

CITY OF HAMPTON

STATE OF GEORGIA

ORDINANCE NO. **2025-003**

AN ORDINANCE TO AMEND THE CERTAIN SECTIONS OF APPENDIX A – ZONING OF THE CODE OF ORDINANCES OF THE CITY OF HAMPTON, GEORGIA; TO AMEND APPENDIX A ZONING, ARTICLE 2 DEFINITIONS, SECTION 2-1 DEFINITIONS; TO AMEND ARTICLE 7 MIXED USE DISTRICTS, SECTION 7-1 MIXED USE DISTRICTS; TO AMEND ARTICLE 7 MIXED USE DISTRICT, SECTION 7-2 DT-MU DOWNTOWN MIXED USE DISTRICT; TO AMEND ARTICLE 7 MIXED USE DISTRICT, SECTION 7-3 DT-RC DOWNTOWN RESIDENTIAL CHARACTER DISTRICT; TO AMEND ARTICLE 7 MIXED USE DISTRICT, SECTION 7-4 MIXED-USE; 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 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 All Ordinances in conflict herewith are expressly repealed.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.

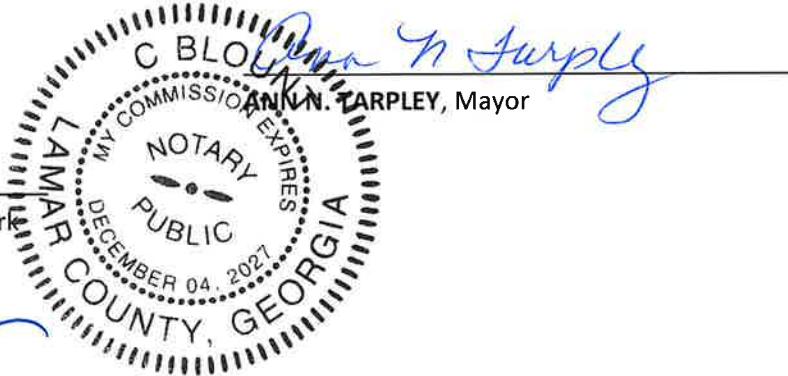
c. In the event that any phrase, clause, sentence, paragraph or Section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and 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 25th day of March, 2024.

CITY OF HAMPTON, GEORGIA



First Reading: 2/11/2025
Second Reading/Adoption: 3/25/2025

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

- **Amend Article 2 Definitions, Section 2-1 Definitions to add definition for Comprehensive Plan, FLUM land use categories, Coin Operated Amusement Machine (COAM), Green Infrastructure, Low-Impact Development, and Ranch Villas**

Comprehensive Plan. The official City of Hampton Comprehensive Plan (Comp Plan), as adopted by Hampton City Council, includes the official Future Land Use Plan (FLUM). The Comp Plan is a collection of planning goals, policies, and guidelines that provide guidance and structure for the execution of the community's vision. The FLUM illustrates the city's long-term vision for land use, development, and redevelopment. Land use categories are not zoning districts but rather guide policy decisions and appropriateness of zoning change within the city. The FLUM land use categories are as follows:

1. *Rural Residential (RR).* RR includes farms, pastures, and forestry practices on large tracts of land; single-family residences associated with agricultural activities; and large-lot residential subdivisions up to one (1) dwelling unit per net acre. Compatible zoning districts include RA (Residential-Agricultural) and R-1 (Single-Family Residential).
2. *Low Density Residential (LDR).* LDR consists of single-family homes on a single lot providing a density of one (1) to (2) dwelling units per net acre providing low-impact development (LID) and green infrastructure (GI) strategies as plausible. Compatible zoning districts include R-2 (Single-Family Residential), R-3 (Single-Family Residential), and RMH (Residential Manufactured Home).
3. *Medium Density Residential (MDR).* MDR consists of single-family attached or single-family detached homes with public sewer and water service providing a density of two (2) to four (4) dwelling units per net acre. Compatible zoning districts include R-4 (Single-Family Residential), PD (Planned Development), RD (Residential Duplex) and DT-RC (Downtown Residential Character).
4. *High Density Residential (HDR).* HDR consists of single-family cottages, attached townhouse developments, multistory condominiums, apartment developments, and the like with public water and sewer service up to eight (8) dwelling units per net acre. Compatible zoning districts include MR1 (Townhouse and Cottage Court), MR2 (Multifamily Residence), and DT-RC (Downtown Residential Character).
5. *Downtown Core (DC).* DC consists of high density residential up to 12 dwelling units/net acre, urban green space, neighborhood-scale retail, commercial, and office use. DC compatible zoning districts include DT-MU (Downtown Mixed Use) and DT-RC (Downtown Residential Character).
6. *Urban Mixed-Use (UMU).* UMU consists of industrial uses, institutional, neighborhood and regional retail and commercial service activities with residential up to 8 dwelling units/net acre integrated within the site. UMU compatible zoning district is MU (Downtown Mixed Use).
7. *Village Mixed-Use (VMU).* VMU consists of vertical and horizontal mixed-use projects, public uses, commercial uses, single-family residential, and multi-family residential uses up to eight (8) dwelling units per net acre, with a focus on environmental sustainability in design and preservation of green space. VMU compatible zoning district is MU (Downtown Mixed Use).

8. *Commercial*. This category includes neighborhood and regional retail and commercial service activities. Compatible zoning districts include C-1 (Neighborhood Commercial), C-2 (General Commercial), and C-3 (Heavy Commercial).
9. *Industrial*. This category includes light manufacturing, warehousing, self-storage facilities, wholesale/distribution, and assembly. Compatible zoning districts include M-1 (Light Industrial), and M-2 (Heavy Industrial).
10. *Public/Institutional*. This category includes land, buildings and facilities used by governments, schools, colleges, hospitals, cemeteries, and post offices. Compatible zoning district is OI (Office-Institutional).
11. *Transportation, Utilities, Communications*. This category includes uses such as landfills, water treatment plants, wastewater treatment plants, power substations, rail yards, mass transit facilities, airports, etc. Compatible in all zoning districts except DT-MU (Downtown Mixed-Use) and DT-RC (Downtown Residential Character).
12. *Parks, Recreation, Conservation*. This category includes public parks, recreation areas, ball fields, playgrounds, and open spaces, as well as areas to be preserved for greenways, trails, and/or land conservation. Compatible in all zoning districts.

Coin Operated Amusement Machine (COAM) as defined in O.C.G.A. § 50-27-70. "Bona fide coin operated amusement machine" means every machine of any kind or character used by the public to provide amusement or entertainment whose operation requires the payment of or the insertion of a coin, bill, other money, token, ticket, card, or similar object and the result of whose operation depends in whole or in part upon the skill of the player, whether or not it affords an award to a successful player pursuant to subsections (b) through (g) of O.C.G.A. § 16-12-35, and which can be legally shipped interstate according to federal law. The COAM types are as follows:

1. "Class A machine" means a bona fide coin operated amusement machine that is not a Class B machine, does not allow a successful player to carry over points won on one play to a subsequent play or plays, and:
 - i. Provides no reward to a successful player;
 - ii. Rewards a successful player only with free replays or additional time to play;
 - iii. Rewards a successful player with noncash merchandise, prizes, toys, gift certificates, or novelties in compliance with the provisions of subsection (c) or paragraph (1) of subsection (d) of O.C.G.A. § 16-12-35, or any reward redeemable as an item prohibited as a reward in the same subsection.
 - iv. Rewards a successful player with points, tokens, tickets, or other evidence of winnings that may be exchanged only for noncash merchandise, prizes, toys, gift certificates, or novelties; or
 - v. Rewards a successful player with any combination of items as listed in items ii, iii, iv, of this paragraph.
2. "Class B machine" means a bona fide coin operated amusement machine that allows a successful player to accrue points on the machine and carry over points won on one play to a subsequent play or plays in accordance with paragraph (2) of subsection (d) of O.C.G.A. § 16-12-35 and:
 - i. Rewards a successful player with points, tokens, tickets, or other evidence of winnings that may be exchanged only for noncash merchandise, prizes, toys, gift certificates, or novelties;
 - ii. Does not reward a successful player with any item prohibited as a reward in subsection (i) of O.C.G.A. § 16-12-35.

Green Infrastructure (GI). Green infrastructure means the range of measures that use plant or soil systems, permeable pavement or other permeable surfaces or substrates, stormwater harvest and reuse, or landscaping to store, infiltrate, or evapotranspire stormwater and reduce flows to sewer systems or to surface waters.

Low Impact Development (LID). Low impact development is a site strategy with a goal of maintaining or replicating the pre-development hydrologic regime through the use of design techniques to create a functionally equivalent hydrologic landscape.

Ranch Villas. A residential structure with a permanent foundation, designed as a single-story structure. Ranch Villas development shall include both single-family detached and attached duplex units.

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

C. Applicability. The standards contained in this section apply to all Mixed Use Districts. MU Districts Comprehensive Land Use Categories include Downtown Core, Urban Mixed-Use, and Village Mixed-Use.

D. Purpose. These districts are intended to promote a vibrant downtown; implement the vision of Hampton's 2011 Livable Centers Initiative and 2022 plan update (King, George, and Daniel Streets Revitalization Strategy); encourage walking and bicycling; support small businesses; create a sustainable mixed-use area with downtown at its core; combine a wide variety of compatible commercial and residential uses in close proximity; and foster a safe and livable core for the City of Hampton. DT-MU is intended to create a vibrant downtown core. DT-RC is intended to extend the fabric and character of downtown development to surrounding areas. MU is intended to promote a walkable mix of uses on larger sites.

F. Building types.

5. Ranch Villas. A building type that accommodates single-story dwelling units organized on a single parcel tract maximum thirty-five (35) acres in size. Developments shall include both single-family detached and attached duplex units. All units are required to feature front porches to enhance architectural character and promote community interaction. Parking facilities shall include a combination of surface parking, canopy covered parking, and detached garages. Neighborhood greens and community gathering spaces shall connect to unobstructed pedestrian walkway networks reaching each individual unit.

I. Curb cuts, driveways, and parking decks.

1. All residential developments adjacent to arterial roadways must provide primary vehicular access from an interior local road. Secondary vehicular access from an arterial road may be considered if no other point of access is plausible and only as a right in, right out movement or required emergency access.
2. Driveways serving all commercial uses shall be limited to one-way entrances with a maximum width of 12 feet or two-way entrances with a maximum width of 24 feet.
3. Driveways serving residential uses shall have a minimum width of 10 feet and a maximum width of 20 feet.

4. Curb cuts for an individual lot containing exclusively non-residential uses shall be a minimum of 300 feet apart, except that properties with more than one frontage may have one curb cut per frontage.
5. Adjacent lots may share driveways, provided they do not exceed the maximum widths established above.
6. No circular drives shall be located between any building and any street with the exception of hotels, daycare centers, hospital, medical office, dentist, or clinic patron drop-off drives.
7. Parking deck facades shall conceal automobiles from visibility from any public right-of-way or private driveway or street that is open to the public. Parking deck facades shall have the appearance of a horizontal storied building.
8. Parking facilities shall be screened from any public right-of-way or private driveway or street that is open to the public. Screening may include hardscape or landscaping, earthen berms, etc. such that visibility of a parked automobile is minimized.

N. Decorative pedestrian lights of a type approved by the City must be installed in the landscape zone, a maximum of 40 feet on center. Street lighting and signage for common developments over fifty acres must be designed and submitted as a unified package that aligns with the character of the area.

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 (density bonus available) for MU District, 12 dwelling units per net acre for DT-MU and DT-RC Districts, 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.
3. Pedestrian multi-use trails ten (10) feet in width are required along both sides of US 19/41 and Highway 20 W.
4. Residential development adjacent to US 19/41 and Highway 20 W shall provide one hundred (100) feet of undisturbed buffer or an enhanced fifty (50) wide buffer with landscaping and masonry fencing.
5. Non-residential development adjacent to US 19/41 and Highway 20 W shall provide thirty (30) feet of landscape enhancement. This requirement may be reduced to twenty (20) feet provided accent masonry walls and/or fencing with masonry columns are incorporated in the landscape area.
6. Development incentives are offered through the Hampton Development Authority, and Hampton Downtown Development Authority for the city's downtown core, urban village and village mixed use land use categories in accordance with the City of Hampton 2023 Comprehensive Plan.

- **Amend Article 7. Mixed Use Districts, Section 7-2. Downtown Mixed Use District to revise subsection (E) and (F) so as amended the new Section 7-2 (E), and (F) reads as follows.**

E. Downtown Core (DC) land use category is compatible with DT-MU District.

Appropriate uses in the Downtown Core include:

- High-density residential development of up to twelve (12) dwelling units per net acre, such as apartments, flats, and condominiums.

- Small-scale retail, restaurants, cafes, coffee shops, offices, and personal services (e.g., salons, day spas, dry cleaners) to create an active street-level experience.
- Ground floors of buildings should be reserved for retail, office, and service uses, with upper floors dedicated to office and residential units.

To support economic growth and tourism, the city will provide incentives through the Hampton Downtown Development Authority and/or Hampton Development Authority for the construction of boutique hotels, inns, and bed-and-breakfast lodging. The district will also include urban green spaces to enhance the quality of life and create a sense of place for residents and visitors.

F. Other requirements.

1. Maximum height: 40 feet.
2. Maximum lot coverage: 80 percent.
3. Minimum heated floor area: none.
4. Maximum residential density: 12 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.
5. Maximum building footprint: No building footprint may exceed 15,000 square feet, except for grocery stores, which may not exceed 30,000 square feet.

- **Amend Article 7. Mixed Use Districts, Section 7-3. Downtown Residential Character District to revise subsection (D) and (E) so as amended the new Section 7-3 (D), and (E) reads as follows.**

D. Downtown Core (DC) land use category is compatible with DT-RC District.

Appropriate uses in the Downtown Core include:

- High-density residential development of up to twelve (12) dwelling units per net acre, such as apartments, flats, and condominiums.
- Small-scale retail, restaurants, cafes, coffee shops, offices, and personal services (e.g., salons, day spas, dry cleaners) to create an active street-level experience.
- Ground floors of buildings should be reserved for retail, office, and service uses, with upper floors dedicated to office and residential units.

To support economic growth and tourism, the city will provide incentives through the Hampton Downtown Development Authority and/or Hampton Development Authority for the construction of boutique hotels, inns, and bed-and-breakfast lodging. The district will also include urban green spaces to enhance the quality of life and create a sense of place for residents and visitors.

E. Other requirements.

1. Maximum height: 36 feet.
2. Maximum lot coverage: 60 percent.
3. Minimum separation between buildings: 20 feet.
4. Minimum heated floor area: none.

5. Maximum building footprint: No building footprint may exceed 5,000 square feet.
6. Maximum residential density: 12 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 7-4. Mixed Use District to revise subsection (A), (D), and (E) so as amended the new Section 7-4 (A), (D), and (E) reads as follows.**

- A. The following building types are allowed:

4. Ranch Villas;

- D. Building placement.

Minimum Setbacks*		
A	Front	0 feet
B	Side	0 feet
D	Rear	30 feet

**(N/A Ranch Villas)*

- E. Urban Mixed-Use (UMU) and Village Mixed-Use land use categories are compatible with MU District.

1. Urban Mixed-Use category includes large-scale industrial, institutional, neighborhood, regional retail and commercial development.
 - i. The city will provide incentives through the Hampton Downtown Development Authority and/or Hampton Development Authority to encourage the construction of hotels, and tourism venues within areas designated UMU in the city's Comprehensive Plan.
 2. Village Mixed-Use category includes vertical and horizontal mixed-use projects, public uses, commercial uses, single-family residential and multi-family residential uses up to eight (8) dwelling units per net acre.
 - i. Up to twenty (20) percent net density increase available for horizontal fee simple residential construction for seniors, veterans, or a combination thereof or provides a minimum two (2) percent interest rate buydown for homeowners to extend the entire time length of their mortgage.
 - ii. Up to thirty (30) percent net density increase for vertical mixed-use construction that is four (4) stories or greater providing a minimum of five (5) percent commercial development on the first level and ten (10) percent of the residential units reserved for seniors and/or veterans.
 - iii. The city will provide incentives through the Hampton Downtown Development Authority and/or Hampton Development Authority to encourage fresh food retail, and grocery store development.

Developments are required to include Green Infrastructure (GI) and Low Impact Development (LID) strategies.

Streetscape features, and other architectural design elements must be cohesive and contribute to a unified theme in accordance with the city's VMU Architectural Stylings Guide for non-residential buildings, signage, and public art.