

CITY OF HAMPTON  
STATE OF GEORGIA

ORDINANCE NO. 2021-562

TO AMEND THE OFFICIAL ZONING MAP FOR THE CITY OF HAMPTON; TO REZONE A CERTAIN PARCEL OF LAND FROM HEAVY COMMERCIAL DISTRICT (C-3) TO OFFICE-INSTITUTIONAL DISTRICT (OI); TO ALLOW FOR SENIOR ASSISTED LIVING FACILITY; 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 704 and 708 Manassas Court, Parcel Identification No. 008D01143000; 008D01144000, and being 2.89 +/- acres; and

**WHEREAS**, the owner of said property is desirous of rezoning from C-3 (Heavy Commercial District) to OI (Office-Institutional District) to allow for senior assisted living facility; and

**WHEREAS**, a public hearing on the application was conducted by the Mayor and Council on October 12, 2021, pursuant to O.C.G.A. § 33-66-1, et seq. and local ordinances at the Hampton Train Depot; and

**WHEREAS**, the City agrees with the Owner and is desirous of amending the City's zoning map to provide for OI (Office-Institutional) zoning of this certain parcel of land bearing address 704 and 708 Manassas Court, Parcel Identification No. 008D01143000; 008D01144000, and being 2.89 +/- acres; and to allow for senior assisted living facility; 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:

**Section 1. Rezoning**

The Zoning Map of the City of the Hampton be amended to provide for the rezoning of a certain parcel of land bearing address 704 and 708 Manassas Court, Parcel Identification No. 008D01143000; 008D01144000, and being 2.89 +/- acres in size described in Attachment "A" incorporated by reference, and that all conditions recommended by staff and/or the Mayor and Council, be adopted to allow for the

rezoning from C-3 (Heavy Commercial District) to OI (Office-Institutional District) to allow for senior assisted living facility subject to the following enumerated conditions:

1. Owner/Developer shall submit a final concept plan for approval by Community Development Department.
2. Owner/Developer shall resurface existing pavement along property frontage in conjunction with site development.
3. Owner/Developer shall enclose stormwater detention facility with coated black chain link fencing in areas not visible from public right-of-way. In areas that are visible from public right-of-way the fence material shall be black aluminum picket fencing. Detention facilities shall be landscape and provide twenty (20) feet access easement for maintenance by owner/developer.
4. Owner/Developer shall provide architectural drawing of the Assisted living facility for approval by Community Development Department. Architectural details shall include variation of rooflines to avoid flat building elevations, and sidewalk connectivity from front entry of businesses.
5. Commercial buildings shall be constructed with brick, stone, stucco, or any combination thereof and may include the use of cement siding material for architectural accents, gable, eaves, fascia, etc. only.
6. Owner/Developer shall install an irrigation system with rain sensor controller for and all lawn, trees, and shrub and ground cover areas for assisted living facility. Standalone trees and shrubs/ground cover shall be planted in a mulch bed area.
7. Owner/Developer shall install exterior lighting on building structures with full cut off light fixtures and full cut off light fixtures on decorative poles when installed on the grounds and parking areas.
8. Owner/developer shall install pedestrian lighting and trees along street frontage.
9. Owner/developer shall establish a Reciprocal Easement Agreement (REA) or similar agreement for maintenance of the property to ensure and maintenance of assisted living facility including streets, parking facilities, building structures, accessory structures, lighting, signage, pedestrian facilities, landscaping, open space, and the like. The agreement shall be filed with Clerk of Superior Court, Henry County, GA prior to City of Hampton approval of final plat for the development.

**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 9th day of November, 2021.

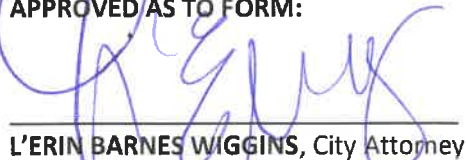
CITY OF HAMPTON, GEORGIA

  
STEVE HUTCHISON, Mayor

ATTEST:

  
MELISSA BROOKS, City Clerk

APPROVED AS TO FORM:

  
L'ERIN BARNES WIGGINS, City Attorney

First Reading: 10/12/2021

Second Reading/  
Adoption: 11/9/2021

