

Ordinance 2007-14

AN ORDINANCE to amend The Code of the Town of Ashland, Chapter 21 Zoning, Art. XIII. "Limited Industrial District M-1," Sec. 21-119 "Permitted Uses," and Sec. 21-124 "Height Regulations," to amend the provisions which allow for height in excess of the current height limitation of thirty-five (35) feet, with a conditional use permit, subject to certain provisions.

WHEREAS, the Town Council has held a public hearing on the 18th day of October, 2007, advertised as required by the Code of Virginia § 15.2-2204.

NOW THEREFORE BE IT ORDAINED by the Council of the Town of Ashland, Virginia that Section 21-119, "Permitted Uses" 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
- (35) Communications Towers.

BE IT FURTHER ORDAINED by the Town Council that Section 21-124, "Height Regulations" shall be amended to read:

Sec. 21-124. Height regulations.

- (a) No building or structure shall exceed a height of thirty-five (35) feet from grade, unless specified elsewhere in this chapter.
- (b) Additional height for buildings or structures exceeding thirty-five (35) feet may be permitted, with a conditional use permit, provided that:
 - i. All portions of a building or structure over thirty-five (35) feet in height are set back from properties designated for Residential use by the Comprehensive Plan a minimum of three feet for each one foot in height.
 - ii. All portions of a building or structure over thirty-five (35) feet in height are set back from all public rights-of-way a minimum of two feet for each one foot in height.
 - iii. All portions of a building or structure over thirty-five (35) feet in height are set back from all other property lines a minimum of one foot for each one foot in height.
 - iv. The property has frontage along Hill Carter Parkway, and is located south of England Street and north of Ashcake Road.
 - v. These provisions shall not apply to communications towers.
- (c) No communications tower shall exceed a height of one hundred (100) feet from grade, unless otherwise specified in this chapter. Additional height for

communications towers exceeding one hundred (100) feet may be permitted, with a conditional use permit.

BE IT FURTHER ORDAINED by the Town Council that the amendments to Chapter 21 Zoning, Art. XIII. "Limited Industrial District M-1," Sec. 21-119 "Permitted Uses," and Sec. 21-124 "Height Regulations," of the Code of the Town of Ashland shall be effective immediately upon adoption.

Introduced: August 21, 2007

Advertised:

Planning Commission: Herald-Progress: Sept 20 & Sept 27, 2007

Town Council: Herald-Progress: Sept 27 & Oct 4, 2007

Public Hearing:

Planning Commission: October 10, 2007

Town Council: October 18, 2007

Adopted: October 18, 2007

Effective: October 18, 2007