

COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 21-O-09

Date Introduced:	May 10, 2021
Sponsored By:	Councilman Adam M. Hiob and Councilwoman Sandra J. Landbeck
Public Hearing:	May 25, 2021
Amendments Adopted:	None
Date Adopted:	June 7, 2021
Date Effective:	June 28, 2021

AN ORDINANCE concerning

DEVELOPMENT CODE REVISION

FOR the purpose of amending the City of Aberdeen Development Code to add a new definition of “Dwelling, Stacked Townhouse”, to add “Dwelling, Stacked Townhouse” to the Table of Uses, to add “Stacked Townhouse” to General Lot Requirements, to create certain exceptions to certain regulations for Stacked Townhouses, and generally relating to adding Stacked Townhouses as a new housing type in the City of Aberdeen.

BY repealing and reenacting, with amendments
Chapter 235, Development Code
Article I, General Provisions
Section 235-7
Code of the City of Aberdeen
(2010 Edition as amended)

BY repealing and reenacting, with amendments
Chapter 235, Development Code
Article III, Zoning Districts
Sections 235-18.K.(4) and 235-19 (Appendix A, Table of Use Regulations)
Code of the City of Aberdeen
(2010 Edition as amended)

BY repealing and reenacting, with amendments
Chapter 235, Development Code
Article IV, Provisions Applicable to All Districts
Sections 235-20.A., 235-21 (Table I: Lot Area, Lot Width, and Yard Requirements for Residential Zoning Districts), 235-22 (Table IV: Minimum Floor Area Requirements for Dwelling Units), 235-24.A.(3) and 235-25.B.
Code of the City of Aberdeen
(2010 Edition as amended)

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
 ((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or
 deleted from the law by amendment.
 * * * indicates existing unmodified text omitted from Ordinance.

TWO TWO-STORY DWELLING UNITS, STACKED ONE OVER THE OTHER, TO CREATE A FOUR-STORY BUILDING WITH EACH UNIT HAVING INDIVIDUAL ACCESS FROM THE FRONT AND REAR OF THE DWELLING.

J. I. DWELLING, TOWNHOUSE

A Building containing three or more attached dwelling units in a row having individual access from the front and rear of the dwelling.

K. J. DWELLING UNIT

A dwelling designed for one or more individuals who function as a single household unit.

L. ~~K.~~ DWELLING, ZERO LOT LINE

A building on a single lot containing one dwelling unit located with one side lot line a minimum of 18 inches.

* * *

SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that Chapter 235, Development Code, Article III, Zoning Districts, Section 235-19 (Appendix A, Table of Use Regulations), Code of the City of Aberdeen (2010 Edition as amended), is repealed and reenacted, with amendments to read as follows:

Article III
Zoning Districts

§ 235-18 Zoning districts and boundaries.

In conformity with the purposes of this chapter, the following zoning districts are established:

* * *

K. Integrated Business District.

* * *

(4) Height. The maximum height of any building shall be as follows:

(a) For properties fronting on MD 22, the maximum height shall be 40 feet.

(b) For all other properties located within the IBD, the maximum height shall be 80 feet.

(c) Residential dwellings located in the IBD shall not exceed a height of 40 feet, EXCEPT FOR STACKED TOWNHOUSES WHICH MAY HAVE A MAXIMUM HEIGHT OF 80 FEET REGARDLESS WHERE LOCATED IN THE DISTRICT.

(d) Accessory use structures shall not exceed a height of 20 feet.

§ 235-19 **Use table.**

See Appendix A for uses principally permitted and permitted by special exception within each district. Temporary uses are regulated by § 235-29.

Appendix A
Table of Use Regulations

Key to Table:

- P Permitted Use
- SE Use subject to special exception from the Board of Appeals
- Not Permitted
- 2nd floor Permitted on second floor and above
- T-5 Only permitted in TOD-C
- SFD Single-family dwelling
- T-6 ONLY PERMITTED IN TOD-6

Use	Zoning District									
	R-1	R-2	R-3	B-1	B-2	B-3	M-1	M-2	IBD	TOD
Residential										
* * *										
Dwelling, townhouse			P						P	P
DWELLING, STACKED TOWNHOUSE	--	--	P	--	--	--	-	--	P	TOD- 6
* * *										

SECTION 3. AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN that Chapter 235, Development Code, Article IV, Provisions Applicable to All Districts, Sections 235-20.A., 235-21 (Table I: Lot Area, Lot Width, and Yard Requirements for Residential Zoning Districts), 235-22 (Table IV: Minimum Floor Area Requirements for Dwelling Units), 235-24.A.(3) and 235-25.B., General Lot Requirements (2010 Edition as amended), are repealed and reenacted, with amendments, to read as follows:

Article IV
Provisions Applicable to All Districts

§235-20. **General Lot Requirements.**

- A. Every building hereafter created, reconstructed, converted, moved or structurally altered shall be located on a lot of record, and in no case shall there be more than one principal building on one lot except as provided below:
 - (1) Apartment buildings.
 - (2) Commercial or industrial buildings
 - (3) Condominiums

- (4) Office/research/educational or industrial
- (5) Public, semipublic or institutional buildings
- (6) Shopping or retail centers
- (7) Retirement Communities
- (8) STACKED TOWNHOUSES

§ 235-21 **Lot area, width and yard requirements.**

Table I specifies the minimum lot area, width and yard requirements to be provided in the various residential zoning districts for the principal uses enumerated. Table II specifies the minimum lot area, width and yard requirements to be provided in the various commercial and industrial zoning districts for the principal uses enumerated. Table III specifies the minimum lot area, width and yard requirements for various institutional uses enumerated.

* * *

Table I: Lot Area, Lot Width and Yard Requirements for Residential Zoning Districts

Uses	Lot Area (square feet)	Lot Width feet	Lot Area Per Family	Front Yard Depth (feet)	Rear Yard Depth (feet)	Side Yards – Least Width (feet)	Side Yards – Sum of Widths (feet)
* * *							
Dwelling, zero lot line R-3	4,500	50	4,500	25	35	0	20
DWELLING, STACKED TOWNHOUSE	2,100	24	2,100	25	35	0	0
Dwelling, townhouses, per unit R-3, for interior units	2,000	20	2,000	25	35	0	0
* * *							

* * *

§ 235-22 **Minimum floor area.**

- A. Every dwelling unit shall have a floor area not less than the area specified in Table IV for the dwelling type and zoning district in which it is located.

* * *

Table IV: Minimum Floor Area Requirements for Dwelling Units

Dwelling Type	Area Required Per Unit (square feet)	
	1 Story	1 ½ to 2 ½ Stories
* * *		
Dwelling, apartments	500	500
DWELLING, STACKED TOWNHOUSE	720	900
Dwelling, townhouses	720	900
* * *		

* * *

§ 235-24 General Height Requirements.

A. Residential zoning districts.

(3) Requirements in the R-3 Zoning District:

(a) No principal structure shall exceed 50 feet in height EXCEPT FOR STACKED TOWNHOUSES THAT SHALL NOT EXCEED 80 FEET IN HEIGHT.

(b) No accessory structure shall exceed 20 feet in height.

§ 235-25 Off-street parking and loading requirements.

B. Parking space requirements. When determination of the number of required parking spaces results in a fractional space, any fraction of 1/2 or less may be disregarded, while a fraction in excess of 1/2 shall be counted as one parking space. Unless otherwise provided, the following off-street parking space requirements shall apply:

Required Off-Street Parking by Use/Activity

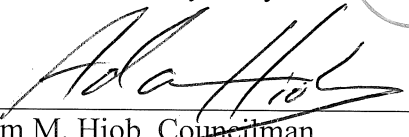
Use or Category	Spaces Required Per Unit
* * *	
Dwelling, attached, single-family (duplex and townhouse)	2.5 spaces per dwelling unit
DWELLING, STACKED TOWNHOUSE	2.5 SPACES PER DWELLING UNIT
Halfway house	1 space per staff person and 1 space per 2 residents
* * *	

1 **SECTION 4. AND BE IT FURTHER ENACTED BY THE COUNCIL OF**
2 **THE CITY OF ABERDEEN** that this Ordinance shall become effective at the expiration
3 of twenty (20) calendar days following adoption.

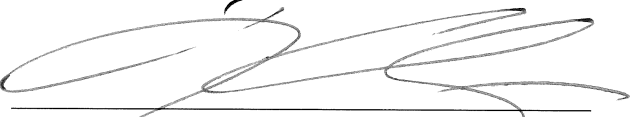
COUNCIL OF THE CITY OF ABERDEEN



Patrick L. McGrady, Mayor



Adam M. Hiob, Councilman



Jason W. Kolligs, Councilman



Sandra J. Landbeck, Councilwoman

Timothy W. Lindecamp, Councilman

ATTEST:

SEAL:



Monica A. Correll, City Clerk

Date June 7, 2021