

CITY OF HAMPTON

STATE OF GEORGIA

ORDINANCE NO. [2023-13](#)

AN ORDINANCE TO AMEND THE CERTAIN SECTIONS OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HAMPTON, GEORGIA; TO AMEND ARTICLE 2 DEFINITIONS, SECTION 2-1 DEFINITIONS; TO AMEND ARTICLE 3. GENERAL PROVISIONS; TO AMEND ARTICLE 7. MIXED USE DISTRICTS; TO PROVIDE FOR CODIFICATION; TO PROVIDE SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO PROVIDE AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

THE COUNCIL OF THE CITY OF HAMPTON, GEORGIA HEREBY ORDAINS:

Section 1. That the certain sections and portions of APPENDIX A – ZONING be amended so that as amended the sections referenced herein of APPENDIX A – ZONING shall read as it appears in **Exhibit “A”**, attached hereto and incorporated by reference.

Section 2. That the Zoning Map of the City of Hampton, as described on file with the City of Hampton and incorporated by reference, be amended and adopted, if necessary, to provide for and be congruent with the amendments to the zoning ordinance existing at Appendix A of the Code of Ordinances.

Section 3. That a public hearing was held in accordance with the State’s Zoning Procedures Law, codified at O.C.G.A. § 36-66-4.

Section 4. That the preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. That this Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

Section 6. That this Ordinance shall take effect immediately upon its adoption. All Ordinances in conflict herewith are expressly repealed. It is the intention of the governing body, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Hampton, Georgia, and the sections of this Ordinance may be renumbered, if necessary, to accomplish such intention.

Section 7.

- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause and phrase of this Ordinance is severable from every other, section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no

section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

- c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or Sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and Sections of the Article shall remain valid, constitutional, enforceable, and of full force and effect.

Section 8. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 9. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED, this 12 day of September, 2023.

CITY OF HAMPTON, GEORGIA


ANN N. TARPLEY, Mayor

ATTEST:


RASHIDA FAIRLEY, City Clerk

APPROVED AS TO FORM:


L'ERIN BARNES WIGGINS, City Attorney

First Reading: August 8, 2023

Second Reading/Adoption: September 12, 2023

EXHIBIT "A"
(Zoning code sections to be amended)

- **Amend Article 2 Definitions, Section 2-1 Definitions to add definition for "Canopy" and "Gas station".**

Section 2-1. – Definitions.

Canopy. A roof-like structure supported by columns or projecting from a building and open on at least three sides.

Gas station. Buildings and premises wherein a primary use is the retail sales of vehicle fuels for personal vehicles, other than truck terminals, which are regulated as industrial uses. This may also collectively include retail sales of convenience items, restaurant sales, and a single bay vehicle wash, but does not permit overnight vehicle storage materials, such as tires, auto parts, etc.

- **Amend Article 3. General Provisions, Section 3-3 Non-Residential Design Standards. to revise and add new subsections (B) 5 – 9, (G) 1-4, so as amended the new Section 3-3 (B) and (G) reads as follows.**

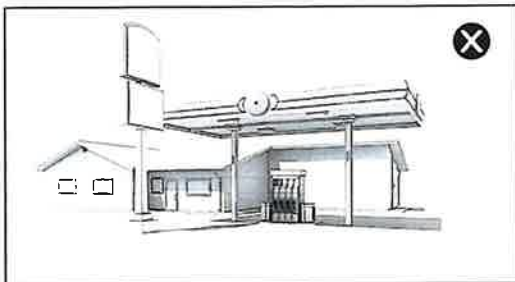
Sec. 3-3. Non-Residential Design Standards.

The intent of the following design standards is to encourage creative architecture that is responsive to local and regional context and contributes to the aesthetic identity of the community.

- A. All non-residential buildings shall be subject to the following standards.
- B. Exterior walls. The following standards apply to all exterior walls.
 - 1. Within M-1 and M-2 districts, exterior wall finish materials (excluding windows, doors, awnings, foundations, or architectural details) are limited to the following:
 - i. Brick, including full-depth and half-depth masonry brick, but not simulated brick veneers;
 - ii. Stone, including unpainted natural stone, unpainted cast stone having the appearance of natural stone, and unpainted terra cotta;
 - iii. Stucco, including true cement stucco but not EIFS;
 - iv. Concrete block, which must be painted;
 - v. Split-face block and painted concrete masonry units (CMU);
 - vi. Wood, including natural wood or cementitious siding;
 - vii. Shingles, including wood or cementitious shakes and shingles; and
 - viii. Glass.
 - 2. Within all other districts, exterior wall finish materials (excluding windows, doors, awnings, foundations, or architectural details) are limited to the following:
 - ix. Brick, including full-depth and half-depth masonry brick, but not simulated brick veneers;
 - x. Stone, including unpainted natural stone, unpainted cast stone having the appearance of natural stone, and unpainted terra cotta;
 - xi. Stucco, including true cement stucco but not EIFS;
 - xii. Wood, including natural wood or cementitious siding;
 - xiii. Shingles, including wood or cementitious shakes and shingles; and

xiv. Glass.

3. Where more than one exterior finish material is used, visually lighter materials must be used above visually heavier materials.
 4. Building floors shall be delineated and shall be executed through windows, belt courses, cornice lines, or similar architectural detailing, so as to distinguish each floor.
 5. Buildings that derive their image solely from applied treatments that express corporate identity are discouraged.
 6. The design of stand-alone gas stations and convenience stores should conform to the dominant existing planned character of the surrounding neighborhood. This can be accomplished through the use of similar forms, materials, and colors.
 7. The design of a facility that occupies a pad or portion of a building within a larger commercial or mixed-use center should be designed to reflect the design elements of that development.
 8. Drive through elements should be architecturally integrated into the building rather than appearing to be applied or “stuck on” to the building.
 9. All sides of a building should express consistent architectural detail and character. All site walls, screen walls, and pump island canopies and other outdoor covered areas should be architecturally integrated with the building by using similar material, color, and detailing.
- C. Windows and doors. The following standards apply to all street-facing exterior walls.
1. The total area of all windows must not be less than 40 percent of the total exterior wall area of the ground floor, nor less than 30 percent of the total exterior wall area for each upper story. Total exterior wall area shall include the area of garages and other doors. Requirements shall be calculated separately for each wall and story.
 2. Window panes must be recessed a minimum of 1 inch from the face of the exterior wall where no trim is provided, or a minimum of 1.5 inches from the face of the trim where trim is provided.
- D. Building massing. Facades over 50 feet in length must incorporate wall projections or recesses a minimum of 12 inches in depth. The combined length of said recesses and projections must constitute at least 20 percent of the total facade length.
- E. Rooflines. Variation in the roofline of buildings and offsets in pitched roofs and gables are required. Parapets in individual facades exceeding 100 continuous linear feet must be varied in height and projection and must use decorative elements such as crown molding, dentals, brick soldier courses, or similar details.
- F. Interior floor to ceiling height for the ground floor shall be a minimum of 14 feet.
- G. Canopy:
1. Integration of canopy to building and site walls is desirable. Multiple canopies or canopies that express differing architectural masses are encouraged.



2. Canopy height, as measured from the finished grade to the lowest point on the canopy fascia, should not exceed 13'-9". The clearance height of canopies should be clearly indicated on the structure or through use of a headache bar. The overall height of canopies should not exceed 17'.
 3. Canopy ceiling should be textured or have a flat finish, glossy or highly reflective materials are not recommended.
 4. Lighted bands or tubes or applied bands of corporate color are discouraged.
 5. Canopy support columns shall be architecturally integrated by use of color, material, and architectural detailing.
- **Amend Article 3. General Provisions, Section 3-12 Drive-Throughs. to revise Section title and add new subsections (A) through (H), so as amended the new Section 3-12 (A) through (H) reads as follows.**

Sec. 3-12. Drive-Throughs or Drive-in Establishments.

- A. Purpose and intent. The City of Hampton has many desirable aesthetic qualities setting it apart from many other communities. The city intends to guide development and ensure design excellence. The intent of this section is to mitigate potential negative impacts of drive-through and drive-in establishments site activities.
- B. Public access to the site shall comply with the driveway spacing standards of Section 4-2 but, in no case, be located closer than 125 feet to any intersection or other driveway on the same side of the street, as measured from the nearest edge of pavement to the nearest edge of pavement.
- C. Internal circulation and access to/egress from the site shall not impair the movement of other modes of transportation, such as bicycles and pedestrians, to and through the site.
- D. For all drive-throughs, the service window must be located completely off any public streets. Provision must be made to accommodate a minimum of four (4) waiting vehicles per service window.
- E. Position drive-through windows, menu boards, and associated stacking lanes away from residential areas.
- F. Position auto repair bay openings and car-wash vehicular openings away from residential areas and public view.
- G. Service areas, storage areas, and refuse enclosures should be screened from public view and adjacent sites.
- H. ATMs may be located within the primary retail drive-through or drive-in establishment but not located as freestanding and/or exterior wall mounted ATMs.



- **Amend Article 7. Mixed Use Districts, Section 7-1 Mixed Use Districts.** to revise Section 7-1 (I) 5, (Q) 1 so as amended the new Section 7-1 (I) 5 and (Q) 1 reads as follows.

I. Curb cuts, driveways, and parking decks.

5. No circular drives shall be located between any building and any street with the exception of hotels, daycare centers, and hospital, medical office, dentist, or clinic patron drop-off drives.

Q. Miscellaneous provisions.

1. No multifamily residential development shall have more than 330 units.
2. Maximum residential density: 8 dwelling units per net useable acre, except that there shall be no maximum residential density on lots that are lots of record as of the effective date of this Ordinance and that are 2 acres or less in size.

- **Amend Article 7. Mixed Use Districts, Section 7-5 Allowed Uses** to add Gas Station as permitted use.

Commercial Uses	MU	DT-MU	DT-RC	Use Standards
All vehicular service and sales, as listed below:				Sec. 4-4
Gas station	P	-	-	Sec. 3-12; Sec.4
Car wash	-	-	-	
Vehicle or boat sales	-	-	-	