COUNCIL OF THE CITY OF ABERDEEN
Ordinance No. 14-O-05

Introduced By:	**Mayor Michael E. Bennett**
Date Introduced:	**February 3, 2014**
Public Hearing:	**January 27, 2014**
Amendments Adopted:	
Date Adopted:	**February 24, 2014**
Date Effective:	**March 17, 2014**

AN ORDINANCE concerning

REVISION OF CITY OF ABERDEEN DEVELOPMENT CODE
TRANSIT ORIENTED DEVELOPMENT

FOR the purpose of comprehensively revising the City of Aberdeen Development Code to provide for regulations relating to transit oriented development in the City; providing certain transit oriented development tables and graphics as part of the revised Development Code; revising certain obsolete references to provisions of State law; providing that the provisions of this Ordinance are severable; and matters generally related to revisions to transit oriented development in the City of Aberdeen.

BY repealing and reenacting, with amendments,
Chapter 235. DEVELOPMENT CODE
Sections 235-2, 235-7, 235-10.A., F.(1) and F.(3), 235-11.A., 235-14.B.(1)(j), B.(6), and B.(7)(c), 235-18.K., 235-24.C., 235-25.A., 235-26.A., and B., 235-37.A. and 235-40.B.(3)
Code of the City of Aberdeen (2010 Edition as amended)

BY repealing and reenacting, with amendments,
Chapter 235. DEVELOPMENT CODE
Appendix A, Table of Use Regulations
Code of the City of Aberdeen (2010 Edition as amended)

BY adding
Chapter 235. DEVELOPMENT CODE
Sections 235-18.O., 235-21.C., 235-22.C., 235-23.G., and 235-26.J.
Code of the City of Aberdeen (2010 Edition as amended)

BY adding

Chapter 235. DEVELOPMENT CODE
Article VIII, Transit Oriented Development Maps and Graphics
Section 235-43
Code of the City of Aberdeen (2010 Edition as amended)

EXPLANATION:
Bold Italics indicate matter added to existing law or new law.
~~Strike-Out~~ indicates matter deleted from existing law or stricken from the Ordinance by amendment.
Underlining indicates amendments to Ordinance.
* * * indicates existing unmodified text omitted from Ordinance

SECTION 1. BE IT ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that Sections 235-2, 235-7, 235-10.A., F.(1) and F.(3), 235-11.A., 235-14.B.(1)(j), B.(6), and B.(7)(c), 235-18.K., 235-24.C., 235-25.A., 235-26.A., and B., 235-37.A. and 235-40.B.(3), Code of the City of Aberdeen (2010 Edition as amended), Chapter 235, DEVELOPMENT CODE, are repealed and reenacted, with amendments, to read as follows:

Chapter 235, DEVELOPMENT CODE

§ 235-2. Legislative authority; Zoning Maps.

This chapter is adopted pursuant to ~~Articles 23A and 66B~~ ***the Local Government and Land Use Articles*** of the Annotated Code of Maryland and the City Charter. The Zoning Maps of the City shall be the official maps adopted by legislative action.

§ 235-7. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this chapter, have the meaning herein indicated. ***Where this Chapter refers to Transit Oriented Development Illustrations, Maps and Regulating Plan, those Illustrations, Maps and Regulating Plan are set forth in Section 235-43 and incorporated by reference.***

* * *

ANNEXATION

A process by which the City expands its corporate boundaries to include land that previously was located in an unincorporated area of the county, pursuant to ***the Local Government*** Article ~~23A~~ of the Annotated Code of Maryland.

* * *

AWNING

A roof-like cover often made of fabric, metal, or glass designed and intended for protection from weather or as a decorative embellishment and which projects from a wall or roof of a structure over a window, walk, door or the like.

BACK OF CURB

The seam between the curb and the sidewalk.

BASEMENT

A story having 1/2 or more of its floor-to-ceiling height below the average level of the adjoining ground and with a floor-to-ceiling height of not less than 6 1/2 feet. When used as a separate dwelling, a basement shall be counted as a story for the purpose of height measurement.

* * *

BOARD OF APPEALS

The Board of Appeals is established pursuant to ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland. The Board of Appeals is authorized to grant variances, special exceptions, and appeals of Zoning Administrator interpretations.

* * *

BUILDING

Any structure having a roof supported by columns or walls and intended for shelter, housing, storage, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

BUILDING CONFIGURATION

Within the Transit Oriented Development Districts, the form of a building, based on its mass, private frontage, and height.

BUILDING COVERAGE

That portion of a lot which is covered by buildings and structures.

BUILDING DISPOSITION

Within the Transit Oriented Development Districts, the placement of a building on its lot. (See Illustration 21, Building Disposition).

BUILDING FRONTAGE

Within the Transit Oriented Development Districts, the area between building façades and the vehicular lanes, inclusive of the areas built and planted components. (See Illustration 22, Building Frontages).

BUILDING HEIGHT

The vertical distance to the highest point of the roof shall be measured from the finished grade at the front of the building. ***In the TOD District the building height is measured in stories and vertical distance with a minimum and maximum building height and story height. (See Illustrations 30-32, Height).***

BUILDING LINE

Applicable to all zoning districts with the exception of the Transit Oriented Development Districts, the~~The~~ line which is located at the front yard setback of a lot and at which the required lot width for the district is met.

BUILDING TYPE

A structure category determined by function, configuration, including frontage.

BUILD TO LINE

Within the Transit Oriented Development Districts, a line parallel to the property line where the facade of the building is required to be located. The abbreviation "BTL" shall mean Build to Line.

BUILDING, PRINCIPAL

Any building which serves as a principal permitted use. Any buildings or structures attached to the principal building, either directly or by breezeway, shall be considered part of the principal building.

* * *

COMPREHENSIVE PLAN

A planning document adopted by the City Council upon recommendation from the Planning Commission and pursuant to ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland which serves as a guide to public and private actions and decisions and includes goals and objectives, land use plan, transportation plan, community facilities plan, sensitive area plan, and the general location and the extent of public utilities and other facilities.

* * *

COURTYARD

A fully or partially enclosed area which admits unobstructed light and air, bounded on two or more sides by buildings, walls or other enclosing devices***, sometimes between one or more developments. (See Accessible Courtyards, Illustration 27, Open Space Types)***.

COURTYARD BUILDING

Within the Transit Oriented Development Districts, a building that occupies the boundaries of its lot while internally defining one or more private patios. (See Courtyard, Illustration 21, Building Disposition).

CURB

The edge of the vehicular pavement that may be raised or flush to the pavement.

DAY-CARE CENTER (GROUP)

A person, agency, or institution licensed by the State of Maryland to provide group care in a residence for between nine and 12 adults or children who do not all have the same parentage, or care of 13 or more adults or children in facilities other than a private home setting, for a portion of a day and on a regular schedule more often than once a week.

* * *

EASEMENT

An interest in land owned by another that entitles its holder to a specific limited use or enjoyment.

EDGEYARD BUILDING

Within the Transit Oriented Development Districts, a building that occupies the center of its lot with setbacks on all sides. (See Edgeyard, Illustration 21, Building Disposition).

EGRESS

An exit.

ENTRANCE, PRINCIPAL

The main point of access of pedestrians into a building.

ENVIRONMENTAL SITE DESIGN (ESD)

The use of small-scale stormwater management practices, nonstructural techniques, and better site planning to mimic natural hydrologic runoff characteristics.

EXISTING USE OR USES

The lawful use or uses of a building, lot, or structure at the time of the enactment of this chapter.

EXPRESSION LINE

Within the Transit Oriented Development Districts, a line prescribed at a certain level of a building for the major part of the width of a façade, expressed by the variation in material or by a limited projection such as a molding or balcony. (See Illustration 43, Expression Line).

FAÇADE
The exterior wall of a building that is set along a frontage line.

* * *

FRONTAGE
Any and all sides of a lot abutting on a street. ***(Within the Transit Oriented Development Districts, see Illustration 22, Building Frontages).***

FRONTAGE COVERAGE
The minimum percentage of the length of the Frontage that must be occupied by the front façade of the primary buildings.

FRONTAGE LINE
Those lines that coincide with the public frontage.

FUEL STORAGE FACILITY
Any premises or units where gasoline, propane, natural gas, or other petroleum products are stored in bulk for the purpose of sale or distribution.

GALLERY
A frontage wherein the façade is aligned at the build to line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. (See Illustration 22, Building Frontages).

GARAGE, ATTACHED
An attached accessory building or portion of a main building designed, arranged, or used primarily for the housing or storage of private motor vehicles.

* * *

HOMEOWNERS' ASSOCIATION
A nonprofit organization operating under recorded land agreements through which:

A. Each lot and/or homeowner in a clustered or planned development is automatically a member; and

B. Each lot is generally subject to a charge for a proportionate share of the expenses for the organization's activities, such as maintaining a common property, and the charge if unpaid becomes a lien against the property.

HORIZONTAL MIXED-USE (ATTACHED)
Within the Transit Oriented Development Districts, a mix of uses whereby different uses are adjacent to each other within the same lot or development.

HORIZONTAL MIXED-USE (DETACHED)

Within the Transit Oriented Development Districts, a mix of uses whereby different uses are adjacent to each other within the same lot or development.

HOSPITAL

Any licensed and State of Maryland accredited health care institution with an organized medical and professional staff and with inpatient beds available around the clock whose primary function is to provide inpatient medical, nursing, and other health-related services to patients for both surgical and nonsurgical conditions and that usually provides some outpatient services, particularly emergency care.

* * *

LIFE CARE FACILITY

A facility that provides board and lodging, nursing services, medical care, or other health-related services pursuant to an agreement effective for the life of the individual or for a period in excess of one year.

LINER BUILDING

Within the Transit Oriented Development Districts, a building usually shallow in depth, specifically designed to mask a parking lot, parking garage or blank wall from a frontage.

LIVE WORK UNIT

Within the Transit Oriented Development Districts, a dwelling unit that is also the primary place of work of the business operator, which place of work is located on the ground floor for the occupant of the unit.

LOT

A designated area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit. "Lot" shall include the words "plot" and "parcel."

* * *

LOT COVERAGE

The percentage of a lot area occupied by the ground area of principal and accessory buildings or structures on such a lot.

LOT FRONTAGE

The distance that a lot abuts a street.

LOT LAYERS

A range of depth of a lot and its building frontage within which certain elements are permitted. (See Illustrations 40-42, Lot Layers and Parking and Illustration 26, Sidewalk Widths, Planting Areas and ESD).

A. LOT LAYER, FIRST (1st) — The area between the back of curb and the back of the sidewalk.

B. LOT LAYER, SECOND (2nd) –The area which starts at the build to line and extends towards the center for twenty (20) feet.

C. LOT LAYER, THIRD (3rd) — The third lot layer is the area between the second lot layer and ten (10) feet of the rear property line.

LOT LINE

A line of record bounding a lot that divides one lot from another lot or from any right-of-way or from any other public space.

A. **LOT LINE, FRONT** — The lot line separating a lot from a road right-of-way.

B. **LOT LINE, REAR** — The lot line opposite and most distant from the front lot line.

C. **LOT LINE, SIDE** — Any other lot line other than a front or rear lot line.

* * *

PARCEL

A designated area of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit. "Parcel" shall include the words "lot" and "plot."

PARK

Parks are public spaces that are available as recreational spaces that are accessible to and adequate for the recreational function and persons they are designed to serve, such as Festival Square.

PARKING STRUCTURE

A building containing two or more stories of parking. Parking structures in TOD zoning shall have Liner Buildings at the first story or higher.

PASSAGE

Within the Transit Oriented Development Districts, a paved pedestrian connector, which may or may not be roofed, passing between buildings, providing shortcuts through long blocks and connecting interior or rear parking areas to buildings, street fronts, courtyards and other public spaces. (See Illustration 29, Passage).

PERFORMANCE STANDARDS

A set of criteria or limits relating to elements which a particular use or process may not exceed.

PERSONAL SERVICE

Establishments primarily engaged in providing services, including the care of a person or his or her apparel, such as but not limited to cleaning and garment services, which are deemed to be establishments for the mechanical cleaning of garments; linen supply; diaper service; coin-operated laundries; carpet and upholstery cleaning; photographic studios; beauty shops; barbershops; shoe repair; steam baths; reducing salons and health clubs; travel agent; clothing rental; locker rental; porter service; optician; and tailor.

PLANTING AREA

The element of the public streetscape which accommodates street trees and/or Environmental Site Design (ESD) planting areas. Planting areas may be continuous or individual.

PLAZAS

Large outdoor spaces that extend the public realm from the street or sidewalk to the main entry of an adjacent building. (See Plazas, Illustration 27, Open Space Types).

PLANNED UNIT DEVELOPMENT

A residential project which incorporates or combines reduced lot and area requirements with open space use as a substantial portion of the remaining land and designed, developed, and maintained in accordance with the special development regulations of this chapter.

PLANNING COMMISSION

The City of Aberdeen Planning Commission, established pursuant to *the* ***Land Use*** **Article** ~~66B~~ of the Annotated Code of Maryland, comprised of seven members appointed by the Council and who provide recommendations to the Council in regard to land use and development matters.

* * *

PORTICO

A colonnade or covered area often at the entrance of a building.

PRINCIPAL STRUCTURE

The main building on a lot, usually located toward the frontage.

PRINCIPAL STREET FRONTAGE

Within the Transit Oriented Development Districts, lot lines that coincide with public frontage on a collector or arterial roadway. (See Illustration 18, Principal Street Frontages). Buildings are oriented towards the Principal Frontage, and include both the principal entrance to the building and the address. Parcels may have more than one Principal Street Frontage, especially at corner locations and when bordered in the front and rear by collector or arterial roadways.

PROFESSIONAL SERVICES

The services by members of any profession, including but not limited to accountants, architects, chiropractors, dentists, doctors, engineers, lawyers, ophthalmologists, optometrists, osteopaths, psychologists, or social workers.

* * *

PUBLIC UTILITY SUBSTATION

A configuration of high-voltage electrical equipment, consisting of but not limited to power circuit breakers, switches, transformers with associated connections, lighting masts, control house, and structures with related foundations, the purpose of which is to transform the electrical voltage from one level to another or to function as a switching point for two or more circuits of equal voltages. This equipment may be enclosed by a fence or other barrier.

REARYARD BUILDING

Within the Transit Oriented Development Districts, a building that occupies the full front lot line, leaving the rear of the lot as the sole yard. (See Rearyard, Illustration 21, Building Disposition).

RECREATIONAL VEHICLE

A vehicular-type unit which is designed for recreation, camping or travel use which either has its own motor power or is mounted on or drawn by another vehicle and which, in general, is of such size and weight as not to require special highway movement permits when drawn by a passenger automobile or a pickup truck.

* * *

RESTAURANT, DRIVE-THROUGH

A building, structure, or portion thereof designed to sell prepared food and beverages to patrons in vehicles.

RETAIL/COMMERCIAL SHOPFRONTS

Within the Transit Oriented Development Districts, buildings which are located on parcels that front arterial or collector roadways that are designated as Primary and Secondary Frontages (See Illustration 19, Retail/Commercial Shopfronts) and that require the provision of a Shopfront building façade and building frontage on the ground level, designed for commercial use. (See Shopfront and Awning Building Frontage, Illustration 22, Building Frontages and Illustration 20, Opacity/Windows).

RETIREMENT COMMUNITY

A senior living community, retirement community, assisted living community, continuing care retirement community, independent living community or similar community that offers a combination of independent living, assisted living or nursing.

* * *

ROAD

A right-of-way which has been improved and is intended for motor vehicle traffic and provides access to property.

A. **ROAD, ARTERIAL** — A road which carries the major portion of the traffic entering and leaving an area of the county.

Four arterial street types are defined in the Aberdeen Comprehensive Plan and listed in order from regional to local significance:

(1) REGIONAL CONNECTOR ARTERIAL – This is an arterial street with a combination of free- flow ramp and signalized points of access. It primarily provides mobility through Aberdeen for motor vehicle, truck, and commuter bus traffic, as well as access to major destinations within Aberdeen. Provision of space for bicycle and pedestrian travel is secondary to motor vehicle movement but not optional, and the design should emphasize frequent, safe crossings for cyclists and pedestrians.

(2) COMMERCIAL PRIMARY ARTERIAL – An arterial street segment that serves (or is planned to serve) a low- or medium-density commercial area that may be equally oriented to retail stores, service, and industrial use. This street emphasizes transit and motor vehicle travel, including truck movements. It also facilitates bicycle access.

(3) VILLAGE CENTER MIXED USE ARTERIAL - An arterial street segment that serves a compact mixed-use area that is fronted by (or planned to be fronted by) a variety of commercial, institutional, government, and/or residential uses. The street design emphasizes pedestrian, transit, and bicycle travel with adequate facilities provided within the street right-of-way.

(4) RESIDENTIAL ARTERIAL - An arterial street that serves and traverses a primarily residential neighborhood and is fronted by (or planned to be fronted by) residential, park, or institutional property. This street's design emphasizes bicycle and pedestrian travel, local motor vehicle travel, and transit access.

B. **ROAD, COLLECTOR** — A road which provides for principal internal movements within residential neighborhoods and business or industrial districts and which is a primary means of circulation between adjacent neighborhoods, which functions to distribute traffic from arterials to local and other collector roads and collects traffic from local roads and channels it into the arterial system.

Three collector street types are defined in the Aberdeen Comprehensive Plan and listed in order from regional to local significance:

(1) VILLAGE CENTER COLLECTOR STREETS - Collector or local streets located in a medium or high- density residential, commercial, or mixed- use area. These streets, often called side streets, may include street level shops, but do not have the same level of pedestrian and vehicular activity as arterial streets. In some locations, these streets provide service, utility, and emergency vehicle access to alleys, loading docks, and building service areas for loading and unloading goods, recyclables, and refuse. Access to the street system from off-street and garage parking may also be located on Village Center Streets. These streets may provide pedestrians and cyclists a quieter alternative to arterial traffic. Village Center Streets have been further classified distinguishing West Bel Air as Main Street, the roads adjacent to Festival Square and City Hall as Festival Streets; all other Village Center Streets are classified as Local Streets.

(2) NEIGHBORHOOD PRINCIPAL COLLECTOR STREETS - Neighborhood Principal Streets occur in lower-density residential areas and provide access for fronting properties and links to adjacent streets. Like Village Center Streets, they provide a way for travel to and from home, connections to local resources, and a shared space in the neighborhood for walking, biking, talking with neighbors, and conducting everyday activities.

(3) NEIGHBORHOOD MINOR COLLECTOR STREETS - Neighborhood Minor Streets occur in low- and medium-density residential areas. These streets arevery similar to Neighborhood Principal Streets in form and function. The distinctive feature of these streets is their nearly exclusive orientation to providing access to residences. Since residential streets have low traffic volumes with infrequent travel by large vehicles, all users other than pedestrians can be accommodated within a relatively narrow travelway.

C. **ROAD FRONTAGE** — That portion of a lot abutting a street or highway and situated between lot lines intersecting such street or highway.

D. **ROAD, LOCAL** — A road which primarily provides direct access to abutting properties.

* * *

SETBACK

The required minimum distance from the road right-of-way***, back of curb*** or any lot line, that establishes that area within which principal buildings or structures must be erected or placed.

SHARED PARKING

Parking spaces that are shared by more than one user or business.

SHED

A storage facility, under 500 square feet in size, constructed as an accessory structure incidental and subordinate to the use of the principal building, not to include shipping containers or tractor-trailer bodies.

SHOPFRONT

Within the Transit Oriented Development Districts, a frontage wherein the façade is located at the back edge of the sidewalk (BTL) with a substantial glazing on the sidewalk level, and an awning or cantilevered shed roof projecting no more than seven (7) feet forward of the BTL when the shopfront is not combined with a gallery or arcade frontage. (See Illustration 20, Opacity/Windows and Shopfront and Awning, Illustration 22, Building Frontages).

SHOPPERS' MERCHANDISE

Retail or wholesale establishments commonly referred to as department stores, discount stores, pharmacies, outlet stores, variety stores and supermarkets shall be regulated as "shoppers' merchandise."

SHOPPING CENTER

Six or more business uses, and with a building gross floor area of at least 20,000 square feet, and located in a particular zoning district. (See § 235-34 for detailed requirements.)

SIDEYARD BUILDING

Within the Transit Oriented Development Districts, a building that occupies one side of the lot with a setback to the other side. (See Illustration 21, Building Disposition).

SIDEWALK

Within the Transit Oriented Development Districts, the paved layer of building frontage dedicated exclusively to pedestrian activity.

SIGHT TRIANGLE

The area at the corner of a lot fronting on two streets which shall remain unobstructed for sight distance purposes.

* * *

SITE PLAN

A plan, to scale, showing uses and structures proposed for a parcel of land as required by this chapter. It includes lot lines, streets, building sites, reserved open space, buildings, major landscape features (both natural and man-made), and existing and proposed utility lines.

SPECIAL DISTRICTS

Consists of areas with buildings that by their Function, Disposition, or Configuration cannot, or should not, conform to one of the designated Transect Zones.

SPECIAL EXCEPTION

A use which is subject to approval by the Board in a particular district only upon showing that such use in a specific location will comply with the conditions and standards for the location or operation of such use as specified in this chapter.

SPECIALTY STORE OR SHOP

A retail store which carries only one type of interrelated goods, including but not limited to bookstores, candle shops, cosmetic shops, florist shops, gift shops, hobby and craft supply shops, import shops, jewelry shops, key shops, liquor stores, newspaper and magazine shops, novelty shops, pet stores, photographic shops, souvenir shops, and stationery shops.

STOOP BUILDING FRONTAGE

Within the Transit Oriented Development Districts, a frontage wherein the façade is aligned close to the frontage line with the lower story elevated at least eighteen (18) inches from the sidewalk to establish a sense of transition from public to private realm, and may be elevated sufficiently to secure privacy for the windows.

STORY

That portion of a building between the surface of any floor and the surface of the floor above it or, if there is no floor above it, then the space between the floor and the ceiling, including basements. ***In the TOD districts, minimum story height is no less than ten (10) feet and no more than fourteen (14) feet from floor to ceiling, except that the first floor must be at least twelve feet (12) in height and the top story may be no more than fourteen feet (14) feet from floor to ceiling. (See Illustration 35, Floor Heights by Story).***

STREET

(See "road.") A right-of-way which has been improved and is intended for motor vehicle traffic and provides access to property.

STREET FRONTAGE

Within the Transit Oriented Development Districts, the area where a building façade faces a street.

STREETSCAPE

The urban element that establishes the major part of the public realm. The streetscape is composed of roads (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

STRUCTURE

A combination of materials to form a construction for use, occupancy or ornamentation, whether installed below or above the surface of land or water.

* * *

TEMPORARY USE

A use permitted for a fixed period of time as specified in this chapter with the intent to discontinue such use upon the expiration of a period of time, or a use which occurs on a periodic basis and is not continuous.

TRANSECT

Within the Transit Oriented Development Districts, a system of ordering human habitats in a range from the most natural to the most urban, which describes the physical character of place at any scale, according to the density and intensity of land use and urbanism.

TRANSECT ZONE (T-ZONE)

Transect Zones are administratively similar to the land use zones in conventional codes, except that in addition to the usual building use, density, height, and setback requirements, other elements of the intended habitat are integrated, including those on the lot and building fronting the public streetscape. The elements are determined by their location on the Transect Zone map or Regulating Plan. The TOD districts include three (3) Transect Zones. The TOD Downtown (TOD-D) synonymous with the urban core district (T6). The TOD Corridor (TOD-C) synonymous with the urban center district (T5). The TOD Neighborhood (TOD-N) synonymous with the general urban zone district (T4). (See Aberdeen TOD Regulating Plan).

TRANSIT CENTER

A central location for intermodal transit, such as buses, trains, taxis, and complimentary retail and service facilities.

TRANSITION LINE

A horizontal line spanning the full width of a façade, expressed by a material change or by a continuous horizontal articulation such as a cornice or a balcony.

TRANSIT ORIENTED DEVELOPMENT (TOD)

Development that combines a pedestrian-friendly environment with retail or entertainment ground floor uses, and generally located within one –half mile side walk route to a premium transit station. Specifically, a TOD provides continuous, shaded sidewalks with street furniture and minimal driveway interruptions, and nearly continuous shop frontage.

TRUCK TERMINAL

Land and building used for transfer of a load from one vehicle to another. The facility may include storage areas for trucks or for the repair of trucks associated with the facility.

TYPE

Within the Transit Oriented Development Districts, a category determined by function, disposition, and configuration, including size or extent. There are building types, road types, open space types, etc. (See also: Building Type).

USE

The purpose or activity, for which land, buildings or structures are designed, arranged or intended or maintained or occupied.

* * *

§ 235-10. Planning Commission.

A. The Planning Commission is established pursuant to ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland and is an advisory body to the Council.

* * *

F. Powers and duties of the Commission. The Commission shall:

(1) Have such powers and duties as set forth in ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland.

* * *

(3) Make and approve a Comprehensive Plan prepared in accordance with ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland and recommend the plan to the Council. The Commission shall:

(a) Make a preliminary report about the Comprehensive Plan and hold at least one public hearing.

(b) Consult public officials and agencies; public utility companies; civic, educational, professional and other organizations; and citizens with relation to protecting or executing the plan.

(c) Prepare, adopt and file a final report on the plan with the Mayor and Council in accordance with ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland.

(d) Recommend changes or amendments to the Aberdeen Comprehensive Plan.

(e) Promote public interest in and understanding of the plan.

§ 235-11. Board of Appeals.

A. The Board of Appeals is established pursuant to ***the Land Use*** Article ~~66B~~ of the Annotated Code of Maryland.

§ 235-14. Annexation policy and procedure.

B. Procedures. The following procedures shall govern annexation and the zoning of land so annexed:

(1) Petition filing contents. A petition for annexation, prepared in compliance with § ~~19~~ *4-404* of ***the Local Government*** Article ~~23A~~ of the Annotated Code of Maryland, shall be filed with the City Clerk, together with 15 copies of the petition and a nonrefundable fee as established by resolution of the City Council. The City may require additional copies to be provided to the City at its discretion. The petition shall include the following:

* * *

(j) A detailed statement as to whether the land uses and densities permitted under the proposed City zoning classification and the land uses for the annexed area and densities permitted under the current Harford County zoning classification are, or are not, substantially different as that term is defined ~~Article 23A,~~ ***in*** § ~~9~~ ***4-416 of the Local Government Article*** of the Annotated Code of Maryland.

* * *

(6) Adoption of annexation plan. Consistent with ~~Article 23A~~, **§** ~~19(o)(3)(iii)~~ ***4-415*** of the ***Local Government Article of the*** Annotated Code of Maryland, as amended from time to time, the City Council shall adopt an annexation plan which shall be open to public review and discussion at a public hearing.

(7) Public hearing.

* * *

(c) A description of the annexation and a notice of the time and place of the hearing shall be published as specified in ~~Article 23A, § 19(d)~~ **§ 4-406 of the *Local Government Article of the*** Annotated Code of Maryland.

§ 235-18. Zoning districts and boundaries.

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

K. Downtown Revitalization Overlay District. The purpose of this district is to ***enhance*** ~~build upon~~ the existing assets located in downtown, which are ~~the Aberdeen Train Station, Aberdeen Archives and Museum, Aberdeen Municipal Complex and the other government and commercial service uses. This district is~~ subject to design requirements. ***Properties located within the Transit Oriented Development Districts are not subject to the Downtown Revitalization Overlay District Regulations and Design Requirements.***

§ 235-24. General height requirements.

C. Exceptions and modifications to maximum height requirements.

(1) General exceptions. The building height limitations shall not apply to the following:

(a) Fire or parapet walls, towers, steeples, flagpoles, and radio and television antennas.

(b) Bulkheads, roof structures, water tanks, ventilating fans or similar equipment required to operate and maintain the building.

(c) Integrated Business District.

(d) Transit Oriented Development Districts.

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

A. Generally. No structure shall be erected, substantially altered, or its use changed unless permanent off-street parking and loading spaces have been provided in accordance with this chapter. In the ***Transit Oriented Development Districts, the*** I-95 and Downtown Revitalization Overlay Districts and the Integrated Business District, the special parking provisions described therein will apply.

* * *

§ 235-26. Outdoor storage.

A. Outdoor storage in commercial, industrial, ~~and~~ ORE ***and TOD*** districts must meet the following requirements:

(1) Outdoor storage areas must be surrounded by a uniformly finished fence or wall not exceeding eight feet in height.

(2) Such wall or fence shall be maintained in good repair.

(3) The items being stored within the wall or fence shall not exceed or be stacked to exceed the height of the wall or fence.

(4) Trailers for storage shall be prohibited.

(5) Storage of cars and trucks used in connection with the permitted trade or business shall be permitted without restriction.

B. Storage of construction equipment is not permitted in the R-1, R-2, R-3, B-1, IBD, ~~or~~ ORE ***or TOD*** ~~District~~ ***Districts***.

§ 235-37. Nonconforming lots, buildings, structures and uses.

A. Generally. If within the zoning districts established by this chapter or amendments subsequently adopted there exist lots, buildings, structures or uses of land which were lawful prior to enactment of this chapter or subsequent amendments and which would not conform to regulations and restrictions under the terms of this chapter or amendments thereto, or which could not be built or used under this chapter, such nonconformities may continue to exist subject to the regulations contained in this section.

Notwithstanding anything else in this § 235-37, after the effective date of § 235-18(O), all new development, redevelopment, construction or reconstruction of a building, structure or land located in the TOD Neighborhood (T4), TOD Corridor (T5), TOD Downtown (T6), or Special District shall comply with the requirements in § 235-18(O).

§ 235-40. Overlay district regulations and design requirements; Architectural Review Committee.

B. Overlay district regulations.

* * *

(3) Downtown Revitalization Overlay District boundaries. ***Downtown Revitalization Overlay District boundaries do not include properties located in the Transit Oriented Development District. All properties located in the TOD Neighborhood (T4), TOD Corridor (T5), TOD Downtown (T6), or Special District are subject to the requirements in Section 235-18(O).*** The Downtown Revitalization Overlay District boundaries are described as the properties bordering US 40, Route 7, *and* Route 715, ~~West Bel Air Avenue, Franklin Street, Parke Street, Rogers Street, Law Street, Market Street and Custis Street~~ as set forth in ordinance adopted by the City of Aberdeen ***and depicted on the Aberdeen TOD Designated Area Map included in Section 235-43***.

SECTION 2. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that new Sections 235-18.O., 235-21.C., 235-22.C., 235-23.G., and 235-26.J., are

added to the Code of the City of Aberdeen (2010 Edition as amended), Chapter 235, DEVELOPMENT CODE, to read as follows:

Chapter 235, DEVELOPMENT CODE

§ 235-18. Zoning districts and boundaries.

O. Transit Oriented Development District

(1) The intent of Transit Oriented Development (TOD) District is to implement and encourage the redevelopment of properties within the Aberdeen TOD. The TOD District is shown on the TOD Designated Area Map (June 20, 2012) that appears in Section 235-43.

(2) The TOD District provides specific standards necessary to promote the goals and objectives of the Aberdeen Comprehensive Plan and the Aberdeen TOD Master Plan (adopted by Resolution #12-R-01, May 7, 2012) that appears in Section 235-43. These regulations are designed to maximize the development potential of the Aberdeen TOD to foster a mix of vertical and horizontal land uses, promote shopfronts and commercial uses at street level, accommodate wide pedestrian-friendly sidewalks and multimodal streets, encourage upper story residential and office uses, and provide on-site parking facilities in the rear and accesses when possible through rear alleys or side streets. The Aberdeen Comprehensive Plan Land Use Element Goals and Objectives specifically call for the adoption of development regulations to implement the TOD. These provisions have been further refined in the Aberdeen TOD Master Plan. In the event of a conflict between Subsection "O" and the remainder of the Development Code, Subsection "O" prevails.

The TOD District allows a range of uses that may be permitted for properties within these areas to include a mix of residential, commercial and institutional uses. A complete listing of uses permitted in the TOD District is contained in Appendix A, Table of Use Regulations in this chapter.

(3) The TOD District regulations illustrate the types of streets, buildings, heights, and mixes of use that create the desired "form" presented in the Master Plan. TOD Master Plan Land Use Concepts (adopted by Resolution 12-R-01, May 7, 2012) was utilized as the basis for establishing the TOD Districts. The TOD District regulations provide for, among other subjects, the establishment of building type and orientation, site design, and other standards that apply to all development proposed to be constructed in the TOD District. The TOD District is transect-based

with a corresponding Regulating Plan that prescribes the appropriate permitted uses, building heights, site design, building type, building frontage types, pedestrian environment and streetscape in the TOD Designated Area, based on the parcel's location. (See Aberdeen TOD Regulating Plan that appears in Section 235-43).

The following TOD Districts are established:

TOD Neighborhood (TOD-N)

The TOD Neighborhood District (TOD-N) consists of mixed uses but primarily residential and provides for a transition in development size from the adjacent TOD districts to adjacent residential areas. Buildings range from two (2) to four (4) stories, include a variety of uses and building frontage types. Building placement and landscaping are variable, and streets include curbs and sidewalks to create a highly walkable district. This area is classified as the Transect Zone 4 and identified as (T4) on the Aberdeen TOD Regulating Plan.

TOD Corridor (TOD-C)

The TOD Corridor (TOD-C) is an area in which parcels are generally within one block of US 40/Philadelphia Boulevard to promote a mix of commercial and residential redevelopment and to enhance areas adjacent to Aberdeen's compact, walkable downtown. An active primary frontage edge is created through vertical mixed use as well as residential and workplace buildings. Street-fronting uses are required and will be supported by streetscapes that create a highly walkable zone. Buildings range from two (2) to six (6) stories with bonus provisions for up to two (2) additional stories, include a variety of uses and building frontage types, Building frontages are configured and oriented to public streets. This area is classified as the Transect Zone 5 and identified as (T5) on the Aberdeen TOD Regulating Plan.

TOD Downtown (TOD-D)

The TOD Downtown (TOD-D) is an area of the highest intensity and greatest variety of uses, and is generally located within a one block area of the Aberdeen MARC/Amtrak train station and the Intersection of US 40 and West Bel Air Avenue. This area is classified as the Transect Zone 6 and identified as (T6) on the Aberdeen TOD Regulating Plan.

The TOD-D is intended to be the heart of the TOD area and provide a highly visible presence and identify for Aberdeen along the US 40/Philadelphia Boulevard corridor and create a for a high-intensity, highly walkable mixed use district with the following features:

1. Buildings ranging from two (2) to eight (8) stories in height with bonus provisions for up to four (4) additional stories.

2. Ground floor shopfronts, with wide sidewalks to promote a highly walkable district.

3. Improved public spaces including public plazas, street trees, pedestrian scale lights and public art.

4. The majority of parking is consolidated in structures, at curbs of public streets and behind buildings.

Special District (SD)

Special Districts (SD) are areas with buildings that by their function, disposition or configuration cannot or should not conform to the requirements of any of the TOD District zones or combination of zones. Examples include Aberdeen City Hall, the library, and the Aberdeen MARC/Amtrak train station and supporting parcels. Conditions for re-development or development for SD areas shall be subject to review and approval by the Architectural Review Committee, Planning Commission and City Council.

Park

Parks are public spaces that are available as recreational spaces that are accessible to and adequate for, the recreational function and persons they are designed to serve, such as Festival Square.

(4) TOD District site development requirements. All permitted uses with the TOD District shall be subject to the following site development requirements. The provisions of the Aberdeen Development Code shall apply except as modified herein.

(a) Site plan review will be in accordance with this chapter and Subdivision Regulations.

(b) All development, re-development or additions to existing buildings within the TOD District shall be subject to review by the Architectural Review Committee for conformance with the standards established in this chapter.

(c) Streets within the TOD District shall be maintained or improved to enhance pedestrian, bicycle and vehicular connections.

(d) Street Types reflect the character of the intensity of anticipated developments

within the TOD District and are utilized to guide development standards such as minimum sidewalk widths, building siting, frontage type, and height.

(e) Sidewalks shall be provided and treated as an integral component of the development's design, landscaping and pedestrian connectivity. (See Illustrations 2-13).

(5) Building Placement

All building frontages in the TOD District shall be constructed at the required build-to-line to maintain the street edge and shall be oriented to the primary frontage of the lot. (See Illustration 22, Building Frontages).

Streets in the TOD Districts have been classified consistent with the following typologies. (See Illustration 1, Street Typologies).

Arterial Streets

- ***Regional Connector***
- ***Commercial Primary***
- ***Village Center Mixed Use***
- ***Residential***

Collector Streets

- ***Neighborhood Principal Streets***
- ***Village Center Streets***
- ***Neighborhood Minor Streets***

(a) Build to Lines – (BTL).

Build to Lines within the TOD District are governed by the District designation as identified on the Regulating Plan, Street Typologies and the identification of Principal Frontages. See Illustrations 1-18. Build to Lines are determined by the location of the parcel in relation to the street types and width of sidewalk that serve the parcel as identified in the Street profiles.

Placement of future buildings will need to reflect either (1) location of back of existing sidewalks consistent with the Street profiles depicted in the Illustrations 2-17, (2) location of back of sidewalk following street reconstruction, or (3) If street/sidewalk improvement has not yet taken place, approved City plans for sidewalk reconstruction/location that locate the back of the sidewalk.

[1] Build to Line/Primary Building Frontage

The Build to Line (BTL)/Primary Building Frontage requires the implementation of minimum sidewalk improvements as depicted in Illustrations 2-17. This dimension is located at the line at the back of the sidewalk along a Primary Street and is the BTL as shown in Illustration 23, Frontage Build to Line.

The BTL shall not exceed the maximum dimensions necessary to satisfy any required right of way. BTL shall be measured from the back of curb, rather than parcel line, and shall consist of the following widths and are further identified on the applicable Illustrations 2-17 for the street that the lot's frontage is located on:

Street Frontage Types	***Build To Line***	
	Minimum	***Maximum***
Village Center Mixed Use Arterial		
North Philadelphia Boulevard (US 40N)	***12 feet***	***20 feet***
South Philadelphia Boulevard (US 40S)	***20 feet***	***24 feet***
Village Center Collector Streets		
Main Street (MS)	***8 feet***	***20 feet***
Festival Street (FS)	***10 feet***	***50 feet***
Neighborhood Principal Streets		
Street with limited on-street parking (STL)	***10 feet***	***14 feet***
Street with no on-street parking (STN)	***10 feet***	***14 feet***
Neighborhood Street (NS)	***10 feet***	***14 feet***
Neighborhood Minor Streets	***10 feet***	***14 feet***

[2] Secondary Frontage Build to Line (BTL)

Secondary Frontage BTL is applicable when a parcel is a corner lot bordered by two streets. This dimension is located at the line at the back of the sidewalk and is the Secondary Frontage BTL as shown in Illustration 23, Frontage Build to Line. Building Frontage standards are those noted above for Primary Building Frontage and further defined on the applicable Illustrations 2-17 for the street that the lot's secondary frontage is located on.
The Secondary Frontage BTL shall maintain a minimum of ten (10) feet.

[3] Festival Square Buffer BTL

To preserve large growth trees and/or areas appropriate for forest conservation, the BTL may be adjusted to provide a buffer of up to fifty (50) feet on parcels fronting a Festival Square street as provided in Illustration 28, Festival Square Buffer.

(b) Building Disposition

The placement of a building on its lot is governed by the property's TOD District designation. Building types are identified by building style and the corresponding yard type. Building types include Edgeyard, Sideyard, Rearyard, and Courtyard. (See Illustration 21, Building Disposition). The rearyard building type is the most common type found in the TOD area and is characterized with shopfront façades continuously lining the street and with parking provided in the back.

(c) Building Frontages

[1] Allowable Extensions Beyond the Build to Line

Awnings, porches, stoops, stairs and entrance overhangs, are permitted to extend beyond the Build to Line, provided a minimum of at least five (5) feet of unobstructed sidewalk is maintained. Examples of extension are shown in Illustration 22, Building Frontages. Balconies, upper story bay windows, eaves and building entrance overhangs such as canopies and awnings may extend beyond the Build to Line up to a maximum of seven (7) feet along Village Center Mixed Use Arterials, up to six (6) feet along Village Center Collector streets and up to five (5) feet along Alleys, and Neighborhood Minor and Principal Streets. All permitted overhangs must provide a minimum of eight (8) feet clear height above sidewalk grade.

[2] Frontage Buildout

In the TOD-C and TOD-D District the minimum frontage buildout shall be eighty (80) percent of the Lot Frontage. In order to connect the public sidewalk with courtyards and parking lots in the interior or at the rear of a parcel, development may incorporate a passage that counts towards the frontage coverage requirements. The minimum width of a passage shall be eight (8) feet and not exceed twenty (20) percent of the lot frontage. (See Illustration 27, Open Space Types, and Illustration 29, Passage).

[3] Retail/Commercial Shopfronts and Opacity Requirements

Buildings that front streets identified as Primary Frontages on the Retail/Commercial Shopfronts Illustration 19, are required to provide a Shopfront at the sidewalk level along the entire building frontage that is designed to support retail and commercial uses. Buildings that front streets identified as Secondary Frontages (Illustration 19, Retail/Commercial Shopfronts) are encouraged to provide a Shopfront at the sidewalk level along the length of the entire building frontage. The shopfront shall be no less than 70% glazed in clear glass. (See Illustration 20, Opacity/Windows).

High quality materials should be used for shopfronts such as crafted wood, stainless steel, bronze, and other ornamental metals. Detailing such as carved woodwork, stonework, or applied ornament should be used, to create noticeable detail for pedestrians and patrons. Doors may be flanked by columns, decorative fixtures or other details.

[4] Expression Line

An expression line shall delineate the division between the first story and the second story. A cornice shall delineate the tops of the façades. Expression lines shall either be moldings extending a minimum of two (2) inches, or jogs in the surface plane in the building wall greater than two (2) inches. Cornices shall extend a minimum of ten (10) inches from the cornice wall. See Illustration 43 Expression Line and Illustrations 38 and 39, Height Variations with Two-Story Building.

[5] Build-to-Corner

Buildings must "hold the corner" of the parcel at the intersection of two primary streets. The build-to-corner location is defined by the required Build to Lines. Where the build-to-corner building placement is required, new development must meet this requirement by siting the building at its street corner. Where an intersection is formed with a state road, state sight distance criteria shall also be applied. (See Appendix B).

(d) Side Yard Setback

There is no minimum Side Yard Setback between buildings or minimum space between buildings. In TOD-C and TOD-D districts the maximum side yard setback is 24 feet.

(e) Rear Setback

Rear setbacks must be maintained to accommodate rear alley maintenance.

Maintenance of Aberdeen's existing interconnected rear alley system is vital to street network and ensuring mobility within these TOD Districts.

The minimum rear setback shall be ten (10) feet. When abutting residential uses the minimum rear setback shall be consistent with §235-30 Buffer yards.

(f) Alley Setback

Alley setback is the minimum distance from the alley edge of pavement to any building. The minimum alley setback shall be ten (10) feet.

(g) Space between buildings

There is no minimum space between buildings.

(6) Height

To implement the ambiance and scale of the TOD area, no building or structure shall be erected or altered to exceed the following dimensions:

In the TOD-N the maximum building height shall be limited to a maximum of fifty-two (52) feet or four (4) stories; the minimum building height shall be twenty (20) feet or two (2) stories. (See Illustration 30, TOD-N Height and Illustration 35, Floor Heights by Story).

In the TOD-C the maximum building height shall be limited to a maximum of seventy-six (76) feet or six (6) stories; the minimum building height shall be twenty-one (21) feet or two (2) stories. (See Illustration 31, TOD-C Height and Illustration 35, Floor Heights by Story).

In the TOD-D the maximum building height shall be limited to a maximum of one-hundred (100) feet or eight (8) stories the minimum building height shall be twenty-one (21) feet or two (2) stories. (See Illustration 32, TOD-D Height and Illustration 35, Floor Heights by Story).

(a) Bonus Height

As an incentive to include structured parking in new buildings and preserve and publicly dedicate parks and open space, additional bonus stories may be granted for only one of the following provisions:

[1] Parking Bonus

Within the TOD Districts, if structured parking is incorporated into the building a Parking Height Bonus of one additional building story may be approved for every floor of parking, ranging from one (1) to four (4) additional stories in TOD-D and from one (1) to two (2) additional stories in TOD-C. (See Illustrations 33 and 34, Open Space and Parking Bonus Height and Illustrations 36 and 37, Floor to Ceiling Heights).

[2] Preservation of Open Space - Bonus

If public parks and/or plazas are dedicated and preserved within the TOD Districts an Open Space Height Bonus may be approved ranging from one (1) to four (4) additional stories in TOD-D and from one (1) to two (2) additional stories in TOD-C. (See Illustrations 33 and 34, Open Space and Parking Bonus Height and Illustrations 36 and 37, Floor to Ceiling Heights).

(b) Two-Story Minimum

A minimum building height of two enclosed floors of use is encouraged for all new development and redevelopment in the TOD Districts. Alternatively, when two enclosed floors of use are not warranted, the structure must be designed to support future upper story construction and provide minimum twenty-three (23) foot front façade emulating a two-story structure. (See Illustrations 38 and 39 Height Variations with Two-Story Building).

(7) Any drive-through windows and stacking lanes in the TOD Districts shall be located at the rear of the building in mid-block and alley accessed locations provided they do not substantially disrupt pedestrian activity or surrounding uses.

(8) Outdoor dining shall be permitted on parcels fronting West Bel Air Avenue and US 40 in locations that provide sidewalks of at least twelve (12) feet in width and maintain a minimum ten (10) foot pedestrian and landscape area.

(9) Landscaping

(a) Street trees and/or Environmental Site Design (ESD) planting areas are required along all Public Frontages and must meet applicable Stormwater Management Requirements. (See Illustrations 25 and 26, Sidewalk Widths, Planting Areas and ESD).

(b) The use of street trees or ESD planting areas are encouraged to match on both sides of the block.

(c) One street tree shall be planted in the landscaped area for every twenty-five (25) feet of street frontage. The planting area for the street tree shall be located at back of curb, shall be a minimum of four (4) feet by four (4) feet in size. Minimum size of the planting area varies by sidewalk depth based on street frontage type. (See Illustrations 25 and 26, Sidewalk Widths, Planting Areas and ESD).

(d) Within the TOD Districts, the types of street trees permitted shall be deciduous, ornamental or flowering trees of two (2) inch caliper or greater at the time of planting diameter at breast height (DBH) and minimum of eight (8) feet in height. Tree species should be appropriate for height constraints associated with any urban overhead utilities or other obstacles. Planting of native species is encouraged.

(e) ESD areas shall consist of areas located at the back of curb which are a minimum of four (4) feet by four (4) feet in size and shall be located at least twelve (12) feet apart. Maximum size varies by street frontage type, due to required sidewalk widths. (See Illustrations 25 and 26, Sidewalk Widths, Planting Areas and ESD).

(10) Parking

This section contains development standards and design guidelines to ensure that parking within the TOD District is convenient and accessible, accommodates all land uses, and supports the Aberdeen TOD Master Plan's intended goals, including:

1. Maintain and improving the pedestrian friendly environment by encouraging people to park once at convenient shared parking locations that provide access to a variety of commercial enterprises through the pedestrian network.

2. Avoiding adverse parking impacts on neighborhoods adjacent to the TOD District.

3. Maximizing on-street parking.

4. Limiting the location of surface parking to the rear of the property (Third Lot Layer).

5. Providing flexibility for redevelopment of small sites, encouraging shared, complimentary and off-site parking facilities for development within the TOD District.

(a) Parking Calculations

Required parking may be provided off-site within the TOD District at the following required parking rates shown in Table 1. Mixed-use developments may also utilize the Shared Parking Factors. The required parking space dimensions are nine (9) feet by eighteen (18) feet. (See Shared Parking Factors matrix below Table 1, Shared Parking Ratios) in accordance with these rates:

[1] Residential

A minimum of one (1.0) parking space per principal dwelling unit in TOD-C and TOD-D and one and one half (1.5) parking spaces per principal dwelling unit in TOD-N. The parking ratio may be reduced according to the shared-parking standard. (See Shared Parking Factors matrix below Table 1, Shared Parking Ratios).

New on-street parking spaces provided for adjoining ground floor residential uses may be counted toward the minimum parking requirement for that property.

[2] Lodging

A minimum of one (1) parking space for every bedroom. The parking ratio may be reduced according to the shared-parking standard. (See Shared Parking Factors matrix below Table 1, Shared Parking Ratios).

[3] Retail

A minimum of three (3) parking spaces for every one-thousand (1,000) square feet of gross floor area in TOD-C and TOD-D and a minimum of four (4) parking spaces for every one-thousand (1,000) square feet of gross floor area in TOD-N. The parking ratio may be reduced according to the shared-parking standard. (See Shared Parking Factors matrix below Table 1, Shared Parking Ratios).

[4] Office

A minimum of two (2) parking spaces for every one-thousand (1,000) square feet of gross floor area in TOD-C and TOD-D and a minimum of three (3) parking spaces for every one-thousand (1,000) square feet of gross floor area in TOD-N. The parking ratio may be reduced according to the shared-parking standard. (See Shared Parking Factors matrix below Table 1, Shared Parking Ratios).

(b) Bicycle Parking

To offset parking reductions within the TOD District and to enhance and support bicycle usage, the developer must provide:

[1] For residential development, one (1) tenant bicycle parking rack or bicycle locker per five (5) units on site.

[2] For retail development, one (1) employee bicycle parking rack or bicycle locker per seven-thousand five-hundred (7,500) square feet of gross floor area on site.

[3] For office development, one (1) employee bicycle parking rack or bicycle locker per ten-thousand (10,000) square feet of gross floor area on site.

All bicycle parking facilities are to be highly visible to intended users. Bicycle racks provided at designated bus stops shall not count towards meeting the bicycle parking requirements. The bicycle parking facilities, including the bicycle, shall not encroach on any area in the public right of way intended for use by pedestrians, nor shall they encroach on any required fire egress.

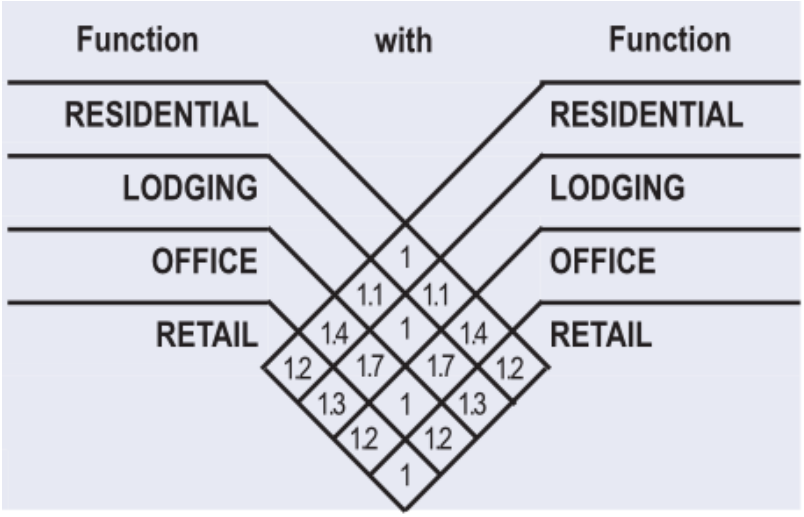
Table 1: Shared Parking Ratios

(Required Parking)

	TOD-N (T4)	TOD-C (T5)	TOD-D (T6)
Residential	1.5/dwelling	1.0/dwelling	1.0/dwelling
Lodging	1.0/bedroom	1.0/bedroom	1.0/bedroom
Office	3.0/1000 sq.ft.	2.0/1000 sq.ft.	2.0/1000 sq.ft.

Retail	***4.0/1000 sq.ft.***	***3.0/1000 sq.ft.***	***3.0/1000 sq.ft.***
Other	***To be determined by application of § 235-25, Off-street parking and loading requirements.***		

Shared Parking Factors



The actual parking required is calculated by adding the total number of spaces required by each separate function and dividing the total by the appropriate factor from the shared parking matrix above. An example of this calculation: the residential function requires ten (10) spaces while the office portion requires twelve (12) spaces. Independently they would require twenty-two (22) spaces, but when divided by the sharing factor of 1.4, they would require only sixteen (16) spaces. A second way to calculate: if there are a total of twenty-two (22) spaces available for residential and office, multiplying this by the factor of 1.4 gives the equivalent of 30 spaces. When three (3) or more functions share parking, use the lowest factor so that enough parking is assured.

(C) Parking Facilities

[1] Wrapped Surface Parking

A surface parking lot shall be wrapped with a building (liner) that is located between the parcel's street frontage(s) and the parking lot. The parking lot is sited behind buildings, in the third lot layer, and no portion of the parking lot is visible from the primary street. An example of a wrapped surface parking lot with liner buildings can be seen in

multiple examples in Illustration 27. Lot layers are depicted on Illustration 26 and Illustrations 40 and 41.

[2] Parking Structure

An exposed parking structure shall not be located in the first and second lot layers on the ground level. Non-parking uses are required to be integrated into the building along Principal Street Frontages. Non-parking uses are encouraged on all other frontages. The parking structure may be exposed to the building's street frontage(s) and second and or third lot layers on upper levels. (See Illustrations 40-42, Lot Layers and Parking).

Non-parking uses are encouraged to be integrated into the building along secondary street frontages, further hiding the parking structure from view. Structures used exclusively for parking (parking garages) are limited to six (6) stories in the TOD-C District and eight (8) stories in the TOD-D District. (See Illustrations 33 and 34, Open Space and Parking Bonus Height and Illustrations 36 and 37, Floor to Ceiling Heights).

[3] Open/Surface parking

Open or surface parking lots in the first and second lot layers are prohibited. All open or surface parking areas are to be located in the third lot layer. Open parking areas shall be masked from the frontage by a building or streetscreen.

(d) Parking Facility Access

Access to parking facilities shall be provided from the rear in alleyways, internal driveways or side streets. Parking facilities on adjoining lots are encouraged to share access points and driveways, subject to a shared use agreement between the affected parcels.

(11) Open Space

Open space within the TOD Districts shall consist of areas designated for active recreation, passive recreation, plazas, pathways, passages, sidewalks, ESD and tree planting areas, conservation areas, and/or natural buffers as provided in Illustrations 25-29.

(12) Signage

Signs in the TOD Districts shall be one of the types shown in Illustration 44, Signage and shall be consistent with the provisions of the Aberdeen Sign Regulations.

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

C. Transit Oriented Development District. This Section is not applicable within the Transit Oriented Development Districts.

§ 235-22. Minimum floor area.

C. Transit Oriented Development District. This Section is not applicable within the Transit Oriented Development Districts.

§ 235-23. General yard requirements.

G. Transit Oriented Development District. This Section is not applicable within the Transit Oriented Development Districts.

§ 235-27. Accessory uses and other restrictions.

J. Transit Oriented Development District. Accessory uses or structures in TOD Districts shall be permitted and shall be subject to the same sideyard and rear setbacks as required for the principal structure.

SECTION 3. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that new Section 235-43 is added to the Code of the City of Aberdeen (2010 Edition as amended), Chapter 235, DEVELOPMENT CODE, under new Article VIII, Transit Oriented Development Maps and Graphics, to read as follows:

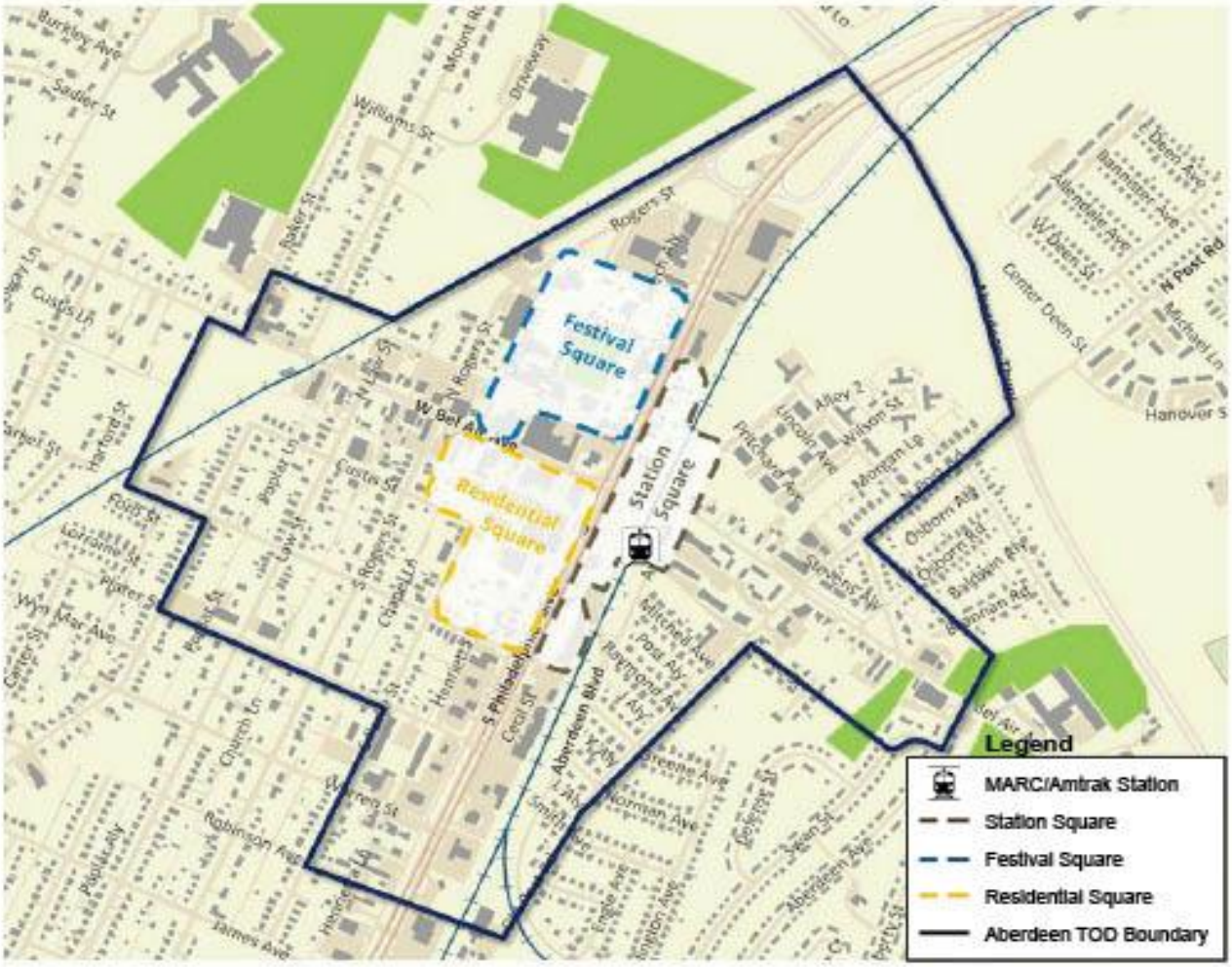
Chapter 235, DEVELOPMENT CODE

Article VIII, Transit Oriented Development Maps and Graphics

§ 235-43. ***Maps and graphics.***

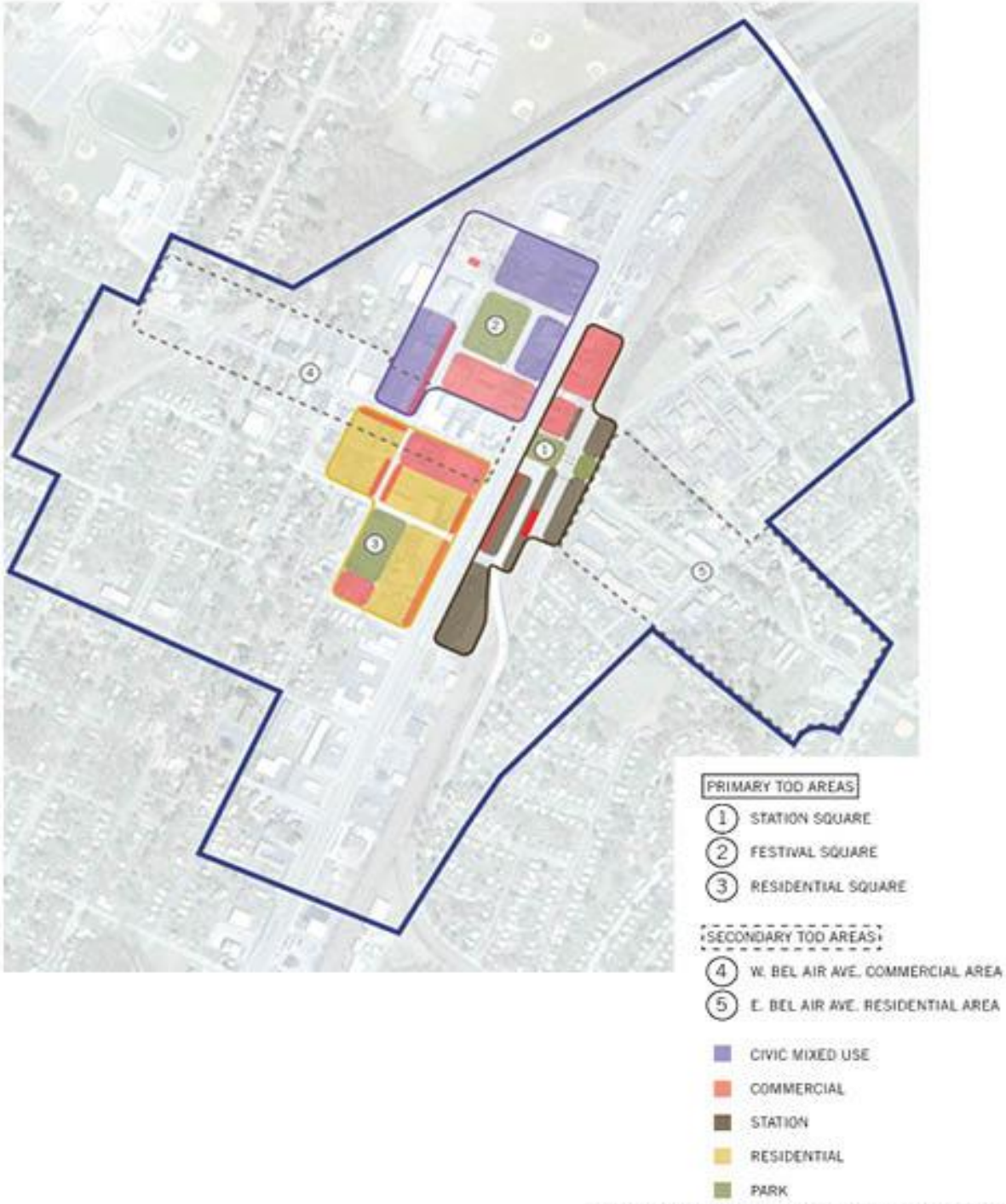
The maps and graphics that follow are maps and graphics referred to in this Chapter and applicable to development within the Transit Oriented Development District.

Aberdeen TOD Designated Area



Designation of Aberdeen TOD Area effective June 20, 2012

TOD Master Plan
Land Use Concepts



Master Plan adopted by Resolution 12-R-01, May 7, 2012

Aberdeen TOD Regulating Plan

Latest Revision Date: September 27, 2013

Illustration 1: Street Typologies

Legend

Village Center Mixed Use Arterial

- N. Philadelphia Blvd
- S. Philadelphia Blvd

Village Center Collector Streets

Main Street

- W. Bel Air/ Parallel Parking Both Sides

Festival Square Streets

- Angled Parking Front In
- Angled/ Parallel Parking One Side Only

Local Streets

- Local Street No Parking
- New Local Street No Parking

Neighborhood Principal Collector Streets

Neighborhood Streets

- Parallel Parking Both Sides
- New Parallel Parking Both Sides
- Parallel Parking One Side Only
- New Parallel Parking One Side Only
- No Parking

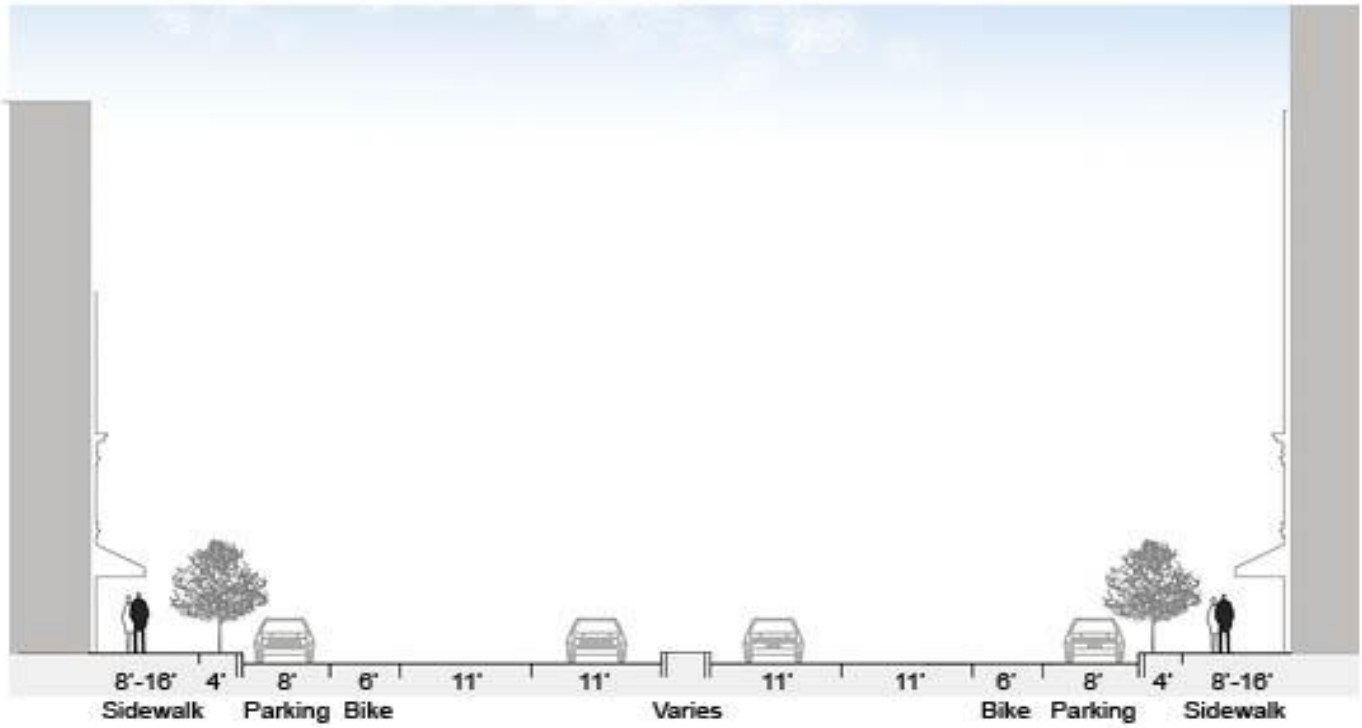
Neighborhood Minor Collector Streets

Alley

- Alleys No Sidewalks

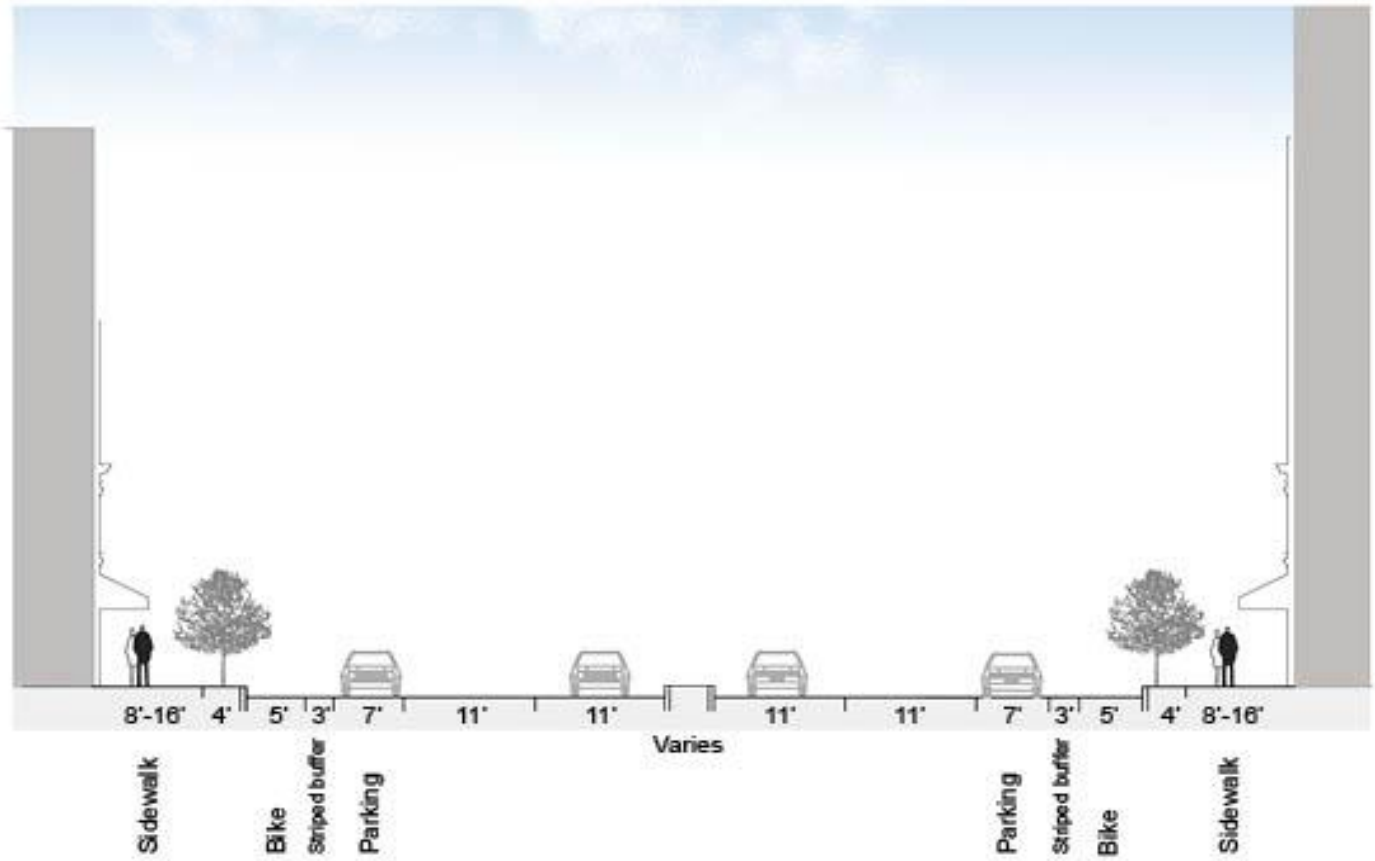
For more detail see Illustrations 2-16

Illustration 2: Village Center Mixed Use Arterial



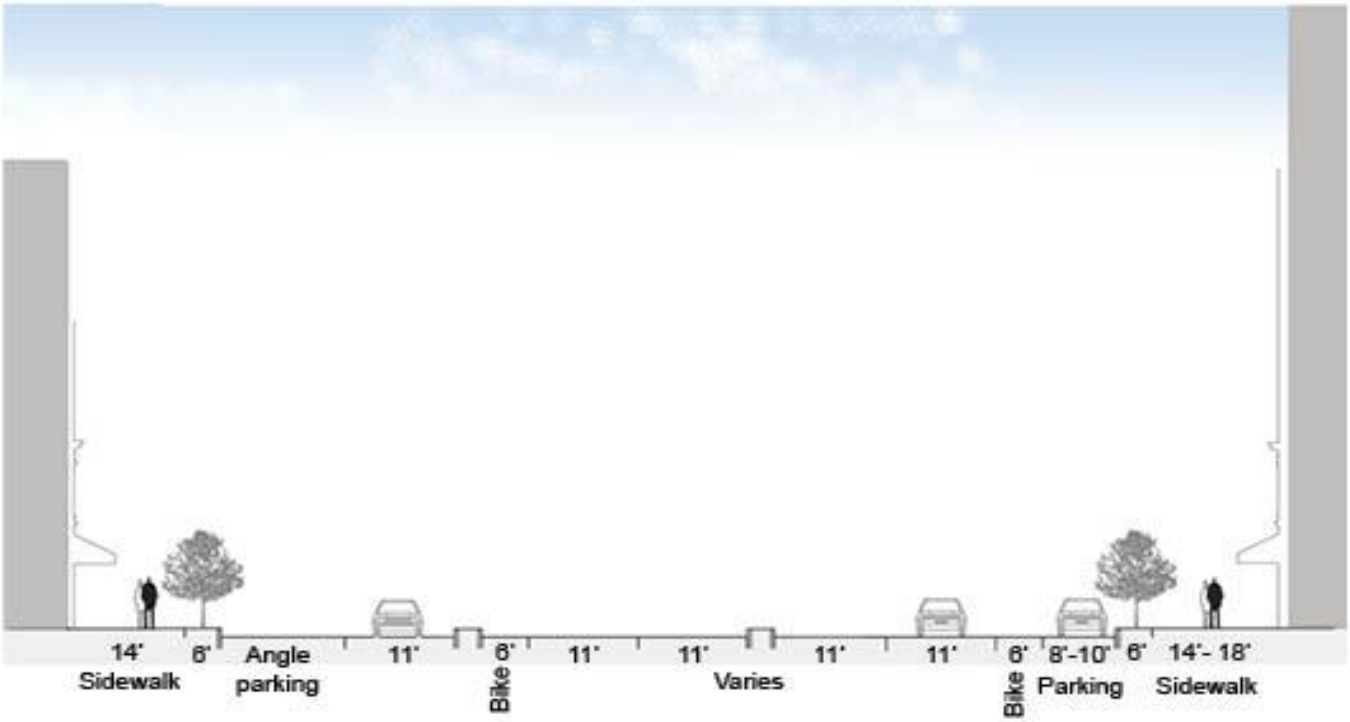
US 40 North (US40-N) Type 1

Illustration 3: Village Center Mixed Use Arterial



US 40 North (US40-N) Type 2

Illustration 4: Village Center Mixed Use Arterial



US 40 South (US40-S)

Illustration 5: Village Center Collector Street

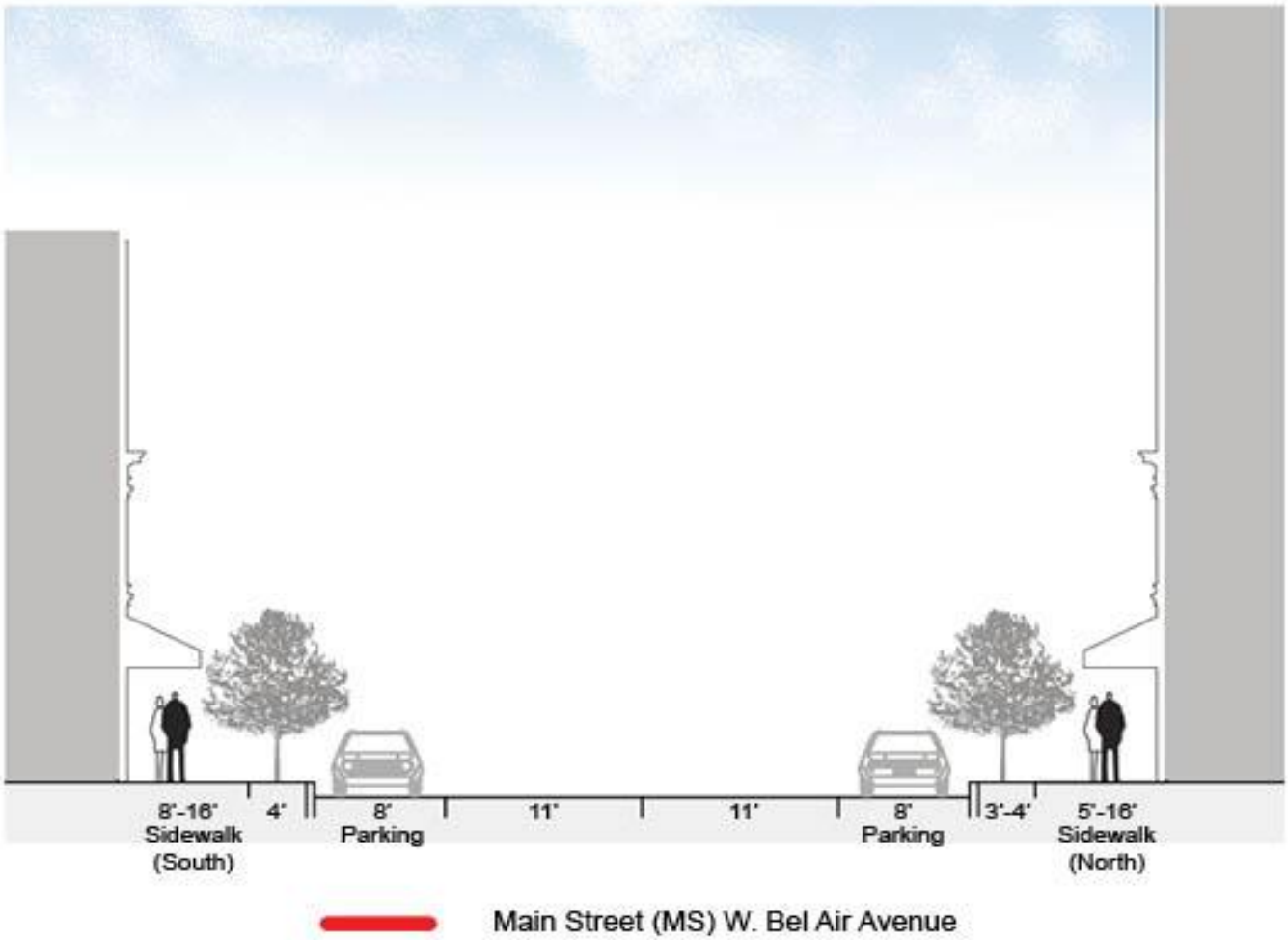
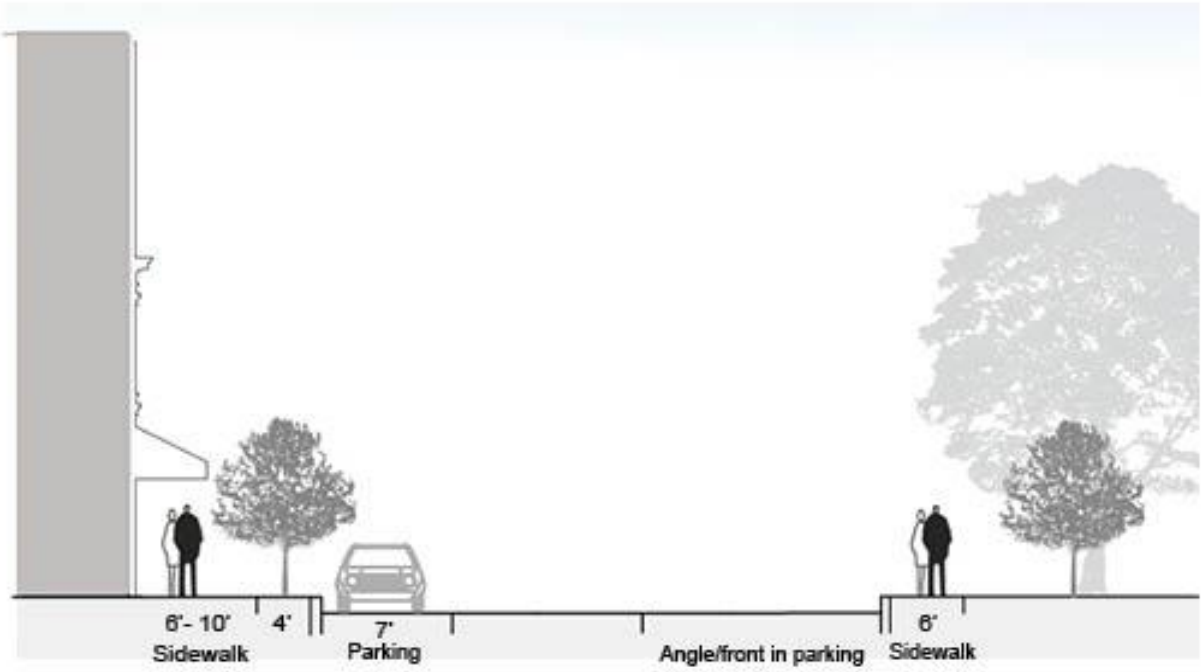
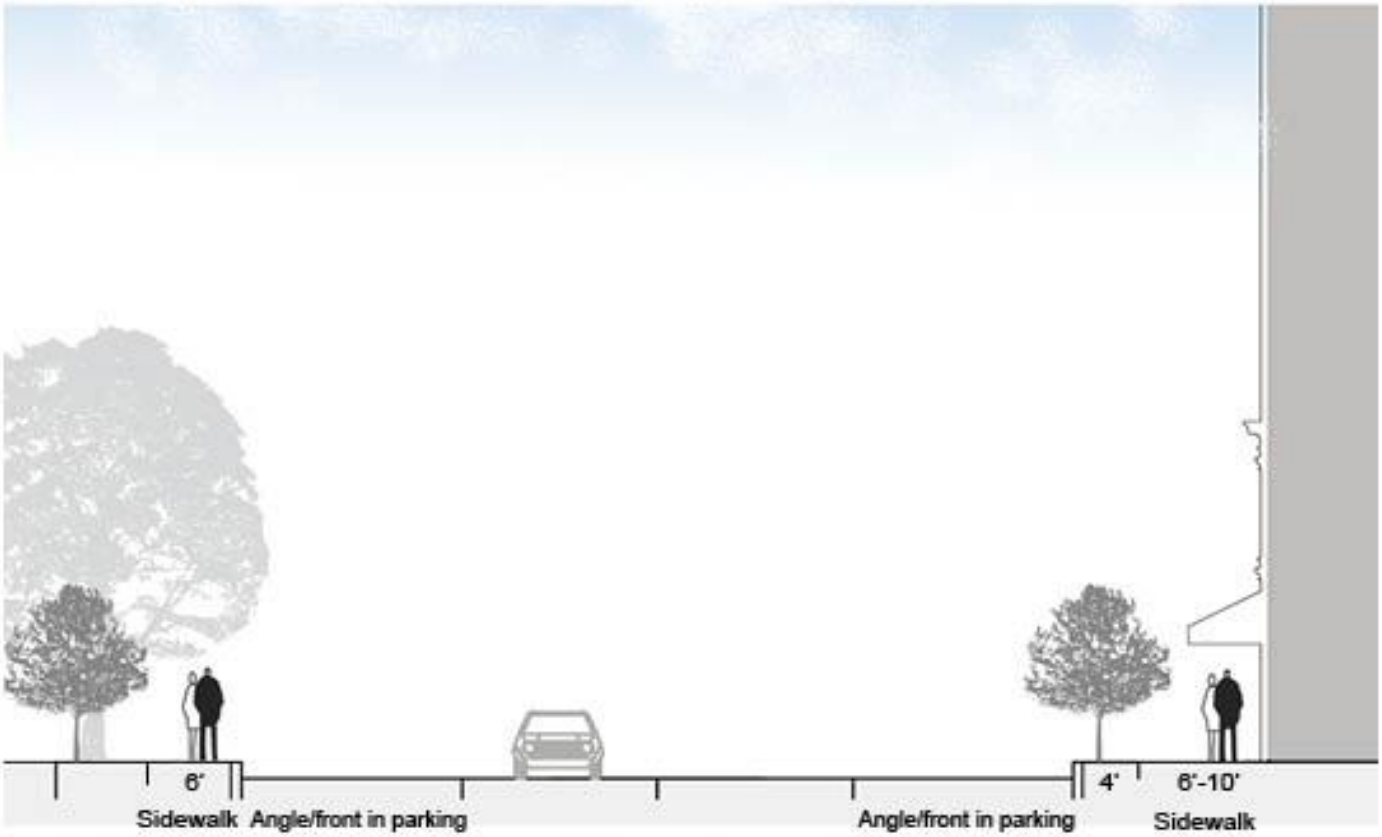


Illustration 6: Village Center Collector Street



Festival Square (FS) - Type 1

Illustration 7: Village Center Collector Street

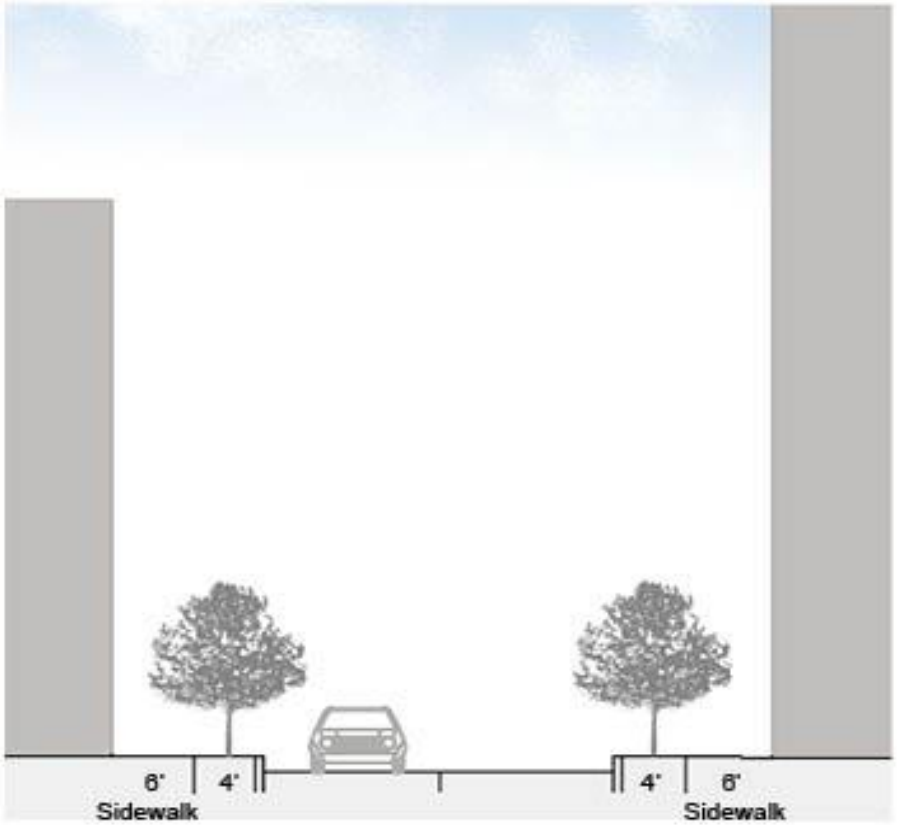


Festival Square (FS) - Type 2

Illustration 8: Village Center Collector Street

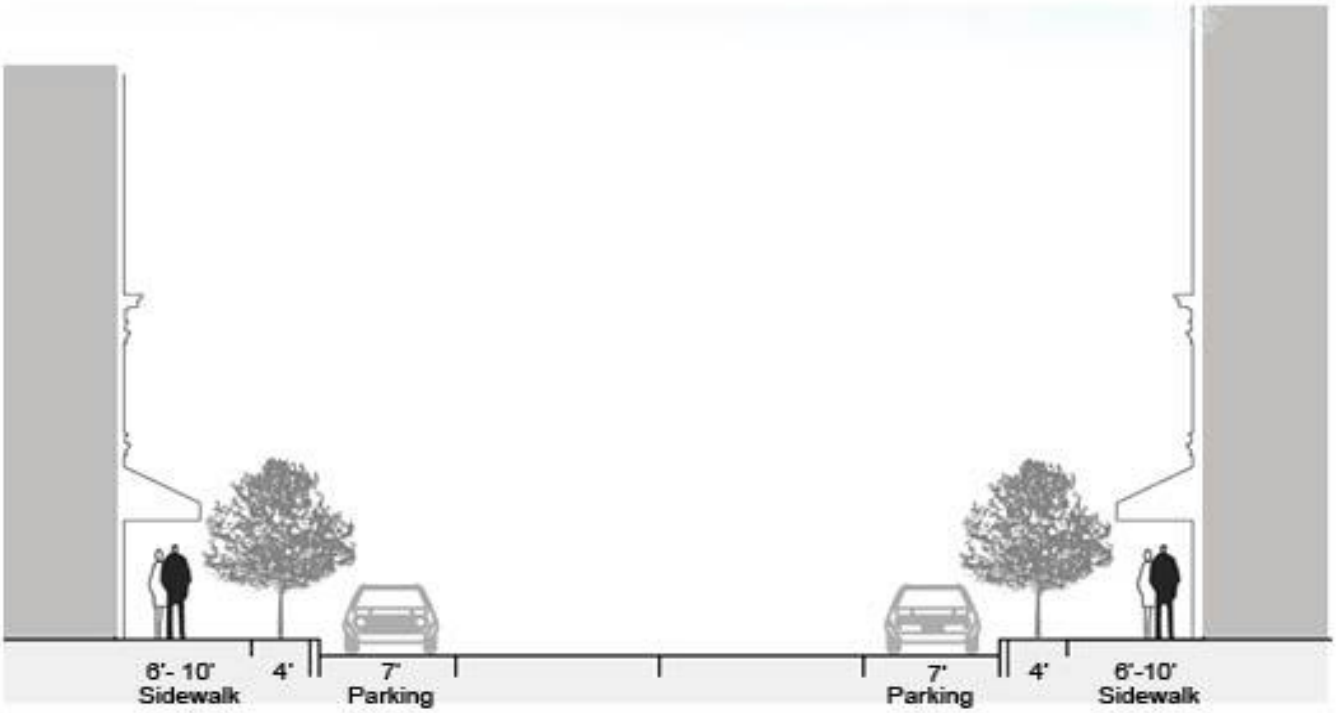
Festival Square (FS) - Type 3

Illustration 9: Village Center Collector Street



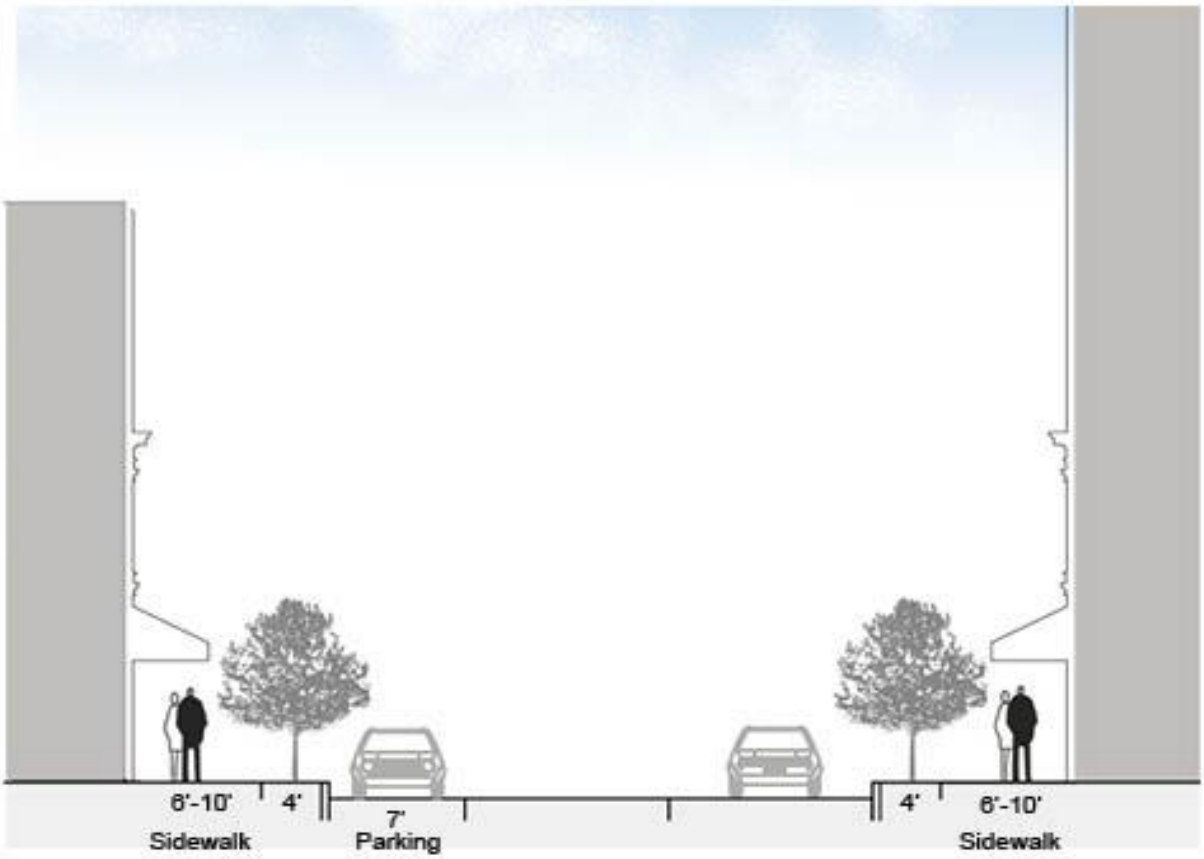
Local Street No Parking
New Local Street No Parking

Illustration 10: Neighborhood Principal Collector Street



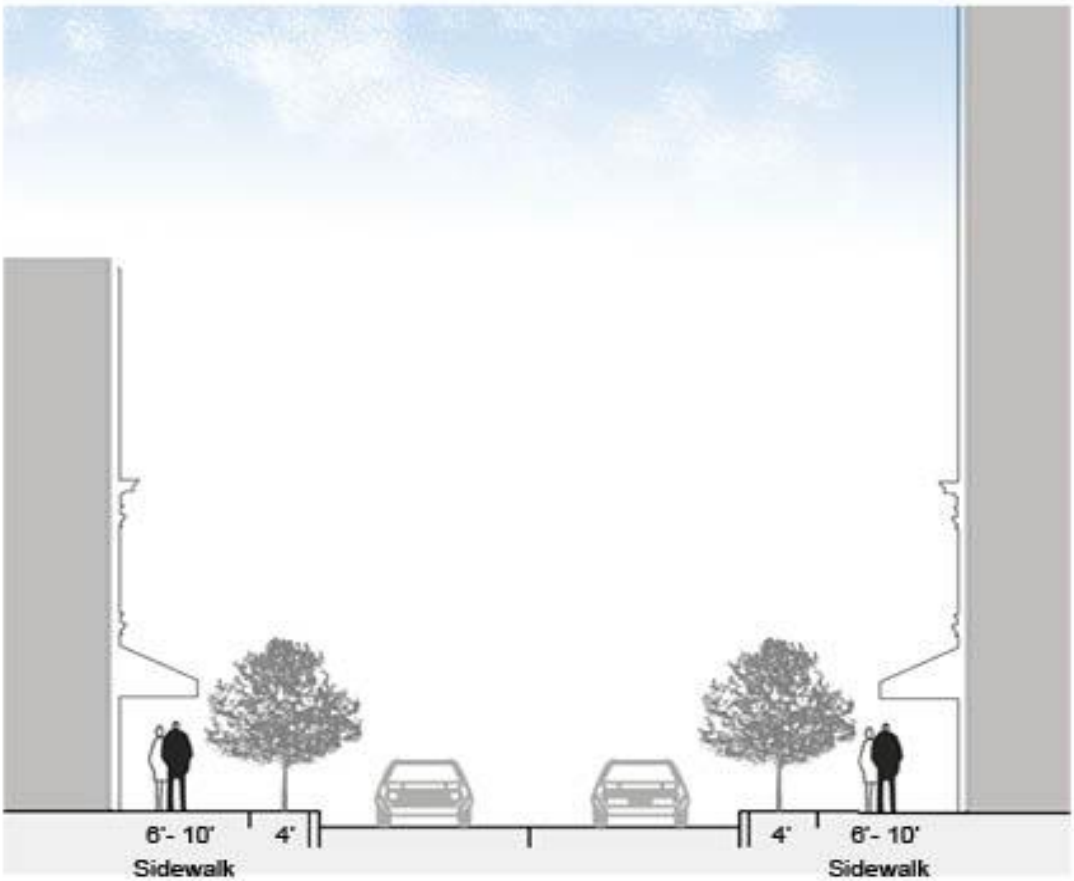
Neighborhood Street (NS)
New Neighborhood Streets (NS)

Illustration 11: Neighborhood Principal Collector Street



Neighborhood Street Limited Parking (NSLP)

Illustration 12: Village Center Collector Street

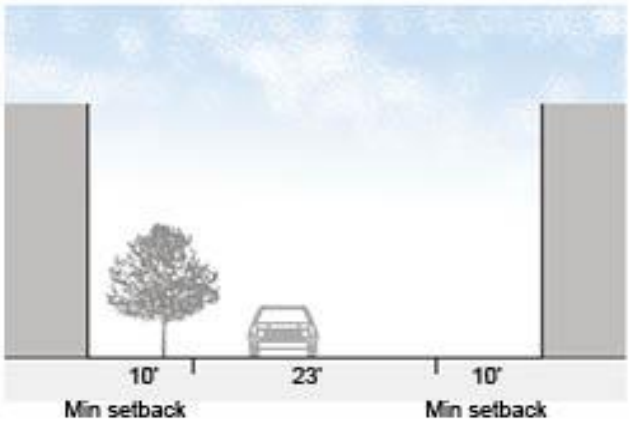


Neighborhood Street No Parking (NSNP) Type 1

Illustration 13: Neighborhood Principal Collector Street

Neighborhood Street No Parking (NSNP) Type 2

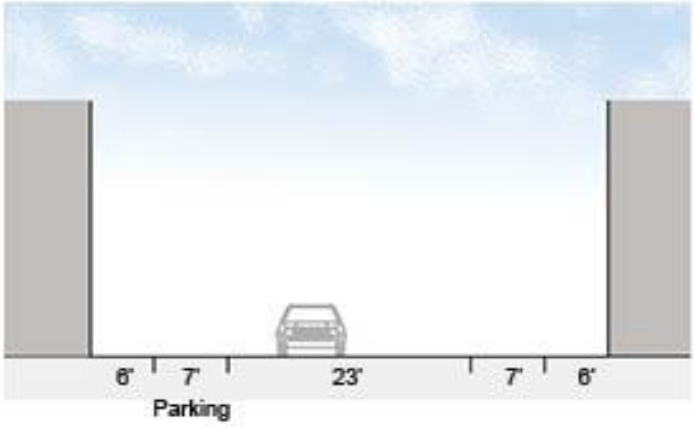
Illustration 14: Neighborhood Minor Collector Street



Alley with No Parking Type 1*

* Proposed uses adjacent to Residential Districts must comply with § 235-30, Buffer yards.

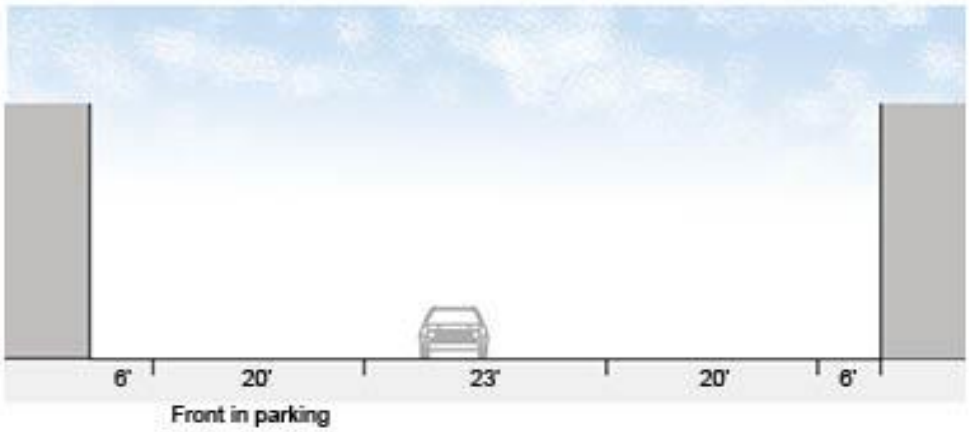
Illustration 15: Neighborhood Minor Collector Street



Alley with Parallel Parking Type 2*

* Proposed uses adjacent to Residential Districts must comply with § 235-30, Buffer yards.

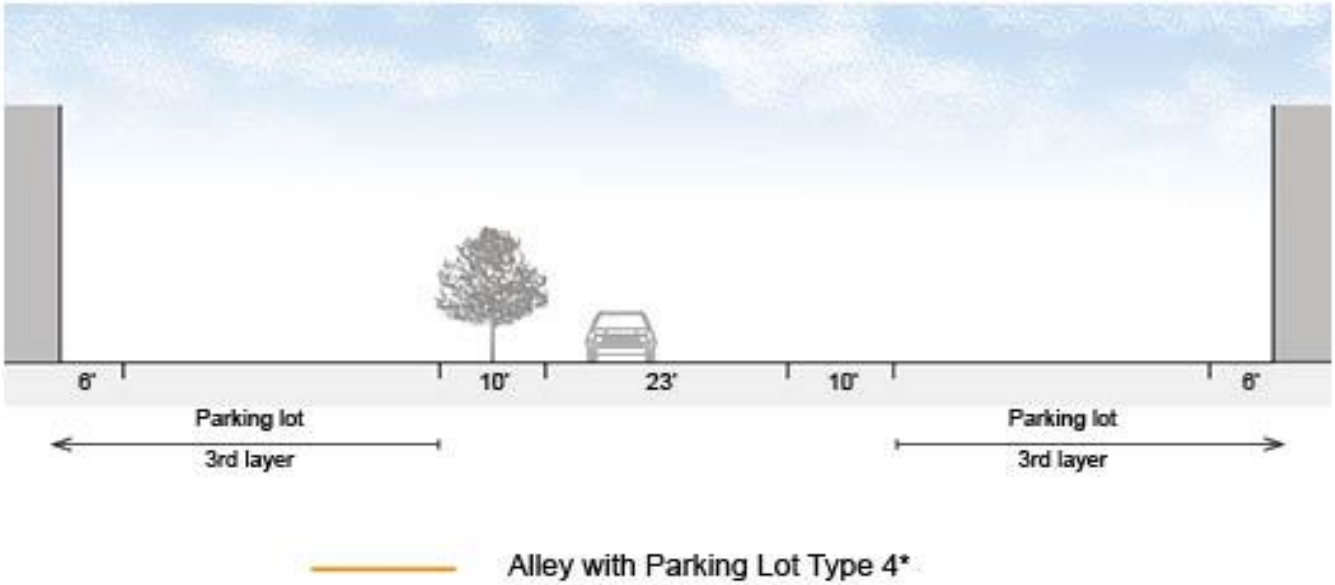
Illustration 16: Neighborhood Minor Collector Street



Alley with Front in Parking Type 3*

* Proposed uses adjacent to Residential Districts must comply with § 235-30, Buffer yards.

Illustration 17: Neighborhood Minor Collector Street

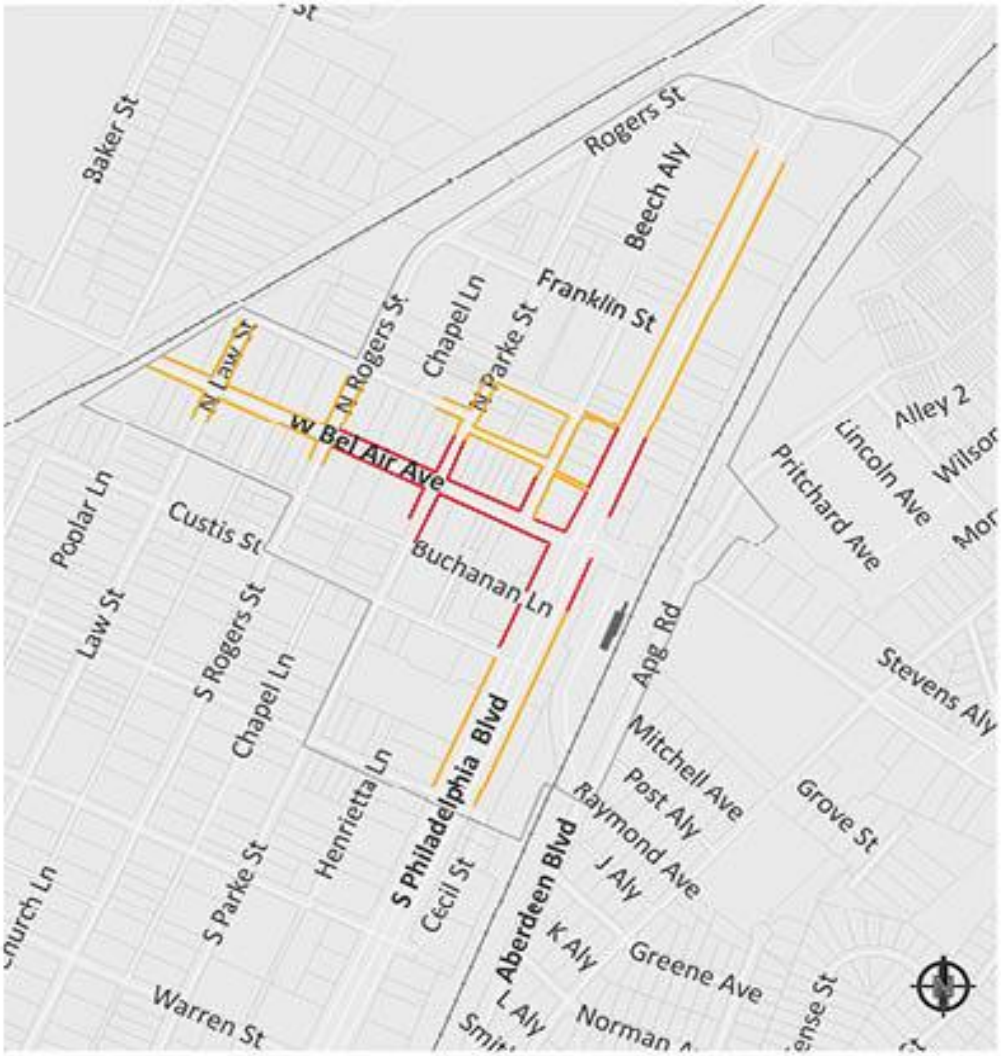


* Proposed uses adjacent to Residential Districts must comply with § 235-30, Buffer yards.

Illustration 18: Principal Street Frontages

Principal Frontages

Illustration 19: Retail/Commercial Shopfronts



Primary Frontages

Secondary Frontages

Illustration 20: Opacity/Windows

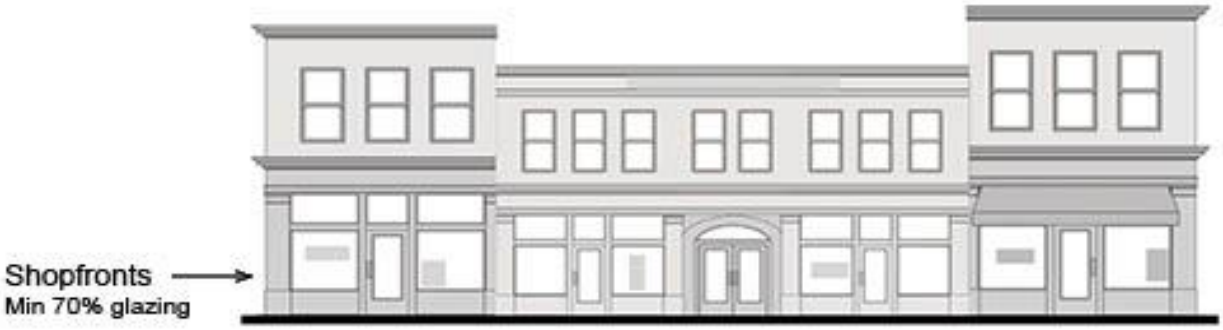
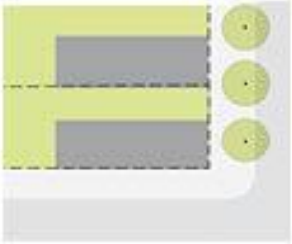


Illustration 21: Building Disposition

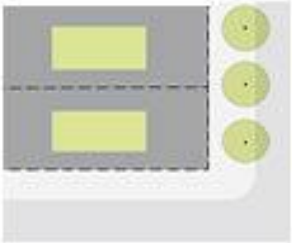
Edgeyard
TOD-N (T4)

Sideyard
TOD-D (T4)
TOD-C (T5)
TOD-N (T6)



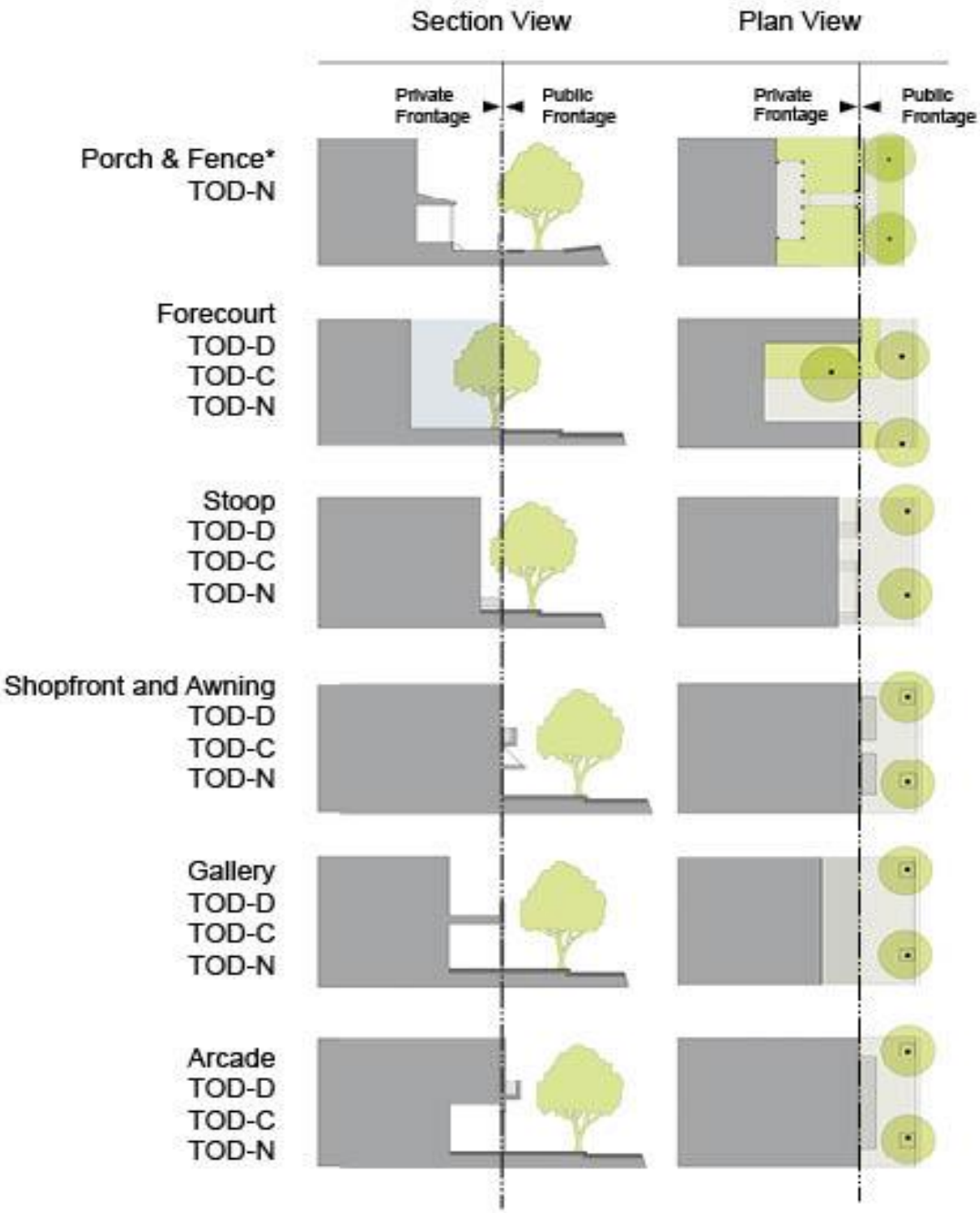
Rearyard
TOD-D (T4)
TOD-C (T5)
TOD-N (T6)

Courtyard
TOD-D (T4)
TOD-C (T5)
TOD-N (T6)



Legend

Illustration 22: Building Frontages



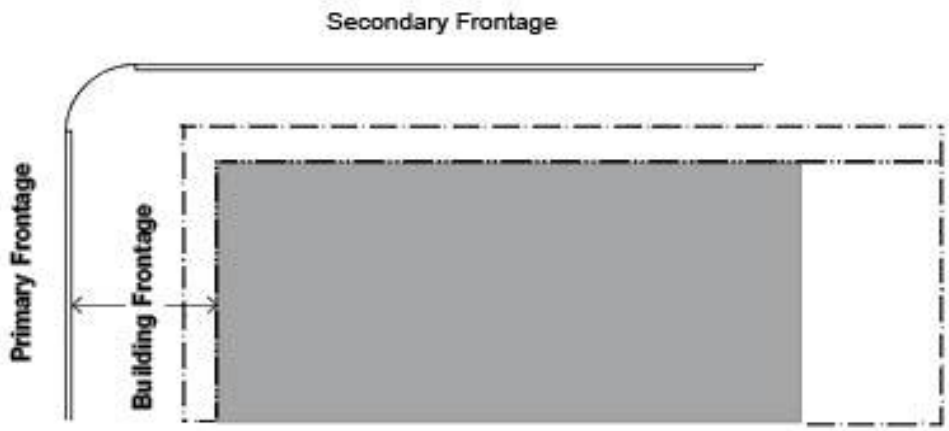
Legend

Build To Line (BTL)

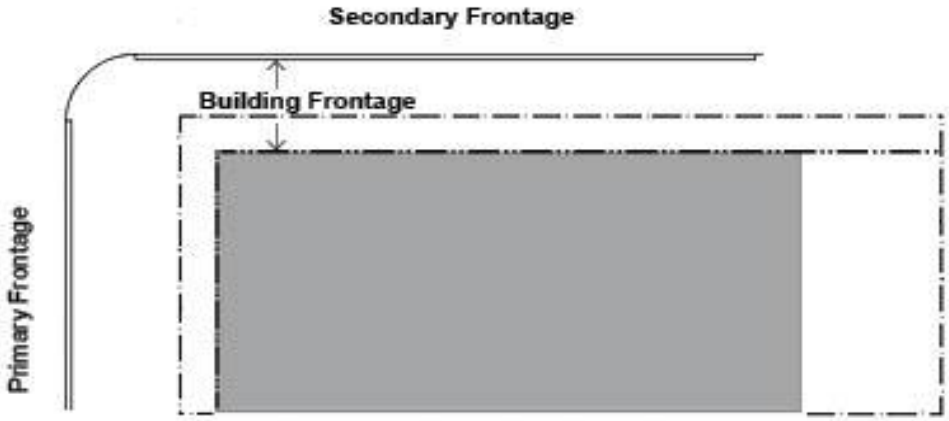
**Only permitted on properties with primary frontage on a local streets.*

Illustration 23: Frontage Build to Line

Primary Frontage Build to Line



Secondary Frontage Build to Line



Legend

Build To Line (BTL)

Lot Line

Illustration 24: Sideyard Setback

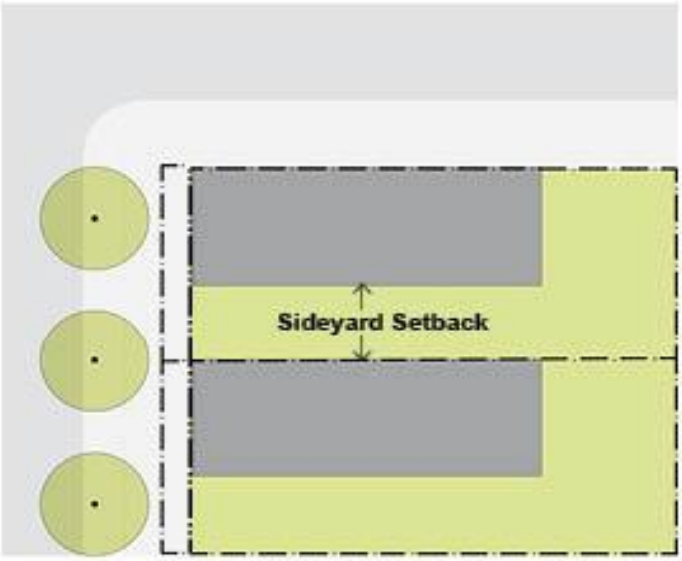


Illustration: Rear Setback

Legend

Build To Line (BTL)

Lot Line

Illustration 25: Sidewalk Widths, Planters and ESD

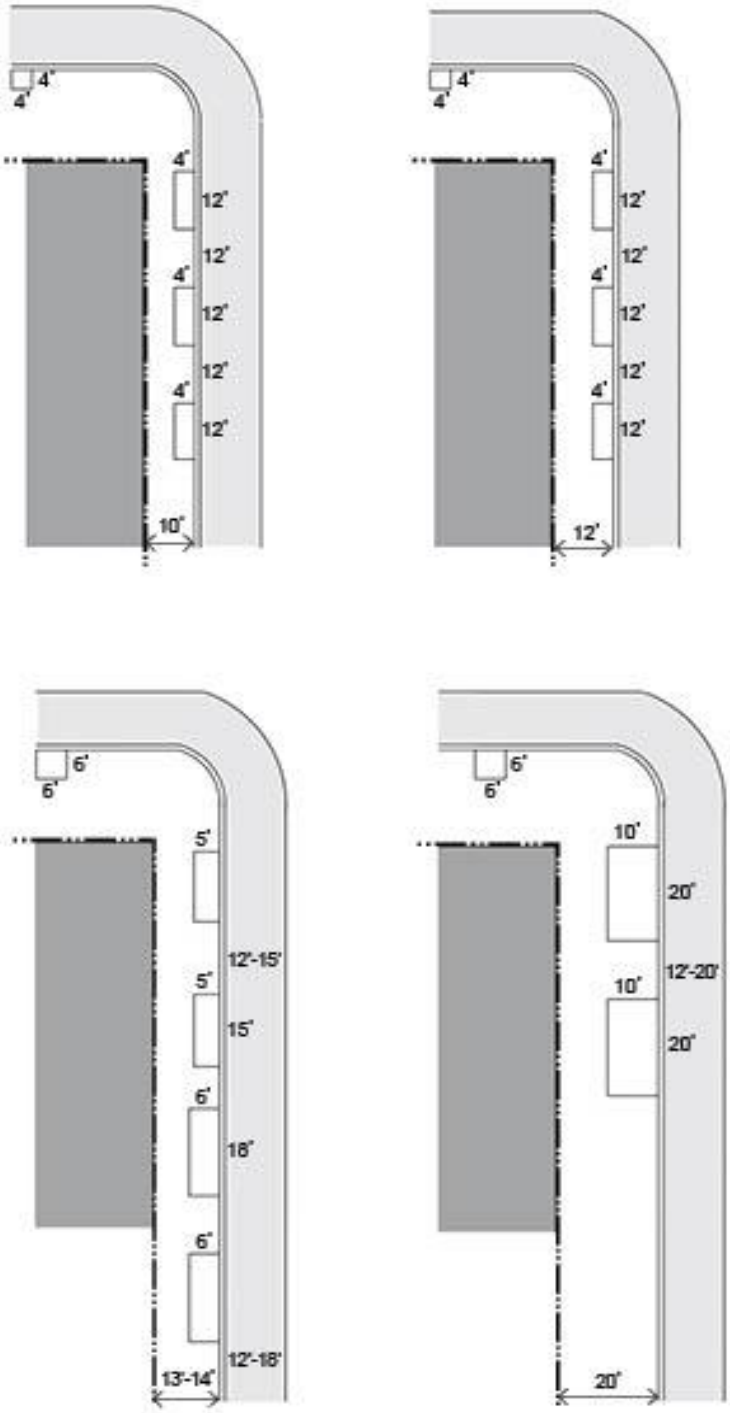


Illustration 26: Sidewalk Widths, Planters and ESD

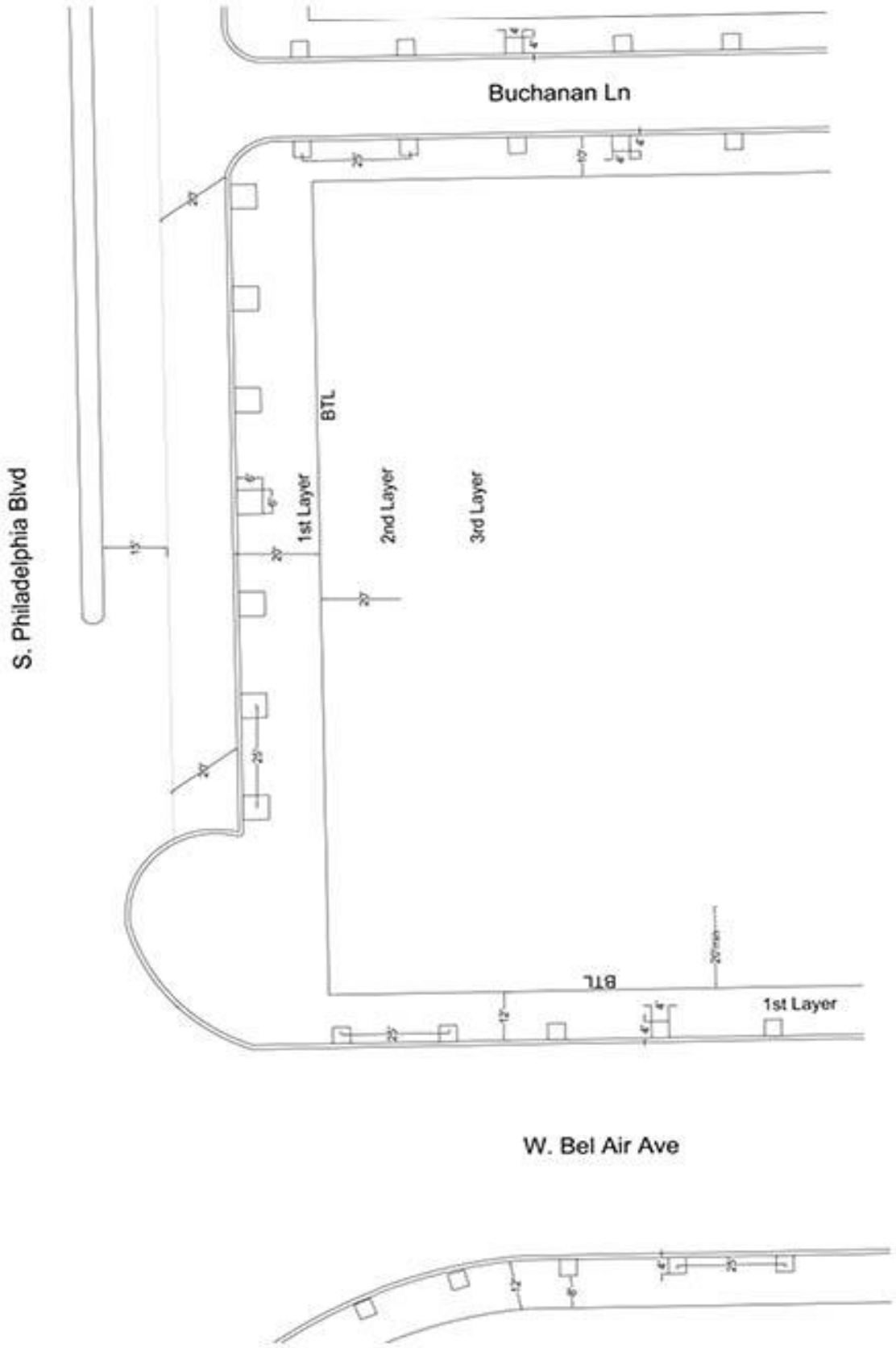
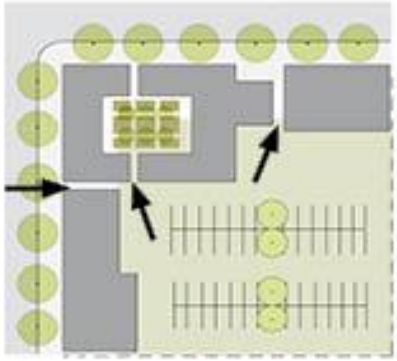


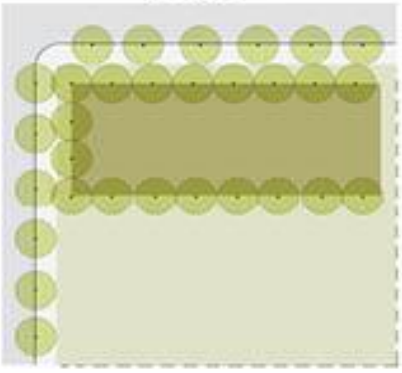
Illustration 27: Open Space Types

Accessible Courtyards

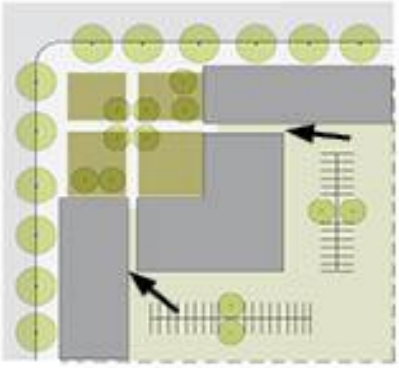


Squares

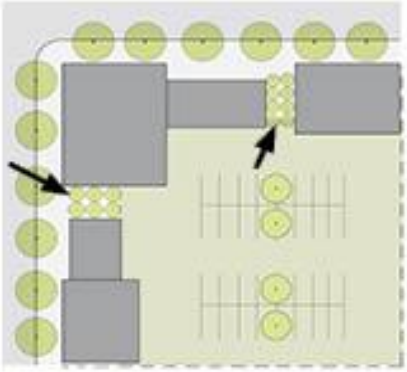
Parks



Forecourt Plazas



Landscaped Passages



Plazas

Legend

→ Passages

Illustration 28: Open Space Types

Festival Square Buffer

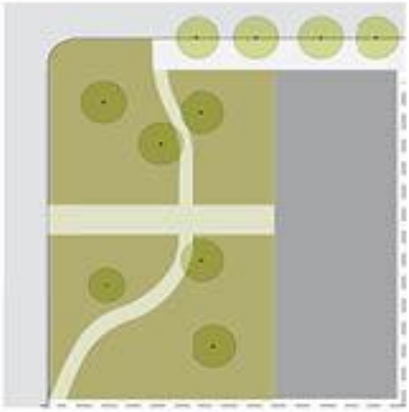
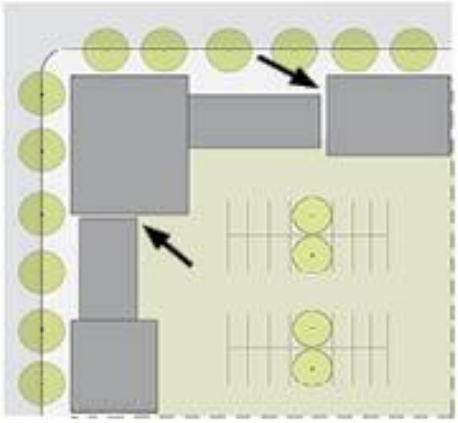


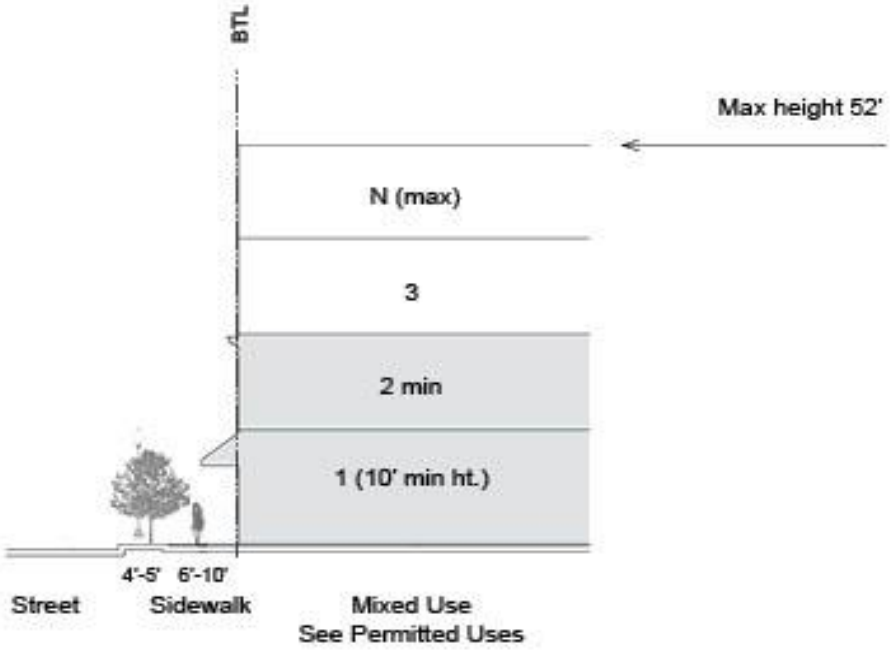
Illustration 29: Passage



Legend

→ Passages

Illustration 30: Height

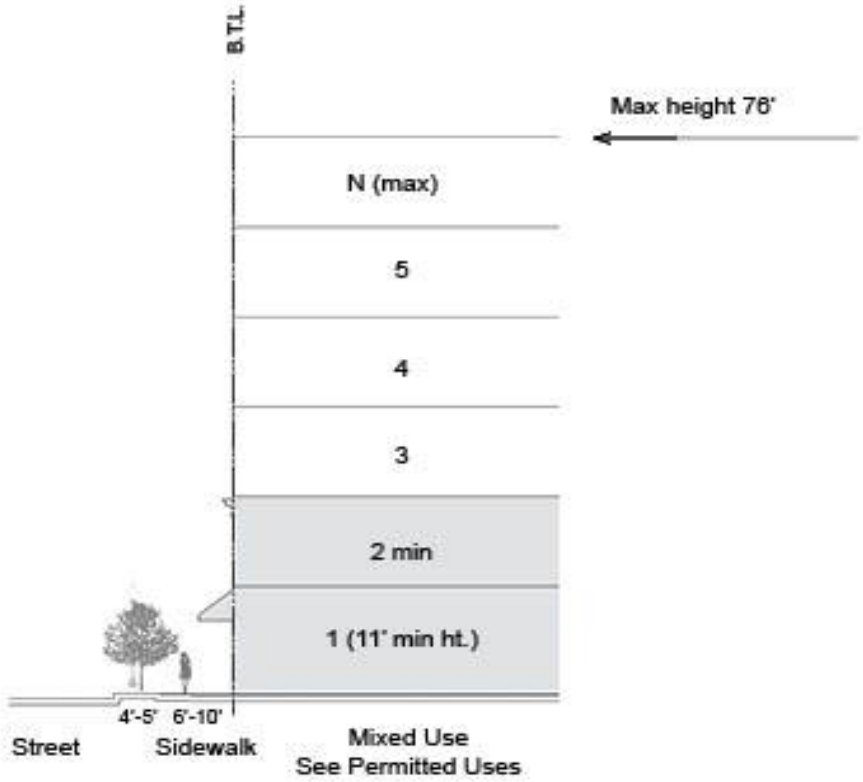


Legend

Build To Line (BTL)

Building Height
TOD-N (T-4)

Illustration 31: Height

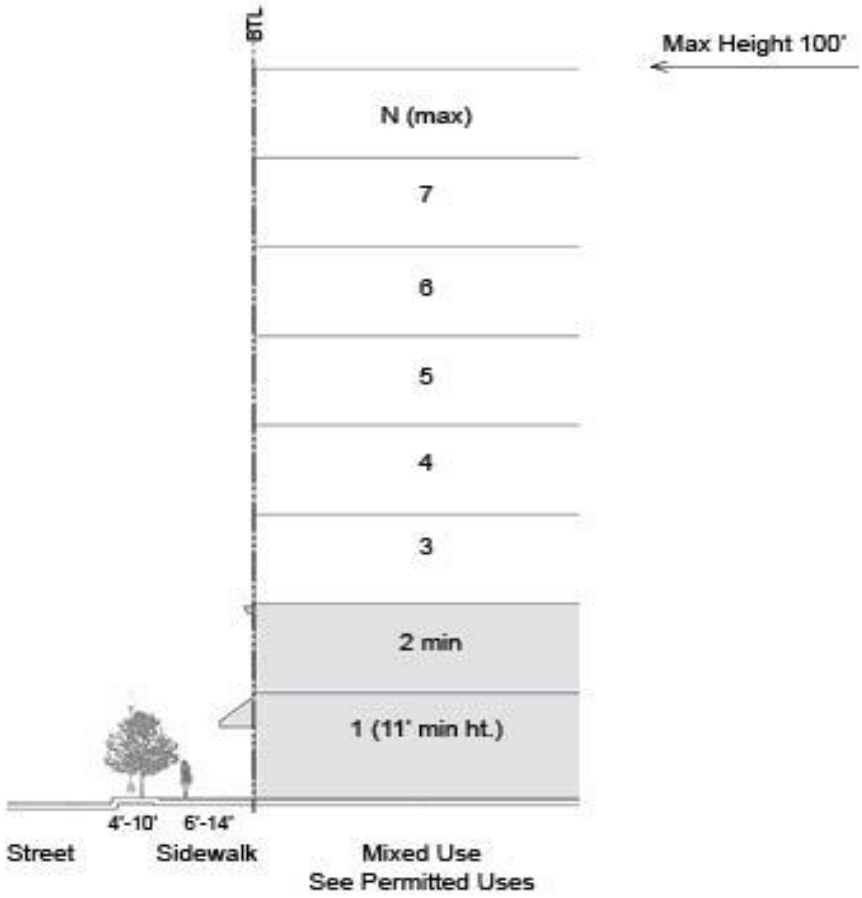


Legend

Build To Line (BTL)

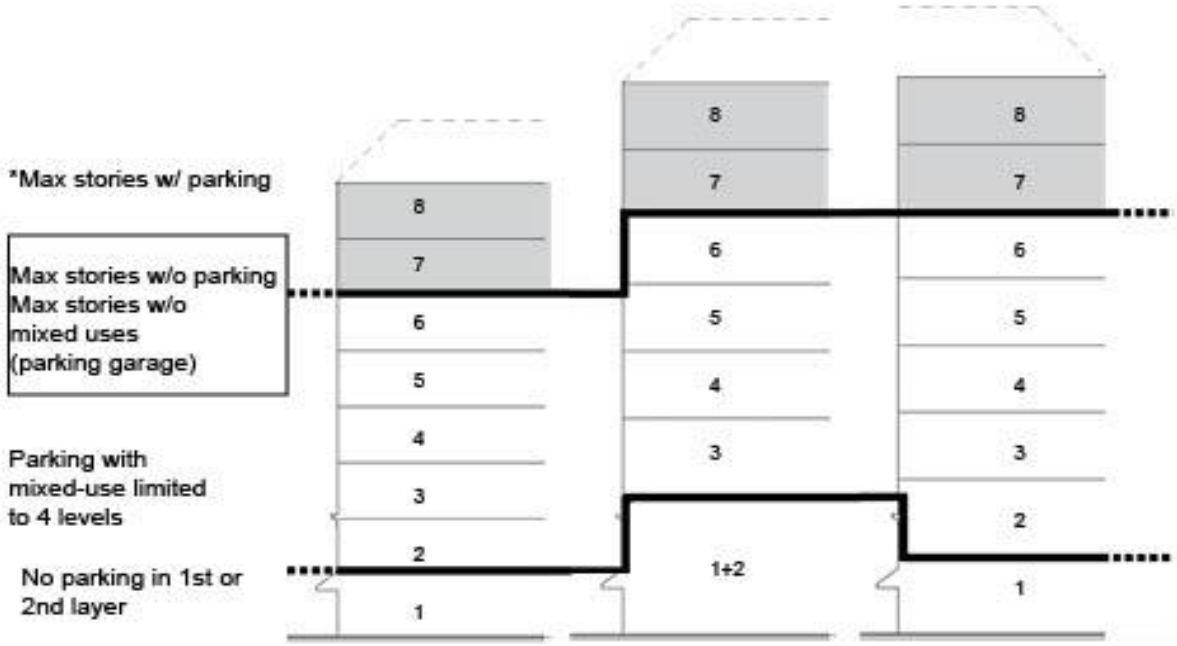
Building Height
TOD-C (T-5)

Illustration 32: Height



Building Height
TOD-D (T-6)

Illustration 33: Open Space and Parking Bonus Height



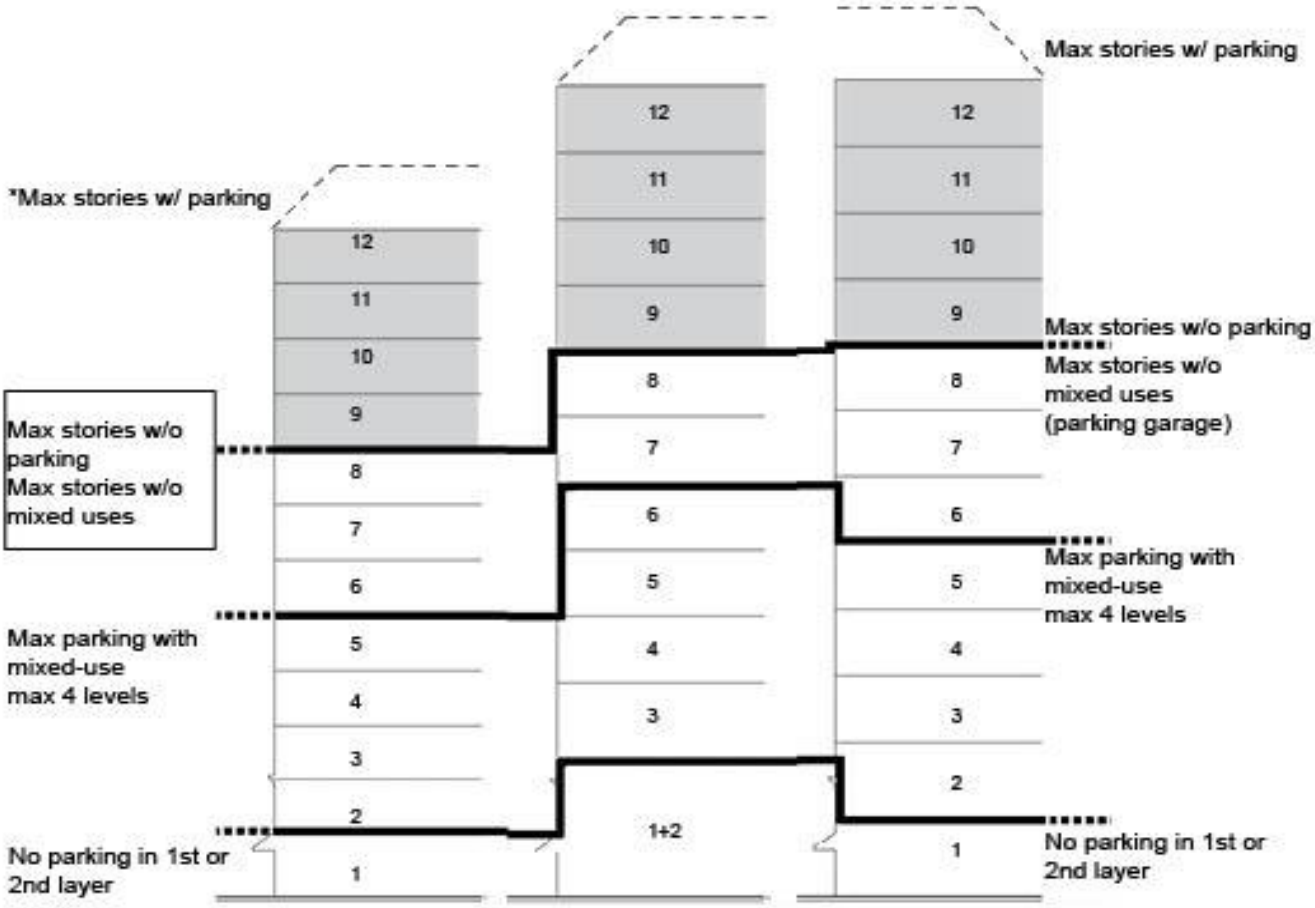
Legend

Open Space and Parking Bonus Heights

*Max stories for mixed use for parking

Height Bonus
TOD-C (T5)

Illustration 34: Open Space and Parking Bonus Height

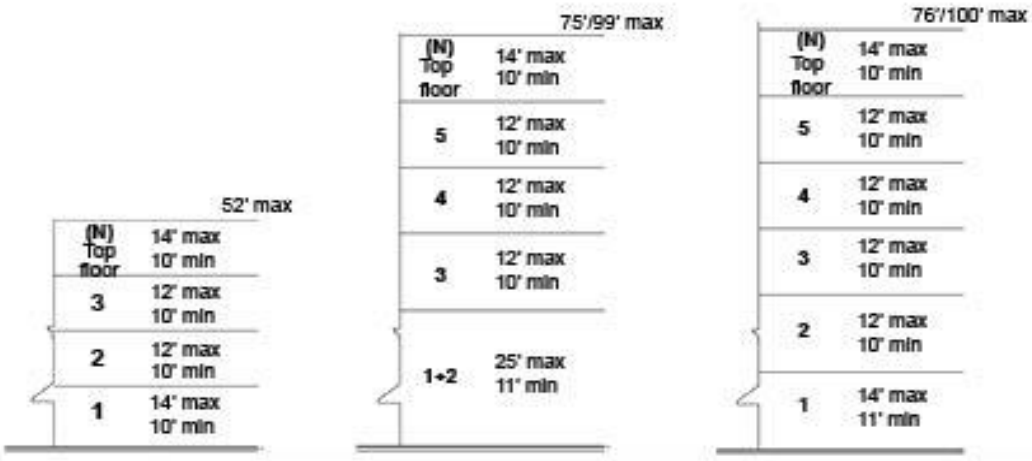


Legend

Open Space and Parking Bonus Heights

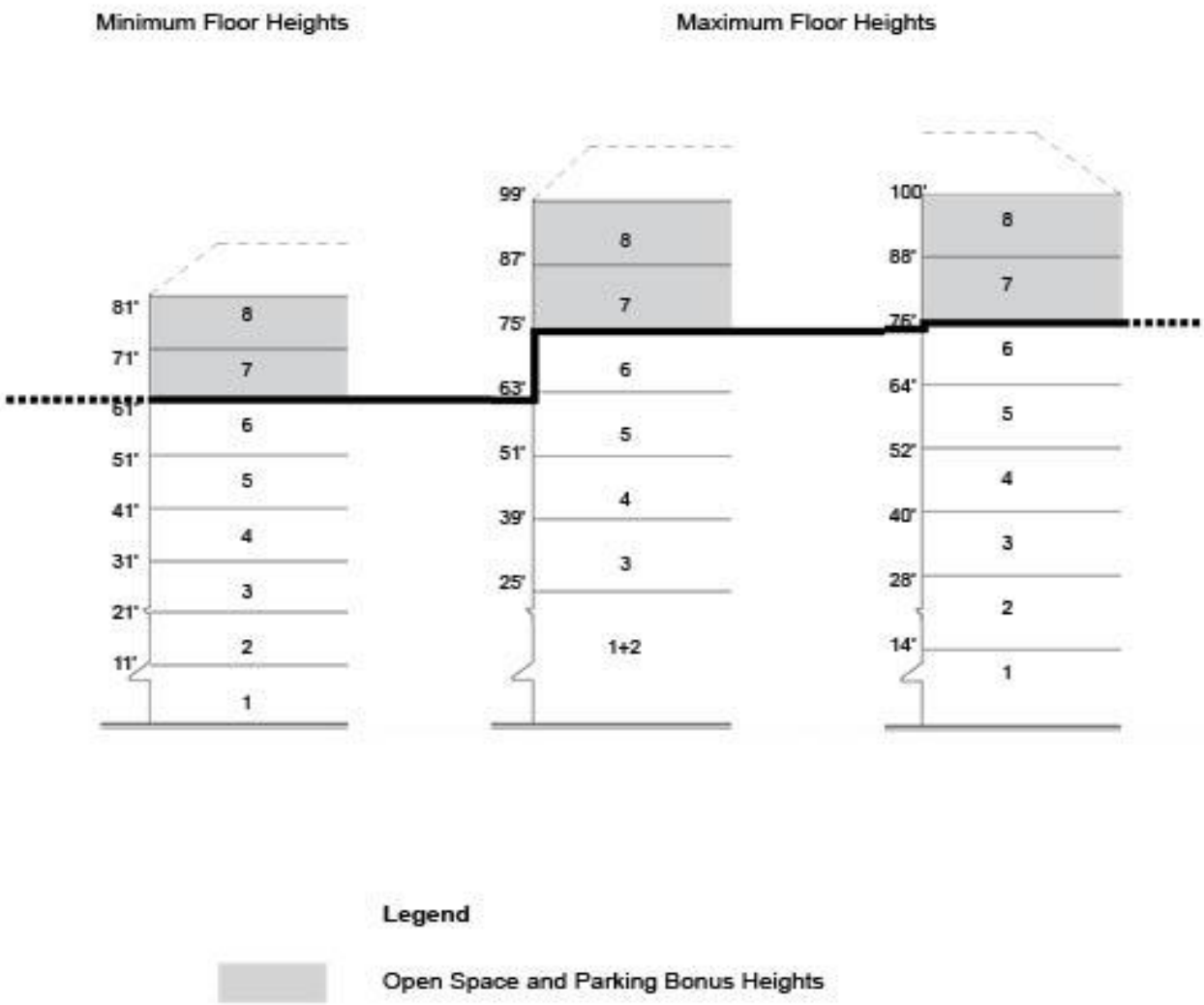
Height Bonus
TOD-D (T6)

Illustration 35: Floor Heights by Story



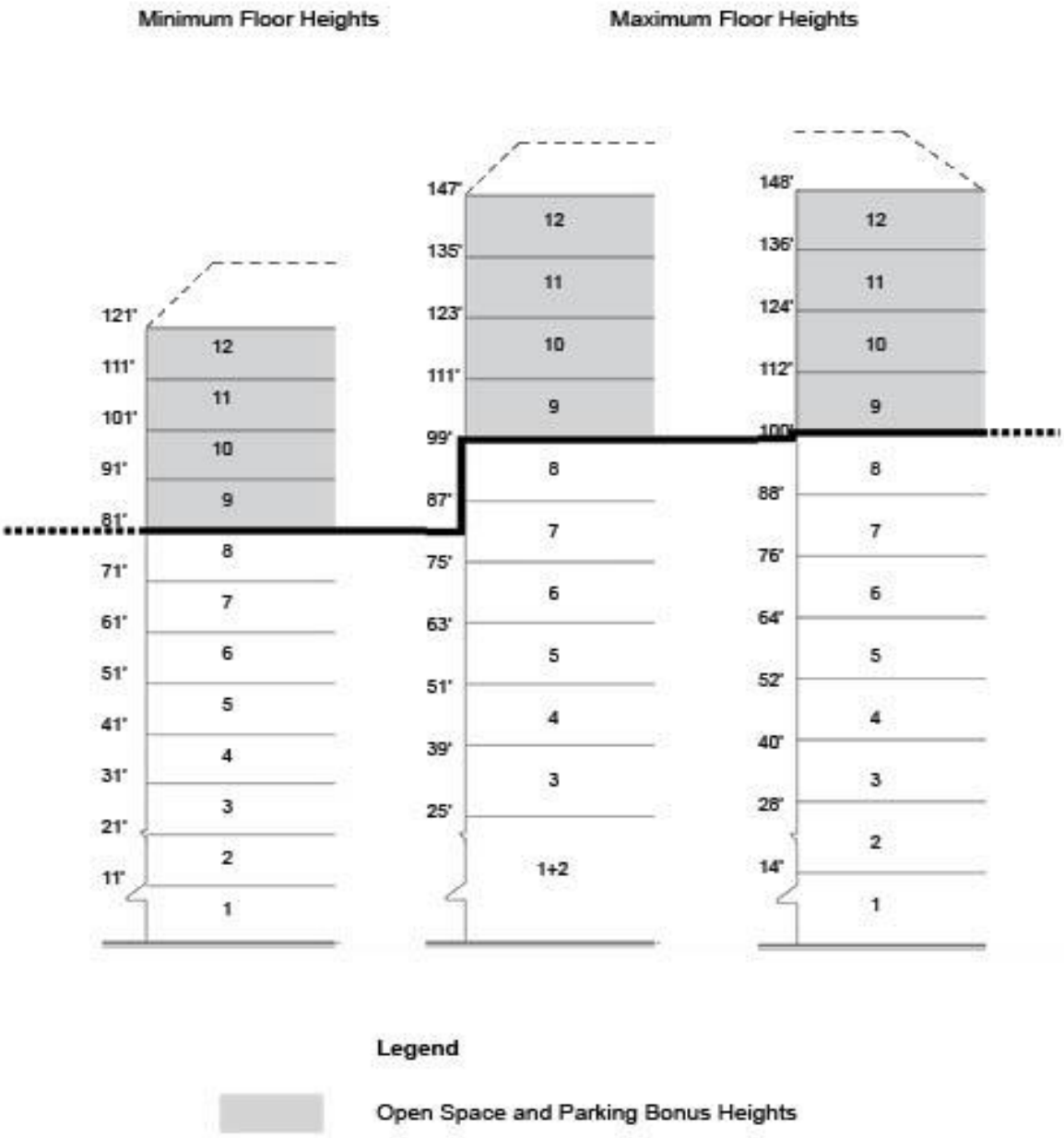
TOD-N (T4) **TOD-C (T5)** **TOD-D (T6)** **TOD-C (T5)** **TOD-D (T6)**

Illustration 36: Floor To Ceiling Heights



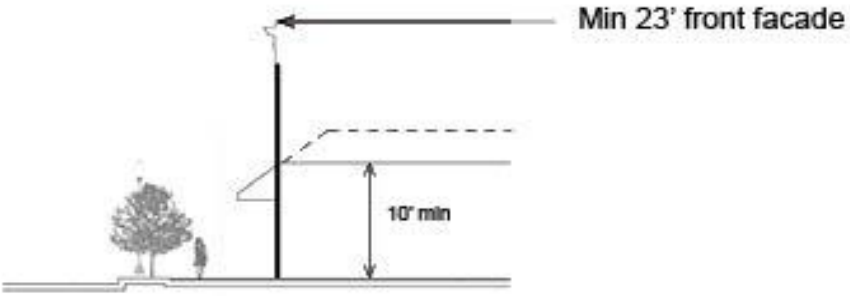
Floor Heights
TOD-C (T5)

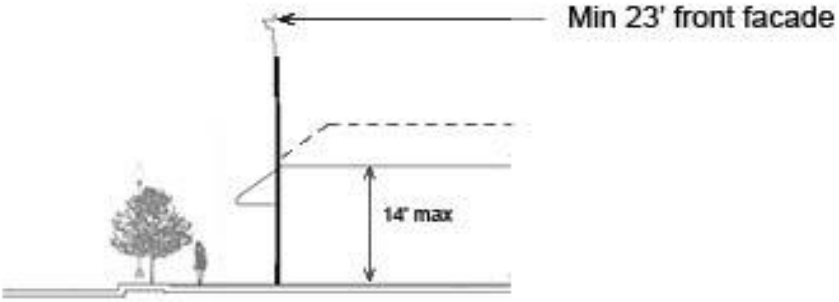
Illustration 37: Floor To Ceiling Heights



Floor Heights
TOD-D (T6)

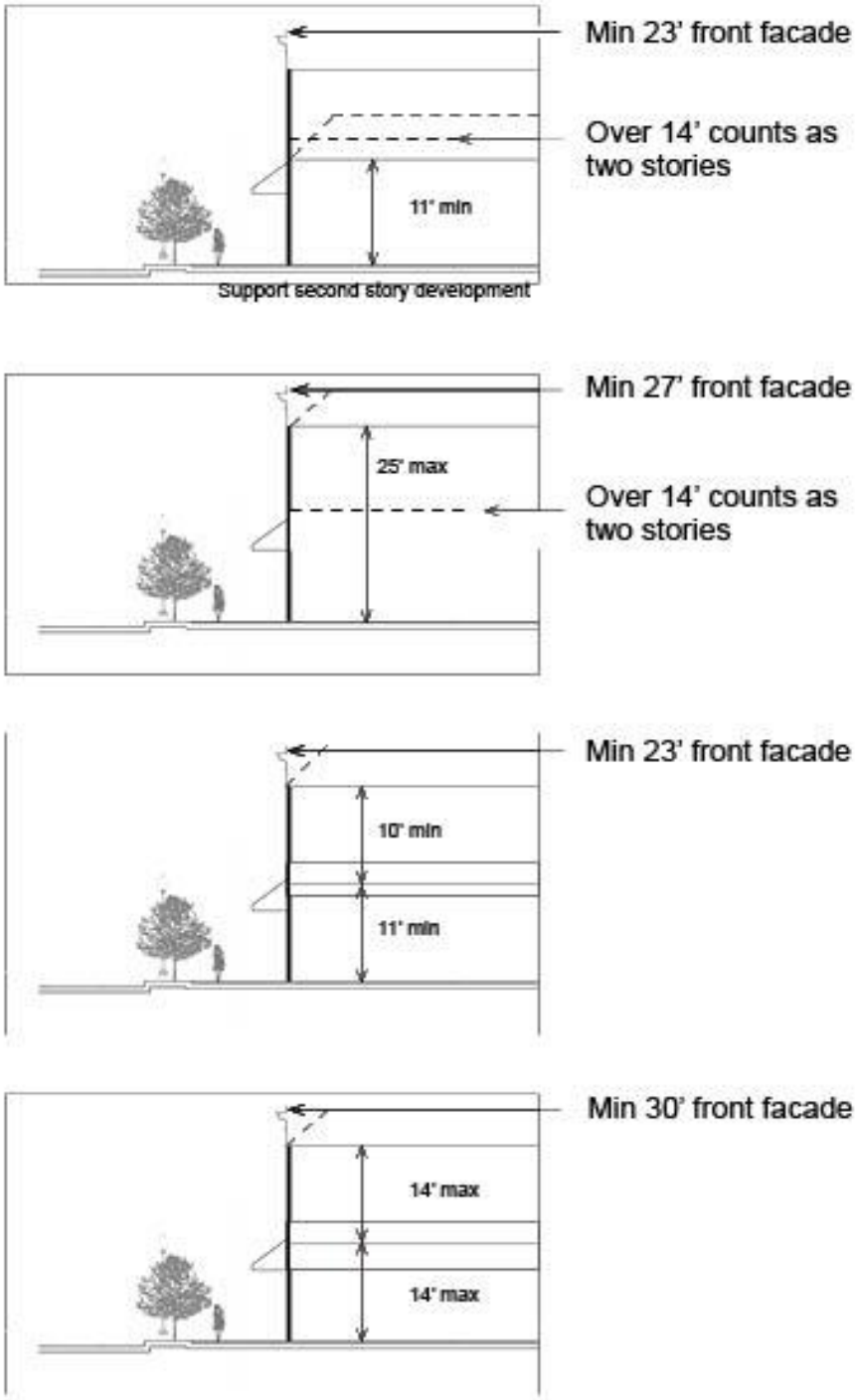
Illustration 38: Height Variations With Two Story Building





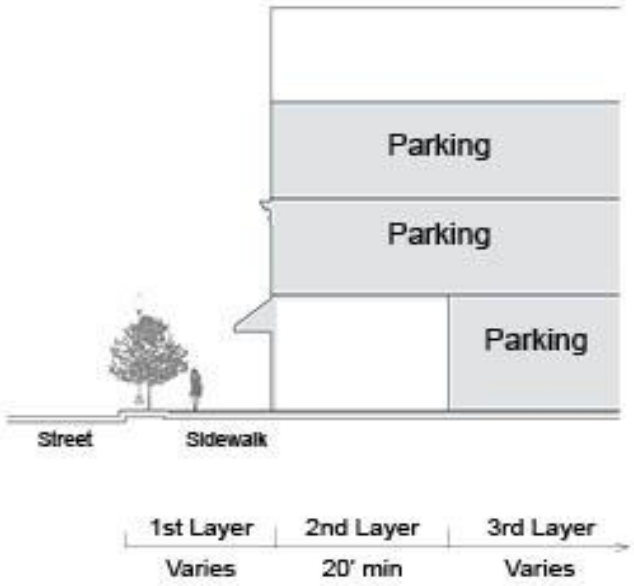
Minimum Heights (Ground Floor)
TOD-N (T4)

Illustration 39: Height Variations with Two-Story Buildings



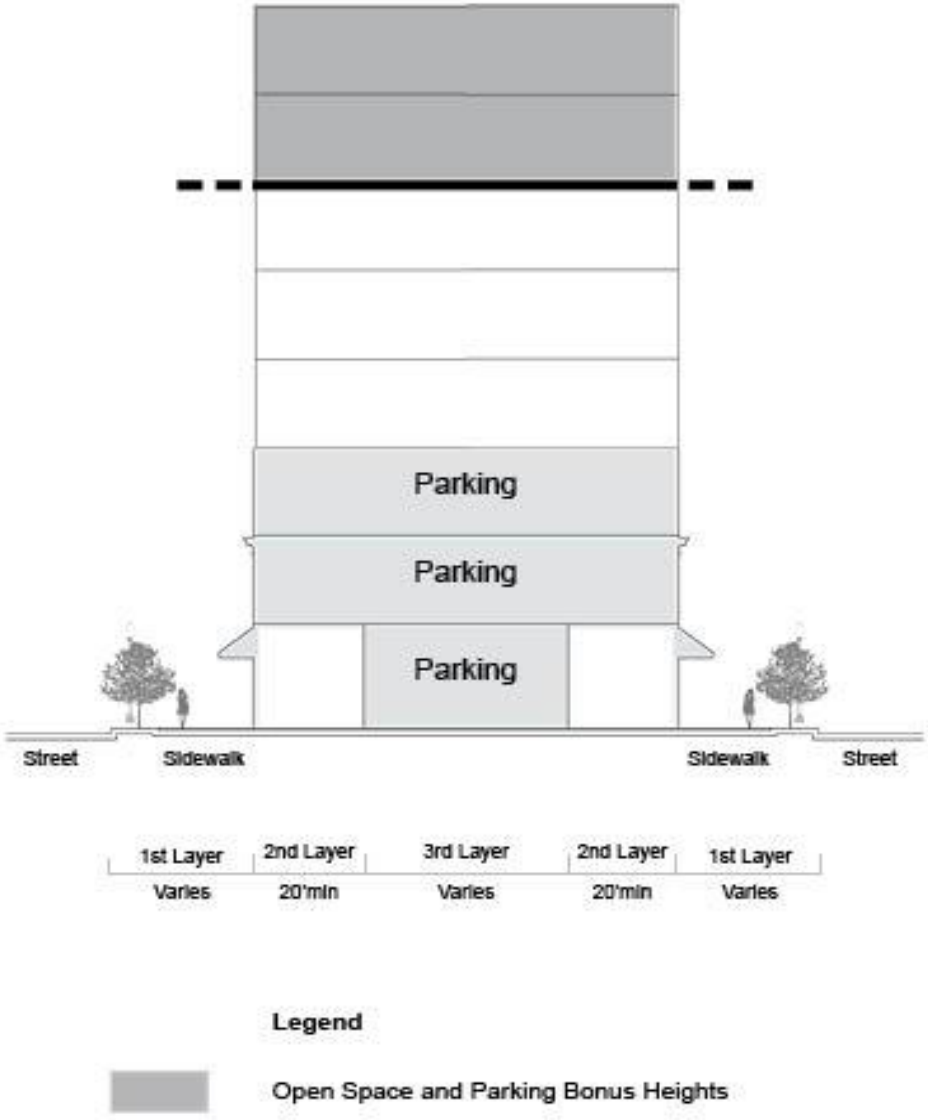
Minimum Heights
TOD-C (T5)
TOD-D (T6)

Illustration 40: Lot Layers and Parking



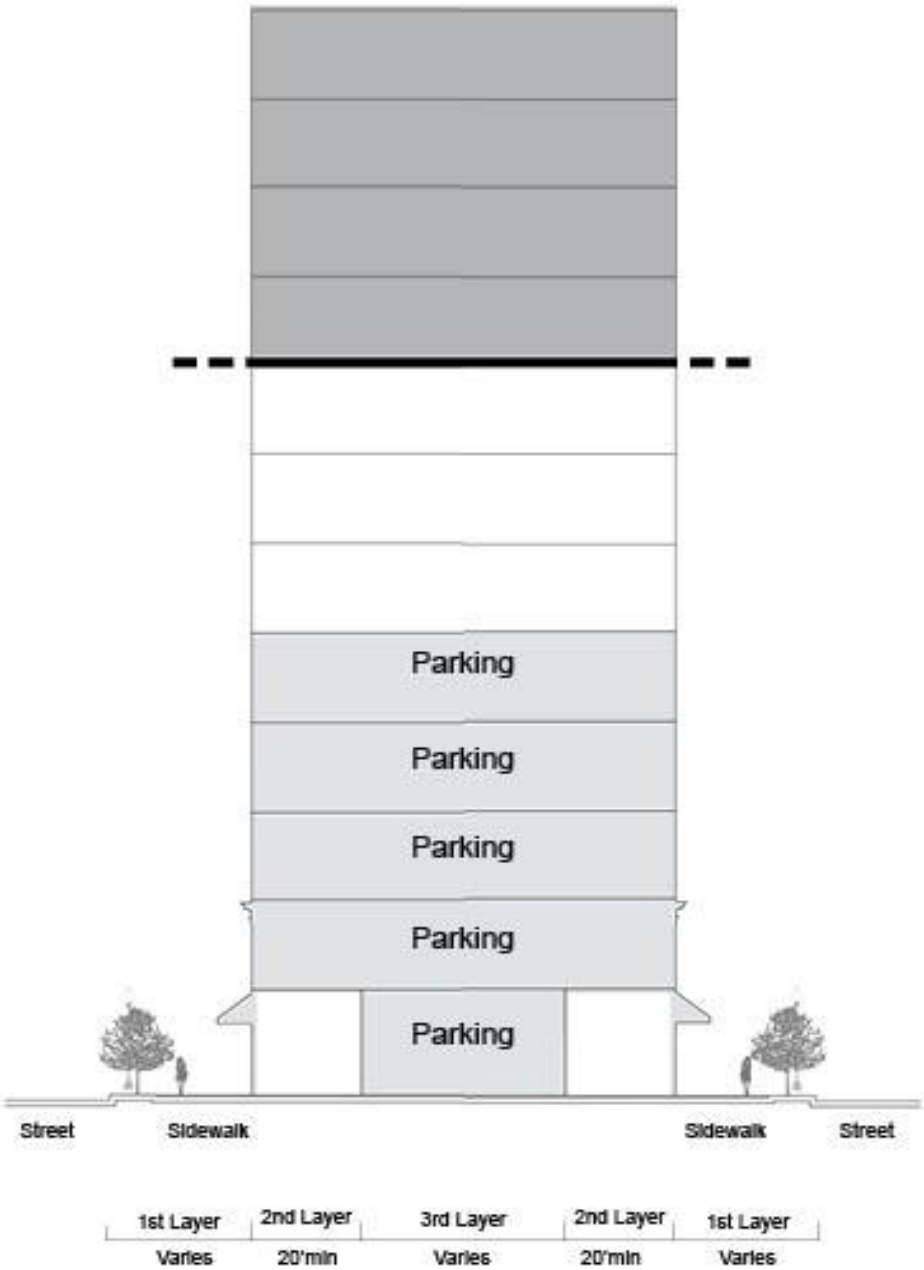
Layers and Parking
TOD-N (T-4)

Illustration 41: Lot Layers and Parking



Layers and Parking
TOD-C (T5)

Illustration 42: Lot Layers and Parking

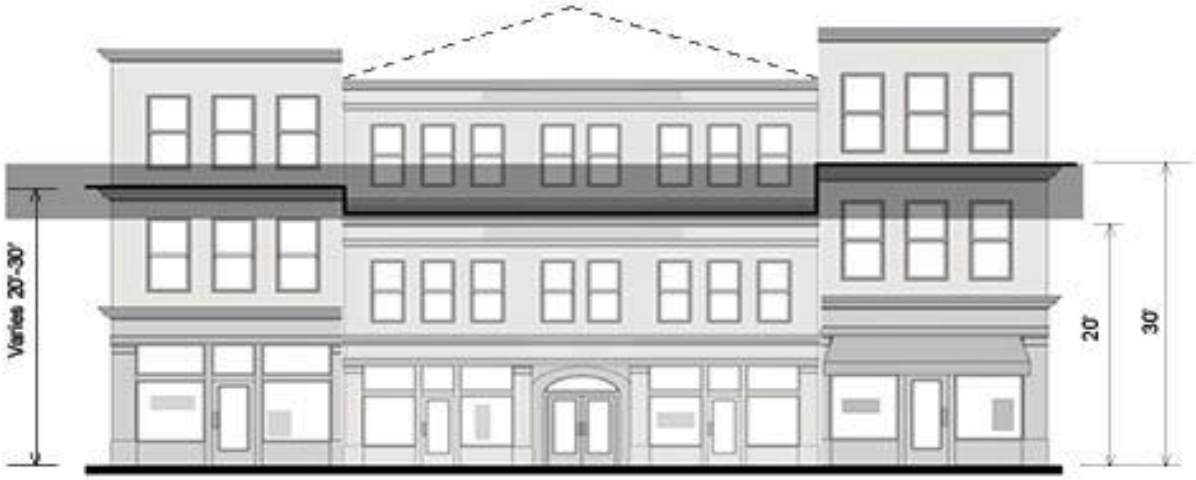


Legend

Open Space and Parking Bonus Heights

Layers and Parking
TOD-D (T-6)

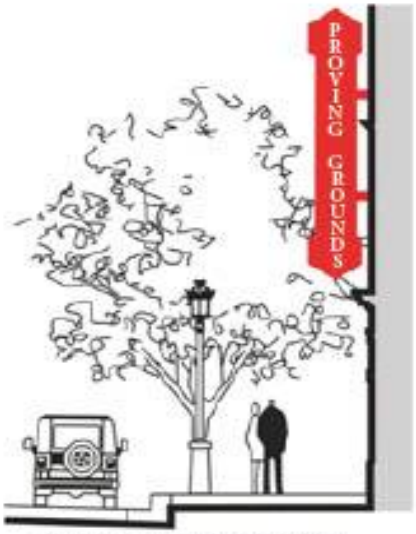
Illustration 43: Expression Line



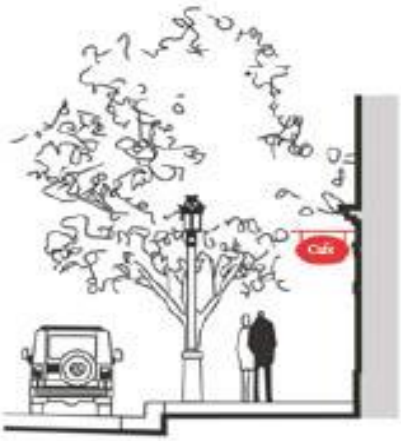
Legend

Expression Line

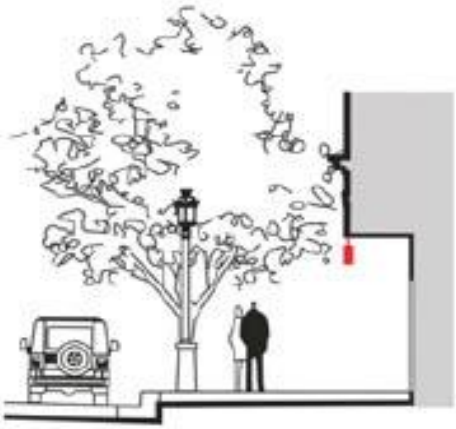
Illustration 44: Signage



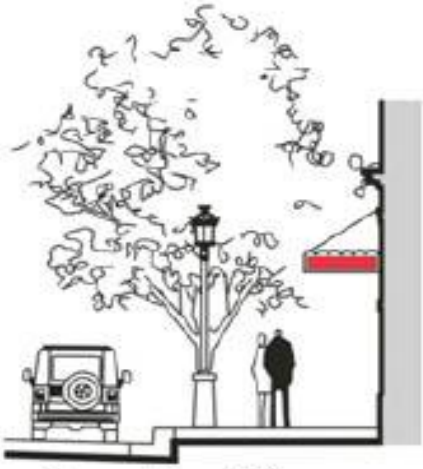
Grand Projecting Sign



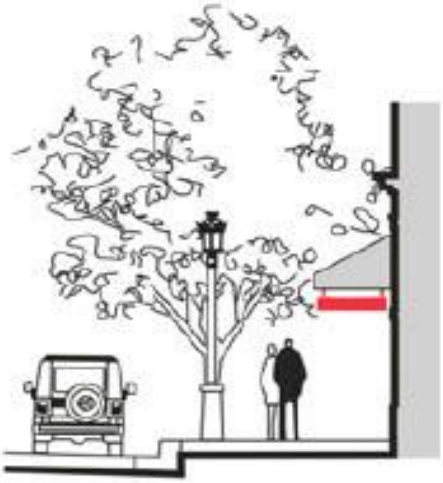
Blade Sign



Marquee Under Canopy Sign



Canopy Fascia Sign



Under Awning Sign

Awning Side Sign

Illustration 44: Signage

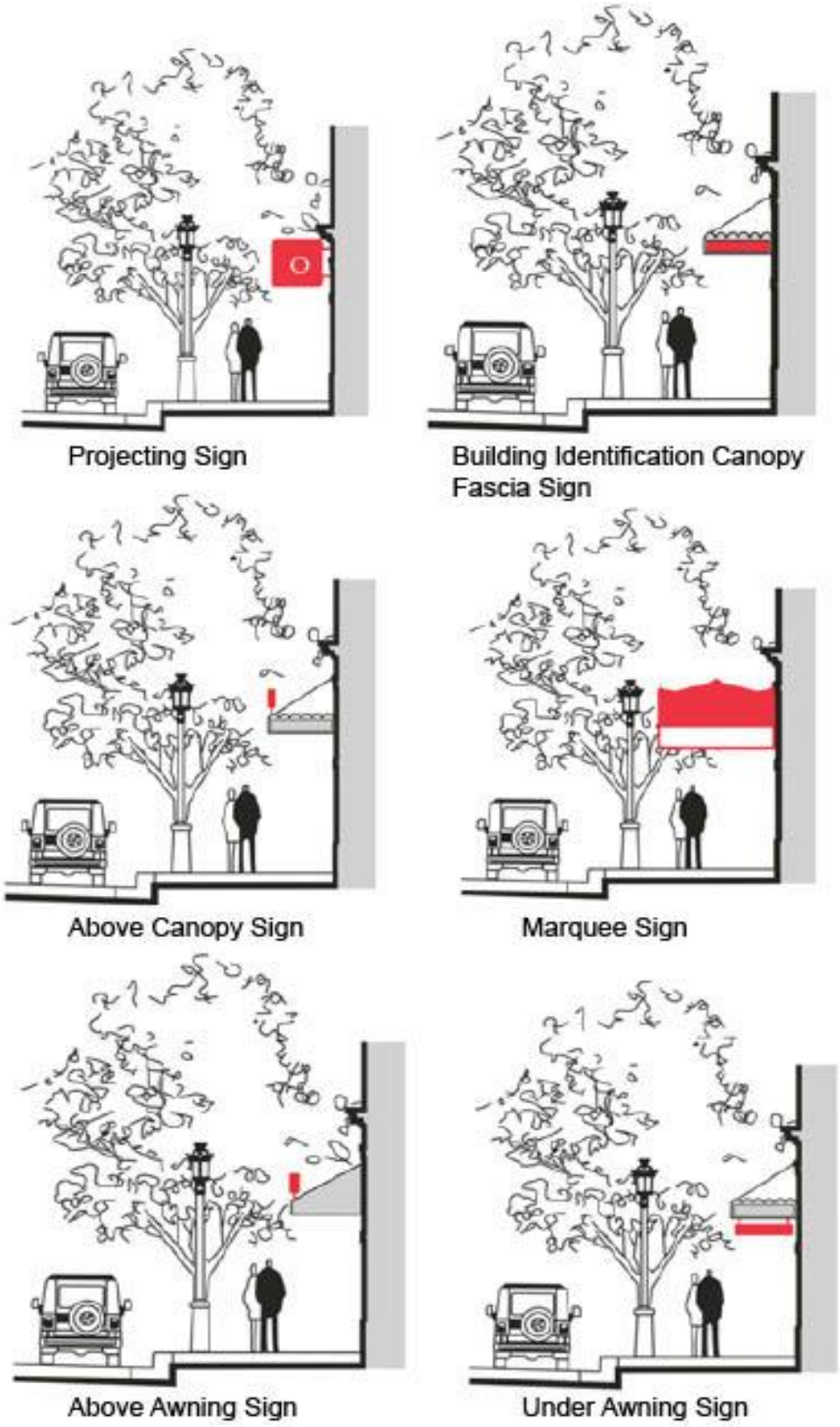


Illustration 44: Signage

Awning Valance Sign

Wall Signs

Temporary Window Signs

Awning Face Sign

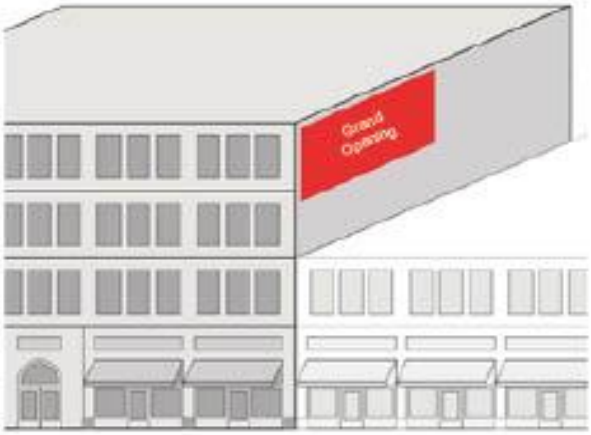
Window Signs

Temporary Wall Sign

Illustration 44: Signage

Building Identification Window Sign

Building Identification Wall Sign



Grand Wall Sign

SECTION 4. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that Appendix A, Table of Use Regulations, referred to in Section 235-19, of Chapter 235, Development Code, is repealed and reenacted, with amendments, to read as follows:

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
MU Mixed use
2nd Floor – Permitted on 2nd Floor and above
T-5 - Only permitted in TOD-C

Use	**Zoning District**											
	R-1	**R-2**	**R-3**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**ORE**	**AG**	**IBD**	***TOD***
Residential												
Age-restricted housing	SE	SE	P	P	P	—	—	—	—	SE	P/MU	***P***
Apartment accessory to commercial use	—	—	—	P	P	P	—	—	—	—	—	***P***
Apartment accessory to primary residence	SE	P	P	—	—	—	—	—	—	—	—	***P***
Apartment, multifamily	—	—	P	P	P	—	—	—	—	—	P/MU	***P***
Assisted living facility	—	SE	P	P	P	—	—	—	—	—	P/MU	***P***
Continuing care facility	—	—	P	P	P	—	—	—	—	P	P/MU	***SE***
Day care (family)	P	P	P	P	P	—	—	—	—	P	—	***P***
Dwelling, accessory apartment	—	P	P	P	P	—	—	—	—	—	—	***P***
Dwelling, detached, single family	P	P	P	P	P	—	—	—	—	P	P/MU	**—**
Dwelling, garden apartment	—	—	P	P	P	—	—	—	—	—	P/MU	***P***
Dwelling, mid-rise apartment	—	—	P	P	P	—	—	—	—	—	P/MU	***P***
Dwelling, modular	P	P	P	P	P	—	—	—	—	P	P/MU	**—**
Dwelling, conversion of SFH to 2-family	—	P	P	SE	SE	—	—	—	—	SE	—	**—**
Dwelling, multifamily, conversion SFH to multifamily	—	—	P	—	—	—	—	—	—	—	—	**—**
Dwelling, quad	—	—	P	P	P	—	—	—	—	—	—	**—**
Dwelling, semidetached	—	P	P	P	P	—	—	—	—	—	—	**—**
Dwelling, temporary	P	P	P	P	P	—	—	—	—	P	—	**—**

Use	Zoning District											
	R-1	**R-2**	**R-3**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**ORE**	**AG**	**IBD**	***TOD***
emergency												
Dwelling, townhouse	—	—	P	—	—	—	—	—	—	—	—	***P***
Dwelling, two-family	—	P	P	—	—	—	—	—	—	—	—	—
Halfway house	—	—	SE	SE	SE	—	—	—	—	—	—	—
Life care facility	—	—	SE	SE	SE	—	—	—	—	SE	P/MU	—
Mobile home park	—	—	SE	—	—	—	—	—	—	—	—	—
Personal care home	—	—	P	P	P	—	—	—	—	SE	—	—
Commercial												
Adult bookstore or adult entertainment center	—	—	—	—	—	—	—	—	—	—	—	—
Agricultural machinery, sales and service	—	—	—	—	—	P	P	—	—	P	—	—
Agriculture	—	—	—	—	—	—	—	—	—	P	—	—
Athletic facilities or clubs (indoor)	—	—	—	P	P	P	P	SE	SE	SE	P	***P***
Auction house	—	—	—	—	—	SE	P	—	—	—	—	—
Automobile or boat sales/rental	—	—	—	—	—	P	—	—	—	—	—	***P***
Automobile car wash	—	—	—	—	—	P	—	—	—	—	—	—
Automobile filling station or repair shop with or without convenience store	—	—	—	—	P	P	P	SE	—	—	—	—
Banks with or without drive through facilities	—	—	—	P	P	P	P	P	SE	—	P	***P***
Banquet facility	—	—	—	—	—	P	—	—	P	—	P	***P***
Body piercing service	—	—	—	—	—	—	—	—	—	—	—	—
Business service	—	—	—	P	P	P	P	P	P	SE	—	***P***
Bus station, train station, taxi depot, transit center	—	—	—	P	P	P	P	P	—	SE	—	***P***
Cemetery	—	—	—	SE	SE	SE	—	—	—	SE	—	—
Coliseums, stadiums and sports camps	—	—	—	—	—	P	P	—	P	SE	P	—
Commercial, amusement, entertainment and recreation facilities	—	—	—	—	SE	P	P	—	P	P	P/MU	***P***
Communication tower or monopole	—	—	—	—	—	SE	SE	SE	SE	SE	—	***SE***
Conference center	—	—	—	—	—	P	—	—	P	—	P	***P***
Construction services and supplies	—	—	—	—	—	P	P	P	—	—	—	—
Convenience retail	—	—	—	—	P	P	P	SE	—	—	—	***P***

Use	Zoning District											
	R-1	**R-2**	**R-3**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**ORE**	**AG**	**IBD**	***TOD***
establishment with accessory fuel pumps												
Day-care center (group)	—	—	—	P	P	P	P	P	P	P	P	***P***
Dormitory	—	—	—	—	—	—	—	—	—	—	P	**—**
Fortune-telling	—	—	—	—	—	SE	—	—	—	—	—	**—**
Fuel storage facility	—	—	—	—	—	—	—	SE	—	—	—	**—**
Funeral home	—	—	—	—	P	P	—	—	—	—	—	***T-5***
Gourmet food establishment	—	—	—	P	P	P	—	—	—	—	P/MU	***P***
Greenhouse/nursery	—	—	—	—	P	P	P	—	—	P	—	**—**
Heliport	—	—	—	—	—	—	P	P	P	P	—	**—**
Helistop	—	—	—	—	—	—	P	P	P—	P	P/MU	**—**
Hotel	—	—	—	—	—	P	—	—	—	—	P/MU	***P***
Hotel, full service	—	—	—	—	—	P	—	—	—	—	P/MU	***P***
Junkyard	—	—	—	—	—	—	—	—	—	—	—	**—**
Liquor store	—	—	—	P	P	P	—	—	—	—	—	***P***
Kennel	—	—	—	—	—	P	—	—	—	SE	—	**—**
Main Street retail center	—	—	—	—	P	P	SE	—	—	—	P/MU	***P***
Massage service	—	—	—	—	—	—	—	—	—	—	—	**—**
Medical services	—	—	—	P	P	P	—	—	—	—	P	***P***
Mobile home sales	—	—	—	—	—	P	—	—	—	—	—	**—**
Motel	—	—	—	—	—	P	—	—	—	—	—	***P***
Motor vehicle painting and bodywork	—	—	—	—	—	P	P	—	—	—	—	**—**
Movie theater	—	—	—	—	—	P	—	—	—	—	P/MU	***P***
Nightclub	—	—	—	—	—	P	—	—	—	—	—	***P***
Office building	—	—	—	P	P	P	P	P	P	SE	P	***P***
Open air market (farm and craft markets; produce market)	—	—	—	—	SE	SE	—	—	—	P	—	***P***
Personal services	—	—	—	P	P	P	SE	SE	—	SE	—	***P***
Pet store	—	—	—	—	P	P	—	—	—	—	—	***P***
Pharmacy with drive-through	—	—	—	—	—	P	—	—	—	—	P	***P***
Radio and television station	—	—	—	—	—	P	P	P	—	—	—	***SE***
Restaurant	—	—	—	P	P	P	SE	—	P	—	P	***P***
Restaurant with drive-through	—	—	—	—	P	P	SE	—	—	—	P/MU *	**—**
Sand and gravel pits	—	—	—	—	—	—	—	—	—	—	—	**—**
Shoppers' merchandise	—	—	—	P	P	P	—	—	—	—	—	***P***
Shopping center	—	—	—	—	—	P	—	—	—	—	—	**—**
Supermarket	—	—	—	—	P	P	SE	SE	—	—	—	***P***
Tattoo parlor	—	—	—	—	—	—	—	—	—	—	—	**—**

Use	Zoning District											
	R-1	**R-2**	**R-3**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**ORE**	**AG**	**IBD**	***TOD***
Truck repair or truck service station	—	—	—	—	—	SE	P	P	—	—	—	—
Veterinary clinics without kennel	—	—	—	—	P	P	—	—	—	SE	—	—
Warehouse establishments	—	—	—	—	—	—	P	P	—	—	—	—
Wholesale establishments	—	—	—	—	—	—	P	P	—	—	—	—
Industrial												
Apparel and other textile products manufacturing	—	—	—	—	—	—	—	P	—	—	—	—
Asphalt and concrete batching plant	—	—	—	—	—	—	—	—	—	—	—	—
Biological products manufacturing	—	—	—	—	—	—	—	P	SE	—	—	—
Compost facility	—	—	—	—	—	—	SE	—	—	—	—	—
Electrical and electronic equipment	—	—	—	—	—	—	P	P	P	—	—	—
Food products manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Furniture and fixtures manufacturing	—	—	—	—	—	—	P	P	—	—	—	—
Instruments and related products manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Leather and leather products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—
Lumber, wood and paper products manufacturing and sawmill	—	—	—	—	—	—	—	—	—	—	—	—
Machinery manufacturing	—	—	—	—	—	—	—	P	—	—	—	—
Medicinal, chemicals and botanicals manufacturing	—	—	—	—	—	—	SE	SE	P	—	—	—
Office machine manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Petroleum and coal products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—
Pharmaceutical preparation manufacturing	—	—	—	—	—	—	P	P	P	—	—	—
Printing and publishing	—	—	—	—	—	P	P	P	P	—	—	—
Recycling facility	—	—	—	—	—	—	SE	SE	—	—	—	—
Sanitary landfill	—	—	—	—	—	—	—	—	—	—	—	—
Stone, clay and glass products manufacturing	—	—	—	—	—	—	—	—	—	—	—	—

Use	**Zoning District**											
	R-1	**R-2**	**R-3**	**B-1**	**B-2**	**B-3**	**M-1**	**M-2**	**ORE**	**AG**	**IBD**	***TOD***
Textile mill	—	—	—	—	—	—	—	—	—	—	—	—
Transportation equipment manufacturing	—	—	—	—	—	—	—	SE	—	—	—	—

Institutional												
Art galleries	—	—	—	P	P	P	—	—	P	—	P	*P*
Auditorium/lecture halls/convention centers	—	—	—	—	—	P	P	P	P	—	—	*P*
Churches, synagogues, temples and affiliated house of worship, including associated nursery schools	P	P	P	P	—	P	—	—	—	P	—	*2nd Floor*
Community center	—	—	P	P	P	P	—	—	—	—	—	*P*
Fraternal clubs	—	—	—	SE	P	P	P	P	—	—	—	*P*
Generating or treatment plants, pumping or regulator stations, substations, and transmission lines utilizing multi-legged structures	—	—	—	—	—	—	P	P	P	P	—	—
Hospital	—	—	—	—	—	P	P	—	—	—	—	*P*
Library	—	—	—	P	P	P	—	—	P	P	P	*P*
Museum	—	—	—	P	P	P	—	—	P	P	P	*P*
Public or governmental buildings	SE	SE	SE	SE	P	P	P	P	P	—	—	*P*
Public utilities or buildings	P	P	P	P	P	P	P	P	P	P	P	*P*
Schools, colleges and universities	P	P	P	P	—	P	—	—	P	P	—	*P*
Social clubs	—	—	—	—	P	P	P	—	—	—	—	*P*
Trade and vocational schools	—	—	—	—	—	P	SE	SE	P	P	—	*P*

NOTE:

*Restaurants with drive-through in the IBD/MU are permitted at a density of one use per 10 acres. (Example: 12 to 20 acres: one restaurant with drive-through; 20+ to 30 acres: two restaurants with drive-through; 30+ to 40 acres: three restaurants with drive-through.)

SECTION 5. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that if any Section or provision of this Ordinance, or its application to any particular circumstance, is declared by any court to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any part thereof other than the part so declared unconstitutional or invalid.

SECTION 6. BE IT FURTHER ENACTED BY THE COUNCIL OF THE CITY OF ABERDEEN, that this Ordinance shall become effective at the expiration of twenty (20) calendar days following adoption.

COUNCIL OF THE CITY OF ABERDEEN

Michael E. Bennett, Mayor

Ruth E. Elliott, Councilwoman

Bruce E. Garner, Councilman

Sandra J. Landbeck, Councilwoman

Ruth Ann Young, Councilwoman

ATTEST:

Monica A. Correll, City Clerk

Date February 24, 2014

SEAL: