

**CITY OF HAMPTON
STATE OF GEORGIA**

ORDINANCE NO. 2021-542

TO AMEND THE OFFICIAL ZONING MAP FOR THE CITY OF HAMPTON; TO REZONE A CERTAIN PARCEL OF LAND FROM SINGLE FAMILY RESIDENTIAL (R-2) TO PLANNED DEVELOPMENT (PD); TO ALLOW FOR HIGHER DENSITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS:

WHEREAS, the Mayor and Council are the governing body of the City of Hampton, Georgia;

WHEREAS, a certain parcel of land bearing address 16 Derrick Avenue, Parcel Identification No. H08-02012000, and being 9.0 +/- acres (Henry County Tax Assessor 9.0 acres); and

WHEREAS, the owner of said property is desirous of rezoning to PD (Planned Development District) to allow for higher density development; and

WHEREAS, a public hearing on the application was conducted by the Mayor and Council on March 9, 2021, pursuant to O.C.G.A. § 33-66-1, et seq. and local ordinances at the Hampton City Hall; and

WHEREAS, the City agrees with the Owner and is desirous of amending the City's zoning map to provide for PD zoning of this certain parcel of land bearing address 16 Derrick Avenue, in Land Lot 248 of the 6th District, Parcel Identification No. H08-02012000, and being 9.0 +/- acres in size to allow for a residential subdivision; and (Henry County Tax Assessor 9.0 acres) to allow for higher density; and

WHEREAS, the City has sought the guidance of its staff and the Mayor and Council to determine if any conditions that must accompany the rezoning, and any and all alternate proposals or amendments, the report of Staff, and all data and evidence taken at the public hearing; and

NOW THEREFORE, IT IS HEREBY ORDAINED after a vote by the Mayor and Council of the City of Hampton that:

The Zoning Map of the City of the Hampton be amended to provide for the rezoning of a certain parcel of land bearing address 16 Derrick Avenue, in Land Lot 248 of the 6th District, Parcel Identification No. H08-02012000, and being 9.0 +/- acres in size to allow for a residential subdivision (Henry County Tax Assessor 9.0 acres), and that all conditions recommended by staff and/or the Mayor and Council, be adopted to allow for the rezoning from R-2 (Single-Family Residential) to PD (Planned Development) subject to the following enumerated (19) conditions:

1. Applicant shall submit a final site plan approval to Community Development, lots shall vary in size and setbacks, and there shall be both front and rear loaded product.
2. House floor plans and elevations shall be approved by Zoning Administrator and represent images submitted with zoning application.
3. There shall be a combination of 1, 1.5, and 2-story homes within the development.
4. Rear loaded products shall be served by a 12' wide alley.
5. Location and quantity of off-street parking shall be approved by Community Development.
6. Development shall have HOA and covenants recorded with Henry County Clerk of Superior Court prior to approval of final plat.
7. Development shall provide a 10' wide trail that ends at the southern boundary to allow for future connectivity.
8. Development shall provide a park amenity to include benches and accent landscaping.
9. Development shall install 5' sidewalk along Derrick Avenue in front of property.
10. Development shall install proper ADA ramp and crosswalks at Elm Street and Derrick Avenue.
11. Development shall install lighting and street trees on Derrick Avenue and Elm Street along property frontage.
12. Development shall provide decorative street signage.
13. Development shall consist of detached single-family residential homes only.

14. Photos provided by applicant must represent the final product.
15. Maximum of 3 units per gross acre.
16. Interior front loaded lots shall vary in elevation and include 1, 1.5, and 2-story homes.
17. Lots with front access drives shall have a side entry garage or detached front entry garage.
18. Final site plan for development shall contain maximum 27 lots on 9-acres and exemplify the 'Derrick Ave. @ Elm St. - Conceptual Site Plan', Whitley Engineering, Inc., dated March 8, 2021.
19. The owner/developer shall be responsible for extending water and sewer services to Parcel H08-02012000. Owner/developer responsibilities shall include engineering design and surveying costs, off-site easements, construction materials and labor costs, and the like in order to construct project improvements for water and sewer facilities that are not part of the City of Hampton's capital/system improvements for the community at large.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 3. This Ordinance shall be codified in a manner consistent with the laws of the State of Georgia and the City of Hampton.

Section 4. 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 5.

- 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 6. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

SO ORDAINED, this 13 day of July, 2021.

CITY OF HAMPTON, GEORGIA



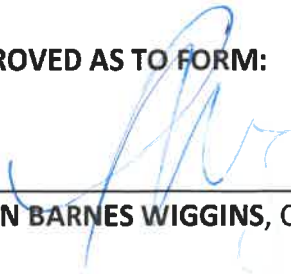
MARTY MEEKS, Mayor Pro Tem

ATTEST:



RASHIDA FAIRLEY, City Clerk Interim

APPROVED AS TO FORM:



L'ERIN BARNES WIGGINS, City Attorney

First Reading: 3/9/2021

Second Reading/
Adoption: 7/13/2021