

## Ordinance PL2009-13

**AN ORDINANCE** to amend The Code of the Town of Ashland, Ch. 21 "Zoning," Article XIX "Off-Street Parking," Section 21-198 "Off-street parking and loading requirements" Section 21-204 "Amount of off-street parking required," and creating a new section, Section 21-206 "Exceptions from off-street parking requirements."

The purpose of this ordinance is to amend the parking requirements within the HE, Higher Education District to base the number of required parking spaces upon the number of students rather than the number of beds within dormitories, and to allow the reduction of off-street parking requirements when on-street parking spaces are adjacent.

**WHEREAS**, the Town Council has held a public hearing on the 15th day of December 2009, 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 21-198 "Off-street parking and loading requirements," shall be amended to read, as follows:

### **Sec. 21-198. Off-street parking and loading requirements.**

(a) *Provision required.* Every use or structure instituted, constructed, erected, enlarged or structurally altered after the effective date of this chapter shall provide off-street parking and loading facilities in accordance with the provisions of this article, except as otherwise provided for in this article.

(b) *Types of surfaces.* Such off-street parking and loading facilities shall be asphalt, surface treatment, concrete, unit pavers or similar material approved by the zoning administrator, except for single-family detached or two-family detached dwellings which may be stone or gravel. Such off-street parking and loading facilities shall be maintained and continued as long as the principal use is continued.

(c) *Discontinuances, etc., without alternative facilities prohibited.* No owner or operator of any structure affected by this article shall discontinue, change or dispense with the required parking and loading facilities without establishing alternative vehicular parking and loading facilities which meet the requirements of this article.

(d) *Compliance required.* No person, firm or corporation shall utilize such structure or use without providing the off-street parking and loading facilities to meet the requirements of and be in compliance with this article.

~~(e) *Exempted businesses.* Any business which is otherwise permitted under section 21-92 in the Central Business District B-1 and is under ten thousand (10,000) square feet of gross floor area shall be exempt from meeting the off-street parking requirements as is otherwise provided for in this article.~~

(f) *Minimum dimensions.* Each off-street parking space required by this article shall not be less than nine (9) feet in width and eighteen (18) feet in length, except that spaces arranged parallel to their means of access shall be not less than eight (8) feet in width and twenty-two (22) feet in length. The width and length of parking spaces shall be measured perpendicular to one another so as to form a rectangle with dimensions as required herein.

Parking spaces required to be accessible to persons with disabilities by the provisions of the Virginia Uniform Statewide Building Code shall comply with the requirements of that code.

(g) *Allowance for vehicle overhang area.* Up to thirty (30) inches of the required length of off-street parking spaces may be provided as vehicle overhang area and need not be paved, provided that wheel stops are installed. Such overhang area shall be clear of any obstruction to vehicles utilizing the parking space and shall not encroach into any other parking space, access aisle, public right-of-way, adjacent property, pedestrian walkway or required yard within which parking is not permitted.

**BE IT FURTHER ORDAINED BY** the Town Council that Section 21-204 "Amount of off-street parking required," be amended to read, in part, as follows:

**Sec. 21-204. Amount of off-street parking required.**

The minimum number of off-street parking spaces required to be provided and maintained for particular uses shall be as set forth in the following table, except as may be specifically provided to the contrary elsewhere in this chapter. Off-street parking spaces accessible to persons with disabilities shall be provided and maintained in accordance with the requirements of the Virginia Uniform Statewide Building Code. Such spaces shall be included in the calculation of total number of spaces required by this article.

<i>Use Type</i>	<i>Required Off-Street Spaces</i>
<i>Residential uses</i>	
<i>Group Quarters</i>	
Dormitory, fraternity or sorority houses	1 for each building
<i>Educational uses</i>	
High school or college or preparatory school, private or public	To be based on a parking plan approved by town council.
<u>College</u>	<u>0.8 spaces per each student, based upon enrollment at the beginning of the Fall semester, and based upon a parking plan that includes an overall parking management component approved by town council.</u>

**BE IT FURTHER ORDAINED BY** the Town Council that a new section entitled Section 21-206 "Exceptions from off-street parking," be amended to read, in part, as follows:

**Sec. 21-206. Reserved. Exceptions from off-street parking.**

(a) B-1, Central Business District. Any business which is otherwise permitted under section 21-92 in the Central Business District B-1 and is under ten thousand (10,000) square feet of gross floor area shall be exempt from meeting the off-street parking requirements as is otherwise provided for in this article.

(b) HE, Higher Education District. Within the Higher Education District HE, adjacent on-street parking spaces may be counted toward the required amount of off-street parking provided that the entire width of the street is zoned HE.

**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: October 20, 2009  
Advertised:

Planning Commission:  
Herald Progress: October 29, 2009 and November 5, 2009  
Town Council:  
Herald Progress: November 26, 2009 and December 3, 2009

Public Hearing:  
    Planning Commission: November 18, 2009  
    Town Council: December 15, 2009

Adopted: December 15, 2009  
Effective: December 15, 2009