

**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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3 **Sec. 1-21. - Outdoor material storage.**

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

6           **(1)**  
7                   Storage areas shall be set back a minimum of ~~twenty (20)~~ feet from any  
8 existing or proposed public rights-of-way, and ~~twenty (20)~~ feet from any  
9 property line that abuts a residential, commercial, or special public  
10 interest district.

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

19           **(2)**  
20                   Any fence enclosing a storage area shall not violate the required setback.

21           **(3)**  
22                   Storage area setbacks shall be landscaped *in accordance with the “City*  
23 *of Hampton Landscape Guidelines” kept on file in the department of*  
24 *community development, development services center* with shrubs that  
25 are two (2) feet high at installation, located five (5) feet apart, and with  
26 trees that are eight (8) feet high, one and one-half (1½) inch caliper,  
27 located forty (40) feet apart. Alternative landscaping that results in the  
28 same screening effect may be substituted, upon approval by the planning  
29 director.

30                   Notwithstanding the provisions of *chapter section 21-4* hereof, businesses  
31 utilizing outdoor material storage on December 14, 1988, shall be  
32 permitted to expand their storage area on property owned by said  
33 business on December 14, 1988, without conforming to the above

34 landscaping requirements *in accordance with the provisions of chapter*  
35 *35.1 of the city code.* , so long as the landscaping requirements of the site  
36 plan ordinance are met. In the case where the expansion abuts a  
37 residential, commercial, or special public interest zone, the required  
38 setback shall be landscaped with two (2) foot shrubs, located five (5) foot  
39 apart, and eight (8) foot, one and one-half (1½) inch caliper trees, located  
40 forty (40) foot apart, or alternative landscaping approved by the planning  
41 director, as stated above.

42 (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.

49 (5) *Appropriate BMPs shall be employed as required by chapter 33.1 of the*  
50 *city code to prevent off-site release of stored materials.*

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

56 (1) *In development of property other than that zoned R-LL, RT-1, MD-T, MD-*  
57 *2, MD-3, MD-4, SPI-B, SPI-PL, SPI-OH, SPI-HRC, SPI-HRCNC, SPI-*  
58 *HRCW, SPI-CBPD, SPI-CC and SPI-BBD, and all one-family, two-family*  
59 *and duplex dwellings, a minimum of 10% of the land area of the lot shall*  
60 *be designated as green area for trees, shrubs and turf.*

62 (2) *The following criteria shall be met:*

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

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

72 c. *In any parking area containing 30 or more spaces, seven (7)*  
73 *percent of the interior of the parking area shall be reserved and*  
74 *maintained as green area. Each green area within the parking*  
75 *area shall be no less than eight (8) feet wide and contain at least*  
76 *150 contiguous square feet of green area. This required green*  
77 *area may constitute no more than 33% of the green area required*  
78 *within the parking area as well as counting toward the total green*  
79 *area requirement.*

81 (3) *Development sites less than two (2) acres shall comply with the following:*

82 a. *On sites which front upon only one (1) public street, a minimum of*  
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*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.*