

**MAYOR AND TOWN COUNCIL
OF OAKLAND MARYLAND**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF OAKLAND AMENDING
CHAPTER 300 THE OAKLAND ZONING ORDINANCE.**

WHEREAS, the Mayor and Town Council of Oakland is authorized by Article 23A of the Maryland Annotated Code and by the Oakland Town Charter to enact ordinances to protect the health, safety and welfare of residents of and visitors to the town of Oakland;

WHEREAS, On January 7, 2008, the Mayor and Town Council of Oakland adopted the Code of the Town of Oakland which contained Chapter 300 the Oakland Zoning Ordinance; and

WHEREAS, the Mayor and Town Council of Oakland wish to modify Chapter 300, Zoning, Article II, Section 300-6 Definitions and Word Usage; and Chapter 300, Attachment 1, Town of Oakland, Table of Use Regulations, Attachment 1.

BE IT HEREBY ORDAINED, that the provisions of the Oakland Code be amended to include the following additions, deletions, and changes:

CHAPTER 300 Oakland Zoning Ordinance

ARTICLE II, Definitions and Word Usage

300-6 Definitions. (to be inserted into the Ordinance in alphabetical order)

GROUP HOME - A residence that:

- (1) Provides residential services for individuals who, because of developmental *or other* disability, require specialized living arrangements;
- (2) Admits at least four but not more than eight individuals; and
- (3) Provides 10 or more hours of supervision per home, per week.

HOSPITAL - A health care institution with an organized medical and professional staff and with inpatient beds available on a 24 hour basis, which has as its primary function to provide inpatient medical, nursing, detox, and other health-related services to patients for both surgical and nonsurgical conditions, and which usually provides some outpatient services such as laboratory, diagnostic, and emergency care.

SOLAR ENERGY SYSTEM - A use which includes panels or other solar energy devices, the primary purpose of which is to provide for the collection, inversion, storage and distribution of solar energy for electricity generation, space heating, space cooling or water heating. Solar panels designed and utilized for heating swimming pools are not considered to be solar energy systems.

300-6 Definitions (continued)

TRANSIENT VACATION RENTAL - A dwelling unit or part of a dwelling unit used for short term rentals with renters staying for period that does not exceed 30 days, such as Airbnb and Vacation Rental by Owner (VRBO) units and the like.

BE IT ALSO ORDAINED, that the provisions of the Oakland Code be amended to include the following additions, deletions, and changes to the Table of Use Regulations of the Oakland Zoning Ordinance:

300, Attachment 1 Town of Oakland, Table of Use Regulations

	<u>CBA</u>	<u>TC</u>	<u>TR</u>	<u>SR</u>	<u>C</u>	<u>EC</u>	<u>PD</u>	<u>RIP</u>
Residential Uses								
(10A) Transient Vacation Rental	SE	SE	SE	SE	SE	SE	SE	SE

- (a) zoning permit is required before the use may occur.
- (b) The owner of the property must pay the annual Commercial District Fee to the Town of Oakland, as provided in Article 1, Chapter 8 of the Town Code.

(11) Group Homes	P	P	SE	SE	N	SE	N	SE
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Accessory Uses

(65) Solar Energy System attached to a principal or accessory building subject to the following conditions:	P	P	P	P	P	P	P	P
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- (a) The energy produced by the system shall be for the benefit and use of the principal or accessory building on the property.
- (b) All solar panels shall utilize glare free technology.
- (c) Any solar system which the Town determines to be a source of noise, vibration, glare, fumes, odors, or electrical interference will be required to have and follow a plan demonstrating mitigation of said problems.
- (d) The solar system will be permitted only if attached to an existing building. The system must comply with applicable building setbacks and building and electrical code requirements.

BE IT FURTHER ORDAINED, this ordinance shall be duly advertised in accordance with the Town's policy for the Adoption of Ordinances by the Mayor and Town Council of Oakland, and a public hearing on this Ordinance shall be held on the 2nd day of December, 2019, at 5:15, at the Town Hall located at 15 South Third Street, Oakland, Maryland 21550, and shall become effective immediately upon adoption.

INTRODUCED this 4th day of November, 2019.

SECOND READING AND ADOPTION this 2nd day of December, 2019.

Ordinance O2019-04 is Effective this 2nd day of December, 20 19.

ATTEST:

Gwen M. Evans
Clerk

APPROVED:

Peggy Jamison
Mayor

Steven R. Teagarden
Councilmember

Wayne J. Mondry
Councilmember

Ray Helberg
Councilmember

Jay Meyer
Councilmember

Kathryn B. Shuff
Councilmember

Kate Brodie
Councilmember