

**Ordinance 2007- 04**

**AN ORDINANCE** to amend The Code of the Town of Ashland, Ch. 21 "Zoning," Art. IX, "Residential, Office District RO-1," Sec. 21-81, "Area, frontage, setback, yard and height regulations," to add that for all uses except single-family dwellings the maximum height of all structures shall not exceed thirty-five (35) feet. Art. XI., "Highway Commercial District B-2," Sec. 21-101, "Use regulations," would be amended to allow hotels and motels and office buildings up to a height of thirty-five feet (35) and higher than thirty-five (35) feet with a conditional use permit; Sec. 21-106, "Height regulations," is modified in accordance with the other height limit modifications in PL2007-04; Art. XIII. "Limited Industrial District M-1," Sec. 21-119, "Permitted uses," is modified to allow office buildings up to thirty-five (35) feet without a conditional use permit and office buildings over thirty-five (35) feet with a conditional use permit. Art. XVI, "Planned Developments," Div. 4, "Planned Shopping Center District PSC," Sec. 21-176, "Maximum height of buildings," is modified to change the maximum height of a building from thirty-five (35) feet to forty-five (45) feet.

**WHEREAS**, the Town Council has held a public hearing on the 20th day of March 2007, advertised as required by Virginia Code Section 15.2 – 2204.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Town of Ashland, Virginia that Section 21-81, "Area, frontage, setback, yard and height regulations" shall be amended to read in part, as follows:

**ARTICLE IX, "RESIDENTIAL, OFFICE DISTRICT RO-1**

**Sec. 21-81. Area, frontage, setback, yard and height regulations.**

For each single-family dwelling, the requirements of the R-2 Residential District shall apply. All other uses shall be governed by the requirements of the B-2, Highway Commercial District, provided that the minimum street side yard for all buildings and structures shall be twenty-five (25) feet and there shall be no minimum lot area requirement, and the maximum height of all structures shall not exceed thirty-five (35) feet. See article XXV for supplemental yard requirements.

**BE IT FURTHER ORDAINED** by the Town Council that Section 21-101, "Use regulations" shall be amended to read in part, as follows:

**ARTICLE XI. HIGHWAY COMMERCIAL DISTRICT B-2**

**Sec. 21-101. Use regulations.**

The following uses and structures shall be permitted in the Highway Commercial District, B-2:

(13)Hotels and motels up to thirty-five (35) feet in height. Hotels and motels exceeding thirty-five (35) feet in height, with a conditional use permit.

(26)Office buildings up to thirty-five (35) feet in height. Office buildings exceeding thirty-five (35) feet in height, with a conditional use permit.

**BE IT FURTHER ORDAINED** by the Town Council that Section 21-106, "Height regulations" shall be amended to read in part, as follows:

**ARTICLE XI. HIGHWAY COMMERCIAL DISTRICT B-2**

**Sec. 21-106. Height regulations.**

No building or structure shall exceed a height of thirty-five (35) feet from grade unless otherwise provided for in this article. See article XXV for supplemental height regulations.

**BE IT FURTHER ORDAINED** by the Town Council that Section 21-119, "use regulations" shall be amended to read in part, as follows:

**ARTICLE XIII. LIMITED INDUSTRIAL DISTRICT M-1**

**Sec. 21-119. Permitted uses.**

Structures to be erected or land to be used shall be for the following uses:

- (25) Office buildings up to thirty-five (35) feet in height. Office buildings exceeding thirty-five (35) feet in height, with a conditional use permit.

**BE IT FURTHER ORDAINED** by the Town Council that Section 21-124 "use regulations" shall be amended to read in part, as follows:

**ARTICLE XIII. LIMITED INDUSTRIAL DISTRICT M-1**

**Sec. 21-124. Height regulations.**

No building or structure shall exceed a height of thirty-five (35) feet from grade unless otherwise provided for in this article. See article XXV for supplemental height regulations.

**BE IT FURTHER ORDAINED** by the Town Council that Section 21-176 "Maximum Height of buildings" shall be amended to read in part, as follows:

**ARTICLE XVI. PLANNED DEVELOPMENTS**

**DIVISION 4. PLANNED SHOPPING CENTER DISTRICT PSC**

**Sec. 21-176. Maximum height of buildings.**

No building or structure in a PSC District shall exceed a height of forty-five (45) feet. See article XXV for supplemental height regulations.

**BE IT FURTHER ORDAINED** by the Town Council that the amendment to Chapter 21, Zoning, Article IX. "Residential, Office District RO-1, Section, 21-81; Article XI. Highway Commercial District B-2, Section 21-101 and Section 21-106; Article XIII. Limited Industrial District M-1; Section 21-119 and Section 21-124 Height regulations; Article XVI. Planned Developments, Division 4, Planned Shopping Center District PSC, Section 21-176 of the Code of the Town of Ashland shall be effective as of March 20, 2007.

Introduced: January 16, 2007

Advertised:

Planning Commission: Herald Progress: January 25, 2007 and February 1, 2007

Town Council: Herald Progress: March 1, 2007 and March 8, 2007

Public Hearing:

Planning Commission: February 14, 2007

Town Council: March 20, 2007

Adopted: March 20, 2007

Effective: March 20, 2007