

1 **Ordinance to Amend and Re-enact Chapter 20, Article II of the Zoning**  
2 **Ordinance of the City of Hampton, Virginia, Entitled “Uses in All or**  
3 **Specified Districts” and Chapter 20, Article III of the Zoning Ordinance**  
4 **Entitled “Use Permits for Manufactured/Mobile Home Parks or**  
5 **Subdivisions” by Amending Section 20-5.1(4)(i) (i) through (iv) pertaining to**  
6 **Landscaping of Commercial Communication Towers, Sections 20-5.1**  
7 **(5)(b)(b) and 20-5.1(6)(b)(2) Pertaining to Green Area, and Sections 20-8**  
8 **and 20-17 Pertaining to Application for a Use Permit and Landscaping for a**  
9 **Manufactured/Mobile Home Park or Subdivision.**

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11 **Whereas**, the public necessity, convenience, general welfare and good zoning  
12 practice so require;  
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14 **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that chapter  
15 20, article III of the Zoning Ordinance of the City of Hampton, Virginia, be  
16 amended and re-enacted as follows:  
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18 **Sec. 20-5.1. - Uses permitted in specified districts.**

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20 (4) Commercial communication towers are permitted in the R-R, R-33, R-22, R-15,  
21 R-13, R-11, R-9, R-8, R-M, MD-T, MD-2, MD-3, MD-4, R-T, C-1, C-2, C-3, M-1, M-2, M-  
22 3, SPI-PL, SPI-HRC, and SPI-OH Districts subject to securing a use permit. Such use  
23 permit shall include the following submittals with application and at a minimum, satisfy  
24 the following conditions:

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26 (i)

27 Landscaping shall be required as *set forth in the “City of*  
28 *Hampton Landscape Guidelines” on file with the*  
29 *department of community development, development*  
30 *services center.* follows:

31 (i)

32 ~~For towers two hundred (200) feet or less in height, at~~  
33 ~~least one (1) row of evergreen shrubs capable of~~  
34 ~~forming a continuous hedge at least five (5) feet in~~  
35 ~~height shall be provided with individual plantings~~  
36 ~~spaced not more than five (5) feet apart and at least~~  
37 ~~one (1) row of evergreen trees with a minimum caliper~~  
38 ~~of one and three fourths (1¾) inches at the time of~~  
39 ~~planting and spaced not more than twenty five (25)~~

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feet apart shall be provided within fifteen (15) feet of the perimeter of the setback area.

(ii)

For towers more than two hundred (200) feet in height, in addition to the requirements for landscaping above, one (1) row of deciduous trees, with a minimum caliper of two and one-half (2½) inches at time of planting and spaced not more than forty (40) feet apart shall be provided within twenty-five (25) feet of the perimeter of the setback area required by item (i) above.

(iii)

In lieu of the above requirements, in special cases including cases where a required tree would be closer to the tower or to a guy wire supporting the tower than the height of the tree at maturity, the applicant may prepare a detailed plan and specifications for landscape and screening, including plantings, fences, walls, topography, etc., to screen the base of the tower and accessory uses. The plan shall accomplish the same degree of screening achieved in items (i) and (ii) above.

(iv)

All required landscaping must be installed and approved in accordance with ~~chapter 9~~, article IV of the city code, the site plan ordinance.

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(5)(b)(b)

Green area:

*At least 20% of the total lot area shall be maintained as green area.*

Whenever possible, natural vegetation and topography shall be maintained. An even distribution of green area and plant materials is desirable. A landscape plan *that complies with the provisions of the "City of Hampton Landscape Guidelines"* shall be *reviewed and* approved by the *planning director of community development or his designee* prior to the issuance of a zoning permit. Such plan shall include, at a minimum:

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- (aa) At least twenty (20) percent of the total lot area maintained as green area.
- (bb) At least one (1) tree for every eight hundred (800) square feet of required green area. The retention of one (1) existing tree shall be the equivalent of two (2) new trees.
- (cc) At least ten (10) shrubs for every eight hundred (800) square feet of required green area. The retention of existing shrubs shall count toward this requirement on a 1:1 basis.
- (dd) Paved areas and exterior utility boxes softened and/or screened with plant materials.
- (ee) Foundation plantings along at least three (3) sides of each building.

Alternatives to the requirements of (aa) through (ee) may be submitted to the planning director; approval of such will be subject to the alternatives successfully meeting the intent of those requirements. All plant materials required herein shall meet the minimum standards of section 9-168 of the city code.

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(6) (b)(2)

*Green area:*  
*At least 20% of the total lot area shall be maintained as green area.*  
Whenever possible, natural vegetation and topography shall be maintained. An even distribution of green area and plant materials is desirable. A landscape plan *that complies with the provisions of the "City of Hampton Landscape Guidelines"* shall be *reviewed and* approved by the planning director *of community development or his designee* prior to the issuance of a zoning permit. Such plan shall include, at a minimum:

(aa)

119 At least twenty (20) percent of the total lot  
 120 area maintained as green area.  
 121 (bb)  
 122 At least one (1) tree for every eight hundred  
 123 (800) square feet of required green area. The  
 124 retention of one (1) existing tree shall be the  
 125 equivalent of two (2) new trees.  
 126 (cc)  
 127 At least ten (10) shrubs for every eight  
 128 hundred (800) square feet of required green  
 129 area. The retention of existing shrubs shall  
 130 count toward this requirement on a 1:1 basis.  
 131 (dd)  
 132 Paved areas and exterior utility boxes  
 133 softened and/or screened with plant materials.  
 134 (ee)  
 135 Foundation plantings along at least three (3)  
 136 sides of each building.  
 137 Alternatives to the requirements of (aa) through (ee)  
 138 may be submitted to the planning director; approval of  
 139 such will be subject to the alternatives successfully  
 140 meeting the intent of those requirements. All plant  
 141 materials required herein shall meet the minimum  
 142 standards of section 9-168 of the city code.  
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146 **Sec. 20-8. - Application for use permit.**

147 An application for a use permit for the development of a manufactured/mobile  
 148 home park or subdivision in a Multiple Dwelling District (MD-2 or MD-3), or  
 149 Neighborhood Commercial District (C-1), shall be submitted to the planning director  
 150 *of the department of community development, planning division.*

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 152 (1)  
 153 Application for a manufactured/mobile home park shall include a  
 154 conceptual site plan; and a landscape plan as required herein.  
 155 (2)

156 Application for a manufactured/mobile home subdivision shall include  
157 a preliminary subdivision ~~plat plan~~, and a landscape plan as required  
158 herein.

159 (3)

160 Nothing in this section shall alter the requirements for the approval of  
161 site plans and/or subdivision ~~plats plans~~, as provided in chapters ~~35.1~~  
162 ~~9 (site plan ordinance)~~ and ~~35 (subdivision ordinance)~~ of the city  
163 code.

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166 **Sec.20-17. –Landscaping.**

167 A *landscape plan complying with the provisions of the “City of Hampton*  
168 *Landscape Guidelines”* shall be submitted *with the application for a use permit as set*  
169 *forth in section 20-8 of the zoning ordinance* as delineating the following:

170 (1)

171 *Perimeter screening.* All manufactured/mobile home parks and  
172 subdivisions shall provide a perimeter screen composed of  
173 landscaping or a combination of landscaping and fencing, the intent  
174 of which is to limit ingress and egress on the property, and to provide  
175 some buffering from adjoining uses. The screen shall be at least six  
176 (6) feet in height, and shall be located on all project property lines that  
177 do not abut existing or proposed public rights-of-way; such screening  
178 shall be set back at least ~~ten (10)~~ feet from any existing or proposed  
179 public rights-of-way. The only openings permitted in such screening  
180 shall be for vehicular ingress and egress. Barbed wire and electric  
181 fences are expressly prohibited. Landscaping materials for the  
182 perimeter screen cannot be counted toward the ~~landscaping-green~~  
183 *area* requirements of subsection 20-17(2) herein.

184 (2)

185 *Green area requirements.* All manufactured/mobile home parks and  
186 subdivisions with ~~twenty (20)~~ or more lots shall be required to provide  
187 at least ~~three hundred (300)~~ square feet of green area per lot which  
188 shall be retained as common area. Such green area shall be in  
189 addition to the minimum lot area for dwelling units, and shall be  
190 aggregated in increments of at least ~~forty five hundred (4,500)~~ square  
191 ~~feet~~ feet. No more than ~~twenty-five (25) %~~ percent of this required  
192 area may be provided by water area. Such green area shall be  
193 landscaped in accordance with the *provisions of the “City of Hampton*

194 *Landscape Guidelines*” requirements of section 9-168 of the city code  
195 (~~site plan ordinance~~).

196 (3)

197 *Buffers.* No structures, except fences as part of the perimeter screen,  
198 shall be permitted within ~~fifty (50)~~ feet of the project property lines.  
199 Parking shall not be located closer than ~~twenty (20)~~ feet from the  
200 project property lines. All green area and landscaping within this  
201 buffer, except for that required for the perimeter screen, may be  
202 counted toward the green area requirement stated above.

203 (4)

204 *Lots.* Each lot in a manufactured/mobile home park or subdivision  
205 shall contain at least one ~~(1)~~ tree, exhibiting a minimum trunk  
206 diameter of one and one-half ( $1\frac{1}{2}$ ) inches measured six (6) feet  
207 above ground level, and a minimum height of eight (8) feet, for every  
208 two thousand (2,000) square feet of lot area.

209 (5)

210 Because certain trees may damage manufactured/mobile homes  
211 during severe weather conditions, the following trees are  
212 recommended for use in meeting the landscaping requirements  
213 above:

214 (a)

215 Japanese Maple (*Acer palmatum*);

216 (b)

217 Flowering Dogwood (*Cornus florida*);

218 (c)

219 River Birch (*Betula nigra*);

220 (d)

221 American Hornbeam (*Carpinus caroliniana*);

222 (e)

223 Eastern Redbud (*Cercis canadensis*);

224 (f)

225 Kousa Dogwood (*Cornus kousa*);

226 (g)

227 Smoketree (*Cotinus coggyria*);

228 (h)

229 Russian Olive (*Elaeagnus angustifolius*);

230 (i)

231 Grape Myrtle (*Lagerstroemia indica*);

232 (j)

233		Sourwood ( <i>Oxydendrum arboreum</i> );
234	(k)	
235		Whitehouse Pear ( <i>Pyrus calleryana</i> 'Whitehouse');
236	(l)	
237		American Holly ( <i>Ilex opaca</i> );
238	(m)	
239		Savannah Holly ( <i>Ilex opaca</i> 'Savannah');
240	(n)	
241		East Palatka Holly ( <i>Ilex opaca</i> 'East Palatka');
242	(o)	
243		Austrian Pine ( <i>Pinus nigra</i> );
244	(p)	
245		Ginkgo Tree ( <i>Ginkgo biloba</i> );
246	(q)	
247		Bald Cypress ( <i>Taxodium distichum</i> ); and
248	(r)	
249		Japanese Zelkova ( <i>Zelkova serrata</i> 'Village Green');
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