

**Ordinance ORD2012-08**

**AN ORDINANCE** to amend The Code of the Town of Ashland, Chapter 21, "Zoning", Article XIII, "Limited Industrial District M-1," Sec. 21-124, "Height Regulations."

The purpose of this ordinance is to delete the requirement that a conditional use permit to allow for buildings that exceed thirty-five (35) feet in height in the M-1 district can only be granted if the property has frontage along Hill Carter Parkway and is south of England Street and north of Ashcake Road.

**WHEREAS**, the Town Council has held a public hearing on the 19th day of June 2012, 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 21-124 "Height regulations" shall be amended to read, as follows:

**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:

(1) 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 (3) feet for each one (1) foot of height.

(2) 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 (2) feet for each one (1) foot in height.

(3) 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 (1) foot for each one (1) foot in height.

~~(4) The property has frontage along Hill Carter Parkway, and is located south of England Street and north of Ashcake Road.~~

(5) 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.

(12-11-84; 6-23-98(2), § 1; 12-15-98, § 1; 3-20-07; 10-18-07)

**BE IT FURTHER ORDAINED** by the Town Council that the amendments herein of the Code of the Town of Ashland shall be effective immediately upon adoption.

Introduced: June 5, 2012

Advertised: Planning Commission:  
Herald Progress: May 31, 2012 & June 7, 2012  
Town Council:  
Herald Progress: May 31, 2012 & June 7, 2012

Public Hearing: Planning Commission: June 13, 2012  
Town Council: June 19, 2012

Adopted: June 19, 2012  
Effective: June 19, 2012