

## **Ordinance 2009-09**

**AN ORDINANCE** to amend The Code of the Town of Ashland, Ch. 21 "Zoning," Article XVI "Planned Developments," Division 2 "Planned Unit Development PUD," Sec. 21-150 "Setback and yard requirements," and Division 4 "Planned Shopping Center PSC," Section 21-177, "Requirements when a PSC District adjoins other zoning districts," to amend setback requirements along the periphery of Planned Unit Development (PUD) and Planned Shopping Center (PSC) Districts.

**WHEREAS**, the Town Council has held a public hearing on the 20<sup>th</sup> day of April 2010, 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 21-150 "Setback and yard requirements," shall be amended to read, as follows:

### **Sec. 21-150. Setback and yard requirements.**

All structures in the PUD District shall be set back at least thirty-five (35) feet from the boundary of a PUD District or sixty (60) feet from the centerline of any street, alley or way adjoining such boundary, whichever distance is greater, provided however, that all buildings other than one-family, two-family and townhouse dwellings shall be set back at least one hundred (100) feet from the boundary line of the PUD District.

These setbacks shall not be applicable when abutting a PSC district that is under consideration as part of the same zoning case. Further, these setbacks shall not be applicable when the district abuts land outside of the corporate limits with a similar zoning classification that requires Master Plan review by the Hanover County Board of Supervisors. For this setback to be waived adjacent to the corporate limits, the Town's development plan must be coordinated and integrated with the County's Master Plan for the adjacent parcel, so as to appear as a single cohesive development.

**BE IT FURTHER ORDAINED BY** the Town Council that Section 21-177, "Requirements when a PSC District adjoins other zoning districts," be amended to read as follows:

### **Sec. 21-177. Requirements when a PSC District adjoins other zoning districts.**

When a PSC District adjoins another zoning district, the front, side or rear yard setbacks only on the perimeter of the PSC District shall conform to the abutting zoning districts as provided in this chapter.

These setbacks shall not be applicable when abutting a PUD district that is under consideration as part of the same zoning case. Further, these setbacks shall not be applicable when the district abuts land outside of the corporate limits with a similar zoning classification that requires Master Plan review by the Hanover County Board of Supervisors. For this setback to be waived adjacent to the corporate limits, the Town's development plan must be coordinated and integrated with the County's Master Plan for the adjacent parcel, so as to appear as a single cohesive development.

**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:  
Advertised:

July 21, 2009

Planning Commission: Herald Progress: August 23, 2009 and September 3, 2009

Town Council: Herald Progress: February 25 and March 4, 2010

Public Hearing:

Planning Commission: September 9, 2009  
October 14, 2009  
November 18, 2009

Town Council: April 20, 2010

Adopted: April 20, 2010

Effective: April 20, 2010