

# Conditions

## Use Permit Application No. 22-00020

Mental Health/Substance Abuse Treatment Facility  
Hampton Newport News Community Services Board 300 Marcella Road [LRSN 7001308]

### 1) Issuance of Permit

The Use Permit applies only to 300 Marcella Road [LRSN 7001308] and further identified as and attached hereto as Exhibit A, and is not transferable to another location.

### 2) Limitation of Use

The facility shall be operated by the Hampton Newport News Community Services Board and shall comply with the Additional Standard per Zoning Ordinance Sec. 3-3.

### 3) Capacity

- a) The maximum capacity, as determined by the City Building Official, shall be maintained in accordance with applicable law.
- b) The total number of beds provided in the facility shall not exceed sixteen (16) beds.
- c) Expansion of the proposed use shall be limited to the existing building footprint (approximately 20,284 square feet) and existing site layout. Any expansion beyond the existing footprint and/or site development area shall require a new use permit.

### 4) Certification

The facility shall remain compliant with all professional licensing requirements set by the Commonwealth of Virginia, as may be applicable, including but not limited to the Department of Behavioral Health and Developmental Services (DBHDS).

### 5) Security Plan

A Security Plan shall be submitted to Community Development Department for review by the Hampton Police Division, Division of Fire and Rescue, and other such departments as may be applicable. The Security Plan must be reviewed and approved by the Hampton Police Chief or their designee, the Fire Chief or their designee, and the Director of Community Development or their designee prior to the issuance of a final Certificate of Occupancy. The approved plan shall be maintained in perpetuity. Any changes to the approved plan shall be reviewed and approved by the Director of Community Development or their designee, who may consult with such other city officials as needed.

### 6) Lighting

All exterior lighting, including site and building fixtures, shall be maintained in operable order. Any new lighting fixtures deemed necessary shall be full cut off LED fixtures that are downward and inward facing.

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### 7) Signage

Pursuant to Section 10-3(d) of the Zoning Ordinance, the existing freestanding sign on the Property has been determined by the Zoning Administrator to be an abandoned nonconforming sign. Thus, the existing sign shall be brought into compliance with the current standards of Chapter 10, "Signs," of the Zoning Ordinance.

### 8) Landscape Plan

A landscape plan shall be submitted to the Community Development Department Director or their designee for design review and approval in accordance with the City of Hampton's Landscape Design Guidelines prior to issuance of a Certificate of Occupancy. At a minimum, the plan shall address the provision of landscape buffers along all adjacent properties and fencing to secure the site as specified in the submitted narrative statement.

### 9) Coliseum Central Design Guidelines

Any future site and building improvements, including but not limited to building materials, landscaping, fencing, and lighting shall be submitted to the Community Development Department Director or their designee for design review and approval in accordance with the Coliseum Central Design Guidelines, dated January 12, 2018, attached as Exhibit B.

### 10) Nullification

The use permit shall automatically expire and become null and void under any of the following conditions:

- (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;
- (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the city council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council; or
- (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

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### 11) Revocation of Use Permit

Notwithstanding any condition or provision of this use permit to the contrary, the use permit may be revoked for violation of any terms or conditions of the use permit as set forth in chapter 14 of the Hampton Zoning Ordinance (as amended).

### EXHIBIT A



### EXHIBIT B

Coliseum Central Design Guidelines (see attached)