

**MAYOR AND TOWN COUNCIL
OF OAKLAND MARYLAND**

**AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF OAKLAND AMENDING
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 the Oakland Zoning Ordinance, and

WHEREAS, the Mayor and Town Council of Oakland wish to modify Chapter 300 Section 300-6 Definitions, various sections of Chapter 300, Attachment 1, Table of Use Regulations, and also the Oakland Zoning Map.

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

OAKLAND ZONING ORDINANCE

CHAPTER 300 ARTICLE II Definitions and Word Usage

300-6 Definitions.

Animal Breeding Facility or Kennel: Any Lot, building, structure, enclosure or premises whereupon or wherein are kept dogs, cats or similar small animals in any combination, whether such keeping is for pleasure, profit, breeding, or exhibiting, and including places where dogs or cats or similar small animals in any combination are boarded, kept for sale, or kept for hire.

Animal or Veterinary Hospital: Commercial facilities for the keeping of animals to be treated, in treatment, or recovering from treatment in accord with normal veterinary practice and for the boarding of pets and animals indoors.

Banquet or Catering Hall: An establishment which is rented by individuals or groups as a primary use to accommodate private functions including, but not limited to: banquets, weddings, anniversaries and other similar celebrations. Such a use may or may not include: 1) kitchen facilities for the preparation or catering of food; and 2) the sale of alcoholic beverages for on-premises consumption only during scheduled events and not open to the general public.

Brewery and Bottling Facility: An industrial operation involving the brewing and bottling of beverages for local, regional, or national distribution and which may involve routine truck traffic. Brewery and bottling

operations may be permitted in restaurants as an accessory use when integrated into the restaurant operations, with limited distribution and wholesaling permitted.

Commercial Greenhouse: A facility constructed with transparent or translucent material for the indoor propagation of plants and nursery stock for sale to the public, retail nurseries or other businesses. A private greenhouse with no commercial sales is considered an accessory use.

Personal Services: An establishment providing services of a personal nature that are necessary on a frequent or recurring basis. Personal services may include the accessory retail sale of items related to service rendered. Personal services typically include beauty and barbershops; clerical services; dog grooming; garment repair; informational, instructional, personal improvement, or services of a similar nature; manicurists; photography studios; spas; shoe repair; tailoring; tanning salons; licensed massage therapists; licensed acupuncturists and tattoo artists.

Professional Services: An establishment primarily engaged in providing infrequent, technical, or unique functions on a fee or contract basis. Such uses may include, but are not limited to, certified public accountancy, engineering, architecture, law, medical, dental, veterinarian (excluding clinics and laboratories), and real estate offices.

Pub/Tavern/Bar: An establishment used primarily for the consumption of alcohol (with food also being available) to the general public, wherein the average daily receipts from the sale of alcoholic beverages exceeds 25% of gross sales.

Restaurant or Catering of Foods: An establishment for the accommodation of the public equipped with a dining room with facilities for preparing and serving regular meals to be consumed primarily on the premises of the principal building and wherein the average daily receipts from the sale of alcoholic beverages is 25% or less than the average of total daily receipts. The establishment may also prepare foods for off-premises catering.

Retail Nursery: A commercial business that offers to the general public such products as trees, shrubs and plant materials, planter boxes, fertilizers, sprays, seeds, mulch, garden tools, and related items.

Tree Farm: A tree farm is a commercial enterprise that grows coniferous and other trees for the purposes of replanting, landscaping, holiday decoration, which are either pre-cut, balled or made available for the consumer to cut.

Urgent Care Facility: An outpatient health care facility designed to evaluate and treat conditions that generally are not severe enough to require treatment in a hospital emergency room but still require immediate treatment usually beyond normal physician office hours or before a physician appointment is available.

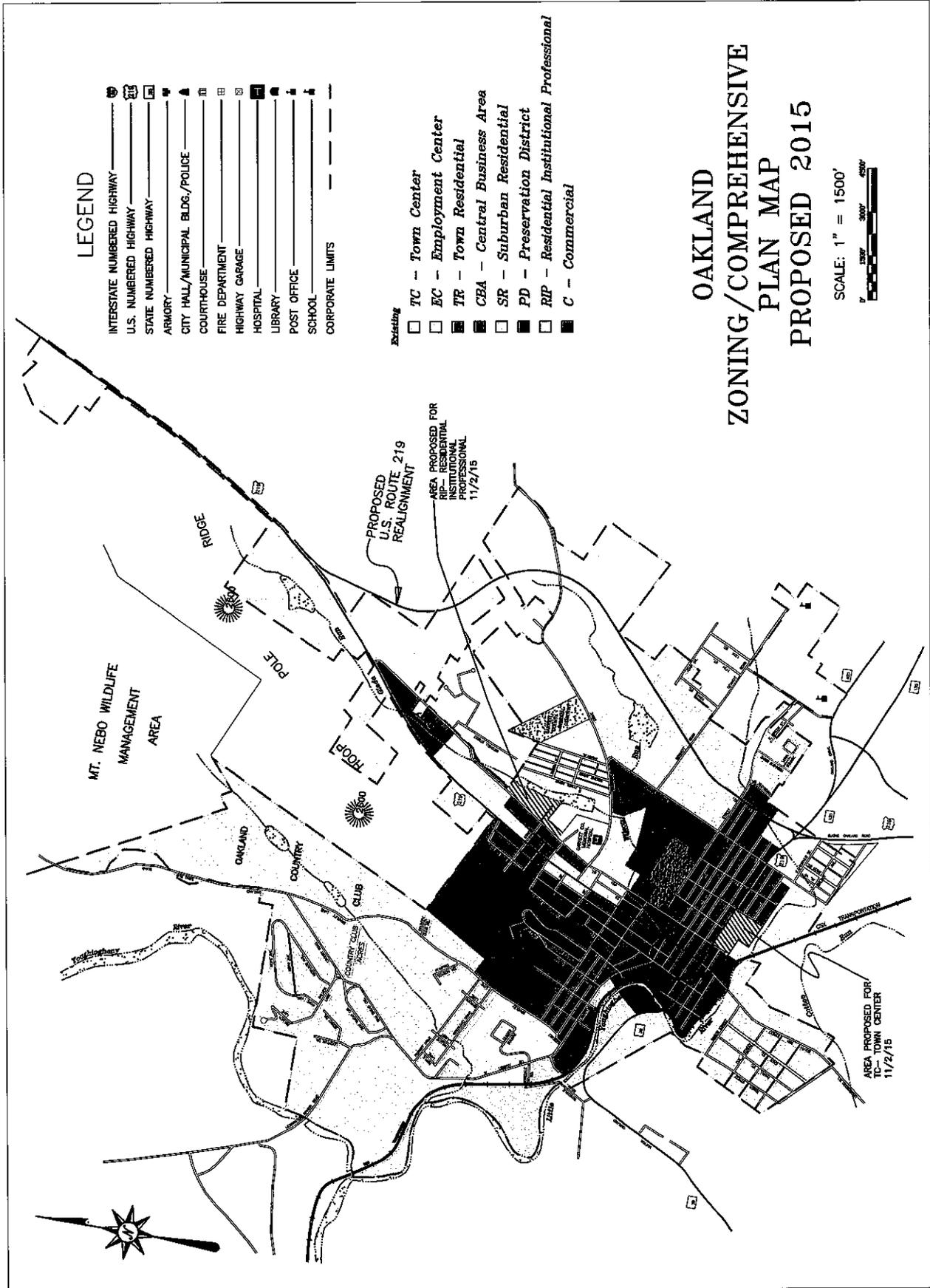
OAKLAND COMPREHENSIVE PLAN MAP (ZONING MAP)

Note: the proposed changes to the Oakland Zoning Map are denoted by “cross hatched” lines for easy reference. The new map will correctly show the actual color designations.

The following are the sections which are proposed to have their zoning classification changed:

Properties on the east side of North Fourth Street on Map 111 including the following parcels: 604, 605, 609, 610, 611, and 612.

Properties on the south side of East Oak Street, including some on Poplar Street, on Map 112 including the following parcels: 893, 894, 895, 896, 897, 898, 899, 921, 922, 923, 925, 926, 928, 929, 930, 932, 933, and 934.



LEGEND

- INTERSTATE NUMBERED HIGHWAY
- U.S. NUMBERED HIGHWAY
- STATE NUMBERED HIGHWAY
- ARMORY
- CITY HALL/MUNICIPAL BLDG./POLICE
- COURTHOUSE
- FIRE DEPARTMENT
- HIGHWAY GARAGE
- HOSPITAL
- LIBRARY
- POST OFFICE
- SCHOOL
- CORPORATE LIMITS

- Existing*
- TC - Town Center
 - EC - Employment Center
 - TR - Town Residential
 - CBA - Central Business Area
 - SR - Suburban Residential
 - PD - Preservation District
 - RIP - Residential Institutional Professional
 - C - Commercial

OAKLAND

ZONING/COMPREHENSIVE PLAN MAP

PROPOSED 2015

SCALE: 1" = 1500'

MT. NEBO WILDLIFE
MANAGEMENT
AREA

PROPOSED
U.S. ROUTE 219
REALIGNMENT

AREA PROPOSED FOR
RIP - RESIDENTIAL
INSTITUTIONAL
PROFESSIONAL
11/2/15

AREA PROPOSED FOR
TC - TOWN CENTER
11/2/15



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 7th day of December, 2015, at 5:00 pm, at the Town Hall located at 15 South Third Street, Oakland, Maryland 21550, and shall become effective ten days after adoption.

INTRODUCED this 2nd day of November, 2015.

SECOND READING AND ADOPTION this 7th day of December, 2015.

EFFECTIVE this 17th day of December, 2015.

ATTEST:

APPROVED:

Queen M. Evans
Clerk

Pezy Janusek
Mayor

Jay Meyer
Councilmember

Shirley R. Tagarden
Councilmember

Elmer V. Ledinger
Councilmember

Jack C. King
Councilmember

[Signature]
Councilmember

Councilmember