

1 **Ordinance To Amend And Re-Enact The City Code Of The City Of Hampton, Virginia By**
2 **Amending Chapter 35, Entitled "Subdivisions", To Update And Correct Cross-References**
3 **To The Stormwater Management And Erosion Control Ordinance.**

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5 **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 35 of the City
6 Code of the City of Hampton, Virginia, be amended and re-enacted as follows:
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8 **Chapter 35 – SUBDIVISIONS**
9 **ARTICLE I. – IN GENERAL**

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12 **Sec. 35-7. – Exceptions.**

13 (A) Except as otherwise set forth in this chapter, the development services center
14 manager may grant exceptions to the general provisions of this chapter not governed
15 by chapters 9, ~~43.1, 33.2~~ **33.3** and 41.1 of the City Code, the "City of Hampton
16 Landscape Guidelines", the zoning ordinance, or the public works design and
17 construction standards, subject to the following:

18 . . .

19 (B) The development services center manager shall not approve a petition for an
20 exception unless they find that:

21 . . .

22 (6) The relief sought will not in any manner vary the provisions of chapters 9, ~~43.1,~~
23 ~~33.2~~ **33.3** and 44.1 of the City Code, the "City of Hampton Landscape Guidelines",
24 the zoning ordinance, comprehensive plan, or official map, except that those
25 documents may be amended in the manner prescribed by law.

26 . . .

27 **Sec. 35-13. – Master plan for phased subdivisions.**

28 For multiphased subdivisions, the subdivider shall submit to the subdivision agent a master
29 plan for all phases of the proposed subdivision as part of the preliminary plat submittal under
30 article II of this chapter. The purpose of such master plan is to permit the subdivision agent to
31 advise the subdivider whether his plans are generally in accordance with the requirements of
32 this chapter. The subdivision agent, upon submission of any master plan, may study it and
33 advise the subdivider where it appears that changes are appropriate. The subdivision agent
34 may mark the master plan indicating appropriate changes. The subdivider shall return the
35 master plan to the subdivision agent with each preliminary plat. The master plan shall, at a
36 minimum, show the name, location and dimensions of all streets entering the property, adjacent
37 to the property or terminating at the boundary of the property to be subdivided. It shall also show
38 the location of all proposed streets, their category (e.g., arterial, collector, etc.) and any future
39 extensions, lots, development phases, parks, playgrounds and other proposed uses of the land
40 to be subdivided and their approximate dimensions and a conceptual layout of the water,
41 sanitary sewer systems, and a stormwater management plan in accordance with the provisions
42 of ~~chapter 33.2~~ **article II of chapter 33.3** of the City Code. The master plan is not binding on the
43 subdivider or the subdivision agent. Review of a master plan does not constitute preliminary plat
44 approval or final subdivision approval. For multiphased subdivisions reviewed under this

section, review of a master plan does not, in any way, guarantee approval of future subdivision phases.

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ARTICLE IV. – DESIGN STANDARDS AND IMPROVEMENTS GENERALLY

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Sec. 35-67. – Stormwater drainage system.

The subdivider shall provide the subdivision with a stormwater drainage system, as approved by the director of public works, adequate to serve the area of the subdivision and the contributing drainage area thereto, in accordance with design standards and specifications of ~~chapter 33.2~~ *article II of chapter 33.3* of the City Code.

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ARTICLE V. – DEVELOPMENT PLANS – REQUIREMENTS, PROCEDURES FOR PERMITTING AND PERFORMANCE ASSURANCES

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Sec. 35-103. – Contents.

The development plans required by this article shall be legible as determined by the director of public works and shall contain:

...

- (D) The plan and profile for the stormwater system or other methods of disposal, conveyance and or treatment of stormwater which shall be submitted in the same manner as outlined in (C) above and shall comply with the provisions of ~~chapter 33.2~~ *article II of chapter 33.3* of the City Code.

...

Sec. 35-108. – Construction and maintenance of public improvements; performance bond in lieu of installation; maintenance bonds; release of bonds.

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- (F) No maintenance bond shall be released until as-built construction drawings for all improvements, including, but not limited to street trees, landscape plantings, sanitary sewer and storm drains (including tops of curbs and flow lines for rights-of-way) are submitted on an 11-inch by 17-inch approved durable tracing medium and an approved digital version by the subdivider and/or developer for review and approval by the director of public works. Additionally, all detention, retention and impoundment best management practices ("BMP") shall require a certification of as-built conditions in accordance with the public works design and construction standards and ~~chapter 33.2~~ *article II of chapter 33.3* of the City Code prior to the release of the maintenance bond.

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82 **Secs. 35-109 – 35-120. – Reserved.**
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