

## **Ordinance 2009-07**

**AN ORDINANCE** to amend The Code of the Town of Ashland, Ch. 21 "Zoning," Article I, In General, Section 21-3, Definitions, and Article XI, Highway Commercial District B-2, Section 21-101, Use Regulations, to define and allow adult day care services.

**WHEREAS**, the Town Council has held a public hearing on the 15th day of September 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 21-3 Definitions, shall be amended to read, in part, as follows:

### **Sec. 21-3 Definitions.**

*(c) Certain words and terms defined*

*Adult day care services:* An establishment, licensed either by the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse as a Day Support Service, or by the Virginia Department of Social Services as an Adult Day Care Center for the purpose of providing care, protection, recreation, and therapeutic services for disabled or elderly adults. Adult day care services are not intended to include any services provided as part of a probationary program or a substance abuse program.

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

### **Sec. 21-101. Use Regulations.**

(55) Adult day care services, with a conditional use permit, provided that the use is not located within a shopping center that exceeds 25,000 square feet, as defined within this chapter.

**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 16, 2009

Advertised:

Planning Commission:

Herald Progress: July 30, 2009 and August 6, 2009

Town Council:

Herald Progress: August 27, 2009 and Sept. 6, 2009

Public Hearing:

Planning Commission:

August 12, 2009

Town Council:

September 15, 2009

Adopted:

October 6, 2009

Effective:

October 6, 2009