

STATE OF GEORGIA

CITY OF HAMPTON

ORDINANCE NO. **2021-556**

AN ORDINANCE TO AMEND APPENDIX A - ZONING, ARTICLE 6 – BUSINESS DISTRICTS. SECTION 6-7. ALLOWED USES BE REPEALED AND REPLACED; TO PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR OTHER LAWFUL PURPOSES.

THE COUNCIL OF THE CITY OF HAMPTON HEREBY ORDAINS:

Section 1. That Section APPENDIX A – ZONING, ARTICLE 6. SECTION 6-7 – ALLOWED USES to be repealed and replaced.

Section 2. That Section APPENDIX A – ZONING, ARTICLE 6. SECTION 6-7 – ALLOWED USES as replaced shall read:

Sec. 6-7. Allowed Uses.

- A. In order to regulate a variety of similar uses, use categories have been established for principal uses. Principal and accessory uses allowed by district are shown in the table below. All uses are subject to all applicable requirements of this Ordinance.
1. Permitted Use (P). Indicates a use is permitted in the respective district.
 2. Conditional Use (CU). Indicates a use may be permitted in the respective district only where approved by the City Council.
 3. Use Not Permitted. A "-" in a cell indicates that a use is not permitted in the respective district.
- B. A use not specifically listed is prohibited unless the Zoning Administrator determines the use to be part of a use category as described below. If a proposed use is not listed in a use category, but is similar to a listed use, the Zoning Administrator may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Zoning Administrator must consider the following criteria:
1. Actual or projected characteristics of the proposed use.
 2. Amount of site area or floor area and equipment devoted to the proposed use.
 3. Sales volume.
 4. Type of customer.
 5. Number of employees.
 6. Hours of operation.
 7. Building and site arrangement.
 8. Types of vehicles used and their parking requirements.
 9. Number of vehicle trips generated.
 10. How the proposed use is advertised.

11. Likely impact on surrounding properties.

12. Whether the activity is likely to be found independent of the other activities on the site.

C. Where a use not listed is found by the Zoning Administrator not to be similar to any other permitted use, the use is only permitted following a text amendment per Section 12-7.

| Residential Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|--------------------------------|----|-----|-----|-----|-----|-----|---------------|
| Single-family dwelling | - | - | - | - | - | - | |
| Two-family dwelling | - | - | - | - | - | - | |
| Cottage court | - | - | - | - | - | - | |
| Townhouse | - | - | - | - | - | - | |
| Multi-family dwelling | - | - | - | - | - | - | |
| Manu-factured home | - | - | - | - | - | - | |
| Recreational vehicle (RV) park | - | CU | CU | - | - | - | Sec. 4-5 |
| Boarding or rooming house | - | - | - | - | - | - | |
| Congregate housing | P | - | - | - | - | - | Sec. 4-15 |

| Public Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|--|------------|-----|-----|-----|-----|-----|----------------|
| Place of worship | P | P | P | P | - | - | Sec. 4-8, 4-11 |
| Cemetery | CU | P | CU | CU | P | P | |
| Club, association, or lodge | P | P | CU | - | - | - | |
| College, university, or technical school | P | - | P | P | - | - | Sec. 4-8 |
| Community center | P | P | P | P | - | - | |
| Golf course | - | - | - | - | - | - | Sec. 4-9 |
| Government building | P | P | P | P | P | P | |
| Library, museum, or art gallery | P | - | - | - | - | - | |
| Park or recreation area | P | P | P | P | P | P | |
| School or youth center | P | P | - | - | - | - | Sec. 4-8 |
| Telecommunication antenna or tower | Article 10 | | | | | | |

| Commercial Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|---------------------------------------|----|-----|-----|-----|-----|-----|---------------|
| All lodging as listed below: | | | | | | | |
| Bed and breakfast | - | P | P | P | - | - | |
| Hotel or motel | - | - | - | P | - | - | |
| Short term rental | - | - | - | - | - | - | |
| All office, as listed below: | | | | | | | |
| Bank, savings & loan, or credit union | P | P | P | P | - | - | |
| Business and professional offices | P | P | P | P | - | - | |

| | | | | | | | |
|---|----|---|----|----|----|---|--|
| All recreation, as listed below: | | | | | | | |
| Bowling alley or pool hall | - | P | P | P | - | - | |
| Theater | - | P | P | P | - | - | |
| Fitness facility or gym | - | P | P | P | - | - | |
| Outdoor recreation facility | - | P | P | P | - | - | |
| All personal service, as listed below: | | | | | | | |
| Barber shop, beauty parlor, or similar personal service establishment | - | P | P | P | - | - | |
| Catering establishment | - | P | P | P | - | - | |
| Commercial kennel | - | - | - | P | - | - | |
| Copy/print shop | - | P | P | P | - | - | |
| Crematorium | - | - | - | CU | P | P | |
| Day care center | P | P | P | P | - | - | |
| Dry cleaning establishment or laundromat | - | P | P | P | - | - | |
| Funeral home or mortuary | P | - | CU | - | - | - | |
| Greenhouse, nursery, or landscape service | - | - | CU | P | - | - | |
| Eyeglasses sales or optometrist | - | P | P | P | - | - | |
| Large appliance repair | - | - | - | - | P | P | |
| Repair of personal goods | - | P | P | P | P | P | |
| Taxidermist studio | - | - | - | P | P | - | |
| All medical, as listed below: | | | | | | | |
| Veterinary office, hospital, or clinic | CU | - | CU | CU | - | - | |
| Hospital, medical office, dentist, or clinic | P | - | P | P | - | - | |
| All restaurants, as listed below: | | | | | | | |
| Bar or drinking place | - | P | P | P | - | - | |
| Food truck court | - | - | - | - | - | - | |
| Restaurant | - | P | P | P | - | - | |
| All general retail, except as listed below: | - | P | P | P | - | - | |
| Appliance sales | - | - | P | P | - | - | |
| Arts related business | - | P | P | P | - | - | |
| Auction gallery | - | - | P | P | - | - | |
| Building and lumber supply establishment | - | - | - | P | P | P | |
| Department store | - | - | P | P | - | - | |
| Farmers' market | - | P | P | P | - | - | |
| Feed and seed store | - | - | - | P | P | - | |
| Furniture store | - | - | P | P | - | - | |
| Grocery store | - | P | P | P | - | - | |
| Pawn shop | - | - | CU | CU | CU | - | |

| | | | | | | | |
|---|---|---|---|----|---|---|-------------------------|
| Pet shop | - | - | P | P | - | - | |
| Upholstery shop | - | - | P | P | - | - | |
| All vehicular service and sales, as listed below: | | | | | | | |
| Gas station | - | - | P | P | - | - | Sec. 4-4 |
| Car wash | - | - | P | P | - | - | |
| Vehicle or boat sales | - | - | - | P | - | - | |
| Sexually oriented business | - | - | - | P | P | - | |
| Parking lot or structure | - | - | - | CU | - | - | Sec. 4-14 Chapter 22 |
| Racetrack for vehicles or horses | - | - | - | CU | - | - | |
| Television, radio, or film production facility | - | - | P | P | - | - | |
| Utility substations | P | P | P | P | P | P | |

| Industrial Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|--|----|-----|-----|-----|-----|-----|---------------|
| All craft manufacturing | - | - | - | P | P | - | |
| All light industrial uses, as listed below: | | | | | | | |
| Distribution center or warehouse | - | - | - | - | P | P | |
| Dry cleaning or laundering plant | - | - | - | - | P | P | |
| Garage, repair shop, or machine shop | - | - | - | - | P | P | |
| Heavy equipment sales and/or service | - | - | - | - | P | P | |
| Manufacturing and industrial food production | - | - | - | - | P | P | |
| Printing, publishing, and reproducing establishment | - | - | - | - | P | P | |
| Renewable energy facility | - | - | - | - | P | P | |
| Research and development | - | - | - | - | P | P | |
| Wholesale store | - | - | - | - | P | P | |
| All heavy industrial uses, as listed below: | | | | | | | |
| Acid manufacture and storage | - | - | - | - | - | CU | |
| Asphalt and concrete batch plant | - | - | - | - | - | CU | |
| Central mixing plants for cement, mortar, or plaster materials | - | - | - | - | - | CU | |
| Ceramic product manufacturer | - | - | - | - | - | P | |
| Commercial livestock processing or feedlots | - | - | - | - | - | - | |

| | | | | | | | |
|---|---|---|---|---|----|----|----------|
| Concrete or cement product manufacturer | - | - | - | - | - | P | |
| Electric switch manufacturing | - | - | - | - | - | P | |
| Feed, grain, or fertilizer manufacture or storage | - | - | - | - | - | P | |
| Foundry or forging plant, metal manufacturing | - | - | - | - | - | CU | |
| Ice manufacture, including dry ice plants | - | - | - | - | - | P | |
| Lumber mill | - | - | - | - | - | CU | |
| Mining | - | - | - | - | - | CU | |
| Oil refinery or petroleum processing or storage | - | - | - | - | - | - | |
| Poultry processing plant | - | - | - | - | - | - | |
| All storage, as listed below: | | | | | | | |
| Armory | - | - | - | - | - | - | |
| Cold storage | - | - | - | - | P | P | |
| Rock, sand, or gravel distribution or storage | - | - | - | - | P | P | |
| Self-service storage facility | - | - | - | - | - | CU | |
| All transportation facilities, as listed below: | | | | | P | P | Sec. 4-3 |
| Airport, heliport, or landing area | - | - | - | - | CU | CU | |
| Bus terminals | - | - | - | P | P | - | |
| Railroad yards | - | - | - | - | - | P | |
| Truck terminals | - | - | - | - | - | P | |
| All junk or salvage yards, as listed below: | | | | | | | |
| Recycling center | - | - | - | - | CU | P | |
| Salvage yard or junkyard | - | - | - | - | - | CU | |
| Sanitary landfill | - | - | - | - | - | CU | |
| Waste transfer station | - | - | - | - | - | CU | |

| Agricultural Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|--|----|-----|-----|-----|-----|-----|----------------|
| All agriculture, including the raising of field crops, horticulture, keeping and raising of livestock or poultry | - | - | - | - | - | - | Secs. 4-6, 4-7 |
| Riding stable | - | - | - | - | - | - | Sec. 4-10 |

| Accessory Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|---|----|-----|-----|-----|-----|-----|---------------|
| Accessory apartment (750 sq. ft. or less) | - | - | - | - | - | - | Sec. 3-21 |

| | | | | | | | |
|--|---|---|---|---|----|----|-----------|
| Accessory apartment (over 750 sq. ft.) | - | - | - | - | - | - | Sec. 3-21 |
| Accessory structure (50 percent or less of minimum floor area of principal building) | P | P | P | P | P | P | Sec. 3-21 |
| Accessory structure (over 50 percent of minimum floor area of principal building) | - | - | - | - | - | - | Sec. 3-21 |
| Caretakers' quarters | - | - | - | - | CU | CU | |
| Commercial outside storage | - | - | - | P | P | P | Sec. 4-12 |
| Crop garden | - | - | - | - | - | - | |
| Guest quarters (750 sq. ft. or less) | - | - | - | - | - | - | Sec. 3-21 |
| Guest quarters (over 750 sq. ft.) | - | - | - | - | - | - | Sec. 3-21 |
| Home occupation | - | - | - | - | - | - | Sec. 4-2 |
| Home occupation in an accessory structure | - | - | - | - | - | - | |
| Live/work | - | - | - | - | - | - | |
| Noncommercial kennel, large | - | - | - | - | - | - | Sec. 4-6 |
| Noncommercial kennel, small | - | - | - | - | - | - | Sec. 4-6 |
| Parking of one unoccupied travel trailer, motor coach, or pleasure boat | - | - | - | - | - | - | |
| Recreation, amenity area, or fitness facility for residents | - | - | - | - | - | - | |

| Temporary Uses | OI | C-1 | C-2 | C-3 | M-1 | M-2 | Use Standards |
|--|----|-----|-----|-----|-----|-----|---------------|
| Produce stand | - | - | - | - | - | - | |
| Seasonal activity or temporary event | CU | CU | CU | CU | - | - | |
| Temporary construction or sales office | P | P | P | P | P | P | Sec. 4-13 |
| Temporary outdoor display | - | P | P | P | - | - | |

(Ord. No. 457 , § 1, 8-14-18)

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.

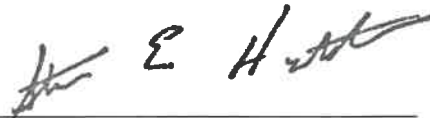
- a. It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.
- b. It is hereby declared to 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 14th day of September, 2021.

CITY OF HAMPTON, GEORGIA



STEVE HUTCHISON, Mayor

ATTEST:



MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:



L'ERIN BARNES WIGGINS, City Attorney

First Reading: 8/17/2021

Second Reading/Adoption: 9/14/2021