



City of Hampton, Virginia

Ordinance - Zoning Text

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

File Number: 13-0208

Enactment Number: Z13-20

Ordinance to Amend and Re-enact Chapter 1 of the Zoning Ordinance of the City of Hampton, Virginia Entitled “Zones and General Provisions” by Amending Section 1-21 Pertaining to Outdoor Material Storage and Adding Section 1-26 Pertaining to General Green Area Requirements.

Whereas, the public necessity, convenience, general welfare and good zoning practice so require;

BE IT ORDAINED by the Council of the City of Hampton, Virginia that chapter 1 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

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Sec. 1-21. - Outdoor material storage.

Where permitted, outdoor material storage areas shall be subject to the following setback, landscaping and stacking requirements:

(1)

Storage areas shall be set back a minimum of 20 feet from any existing or proposed public rights-of-way, and 20 feet from any property line that abuts a residential, commercial, or special public interest district.

Notwithstanding the provisions of chapter 21 hereof, any business utilizing outdoor material storage on December 14, 1988, shall be permitted to expand such storage area on property owned by said business on December 14, 1988, without conforming to the above setbacks, so long as the storage area does not violate the green area requirements of the city zoning ordinance. In the case where the expansion abuts a residential, commercial, or special public interest zone, a twenty-foot setback shall be required.

(2)

Any fence enclosing a storage area shall not violate the required setback.

(3)

Storage area setbacks shall be landscaped in accordance with the "City of Hampton Landscape Guidelines" kept on file in the department of community development, development services center.

Notwithstanding the provisions of chapter 21 hereof, businesses utilizing outdoor material storage on December 14, 1988, shall be permitted to expand their storage area on property owned by said business on December 14, 1988, without conforming to the above landscaping requirements in accordance with the provisions of chapter 35.1 of the city code.

(4)

The number of freight containers stacked vertically must be equaled or exceeded by the number of containers placed side-by-side, to a maximum of three (3) containers stacked vertically. Additionally, the stacked containers shall comply with the wind load requirements of the building code.

(5)

Appropriate BMPs shall be employed as required by chapter 33.1 of the city code to prevent off-site release of stored materials.

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Sec. 1-26. – General green area requirements.

(1)

In development of property other than that zoned R-LL, RT-1, MD-T, MD-2, MD-3, MD-4, SPI-B, SPI-PL, SPI-OH, SPI-HRC, SPI-HRCNC, SPI-HRCW, SPI-CBPD, SPI-CC and SPI-BBD, and all one-family, two-family and duplex dwellings, a minimum of 10% of the land area of the lot shall be designated as green area for trees, shrubs and turf.

(2)

The following criteria shall be met:

a.

No accessory uses or structures except utilities and stormwater management facilities shall be located in a green area.

b.

In any parking area, including drive aisles and drive-throughs regardless of size, a minimum 10 foot green area shall be provided immediately adjacent to any existing or future public right-of-way.

c.

In any parking area containing 30 or more spaces, seven (7) percent of the interior of the parking area shall be reserved and maintained as green area. Each green area within the parking area shall be no less than eight (8) feet wide and contain at least 150 contiguous square feet of green area.

- d. The perimeter curb or edge of pavement for parking areas, structures and drives shall be no closer than three (3) feet from any property line. This required green area may constitute no more than thirty-three (33) percent of the green area required within the parking area as well as counting toward the total green area requirement.
- (3) Development sites less than two (2) acres shall comply with the following:
- a. On sites which front upon only one (1) public street, a minimum of 75% of the required green shall be located within the front yard.
 - b. On sites which front upon two (2) public streets or proposed rights-of-way, a minimum of 75% of the required green area shall be distributed within the yard areas adjacent to the existing or proposed public rights-of-way; no such area shall contain less than 30% of the requirement, and no less than 20% of the required green area shall be located in each yard fronting upon existing or proposed public rights-of-way.
- (4) Development sites of two (2) or more acres shall comply with the following:
- a. On sites which front upon only one (1) public street, a minimum of 50 % of the required green area shall be located within the front yard.
 - b. On sites which front upon two (2) public streets or proposed rights-of-way, a minimum of 50 % of the required green area and landscaping shall be distributed within the yard areas adjacent to existing or proposed public rights-of-way; no such area shall contain less than 20% of the requirement, and no less than 10% of the required green area shall be located in each yard fronting upon existing or proposed public rights-of-way.
- (5) Green areas located within any building shall not be credited toward meeting the total green area requirement.
- (6) Green areas interior to the perimeter of any structure that may serve as a court-yard may be credited toward meeting the total green area requirement.
- (7) Areas designated as green areas upon the approved site plan, or subdivision plat that are utilized for storage or the display of products shall be considered in violation of the city zoning ordinance.

- (8) Landscaping within green areas shall comply with the “City of Hampton Landscape Guidelines” or as otherwise proffered or conditioned pursuant to applicable provisions of the city zoning ordinance.

Adopted at the regular meeting of the City Council of the City of Hampton, Virginia held on June 12, 2013.

Signed by _____ **Date** _____
Molly Joseph Ward, Mayor

Attested by _____ **Date** _____
Katherine K. Glass, CMC
Clerk of the Council