

ORDINANCE NO. 2-2017

INTRODUCED BY: English

AN ORDINANCE OF THE TOWN OF TRAPPE TO AMEND SECTION 7.10 OF THE TRAPPE ZONING ORDINANCE TO PERMIT THE RAISING OR KEEPING OF LIVESTOCK IN THE AGRICULTURAL (“A”) DISTRICT FOR PERSONAL USE AND CONSUMPTION ONLY, AND NOT FOR COMMERCIAL SALE, AND TO AMEND SECTION 8.10 TO CLARIFY THAT THE AGRICULTURAL USES PERMITTED IN THE INDUSTRIAL (“M”) DISTRICT RELATE TO RAISING AND PROCESSING CROPS

WHEREAS, the Town of Trappe is authorized by Md. Code Ann. Local Government Article § 5-202 to adopt such ordinances not contrary to the Constitution of Maryland, public general law, or public local law as it deems necessary to assure the good government of the municipality, to preserve peace and order to secure persons and property from damage and destruction and to protect the health, comfort and convenience of the citizens of the municipality; and

WHEREAS, the Town of Trappe is authorized by Md. Code Ann. Land Use Article § 4-102 to develop and adopt zoning restrictions to promote the health, safety, morals or general welfare of the community, including regulating uses of land; and

WHEREAS, the Trappe Planning Commission has determined that commercial livestock operations within the Town are not consistent with the character of a small town developed to town-scale densities and uses, and does not believe that it is in the best interest of the Town and its citizens to encourage or attract such commercial livestock operations within the Town; and further believes that such uses are best suited on larger agricultural parcels located outside of the municipal boundaries of the Town; and

WHEREAS, the Trappe Planning Commission has further determined that there is very little industrially zoned land within the Town, and believes that land zoned for industrial uses should not be utilized for commercial farming operations; and

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

NOW, THEREFORE, THE COUNCIL OF TRAPPE hereby ordain as follows:

Section 1. Title IV of the Trappe Zoning Ordinance, Subsection 7.10 titled “Permitted Principal Uses and Structures”, is hereby amended as follows.

Subsection 7.10 – Permitted Principal Uses and Structures. The following principal uses and structures shall be permitted in the “A” district:

- 1) Public and private conservation areas, including wildlife reservations, arboretums, demonstration forests.

- 2) Floodways; flood prevention, erosion control, or similar works.
- 3) Fish or game hatcheries.
- 4) Public and private parks, and play grounds for the purpose of conserving and enjoying the natural resources.
- 5) Forests, forestation.
- 6) Hunting and fishing cabins used only for temporary residence.
- 7) Agriculture *uses associated with*, ~~including~~ the growing of crops, and the ~~raising production~~ of livestock or poultry, *provided however, that the raising of livestock or poultry shall be for personal consumption only, and not for commercial sale.* Included are the usual agricultural structures and uses *customarily used in farming activities*, such as farm dwellings, commercial and noncommercial greenhouses *and* barns. ~~poultry houses, and the like, providing that all poultry houses, feeder lots, and other uses involving the intensive handling or sheltering of animals shall be located at least 200 feet from any property line.~~ *Any barn or structure which houses animals shall be located at least 200 feet from any property line, and 400 feet from any residential dwelling not located on the property.*
- ~~8)-9)~~ Duck blinds, goose blinds, and the like.
- ~~9)-10)~~ Riding stables of a noncommercial nature.
- ~~10)-11)~~ Single-family dwellings, and duplex dwellings.
- ~~11)-12)~~ Commercial and noncommercial hunting and fishing sites.
- ~~12)-13)~~ Public buildings and structures of a recreational, conservation, cultural or public service type.
- ~~13)-14)~~ Signs, including directional signs advertising a commercial enterprise and public information or event signs, subject to the provisions of Title IV, Section 10, Subsection 10.20.
- ~~14)-15)~~ Private or church cemeteries.

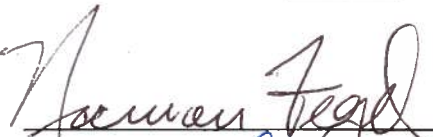
Section 2. Title IV of the Trappe Zoning Ordinance, Subsection 8.10 titled “Land Use Table for the “M” District”, is hereby amended as follows:

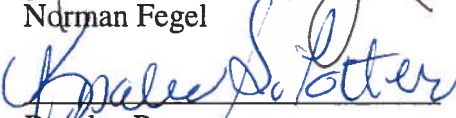
Subsection 8.10 – Land Use Table for the M District. The following principal uses apply in the “M” District. The land use table is intended to permit the following uses, or uses which are substantially similar to the uses set forth herein.

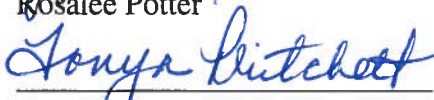
USE DESCRIPTION	Use Classification
AGRICULTURAL	
Agricultural Use	P
Agricultural Use of Forests (including commercial time harvesting, forestation areas)	P
Agricultural - Crop Processing/ production	SE
<i>Agricultural - Crop Production</i>	P
Fish/Game Hatcheries (Wholesale)	P
Greenhouse/Plant Nursery (Retail)	SE
Greenhouse/Plant Nursery (Wholesale)	SE
Produce Stands	P or accessory

Section 3. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance, which can be given effect without the invalid section, subsection, sentence, clause or phrase, and to that end, all provisions of this Ordinance are hereby declared to be severable.

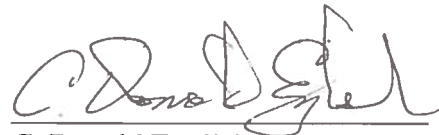
Section 4. This Ordinance shall become effective on the 21st day of March, 2017.


 Norman Fegel


 Rosalee Potter



 Tonya Pritchett

Nay
 Robert Diefenderfer, Jr.



C. Donald English

I hereby certify that the foregoing Ordinance Number 2-2017 of the Town of Trappe was duly read and enacted in accordance with the applicable provisions of the Charter of the Town of Trappe.

Attest: 
Erin Braband, Clerk/Treasurer
Town of Trappe