

1   **Ordinance To Amend And Reenact Chapter 3 Of The Zoning Ordinance Of The City Of**  
2   **Hampton, Virginia Entitled “Uses Permitted” By Amending Section 3-2 To Recodify The**  
3   **Use Table By Separating Standard Base Districts From Special Districts, Adding The New**  
4   **Zoning Districts Titled PH-2 (Phoebus Town District) And PH-3 (Phoebus Commercial**  
5   **Transition District) To the Use Table, and Amending Section 3-3 Pertaining to Additional**  
6   **Standards On Permitted Uses.**

7  
8   **Whereas,** the public necessity, convenience, general welfare and good zoning practice so  
9   require;

10  
11   **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that chapter 3 of the Zoning  
12   Ordinance of the City of Hampton, Virginia, be amended to read as follows:

13  
14   **CHAPTER 3 – USES PERMITTED**

15  
16   ...

17  
18   **Sec. 3-2.       Table of uses permitted.**

19       **A. Table of Uses Permitted in Standard Zoning Districts**

20       [See attached table of uses permitted in standard zoning districts for changes.]

21  
22   ...

23       **B. Table of Uses Permitted in Special Zoning Districts**

24       [See attached table of uses permitted in standard zoning districts for changes.]

25  
26   ...

27  
28   **Sec. 3-3.       Additional standards on uses.**

29   ...

30       (11) Day Care 2, family.

31   ...

32               (b) In the MD-1, MD-2, MD-3, MD-4, C-1, C-2, C-3, M-1, M-2, M-3, LFA-1, LFA-2,  
33               LFA-3, LFA-4, LFA-6, BB-4, BB-5, HRC-1, HRC-2, HRC-3, DT-3, PH-1, **PH-2,**  
34               **PH-3,** FM-4, PO-1, and PO-2 districts, this use shall be permitted only in  
35               dwellings with legal non-conforming status and shall comply with all of the  
36               following provisions:

37   ...

38       (15) Rummage sale, temporary in the C-1, C-2, C-3, M-2, RT-1, PH-1, **PH-2, PH-3,** DT-  
39       1, DT-2, FM-2, and FM-3 districts.

40   ...

41 (21) Coin-operated amusement devices, accessory in the C-1, C-2, C-3, PH-1, PH-2,  
42 PH-3, RT-1, DT-1, and DT-2 districts.

43 ...

44 (22) Live entertainment 1, in conjunction with a restaurant use in the C-1, C-2, C-3, RT-  
45 1, BB-3, BB-4, BB-5, PH-1, PH-2, PH-3, DT-1, DT-2, FM-1, FM-2, FM-3, and FM-4  
46 districts, or;

47 Live entertainment 1, in conjunction with a micro-brewery/distillery/winery use in the M-1,  
48 M-2, M-3, HRC-1, HRC-2, PH-1, PH-2, PH-3, DT-1, DT-2, FM-2, FM-3, and FM-4  
49 districts.

50 ...

51 (23) Live entertainment 2, in conjunction with a restaurant use in the C-1, C-2, C-3, RT-  
52 1, BB-3, BB-4, BB-5, PH-1, PH-2, PH-3, DT-1, DT-2, FM-1, FM-2, FM-3, and FM-4  
53 districts. or;

54 Live entertainment 2, in conjunction with a micro-brewery/distillery/winery use in the M-1,  
55 M-2, M-3, HRC-1, HRC-2, PH-1, PH-2, PH-3, DT-1, DT-2, FM-2, FM-3, and FM-4  
56 districts.

57 ...

58 (24) Religious facility in the R-R, R-LL, R-43, R-33, R-22, R-15, R-13, R-11, R-9, R-8, R-  
59 4, MD-1, MD-2, MD-3, MD-4, R-M, C-1, C-2, C-3, RT-1, BB-1, BB-2, BB-3, BB-4, BB-5,  
60 PH-1, PH-2, PH-3, DT-1, DT-2, and DT-3 districts.

61 ...

62 (30) Small artisan shop in the PH-1, PH-2, PH-3, C-2 and C-3 districts is required to  
63 have a retail sales component as part of any such use. Additionally in the PH-1, PH-2,  
64 and PH-3 districts, total area of such use shall not exceed 5,000 square feet.

65 ...

66 (33) Communication antenna, commercial building-mounted in the R-R, R-LL, R-43, R-  
67 33, R-22, R-15, R-13, R-11, R-9, R-8, R-4, MD-1, MD-2, MD-3, MD-4, R-M, C-1, C-2, C-  
68 3, M-1, M-2, M-3, RT-1, BB-3, BB-4, BB-5, HRC-2, HRC-3, PH-1, PH-2, PH-3, DT-1, DT-  
69 2, DT-3, PO-1, FM-3, and FM-4 districts. The following minimum conditions shall be met:

70 ...

71 (34) Communication tower, commercial in the R-R, R-LL, R-43, R-33, R-22, R-15, R-13,  
72 R-11, R-9, R-8, R-4, MD-1, MD-2, MD-3, R-M, C-1, C-2, C-3, M-1, M-2, M-3, RT-1,  
73 HRC-1, HRC-2, HRC-3, PH-1, PH-2, PH-3, DT-1, DT-2, DT-3, FM-3, and PO-1 districts.  
74 The following minimum conditions shall be met:

75

76 ~~The following minimum conditions shall be met:~~

77 ...

78 (36) Promotional event in the C-1, C-2, C-3, M-2, RT-1, PH-1, PH-2, PH-3, DT-1, and  
79 DT-2 districts.

80 ...

81 (44) Laboratory or research office in the M-1, LFA-2 LFA-3, LFA-4, LFA-6, PH-1, PH-2,  
82 PH-3, HRC-1, HRC-2, and HRC-3 districts shall not permit the testing of explosives.  
83 ...

84 (47) Micro-brewery/distillery/winery in the PH-1, PH-2, PH-3, DT-1, DT-2, and FM-2  
85 districts shall include a retail component which is open to the general public.  
86 ...

87 (48) Outdoor dining, Phoebus in the PH-1, PH-2, and PH-3 districts shall be subject to a  
88 zoning administrator permit and the hours of operation shall not extend beyond the  
89 hours of operation for the principle establishment.  
90 ...

91 (49) Day care 1, commercial in the C-1, C-2, C-3, DT-1, DT-2, DT-3, PH-1, PH-2, PH-3,  
92 FM-1, FM-2, FM-3 and PO-1 districts are subject to a day care permit granted by the  
93 zoning administrator with the following attached conditions:  
94 ...

95 (50) Day care 2, commercial in the R-LL, R-43, R-R, R-33, R-22, R-15, R-13, R-11, R-9,  
96 R-8, R-4, MD-1, MD-2, MD-3, MD-4, R-M, C-1, C-2, C-3, DT-1, DT-2, DT-3, PH-1, PH-2,  
97 PH-3, FM-1, FM-2, FM-3, and PO-1 districts. Such facilities are defined as those  
98 requesting to operate beyond the conditions set forth under the provisions of "day care  
99 1, commercial" and are subject to obtaining a use permit by city council. Conditions shall  
100 include those listed in [Section 14-6](#) Standards for Use Permit Application Review of the  
101 City of Hampton Zoning Ordinance.  
102 ...

103 (51) Banquet hall in the PH-1, PH-2, PH-3, DT-1, FM-1, FM-3, and FM-4 districts are  
104 subject to a zoning administrator permit with the following attached conditions: