households. When an off-site housing provision is proposed, the Town Council shall require evidence that these units will be constructed by a specific date. The amount of density increase shall be calculated as follows:
 - (i) For each affordable housing unit provided under this section, one additional building lot or dwelling unit shall be permitted, up to a maximum ten (10) percent increase in dwelling.
 - (ii) The applicant may opt to provide a fee in lieu of the construction of affordable housing units. The Town Council shall use such fees to fund projects that will improve access to affordable housing within the Town.
- (b) Public use of conservation land. The Town Council may encourage the dedication of land for public use (including active and passive recreation areas, spray irrigation open space, municipal buildings, school sites, etc.) according to the following standards:
 - (i) A density bonus for public usage of conservation land in a new PN district shall be computed based on a maximum of one dwelling unit per five acres of such land and one dwelling per half-mile trail accessible to the public.
 - (ii) The decision whether to accept an applicant's offer to dedicate land to public usage within a proposed PN District shall be at the discretion of the Town Council, which shall be guided by the recommendations contained in the Comprehensive Plan, particularly those sections dealing with active recreational facilities, greenways, and passive trail networks.
- (c) County-Town Transfer of Development Rights. When an applicant purchases development rights available for transfer from the Trappe greenbelt, the Town Council may allow up to a 15 percent density bonus

at the rate of one (1) additional residential unit per every twenty (20) acres of greenbelt permanently protected.

- (d) Implementation. If the Town Council is satisfied that the public purpose objectives are being achieved, an applicant may utilize any combination of density bonuses, provided that the cumulative density bonuses applied to a PUD project may not exceed 35 percent of the maximum residential base density.

C. General Design Requirements.

- (1) Design guidelines referenced in this section shall be considered minimum performance standards for the PN District.
- (2) Planned neighborhoods are intended to provide a range of complementary uses. They may consist of up to four use areas: Single-Family Residential (SRA) Areas, Central Residential (CRA) Areas, Storefront (SFA) Areas, Village Center (VC) Areas, and Conservation (CA) Areas. At a minimum, they must contain both an SRA and a CA. These areas are intended to provide for the diversity necessary for traditional village life while maximizing the interactions among related uses and minimizing the adverse impacts of different uses upon each other.
 - (a) Single-Family Residential Areas (SRA) provide locations for a broad range of housing types, including single-family detached, semi-detached, and attached, and may also include accessory dwelling units.
 - (b) Conservation Areas (CA) are permanently protected open spaces, including greens, commons, habitat protection areas, and private non-common acreage used for agriculture, wholesale nurseries, tree farms, equestrian facilities, etc.
 - (c) The Central Residential Area (CRA) is intended to contain various housing options and related uses.
 - (d) The Village Center Area (VCA) is intended to provide uses that meet a traditional community center's retail and service needs and its vicinity within one- and two-story buildings. It may contain other compatible uses, such as civic and institutional uses of community-wide importance.
 - (e) The Storefront Area (SFA) is intended to provide appropriately scaled commercial and service uses that meet the retail and service needs of the Town and surrounding areas of Talbot County.

D. Development Standards.

- (1) The following development standards shall apply to the PN District:

- (a) The setback, lot size, lot dimensions, lot coverage, height, and yard requirements in the PN shall be established for each PN District by the Town Council during the PUD Plan approval process. They shall be consistent with the PN Design Guidelines. In establishing these requirements, the Town Council shall consider the proposed development intensity and the existing character of adjacent neighborhoods.
- (b) Land Coverage. The maximum amount of land that may be built over (covered) by parking lots, roads, sidewalks, plazas, buildings, or other structures shall be sixty (60) percent of the gross area of the PN District.
- (c) Minimum Required Open Space
 - (i) At least thirty (30) percent of the Adjusted Tract Acreage shall be open space, including parks, recreational, habitat, forest, agriculture, and stream and wetland preservation areas. Not less than fifty (50) percent of the minimum required open space shall be in a form usable to and accessible by the residents, such as a central green, neighborhood squares or commons, recreational playing fields, walking trails, other kinds of footpaths, a community park, or any combination of the above. In addition, no more than fifty (50) percent of the minimum required open space may comprise active recreation facilities, such as playing fields, golf courses, tennis courts, etc.
 - (ii) Open space land shall be permanently protected through conservation easements and may be developed for uses consisting of the following:
 - [a] Agricultural uses, including horticultural, the raising of crops, and buildings related to the same;
 - [b] Woodlots, arboreta, and other similar silvicultural uses;
 - [c] Woodland preserve, game preserve, wildlife sanctuary, conservation meadows, or other similar conservation uses;
 - [d] Municipal or public uses (including spray irrigation area), public park or recreation area owned and operated by a public or private nonprofit agency, or governmental or public utility buildings or uses, not to include business facilities, storage of materials, trucking or repair facilities, the housing of repair crews, or private or municipal sanitary landfills; and

[e] Active recreation, if it is noncommercial and provided that no more than 50 percent of the minimum required open space is so used. Parking areas and any roofed structures associated with the active recreation may not be included within the 50 percent minimum.

[f] Private active or passive recreational uses by residents of the PN District.

(iii) PN developments shall include multiple greens, commons, or passive parks measuring at least 1,500 square feet per dwelling unit, plus 500 square feet of land for active recreation per dwelling unit.

(2) Residential Unit Mix

UNIT TYPE	MINIMUM PERCENTAGE	MAXIMUM PERCENTAGE
Detached Single Family Dwelling	50	80
Two Family Dwelling	5	20
Townhouse	10	40
Multi-family	5	30

(3) Each PN development shall contain a mixture of at least three of the four housing types. The Town Council may vary this phase requirement if it is satisfied that, at build-out, at least three of the four housing types are included in the overall PN development.

E. Small PN Projects. The Town Council may permit a PN development of less than fifty (50) acres on an existing lot of record created before this Ordinance's adoption. In addition, the Town Council may modify the development standards established in § 20.D. Further, it may modify the density provisions outlined in § 20. B for a PN development of less than fifty (50) acres, provided:

(1) The proposed PN development is shown as part of and integrated into a PUD Plan for a larger PN project, and the Town Council determines that the proposed design meets the goals and objectives of the Comprehensive Plan and the intent of this section, or

(2) The Town Council finds that the proposed PN is an infill or transition project between existing developments and/or adjacent to a proposed large-scale PN project and that the proposed design of the PN project is consistent with the goals and objectives of the comprehensive plan and the intent of this section.

(3) The proposed PN project is consistent with the PN Design Guidelines.

F. Land Uses. Permitted land uses are as outlined in § 26.

§ 21. PRC Planned Regional Commercial.

A. General. Subsection.

- (1) The Planned Regional Commercial District is a floating zone. That means that while provisions and regulations govern any development within a PRC District, no such district will be pre-mapped on the Official Zoning Map.
- (2) The PRC District permits the development and land use according to a Planned Unit Development ("PUD") Plan approved by the Town Council.
- (3) No property subdivision within the PRC District shall be permitted unless and until the Town approves a Planned Unit Development (PUD) Plan per this Ordinance.

B. Development Process and Procedure. The procedure for amending the Official Zoning Map to locate a floating zone and approval of a PUD Plan are outlined in § 11 and § 19 of this Ordinance.

C. Development Standards.

- (1) The setback, lot size, lot dimensions, lot coverage, height, and yard requirements for planned unit development in the PRC District shall be established by the Town Council during the PUD Plan approval process. It shall be consistent with the Trappe Design Guidelines, including the Trappe Commercial Development Design Guidelines. In establishing these requirements, the Town Council shall consider such factors as the proposed development intensity and the existing character of adjacent neighborhoods.
- (2) Applicants shall be guided throughout the review process by the Design Guidelines in Article XIII, including the Commercial Development Design guidelines outlined in § 119 of the Ordinance. Because it is recognized that design professionals, including architects, landscape architects, and land planners, are trained to strive for creative excellence, the design guideline criteria are not intended to restrict creative solutions or to dictate all design details. Instead, the Trappe Design Guidelines serve as a tool for the Town planning staff by providing a checklist of elements to be considered. The Guidelines also inform the design professionals of items that should be considered or included from the outset of the design process.

D. Land Use. Permitted uses are as outlined in § 26.

§ 22. PI Planned Industrial District.

A. General.

- (1) The Planned Industrial ("PI") District is a floating zone. That means that while provisions and regulations govern any development within a PI District, no such district will be pre-mapped on the Official Zoning Map.
- (2) The PI District permits the development and land use according to a Planned Unit Development ("PUD") Plan approved by the Town Council.
- (3) No subdivision shall be permitted on property located within the PI District unless and until the Town approves a Planned Unit Development ("PUD") Plan.

B. Development Process and Procedure. The procedure for amending the Official Zoning Map to locate a floating zone and approval of a PUD Plan are outlined in § 11 of this Ordinance and § 19 of this Ordinance.

C. Development Standards.

- (1) The setback, lot size, lot dimensions, lot coverage, height, and yard requirements for planned unit development in the PI District shall be established by the Town Council during the PUD Plan approval process. Development should be consistent with the Trappe Design Guidelines, including the Trappe Commercial Development Design Guidelines. In establishing these requirements, the Town Council shall consider the nature of the proposed use, its compatibility with similar uses, and any adverse impact on existing residential areas.
- (2) Land Coverage. The maximum amount of land that may be built over (covered) by parking lots, roads, sidewalks, plazas, buildings, or other structures shall be seventy-five percent (75%).

D. Land Use. Permitted uses are as outlined in § 26.

§ 23. Reserved.

§ 24. Reserved.

ARTICLE VI - PERMITTED USES.**§ 25. Designations P, SE, and CIR in the table of permissible uses.**

- A. When used in connection with a particular use in the Table of Permissible Uses included in this Article, the letter "P" means that the use is permissible in the indicated zone with a building permit issued by the Town. Conditions may apply.
- B. "SE" means a special exception must be approved by the Board of Appeals.
- C. "CIR" means the use may be permitted with an approved development plan as provided in § 18.

§ 26. Permissible Uses Table.

The following table outlines categories and subcategories of permissible uses allowable in each zoning district. Categories and subcategories, as well as permissible uses not requiring permits, are described in the preceding subsections of this article.

§ 26. Permissible Uses Table									
Legend: P – Permitted, conditions may apply. SE – Special Exception approved by the Board of Appeals. CIR – May be permitted with an approved development plan as provided in § 18. R-1 – Residential District R-2 – Residential District C-1 – Commercial District C-2 Highway Commercial District A – Agriculture District M – Industrial District PN – Planned Neighborhood Floating Zone District PRC – Planned Regional Commercial Floating Zone District PI – Planned Industrial Floating Zone District									
	Zoning District								
	R-1	R-2	C-1	C-2	A	M	PN	PRC	PI
Permitted Use Category									
Household Living									
Detached Single-family Unit	P	P	P	---	P	---	P	---	---
Duplex, stacked	P	P	---	---	---	---	P	---	---
Duplex, side by side	P	P	---	---	---	---	P	---	---
Multi-family/Apartment/Condo	---	P	SE	---	---	---	P	---	---
Standalone Tri-plex	CIR	P	---	---	---	---	---	---	---

§ 26. Permissible Uses Table**Legend:****P – Permitted, conditions may apply.****SE – Special Exception approved by the Board of Appeals.****CIR – May be permitted with an approved development plan as provided in § 18.****R-1 – Residential District****R-2 – Residential District****C-1 – Commercial District****C-2 Highway Commercial District****A – Agriculture District****M – Industrial District****PN – Planned Neighborhood Floating Zone District****PRC – Planned Regional Commercial Floating Zone District****PI – Planned Industrial Floating Zone District**

	Zoning District								
	R-1	R-2	C-1	C-2	A	M	PN	PRC	PI
Permitted Use Category									
Standalone Four-plex	CIR	P	---	---	---	---	---	---	---
Townhouses	CIR	P	---	---	---	---	P	---	---
Manufactured Home	P	P	P	---	P	---	P	---	---
Mobile Home	---	---	---	---	SE	---	---	---	---
Mobile Home Park	SE	---	---	---	---	---	---	---	---
Modular Home	P	P	P	---	P	---	P	---	---
Accessory Dwelling Unit	P	P	P	---	---	---	P	---	---
Cottage Housing Development	CIR	CIR	---	---	---	---	P	---	---
Mixed-use building	CIR	---	P	---	---	---	P	P	---
Qualified projects developed by nonprofits	SE	SE	SE	SE		SE	SE	SE	SE
Group Living									
Group domiciliary care home	P	P	---	---	---	---	P	---	---
Shelter Care	SE	---	---	SE	---	---	---	---	---
Continuing Care Retirement Communities	P	---	---	---	---	---	P	---	---
Halfway House	---	---	SE	---	---	---	---	---	---
Public, civic, and institutional use									
Cemetery	---	---	---	P	P	---	---	---	---
College or university	---	---	---	---	---	---	P	P	---
Community center	P	P	P	---	---	---	P	---	---
Fraternal organization	CIR	---	P	---	---	---	P	---	---
Governmental facility	P	P	P	P	P	P	P	P	P
Hospital	---	---	---	P	---	P	---	---	P
Library	CIR	---	---	---	---	---	P	---	---
Museum or cultural facility	CIR	---	---	---	---	---	P	---	---

§ 26. Permissible Uses Table**Legend:****P – Permitted, conditions may apply.****SE – Special Exception approved by the Board of Appeals.****CIR – May be permitted with an approved development plan as provided in § 18.****R-1 – Residential District****R-2 – Residential District****C-1 – Commercial District****C-2 Highway Commercial District****A – Agriculture District****M – Industrial District****PN – Planned Neighborhood Floating Zone District****PRC – Planned Regional Commercial Floating Zone District****PI – Planned Industrial Floating Zone District**

	Zoning District								
	R-1	R-2	C-1	C-2	A	M	PN	PRC	PI
Permitted Use Category									
Parks and recreation	P	P	---	---	---	---	P	---	---
Religious assembly	P	P	P	P	---	---	P	---	---
Safety service	P	P	P	P	P	P	P	P	P
School	SE	---	---	SE	---	---	P	---	---
Utilities and public service facilities									
Essential services	P	P	P	P	P	P	P	P	P
Public utility	P	P	P	P	P	P	P	P	P
Alternative energy facilities	P	P	P	P	P	P	P	P	P
Wireless telecommunications									
Freestanding towers	---	---	---	P	---	P	---	---	P
Building or tower-mounted antennas	P	P	P	P	P	P	---	P	P
Satellite earth station, satellite dish	P	P	P	P	P	P	P	P	P
Small wireless facility	P	P	P	P	P	P	---	---	P
Commercial use category									
Adult entertainment establishments	---	---	---	---	---	P	---	---	---
Event Venues	SE	---	P	P	SE	---	P	P	---
Animal service	---	---	---	P	---	P	---	P	P
Assembly and entertainment	---	---	P	P	---	---	P	P	---
Commercial service									
Building service	---	---	---	P	---	P	---	P	P
Business support service	---	---	---	P	---	P	---	P	P
Consumer maintenance and repair service	---	---	P	P	---	P	---	P	P
Personal improvement service	CIR	---	P	P	---	P	P	P	P
Daycare									
Daycare center	---	---	P	P	---	---	P	P	---

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	Zoning District								
	R-1	R-2	C-1	C-2	A	M	PN	PRC	PI
Permitted Use Category									
Daycare home	P	P	P	P	P	---	---	---	---
Eating and drinking establishments	CIR	---	P	P	---	P	P	P	P
Financial service	---	---	P	P	---	P	P	P	P
Funeral and mortuary service	SE	---	P	P	---	---	---	P	---
Lodging									
Hotel and motel	---	---	---	P	---	---	P	P	---
Bed and breakfast	P	P	P	---	---	---	---	---	---
Boardinghouse	P	P	P	---	---	---	---	---	---
Inn	---	---	P	---	---	---	---	---	---
Short-term rentals	P	P	---	---	---	---	---	---	---
Office	---	---	P	P	---	P	---	---	---
Retail sales									
Convenience goods	CIR	---	P	P	---	---	P	P	---
Cannabis dispensary	---	---	SE	---	---	---	---	---	---
Consumer shopping goods	---	---	P	P	---	---	---	P	---
Building supplies and equipment	---	---	---	P	---	P	---	P	P
Self-service storage facility (e.g., mini storage)	---	---	---	P	---	P	---	P	P
Studio, instructional, or service	---	---	P	P	---	---	P	P	---
Trade School	---	---	P	P	---	P	---	P	P
Vehicle Sales and Service									
Commercial vehicle repair and maintenance	---	---	---	---	---	P	---	---	P
Commercial vehicle sales and rentals	---	---	---	P	---	---	---	---	---
Fueling station	---	---	---	P	---	---	---	P	---
Personal vehicle repair and maintenance	---	---	---	P	---	---	---	---	---

§ 26. Permissible Uses Table									
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	Zoning District								
	R-1	R-2	C-1	C-2	A	M	PN	PRC	PI
Permitted Use Category									
Personal vehicle sales and rentals	---	---	---	P	---	---	---	P	---
Vehicle body and paint finishing shop	---	---	---	---	---	P	---	---	P
Wholesale, Distribution & Storage									
Equipment and materials storage, outdoor	---	---	---	P	---	P	---	P	P
Contractor's shop	---	---	---	P	---	P	---	P	P
Trucking and transportation terminal	---	---	---	P	---	P	---	P	P
Warehouse	---	---	---	P	---	P	---	P	P
Limited wholesale sales and distribution facilities.	---	---	---	P	---	P	---	P	P
Wholesale sales and distribution facilities.	---	---	---	P	---	P	---	P	P
Industrial use									
Artisan industrial	CIR	---	---	P	---	P	---	P	P
Limited industrial	---	---	---	---	---	P	---	---	P
Cannabis processing facility	---	---	---	---	---	P	---	---	---
Cannabis Manufacturing	---	---	---	---	---	P	---	---	---
Micro-Producers, beer, wine, distilled spirits	---	---	---	---	P	P	---	---	P
General industrial	---	---	---	---	---	P	---	---	P
Junk or salvage yard	---	---	---	---	---	SE	---	---	---
Fuel Storage	---	---	---	P	---	---	---	P	---
Recycling Category									
Recycling	---	---	---	---	---	---	---	---	---
Recyclable material drop-off facility	---	---	---	P	---	P	---	---	P
Agricultural use category									

§ 26. Permissible Uses Table**Legend:****P – Permitted, conditions may apply.****SE – Special Exception approved by the Board of Appeals.****CIR – May be permitted with an approved development plan as provided in § 18.****R-1 – Residential District****R-2 – Residential District****C-1 – Commercial District****C-2 Highway Commercial District****A – Agriculture District****M – Industrial District****PN – Planned Neighborhood Floating Zone District****PRC – Planned Regional Commercial Floating Zone District****PI – Planned Industrial Floating Zone District**

	Zoning District								
	R-1	R-2	C-1	C-2	A	M	PN	PRC	PI
Permitted Use Category									
Agriculture, animal production	---	---	---	---	---	---	---	---	---
Agriculture, crop production	P	P	P	P	P	P	P	P	P
Community garden	P	P	P	P	P	P	P	P	P
Indoor plant cultivation	---	---	---	P	P	P	---	P	P
Cannabis growing facility	---	---	---	---	SE	---	---	---	---
Miscellaneous									
Drive-in or drive-through facility	---	---	P	P	---	P	P	P	P
Temporary uses									
Temporary Use, Emergency	P	P	P	P	P	P	P	P	P
Temporary Use, Construction	P	P	P	P	---	P	P	P	P
Temporary Use, Sale	P	P	P	P		P	P	P	P
Home Occupation	P	P	P	P	P	P	P	P	P
Chickens within residential districts	P	P	---	---	P	---	---	---	---

§ 27. No more than one principal structure on a lot.

- A. Every structure hereafter erected, reconstructed, converted, moved, or structurally altered shall be located on a lot of record. In no case shall there be more than one (1) principal structure on a lot unless provided in B below.
- B. More than one principal structure may be located upon a lot in the following instances, subject to the lot, yard, and density requirements and other provisions of this Ordinance:
- (1) Institutional buildings.

- (2) Public or semi-public buildings.
- (3) Multiple-family dwellings.
- (4) Commercial or industrial buildings.
- (5) Additional principal structures in permitted mixed-use projects with the prior approval of the Planning Commission.
- (6) Condominiums.
- (7) Cottage house development.
- (8) Mixed-use building.

§ 28. Use categories.

This section establishes and describes the use categorization system used to classify principal uses in this Ordinance.

A. Use categories.

This Ordinance classifies principal land uses into major groupings. These major groupings are referred to as "use categories." The use categories are as follows:

- (1) Residential
- (2) Public, Civic, and Institutional
- (3) Commercial
- (4) Wholesale, Distribution, and Storage
- (5) Industrial
- (6) Agricultural
- (7) Miscellaneous
- (8) Temporary

B. Use subcategories.

Each use category may be further divided into more specific "subcategories." Use subcategories further classify principal land uses and activities based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

C. Specific use types.

Some use subcategories may be further broken down to identify specific types of uses regulated differently than the category or subcategory.

D. Determination of use categories and subcategories.

- (1) The Planning Commission is authorized to classify uses based on this Ordinance's use category, subcategory, and specific use type descriptions.
- (2) If the Planning Commission cannot classify uses based on the use category, subcategory, and specific use type descriptions. Where such use is not explicitly prohibited in the district, the Planning Commission shall submit to the Board of Appeals a written request to determine the unclassified use per § 13.
- (3) If the Board of Appeals determines that the use in question is similar and meets the intent of the principal permitted uses within the district, then it shall instruct the Planning Commission to issue a zoning certificate.
- (4) If the Board of Appeals determines that the proposed use in the district is consistent with the character and intent of the uses permitted by special exception within the district, then the applicant may apply for a special exception in the usual manner.
- (5) Once a permitted or special exception use has been allowed or disallowed by the Board, it shall be considered classified under the appropriate category in the district.

§ 29. Residential use category.

A. Household Living.

Residential occupancy of a dwelling unit by a household. When dwelling units are rented, the tenancy is arranged month-to-month or more extended. Uses where tenancy may be arranged for a shorter period are not considered residential; they are considered lodging. The following are household living-specific use types:

- (1) Detached House - A detached house is a principal residential building occupied by one dwelling unit on a single lot with private yards on all sides. Detached houses are not attached to and do not abut other dwelling units. This category includes modular homes.
- (2) Attached House - An attached house is a dwelling unit that is attached to one or more dwelling units, each of which is joined together by a party wall or walls or is located on its lot with a shared or abutting wall at the dwelling units' shared lot lines. Each dwelling unit has its own external entrance.

- (3) Two-family (Stacked Duplex) - Two dwelling units with two side yards located one over the other.
- (4) Duplex, side-by-side - Two dwelling units are attached side-by-side by a party wall and have one side yard adjacent to each dwelling unit.
- (5) Townhouse - Three or more dwelling units occupy a separate lot unless in a condominium, are attached side-by-side by party walls, and have a side yard adjacent to each end unit.
- (6) Multi-family/Apartment - A multi-family/apartment/condo building is a residential building on a single lot occupied by three (3) or more dwelling units that share common walls and/or common floors/ceilings. This category includes standalone fourplex and triplex units. A standalone triplex or fourplex is a single multifamily home on a separate lot, with side-by-side or stacked units designed to house three or four families under one roof.
- (7) Accessory Dwelling Unit - a separate complete housekeeping unit that is substantially contained within a single-family unit or a commercial structure but can be isolated from it.
- (8) Manufactured Home - A type of prefabricated home that is built in a factory and then transported to a location for installation. The term "manufactured home" refers to any factory-built home built after June 15, 1976, when the U.S. Department of Housing and Urban Development (HUD) established stricter guidelines for the construction of mobile homes and other factory-built homes.
- (9) Mixed-use building, residential - A building containing a combination of allowed nonresidential and allowed residential uses. In addition, the category includes live/work units, a single unit consisting of both a commercial/office and a residential component that the same resident occupies.
- (10) Mobile Home - (called a manufactured home in the Federal Act) - A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or when erected on site, is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained in it, except that this term shall include any structure which meets all the requirements of this subsection except the size requirements and for which the manufacturer voluntarily files a certification required by the Secretary of HUD and complies with the standards established under the Federal Act.

- (11) Modular Home - A detached residential unit built to the specifications of a recognized building code, containing not less than 500 square feet of gross livable floor area in the initially manufactured unit, designed and intended for delivery by transportation on the highway for permanent assembly in a permanent and separately constructed foundation. A "modular home" must meet the requirements and definitions of the Maryland Industrialized Building and Mobile Homes Act as in effect as of May 7, 2025.
- (12) Cottage housing - A grouping of small, single-family dwelling units clustered around a common area and developed with a coherent plan for the entire site. The cottage units may have other shared amenities, including shared common areas and coordinated design.
- (13) Mixed-use Building - A building that provides for shared use, with one use residential and the other either office, commercial, or retail. An example is a retail shop in a storefront building with one or more apartments above.
- (14) Qualified projects developed by nonprofits – A type of residential development project mandated under the Housing Expansion and Affordability Act (HB 538) that gives special consideration to development projects intended to provide affordable housing. Projects must meet the following criteria to qualify:
 - (a) The project consists of a new construction or substantial renovation. Substantial renovation means the criteria outlined within DHCD's Multifamily Rental Financing Program Guide, including the following:
 - (a) Total hard construction costs of rehabilitation for projects must be at least \$25,000 per unit.
 - (b) The project must provide an improved visual impact on the neighborhood, upgrade aging fixtures, and update ventilation standards.
 - (b) The project is on land, including land that is subject to a ground lease, that is either (a) wholly owned by a nonprofit organization or (b) includes improvements owned by an entity that a nonprofit organization controls.
 - (c) The project is deed-restricted to include twenty-five (25%) percent of units that are affordable dwelling units for Talbot County for at least forty (40) years

B. Group Living.

Residential occupancy of a building or any portion of a building by a group other than a household. Group living uses typically provide communal kitchen/dining facilities. Group living uses include convents, monasteries, nursing homes, assisted living facilities, shelter care

facilities, retirement centers, homeless centers, and halfway houses. The group living subcategories are as follows:

- (1) Group domiciliary care home – a facility that is licensed by the Maryland Department of Health and Mental Hygiene and shared by persons who are unable to live alone because of age-related impairments or physical, mental, or visual disabilities and who live together as a single housekeeping unit in a long-term, household-like environment in which staff persons provide care, education, and participation in community activities for the residents with a primary goal of enabling the resident to live as independently as possible. Group domiciliary care homes do not include pre-release, work-release, probationary, or other programs that serve as an alternative to incarceration.
- (2) Sheltered Care – An activity accessory to and affiliated with a religious facility providing maintenance and personal care for those in need.
- (3) Continuing Care Retirement Communities - Establishments primarily engaged in providing a range of residential and personal care services with on-site nursing care facilities for (1) the elderly and other persons who are unable to care for themselves fully and/or (2) the elderly and other persons who do not desire to live independently. Individuals live in various residential settings, where meals, housekeeping, social, leisure, and other services assist with daily living. Assisted living facilities with on-site nursing care facilities are included in this subcategory.
- (4) A halfway house is a residence designed to assist persons. These people include those leaving institutions to reenter society and learn to adapt to independent living. Halfway houses aim to assist in community transition and provide vocational training, counseling, and other services. Release to a halfway house is used in situations such as releasing mental patients and prisoners. People in addiction recovery also use them to adapt to sober living. They usually require residents to follow specific rules, such as sign-in and sign-out procedures and curfews. A halfway house may allow residents to work or study during the daytime and return at night. Residency requirements, purposes, and rules vary at each halfway house.

§ 30. Public, civic, and institutional use categories.

This category includes public, quasi-public, and private uses that provide unique services that benefit the public. The public, civic, and institutional subcategories are as follows:

- A. Cemetery - Land or structures used for burial or permanently storing dead or cremated remains. Typical uses include cemeteries and mausoleums. It also includes pet cemeteries.

- B. College or university - Institutions of higher learning that offer general or specialized study courses and are authorized to grant academic degrees.
- C. Community center - A structure, including its surrounding premises, that is owned, leased, or otherwise controlled by a unit of local government or a school district and that contains rooms or other facilities limited to use for purposes of meetings, gatherings, or other functions or activities carried on or performed by or under the supervision of a unit of local government, a school district or a civic, educational, religious or charitable organization. Establishing a community center may include authorization for the incidental and accessory sale or resale of food, merchandise, or services in connection with and supporting the principal activity or function being carried on or performed by such unit of local government, school district, or organization.
- D. Fraternal organization - The use of a building or lot by a not-for-profit organization that restricts access to its facility to bona fide, annual dues-paying members and their occasional guests, and where the primary activity is a service not carried on as a business enterprise.
- E. Governmental facility - Uses related to the administration of local, state, or federal government services or functions.
- F. Hospital - Uses providing patients with medical or surgical care and inpatient (overnight) care.
- G. Library - Collections of books, manuscripts, and similar materials for free public lending, studying, and reading.
- H. Museum or cultural facility - Museum-like preservation and exhibition of objects in one or more arts or sciences.
- I. Parks and recreation - Recreational, social, or multi-purpose uses associated with public parks and open spaces, including playgrounds, playfields, play courts, swimming pools, community centers, and other facilities typically associated with public parks and open space areas. It also includes public and private golf courses and country clubs.
- J. Religious assembly - Religious services involving public assembly customarily occurring in churches, synagogues, temples, mosques, and other facilities used for religious worship. This category includes buildings and all customary accessory uses or structures, including, but not limited to, a chapel, daycare center, school of general instruction, gymnasium, social hall, and social services programs.
- K. Safety service - Facilities provided by the Town, state, or federal government that provide fire, police, or life protection, together with the incidental storage and maintenance of necessary vehicles. Typical uses include fire stations and police stations.

- L. School - Schools at the primary, elementary, junior high, or high school levels providing basic, compulsory state-mandated education.
- M. Utilities and public service facilities
 - (1) Essential services - Underground or overhead gas, electrical, steam, or water transmission or distribution systems, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, towers, electric substations, telephone exchange buildings, gas regulator stations, and other similar equipment and accessories that are reasonably necessary to furnish utility services or for the public health, safety, or general welfare.
 - (2) Public utility - Uses or structures, except essential services provided to the general public, such as water, sewerage, sewage treatment, electricity, piped gas, or telecommunications.
 - (3) Alternative energy facilities - Energy production systems that generate energy from the byproducts of the principal use are considered accessory uses, including net-metered installations and installations that generate power to sell wholesale to the power grid.
- N. Alternative Energy Systems.
 - (1) Wind Energy Conversion System - An electrical generating facility consisting of a wind turbine, generator, other accessory structures and buildings, electrical infrastructure, and other appurtenant structures and facilities.
 - (2) Solar Energy System (SES) – Solar collectors, panels, controls, energy storage devices, heat pumps, heat exchangers, and other materials, hardware, or equipment necessary to the process by which solar radiation is collected, converted into another form of energy, stored, protected from unnecessary dissipation and distributed. Solar systems include solar thermal and photovoltaic.
- O. Wireless telecommunications - Towers, antennas, equipment, equipment buildings, and other facilities to provide wireless communication services. The following are specific types of wireless telecommunications uses:
 - (1) Freestanding towers - A structure that supports equipment to transmit and/or receive telecommunications signals, including monopoles and guyed and lattice construction steel structures.
 - (2) Building or tower-mounted antennas - The physical device attached to a freestanding tower, building, or other structure through which electromagnetic,

wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received.

- (3) Satellite earth station, satellite dish: A parabolic antenna and associated electronics and support equipment for transmitting or transmitting and receiving satellite signals.
- (4) Small wireless facility – "Small cells" are low-powered wireless base stations that function like traditional cell sites in a mobile wireless network but typically cover targeted indoor or localized outdoor areas. "DAS" or "distributed antenna systems" use numerous antennae, commonly known as "nodes," similar in size to small cells, and are connected to and controlled by a central hub. This category includes similar facilities, systems, or devices designed to facilitate a mobile wireless network within a localized area and attached to a support structure within sidewalks, streets, or private property.

§ 31. Commercial use category.

The commercial use category includes uses that provide a business service or involve selling, leasing, or renting merchandise to the general public. The commercial use subcategories are as follows:

- A. Adult entertainment establishments. See Section 20 of the Trappe Code for definitions and approval requirements.
- B. Animal service - Uses that provide goods and services for the care of companion animals.
 - (1) Grooming - Grooming dogs, cats, and similar companion animals, including dog bathing, clipping salons, and pet grooming shops.
 - (2) Boarding or shelter/kennel - Animal shelters, care services, and kennel services for dogs, cats, and companion animals, including boarding kennels, pet resorts/hotels, pet daycare, pet adoption centers, dog training centers, and animal rescue shelters. For purposes of this Ordinance, the keeping of more than four (4) dogs, cats, or similar household companion animals over four (4) months of age or the keeping of more than two (2) such animals for compensation or sale is deemed a boarding or shelter-related animal service use and is allowed only in those zoning districts that permit such uses.
 - (3) Veterinary care - Animal hospitals and veterinary clinics.
- C. Assembly and entertainment - Uses that provide gathering places for participant or spectator recreation, entertainment, or other assembly activities. Assembly and entertainment uses may provide incidental food or beverage service. Typical uses

include arenas, billiard centers, video game arcades, auditoriums, bowling centers, cinemas, and theaters.

- (1) Event venues - Hosting private social events not open to the general public, including, but not limited to, weddings, wedding rehearsals, or wedding parties, with or without live entertainment, where food and drink may be consumed on-site. No overnight accommodations are provided, and hours of operation are set with event venues in residential zones. Overnight accommodations may be included in commercial zones or if the use is included in a master plan for a planned unit development.
- D. Commercial service - Uses providing consumer or business services and repairing and maintaining various products.
 - (1) Building service - Uses that provide maintenance and repair services for all structural and mechanical elements of structures and the exterior spaces of a premise. Typical uses include contractor offices, janitorial, landscape maintenance, extermination, plumbing, electrical, HVAC, window cleaning, and similar services. Outdoor storage of equipment and supplies is only where explicitly permitted.
 - (2) Business support service - Uses that provide personnel, printing, copying, photographic, or communication services to businesses or consumers. Typical uses include employment agencies, copy and print shops, caterers, telephone answering services, and photo-developing labs.
 - (3) Consumer maintenance and repair service - Uses that provide maintenance, cleaning, and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the repair/maintenance business). Typical uses include laundry and dry cleaning pick-up shops, tailors, taxidermists, dressmakers, shoe repair, picture framing shops, locksmiths, vacuum repair shops, electronics repair shops, and similar establishments. In addition, a business that offers repair and maintenance service technicians who visit customers' homes or places of business, is classified as a "building service."
 - (4) Personal improvement service - Uses that provide various services associated with personal grooming, instruction, and maintenance of fitness, health, and well-being. Typical uses include barbers, hair and nail salons, day spas, health clubs, yoga studios, martial arts studios, and businesses purporting to offer fortune-telling or psychic services.
 - (a) Tattoo establishments are included in the personal improvement service use subcategory.

- E. Daycare - Uses providing care, protection, and supervision for children or adults regularly away from their primary residence for less than twenty-four (24) hours per day. Examples include state-licensed childcare centers, preschools, nursery schools, Head Start programs, after-school programs, and adult daycare facilities. In addition, daycare expressly includes state-accredited adult daycare facilities and facilities for child care.
 - (1) Daycare center - A facility licensed by the State of Maryland that provides daycare for more than eight (8) children or any number of adults.
 - (2) Daycare home - A dwelling unit licensed by the State of Maryland in which daycare is provided for a maximum of eight (8) children, excluding natural, adopted, and foster children of the residents of the dwelling unit.
- F. Eating and drinking establishments – The type of eating and drinking establishments that are used refers to establishments or places of business primarily selling prepared foods and beverages for on- or off-premise consumption. Typical uses include restaurants, short-order eating places or bars and cafés, cafeterias, ice cream/yogurt shops, coffee shops, and similar establishments, including a bar area customarily incidental and subordinate to the principal use as an eating establishment.
- G. Financial service - Uses related to the exchange, lending, borrowing, and safe-keeping of money. Typical examples are banks, credit unions, and consumer loan establishments.
- H. Funeral and mortuary service - Uses that provide services related to the death of humans or companion animals, including funeral homes, mortuaries, crematoriums, and similar uses.
- I. Lodging - Uses that provide temporary lodging for less than 30 days, where rents are charged by the day or week. Lodging may provide food or entertainment on-premises. Lodging includes the following specific categories:
 - (1) Hotel and motel - An establishment for transients consisting of any number of sleeping rooms in permanent buildings, each room or suite of rooms having complete sanitary facilities and separate entrances, including hotel, motel, lodge, tourist park, and similar establishments, but not including a boarding- or lodging house, inn or bed-and-breakfast establishment.
 - (2) Inn - A commercial facility not meeting the criteria of a hotel or motel and not a boarding- or rooming house for serving meals and/or the housing of transients.
 - (3) Bed and breakfast - A single-family, owner-occupied dwelling in which overnight sleeping rooms are rented on a short-term basis to transients and at which no meal other than breakfast is served to guests, which is included in their room charge.

- (4) Boardinghouse and rooming - A private dwelling or part thereof where lodgings with or without meals are provided for compensation to persons not members of the resident family.
- (5) Inn - A structure in which overnight or otherwise temporary lodging and meals are provided for compensation to transient guests in not more than eight (8) guest rooms. An inn may include a restaurant, banquet facility, catering service, meeting rooms, or a combination thereof.
- (6) Short-term Rentals - Any rental tenancy permitting the occupancy of a residential dwelling unit by persons unrelated by blood or marriage to the property owner (or the tenant of the property) for a specified period, e.g., thirty (30) consecutive days.
- J. Office - Uses in an enclosed building, customarily performed in an office, focusing on providing executive, management, administrative, professional, or medical services.
- K. Retail sales. Uses involving the sale, lease, or rental of new or used goods to the ultimate consumer within an enclosed structure unless otherwise specified.
 - (1) Convenience goods - Retail sales uses that sell or otherwise provide (1) sundry goods; (2) products for personal grooming and for the day-to-day maintenance of personal health or (3) food or beverages for off-premise consumption, including grocery stores and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business. Typical uses include drug stores, grocery stores, specialty food stores, wine or liquor stores, gift shops, newsstands, and florists.
 - (a) Cannabis Dispensary – Establishments licensed by the Maryland Cannabis Administration to acquire, possess, repackage, process, transfer, transport, sell, distribute, or dispense products containing cannabis, related supplies, related products including tinctures, aerosols, oils, or ointments, or educational materials for use by a qualifying patient or caregiver.
 - (2) Consumer shopping goods - Retail sales uses that sell or otherwise provide clothing, fashion accessories, furniture, household appliances, and similar consumer goods, large and small, functional and decorative, for use, entertainment, comfort, or aesthetics. Typical uses include clothing stores, department stores, appliance stores, TV and electronics stores, bike shops, book stores, costume rental stores, uniform supply stores, stationery stores, art galleries, hobby shops, furniture stores, pet stores, and pet supply stores, shoe stores, antique shops, secondhand stores, record stores, toy stores, sporting

goods stores, variety stores, video stores, musical instrument stores, office supplies and office furnishing stores and wig shops.

- (3) Building supplies and equipment - Retail sales use that sell or otherwise provide goods to repair, maintain, or visually enhance a structure or premises. Typical uses include hardware stores, home improvement stores, paint, wallpaper supply stores, and gardens.
- L. Self-service storage facility (e.g., mini-storage) - An enclosed use that provides separate, self-service storage facilities leased or rented to individuals or small businesses. Facilities are designated to accommodate only interior access to storage lockers or drive-up access from regular-sized passenger vehicles and two-axle non-commercial vehicles.
- M. Studio, instructional, or service - Uses in an enclosed building that provides instruction or training in music, dance, drama, fine arts, language, or similar activities. It also includes artist studios and photography studios. See also "personal improvement service" in the commercial services use category.
- N. Trade school - Uses in an enclosed building that focuses on teaching the skills needed to perform a particular job. Examples include cosmetology schools, modeling academies, computer training facilities, vocational schools, administrative business training facilities, and similar uses. Truck driving schools are classified as "trucking and transportation terminals" (wholesale, distribution, and storage use category).
- O. Vehicle sales and service.

Uses that provide for the sale, rental, maintenance, or repair of new or used vehicles and vehicular equipment. The vehicle sales and service subcategory includes the following specific use types:

- (1) Commercial vehicle repair and maintenance - Uses, excluding vehicle paint finishing shops, that involve repairing, installing, or maintaining the mechanical components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment, aircraft, watercraft, or similar large vehicles and vehicular equipment. This subcategory includes truck stops and truck fueling facilities.
- (2) Commercial vehicle sales and rentals - Uses that provide for the sale or rental of large trucks, large construction or agricultural equipment, aircraft, or similar large vehicles and vehicular equipment.
- (3) Fueling station - Uses engaged in retail sales of personal or commercial vehicle fuels, including natural gas fueling stations, rapid vehicle charging stations, and battery exchange facilities for electric vehicles.

- (4) Personal vehicle repair and maintenance - Uses engaged in repairing, installing, or maintaining the mechanical components of autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles, including recreational boats. It also includes uses that wash, clean, or otherwise protect these vehicles' exterior or interior surfaces. The subcategory does not include vehicle body or paint finishing shops.
- (5) Personal vehicle sales and rentals - Uses that provide the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes, or recreational vehicles, including recreational watercraft. Examples include automobile dealers, auto malls, car rental agencies, and moving equipment rental establishments (e.g., U-Haul).
- (6) Vehicle body and paint finishing shop - Uses primarily conduct vehicle bodywork and repairs or apply paint to vehicles' exterior or interior surfaces by spraying, dipping, flow coating, or other similar means.

§ 32. Wholesale, distribution, and storage use categories.

This category includes uses that provide and distribute goods in large quantities, principally to retail sales, commercial services, or industrial establishments. In addition, long-term and short-term storage of supplies, equipment, commercial goods, and personal items is included. The wholesale, distribution, and storage subcategories are as follows:

- A. Equipment and materials storage, outdoor - Uses related to outdoor storage of equipment, products, or materials, whether or not stored in containers.
 - (1) Contractor's shop - An establishment used for the indoor repair, maintenance, or storage of a contractor's vehicles, equipment, or materials, and may include the contractor's business office.
 - (2) Fuel storage – An establishment that includes "fuel storage tanks" or any vessel or tank that stores gases or liquids, including fuel products such as gasoline, diesel fuel, heating oil, natural gas, natural gas liquids, propane, synthetic gas, or similar products.
 - (3) Grain storage - Bulk storage, drying, or other processing of grain and livestock feed or storage and sale of fertilizer, coal, coke, or firewood with adequate control of dust and particulates during all operations.
- B. Trucking and transportation terminal - Uses engaged in the dispatching and long-term or short-term storage of trucks, buses, and other vehicles, including parcel service delivery vehicles, taxis, and limousines. Minor repairs and maintenance of vehicles stored on the premises are also included. Includes uses engaged in moving household or office

furniture, appliances, and equipment from one location to another, including the temporary on-site storage of those items.

- C. Warehouse - Uses conducted within a completely enclosed building engaged in long-term and short-term storage of goods that do not meet the definition of a "self-service storage facility" or a "trucking and transportation terminal."
- D. Wholesale sales and distribution - Uses engaged in wholesale sales, bulk storage, and distribution of goods. Such uses may also include incidental retail sales and wholesale showrooms.
 - (1) Limited wholesale sales and distribution facilities, excluding fuels and other flammable liquids, solids, or explosives held for resale and the bulk storage or handling of fertilizer, grain, and feed.
 - (2) Wholesale sales and distribution facilities, including fuels and other flammable liquids, solids, or explosives held for resale and the bulk storage or handling of fertilizer, grain, and feed.

§ 33. Industrial use category.

This category includes uses that produce goods from extracted and raw materials or recyclable or previously prepared materials, including the design, storage, and handling of these products and the materials from which they are produced. The industrial subcategories are:

- A. Artisan industrial - On-site production of goods by hand manufacturing, involving hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations or storage. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing, and similar arts and crafts or very small-scale manufacturing with no negative external impacts on surrounding properties.
- B. Limited industrial - Manufacturing and industrial uses that process, fabricate, assemble, treat, or package finished parts or products without explosive or petroleum materials. Uses in this subcategory do not involve assembling large equipment and machinery. As a result, they have minimal external noise, vibration, odor, hours of operation, and truck and commercial vehicle traffic impacts.
 - (1) Cannabis Processing Facility - an entity licensed by the Maryland Cannabis Administration that (a) transforms the cannabis into another product or extract and (b) packages and labels cannabis.
 - (2) Micro-Producers beer, wine, I distilled spirits – limited on-site production of wine, beer, or distilled spirits permitted under a Class 7 miro-brewery license or Class 9 limited distillery license issued by the State and in compliance with the requirements of the Federal Alcohol and Tobacco Tax and Trade Bureau (TTB).

Depending on the product produced and the specific permit and license held, the facility may be allowed limited sales for on-premises consumption, sell products to go, and sell to a wholesaler for resale to restaurants and retailers. Uses accessories for on-site production, such as tasting rooms for the consumption of beer, wine, or distilled products, may be permitted on the premises if allowed by a state license and in conjunction with the principal on-site production use.

- C. General industrial - Manufacturing and industrial uses that process, fabricate, assemble, or treat materials for the production of large equipment and machines, as well as industrial uses that, because of their scale or method of operation, regularly produce odors, dust, noise, vibration, truck/commercial vehicle traffic or other external impacts that are detectable beyond the property lines of the subject property.
- D. Junk or salvage yard - An area or building where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled for reclamation, disposal, or other like purposes, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles.
- E. Fuel storage – This subcategory includes fuel storage tanks with a capacity of 1,000 gallons or greater, individually or in the aggregate, whether accessory to an industrial operation or the principal use of the property. This category does not include fuel storage tanks with a capacity of 1,000 gallons or less, either individually or in the aggregate, intended for residential home heating and cooking use only and located on the same lot as the principal use.

§ 34. Recycling use category.

This category includes uses that collect, store, or process recyclable material for marketing or reusing the material in manufacturing new, reused, or reconstituted products.

- A. Recyclable material drop-off facility - An establishment that accepts recyclable consumer commodities directly from the consuming party and stores them temporarily before transferring them to recyclable material processing facilities. Recyclable commodities shall be limited to non-hazardous, non-special, homogeneous, non-putrescible materials such as dry paper, glass, cans, or plastic. The term "recyclable material drop-off facility" as used in this Ordinance shall not include general construction or demolition debris facilities and/or transfer stations, facilities located within a structure principally devoted to another use, facilities temporarily located on a lot under the authority of temporary use, and facilities for collecting used motor oil which are necessary to an automobile service station. Establishments that process recyclable material are classified as "recyclable material processing facilities."

- B. Recyclable material processing - Establishments that receive and process consumer-recyclable commodities for subsequent use in the secondary market.

§ 35. Agricultural use category.

This category includes gardens, farms, orchards, and the like that involve the raising and harvesting of food and non-food crops.

- A. Agriculture, animal production - The (principal or accessory) use of land to keep or raise farm animals. Animal production is expressly prohibited in the Town.
- B. Agriculture, crop production - The use of land for growing, raising, or marketing plants to produce food, feed, fiber commodities, or non-food crops. Examples of crop agriculture include cultivation and tillage of the soil and harvesting agricultural or horticultural commodities. Crop agriculture does not include community gardens or raising or keeping farm animals. This category includes all buildings and structures associated with agricultural uses.
- C. Agriculture, buildings, and structures – Agriculture uses are associated with growing crops and raising livestock or poultry for personal consumption only and not for commercial sale. The usual agricultural structures and uses customarily used in farming activities, such as farm dwellings, commercial and noncommercial greenhouses, and barns, are included.
- D. Community garden - An area managed and maintained by a group of individuals to grow and harvest food crops or non-food crops (e.g., flowers) for personal or group consumption, donation, or sale that is occasional and incidental to the growing and harvesting of food crops. A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or farmed collectively by group members. In addition, a community garden may include common areas (e.g., hand tool storage sheds) maintained and used by the group. Community gardens may be principal or accessory uses located at grade (outdoors), roof, or building. Community gardens do not include the raising or keeping of farm animals.
- E. Indoor plant cultivation - A building or structure and the associated premises used to grow plants under a roof. The use may include accessory storage and processing of plants grown on-premises. Included in this category are greenhouses and hydroponic facilities.
 - (1) Cannabis growing facility - an entity that cultivates, manufactures, packages, or distributes cannabis to licensed processors, licensed dispensaries, or registered independent testing laboratories.

§ 36. Other use category.

This category includes uses that do not fit the other use categories.

- A. Drive-in or drive-through facility - Any use with drive-through windows or drive-through lanes or that otherwise offers service to the occupants of motor vehicles. Typical uses include drive-through restaurants, drive-through pharmacies, and drive-in restaurants.
- B. Temporary uses. Use of a building or premises for a purpose that does not conform to the regulations prescribed by this Ordinance does not involve erecting substantial buildings. However, it is permitted for a defined period.
 - (1) Temporary Use, Emergency – Structures and/or use for emergency public health and safety needs/land use activities.
 - (2) Temporary Use, Construction - On-site contractors' mobile homes used in conjunction with an approved construction project on the same site.
 - (3) Temporary Use, Sale - One trailer or using one building as a temporary field or sales office in connection with building development.

§ 37. Accessory use category.

- A. The category includes uses or structures subordinate to the principal use and customarily incidental to the principal use.
- B. General regulations. The general regulations of this subsection apply to all accessory uses and structures unless otherwise expressly stated.
 - (1) Accessory uses and structures are permitted with the lawfully established principal uses.
 - (2) The Planning Commission is authorized to determine when a use, building, or structure meets the criteria of an accessory use or accessory structure. To classify a use or structure as an "accessory," the Planning Commission must determine that the use or structure:
 - (a) is subordinate and incidental to the principal structure or principal use served in terms of area and function;
 - (b) provides a necessary function for or contributes to the comfort, safety, or convenience of occupants of the principal use; and
 - (c) is customarily found in association with the principal subject use or principal structure.

- (3) Time of Construction and Establishment. Accessory buildings may be established in conjunction with or after the principal building is completed. However, they may not be established before the principal building is in place.

§ 38. Permissible uses not requiring permits.

Notwithstanding any other provisions of this Zoning Ordinance, no zoning or special-exception permit is necessary for the following uses:

- A. Streets.
- B. Access driveways to an individual detached single-family dwelling.
- C. Essential Services and Public Utilities.

§ 39. Reserved.

§ 40. Reserved.

ARTICLE VII – BUILDING AND BULK REGULATIONS.**§ 41. Table of height, area, and bulk requirements.**

The following table of height, area, and bulk requirements shall apply except as may be otherwise provided in this Ordinance.

§ 41. Table of height, area, and bulk requirements.						
	Minimum		Yards/Setback			Max.
Zoning District	Lot Area per unit (square feet)	Lot Width per unit (feet)	Front (feet)	Side (feet)	Rear (feet)	Height (feet)
R-1						
Detached Single-family Unit	8,000	60	25	10	25	40
Duplex	4,000	30	25	10	25	40
Other ¹	8,000	60	25	10	25	40
R-2						
Single-family dwelling	8,000	60	25	10	25	40
Duplex	4,000	30	25	10	25	40
Townhouse	1,500	16	25	10	25	40
Multi-family	4,800	100	35	15	30	40
Other ¹	8,000	60	25	10	25	40
C-1						
Nonresidential	None	None	0	None ²	15	40
Detached Single-family Unit	8,000	60	25	10	25	40
Multi-family	4,800	100	35	15	30	40
C-2						
Detached Single-family Unit	8,000	60	25	10	25	40
Nonresidential	15,000	100	40	15	25	40
A						
Detached Single-family Unit	43,560	150	60	25	60	40
M						
Nonresidential	43,560	150	60	25	60	40
¹ Unless otherwise required by applicable regulations.						
² A side yard of fifteen (15) feet is required adjacent to a residential building or district.						

§ 42. Height regulations.

- A. Height regulations shall not apply to spires, belfries, cupolas, or domes not used for human occupancy, chimneys, ventilators, skylights, water tanks, bulkheads, grain elevators, or storage tanks, utility poles or communications towers, or necessary mechanical appurtenances.

§ 43. Lot requirements.

- A. Lot depth and width, how measured.

- (1) The depth of a lot shall be considered the distance between the midpoints of straight lines connecting the foremost points of the side lot lines and the rearmost points of the side lot lines.
- (2) A lot's width shall be considered the shortest straight line distance between the two side lot lines.

- B. Measurement of setbacks from structures.

All setbacks shall be measured from the foundation or base of the structure involved at ground level, except where some part of the structure shall overhang the foundation or base by more than four (4) feet, in which case the setback shall be measured from the vertical projection to the overhang at ground level.

- C. Required yard setbacks.

Unless otherwise indicated, all lots shall have front, side, and rear yards as outlined herein. No principal building or structure or part thereof and, when specified, no principal use of land shall occupy any required yard or other setbacks except as a variance granted by the Board of Appeals or may be otherwise permitted in the Ordinance.

- D. Required yards not to be reduced.

- (1) No lot shall be reduced in area to make any yard or any other open space less than the minimum required by this Ordinance. If already less than the minimum required, such yard or open space shall not be further reduced except by the approval of the Board of Appeals per the provisions in Article II or projects approved by the Planning Commission in Community Infill and Redevelopment District or Cottage Housing Development.
- (2) No part of a yard or other open space provided about any building, structure, or use to comply with the provisions of this Ordinance shall be considered as part of a yard or other open space required under this Ordinance for another building,

structure or use, except as provided for projects approved by the Planning Commission in the Community Infill and Redevelopment District or Cottage Housing Development.

E. Lots used in combination.

When two or more contiguous lots are in single ownership, they may be considered as a single lot for purposes of calculating lot and setback requirements, provided that the deeds for such lots are amended or a Deed of Consolidation is executed and recorded to show that such lots may be transferred only as a unit.

F. Corner Lot Restrictions. All sides facing a street must comply with the applicable front setback on corner lots. The sides of the lot that do not face a street must comply with applicable side yard setbacks.

G. Front Yards on Through Lots and Adjacent to Bodies of Water.

- (1) In any district where a lot runs through a block from street to street and a front yard is required, a front yard shall be provided along each street.
- (2) In any district where a lot lies between a street and a body of water, the front yard shall be the side of the lot adjacent to the street.

§ 44. Minimum lot frontage.

- A. Except as may otherwise be provided in the Ordinance, no structure shall be erected or placed on any lot unless said lot has a minimum lot frontage as provided in § 41 on a public street, road, right-of-way, or private dedicated right-of-way, but not an alley.
- B. The term "frontage" means breadthwise and not lengthwise and has reference to that part of a lot that fronts on or is bounded by a public street, road, or place; it is not synonymous with "mean width."

§ 45. Yard setback modifications.

Every part of a required yard shall be open to the sky, except the features outlined in the following paragraphs, which may extend into minimum required yards as specified.

A. The following shall apply to any structure:

- (1) Cornices, canopies, awnings, eaves, or other similar features, all of which are at least ten (10) feet above finished ground level, may extend three (3) feet into any minimum required yard but not closer than five (5) feet to any lot line.
- (2) Sills, leaders, belt courses, chimneys, and similar ornamental features may extend twelve (12) inches into any minimum required yard.

- (3) Open balconies, fire escapes, fire towers, uncovered stairs and stoops, air conditioners, and heat pumps, none of which are more than ten (10) feet in width, may extend five (5) feet into any minimum required yard, but no closer than five (5) feet to any lot line.
- (4) Bay windows, chimneys, and small solar energy systems or heating equipment may project a distance not to exceed three (3) feet, provided that such features do not occupy, in the aggregate, more than one-third of the length of the wall on which they are located.
- (5) Window air-conditioning units may project a distance not exceeding twenty-four (24) inches into a required yard.
- (6) Carports may extend five (5) feet into any minimum required side yard, but no closer than six (6) feet to any side lot line and not closer than ten (10) feet to a principal structure on an adjacent lot, subject to the following:
 - (a) A carport may be freestanding or attached to another structure.
 - (b) A carport cannot exceed 1,000 square feet in area or one story in height and must be open on two or more sides except for structural supports.
 - (c) There can be no enclosed use above a carport.
 - (d) Any structure that does not meet the above definition must comply with all regulations relating to a private garage.
- (7) Any roofed deck with no part of its floor higher than four (4) feet above finished ground level may extend into the minimum required yards as follows:
 - (a) Front yard: six (6) feet, but no closer than ten (10) feet to a front lot line.
 - (b) Side yard: five (5) feet, but no closer than five (5) feet to any side lot line.
 - (c) Rear yard: twelve (12) feet, but no closer than five (5) feet to any rear lot line and no closer than a distance equal to the minimum required side yard to the side lot line.

B. Front yard modifications.

- (1) Where twenty-five percent (25%) or more of the street frontage along the block face where the property in question is located is improved with residential units that front on the block face and have a front yard that is greater or less than the required front yard in the district, no building shall project beyond the average front yard so established. The average front yard shall be considered a build-to line, and new principal buildings shall be within five (5) feet of an established build-to line.

- (2) Where forty percent (40%) or more of the street frontage is improved with buildings with no front yard, no front yard shall be required for the remainder of the street frontage in the block face.

§ 46. Variance of Front Yard Requirements to Preserve Existing Building Line.

In all districts, on streets where existing buildings and structures create a clearly defined setback line, a new building may be located in such a manner as to preserve the existing building setback line, even though such a building may not provide for the entire front yard required herein.

§ 47. Fences.

Fences and walls erected in conformance with this Section shall not be subject to setback requirements from property lines. Such fences and walls may be located in the established yards in any zoning district as follows:

- A. Fences and walls not exceeding four (4) feet in height above the elevation of the ground's surface may be located in or enclose any front yard, but not beyond the property line. Ornamental front yard fence gates, finials, or other ornamental posts shall not exceed four and a half (4 ½) feet.
- B. Fences and walls not exceeding eight (8) feet in height above the elevation of the ground's surface may be located in or enclose any rear yard or side yard area.
- C. Notwithstanding the provisions set forth above, any fence or wall located in any yard that abuts the State Highway right-of-way for Route 50 may be eight (8) feet above the elevation of the ground's surface.
- D. A variance granted by the Board of Appeals is required for any fence or wall above the height limitations established herein.

§ 48. Structures to have access.

Every building hereafter constructed, located, or enlarged shall be on a lot adjacent to a public street or road or with access to an approved private street, and all structures shall be so located as to provide safe and convenient access for servicing, fire protection equipment, and required off-street parking.

§ 49. Traffic Visibility.

- A. There shall be a clear line of site at the intersection of all street or access driveway intersections sufficient along the predominant highway or street to avoid the hazard of

collision between a vehicle starting to cross the highway or street or turning into the intersecting highway from a stop position and a vehicle on the through road operating at design speed and appearing after the crossing or turning movement has begun.

- B. Generally, on a corner lot, nothing shall be erected, placed, planted, or allowed to grow in such a manner as to impede vision between a height of two and a half and ten feet above the center line grades of the intersection streets, in the area bounded by the street edges of such corner lots and a line joining points along said street lines and fifty (50) feet from the point of intersections. Where a difference in grade may impede vision, even with a height limit of two and a half and ten feet above the center line grades, the Planning Commission may further limit the height of anything erected, placed, planted, or allowed to grow in such a manner as to ensure a clear sight line.
- C. A study conducted by a transportation professional using methods acceptable to the Maryland State Highway Administration shall be the basis for setting the intersection traffic visibility requirement for streets or access driveways that intersect with US 50.

§ 50. Lots of record in residential districts.

In any residential district, a single-family dwelling may be located on any lot or plat of official record as of the effective date of this Ordinance and in separate ownership from any adjacent lot, regardless of its area or width, subject to the following requirements:

- A. No side yard shall be less than five (5) feet, and the sum of the side yard widths shall be at least ten (10) feet.
- B. The depth of the rear yard shall be no less than fifteen (15) feet.
- C. The depth of the front yard setback shall be no less than ten (10) feet or comply with a build-to line established per § 44.

§ 51. Reserved.

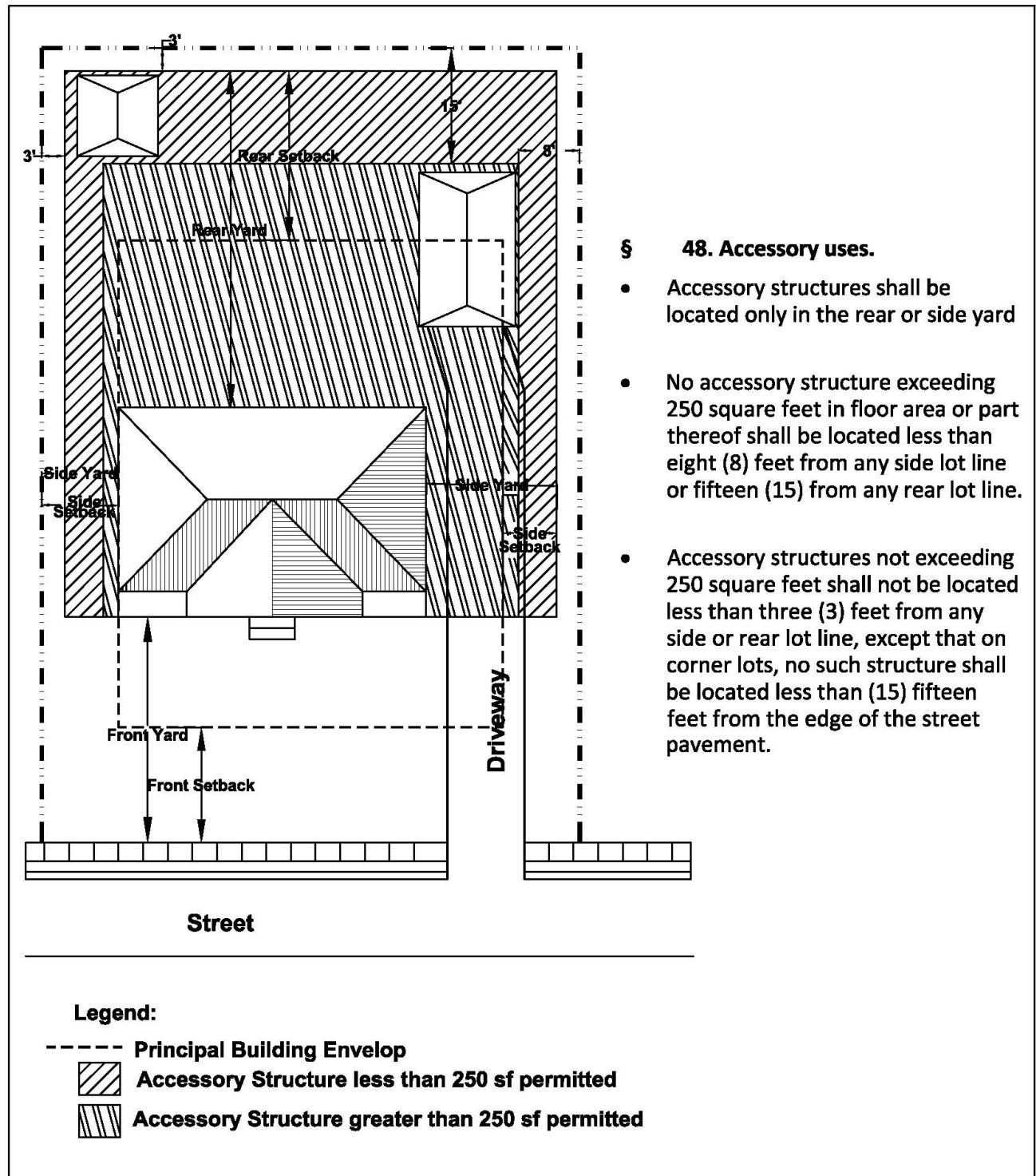
§ 52. Reserved.

ARTICLE VIII - SUPPLEMENTAL USE STANDARDS

This Title contains regulations for specific uses that supplement the requirements found in other articles of this Ordinance. The following supplementary use regulations apply to both specific uses permitted by right and to uses permitted by special exception.

§ 53. Accessory uses.

- A. The following provisions shall apply to accessory structures:
 - (1) Accessory structures shall be located only in the rear or side yard, except for signs allowed herein.
 - (2) No accessory structure exceeding 250 square feet in floor area or part thereof shall be located less than eight (8) feet from any side lot line or fifteen (15) feet from any rear lot line.
 - (3) Accessory structures not exceeding 250 square feet shall not be located less than three (3) feet from any side or rear lot line, except that on corner lots, no such structure shall be located less than (15) fifteen feet from the edge of the street pavement (See Diagram below).
- B. In addition to the accessory uses addressed in A, the following accessory uses and structures shall be permitted in the “A” Agriculture district:
 - (1) Permanent residences for custodial quarters.
 - (2) Living quarters for persons employed on the premises.
 - (3) Roadside stands.
 - (4) A guesthouse provided that such a house is used exclusively for nonpaying guests. No such guesthouse shall be used for permanent residence, rented, or sold separately from the principal dwelling.



§ 54. Accessory dwelling units (ADUs).

- A. Where permitted, there shall be no more than one accessory dwelling unit per lot, provided such accessory dwelling unit shall comply with the following standards.
- B. Location. An accessory dwelling unit may only be on the same lot as a detached single-family dwelling.
- C. Design Standards
 - (1) Purpose. Standards for creating accessory dwelling units address the following purposes:
 - (a) Ensure that accessory dwelling units are compatible with the desired character and livability of residential districts;
 - (b) Respect the general building scale and placement of structures to allow sharing of common space on the lot, such as driveways and yards; and
 - (c) Ensure accessory dwelling units are smaller than the main residential unit.
 - (2) Creation. An accessory dwelling unit may only be created through the following methods:
 - (a) Converting existing living area, attic, or basement;
 - (b) Adding floor area to an existing dwelling;
 - (c) Construction of a stand-alone unit or
 - (d) Adding onto an existing accessory building (e.g., an apartment in an existing garage).
 - (3) Location of Entrances. Only one entry may be located on the front facade of the principal dwelling facing the street unless the principal dwelling contained additional front facade entrances before the accessory dwelling unit was created.
 - (4) Parking.
 - (a) No additional parking space is required for the accessory dwelling unit if on-street parking is permitted and adequate.

- (b) One additional parking space located on or within one hundred (100) feet of the lot is required for the accessory dwelling unit: (1) when none of the roadways in abutting streets can accommodate on-street parking or (2) when the accessory dwelling unit is created at the same time as the principal dwelling.
- (5) Maximum Size. The size of an accessory dwelling unit may be no more than sixty (60) percent of the living area of the principal dwelling or one thousand (1,000) square feet of floor area, whichever is less.
- (6) Accessory dwelling units created through the addition of floor area must meet the following standards:
 - (a) The exterior finish material must be the same or visually match the type, size, and placement of the principal dwelling's exterior finish materials.
 - (b) The roof pitch must be the same as the predominant roof pitch of the principal dwelling. However, the Board of Appeals may permit a different roof pitch if needed due to the shape of the roof on the existing principal dwelling if it determines that the proposed roof pitch will maintain a compatible appearance.
 - (c) Trim on the edges of elements on the addition must visually match the type, size, and location of the trim used on the rest of the principal dwelling.
 - (d) Windows must match the proportion and orientation of those in the principal dwelling.
 - (e) Eaves must project from the building walls the same distance as the eaves on the rest of the principal dwelling.

§ 55. Adult-Oriented Business Restrictions.

See Section 20 of the Trappe Town Code for definitions and approval requirements.

§ 56. Agriculture.

- A. Agriculture uses associated with growing crops and raising livestock or poultry are permitted, provided that raising livestock or poultry shall be for personal consumption only and not for commercial sale. The usual agricultural structures and uses customarily

used in farming activities, such as farm dwellings, commercial and noncommercial greenhouses, and barns, are included.

- B. Any barn or structure that houses animals shall be located at least two hundred (200) feet from any property line and four hundred (400) feet from any residential dwelling not on the property.

§ 57. Bed and Breakfast Inns.

- A. Any Bed and Breakfast operation structure must meet all applicable fire, safety, and health codes and regulations. In addition, a Bed and Breakfast shall be subject to all town, federal, state, and county laws and regulations applicable to room rentals.
- B. Each Bed and Breakfast establishment must provide two (2) parking spaces plus one (1) additional space for each room that may be provided. The parking spaces are to be located on the property in such a manner as to minimize any adverse impact upon the property's appearance and to minimize the destruction of shrubs and trees readily visible from a public way. The Board of Appeals shall specify appropriate buffers to separate parking areas from adjoining residential properties in granting a Special Exception for a Bed and Breakfast establishment.
- C. The structure in which the Bed and Breakfast operation takes place shall be the principal residence of the owner of the property.
- D. Meals for guests shall be limited to breakfast provided in an area of the dwelling generally utilized by the resident family for food consumption. Meal service shall be subject to the Talbot County Health Department's approval of food preparation areas.
- E. No person shall be a guest in a Bed and Breakfast operation for more than five (5) consecutive nights.
- F. All Bed and Breakfast uses shall have a Zoning Certificate issued by the Planning Commission.
- G. No more than five (5) rooms may be rented to guests, and no room may be occupied by more than two guests, excluding minor children. In all cases, the number of rooms available for rental shall not exceed thirty-five (35%) of the gross habitable floor area of the building. "Gross habitable floor area" shall be defined as the entire floor area of the interior of the building, but shall not include garages, attics, basements, and storage areas.
- H. Any structure used as a Bed and Breakfast must provide lavatory and bathing facilities specifically for the guests' use. Such lavatory and bathing facilities shall be in addition to those used by the property owners.

§ 58. Cannabis Dispensaries, Cannabis Growing Facilities, Cannabis Processing Facilities

A. Cannabis Dispensary

- (1) A cannabis dispensary shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR 10.62.01 to 10.62.35 and Title 36 of the Alcoholic Beverages Article of the Maryland Annotated Code.
- (2) No cannabis dispensary shall be permitted within five hundred (500) feet (measured from the closest portion of the affected properties) of any of the following uses: Schools, child care centers, playgrounds, recreation centers, libraries, places of worship, or public parks. No cannabis dispensary shall be located within one-half mile (measured from the closest portion of the affected properties) of another cannabis dispensary.
- (3) No licensed cannabis dispensary may be located within one hundred (100) feet of an area zoned for residential use.

B. On-Site Consumption. A location that is licensed pursuant to Section 36-407 of the Alcoholic Beverages Article of the Maryland Annotated Code to distribute cannabis or cannabis products for on-site consumption other than consumption by smoking indoors, which is prohibited.

- (1) Prohibited. It shall be prohibited for an On-Site Consumption Establishment to operate within the corporate limits of the Town of Trappe. No license or permit shall be issued at any time that authorizes said operation. It shall further be prohibited for any establishment to permit the consumption, smoking, vaping, or otherwise ingesting cannabis or cannabis products on-site.
- (2) Penalties. A person who operates, or causes to be operated, an establishment that allows for on-site consumption of cannabis or cannabis products is in violation of this Article and shall be subject to the following penalties and/or remedies:
 - (a) A violation of this Article shall be a municipal infraction subject to the penalties and remedies set forth in § 10 of this Ordinance.
 - (b) Each day that any violation continues after receipt of a written notice of such violation shall constitute a separate violation and a separate offense for purposes of the penalties and remedies specified herein.
 - (c) In addition to the penalties above, the Town may institute any appropriate action or proceedings to prevent, restrain, correct, or abate a violation of this Section, as provided by law, including but not limited to injunctive relief.

C. Cannabis Growing Facility.

- (1) A cannabis growing facility shall be licensed and operate in accordance with State of Maryland regulations for such use pursuant to COMAR 10.62.01 to 10.62.35 and Title 36 of the Alcoholic Beverages Article of the Maryland Annotated Code.
- (2) A growing facility shall not be less than five hundred (500) feet from any dwelling, school, church, or other structure intended for human occupancy.

§ 59. Chickens Within Residential Districts.

Keeping chickens (excluding roosters or crowing hens) shall be permitted only for personal enjoyment for household use, not as a business, and only as outlined in this subsection. The keeping and maintaining of chickens shall be permitted upon properties in the R-1 and R-2 Districts where a single-family residence is located and on a property that has a minimum lot size of 8,000 square feet and is subject to the following requirements:

- A. No person shall keep chickens within the Town without obtaining a permit from the Town office. The property owner shall also register the chickens through the Maryland Poultry Premises Registration Program with the Maryland Department of Agriculture and provide the Town with a copy of such registration annually.
- B. A maximum of twelve (12) chickens are allowed on any one property.
- C. All chickens shall be kept in the backyard only and in a secure enclosure or coop. The enclosure or coop shall be constructed, repaired, and maintained in a manner that is free of all odors and prevents rodents from being harbored underneath, within, or within the walls of the enclosure. All coops or enclosures must meet the required setbacks for minor accessory structures for the property's underlying zoning. Enclosures shall not exceed six (6) feet in height above grade. The maximum allowable footprint for an enclosure or coop, including a surrounding fence, is two hundred and fifty (250) square feet.
- D. All enclosures or coops shall be kept in a clean and sanitary condition at all times, and the owner of an enclosure shall, as often as necessary, remove the accumulations of manure or other excreta to prevent the same from becoming a public nuisance.
- E. All feed for animals shall be stored in predator-proof containers.
- F. If, at any time, it appears that the keeping of any chicken creates a nuisance, the Town's designee may, whether or not a permit has been issued, order the owner to abate the nuisance and/or remove the chicken(s) from the Town of Trappe. If an owner fails to abate the nuisance and/or remove said chickens in the time provided in the notice, the Town's designee may summarily remove the chickens and abate the nuisance.

- G. No person shall slaughter any chickens on the property.
- H. Violations of the provisions of this subsection shall be punishable as a municipal infraction.

§ 60. Cottage Housing Development.

- A. Definitions.
 - (1) Cluster - A group of four (4) to twelve (12) cottages arranged around a common open space.
 - (2) Common open space - An area improved for passive recreational use or gardening. Common open spaces must be owned and maintained through a homeowners' or condominium association or similar mechanism.
 - (3) Cottage - A single-family detached dwelling unit part of a cottage housing development.
 - (4) Cottage Housing Development – A cluster of four to twelve cottages developed under a single master land development plan or as part of another land development plan.
 - (5) Footprint - The gross floor area of a cottage's ground-level story.
- B. Minimum Land Area. The minimum land area shall be one (1) acre.
- C. Density.
 - (1) The maximum allowable density is one (1) unit per 3,600 square feet.
 - (2) The Planning Commission may permit more than one cottage housing development on a parcel of record or assembled parcels of two (2) acres or larger.
- D. Cottage clusters. The minimum and the maximum number of cottage units permitted shall be as follows:
 - (1) Minimum units per cluster: 4
 - (2) Maximum units per cluster: 12
- E. Community Assets.
 - (1) Common open space
 - (a) Each cluster of cottages shall have a common open space to provide residents with a sense of openness and community.

- (b) Each cluster requires at least four hundred (400) square feet per cottage of common open space.
 - (c) Each common open space area shall be in one continuous and usable piece.
 - (d) To be considered part of the minimum open space requirement, an area of common open space must have a minimum dimension of twenty (20) feet on all sides.
 - (e) The common open space shall be at least three thousand (3,000) square feet in area, regardless of the number of units in the cluster.
 - (f) Required common open space may be divided into no more than two separate areas per cluster.
 - (g) At least two sides of the common open area shall have cottages along its perimeter.
 - (h) Parking areas, yard setbacks, private open spaces, and driveways do not qualify as common open spaces.
 - (2) Community Building
 - (a) Community buildings are permitted.
 - (b) Community buildings shall be incidental in use and size to dwelling units.
 - (c) The height of the community building shall be no more than one story.
- F. Ownership.
- (1) Community buildings, parking areas, and common open spaces shall be owned and maintained by the residents through a condominium association, a homeowners' association, or a similar mechanism. They shall not be dedicated to the Town.
 - (2) Ownership documents shall be reviewed and approved by the Town Attorney.
- G. Design.
- (1) Cottage Size
 - (a) The gross floor area of each cottage shall not exceed 1,200 square feet.
 - (b) Cottage areas that do not count toward the gross floor area or footprint calculations are:

- (i) Interior spaces with a ceiling height of six feet or less, such as in a second-floor area under the slope of the roof;
 - (ii) basements;
 - (iii) architectural projections—such as bay windows, fireplaces, or utility closets—no greater than twenty-four (24) inches in depth and six (6) feet in width;
 - (iv) attached unenclosed porches; and
 - (v) garages or carports;
- (2) Unit Height. The maximum height of cottage housing units shall be twenty-six (26) feet.
- (3) Orientation of Cottages
 - (a) Each dwelling unit shall be clustered around a common open space. Each unit shall have a primary entry and a covered porch oriented to the common open space.
 - (b) Lots can abut either a street or an alley.
 - (c) Each unit abutting a public street (not including alleys) shall have a façade, secondary entrance, porch, bay window, or other architectural enhancement oriented to the public street.
- (4) Cottage Setbacks
 - (a) The minimum setbacks for all structures (including cottages, parking structures, and community buildings) in a CHD are:
 - (i) Ten (10) feet from any public right-of-way.
 - (ii) Ten (10) feet from any other structure.
 - (b) Cottages shall be no more than twenty-five (25) feet from the common open area, measured from the façade of the cottage to the nearest delineation of the common open area.
 - (c) No part of any structure in the CHD (including but not limited to cottages, parking structures, and community buildings) shall be more than one hundred fifty (150) feet, as measured by the shortest clear path on the ground, from fire department vehicle access.
- (5) Porches

- (a) Cottage units shall have covered front porches. The front porch shall be oriented toward the common open space.
- (b) Covered porches shall have at least sixty (60) square feet.
- (6) Basements. Cottages may have basements.

H. Parking.

(1) Minimum Number of Off-Street Parking Spaces

- (a) Units up to seven hundred (700) square feet: one (1) space per dwelling unit.
- (b) Units 701-1,000 square feet: One and a half (1.5) spaces per dwelling unit, rounded up to the whole number.
- (c) Units with more than one thousand (1,000) square feet: two (2) spaces per dwelling.
- (d) Additional guest parking shall be included. A minimum of one-half (0.5) guest parking spaces per dwelling unit, rounded up to the whole number, shall be provided for each cottage cluster. Guest parking may be clustered with resident parking; however, the spaces shall include clear signage identifying them as reserved for visitors.
- (e) The requirement for off-street parking may be waived or reduced by the Planning Commission if sufficient on-street parking is available.

(2) Parking Design

- (a) Parking shall be separated from the common area and public streets by landscaping and/or architectural screening. Solid board fencing shall not be allowed as an architectural screen.
- (b) Parking areas shall be accessed only by a private driveway or a public alley.
- (c) The design of garages and carports, including rooflines, shall be similar to and compatible with the cottage units.
- (e) Parking areas shall be limited to five (5) contiguous spaces.

I. Walkways.

- (1) Shall have sidewalks along all public streets.
- (2) A system of interior walkways shall connect each cottage, parking area, and sidewalks abutting any public streets bordering the development.

- (3) Walkways and sidewalks shall be at least four (4) feet in width.
- J. Flexibility. The Planning Commission may approve modifications to the design standards outlined in subsections G through I where it finds the modification(s) do not materially change the project design from that intended by the standard(s).
- k. Project Plan Application and Approval.
 - (1) Information: The following must be submitted as part of the application. This information must be presented on plans of professional quality.
 - (a) A tabulation of the total acreage of the site and the percentages to be designated for various uses, i.e., parking, residential units, open space or common space, streets, etc.
 - (b) Proposed circulation pattern, including private driveways, public and private streets, and pedestrian paths.
 - (c) Parks, common open spaces, playgrounds, and other public or private recreation facilities and improvements proposed within the project.
 - (d) Project plan; general location of all dwellings and other structures.
 - (e) Perspectives or elevations of typical exterior design are presented for all building types.
 - (f) Conceptual landscaping plans showing all plant materials' types, sizes, and locations.
 - (g) Dimensioned parking layout showing the location of individual parking stalls and all areas of ingress or egress.
 - (h) Evidence that the applicant has sufficient control over the subject property to effectuate the proposed plan in the manner presented.
 - (2) The Planning Commission will review the application to determine if it is complete or requires additional information. The Planning Commission will conduct a public hearing according to § 10 of this Ordinance to review the application if it is complete.
 - (3) Planning Commission Review: The Planning Commission may approve, approve with conditions, or deny the application. In granting such approval, the Planning Commission may impose specific conditions as site development, phasing, and building construction or maintenance and operation, as it deems necessary to protect the health, safety, and welfare of the Town's residents.
- L. Amendments and Modifications.

- (1) Any amendments to the development plan shall be accomplished in the same manner as the original application.
- (2) Revised text and/or plans shall be submitted to the Planning Commission and reviewed as the initial application.

M. Variations to Zone Permitted

- (1) The Planning Commission may permit variations from the development standards of the existing zone, provided the variations are expressly approved and adopted as part of the approved development plans and other supporting documents.
- (2) Variations shall not include changes in the permitted uses allowed by the zone except to the extent set forth herein.

§ 61. Farm Animals and Exotic Animals Prohibited.

- A. Except, as provided in subsection C, the keeping of farm animals is prohibited in any zoning district other than the Agricultural ("A") District.
- B. No property owner shall allow any exotic animal described and regulated according to Md. Code Ann. Criminal Law Article § 10-621 to be kept, possessed, or maintained in any zoning district.
- C. Notwithstanding the provisions of A and B above, nothing outlined in this subsection shall prevent an animal from being treated, kept, or maintained in a veterinarian clinic, animal shelter, or animal sanctuary where such use is authorized and permitted under this Zoning Ordinance.

§ 62. Home-based Business (Home Occupation).

Home-based businesses, where permitted, shall be subject to the following requirements:

- A. Two types of home-based businesses are Type 1 and Type 2. Uses are allowed as a home-based business only if they comply with this Ordinance's requirements.
 - (1) Type 1. A Type 1 home-based business is when the residents use their home as a place of work; however, no employees or customers come to the site.
 - (2) Type 2. A Type 2 home-based business is where one employee (residing outside the dwelling) or customers/clients come to the site. Examples are counseling, tutoring, and other such instructional services.

- B. Permitted home-based businesses. The Planning Commission is authorized to determine when a use, building, or structure is a permitted Type 1 or Type 2 home-based business based on the description outlined in subsection A.
- C. A Type 2 home-based business shall conform to the following minimum requirements:
 - (1) Operational Standards
 - (a) Conditions of approval established by the Planning Commission shall specify the hours of operation, the maximum number of customer/client visits that may occur on any day, and the maximum number of customers/clients present during hours of operation.
 - (b) A Type 2 home-based business shall have no more than one (1) nonresident employee on the premises at any time. The number of nonresident employees working at locations other than the home-based business is not limited.
- D. The home-based business shall be limited to the parking/storing of one (1) commercial vehicle on the premises, not exceeding 15,000 pounds gross vehicle weight.
- E. Type 1 home-based businesses are not required to provide additional parking beyond what is required for residential use. Type 2 home-based businesses shall provide two (2) hard-surfaced, dust-free parking areas.
- F. The equipment used by the home-based business and the operation of the home-based business shall not create any vibration, heat, glare, dust, odor, or smoke discernable at the property lines. In addition, it shall not generate noise exceeding those permitted by State Code, create electrical, magnetic, or other interference off the premises, consume utility quantities that negatively impact the delivery of those utilities to surrounding properties, or use/or store hazardous materials in the quantities permitted in a residential structure.
- G. Site-Related Standards
 - (a) Outdoor activities.
 - (i) All activities must be in completely enclosed structures.
 - (ii) Exterior storage or display of goods or equipment is prohibited, except that the Planning Commission may allow the limited exterior display of goods where such display is not incompatible with the surrounding

residential area, e.g., display of artistic carvings, sculptors, decoys, and the like.

- (b) Appearance of structure and site. The dwelling and site must remain residential in appearance and characteristics. Internal or external changes that will make the dwelling appear less residential or functional are prohibited.
- (c) Signage shall be limited to one unlighted or indirectly lighted sign per address, not exceeding four (4) square feet, either mounted flush with and on the front facade of the dwelling unit or hung on an independent post.

§ 63. Micro-producers, wine, beer, or distilled spirits.

- A. Micro-producers of wine, beer, and/or distilled spirits shall hold an appropriate license issued by the State and the County Board of Liquor License Commissioners that allows the production of beer, wine, or liquor and operates consistent with the applicable license(s).
- B. Tasting rooms and on-site sales and consumption are permitted as accessories to on-site production operations and facilities. Products offered in tasting rooms and for on-site sales and consumption may only be supplied from the related production facilities.

§ 64. Manufactured Home.

A manufactured home outside a mobile park shall be permitted provided:

- A. The manufactured home complies with all Trappe and Talbot County code requirements applicable to residential units.
- B. The ownership interests of the manufactured home and the parcel of land it is affixed to are identical.
- C. An affidavit of affixation has been recorded with the clerk of the court for Talbot County
- D. The manufactured home is attached to a permanent block-and-base foundation with a crawl space height of at least 18 inches.
- E. The minimum roof pitch is 5/12.

§ 65. Mobile Homes.

No mobile home, whether placed singly upon an individual lot or placed in a mobile home park, shall be placed upon a site in any district except in conformity with the following provisions:

- A. All mobile homes shall be placed in approved mobile home parks.

- B. No mobile home, wherever located, shall be used as a dwelling except in compliance with all Talbot County Health Department's water supply and waste disposal requirements.
- C. No mobile home shall be placed less than two hundred (200) feet from the edge of the right-of-way for Maryland Route 50.
- D. All mobile home units shall be securely anchored to a permanent masonry foundation with wheels and undercarriage removed and skirts made of suitable, durable material.
- E. All mobile home units shall be subject to the off-street parking provisions of Article X and shall be deemed dwellings to calculate off-street parking requirements.
- F. Mobile homes shall be subject to the same density, height, bulk, area setback, and other requirements outlined in the district regulations for conventional construction buildings.

§ 66. Mobile Home Parks.

All mobile homes placed in mobile home parks, as defined in Article III, shall conform to the provisions of § 65. Mobile home parks shall be subject to the following additional provisions:

- A. No mobile home unit shall be less than fifty (50) feet from any park property line.
- B. Each mobile home space within the park shall be provided with electric and telephone outlets and such water and sewerage connections as shall be required by the Talbot County Health Department. In addition, there shall be adequate provision for solid waste collection and disposal, subject to Health Department requirements.
- C. If at any time a park abuts the property line of a lot or tract of land that is developed for other types of residential use, a solid, sturdy, opaque type fence at least eight feet in height shall be erected and maintained within the park along the entire length of such property line, except where such fence may interfere with traffic sight lines as shall be determined by the Zoning Administrator.
- D. The frontage of any park site that abuts a public highway or road or other public rights-of-way shall be screened from view by dense planting materials at least five (5) feet in height, except for required entrance and egress openings, except where such planning may interfere with traffic sight lines, as shall be determined by the Zoning Administrator.
- E. Interior roads and streets of all parks shall be of such construction and quality as to meet the standards set by the Town Regulations.
- F. Provisions shall be made for adequate drainage and sediment, and erosion control to meet such standards as shall be set by the Talbot County Public Works Department or the Town Commissioners, as appropriate.

- G. In granting special exceptions for mobile home parks, the Board of Appeals may require conditions to be met, such as additional fencing, screening, other landscaping, or additional setback requirements.
- H. No mobile home park shall be constructed, enlarged, or altered without a permit from the Planning Commission. Applications shall be submitted to the Town Clerk. Accompanying each application shall be evidence of approval by the Talbot County Health Department and such drawings and written materials as are necessary to show the location of the park, the layout of all mobile home sites within the park, the proposed location, and types of construction of all roads; existing and proposed landscaping; and the location of all fences, gates, utilities, and other pertinent structures.

§ 67. Portable Storage Containers; Large Refuse Containers.

- A. Definitions. For this Section, the following terms shall apply:
 - (1) "Large Refuse Containers" shall mean a refuse container with a capacity of over one (1) cubic yard used for the collection of garbage, rubbish, and/or refuse. In addition, no large refuse container shall have a storage capacity greater than forty (40) cubic yards and dimensions greater than eight (8) feet in width and height.
 - (2) "Portable Storage Container" shall mean a portable, weather-resistant receptacle for storing or shipping household goods, wares, building materials, or merchandise. No portable storage container shall have a storage capacity greater than 10,000 pounds and dimensions greater than sixteen (16) feet by eight (8) feet by eight (8) feet (16'x8'x8'). "Portable Storage Container" shall not include minor accessory structures or other structures as defined in Article II for which a building permit is required.
- B. It shall be unlawful for any person to place or permit the placement of a Large Refuse Container or a Portable Storage Container on a property which they own, rent, occupy, or control without first obtaining a permit and approval from the Zoning Administrator or the Planning Commission, where applicable.
- C. An application for a permit under this subsection shall be accompanied by the applicable fee, which the Council of Trappe may establish occasionally. A site drawing shows the location on the property where the unit will be placed, the size of the unit, and the distance to all applicable property lines and other buildings or structures. A separate permit shall not be required under this Article where the property owner has obtained a building permit, and in such instances, the building permit shall constitute the permit for the Portable Storage Container or Large Refuse Container

- D. A permit issued under this subsection shall be valid for the following periods:
- (1) Where the Portable Storage Container or Large Refuse Container is used in connection with a construction project until the expiration of a building permit, unless the Zoning Administrator has granted an extension. The unit shall be removed within fourteen (14) days of the expiration of the building permit or the issuance of a certificate of occupancy for the new construction.
 - (2) Where the Portable Storage Container or Large Refuse Container is not used in connection with an issued building permit, the permit shall be valid for ninety (90) days.
- E. No more than one (1) Portable Storage Container and one (1) Large Refuse Container shall be permitted on a lot at any given time without the express permission of the Planning Commission.
- F. Where the Portable Storage Container or Large Refuse Container is not used in connection with a construction project, no applicant shall receive more than one (1) permit for such unit for a twelve (12) month period.
- G. No container permitted under this subsection shall be placed in a way that obstructs traffic or traffic vision.
- I. All containers permitted under this subsection shall be maintained in a sanitary and safe condition, free from hazardous waste, materials, or noxious odors. All debris and trash shall be placed in the container. The applicant shall ensure that any Large Refuse Container is emptied when full and shall not permit any trash or rubbish to accumulate or be placed outside the container.
- J. Notwithstanding any other limitations outlined in this Section, a property located in the Industrial ("M") District may have more than one (1) Portable Storage Container and one (1) Large Refuse Container for a period longer than the periods prescribed herein as part of a site plan approved by the Planning Commission. In addition, the Planning Commission may approve a Large Refuse Container's permanent placement or location for commercial, educational, agricultural, industrial, or multi-family use.
- K. Violations of the Section shall be a municipal infraction, the fine for which shall be One Hundred Dollars (\$100.00) for the first and (\$200.00) for the second violation. Each day that the violation exists shall be considered a separate violation.
- L. Any person with a Portable Storage Container or Large Refuse Container as of October 1, 2011, shall come into compliance within sixty (60) days.

§ 68. Produce Stand.

Produce stands are permitted as a primary or accessory use on any property in the C-1, C-2, M, and A Districts and in the R-1 District as a special exception, subject to the following requirements:

- A. A produce stand shall not exceed two hundred (200) square feet in area. Only one stand is permitted per property.
- B. Produce stands must be on private property, not the public right-of-way.
- C. Only agricultural products such as raw vegetables, fruits, herbs, flowers, plants, nuts, honey, and eggs may be sold at produce stands. However, value-added agricultural products made from raw agricultural products grown, raised, or produced on-site, such as jams, jellies, oils, vinegar, and cheeses, may also be sold.
- D. Produce stands in the C-1, C-2, M, or R-1 Districts may operate for up to six (6) months of the year. A produce stand located in the A District may be operated year-round. The produce stand must be removed and stored when it is not in use.
- E. Produce stands are permitted to operate from 7 a.m. until sundown.
- F. Produce stands are allowed one non-illuminated sign up to twenty (20) square feet in size. The sign may only be displayed during the season while the stand is on-site.
- G. Temporary off-street parking is required if there is not adequate on-street parking on adjacent streets.
- H. A permit is required from the Zoning Administrator for each produce stand and any related sign.

§ 69. Short-term rentals.

See Section 12.4 of the Trappe Town Code.

§ 70. Solar Collectors.

- A. Solar collectors and panels with more than two hundred (200) square feet of collecting surface placed or erected at a fixed location on the ground shall be deemed a structure subject to the provisions of this ordinance and require a building permit.
- B. Solar collectors or panes permanently attached to or made an integral part of an existing structure shall be considered a modification to said structure, subject to the provisions of this ordinance, when the collecting surface area is more than two hundred (200) square feet and the outline shape of the building is altered.

§ 71. Storage yards.

Storage yards are subject to the following conditions:

- A. Minimum site area - one (1) acre.
- B. Storage may not be in required yards or buffer areas.
- C. Outdoor storage shall be screened with a visual barrier approved by the Planning Commission that adequately conceals material from the view of residential areas or public ways.

§ 72. Swimming Pools.

The installation or construction of swimming pools shall comply with the requirements of the International Property Maintenance Code as adopted by the Town of Trappe.

§ 73. Temporary uses.

- A. Temporary use, emergency. The Board of Appeals may authorize by way of a special exception and the showing of good cause for the temporary use of a building or premises in any district for a purpose or use that does not conform to the regulations prescribed by this Ordinance for the district in which it is located, provided that such use is of a temporary nature and does not involve the erection of substantial buildings.
- B. Temporary use, construction. Temporary buildings and structures, including trailers for uses incidental to construction work on the premises, shall be permitted in any district where a responsible contractor or builder is doing such construction under a contract having a definite completion date and on the condition that such temporary buildings and structures shall be removed upon the completion or discontinuance of construction. However, no person shall sleep or reside in such buildings while so used.
- C. Temporary use, sales. The Planning Commission may permit one (1) trailer or one (1) building as a temporary field or sales office connected with building development. The temporary sales trailer shall be removed at the point in time when all the residential lots have been sold and the sales office is closed. Neither the trailer nor the building shall be used for living or sleeping other than overnight security purposes.

§ 74. Two-family Dwellings, Townhouses, and Multi-family Units.

- A. The following regulations shall apply to two-family dwellings in any district where permitted:

- (1) Each two-family dwelling unit must comply with the minimum lot area per dwelling unit specified in the Table of Height, Area, and Bulk Requirements § 41.
 - (2) The dwelling units and individual lots of a two-family dwelling or townhouse may be sold separately if separate utility systems are provided and if separate lots for all dwelling units in a building are created at the same time and in conformance with the applicable regulations and standards governing the subdivision of land.
- B. The following regulations shall apply to townhouses in any district where permitted.
- (1) The townhouse building shall comply with the minimum lot requirements contained in § 41, Table of Height, Area, and Bulk Requirements. Still, each dwelling unit of a townhouse need not be located on a lot complying with minimum lot area and lot area per family requirements in the table, provided that the average for all dwelling units equals or exceeds the minimum requirements, and provided that no lot is created with lot area less than fifteen hundred (1,500) square feet.
 - (2) Lot frontage, measured at a building line, for individual dwelling units of a townhouse may be reduced to not less than sixteen (16) feet. Lot width for end units shall be adequate to provide the required front and side yards.
 - (3) For the side yard regulations, a townhouse building shall be considered as one (1) building on one (1) lot, with side yards required for end units only, per § 41, Table of Height, Area, and Bulk Requirements. In addition, any side yard adjacent to the line of a lot occupied by a detached single-family dwelling or a lot in a single-family residential district shall not be less than twenty-five (25) feet.
 - (4) Unless otherwise restricted by district regulations, not more than six (6) dwelling units shall be included in a townhouse building.
 - (5) Provision satisfactory to the Town Commissioners and approved by the Town Attorney shall be made to assure that a nonpublic area for the common use and enjoyment of occupants of townhouses, but not in individual ownership by such occupants, shall be maintained satisfactorily without expense to the public.
- C. The following regulations shall apply to multi-family residential units where permitted:
- (1) Maximum density. The density shall not exceed the maximum permitted density for the Zoning District as averaged for the total area.
 - (2) Code requirements. All structures will comply with all Town, County, and State codes.
 - (3) Separation. The minimum setback between any two principal buildings on the same lot shall be twenty-five (25) feet.

- (4) Area to be landscaped. All lot areas not occupied by principal and accessory structures required off-street parking and loading, access and circulation facilities, or other required areas shall be landscaped with lawns, trees, shrubs, ground cover, and other appropriate materials.

§ 75. Waste Disposal Site.

No site shall be developed as a waste disposal site, and no existing waste disposal site shall be enlarged, altered, or changed in use except in conformance with the provisions in other parts of this ordinance. The following shall apply to such sites:

- A. Every such site shall be set back from the right-of-way of every public road at least two hundred (200) feet.
- B. Such sites shall not be within six hundred (600) feet of any existing residential lot or tract.
- C. Where the contents of such sites are not screened by dense foliage or topography, a fence at least six feet in height shall be required to screen the contents effectively from public view. Such fences shall be of sturdy construction, be unobtrusively painted or finished, and be maintained in good condition.
- D. The burning of refuse or other waste material shall not be permitted at such sites except as may be permitted by the Health Department.
- E. Such sites shall not be within fifteen hundred (1,500) feet of any existing dwelling house.
- F. The establishment or operation of a refuse disposal site shall require a permit from the Town Council. Before issuing the permit, the Town Council shall submit the application to the Health Department and the Town Planning Commission, which may require the applicant to submit additional information as necessary. After the application has been reviewed and approved by the Health Department and the Planning Commission, it shall be returned to the Town Council with their recommendations of whatever regulations, restrictions, etc., they consider essential to the satisfactory operation of the site.

Upon receipt of an approved application and before issuing the permit, the Town Council shall hold a public hearing as provided in § 10.

§ 76. Qualified projects developed by nonprofits.

The Board of Appeals may approve a special exception in any zoning district, except the A Agriculture District, for a qualified project controlled by a §501(C)(3) nonprofit that has been designated as such for at least 3 years, subject to the following:

- A. “Controlled by” in this application means a business structure in which the nonprofit organization is a managing member, general partner, or otherwise controlling entity with a for-profit member or partner, as demonstrated by an attorney licensed in Maryland.
- B. The “qualified project” under this section meets all of the following three criteria:
 - (1) The project consists of a new construction or substantial renovation. Substantial renovation means the project meets the criteria outlined within DHCD’s Multifamily Rental Financing Program Guide, including the following:
 - (a) Total hard construction costs of rehabilitation for projects must be at least \$25,000 per unit.
 - (b) The project provides an improved visual impact on the neighborhood, upgrades aging fixtures, and updates ventilation standards.
 - (2) The project is on land, including land that is subject to a ground lease, that is either (a) wholly owned by a nonprofit organization or (b) includes improvements owned by an entity that a nonprofit organization controls.
 - (3) The project is deed-restricted to include twenty-five (25%) percent of units that are affordable dwelling units for Talbot County for at least forty (40) years
- C. Qualified projects developed by nonprofits in the R-1 Residential District.
 - (1) May include duplex, triplex, quadplex, cottage cluster, or townhouse units.
 - (2) Height, area, and bulk requirements for the R-2 Residential district outlined in § 41 shall apply.
- D. Qualified projects developed by nonprofits in the R-2 Residential district and the PN Planned Neighborhood Development floating zone.
 - (1) A qualified project shall have a density limit that exceeds 30% of the density otherwise allowed in the R-2 District.
 - (2) In the R-2 Residential District, the Board of Appeals may vary other development standards, e.g., height, setback, bulk, parking, loading, dimensional, area, or other requirements, if such limitations or requirements are demonstrated to be unreasonable. An unreasonable limitation or requirement is one that an applicant demonstrates amounts to a de facto denial of the project by having a substantial adverse impact on either (a) the viability of an affordable housing development in a qualified project, (b) the degree of affordability of units in a qualified project; or (c) the allowable density or number of units of the qualified project.

- (3) In the PN Planned Neighborhood Development floating zone, the approved PUD Master Plan and Design Guidelines shall include flexible development standards for qualified projects developed by nonprofits to ensure the feasibility of an affordable housing development and the degree of affordability of units. The achievable density shall be six (6) dwelling units per acre or more.
- E. Qualified projects developed by nonprofits in the C-1, C-2, M, PRC, and PI Districts.
 - (1) May include detached single-family, duplex, triplex, quadplex, cottage cluster, or townhouse units.
 - (2) Height, area, and bulk requirements for the R-2 Residential district outlined in § 41 shall apply subject to a public health assessment approved by the Maryland Department of Housing and Community Development.
 - (3) The Board of Appeals may vary other development standards, e.g., height, setback, bulk, parking, loading, dimensional, area, or other requirements, if such limitations or requirements are demonstrated to be unreasonable. An unreasonable limitation or requirement is one that an applicant demonstrates amounts to a de facto denial of the project by having a substantial adverse impact on either (a) the viability of an affordable housing development in a qualified project, (b) the degree of affordability of units in a qualified project; or (c) the allowable density or number of units of the qualified project.

ARTICLE IX - NONCONFORMITIES

§ 77. Conformance Required.

Except as after this specified, no land, building, structure, or premises shall be hereafter occupied or used, and no building, other structure, or part thereof shall be located, erected, reconstructed, extended, moved, enlarged, converted, or altered except in conformity with the district regulations hereinafter provided.

§ 78. Statement of Intent.

- A. Within the districts established by this ordinance and later amendments hereto, there exist a) lots, b) structures and signs, c) uses of land, and d) uses of structures or structures and premises in combination which were lawful before this ordinance was passed or amended, but which would be prohibited or restricted under the terms of this ordinance or future amendment.
- B. This ordinance intends to permit these nonconformities to continue until they are removed, but not to encourage survival.

- C. This ordinance intends that nonconformities shall not be significantly enlarged upon, expanded, or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.
- D. This ordinance declares nonconforming uses to be incompatible with permitted uses in the districts involved.
- E. A nonconforming use of a structure, nonconforming use of land, or nonconforming use of a structure and land in combination shall not be extended or enlarged after the passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.
- F. To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun before the effective date of adoption or amendment of this ordinance and upon which actual building construction has been carried on diligently. Actual construction includes placing materials in a permanent position and permanently fastening them.
- G. Where excavation, demolition, or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation, demolition, or removal shall be deemed actual construction, provided the work is carried on diligently.

§ 79. Nonconforming Lots of Record.

- A. In any district where single-family dwellings are permitted, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this ordinance, notwithstanding limitations imposed by other provisions.
- B. Such a lot must be in separate ownership and not have a continuous frontage with other lots in the same ownership.
- C. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, generally applicable in the district, provided that yard dimensions and requirements shall conform to the regulations for the district in which such lot is located.
- D. Variance of yard requirements shall be obtained only through the action of the Board of Appeals.
- E. If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this ordinance, and if all or part of the lots does not meet the requirements established for

lot width and the area, the land involved shall be considered to be an undivided parcel for this ordinance, and no portion of the said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this ordinance; nor shall any division of any parcel be made which creates a lot with width or area below the requirements stated in this ordinance.

§ 80. Nonconforming Structures and Signs.

Where a lawful structure exists at the effective date of adoption or amendment of this ordinance that could not be built under the terms of this ordinance because of restrictions on area lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No sign may be enlarged or altered in such a way as to increase its nonconformity, but it may be altered to decrease its nonconformity.
- B. Structures with a nonconforming setback may be expanded, replaced, or moved along a line parallel to the existing nonconformity, provided all other applicable zoning, building, and fire codes are met. This expansion, movement, or replacement is allowed in front, rear, and side yards.
- C. Should such structure or sign be damaged or destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at the time of destruction, it shall not be reconstructed or restored except in conformance with the provisions of this ordinance.
- D. Should such structure or sign be moved for any reason for any distance whatsoever, it shall, after that, conform to the regulations for the district in which it is located after it is moved.

§ 81. Nonconforming Uses of Land (or land with minor structures only).

Where at the time of passage of this ordinance, lawful use of land exists which would not be permitted by the regulations imposed by this ordinance, and where such use involved no individual structure with a gross floor area of greater than one hundred (100) square feet, the use may be continued so long as it remains otherwise lawful, provided:

- A. No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.

- B. No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this ordinance.
- C. If any such nonconforming use of land ceases for more than thirty (30) days, any subsequent use shall conform to the regulations specified by this ordinance for the district where such land is located.
- D. No additional structure not conforming to the requirements of this ordinance shall be erected in connection with such nonconforming use of land.

§ 82. Nonconforming Uses of Structures or Structures and Premises in Combination.

If lawful use involving individual structures with a gross floor area of greater than one hundred (100) square feet or of structure and premises in combination exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- A. No such structure shall be enlarged or extended more than twenty-five (25) percent of its gross floor area at this ordinance's effective date or amendment.
- B. Any nonconforming use may be extended throughout any parts of a building that were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance.
- C. Any structure, or structure and land in combination, in or on which a permitted use supersedes a nonconforming use shall conform to the district's regulations, and the nonconforming use may not be resumed after that.
- D. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six (6) consecutive months or eighteen (18) months during any three years (except when government action impedes access to the premises), the structure, or structure and premises in combination, shall not after that be used except in conformity with the regulations of the district in which it is located.
- E. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for this subsection is defined as damage to more than fifty (50) percent of the replacement cost at the time of destruction.

§ 83. Repairs and Maintenance.

- A. On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs or repair or replacement of walls, fixtures, wiring, or plumbing to an extent not exceeding 10 percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased more than twenty-five (25) percent.
- B. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance and is declared by any duly authorized official to be unsafe or unlawful because of physical condition, it shall not after that be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.
- C. Nothing in this ordinance shall be deemed to prevent the strengthening or restoration to a safe condition of any building part declared unsafe by any official charged with protecting public safety upon order of such official.

§ 84. Use Allowed Under Special Exception Provisions.

Any use permitted as a special exception in a district under the terms of this ordinance shall not be deemed a nonconforming use in such district but shall, without further action, be considered a conforming use.

§ 85. Work begun under any permit issued.

- A. Nothing in this Ordinance shall impair or invalidate any work begun under any permit issued before the effective date hereof, nor shall it impair or invalidate any unexpired permit for work not yet begun, provided that such work must conform to all terms of the permit and the Zoning under which such permit was issued.
- B. All applications receiving preliminary site plan approval before the effective date hereof shall be processed and decided per the Zoning in effect when the application was approved.

ARTICLE X - OFF-STREET PARKING, LOADING, AND UNLOADING.

§ 86. General Regulations.

- A. The design and layout of all parking areas shall comply with the parking design standards outlined in Article XIII.

- B. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, "parking space" includes either a covered garage or an uncovered parking lot located off the public right-of-way.
- C. The net parking space per vehicle shall not be less than nine (9) feet wide and eighteen (18) feet long.
- D. A garage or carport may be located wholly or partly inside the walls of the principal building or attached to the outer walls. If separated from the principal building, the garage shall conform to all accessory building requirements.
- E. Off-street parking and loading areas for fewer than five (5) vehicles and their approaches shall be either paved or covered with gravel, crushed shells, such as oysters, clamshells, or cinders.
- F. Off-street parking and loading areas for more than five (5) vehicles and their approaches shall be finished to provide a durable and dust-free surface, such as gravel, concrete, or bituminous concrete approved by the Town.

§ 87. Applicability.

- A. New uses and development. The parking regulations apply to all new buildings constructed and all new uses established in all zoning districts unless expressly stated.
- B. Enlargements and expansions.
 - (1) Unless otherwise stated, this Article's parking regulations apply whenever an existing building or use is enlarged or expanded to include additional dwelling units, floor area, seating capacity, employees, or other units of measurement used for establishing off-street parking requirements.
 - (2) In the case of enlargements or expansions that trigger requirements for additional parking, additional spaces are required only to serve the enlarged or expanded area, not the entire building or use. In other words, there is no requirement to address a lawful parking deficit.
- C. Change of use. When the use or occupancy of property changes, additional off-street parking and loading facilities must be provided to serve the new use or occupancy only when the number of parking or loading spaces required for the new use or occupancy exceeds the number of spaces required for the use that most recently occupied the building, based on the standards of this Ordinance. "Credit" is given to the most recent

lawful use of the property for the number of parking spaces required under this Ordinance, regardless of whether such spaces are provided. A new use is not required to address a lawful parking deficit.

- D. Existing. Existing off-street parking and loading areas may not be eliminated, reduced, or modified below the minimum requirements of this Article.

§ 88. Minimum required parking ratios.

- A. Except as stated, off-street motor vehicle parking spaces must be provided following Table 88. A(1).
- B. The Planning Commission shall determine the minimum required parking in the C-1 and CIR Overlay districts on a case-by-case basis, considering available on-street parking.

Table 88.A(1) Minimum required parking ratios

CATEGORIES/SUBCATEGORIES/SPECIFIC USES	REQUIRED PARKING SPACES
Residential Use Category	
- Detached House	2 spaces per dwelling unit
- Two-family	2 spaces per dwelling unit
- Duplex	2 spaces per dwelling unit
- Townhouse	2 spaces per dwelling unit
- Multi-family/Apartment/Condo	1.5 spaces per dwelling unit
- Accessory Dwelling Unit	1 space
Mixed-use building, residential	All parking required for nonresidential use, 2 spaces per dwelling unit
Domiciliary Care, Group Living (except for the following uses)	1 space for each resident staff member, plus two visitor parking spaces
Continuing care retirement communities	1 parking space for every three beds, plus one space for every two employees.
Public, Civic, and Institutional Use Category	Per § 90.
College or University	1.0 space per three students
Community Center	1 space per 4 occupants (maximum capacity)
Fraternal Organization	1 parking space for every four seats or four persons of design capacity, plus one space for each two employees
Governmental Facility	Per § 90.
Hospital	Per § 90.
Library	5 spaces per 1,000 sq. ft.

CATEGORIES/SUBCATEGORIES/SPECIFIC USES	REQUIRED PARKING SPACES
Museum or Cultural Facility	1 parking space for every four seats or four persons of design capacity, plus one space for each two employees
Parks and Recreation	Per § 90.
Religious Assembly	1 space per 8 occupants (maximum capacity)
Safety Service	Per § 90.
School, College, or University.	Per § 90.
Utilities and Public Service Facilities	
- Essential Services	Per § 90.
- Public Utility	Per § 90.
- Alternative Energy Facilities - Solar energy power system or heating equipment	Per § 90.
Wireless Telecommunications	
- Freestanding Towers	None
- Building or Tower-Mounted Antennas	None
Commercial Use Category	
Animal Service	3.5 spaces per 1,000 sq. ft.
Assembly and Entertainment (except for the following uses)	1 parking space for every 200 square feet of gross floor area
- Bowling Alleys	5 parking spaces for each alley
Commercial Service	2 spaces per 1,000 sq. ft.
- Building Service	1.17 spaces per 1,000 sq. ft.
Day Care	2 spaces per 1,000 sq. ft., plus 1 drop-off/pick-up space per 1,000 sq. ft.
Eating and Drinking Establishments (except for the following uses)	1 parking space for every three seats
- Carry-out restaurant	1 parking space for every 50 feet of gross floor area, plus one space for every two employees.
Financial Service	3.5 spaces per 1,000 sq. ft., plus stacking spaces per § 96.
Funeral and Mortuary Service	12.5 spaces per 1,000 sq. ft.
Lodging	
- Hotel and Motel, Inn	1 parking space for each guest room and two for the resident manager
- Bed and Breakfast	1 space per guest room and two spaces for the owner-occupant.
- Boarding house	1 space per guest room and two spaces for the owner-occupant.
Office	

CATEGORIES/SUBCATEGORIES/SPECIFIC USES	REQUIRED PARKING SPACES
- Business and Professional Office	1 parking space for every 200 square feet of floor space.
- Medical, Dental, and Health Practitioners	6 parking spaces for each professional, plus one space for each employee.
Retail Sales (except for the following uses)	3.25 spaces per 1,000 square feet
- Food market and grocery stores over 20,000 square feet	4.5 spaces per 1,000 square feet
Self-Service Storage Facility	0.2 spaces per 1,000 sq. ft.
Studio, Instructional, or Service	3.5 spaces per 1,000 sq. ft.
Trade School	1 space per employee + 0.33 per student
Vehicle Sales and Service	
- Commercial Vehicle Repair and Maintenance	1 per service bay, plus stacking spaces per § 96.
- Commercial Vehicle Sales and Rentals	2 spaces per 1,000 sq. ft. of showroom area, plus 0.4 spaces per 1,000 sq. ft. of outdoor display space, plus 2 per service bay
- Fueling Station	1 space per pump island, plus 1 space per service bay, plus 3.33 spaces per 1,000 sq. ft. of retail sales area, plus stacking spaces per § 96.
- Car Wash	2 spaces plus 0.5 spaces per employee, plus stacking spaces per § 96.
- Personal Vehicle Sales and Rentals	2 spaces per 1,000 sq. ft. of showroom area, plus 0.4 spaces per 1,000 sq. ft. of outdoor display space, plus 2 per service bay
- Vehicle Body and Paint Finishing Shop	1 per service bay, plus stacking spaces per § 96.
Marina Sales and Service	1 parking space for every 200 square feet of floor area for public use
Industrial Use Category	1 parking space for every two employees.
Recycling Use Category	Per § 90
Agricultural Use Category	None
Drive-in or Drive-through Facility	Stacking spaces per § 96.
Accessory Uses	
- Daycare, home	1 space per employee plus 2 spaces for residence
- Home Occupation	1 parking space plus 2 spaces for the residence
- Rooming, boarding home	2 parking spaces, plus one parking space per rented room

§ 89. Flexibility in administration required.

- A. The Town recognizes that, due to the particularities of any given development, the strict application of the parking standards set forth herein may result in development either with inadequate parking spaces or more than its needs. Therefore, alternative off-street parking standards may be accepted or required if it can be demonstrated that such standards better reflect local conditions and needs.
- B. The Planning Commission may allow deviations from the parking requirements set forth herein when it finds that:
 - (1) A residential development is irrevocably oriented toward older adults;
 - (2) The proposed development is located in the C-1 and CIR Overlay Districts;
 - (3) The proposed development is an infill or redevelopment project located in the Community Infill and Redevelopment District, or
 - (4) A business is primarily oriented to walk-in trade.
- C. Whenever the Planning Commission allows or requires a deviation from the parking requirements set forth herein, it shall enter on the face of the zoning certificate and/or site plan the parking requirement it imposes and the reasons for allowing or requiring the deviation.
- D. If the Planning Commission concludes, based upon information it receives regarding a specific development proposal, that the presumption established by § 88 for a particular use classification is erroneous, it shall initiate a request to amend the Table of Parking Requirements.

§ 90. Unlisted uses and establishment of other parking ratios.

- A. The Planning Commission is authorized to establish required minimum off-street parking ratios for unlisted uses and where the authority to establish a requirement is expressly granted.
- B. Such ratios may be established based on a similar use/parking determination (as described in § 88A(1), on parking data provided by the applicant or information otherwise available to the Planning Commission.
- C. Parking data and studies must include parking demand estimates based on reliable data from comparable uses or external data. The data must come from credible research organizations (e.g., the Institute of Transportation Engineers (ITE) or the American Planning Association [APA]). Comparability will be determined by density, scale, bulk,

area, type of activity, and location. Parking studies must document the source of all data used to develop recommended requirements.

§ 91. Location of off-street parking.

- A. General. Unless otherwise expressly stated, required off-street parking spaces must be located on the same lot and under the same control as the building or use they are required to serve.
- B. Setbacks. Unless otherwise stated, off-street parking areas are subject to the principal building setbacks of the subject zoning district.
 - (1) Off-street parking spaces accessory to a detached house, attached house, or two-unit house may be in any driveway. Driveways must be improved with a hard, dustless material approved by the Planning Commission.
 - (2) Nonresidential parking areas shall be located at least fifteen (15) feet from every street line and six (6) feet from every residential lot line.
- C. Off-site parking.
 - (1) When Allowed. All or a portion of the required off-street parking for nonresidential use may be provided off-site, per the regulations of this section. However, the required accessible parking spaces and parking required for residential use may not be located off-site.
 - (2) Location. Off-site parking areas must be located within a 1,000-foot radius of the use served by such parking, measured between the entrance of the use and the outer perimeter of the farthest parking space within the off-site parking lot.
 - (3) Design. Off-site parking areas must comply with all applicable parking area design and parking lot landscape regulations of this Ordinance.
 - (4) Control of off-site parking area. The property to be occupied by the off-site parking facilities must be under the same ownership as the lot containing the use to be served by the parking. The off-site parking area may be under separate ownership only if an agreement is provided, in a form approved by the town attorney, guaranteeing the long-term availability of the parking commensurate with the use served by the parking. Off-site parking privileges will continue in effect only if the agreement is binding on all parties. If an off-site parking agreement lapses or is no longer valid, parking must be provided as this Article requires.

§ 92. Use of off-street parking areas.

- A. Off-street parking facilities may not be used for parking vehicles to display the same for sale unless the principal use of the property on which the parking facility is located is in the business of selling or leasing used or new vehicles. This provision is not intended to prohibit an owner or occupant of a residential property from displaying vehicles for sale on the property's off-street parking facilities, provided the owner or occupant owns the vehicle. Except for flagrant or repeated violations, the Town will endeavor to obtain voluntary compliance with the restrictions on displaying cars for sale before initiating enforcement proceedings.
- B. No vehicle repair or service of any kind shall be permitted in conjunction with off-street parking facilities in a residential or business zoning district, except for minor repairs or service on vehicles owned by an occupant or resident of the premises.

§ 93. Parking of recreational vehicles and equipment.

- A. Recreational vehicles, recreational equipment, and utility trailers may not be stored in the required front yard setbacks.
- B. Not more than one (1) recreational vehicle and one (1) piece of recreational equipment or utility trailer may be parked or stored in the rear or side yard of any lot in a residential zoning district unless approved by the Planning Commission. For this provision, one piece of recreational equipment is equal to a single non-motor vehicle with no more than one (1) personal watercraft or specialty prop-craft.
- C. Recreational vehicles, recreational equipment, and utility trailers may be temporarily parked in the rear or side yard, in the street yard if stored on a driveway, or on an adjacent street, provided that the Town is given prior notice of the dates for such temporary parking. For this provision, temporary parking is the parking of vehicles or equipment during any period not exceeding ten (10) days in aggregate (which may or may not be consecutive) within any period of thirty (30) consecutive days.
- D. Recreational vehicles, recreational equipment, and utility trailers stored or parked in residential districts or on residential property must be owned by the owner or occupant of the subject property.
- E. The recreational vehicle, equipment, or utility trailer must be properly licensed.
- F. No recreational vehicle, equipment, or utility trailer may have its wheels removed or be affixed to the ground to prevent its ready removal.

- G. No parked or stored recreational vehicle may be used for living, sleeping, or business purposes.

§ 94. Parking area design.

- A. Tandem and valet parking arrangements. Parking areas must be designed and constructed to allow unrestricted movement into and out of required parking spaces without interfering with fixed objects or vehicles, except for allowed tandem parking, which may be used to satisfy residential parking requirements. The tandem spaces must be assigned to the same dwelling unit.
- B. Stall sizes and parking lot geometrics.
- (1) Off-street parking areas must be designed and constructed per the regulations of Table 94B(1). See also Figure 94-1.

Table 94B(1) Parking area dimensions.

	Angle of Parking			
	0° (Parallel)	45°	60°	90°
Stall Width (feet)	7	9	9	9
Stall Length (feet)	33 (middle), 24 (ends)	18	19	18
Aisle Width (feet)	14 (one-way), 24 (two-way)	14	15	24
Module Width (feet)		50	53	60
Note: Dimensions must be measured from the centerline of the strip, delineating the space.				

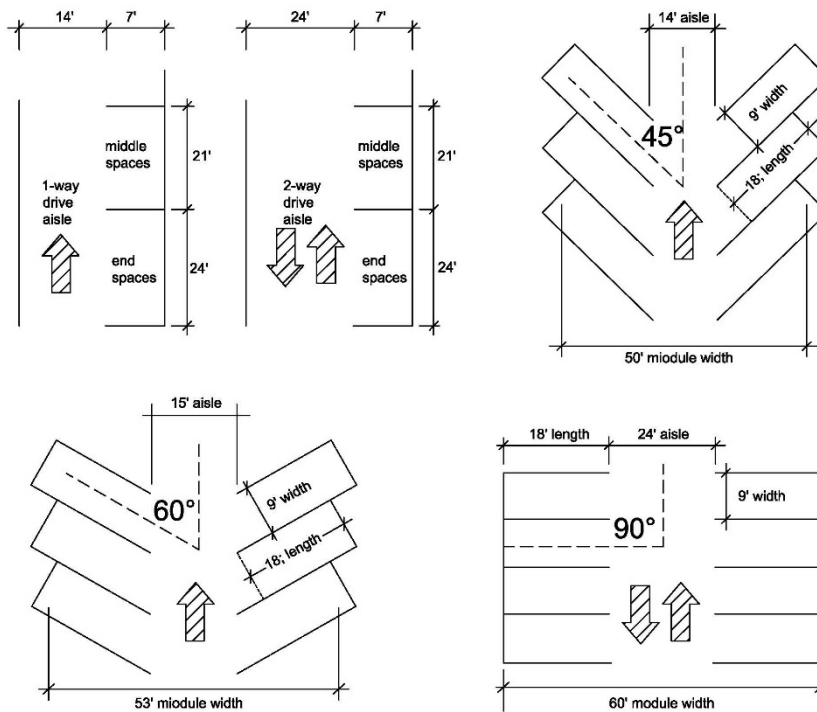


Figure 94-1: Parking Area Dimensions

- C. Striping. In all parking lots containing five (5) or more parking spaces, striping, four (4) inches in width and consisting of parallel lines, must be provided for each parking space. The striping must be yellow or white. In addition, accessible parking spaces must be painted with the standard ADA white symbol on a blue background. See Figure 94-2.

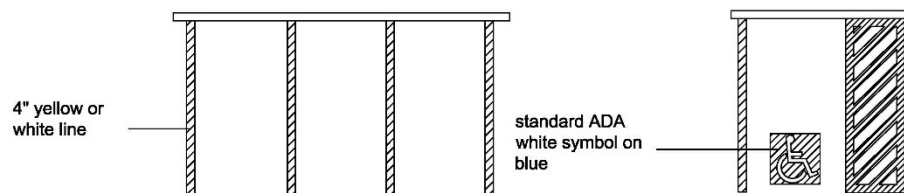


Figure 94-2: Parking Lot Markings

- D. Surfacing. All outdoor parking spaces must be properly engineered and improved with a compacted stone base and surfaced with asphaltic concrete or other comparable all-weather, dustless material approved by the Planning Commission.

- E. Wheel Stops. In all parking lots containing five (5) or more parking spaces, wheel stops must be installed where necessary to prohibit vehicle overhang onto adjacent pedestrian ways or landscape areas.
- F. Curb and gutter. A combination of concrete curb and gutter or concrete barrier curbs is required around the perimeter of all parking lots containing five (5) or more parking spaces and around all landscape islands and divider medians. Alternatives to curb and gutter that comply with the Town's best management practices for stormwater management may be approved at the sole discretion of the Planning Commission.
- G. Landscaping. All off-street parking lots containing five (5) or more spaces must be landscaped per Article XI.
- H. Access.
 - (1) Each required off-street parking space must open directly upon an aisle or driveway with a width and design that provides safe and efficient means of vehicular access to the parking space.
 - (2) All off-street parking must be designed with appropriate means of vehicular access to a street or alley that will least interfere with motorized and non-motorized traffic.
 - (3) All uses must be designed with appropriate vehicular access from the street, as approved by the Planning Commission.

§ 95. Accessible parking for people with disabilities.

- A. The number, location, and design of accessible parking spaces for people with disabilities must be provided following this section and the Maryland Accessibility Code.
- B. Accessible spaces must be provided per Table 95-1.
- C. Accessible parking spaces count towards the total number of parking spaces required.
- D. Each accessible parking space, except on-street spaces, must be at least sixteen (16) feet in width, with either an 8-foot or 5-foot wide diagonally striped access aisle. The access aisle may be on either side of the vehicle portion of the accessible space. Abutting accessible parking spaces may not share a common access aisle. See Figure 95-1.

Table 95-1: Minimum accessible parking space ratios.

Total Off-Street Parking Spaces Provided	Accessible Parking Spaces Required
1 to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of the total
over 1,000	20, plus one for each 1,000 or fraction thereof, over 1,000
Medical facilities specializing in the treatment of persons with mobility impairments & outpatient medical facilities	10% of the total

- E. Accessible parking spaces must be signed in compliance with applicable state law, and the current fine amount for violations must be identified. The sign must be fabricated to be two (2) separate panels: one (1) for the disability symbol and one (1) for the current fine amount.

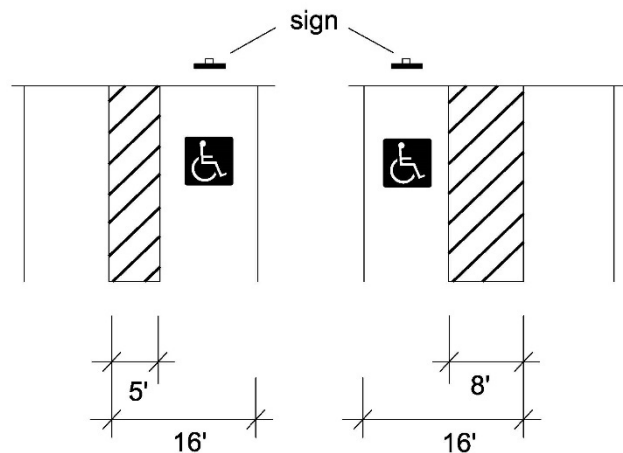


Figure 95-1: Accessible Parking Spaces

- F. Accessible parking spaces and accessible passenger loading zones that serve a particular building must be the spaces or zones closest to the nearest accessible entrance on an accessible route. In separate parking structures or lots that do not serve a particular

building, parking spaces for disabled persons must be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

- G. The regulations of this section apply to required spaces and spaces voluntarily designated for accessible parking.

§ 96. Drive-through and drive-in facilities.

- A. Purpose. The regulations of this section are intended to help ensure that:
- (1) there is adequate on-site maneuvering and circulation area for vehicles and pedestrians;
 - (2) vehicles awaiting service do not impede traffic on abutting streets; and
 - (3) impacts on surrounding uses are minimized.
- B. Applicability. The regulations apply to new developments, drive-throughs, drive-in facilities in existing developments, and the relocation of existing drive-through facilities.
- C. Stacking spaces required. Stacking lanes must be provided following the minimum requirements of Table 96.1

Table 96.1: Stacking Space Requirements

Use	Minimum Number of Stacking Spaces Required
Bank/financial institution	4 spaces per drive-through lane
Car wash	2 spaces per approach lane, plus 2 drying spaces at the end of the bay
Vehicle repair/maintenance	2 per service bay
Gasoline pump	2 spaces per pump per side
Restaurant	8 total spaces, with at least 3 spaces between the order and pick-up station
Other	3 spaces per lane, ordering station, or machine

- D. Stacking lane dimensions, design, and layout.
- (1) Stacking lanes must not interfere with parking movements or safe pedestrian circulation. In addition, stacking lanes must have a minimum width of ten (10) feet.

- (2) All stacking lanes must be identified through striping, landscaping, pavement design, curbing, and/or signs.
- E. Setbacks. At a minimum, stacking lanes must be fifty (50) feet from any abutting residential zoning district and twenty-five (25) feet from all other lot lines.
- F. Noise. Sound attenuation walls, landscaping, or other mitigation measures may be required to ensure that drive-through facilities will not have adverse noise-related impacts on nearby residential uses.
- G. Site plans. Site plans must show the location of drive-through windows and associated facilities (for example, communications systems and access aisles) and adjacent residential uses.

§ 97. Off-street loading.

- A. Minimum ratios. Off-street loading spaces must be provided per Table 97-1.

Table 97-1: Off-street loading space requirements.

Use Type	Minimum Loading Spaces Required
Multi-unit or Mixed-use residential	
Under 60 units	None
60+ units	1 space per 60 units
Nonresidential	
Under 20,000 square feet	None
20,000 to 99,999 square feet	1
100,000 plus square feet	1 space per 100,000 square feet

- B. Design and location.
- (1) Off-street loading spaces must be at least twelve (12) feet in width and fifty (50) feet in length unless off-street loading will involve the use of semi-tractor trailer combinations or other vehicles over thirty-five (35) feet in length, in which case the minimum size of the off-street loading space is twelve (12) feet by fifty-five (55) feet. In addition, all loading spaces must have a minimum vertical clearance of fourteen (14) feet.
- (2) All loading spaces must be located on the subject lot and include sufficient maneuvering space to prevent interference with pedestrian or vehicular

circulation on the subject site and public streets and sidewalks, as determined by the Planning Commission.

- (3) Off-street loading spaces may occupy any part of any required yard except a front yard. Nonresidential off-street loading spaces shall be located at least fifteen (15) feet from every street line and ten (10) feet from every residential lot line. The edges of the loading spaces shall be curbed or buffered, and the space between the off-street loading area and the street or lot line shall be landscaped and maintained in a sightly condition.
- (4) All off-street loading areas must be properly engineered and improved with an all-weather, dustless surface approved by the Planning Commission.
- (5) Plans for the location, design, and construction of all loading areas are subject to approval by the Code Enforcement Officer.
- (6) Loading spaces may not be used to satisfy off-street parking requirements or for vehicle repair or service work.

§ 98. Reserved.

§ 99. Reserved.

ARTICLE XI - LANDSCAPING & ENVIRONMENTAL STANDARDS.

§ 100. Purpose and Intent.

- A. The purpose of establishing landscaping and environmental standards is to integrate landscaping and environmental design components into all new development, redevelopment, and infill development applications.
- B. The intent of the landscaping and environmental design standards is to:
 - (1) Assure the desired character along public streets and public rights-of-way.
 - (2) Reduce nuisances between adjoining land uses.
 - (3) Minimize future development's negative visual and environmental impacts on existing uses.
 - (4) Prevent the appearance of large expanses of artificial features.
 - (5) Improve air and water quality, soil conservation, and erosion control measures.

§ 101. Applicability.

- A. The landscaping and environmental design standards apply to any development that involves subdivision approval, site plan approval, or the addition of public streets or any commercial development or redevelopment in any zoning district.
- B. A landscaping and environmental plan shall be submitted to the Town whenever subdivision or site plan approval is sought to determine whether this section's requirements have been met.

§ 102. Landscape plans.

- A. A landscape plan must accompany all applications for development and construction activities subject to this article's landscape and screening regulations. No building permit or similar authorization may be issued until the approving authority determines that this article's landscaping and screening regulations have been met.
- B. The landscaping plan shall include sufficient information to demonstrate the function and intent of the landscaping to be provided and its suitability for the zoning district in which it is located and the project for which it has been designed. The landscaping plan shall, at a minimum, include the following:
 - (1) The location, general type, size, and quality of existing vegetation, including specimen trees and trees with an eighteen (18) inch or greater diameter at breast height.
 - (2) The existing vegetation is to be retained.
 - (3) The methods and details for protecting existing vegetation during construction and the approved sediment and erosion control plan.
 - (4) Location and variety of the proposed vegetation.
 - (5) Plant lists or schedules with the botanical and common name, required and proposed quantities, spacing, height, and caliper of all proposed landscape material at planting and maturity.
 - (6) The location and description of other landscape improvements, such as earthen berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courts or paved areas.
 - (7) Planting and installation details as necessary to ensure conformance with all required standards.
 - (8) A maintenance plan describing irrigation, pruning, replacement of dead material, and other care procedures.

§ 103. Alternative compliance.

To encourage creativity in landscape and screening design and to allow for flexibility in addressing atypical, site-specific development/redevelopment challenges when administering the landscape requirements of this Article, the Planning Commission is authorized to approve alternative compliance landscape plans when it is determined that one or more of the following conditions are present:

- A. the site has space limitations or an unusual shape that makes strict compliance impossible or impractical;
- B. conditions on or adjacent to the site, such as topography, soils, vegetation, or existing structures or utilities, are such that strict compliance is impossible, impractical, or of no value in terms of advancing the general purposes of this article;
- C. the project is being considered under the provisions of the CIR Community Infill and Redevelopment Overlay District;
- D. safety considerations, such as intersection visibility, utility locations, etc., make alternative compliance necessary or
- E. creative, alternative landscape plans will provide an equal or better means of meeting the intent of this article's landscaping and screening regulations.

§ 104. Buffers and Screening.

- A. Purpose.
 - (1) One of zoning's most essential functions is dividing land uses into districts with similar character and compatible uses. All uses permitted in any district generally have similar nuisance characteristics. Bufferyards will operate to minimize the negative impact of any future use on neighboring uses and public ways.
 - (2) The bufferyard combines setback depth and landscaped screening. The width of the bufferyard and the type and amount of plantings required are designed to effectively "separate" incompatible land uses at adjoining zoning district boundaries. Street bufferyards are required to screen parking and buildings and beautify public streets and roads.
- B. Location of bufferyards. Bufferyards shall be located on the outer perimeter of a lot or parcel, forming a zoning district boundary or landscaping along public roads and streets. However, bufferyards shall not be located on any portion of an existing or dedicated public or private street or right-of-way.

- C. Determination of required bufferyard. The following procedure shall be used to determine the type of bufferyard required on a lot or parcel:
- (1) Identify whether the site's property line or any part thereof constitutes a zoning district boundary. If it does, determine the zoning on both sides of the property.
 - (2) Determine whether the land on the adjoining property is vacant or developed, or whether a subdivision plat or site plan has been approved.
 - (3) Determine the bufferyard required on each boundary (or segment thereof) of the subject parcel by referring to the tables of required bufferyards (Subsection E) and responsibilities for bufferyards (Subsection D).
- D. Responsibility for bufferyards.
- (1) Preexisting development is exempt from bufferyard requirements.
 - (2) When a new development is constructed along a public street or right-of-way, the developer shall install the required bufferyard as specified in the tables of Subsection E.
 - (3) When a new development, redevelopment, or expansion is constructed on a lot adjoining a zoning district boundary, the developer shall install 1/2 of the total required bufferyard if the land in the adjoining district is vacant. When the vacant parcel is subsequently developed, the developer shall install the second half of the required bufferyard.
 - (4) When a new development is constructed on a lot adjoining a zoning district boundary, the developer shall install the total required bufferyard if the land in the adjoining district has been previously developed without a bufferyard.
 - (5) Existing plant materials and/or land located on the preexisting development lot perimeter may be counted as contributing to the total bufferyard required between that lot and the adjoining developing lot.
- E. Tables of required bufferyards.

Bufferyards between adjacent zoning districts						
Zoning District	R-1	R-2	C-1	C-2	M	A
R-1	NA	NA	NA	A	C	C
R-2	NA	NA	NA	A	C	C
C-1	NA	NA	NA	A	B	C
C-2	A	A	A	NA	B	C
M	C	C	B	B	NA	NA
A	C	C	C	C	NA	NA

- F. Parking Lot Perimeter Bufferyard Adjacent to Streets. The perimeter of any parking lot for more than six (6) vehicles adjacent to a public street shall include a perimeter bufferyard of at least ten (10) feet. Landscaping within the perimeter bufferyard shall be as follows:
 - (1) A continuous landscape element consisting of evergreen shrubs at least three feet tall at planting time, planted five (5) feet on center.
 - (2) All portions of the perimeter landscape area not planted with shrubs ~~or trees~~ shall be planted in grass, other vegetation cover, mulch, or landscaping gravel.
- G. Bufferyard requirements. Illustrations in Appendix B graphically indicate the specification of each bufferyard.
- G. Bufferyard requirements. Illustrations in Appendix B graphically indicate the specification of each bufferyard.
- H. The Planning Commission may modify or reduce bufferyard planting upon a finding that the proposed bufferyard accomplishes the objective of this section.

§ 105. Required trees along dedicated streets.

- A. Along both sides of all newly created streets that are constructed per the Trappe Subdivision regulations, the developer shall either plant or retain sufficient trees so that between the paved portion of the street and a line running parallel to and 50 feet from the center line of the street, there is for every thirty (30) feet of street frontage at least an average of one deciduous tree that has, or will have when fully mature, a trunk at least 12 inches in diameter.
- B. Trees, when planted, shall have a caliper of at least 2.5 inches measured at 4.5 feet from ground level and no branches below six feet. All trees shall be appropriately staked at the time of planting.

§ 106. Retention and protection of large trees.

- A. Every development shall retain all existing trees eighteen (18) inches in diameter or more unless the retention of such trees would unreasonably burden the development.
- B. No excavation or subsurface disturbance may be undertaken within the dripline of any tree eighteen (18) inches in diameter or more. No lot coverage surface (including, but not limited to, paving or buildings) may be located within 12 1/2 feet (measured from the center of the trunk) of any tree eighteen (18) inches in diameter or more unless compliance with this subsection would unreasonably burden the development. For this subsection, a "dripline" is defined as a perimeter formed by the points farthest away

from the trunk of a tree where precipitation falling from the branches of that tree lands on the ground.

- C. The retention or protection of trees eighteen (18) in diameter or more, as provided in Subsections A and B, unreasonably burdens a development if, to accomplish such retention or protection, the desired location of improvements on a lot or the proposed activities on a lot would have to be substantially altered and such alteration would work an unreasonable hardship upon the developer.
- D. If space that would otherwise be devoted to parking cannot be so used because of the requirements of Subsections A or B, and, as a result, the parking requirements outlined in this ordinance cannot be satisfied, the number of required spaces may be reduced by the number of spaces lost because of the provisions of Subsections A and B, up to a maximum of fifteen (15) percent of the required spaces.

§ 107. Parking area screening and landscaping.

- A. Parking areas of more than five (5) vehicles that adjoin or are faced by a residential district shall be effectively screened on each side by an ornamental wall, fence, or compact evergreen hedge. Such screen shall be not less than four (4) feet or more than six (6) feet in height and be maintained in good condition without any advertising. No part of any parking space shall be closer than five (5) feet to any street line.
- B. Parking facilities with more than ten (10) parking spaces shall comply with the requirements outlined below:
 - (1) Interior landscaping. For surface parking facilities, at least ten (10) percent of the parking facility shall be permanently landscaped.
 - (2) Interpretation: computation of interior landscaping requirement. The interior landscaping requirement shall be computed based on the net parking facility. For this section, the "net parking facility" shall include parking stalls, access drives, aisles, walkways, dead spaces, and required separations from structures, but shall not include required street setbacks or access driveways or walkways within such setbacks.
 - (3) Planting beds. All landscaping shall be contained in planting beds. Each planting bed shall have a minimum area of twenty-five (25) square feet and shall be enclosed by appropriate curbing or similar device at least six (6) inches wide and six (6) inches in height above the paving surface.
 - (4) Plant materials. Surface parking facilities shall contain at least one (1) tree for each 1,500 square feet of required parking area. In addition to the required trees, each planting bed shall contain appropriate ground cover or shrubbery. Nonplant material such as statuary or fountains may be used in

landscaped areas, provided it does not dominate the planting bed.

- (5) Installation/maintenance. Landscaping shall be installed and continuously maintained by the owner.

§ 108. Environmental standards.

The following shall apply to all subdivisions and developments requiring site plan approval.

A. Perennial stream no-disturbance buffer.

- (1) A one-hundred-foot natural buffer from all perennial streams shall be required for all development. Permanent or temporary stormwater and/or sediment control devices shall not be permitted in this buffer.
- (2) This buffer requirement may be reduced to no less than fifty (50) feet by the Planning Commission for the following:
 - (a) If evidence is provided that the site's design, construction, and use shall provide the same or better water quality protection as the one-hundred-foot buffer, and if evidence is provided, the development will meet all other applicable requirements, as required.
 - (b) Road crossings, if the disturbance is minimized.
 - (c) Other public or community facilities, provided disturbance is minimized so far as possible.

B. Intermittent stream no-disturbance buffer.

- (1) A fifty-foot buffer from all intermittent streams shall be required for all development. Permanent or temporary stormwater management and sediment control devices shall not be permitted in this buffer.
- (2) The Planning Commission may waive this buffer requirement for the following:
 - (a) Road crossings, if the disturbance is minimized.
 - (b) Other public or community facilities, provided disturbance is minimized so far as possible.

C. Sensitive soil no-disturbance buffer.

- (1) The one-hundred-foot perennial stream buffer shall be expanded to include contiguous one-hundred-year floodplains and nontidal wetlands.
- (2) The one-hundred-foot perennial stream buffer shall be expanded to include hydric soils, highly erodible soils, and soils on slopes greater than fifteen (15)

percent that are contiguous with the perennial stream, any one-hundred-year floodplain adjacent to the stream or any nontidal wetlands adjacent to the stream to a maximum distance of three hundred (300) feet.

- D. Nontidal wetland buffer. A fifty-foot setback from all nontidal wetlands shall be required for all development around the extent of the delineated nontidal wetland except as permitted by the U.S. Army Corps of Engineers and the State of Maryland, Department of Natural Resources, Nontidal Wetlands Division.
- E. Steep slopes.
 - (1) No structure or impervious surface shall occur on any slope with a grade of 15% or more.
 - (2) For steep slopes intersecting a buffer or other sensitive areas, the buffer shall be expanded to three hundred feet or to the top of the slope, whichever is more.
 - (3) Good engineering practices shall be applied to protect steep slopes during and after disturbance activities.
- F. Habitats of rare, threatened, and endangered species. Development shall avoid these areas described by the Maryland DNR Natural Heritage Program. The Maryland DNR shall review proposed development projects. When a project is within a wildlife habitat (project review area), the developer must contact the Maryland Department of Natural Resources Heritage and Biodiversity Conservation Program (HBCP).

§ 109. Reserved.

§ 110. Reserved.

ARTICLE XII – SIGNS

§ 111. Purpose.

- A. This section prescribes the standards for the location, design, illumination, height, and size of all types of signs within the Town of Trappe to protect the town's unique and small-town character. This section also intends to promote the following:
 - (1) To encourage the effective use of signs as a means of communication for the convenience of the public by preventing their over-concentration, improper placement, and excessive size;
 - (2) To maintain and enhance the aesthetic environment while promoting creativity and the Town's ability to attract sources of economic growth and development;

- (3) To minimize the possible adverse effects of signs on nearby public and private property;
- (4) To enable the fair and consistent enforcement of these sign regulations without regulating the content of any sign, this subsection must be interpreted in a manner consistent with the First Amendment guarantee of free speech.

§ 112. Definitions.

As used in this subsection, the following definitions shall apply:

Sign - A name identification, description, display, or illustration that is affixed to, painted, or represented directly or indirectly upon a building or other outdoor surface, which directs attention to or is designed or intended to direct attention to the sign face or an object, product, place, activity, person, institution, organization, or business. Signs within an enclosed building not exposed to a public street view shall not be considered a sign. Each display surface of a sign or face shall be considered a sign.

Flat Wall (Facade-Mounted) - A sign affixed directly to or painted on or otherwise inscribed on an exterior wall and confined within the limits of any building and which projects from that surface less than twelve (12) inches at all points.

Freestanding - A sign erected and maintained on a freestanding frame, mast, or pole not attached to any building.

Projecting - A sign, other than a wall sign, which projects from and is supported by a wall of a building or structure.

Temporary - A banner, pennant, poster, or advertising display constructed of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that appear to be intended to be displayed for a limited period. Temporary signs shall not include a seasonal or sidewalk sign as defined herein.

Seasonal Sign - A sign displayed in connection with seasonal use, such as a farmer's market or produce stand.

Sidewalk Sign - A sign without a permanent foundation or otherwise permanently attached to a fixed location that can be carried, towed, hauled, or driven. It is primarily designed to move rather than be limited to a fixed location, regardless of modifications limiting its movability.

§ 113. Sign Standards.

- A. Signs Requiring Permits. Besides the exempt signs outlined in B below, no sign shall be erected, enlarged, or altered without the Planning Commission's permission.

Applications for permits shall be submitted to the Zoning Administrator. Each application shall be accompanied by drawings and written material showing the area and general appearance of the sign, the method of illumination, the proposed sign's exact location, and the construction and/or attachment method of such sign to the building or structure.

- B. Signs Exempt from Permit Requirements. The following signs are exempt from the permit requirements outlined in A above, provided that they do not exceed four (4) square feet in area:
- (1) Temporary signs;
 - (2) Directional signs that do not display more than the business and/or on-site directions are located entirely within the business's location.
- C. Compliance with Safety. No sign, sign structure, or part thereof shall be located to obstruct or conflict with traffic signal lines, traffic control signs, or signals. In addition, no lighting of signs that are flashing, intermittent, rotating, or any other animated type shall be permitted, or that would tend to blind or distract motorists or shine directly into any dwelling.
- D. Off-Premises Signs Prohibited. Other than temporary signs, any sign advertising or identifying a business or organization not on that premises is prohibited. However, existing off-premises signs for which a valid permit has been issued will be permitted to remain for one (1) year from the date of the adoption of this ordinance.
- F. Signs in Public Rights-of-Way Prohibited. No sign shall be placed or located in a public right-of-way.
- G. Signs Maintained in Good Condition. Signs shall be maintained in good condition, free of peeling, flaking paint, rotten wood, rust, mold, decay, or fade.
- H. Signage Requirements. Various signs shall comply with the applicable provisions outlined in Table H(1).

Table H(1) Sign Regulations							
Sign type	R-1	R-2	C-1	C-2	M	A	CIR*
Temporary Signs. Subject to the requirements of subsection J.	X	X	X	X	X	X	X
Traffic Control Devices. Must comply with the Manual on Uniform Traffic Control Devices ("MUTCD").	X	X	X	X	X	X	X
Awning Signs - Any portion of an awning containing advertising copy shall be treated as a wall/flat sign and included in the overall calculations for such sign. A minimum	--	--	X	X	X	--	--

Table H(1) Sign Regulations							
Sign type	R-1	R-2	C-1	C-2	M	A	CIR*
awning clearance of eight (8) feet is required.							
Commercial/Industrial Center/Neighborhood Sign - May be placed on-site at the entrance not to exceed thirty-two (32) square feet; may include name and street number/address; may only advertise the businesses conducted on premises; indirectly illuminated; max or ten (10) feet in height; limit of two (2) signs at entranceway; sign shall be setback to maintain good sight lines.	--	X	--	--	--	--	--
Directional Signs - which do not exceed four (4) square feet. And contain only the name/address/on-site directions, and are located entirely on the property where the business is located.	--	X	X	X	X	X	X
Flat/wall Signs - One sign per street frontage based on one (1) square foot of signage per lineal foot of street frontage of the building dedicated to that business. Max size of eighty (80) square feet. One (1) sign may be placed on each side of the building that fronts on public parking areas and not public streets, using one-half (0.5) foot of sign for each one (1) lineal foot of said area.	--	--	--	X	X	--	--
Flat/wall Signs - One sign per street frontage - each sign not to exceed sixteen (16) square feet. One (1) additional sign may be placed on each side of the building that fronts parking areas – max size of sign eight (8) square feet.	--	--	X	--	--	--	--
Freestanding Signs – (Including mobile signs) One per property is permitted, not to exceed eighty (80) square feet in area. A second sign may be considered with additional excessive frontage. Height not to exceed twenty (20) feet. Signs must be placed ten (10) feet from the property line.	--	--	--	X	--	--	--
Freestanding/pole Sign CIR Overlay - One per property is permitted, not to exceed	--	--	--	--	--	--	--

Table H(1) Sign Regulations							
Sign type	R-1	R-2	C-1	C-2	M	A	CIR*
twelve (12) square feet in area. Height is limited to ten (10) feet. Signs must not obstruct the motorist's view.							
Home Occupation Sign - One permanent non-illuminated sign not exceeding four (4) square feet in area.	X	X	--	--	--	X	X
Seasonal Sign - One non-illuminated sign permitted on site while business is in operation, not to exceed thirty-two (32) sq. ft. Sign must be removed at close of the business season, e.g., produce stand, Christmas trees, etc.	--	--	X	X	X	X	X
Projecting Sign - One is permitted per use and may not extend more than three (3) feet from the building. The sign may not exceed nine (9) square feet.	--	--	X	X	X	--	--
Sidewalk Sign - One (1) sidewalk/menu board/A frame sign permitted per business not to exceed six (6) square feet; Sign cannot impede pedestrian access and provide three (3) feet of clearance and may only be displayed when business is open and be placed on the property occupied by the business.	--	--	X	X	X	--	--
Window Signage - No more than 30% of ground floor windows may be covered with signage material. No signs are permitted in second-floor windows unless occupied by a separate business. Illuminated signs in windows may only be illuminated during business hours.	--	--	X	X	X	--	--
* Applies to residentially zoned properties only							

- I. Flexibility for Signs Approved as part of a Planned Unit Development Site Plan. The Planning Commission shall have the authority to vary the signage requirements outlined in Table H(1) for any sign that is approved in connection with a Planned Unit Development (PUD) or a site plan based on the surrounding neighborhood, the number of uses, and types of uses proposed for the property, the quality of the materials, and the aesthetic appearance.
- J. Temporary signs, Generally. The following regulations shall apply to temporary signs.

- (1) In residential zoning districts (R-1 and R-2), temporary signs shall not exceed six (6) square feet. In all nonresidential zoning districts (C-1, C-2, M, and AG), temporary signs shall not exceed thirty-two (32) square feet.
- (2) Notwithstanding any other limitation herein, a property owner may place one sign with a sign face no larger than two (2) square feet on the property at any time.
- (3) In addition to the sign permitted in b) above, any property owner may place a temporary sign or signs in connection with an event or purpose, which shall be removed within thirty (30) days after the event or purpose for which the sign was placed.
- (4) A person exercising the right to place temporary signs on a property as outlined in this subsection must limit the number of signs to two (2) signs per 10,000 square feet of property in addition to the one sign permitted in (2).

§ 114. Reserved.

ARTICLE XIII – DESIGN GUIDELINES

§ 115. Purpose and Intent.

- A. The purpose and intent for establishing design guidelines are:
 - (1) To preserve and enhance the unique character of Trappe's village image while integrating new development into the overall fabric of the community. The Trappe community expects every developer, large or small, to adhere to the design standards and guidelines manual and the design provisions outlined herein.
 - (2) To encourage creative design and innovative approaches to achieve the community character called for in the Town's Comprehensive Plan.
 - (3) To ensure that each incremental addition to the Town is designed to be mindful of what has come before and contributes to achieving overall community design objectives.
- B. The Planning Commission will rely on the Comprehensive Plan and these Design Guidelines concerning design issues, neighborhood and community character, and compatibility. When any of the following sections includes a specific performance standard, such standard shall be the minimum requirement.
- C. The Trappe community expects every developer, large or small, to adhere to the following basic design provisions.

§ 116. PN Planned Neighborhood.

- A. Specific Goals and Objectives.
 - (1) Design for the human scale and perceptions to create a sense of neighborhood and community.
 - (2) Enhance Trappe's sense of place in its rural and regional setting by maintaining the small town feel while keeping new developments in harmony with nature.
 - (3) Create a pleasant and functional pedestrian realm comprising shared open spaces, tree-lined streets, landscaped areas (between public and private spaces), and utility corridors.
 - (4) Encourage internal and peripheral open space.
 - (5) Create neighborhood or town centers within walking distance of surrounding neighborhoods.

- (6) Create appropriate transition areas between residential neighborhoods.
 - (7) Design for neighborhood and collector streets internal to the community.
 - (8) Integrate buildings of smaller scale in a pattern of various footprints.
 - (9) Plan for mixed and multiple land uses and housing types.
 - (10) Utilize appropriate details in building design.
- B. Applicability. The provisions of the PN Design Guidelines shall be considered during the review of all PUD Plans, site plans, subdivision plans, or other permits or applications for new development, new construction involving structural alterations, and new structures on all land zoned in the PN District.
- C. Design Provisions.
- (1) General Design Provisions. The following standards generally apply to the development proposed in the PN District.
 - (2) The architectural design of structures and their materials and colors should be visually harmonious with the Town's overall appearance, history, and cultural heritage, with natural landforms and existing vegetation, and with other development plans approved by the Town.
 - (3) Specific consideration should be given to compatibility with adjacent properties where such projects demonstrate the Town's character.
 - (4) Facing buildings should not differ in height by more than 2:1, excluding church steeples, decorative cornices, chimneys, etc.
 - (4) Fencing along the highway right-of-way is discouraged, but if used, such fencing should be made of quality materials (brick, stone, wood). In addition, it should be landscaped to minimize visibility from the highway.
 - (5) Materials with similar texture and appearance should be used as appropriate to the Town's character.
 - (6) Exterior materials should be natural, with preference given to wood or wood-appearance siding, stone, and brick. Exterior building colors should be traditional or muted tones.
 - (7) Block lengths should be varied with no block length exceeding five hundred (500) feet. Blocks over four hundred (400) feet should provide a mid-block pedestrian cut-through.

- D. Residential SRA. In addition to the General Design Provisions outlined in paragraph C above, the following guidelines generally apply in the Single-Family Residential Areas (SRA) of the PN District.
- (1) Residential design styles should reflect vernacular architecture.
 - (2) Repetitious housing styles within individual neighborhoods are discouraged.
 - (3) Porch frontages are encouraged on all single-family detached homes.
 - (4) Residential buildings should front on and enclose public ways.
 - (5) Build-to-lines (BTL) should include appropriate variations to encourage neighborhood identity and creativity.
 - (6) Lot widths within individual neighborhoods should be varied. Orientation of housing can also vary.
 - (7) Lot widths should be designed to ensure that garages do not dominate the front facade of residential structures.
 - (8) Traditional roof pitches and multiple roof lines are encouraged.
 - (9) Modern or contemporary design is discouraged.
- E. Residential CRA. In addition to the General Design Provisions outlined in paragraph D above, the following guidelines generally apply in the Central Residential Areas (CRA) of the PN District.
- (1) Generally, townhouses and multi-family units should adhere to the architectural guidelines of single-family and two-family dwellings.
 - (3) Townhouse and multi-family units should blend into the overall character of the neighborhoods.
 - (3) Multi-family structures should appear as large single-family units. Small groups of townhomes, four or fewer, may be designed to appear as large single-family structures.
 - (5) Single-family residences should be mixed with other permitted housing types.
 - (6) No more than six (6) units should be included in a single townhouse unit group. Each unit should have a distinct architectural appearance. Still, the overall appearance of the units should be compatible with and complementary to adjacent single-family residential units and with the other units in the neighborhood.

- (7) Parking for townhouses and multi-family structures should be located to the rear or side of the units.
 - (8) Most multi-family and townhouse units should be in the community's Central Residential and Village Center Areas.
- F. Commercial SFA & VC In addition to the General Design Provisions outlined herein, the following guidelines generally apply in the Storefront Area (SFA) and Village Center Area (VCA) of the PN District.
- (1) Large work area doors or open bays shall not open toward or face the public ways.
 - (2) HVAC and other fixed operating machinery shall be either screened from view or located so that such items are not visible from the highway, public rights-of-way, or adjoining non-commercial areas. Large trash receptacles, dumpsters, utility meters, and above-ground tanks shall be similarly treated.
 - (3) All facades that face public ways should be designed to be aesthetically pleasing. Facade designs should include architectural relief features to prevent monotony, repetition, or an apparent commercial appearance.
 - (4) Building massing should reflect proportion and scale appropriate to the existing Town design.
 - (5) In the VCA, the height of non-residential buildings should be compatible with the scale of the surrounding residential neighborhood.

§ 117. PRC Planned Regional Commercial District.

In addition to the General Commercial Design Provisions in § 119, the following guidelines apply in the PRC District.

- A. Accessibility – Vehicular
- (1) Circulation patterns should be designed to limit access points from major thoroughfares, including US Route 50, and minimize the impacts of non-residential traffic on adjacent residential properties.
 - (2) Major traffic generators should be located so that their primary access is from an appropriate new or existing collector road.
 - (3) Primary access points separate commercial traffic from the residential street system.
 - (4) New development should be designed to alleviate traffic impacts on the existing town center.

- (5) Main circulation drives should be established to carry the highest traffic volumes.
- (6) Internal intersections must have good sight lines, design geometrics, and/or traffic controls to minimize accident potential.
- (7) Loading and delivery facilities should be separate from customer parking and pedestrian areas.
- (8) Where possible, internal circulation patterns should separate automobile and truck traffic to minimize accidents and congestion.

B. Accessibility – Pedestrian

- (1) To the maximum extent practicable and appropriate, an on-site system of pedestrian walkways should be designed to provide direct access and connections to and between the following:
 - (a) The primary entrance or entrances to each commercial building, including pad site buildings;
 - (b) Any sidewalks or walkways on adjacent properties;
 - (c) Any public sidewalk system along perimeter streets adjacent to the commercial development;
 - (d) Adjacent residential and non-residential developments;
 - (e) Adjacent public parks, greenways, or other public or civic uses, including but not limited to schools, places of worship, public recreational facilities, or government offices;
 - (f) All parking areas; and
 - (g) Site amenities or gathering places.
- (2) Connections between the on-site (internal) pedestrian walkway network and any public sidewalk system along adjacent perimeter streets should be provided regularly.
- (3) Continuous pedestrian walkways should be provided along the entire length of a primary building, along any facade featuring a customer entrance, and along any facade abutting customer parking areas.

C. Setbacks and Orientation -

- (1) Entry facades should face away from US Route 50. On streets other than US Route 50, entry facades should orient towards the primary street or the active pedestrian zone to create an inviting image and a defined street edge.
- (2) General Site Layout - Street Frontages:
 - (a) From U.S. Route 50, principal structures/uses should face away from the highway. All primary facades require architectural design elements. Primary facades are any side of a building that faces a public right-of-way or non-commercial zoning classification.
 - (b) All Parking and utility equipment between US Route 50 and the principal buildings will be buffered to an opacity acceptable to the Planning Commission.
 - (c) Buffer plantings should be unified in function and appearance to achieve a consistent gateway landscaped treatment along US Route 50.
 - (d) Buffer areas may be utilized as a park, bicycling and walking paths, and other similar uses. The rear of the buffer area should include a wall, fence, hedge, berm, or similar raised feature at a minimum height of three (3) feet.
 - (e) Street frontage along an interior street not occupied by a building facade should contain a decorative architectural feature such as a wall placed on the setback line to screen the parking area or substantial landscaping, landscaped entryway signage or features, and/or site amenities.
- (3) Site Layout and Building Orientation at Major Intersections.
 - (a) Primary parking areas and drive-through businesses should not be near major intersections.
 - (b) Development located near a major intersection should include a focal point feature or features that are visible from the intersection streets, such as:
 - (i) a distinctive design not including franchise architecture;
 - (ii) a taller architectural feature or appendage (e.g., a clock tower, spire, or interesting roof form);
 - (iii) Public art or sculpture;
 - (iv) Fountains or other water features;
 - (v) Public plazas or other open spaces; or

- (vi) Landscape feature.

D. Multiple-Building Developments/Pad Sites

- (1) The structures of pad sites should create structures and uses that relate to both the primary buildings and the street frontage and should be architecturally compatible with the primary or anchor buildings of the development.
- (2) Pad site buildings should be located along the edge of entry drives or between a large parking lot and the street to help define the streetscape and lessen the visual impact of the parking lot from the street.
- (3) Building Orientation on Pad Sites.
 - (a) Customer entrances should be emphasized by incorporating a building recess, projections, a canopy, or a similar design element.
 - (b) Any side of a pad site building that fronts a public street should contain a customer entrance and a combination of at least two (2) of the following:
 - (i) windows;
 - (ii) trellises;
 - (iii) awnings;
 - (iv) areas of glass block;
 - (v) arcades;
 - (vi) pergolas; or
 - (vii) planters.
 - (c) To the maximum extent practicable, spaces between adjacent pad site buildings should be improved to provide small pockets (preferably heavily landscaped) of customer parking, pedestrian connections, small-scale project amenities, or focal points. Examples include, without limitation:
 - (i) A landscaped pedestrian way linking customer entrances between two or more pad site buildings;
 - (ii) A public seating or outdoor eating area;
 - (iii) A landscaped area; or
 - (iv) Sculptures or fountains.
- (4) Pad Site Building Design.

- (a) All four walls of a pad site building should incorporate compatible facade and building design as those on the primary commercial building(s) in the development, including:
 - (i) Roofline or roof materials;
 - (ii) Facade colors;
 - (iii) Pedestrian entry locations and entryway architecture/design;
 - (iv) Amounts of glazing on facades visible from public streets; and
 - (v) Other distinctive architectural features.
 - (b) To meet the above standard, Significant departures from "off-the-shelf" standardized franchise building design, colors, logos, and signage may be required.
 - (c) Pad site buildings should incorporate exterior materials used on the primary commercial building(s).
- E. Site Amenities. Larger multi-use development projects should contribute to creating or enhancing public spaces by incorporating site amenities. Examples include, but are not limited to, the following:
 - (1) Patio or plaza with seating area;
 - (2) Mini-parks, squares, or greens;
 - (3) Transportation amenities, including bus stops where appropriate;
 - (4) Customer walkways or pass-throughs containing window displays;
 - (5) Water feature;
 - (6) Clock tower;
 - (7) Public art;
 - (8) Any other well-designed area and/or focal feature that enhances such development and serves as a gathering place.

§ 118. Infill and Redevelopment.

The following guidelines apply to infill and redevelopment projects not in the Highway Commercial District (C2) and the Planned Regional Commercial District (PRC). These are typically smaller-scale projects within residential neighborhoods or the village center.

- A. Site and Form.

- (1) The orientation of the building should be compatible with the orientation of the existing adjacent buildings.
- (2) The massing should use forms and relate to those of the surrounding buildings.
- (3) The scale of the building should be proportional to existing buildings.
- (4) The setbacks should be comparable to neighboring buildings.
- (5) The height, volume, and bulk should be compatible with neighboring buildings.

B. Roofs.

- (1) The type and pitch of the roof should be compatible with adjacent properties. Simple gabled or hipped roofs with a pitch similar to the neighboring structures are typically appropriate.
- (2) Changes in the plane of the roof can add articulation and visual interest, but should be added to serve a purpose.
- (3) Roof materials should be similar to those on neighboring buildings or appropriate for the style.

C. Materials.

- (1) Veneers of materials should be used in a way that implies that the materials serve a structural purpose.
- (2) The materials used on the front should be used on all sides.
- (3) Articulation can be used to break up a facade, but the breaks in the façade should serve a purpose.

D. Windows.

- (1) The window and door styles should complement the existing styles on surrounding properties.
- (2) The fenestration pattern should respect that of surrounding properties, notably the shape, proportions, arrangement, and detail exhibited on historic homes.
- (3) The placement of windows should make reasonable attempts to consider the privacy of adjacent properties.

E. Doors and Entries.

- (1) The entry and door should be proportionate to the structure's remainder.
- (2) The entry should be a single story unless a two-story entry is appropriate for the structure or the area.

- (3) The entry should be compatible with the entries on adjacent properties.

F. Additions.

- (1) Home additions should be compatible but distinguishable from the original structure.
- (2) Additions should consider the bulk and volume of adjacent properties.
- (3) The materials used in the addition should be compatible with the original structure.
- (4) Openings on the addition should be in keeping with those of the original structure.

G. Garages.

- (1) The garage's size, design, and location should be compatible with the principal structure and nearby properties.
- (2) The garage should use the same or similar materials as the principal structure.
- (3) Corner lots should consider taking advantage of the opportunity to place the garage on the side of the structure.
- (4) Attached garages may be added in areas with predominantly detached garages if the garage is sized and placed appropriately.
- (5) Long lots should consider taking advantage of the opportunity to place the garage detached to the rear or attached to the side or rear of the structure.
- (6) If the garage is located on the front of the building, the percentage of street façade occupied by the garage should be comparable to the percentage of street façade occupied by a garage on nearby properties.

H. Multiple-Family Residences.

- (1) Buildings with fewer than four units should incorporate elements of traditional residential architecture in Trappe.
- (2) As appropriate, large buildings should incorporate elements of traditional architecture in Trappe.
- (3) The form, massing, and type of the buildings should respect adjacent properties.

I. Business Transition.

- (1) These guidelines apply to infill or redevelopment properties in the Village Center proposed for commercial or business use.

- (2) The rehabilitation or restoration of buildings is encouraged.
- (3) Preserving existing structures is encouraged to retain the area's character.
- (4) The original style or type should be retained in converted structures or change-of-use applications.
- (5) New commercial development should be compatible with or complement the established architectural character of the surrounding area in terms of consistency of rooflines, roof materials, roof colors, similar window and door patterns, and similar decorative elements.
- (6) Commercial buildings at corner locations should be designed to emphasize the corner and provide focal points at significant intersections. Distinctive design does not mean standard franchise architecture. Examples of architectural features at intersection focal points could include an architectural feature or appendage (e.g., a clock tower, spire, or interesting roof form). Other structural features may include public art or sculpture, fountains or other water features, public plazas or other open spaces, or landscape features.
- (7) Signage.
 - (a) Signage should be scaled appropriately to appeal to pedestrians walking on the adjacent sidewalks and vehicles driving at reduced speeds.
 - (b) Signage material should be integrated into the overall design of the building.
 - (c) Signs should be located to complement the architectural features of a building, such as above the building entrance, storefront opening, or other similar features.

§ 119. Highway and Planned Commercial Development.

- A. Purpose and Intent. The purpose of these guidelines is to improve and protect the visual appearance along major highways and street corridors; Improve access and circulation to and within new and existing commercial and business sites; improve sales and property values; encourage new and improved existing design linkages between sites, and require context-sensitive site planning and building design.
- B. Applicability.
 - (1) The following guidelines apply to commercial development in the Town of Trappe in the Highway Commercial District (C2) and the Planned Regional Commercial District (PRC).

- (2) All existing commercial uses and structures are exempt from these guidelines until a change to the use or structure of an existing commercial property expands the size of the primary structure by more than 50%.

C. General Commercial Design Provisions.

(1) Relationship to Surrounding Development

- (a) New, infill, and redeveloped commercial sites adjacent to or relative to residential uses should relate well to surrounding development. Such development should respect adjacent residential uses and surrounding neighborhoods by ensuring intensive operations, such as loading areas, do not adversely impact neighbors.
- (b) Commercial uses should transition to residential uses within a single block and be designed to seamlessly blend in with the change from a commercial to a residential character.
- (c) The Planning Commission may impose conditions upon the approval of development applications to ensure that commercial development projects will be compatible with existing neighborhoods and uses, including, but not limited to, conditions on the following:
 - (i) Location on a site of activities that generate potential adverse impacts on adjacent uses, such as noise and glare;
 - (ii) Placement of trash receptacles;
 - (iii) Location of delivery and loading zones.

(2) Building Design

- (a) The primary mass of structures should include secondary projections that reduce the apparent scale, create visual interest, and promote compatibility with adjacent uses.
- (b) Building size and mass shall not dominate required landscaped buffers along Route 50. Commercial development projects should be compatible with or complement adjacent developments' established proportions and building mass.
- (c) Smaller and lower building masses should be located near the edges of commercial development, where adjacent buildings are smaller or more residential in scale.
- (d) Commercial development should be compatible with or complement the established architectural character of the surrounding area in terms of

consistency of rooflines, roof materials, roof colors, similar window and door patterns, and similar decorative elements.

(3) Multi-Story Buildings Greater than Two Stories

- (a) The composition of the building should present a recognizable base, middle, and top, or a clearly defined alternative building composition.
- (b) A recognizable "base" may consist of one or more of the following, but is not limited to:
 - (i) Thicker walls, ledges, or sills;
 - (ii) Integrally textured materials such as stone or another masonry;
 - (iii) Integrally colored and patterned materials such as smooth finished stone or tile;
 - (iv) Lighter or darker colored materials, mullions, or panels; or
 - (v) Planters.
- (c) A recognizable "top" may consist of one or more of the following, but is not limited to:
 - (i) Cornice treatments, other than just colored "stripes" or "bands," with integrally textured materials such as stone or other masonry or differently colored materials;
 - (ii) Sloping roof with overhangs and brackets; or
 - (iii) Stepped parapets.

(4) Architectural Detail: Facades and Entrances

- (i) Facades: Primary facades are any side of a building that faces a public right-of-way or non-commercial zoning classification.
- (ii) Primary Facades should be proportioned using features such as windows, entrances, arcades, arbors, and awnings along no less than sixty percent (60%) of the facade. A minimum of twenty-five percent (25%) of the entire facade area should be composed of transparent materials unless the Planning Commission finds that such transparency would be inconsistent with the operational requirements of the building. At least one-half of this amount should be provided so that the lowest edge of the transparent material is no higher than 3 feet above the street level.

- (iii) Larger primary building facades should incorporate wall plane projections or recesses to break the overall wall into smaller, appropriately scaled sections.
- (iv) Each primary building facade should have a repeating pattern that includes color change, texture changes, material module change, and expression of an architectural or structural bay through a change in plane, such as an offset, reveal, or projecting rib.
- (v) Building facades facing a primary access street should have clearly defined, obvious customer entrances that include features as the following:
 - [1] Canopies or porticos,
 - [2] Overhangs, recesses/projections,
 - [3] Arcades,
 - [4] Raised corniced parapets over the door,
 - [5] Distinctive roof forms,
 - [6] Arches, outdoor patios,
 - [7] Display windows,
 - [8] Integral planters or wing walls incorporating landscaped areas and/or places for sitting.

(5) Architectural Detail: Roofs

To the maximum extent practicable, where buildings are adjacent to residential uses, rooflines should be of a similar height or stepped down to a similar height to enhance compatibility with nearby residential areas. In addition, roofs should include features such as the following:

- (a) Parapets concealing flat roofs and rooftop equipment such as HVAC units. Parapets should feature three-dimensional cornice treatments and should be the primary means of screening rooftop equipment;
- (b) Overhanging eaves;
- (c) Sloping roofs;
- (d) Three (3) or more roof slope planes.
- (e) Downspouts should be incorporated into the façade design.

- (6) Architectural Detail: Awnings
 - (a) Awnings should be no longer than a single storefront.
 - (b) Fabric awnings are encouraged; canvas awnings with a matte finish are preferred. Awnings with a high gloss finish and illuminated or plastic awnings are strongly discouraged.
 - (c) The rigid frame of an awning should stop at the top section and should not be included in the valence.
 - (d) Awning colors should be compatible with the overall color scheme of the facade from which it projects. Solid colors or subtle striped patterns are preferred.
- (7) Building Materials and Colors
 - (a) Commercial development should use high-quality materials and colors compatible with adjacent commercial and non-commercial areas.
 - (b) Building Materials. All buildings should be constructed or clad with durable, economically maintained materials and of a quality that will retain their appearance over time, including but not limited to natural or synthetic stone, brick, integrally colored, textured, or glazed concrete masonry units, or glass.
 - (c) Natural wood or wood paneling should not be used as a principal exterior wall material, but durable synthetic materials with the appearance of wood may be used.
 - (d) Exterior building materials should not include the following:
 - (i) Split shakes (may be used for canopies, arcades, or similar appurtenances);
 - (ii) Rough-sawn or board and batten wood;
 - (iii) Vinyl or aluminum siding;
 - (iv) Smooth-faced gray or stained concrete block, painted concrete block, tilt-up concrete panels;
 - (v) Field-painted or pre-finished standard corrugated metal siding;
 - (vi) Standard single or double tee concrete systems;

- (vii) In selecting exterior building materials, consideration should be given to the appropriateness of the materials to the scale of the building proposed.
- (e) Building Color.
 - (i) Color schemes should tie building elements together, relate separate (freestanding) buildings within the same development together, and should be used to enhance the architectural form of a building.
 - (ii) All building projections, including, but not limited to, chimneys, flues, vents, gutters, and downspouts, should match or complement the permanent color of the surface from which they project.
 - (iii) Facade colors must be low-reflecting, subtle, and neutral. Intense, bright, black, or fluorescent colors are prohibited.
- (8) Signage.
 - (a) All commercial developments shall comply with the signage requirements outlined in the Trappe Zoning Ordinance. In addition, shared general, freestanding informational signs, as part of an approved PUD Plan, may exceed 80 square feet, as approved by the Planning Commission.
 - (b) Signage should be scaled appropriately to appeal to pedestrians walking on the adjacent sidewalks and vehicles driving at reduced speeds.
 - (c) On all street frontages, signage material should be integrated into the overall design of the building.
 - (d) Signs should be located to complement the architectural features of a building, such as above the building entrance, storefront opening, or other similar features.
 - (e) Standard corporate logos and colors are not always acceptable.

§ 120. Lighting.

- A. Purpose and Intent. Integrate appropriate lighting components into the design of all new development, redevelopment, and infill development applications.
- B. Specific Goals and Objectives. The goals and objectives of the Lighting Design Standards are to:

- (1) To preserve and enhance the unique character of Trappe's rural setting by preserving the night sky; and
 - (2) To ensure public safety and security.
- C. Applicability.
- (1) The provisions of the Lighting Design Standards apply to any development that involves subdivision approval, the addition of public streets, or any commercial development or redevelopment in any zoning district.
 - (2) An exterior lighting plan shall be submitted to the Town whenever subdivision or site plan approval is sought to determine whether this section's provisions have been met and that the proposed lighting will not adversely impact adjoining property.
- D. Design Provisions. The following provisions apply to lighting proposed as part of any development.
- (1) Lighting should prevent direct glare, light spillage, and hazardous interference with automotive and pedestrian traffic on adjacent streets and properties.
 - (2) Light fixtures should be designed as an integral design element that complements the neighborhood's design through style, material, and color.
 - (3) All utility lines shall be installed underground.
 - (4) Street pedestrian way lights should be decorative and blend with the neighborhood's architectural style.
 - (5) Flickering or flashing lights are prohibited.
 - (6) Light sources should not be located within buffer areas except on pedestrian walkways.
 - (7) Lighting that unnecessarily illuminates any other lot and substantially interferes with using or enjoying another lot is prohibited.
 - (8) Lighting fixtures should not exceed the minimum height and power necessary to accomplish their intended function.
- E. Residential. In addition to the general provisions outlined in paragraph D above, the following provisions apply to lighting for residential uses and development.
- (1) Multi-family residential units should be adequately lit to ensure public safety and the security of the buildings.

- (2) Lighting on individual streets should be designed consistent with the planned function of the street without excessive illumination.
 - (3) Porchlights and yard post lighting should be incorporated into the street lighting design in residential developments.
 - (4) Lighting on pedestrian ways, including sidewalks and mid-block pedestrian cut-throughs, should not conflict with street trees.
- F. Non-Residential. In addition to the provisions outlined in paragraph D above, the following provisions apply to lighting used for non-residential uses (including but not limited to commercial, civic, recreational, fraternal, and religious facilities).
- (1) All exterior lighting should be shielded so as not to shine directly onto surrounding properties, public ways, or rights of way, except as planned and approved for safety purposes. In addition, the globe, lens, bulb, or filament should be shielded so that they are not visible from adjoining properties.
 - (2) Lighting should be designed to provide uniform illumination of the property to prevent extreme contrasts between light and dark areas and provide adequate safety and security.
 - (3) Lighting may accent key architectural elements and/or emphasize landscape features. Architectural lighting should be recessed under roof overhangs or generated from concealed low-level light fixtures.
- G. Performance Standards.
- (1) The following light fixtures are prohibited
 - (a) Non-dark sky fixtures.
 - (b) Lights that shine directly into neighboring residential districts or buildings and adjacent properties.
 - (c) The maximum illumination of an adjacent parcel from light emitted from an artificial light source is 0.1 horizontal footcandle and 0.1 vertical footcandle when measured:
 - [1] At five (5) feet inside an adjacent residential parcel.
 - [2] At ten (10) feet inside an adjacent commercial or industrial parcel.
 - (2) No line of sight to a light source is permitted five (5) feet or more beyond the edge of the public right-of-way or property line in a residential district by an observer viewing from a position level with or higher than the ground below the fixture. Compliance is achieved with fixture shielding, directional control

designed into the fixture, location, height, fixture aim, or a combination of these factors.

- (3) Areas under structural canopies shall be illuminated so that the uniformity ratio (average to minimum luminance) shall be no greater than 5:1 with an average illumination level of 30 footcandles. Light fixtures located on structural canopies shall be mounted so that the lens cover is recessed or flush with the canopy's ceiling.
- (5) High-intensity discharge (HID) light sources that cause glare directly visible to drivers shall be controlled with full cutoff fixtures to ensure lighting elements are not exposed to view by or do not create or constitute a hazard or nuisance to motorists, pedestrians, or neighboring residents.

§ 121. Parking.

- A. Purpose and Intent. Integrate parking components into the design of all new development, redevelopment, and infill development applications.
- B. Specific Goals and Objectives. The goals and objectives of the parking design standards are to:
 - (1) Balance the need for parking without compromising the village character of the community;
 - (2) Provide for safe and secure pedestrian movement between parking areas and residential and non-residential uses;
 - (3) Integrate parking into the overall vehicular and pedestrian transportation system;
 - (4) Minimize impact on the environment through innovative site design; and
 - (5) To ensure public safety and security.
- C. Applicability.
 - (1) The provisions of the parking design standards apply to any development that involves subdivision approval, the addition of public streets, any commercial development, residential development involving multi-family units, or redevelopment in any zoning district.
 - (2) A parking plan shall be submitted to the Town whenever subdivision or site plan approval is sought to determine whether this section's requirements have been met. Parking standards are flexible and take into account off-site parking.
- D. Design Provisions.

- (1) All developments in all zoning districts shall provide adequate parking as approved by the Planning Commission.
- (2) Parking areas should be small-scale and highly landscaped.
- (3) Parking should not be a dominant site feature. It should be screened, landscaped, and lit to assure public safety and distributed around the sides and rear of commercial buildings to avoid a "sea of asphalt" appearance.
- (4) Parking should consist of ample on-street parking and small lots located to the side or rear of buildings and screened from the main commercial street.
- (5) Parking lots should not be on street corners and intersections.
- (6) Parking lots should not be located at terminal vistas.
- (7) Parking lots should not be located near parks or public squares unless designed to serve the park.
- (8) Access to parking should be provided from rear driveways where possible.
- (9) All parking lots should be screened and oriented to minimize visual and noise impacts on adjacent residential properties.
- (10) Planted islands should be constructed at least every ten (10) parking spaces.
- (11) Parking areas in adjacent commercial uses should be interconnected to minimize traffic on adjacent streets.
- (12) Shared parking arrangements are encouraged.
- (13) Where parking lots cannot be interconnected, planting strips of at least ten (10) feet in width should be installed.
- (14) Landscaping shall not create a traffic safety problem.
- (15) Parking blocks should be oriented to buildings to allow pedestrian movement down and not across rows.
- (16) Through access should be provided within and between parking blocks; dead-end drives are strongly discouraged.
- (17) On-street parallel, angled, or head-in parking may be appropriate in commercial areas.
- (18) Parking areas should be designed so vehicles cannot extend beyond the perimeter of such areas onto adjacent properties or public rights-of-way. Such areas should also be designed so that vehicles do not extend over sidewalks or tend to bump against or damage any wall, vegetation, or other obstruction.

- (19) Parking areas for all developments should be designed so that sanitation, emergency, and other public service vehicles can serve such developments.
- (20) Circulation areas should be designed so vehicles can proceed safely without harming pedestrians or other vehicles or interfering with parking areas.
- (21) Any lighting to illuminate off-street parking areas should not be directed toward any adjoining residential zone, uses, or public or private right-of-way.
- (22) Adequate parking should be provided through on-street and off-street parking in residential areas.
- (23) Parking areas shall comply with State and Town Stormwater regulations. The use of innovative techniques and landscaping to meet the requirements is encouraged.

§ 122. Streets.

- A. Purpose and Intent. Integrate street design components into the design of all new development, redevelopment, and infill development applications.
- B. Specific Goals and Objectives. The goals and objectives of the street design standards are to:
 - (1) Provide streets that create a positive visual image when viewed from the vehicle and a sense of focus and enclosure;
 - (2) Design a permanent and functional street network;
 - (3) Encourage use by vehicles, cyclists, and pedestrians;
 - (4) Promote safety through traffic calming and street design; and
 - (5) Ensure safe and efficient movement of all modes of transportation.
- C. Applicability. The provisions of the street design standards apply to any development that involves subdivision approval, the addition of public streets, or any commercial development or redevelopment in any zoning district. A street plan shall be submitted to the Town whenever subdivision or site plan approval is sought to determine whether the standards outlined in this section have been met.
- D. Design Provisions, General.
 - (1) Streets shall be laid out in a hierarchical network: Major Collector, Commercial, Minor Collector, Local, Minor Local, Alley, and Service Lane.
 - (2) Streets should be designed to create the community's form and scale and accommodate pedestrians, cyclists, and vehicles.

- (3) Street layout should be composed of interconnecting narrow streets laid out in a modified grid.
 - (4) Streets should connect to at least two other streets. Cul-de-sacs and dead ends should be avoided.
 - (5) Where applicable, streets should be designed for two-way traffic.
 - (6) Streetscapes should be defined using uniform setbacks along a Build to Line (BTL). For example, the streetscape may be reinforced by lines of closely planted shade trees and walls, hedges, or fences defining front yards.
 - (7) Buildings should be located in front of and relate to public streets functionally and visually to the greatest extent possible. Buildings should not be oriented toward a parking lot.
 - (8) Distinct (e.g., patterned) pedestrian crosswalks should be installed at intersections and other locations where pedestrian systems cross a street.
 - (9) Traffic calming should be integral to the overall street design.
 - (10) Street trees should be planted along all streets' right-of-ways.
 - (11) Street widths should be the minimum necessary to maintain the desired design speed and traffic volume.
 - (12) Transportation networks should include reasonable alternatives to address vehicular and pedestrian connectivity with the existing and planned Town systems and to minimize the barrier effect of US 50.
 - (13) Development plans should address improvements to off-site roads that serve a project, including off-site pedestrian linkages.
 - (14) Streets shall be paved with a durable material acceptable to the Town's consulting engineer.
 - (15) The view from the long axis of a street should terminate at a significant design feature.
- E. Major Collector Street. In addition to the provisions outlined in paragraph D above, the following standards apply to Major Collector Streets.
- (1) Design Speed shall be a maximum of 30 MPH.
 - (2) Travel lane width shall be 12 feet.
 - (3) On-street parking is permitted, with no parking within 30 feet of the tangent point of the curb.

- (4) Landscaped bump-outs should be provided in the parking lane to avoid using the parking lane as a travel lane.
 - (5) A bicycle lane, separate from motor vehicle traffic, should be provided on collector streets. In addition, bicycle lanes can be provided in medians.
 - (6) The planting strip, or verge, between the sidewalk and curb should be a minimum of six feet.
 - (7) Pedestrian bump-outs are required for undivided Major Collector streets.
 - (8) Direct access onto Major Collector streets from residential property is discouraged.
 - (9) Curb radii should be twenty feet (20) with a clear zone radius of thirty (30) feet.
- F. Collector Street - Commercial. In addition to the provisions outlined in paragraph D above, the following standards apply to Commercial Collector Streets.
- (1) Design Speed shall be a maximum of 20 MPH.
 - (2) Travel lane width shall be 10 feet.
 - (3) On-street parking is permitted on both sides of the street, with no parking within 30 feet of the tangent point of the curb.
 - (4) The planting strip, or verge, between the sidewalk and curb should be a minimum of six feet.
 - (5) Pedestrian bump-outs are required on corners and where pedestrian crossing is encouraged.
 - (6) Direct access onto Commercial streets is permitted.
 - (7) Curb radii should be fifteen feet (15) with a clear zone radius of twenty (20) feet. Curb radii may be greater on truck routes for deliveries.
- G. Sub Collector Street. In addition to the provisions outlined in paragraph D above, the following standards apply to Sub Collector Streets.
- (1) Design Speed shall be a maximum of 25 MPH.
 - (2) Travel lane width shall be ten (10) feet.
 - (3) On-street parking is permitted on both sides of the street, with no parking within 30 feet of the tangent point of the curb.
 - (4) The planting strip, or verge, between the sidewalk and curb should be a minimum of six feet.

- (5) Pedestrian bump-outs may be required at appropriate locations.
 - (6) Direct access onto Minor Collector streets is permitted.
 - (7) Curb radii should be twenty feet (20) with a clear zone radius of thirty (30) feet.
- H. Local Street. In addition to the provisions outlined in paragraph D above, the following standards apply to Local Streets.
- (1) Design Speed shall be a maximum of 20 MPH.
 - (2) Travel lane width shall be 10 feet.
 - (3) On-street parking is permitted on both sides of the street, with no parking within 30 feet of the tangent point of the curb.
 - (4) The planting strip, or verge, between the sidewalk and curb should be a minimum of six feet.
 - (5) Direct access to Local streets is permitted.
 - (6) Curb radii should be twenty (20) feet with a clear zone of thirty (30) feet.
- I. Minor Local Street. In addition to the provisions outlined in paragraph D above, the following standards apply to Minor Local Streets.
- (1) Design Speed shall be 15-20 MPH maximum.
 - (2) Travel lane width shall be ten (10) feet.
 - (3) On-street parking is permitted on one side of the street, with no parking within 30 feet of the tangent point of the curb.
 - (4) The planting strip, or verge, between the sidewalk and curb should be a minimum of six feet.
 - (5) Direct access to Minor Local streets is permitted.
 - (6) Curb radii should be ten (10) to twenty (20) feet with a clear zone of twenty (20) to thirty (30) feet.
- J. Alley. In addition to the provisions outlined in paragraph D above, the following standards apply to Alleys.
- (1) Design Speed shall be a maximum of 10 MPH.
 - (2) Travel lane width shall be at least 12 feet.
 - (3) On-street parking is not permitted.
 - (4) Direct access to alleys is permitted.

- (5) Curb radii should be twenty (20) feet with a clear zone of thirty (30) feet.
- K. Service Access Street. In addition to the provisions outlined in paragraph D above, the following standards apply to Service Access Streets.
 - (1) Design Speed shall be a maximum of 25 MPH.
 - (2) Travel lane width shall be 14 feet wide.
 - (3) On-street parking is not permitted.
 - (4) Direct access onto Service Roads is permitted.
 - (5) Curb radii should be twenty feet (20) with a clear zone of thirty (30) feet.

§ 123. Sidewalks, Curbs, and Gutters.

- A. Purpose and Intent. To integrate sidewalks, curbs, and gutter design components into all new development, redevelopment, and infill development applications.
- B. Specific Goals and Objectives. The goals and objectives of the sidewalks, curbs, and gutter design standards are to:
 - (1) Provide safe and efficient pedestrian access throughout the Town.
 - (2) Encourage pedestrian travel as a viable means of transportation.
 - (3) Direct runoff to the designed stormwater management elements.
- C. Applicability. The provisions of the sidewalk, curbs, and gutter standards shall apply to all new development, infill development, and redevelopment applications in all zoning districts. In addition, a sidewalk, curb, and gutter plan shall be submitted to the Town whenever subdivision or site plan approval is sought to determine whether this section's requirements have been met.
- D. Design Provisions – Sidewalks.
 - (1) A continuous sidewalk system should provide pedestrian access to all residential units and other land uses.
 - (2) The minimum width for sidewalks in residential neighborhoods and recreational areas is five feet.
 - (3) The minimum width for sidewalks in commercial areas is eight feet. However, wider sidewalks may be necessary depending on the anticipated volume of pedestrian traffic or the type of business use in a specific commercial area.
 - (4) Pedestrian crosswalks should be located at all pedestrian crossings.

- (5) Bump-outs should be provided at pedestrian crossings on commercial and undivided major collector streets.
- (6) On major collector streets and commercial areas, design features shall guide pedestrians to walkways and crosswalks by distinguishing pedestrian ways from driving surfaces through specialty paving, bricks, landscaping beds, and other features consistent with the community design.
- (7) Pedestrian ways should be designed to discourage pedestrian traffic from walking through driving areas to access building entrances.
- (8) Utility structures and mailboxes should not be located to reduce the width of sidewalks.
- (9) In commercial areas, sidewalks should not be used for outdoor display.
- (10) Appropriately durable street furniture, trash receptacles, and other amenities should be placed along sidewalks without reducing sidewalk width.

D. Design Provisions – Curbs and Gutters.

- (1) Curbs and gutters are required on the entire street frontage of any parcel or lot, except alleys, unless the Planning Commission approves alternative low-impact stormwater designs.
- (2) Curbs and gutters shall be built according to the construction standards and specifications currently used by the State Highway Administration of Maryland or town standards and specifications as determined by the Planning Commission.
- (3) Only one curb cut per street frontage should be allowed on residential lots that do not have alley access.
- (4) There should be a maximum of two (2) curb cuts per commercial lot per street frontage.
- (5) In no case should over sixty percent (60 %) of the street frontage per parcel be allowed as curb cuts for entrances or exits into commercial uses.

§ 124. Landscaping and Environmental.

- A. Applicability. The landscape and environmental provisions shall apply to all new development, infill development, and redevelopment applications in all zoning districts.
- B. Design Provisions - Landscaping General

- (1) Landscaping should emphasize native species of trees, shrubs, and flowers to reduce maintenance, help ensure longevity, and reinforce the area's natural character.
- (2) Ornamental species may be used only for complementary plantings.
- (3) Species should be selected partly based on their visual appeal during different seasons.
- (4) Landscaping should consist of a combination of grass, shade trees, understory trees, evergreens, flowers, and shrubs arranged in such a manner as to complement the proposed structure or project and its adjacent neighborhood.
- (5) To the extent possible, existing trees should be preserved and can count toward landscaping requirements.
- (6) If landscape materials are removed, they should be replaced with material of similar size, shape, function, hardiness, longevity, and appearance.
- (7) The developer shall be responsible for ensuring the survivability of landscaping for two years.
- (8) A change of use of an existing facility, with or without new construction, should require landscaping improvements consistent with the intent of this ordinance.
- (9) The Planning Commission, at its discretion, may require additional landscaping in addition to the applicant's proposed landscaping plan.
- (10) Landscaping should be designed to improve stormwater runoff and bio-retention.

C. Buffers and Screening

- (1) Buffers and screening shall be designed to ensure that they do, in fact, function as "buffers and screens."
- (2) Existing mature woodlands should be used as a buffer yard whenever possible.
- (3) Bufferyards may not obstruct the view from motor vehicles.
- (4) Any group or individual may own bufferyards, provided survivability and maintenance of the vegetation are ensured.

D. Trees

- (1) Street trees similar in species to existing street trees shall be planted for infill and redevelopment projects to ensure a continuation of the streetscape.

- (2) The quantity, spacing, and species of trees shall be designed to create a sense of enclosure along the street when the trees reach full maturity.
- (3) Trees planted as part of a non-residential site should be designed to complement and enhance the function of the street trees.
- (4) Trees shall not obstruct the view from motor vehicles.
- (5) Every development should strive to retain all existing healthy trees and large and champion trees.
- (6) The drip line of any retained large or champion trees shall be protected during site development.

E. Landscaping Alternatives

- (1) Natural growth may be retained on the site to meet the requirements of this section. However, the Planning Commission may require additional supplemental plantings to obtain the effect intended by the purpose and intent of these requirements.
- (3) Landscaping consists of architectural materials, including fountains, special bricks, interlocking paving, decorative features, statues, and other landscaping features, materials, or plantings, including street trees, which are encouraged.

Appendix A - Basic Information Required - Site Plans

Item	Description	Concept Plan	Minor Site Plan	Simplified Site Plan	Major Site Plan	
					Preliminary	Final
I. Project Plat Information						
1.	Name, address of owner, applicant, developer, and lien holder, date of application.	X	X	X	X	X
2.	Name and address of the engineer, land surveyor, architect, planner, and/or landscape architect, as applicable, involved in the document preparation.	X	X	X	X	X
3.	Date of the survey.		X	X	X	X
4.	Seal, signature, and license number of engineer, land surveyor, architect, and/or landscape architect, as applicable, involved in document preparation. Each sheet must have a surveyor's seal.		X	X	X	X
5.	Title block denoting name and type of application, Tax Map sheet, block, lots parcel, and street location.	X	X	X	X	X
6.	Location of the tract by an insert map or a vicinity map at a scale of no less than one inch equals 600 feet, and such information as the names and numbers of adjoining roads, streams, bodies of water, subdivisions, or other landmarks sufficient to clearly identify the location of the property.	X	X	X	X	X
7.	Existing and proposed zoning of the tract and adjacent property.	X	X	X	X	X
8.	Proposed use of the structural addition.	X	X	X		
9.	Title, North arrow, and scale (1" = 100').	X	X		X	X
10.	Appropriate signature block for Town officials.		X	X	X	X
11.	Appropriate certification blocks.		X	X		X
12.	Standardized sheets 18" x 24" (final: black ink on Mylar).		X		X	X
13.	Metes and bounds survey showing dimensions, bearings, curve, data, length of tangents, radii, arc, chords, and central angles for all center lines and rights-of-way, and center line curves on streets, datum and benchmark, primary central points approved by the Town Engineer.		X	X	X	X
14.	Acreage of tract to the nearest thousandth of an acre.	X	X	X	X	X
15.	Date of original and all revisions.	X	X	X	X	X
16.	Size and location of any existing or proposed structures with all setback dimensioned (for concept plan and general location, but not setbacks). Include storm drains, culverts, retaining walls, fences, stormwater management facilities, sediment, and erosion structures.	X	X	X	X	X
17.	Location, dimensions, bearings, and names of any existing or proposed roads or streets. The location of pedestrian ways, driveways, and right-of-way widths (for concept plans, general locations).	X	X	X	X	X
18.	Location and type of utilities.		X		X	
19.	General location, character, size, height, and orientation of proposed signs.		X	X	X	
20.	All proposed lot lines (width and depth) and area of lots in square feet, number of lots, and lot numbers.		X		X	X
21.	Number of dwelling units	X	X		X	X

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22.	Location, type, size, and height of fences, walls, screen planting, landscaping, and buffer areas.		X	X	X	X
23.	Any existing or proposed easement (drainage and utility) or land reserved for or dedicated to public use. Location, dimensions of proposed reservations, rights-of-way, open space, buffers, and forested areas, along with means by which these areas will be permanently maintained.	X	X	X	X	X
24.	Copy and/or delineation of any existing or proposed deed restrictions or covenants.		X		X	X
25.	References to protective covenants governing the maintenance of undedicated public spaces or reservations.		X			X
26.	Statement of owner dedicating streets, rights-of-way, and any sites for public use.		X			X
27.	Development stages or phasing plans (for concept plans, general phasing). Sections are numbered by phase.	X			X	X
28.	Total number of off-street parking spaces, including ratio and number of units per space.	X	X	X	X	X
29.	List of required regulatory approvals/permits.	X	X	X	X	X
30.	List of variances required or requested.	X	X	X	X	X
31.	Requested or obtained design waivers or exceptions.	X	X	X	X	X
32.	Payment of application fees and tax payments is up to date.	X	X	X	X	X
33.	Total area of the site that will be temporarily and/or permanently disturbed.		X	X	X	X
II. Setting - Environmental Information						
35.	Existing rights-of-way and/or easements on or immediately adjacent to the tract.	X	X	X	X	X
36.	Topographical features of the subject property from the USGS map or a more accurate source at two-foot to five-foot intervals, 50 feet beyond the boundary, with the source stated on maps.	X			X	
37.	Field delineated or survey topo.		X			X
38.	General areas of greater than 15% slope are shaded and identified as steep slopes.	X	X	X		
39.	Slope analysis of greater than 15% slopes. These areas shall be shaded and identified as steep slopes.				X	X
40.	Forest stand delineation, as required.		X	X	X	X
41.	The existing system of drainage of the subject site and adjacent sites and of any larger tract or basin of which it is a part.		X	X	X	X
42.	A one-hundred-year floodplain based on FEMA maps.	X	X	X	X	X
43.	Tidal and nontidal wetland delineation based on NWI maps and field review.	X	X	X	X	X
44.	Nontidal wetlands identification based on field delineation/determination.				X	X
45.	Location of sensitive areas and their buffers.	X	X	X	X	X
46.	Location and width of required bufferyards.	X	X	X	X	X
47.	Soil types based on the County Soil Survey.		X	X	X	
48.	Traffic impact study, as required.				X	
49.	Statement of effect on the school district and school bus service.				X	
III. Plats, Improvement Plans, and Construction Information						
50.	Grading and drainage plans, including roads, drainage ditches, sediment basins, and berms.		X		X	X

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51.	Existing and proposed contour intervals are as follows: Slope of less than 5% = one foot Slope of 5% to 15% = two feet or less Greater than 15% = as required for construction		X		X	X
52.	Proposed location and size of the vehicular entrance(s) to the site.	X	X	X	X	X
53.	Existing and proposed utility infrastructure plans and profiles, including sanitary sewer, water, and stormwater management.		X	X	X	X
54.	Grades and sizes of sanitary sewers and waterlines.		X	X	X	X
55.	Direction and distance to water and sewer, if not available on or adjacent to the site, with invert and elevation of sewer.		X	X	X	
56.	Location of any outdoor storage areas.		X	X	X	X
57.	Location of fire hydrants.		X		X	X
58.	Construction details as required by ordinance.		X	X		X
59.	Stormwater management plan.		X	X	X	X
60.	Soil erosion and sediment control plan.		X	X	X	X
61.	Location and design of outdoor lighting facilities		X		X	X
62.	Lighting plan and details, as required.		X			X
63.	Proposed street names.				X	X
64.	Landscape plan and details, including required bufferyards.		X	X	X	X
65.	Forest conservation plan.				X	X
66.	Preliminary architectural plan and elevations.				X	X
67.	Required county, state, and/or federal approvals, e.g., State Highway Administration, County Public Works, Army Corps of Engineers, DNR wetlands permit/license, MDOE quality certification, MDOE sanitary construction permit, local Health Department approvals.		X	X		X
68.	Public works agreement and surety instruments, as required.		X			X

Appendix B - Bufferyard Requirements

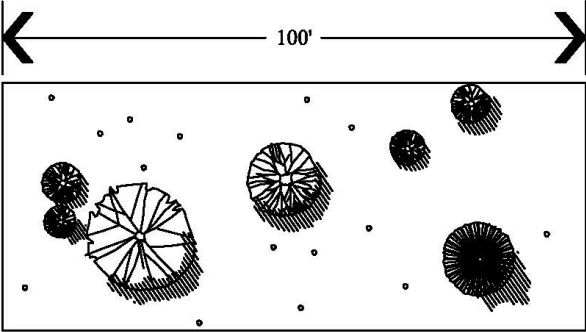
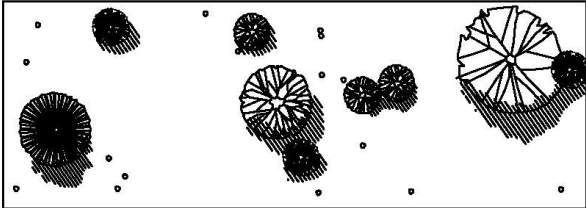
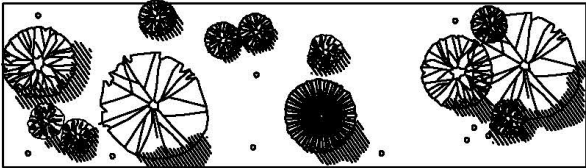
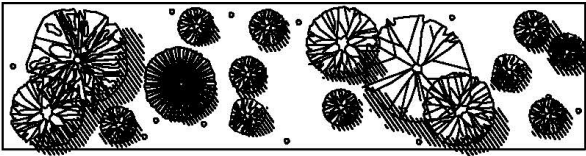
Bufferyard Specifications

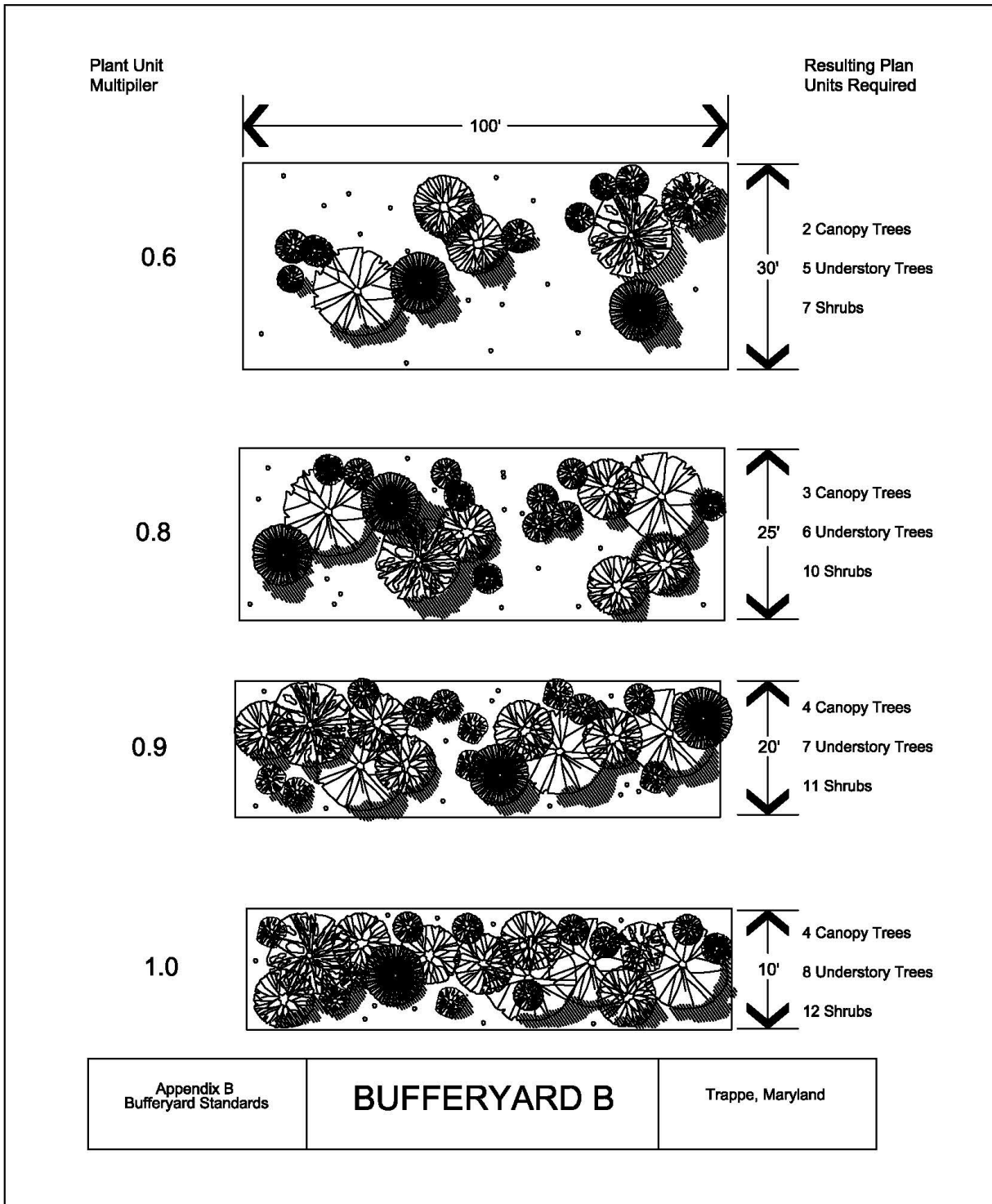
The following illustrations graphically indicate the specifications of each bufferyard. Bufferyard requirements are stated in terms of the width of the bufferyard and the number of plant units required per one hundred (100) linear feet of bufferyard. The recommended bufferyard should be one of the options illustrated. The "plant unit multiplier" is a factor by which the primary number of plant materials required for a given bufferyard is determined, given a change in the yard's width. The type and quantity of plant materials required by each bufferyard, and each bufferyard option, are specified in this section.

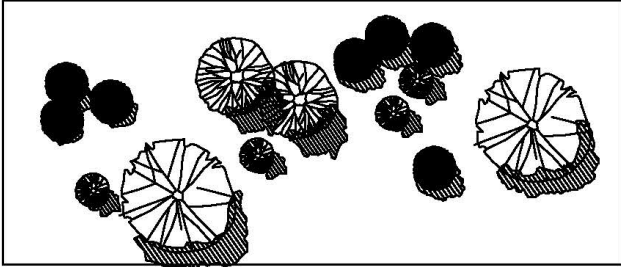
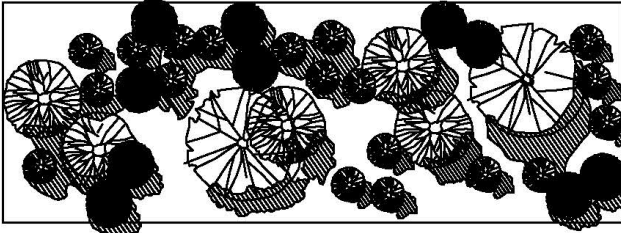
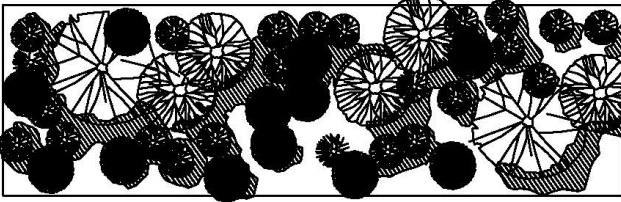
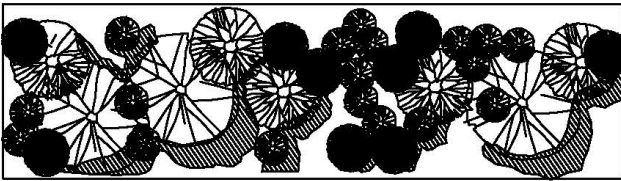
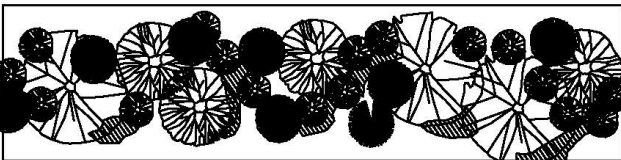
Afforestation and reforestation plantings required under the Forest Conservation requirements in the Zoning Code may occur in bufferyards provided such plantings meet the minimum requirements for afforestation or reforestation.

The options within any bufferyard are designed to be equivalent in their effectiveness in eliminating the impact of adjoining uses. Cost equivalence between options was attempted where possible. Generally, the plant materials that are identified as acceptable are determined by the type(s) of soil present on the site. Each illustration depicts the total bufferyard located between two uses.

To the maximum extent possible, plants should be native.

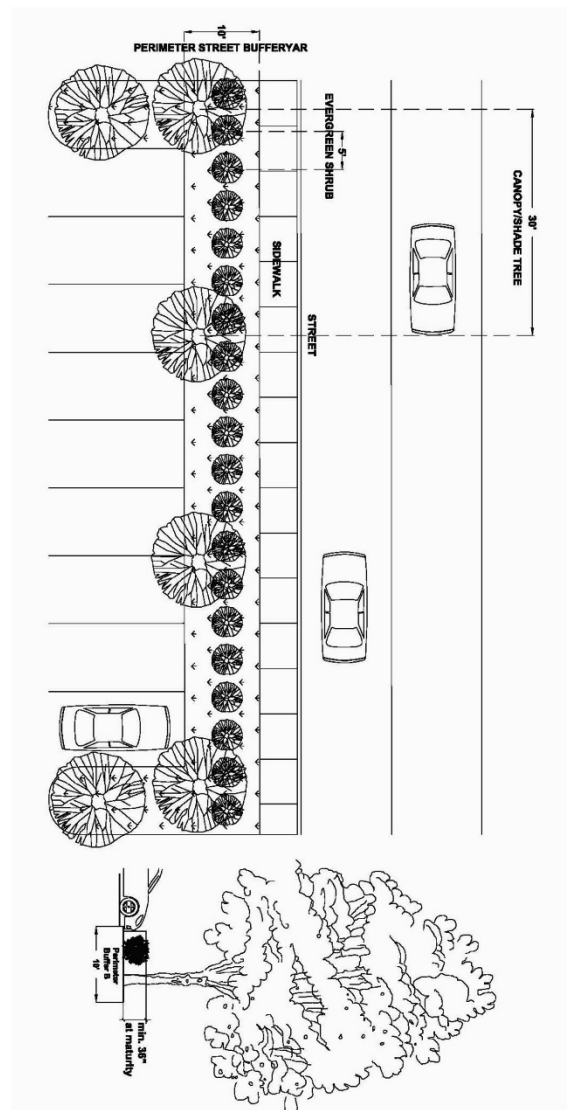
Plant Unit Multiplier		Resulting Plan Units Required			
0.6		1 Canopy Trees 2 Understory Trees 4 Shrubs			
0.8		1 Canopy Trees 2 Understory Trees 6 Shrubs			
0.9		2 Canopy Trees 3 Understory Trees 8 Shrubs			
1.0		2 Canopy Trees 4 Understory Trees 10 Shrubs			
<table border="1"> <tr> <td>Appendix B Bufferyard Standards</td> <td>BUFFERYARD A</td> <td>Trappe, Maryland</td> </tr> </table>			Appendix B Bufferyard Standards	BUFFERYARD A	Trappe, Maryland
Appendix B Bufferyard Standards	BUFFERYARD A	Trappe, Maryland			



Plant Unit Multiplier		Resulting Plan Units Required			
	100'				
0.6		2 Canopy Trees 2 Understory Trees 4 Shrubs 7 Evergreens/Conifers			
0.8		2 Canopy Trees 5 Understory Trees 19 Shrubs 10 Evergreens/Conifers			
0.9		2 Canopy Trees 5 Understory Trees 24 Shrubs 12 Evergreens/Conifers			
0.9		3 Canopy Trees 5 Understory Trees 18 Shrubs 9 Evergreens/Conifers			
	B1 Berm Required				
0.7		3 Canopy Trees 4 Understory Trees 17 Shrubs 8 Evergreens/Conifers			
	B2 Berm Required				
<table border="1"> <tr> <td>Appendix B Bufferyard Standards</td> <td>BUFFERYARD C</td> <td>Trappe, Maryland</td> </tr> </table>			Appendix B Bufferyard Standards	BUFFERYARD C	Trappe, Maryland
Appendix B Bufferyard Standards	BUFFERYARD C	Trappe, Maryland			

Parking Lot Perimeter

As illustrated below, § 107A requires minimum landscape screening along any street frontage.



Appendix B Bufferyard Standards	PARKING LOT PERIMETER BUFFERYARD	Trappe, Maryland
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