

ORDINANCE – 99-11

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF CHAPTER 21, ZONING OF THE **CODE OF THE TOWN OF ASHLAND, VIRGINIA** TO MODIFY THE TOWN’S ZONING ORDINANCE TO INCLUDE THE USE OF TEMPORARY USES.

BE IT ORDAINED by the Council of the Town of Ashland, Virginia that:

- 1) Paragraph (c) of Section 21-3 of Article I, In General, of Chapter 21, Zoning of the **Code of the Town of Ashland, Virginia** be amended as set forth below and reenacted by the action of the Town Council:

142) *Temporary use.* A use of land or a use of a building or structure for a seasonal purpose subordinate to the principal use of the lot of which it is located. Seasonal purposes may include but are not limited to fireworks, Christmas tree sales, pumpkin sales, ornamental flowers, ice cream stands.

- 2) All other definitions in Paragraph (c) of Section 21-3 of Article I, In General, of Chapter 21, Zoning of the **Code of the Town of Ashland, Virginia** are renumbered accordingly.

- 3) Section 21-101 of Article XI, Highway Commercial District B-2, of Chapter 21, Zoning of the **Code of the Town of Ashland, Virginia** be amended as set forth below and reenacted by the action of the Town Council:

(53) Temporary uses, with a conditional use permit subject to the following standards. (A) A conceptual plan and elevations shall be reviewed by staff as part of the application. Temporary trailers, such as construction trailers, shall not be permitted *to conduct business or for storage. A trailer may be used for shelter purposes only.* (B) The length of time a use shall be permitted shall be determined for each use. However, no permit shall exceed 4 months in any twelve month period. (C) Permit shall be subject to a three year review. (D) *Any bona fide civic, charitable, fraternal, or welfare organization shall be exempt from obtaining a conditional use permit for a temporary use.*

- 4) Section 21-173 of Article XVI, Division 4, Planned Shopping Center District PSC., of Chapter 21, Zoning of the **Code of the Town of Ashland, Virginia** be amended as set forth below and reenacted by the action of the Town Council:

(r) Temporary uses, with a conditional use permit subject to the following standards. (A) A conceptual plan and elevations shall be reviewed by staff as part of the application. Temporary trailers, such as construction trailers, shall not be permitted *to conduct business or for storage. A trailer may be used for shelter purposes only.* (B) The length of time a use shall be permitted shall be determined for each use. However, no permit shall exceed 4 months in any twelve month period. (C) Permit shall be subject to a three year review. (D) *Any bona fide civic, charitable, fraternal, or welfare organization shall be exempt from obtaining a conditional use permit for a temporary use.*

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- 5) That all sections of the **Code of the Town of Ashland, Virginia**, Ordinances, or parts of Ordinance inconsistent with and/or in conflict with this Ordinance are hereby repealed.
- 6) This Ordinance shall be effective upon adoption.
- 7) It is hereby declared to be the intention of the Town Council of Ashland, Virginia that the clauses, phrases, sentences, paragraphs and sections of this Ordinance are severable, and, if any clause, phrase, sentence, paragraph, or section of this Ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by a valid judgment or decree by a Court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining clauses, phrases, sentences, paragraphs and sections of this Ordinance hereby adopted.

Introduced: June 16, 1999

Advertised:

Planning Commission: Herald Progress: August 2, 1999 and August 9, 1999

Town Council: Herald Progress:

Public Hearing:

Planning Commission: August 18, 1999

Town Council: February 22, 2000

Adopted: February 22, 2000

Enacted: February 22, 2000