



City of Hampton, Virginia

Ordinance - Zoning Text

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

File Number: 09-0045

Enactment Number: Z09-01

Zoning Ordinance Amendment by the City of Hampton to amend Chapter 12, C-2 Limited Commercial District, Sec. 12-1, Uses Permitted; to allow mixed-use structures as a permitted use subject to securing a Use Permit and Chapter 13, C-3 General Commercial District, Sec. 13-1, Uses Permitted; to add mixed-use structures to the list of restricted uses within C-3.

CHAPTER 12

C-2 District -- Limited Commercial District

Sec. 12-1. Uses Permitted; C-2 District.

The following uses are permitted in all C-2 Districts:

- (1) All uses permitted in C-1, Neighborhood Commercial Districts, and MD-2 and MD-3, Multiple Dwelling Districts.
- (2) Auditorium or assembly halls.
- (3) Sales of new automobile passenger cars, new trucks or new truck trailers, and in connection therewith the sale of parts, service, and of used cars, trucks, or trailers.
- (4) Bicycle sales and repairs.
- (5) Billiard or pool rooms or bowling alley.
- (6) Catering establishments.
- (7) Cleaning and pressing establishments using closed type cleaning or pressing equipment where non-flammable liquid is used for cleaning solvent.
- (8) Fraternal clubs or lodges, subject to securing a Conditional Privilege. (amended 10/23/96)
- (9) Funeral home or mortuary, subject to securing a Conditional Privilege. (amended 10/23/96)

- (10) Hotels, with or without business occupancies on the ground or lobby floor, and with or without a public dance hall within, operated by and in conjunction with the hotel, subject to securing a Use Permit. (amended 8/15/07).
- (11) Job printing shops not exceeding three thousand (3,000) square feet of floor space.
- (12) Loan offices.
- (13) Lunchrooms, cafes, drive-ins, no dancing or live entertainment.
- (14) Motels, with or without restaurants or dining rooms, and with or without a public dance hall, all on the same property and all operated in conjunction with the motel, subject to securing a Conditional Privilege. (amended 8/15/07)
- (15) Restaurants or dining rooms, with or without a public dance hall within, and operated in conjunction therewith.
- (16) Second-hand stores conducted wholly within an enclosed building.
- (17) Sign painting shop.
- (18) Swimming pools, ice and roller skating rinks, commercial.
- (19) Tire sales and repair shop operated wholly within an enclosed building.
- (20) Upholstery shop for furniture only.
- (21) Automobile laundries or car wash facilities subject to providing a minimum of off-street parking spaces as follows:
 - (a) For self-service car wash facilities, a minimum of two (2) off-street parking spaces shall be provided at both ends of each stall, plus one (1) off-street parking space per stall.
 - (b) For all other car wash facilities, ten (10) off-street parking spaces at both ends of each lane used in the washing operation, plus three (3) off-street parking spaces for use as storage parking area.
- (22) Accessory building and uses.

- (23) Motorcycle sales and services when operated completely within an enclosed building.
- (24) Animal or veterinary hospitals when operated within a completely enclosed building, subject to securing a Conditional Privilege. (amended 10/23/96)
- (25) Amusement centers, subject to securing a Conditional Privilege. (amended 10/23/96)
- (26) Pawnshops, subject to securing a Conditional Privilege. (amended 10/23/96)
- (27) Vehicle storage area as an accessory use to the sale of new automobile passenger cars, new trucks, new truck trailers, or to a gasoline supply station, subject to securing a Use Permit as provided in Section 20-5.1. (10/27/99)
- (28) Commercial communication tower, subject to securing a Use Permit. (10/27/99)
- (29) Commercial Building Mounted Antenna; provided the following:
 - (a) The building is not a single family dwelling;
 - (b) The minimum height of the building shall be no less than thirty five (35) feet);
 - (c) The height of the antenna (including support structures) shall not exceed twenty two feet above the highest point of the building;
 - (d) The antenna and support structures are painted so that they are compatible with the primary building structure, unless roof mounted; and (amended 7/9/97)
 - (e) Intermodulation testing is coordinated through the Hampton Police Division demonstrating that the proposed antenna operation is designed in a manner to eliminate interference with public safety communications. Such testing shall also be required from each subsequent operator prior to any building permits to add or modify antennae. Should any equipment associated with the antennae be found to interfere with public safety communications, the owner shall be responsible for the elimination of such interference. (Amended 1/23/02)

(30) Day care 2, in detached single family homes with non-conforming status, subject to securing a Special Exception from the Board of Zoning Appeals. Unless it makes a factual determination that the proposed DC2 would be incompatible with the quiet enjoyment of surrounding properties, the Board shall issue the requested Special Exception. It may impose conditions governing factors related to the operation of said home, such as, but not limited to:

- (a) hours of operation;
- (b) location of play area and equipment;
- (c) fencing of play area;
- (d) limitations on signage;
- (e) record-keeping requirements and inspection by authorized personnel.

If the Board denies an application for Special Exception, no further application for Special Exception pertaining to the same use on the same property will be accepted by the Board for one (1) year following the date of denial. (10/27/99)

(31) Day care 3, subject to securing a Conditional Privilege. (10/27/99)

(32) One or two dwelling units, with an approved use permit located above office, retail or commercial uses allowed in the C-1 and C-2 Districts excluding certain uses listed below:

- i. Automobile laundry/car wash
- ii. Automobile service centers
- iii. Boarding houses
- iv. Churches
- v. Commercial communications towers, not to exclude building mounted antennae with an approved Use Permit
- vi. Detention facilities
- vii. Gasoline supply stations
- viii. Group homes

- ix. Halfway houses
- x. Motels
- xi. Motorcycle service centers
- xii. Orphanages
- xiii. Rooming houses
- xiv. Swimming pool, ice and roller skating rinks
- xv. Tire sales and repair shop
- xvi. Turkish baths
- xvii. Vehicle storage areas

- (c) Residential uses may not be combined with any other use on the same floor.
- (d) Residential uses may not be located on pedestrian level and must have at least one separate exterior entrance.
- (e) No commercial, office, retail, or parking uses shall be located on any floor above a residential use.
- (f) Commercial building setbacks shall apply with all building code standards being met as necessary for such building separations.

(33) Reserved

(34) Other retail stores, businesses, and uses similar to the above and being of the same general character of those listed in this section.

CHAPTER 13

C-3 District -- General Commercial District

Sec. 13-1. Uses Permitted; C-3 District.

The following uses are permitted in all C-3 Districts:

- (1) All uses permitted in C-2, Limited Commercial Districts, EXCEPT:
 - (a) One or two dwelling units located above office, retail or commercial uses allowed in C-1 and C-2 Districts;
 - (b) townhouses and multiple dwellings;
 - (c) manufactured/mobile home parks and subdivisions;
 - (d) adult care residences 1, 2 and 3;
 - (e) boarding houses;
 - (f) group homes 1 and 2;
 - (g) juvenile residences 1, 2 and 3;
 - (h) rooming houses. (10/27/99)

Adopted at the regular meeting of the City Council of the City of Hampton, Virginia held on February 11, 2009.

Signed by _____
Molly Joseph Ward, Mayor

Date _____

Attested by _____
Katherine K. Glass
Clerk of the Council

Date _____