

ARTICLE 8
MULTI-FAMILY RESIDENTIAL (R-3) DISTRICT

Section 1. INTENT. The intent of the Multi-Family Residential District is to provide for living areas within the City for development of multiple family dwellings and single family dwellings which are compatible in character and density with the multiple family residential environment.

Section 2. PRINCIPAL USES PERMITTED. Only the following principal uses and structures shall be permitted in the (R-3) District:

- 2.1 Single family dwellings;
- 2.2 Two family dwellings (duplexes);
- 2.3 Multi-family dwellings;
- 2.4 Publicly owned and operated buildings and facilities, excluding substations, transfer stations, treatment facilities, pumping stations, storage facilities and regular stations.

Section 3. PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted:

- 3.1 Private garage or carport;
 - 3.1-1 Private detached garages or carports not intended for temporary purposes shall be required to have a roof and walls which comply with the requirements set forth in Article 4, Section 6.6-5.
- 3.2 Private swimming pools and tennis courts;
- 3.3 Private greenhouses not operated for commercial purposes;
- 3.4 Essential services;
- 3.5 Home occupations;
- 3.6 Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work;
- 3.7 Accessory uses and structures normally incidental and subordinate to the permitted uses and structures permitted as exceptions.
 - 3.7-1 Utility or garden sheds for wholly residential uses shall be no larger than one hundred twenty (120) square feet. Setback requirements for residential shed and storage units is three feet (3') side setback and three feet (3') rear setback.

3.7-2 Maximum height of accessory structures and uses in residential properties shall not exceed fifteen feet (15') in height.

3.8 Parking may be temporarily allowed for a travel trailer, camping trailer, a pick-up truck coach, auto camper or motorized home belonging to a guest of the property owner. A vehicle may park and be occupied for temporary lodging on the same lot, but not more than seven (7) days during a three (3) month period, only upon obtaining a special temporary permit; the vehicle shall not be parked in the front yard area.

Section 4. CONDITIONAL USES AND STRUCTURES. The following uses and structures may be permitted in the (R-3) District subject to provisions of Articles 18 and 20 of this Ordinance and with the approval of the Board of Adjustment:

- 4.1 Medical or dental clinics;
- 4.2 Mortuaries or funeral parlors;
- 4.3 Substations, transfer stations, treatment facilities, pumping stations, storage facilities and regulator stations;
- 4.4 Day nursery or nursery school;
- 4.5 Private parking lot.
- 4.6 Bed and Breakfast Inn
- 4.7 Boarding or lodging houses;
- 4.8 Hospitals, sanitariums, rest homes or nursing homes;
- 4.9 Private clubs or fraternities whose chief activity is not carried on as a business;
- 4.10 Churches, chapels, temples and similar places of worship;
- 4.11 Schools and colleges;

Section 5. BULK REGULATIONS. The following minimum requirements shall be observed subject to modifications contained in Article 15.

- 5.1 Lot Area: The minimum lot area shall be:
 - Single family dwelling: seven thousand (7,000) square feet
 - Two (2) family dwellings: two thousand four hundred (2,400) square feet per dwelling
 - Multi-family dwellings: maximum of twelve (12) dwelling units per acre

- 5.2 Lot Width:
Single-family dwelling: sixty (60) feet;
Two-family dwellings: add twenty (20) feet of building line frontage per unit;
Multi-family dwellings: add twenty (20) feet of building line frontage per unit, up to one hundred sixty (160) feet maximum.
- 5.3 Front Yard: The minimum front yard setback shall be twenty-five (25) feet.
- 5.4 Side Yard: The minimum side yard setback shall be six (6) feet.
- 5.5 Rear Yard: The minimum rear yard setback shall be twenty (20) feet.
- 5.6 Maximum Height: No building shall exceed a height of thirty-five (35) feet unless otherwise provided.
- 5.7 Percent of Developed Rear Yard: Accessory buildings and/or structures which are not a part of the main building shall not occupy more than thirty percent (30%) of the rear yard; however, this regulation shall not be interpreted to prohibit the construction of a four hundred forty (440) square foot garage in a rear yard.
- 5.8 Supplementary Regulations: See regulations prescribed in this Zoning Ordinance.

Section 6. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.

ARTICLE 9 MOBILE HOME (M-H) DISTRICT

Section 1. INTENT. The Mobile Home District (M-H) shall provide for mobile home subdivisions in areas of the community where such use is compatible with existing and future development. This district shall be well served by arterial streets to provide adequate access and planned development that is compatible with the character of neighboring land uses.

Section 2. PRINCIPAL USES PERMITTED. Only the following principal uses and structures shall be permitted in the (M-H) District.

- 2.1 Mobile homes located within planned mobile home subdivisions; and with the provisions of this section, regulations of the Franklin County Board of Health, applicable State Statutes, and Hampton standards;
- 2.2 Publicly owned and operated buildings and facilities, excluding substations, transfer stations, treatment facilities, pumping stations, storage facilities and regular stations.

Section 3. PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted:

- 3.1 Accessory uses and structures normally incidental and subordinate to the permitted uses and structures and to uses and structures permitted as exceptions;
 - 3.1-1 Accessory structures and uses may include but not limited to: utility and garden sheds, storage units, detached garage(s), decks, porches, gazebos, swimming pools, kennels, satellite receiver dishes, wood piles, compost piles, and gardens.
 - 3.1-2 Utility or garden sheds for wholly residential uses shall be no larger than one hundred twenty (120) square feet. Setback requirements for residential shed and storage units is three (3') side setback and three (3') rear setback.
 - 3.1-3 Maximum height of accessory structures and uses in residential properties shall not exceed fifteen feet (15') in height.
- 3.2 Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work;
- 3.3 Home occupations;
- 3.4 Essential services;
- 3.5 Sale of mobile homes for use on the premises only, provided that such mobile homes are suited and connected to all utilities.

Section 4. CONDITIONAL USES AND STRUCTURES. The following uses may be permitted in the Mobile Home District (R-4) subject to approval by the Board of Adjustment as provided in Articles 18 and 20 of this Ordinance.

- 4.1 Substations, transfer station, treatment facilities, pumping stations, storage facilities, and regulator stations;
- 4.2 Churches, chapels, temples and similar places of worship.

Section 5. SPECIAL REQUIREMENTS. Mobile homes within the M-H District shall be subject to the following special requirements;

- 5.1 In all mobile home parks, except as provided in this Ordinance there shall be one (1) or more recreation areas which shall be safe and easily accessible to all residents. The size of such recreation areas shall be based upon a minimum of two hundred fifty (250) square feet for each lot. No outdoor recreation area shall contain less than one thousand (1,000) square feet.
- 5.2 Each mobile home shall be served with water and sanitary sewer utilities, service facilities for bathing, laundry, etc. as required by state and local health regulations, and current city standards;
- 5.3 Exceptions:
 - A) A travel trailer, camping trailer, a pick-up truck coach, auto camper or motorized home belonging to a guest of the property owner may park and occupy for temporary lodging on the same lot but not more than seven (7) days in a calendar quarter, only upon obtaining a special temporary permit;
 - B) A trailer or mobile home may be used as a temporary office incidental to the construction of a building development for duration of the construction provided the trailer is located on the same lot as the construction project.

Section 6. BULK REGULATIONS. The following minimum requirements shall be observed subject to modifications contained in Article 15:

- 6.1 Minimum lot area for mobile home park:
 - A) Lot Area: The minimum lot area shall be five (5) acres;
 - B) Lot Width: The minimum lot width shall be three-hundred (300) feet;

- C) Front Yard: The minimum front yard shall be thirty-five (35) feet.
- D) Side Yard: The minimum side yard shall be thirty (30) feet.
- E) Rear Yard: The minimum rear yard shall be thirty (30) feet.
- F) Maximum Height: The maximum height shall be thirty-five (35) feet unless otherwise provided.

6.2 Individual trailer lot requirements:

- A) Lot Area: The minimum lot area shall be three thousand (3,000) square feet per trailer.
- B) Lot Width: The minimum lot width shall be thirty-five (30) feet.
- C) Front Yard: The minimum front yard shall be twenty-five (25) feet.
- D) Side Yard: The minimum side yard setback shall be five (5) feet, with a minimum aggregate of fifteen (15) feet; side yards adjacent to any other zone district shall be not less than twenty (20) feet.
- E) Rear Yard: The minimum rear yard setback shall be fifteen (15) feet; no building shall be within thirty (30) feet of any rear lot line which abuts any other zone district.
- F) Maximum Height: The maximum height shall be thirty-five (35) feet.

6.3 Supplementary Regulations. See regulations prescribed in this Zoning Ordinance.

Section 7. GENERAL PROVISIONS. All mobile home parks shall be located within the Mobile Home (R-4) District subject to the following requirements:

- A) No mobile home shall be connected to water, sewer, or electrical services unless the mobile home complies with the standards and requirements of the National Fire Protection Association, the City of Hampton, and State and local Departments of Health. Compliance with these standards shall be determined by the administrative officer.
- B) No mobile home shall be located in any Mobile Home Park, until a Mobile Home Park Development Plan is officially approved by the Planning and Zoning Commission and the required licensing provisions of the Code of Iowa are complied with.

1. The owner or owners of any tract of land comprising an area of not less than five (5) acres may submit to the Planning and Zoning Commission a plan for the use and development of all such tracts of land for Mobile Home purposes.
 2. In acting upon and approving mobile home parks, the Planning and Zoning Commission shall consider the location, size, height, spacing, use of any mobile homes and their appurtenances, access and circulation for vehicles and pedestrians, streets, parking areas, yards and open spaces and the relationship to adjacent property. The Planning and Zoning Commission shall not recommend a mobile home park development plan unless such plan conforms to all applicable provisions provided in this Ordinance, and any state, federal, or local city policy.
- C) If said mobile home park development plan contains no dedication to the City streets or utilities, or should it be contemplated that the facilities of the City shall not be used for maintenance of streets, sidewalks, and water and sewer lines, garbage collection, or other related functions, then the owner shall be required to record with the Mobile Home Park Plan a covenant, as follows:
- "That (Name of owner), being the owner or owners of the real estate contained in the above attached mobile home park development plan, hereby consent that if they or their assignees, heirs, or those holding or owning said land through owners, fail to maintain the streets, sidewalks, water or sewer mains according to and in compliance with the minimum standards for the maintenance of streets, sidewalks, water or sewer mains as established by the City of Hampton, Iowa, that after twenty-four (24) hours notice in writing to the owner of said land as shown upon the records of the County Auditor's office of Franklin County, Iowa, and at the address therein shown, then said owner, assignees, heirs, and those holding or owning through said owners, hereby authorize the City of Hampton, Iowa to make all necessary repairs and perform all necessary maintenance, and further authorize the City of Hampton, Iowa, to file a mechanic's lien other lien or encumbrance against said real estate, and enforce said lien pursuant to laws then applicable."
- D) Exposed ground surfaces in all parts of every mobile home park shall be paved, covered with stone screening, or other solid material, or protected with a vegetative growth or other material capable of preventing soil erosion and objectionable dust.
- E) Adequate provisions shall be made to handle all surface and storm drainage water as determined by the City Engineer.
- F) The limits of each mobile home lot shall be clearly marked on the ground by permanent steel or iron rods driven into the ground with the top of said rods flush with the finish lot grade. Location of lot limits in the ground shall be approximately the same as shown on the approved plans. The degree of accuracy

obtainable by working with a scale on the plan and then a tape on the ground is acceptable. Precise engineering of lot limits is not required either on the plans or on the ground. This is not to be construed as permitting lots of a lesser size than the required minimum, or permitting lesser yard or separation dimensions than set forth elsewhere in this Ordinance.

- G) No part of any mobile home park shall be used for nonresidential purposes, except such uses that are required for services, well-being of park residents, and for the management and maintenance of the park. Nothing contained in this section shall be deemed to prohibit the sale by an owner of a mobile home located on a mobile home stand connected to the pertinent utilities. Any sale of mobile homes in place on the mobile home stand shall in no way relieve any parties involved from complying with all regulations of this Ordinance.
- H) In all mobile home parks there shall be one or more recreation area which shall be safe and easily accessible to all park residents. The size of such recreation areas shall be based upon a minimum of two hundred fifty (250) square feet for each lot. No outdoor recreation area shall contain less than one thousand (1,000) square feet. The required recreational area shall be computed in addition to any other common space required by this Ordinance.
- I) All mobile home parks shall conform to the above requirements in addition to all current City specifications and standards.
- J) Minimum Lot Area for Mobile Home Park: Refer to Article 8/Mobile Home District.
- K) Individual Trailer Lot Requirements: Refer to bulk regulations in this Article.
- L) Minimum Design Criteria:
 - 1. Roads and streets shall be at least twenty-five (25) feet wide;
 - 2. All streets shall be hard surfaced, of which may contain concrete, asphalt, or crushed rock;
 - 3. The minimum space between trailers shall be fifteen (15) feet;

Section 8. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.

ARTICLE 10
DOWNTOWN COMMERCIAL (C-1) DISTRICT

Section 1. INTENT. The intent of the Central Business District is to provide for a commercial area to serve the general shopping needs of the trade area and to permit uses which will strengthen the central business area as the center of trade, service, governmental and cultural activities.

Section 2. PRINCIPAL USES PERMITTED. Only the following principal uses and structures shall be permitted in the (C-1) District:

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|------|---|------|---|
| 2.1 | Antique shops; | 2.31 | Hotel; |
| 2.2 | Art shops; | 2.32 | Hospital, clinics, and infirmaries; |
| 2.3 | Automobile service station; | 2.33 | Jewelry store; |
| 2.4 | Bakery, retail; | 2.34 | Launderette; |
| 2.5 | Bank, including drive-in establishments, savings and loans; | 2.35 | Leather goods store; |
| 2.6 | Barber shop, beauty parlor; | 2.36 | Music store; |
| 2.7 | Billiards-pool hall; | 2.37 | Newsstand; |
| 2.8 | Bookstore; | 2.38 | Office equipment and supply store; |
| 2.9 | Broadcasting and receiving station; | 2.39 | Optical goods store; |
| 2.10 | Camera shop; | 2.40 | Paint store; |
| 2.11 | Candy store; | 2.41 | Public parking lots |
| 2.12 | Catering; | 2.42 | Pharmacy; |
| 2.13 | Cigar-tobacco store; | 2.43 | Photography store; |
| 2.14 | Clothing or apparel store; | 2.44 | Plumbing, heating and sheet metal |
| 2.15 | Conservatory commercial; | 2.45 | Publicly owned and operated buildings and facilities, excluding substations, transfer stations, treatment facilities, pumping stations, storage facilities, and regulator stations; |
| 2.16 | Convention building for private display; | 2.46 | Printing, newspaper, commercial; |
| 2.17 | Dairy store; | 2.47 | Professional offices; |
| 2.18 | Department store; | 2.48 | Retail pet shops; |
| 2.19 | Drug store; | 2.49 | Shoe store and repair shop; |
| 2.20 | Dry cleaning; | 2.50 | Sporting goods store; |
| 2.21 | Dry goods and notion store; | 2.51 | Theater; |
| 2.22 | Eating and drinking establishment; | 2.52 | Upholstery shop; |
| 2.23 | Electrical equipment, appliance supply and repair; | 2.53 | Variety store; |
| 2.24 | Florist store; | 2.54 | Video store; |
| 2.25 | Furniture store; | 2.55 | Other downtown commercial uses as determined by the Zoning Administrator to be of the same general character as the uses permitted in the District. |
| 2.26 | Gift shop; | | |
| 2.27 | Grocery store; Supermarket; | | |
| 2.28 | Gymnasium, private; | | |
| 2.29 | Hardware store; | | |
| 2.30 | Heating-air conditioning supplies; | | |

Section 3. PERMITTED ACCESSORY USES AND STRUCTURE. The following accessory uses and structures shall be permitted:

- 3.1 Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work;
- 3.2 Accessory uses and structures normally incidental and subordinate to the permitted uses and to uses and structures permitted as exceptions;
- 3.3 Essential service.

Section 4. CONDITIONAL USES AND STRUCTURES. The following uses and structures may be permitted in the (CB) District subject to provisions of Article 18 and 20 of this Ordinance and with the approval of the Board of Adjustment.

- 4.1 Two family and Multi-family dwellings; and apartments;
- 4.2 New farm implement and equipment open air display and storage;
- 4.3 Open air auto sales display and storage;
- 4.4 Private parking lots;
- 4.5 Substations, transfer stations, treatment facilities, pumping stations, storage facilities and regulator stations;
- 4.6 Churches, chapels, temples and similar places of worship;
- 4.7 Day nursery or nursery school;
- 4.8 Lumber yard and building materials –open storage;
- 4.9 Auditorium, exhibition hall, club;
- 4.10 Automobile washing;
- 4.11 Book magazine publishing and sales;
- 4.12 Bowling alley;
- 4.13 Carpentry shop;
- 4.14 Commercial nurseries and greenhouses;
- 4.15 Commercial recreation or amusements;

- 4.15 Commercial recreation or amusements;
- 4.16 Drive-in establishment;
- 4.17 Garden supplies store;
- 4.18 Motels;
- 4.19 Private clubs;
- 4.20 Churches, chapels, temples and similar places of worship;
- 4.21 Woodworking shop, small;
- 4.22 Veterinary clinics;
- 4.23 Other commercial uses determined by the Zoning Board of Adjustment to be of the same general character as the uses permitted in the District.

Section 5. BULK REGULATIONS. The following minimum requirements shall be observed subject to modifications contained in Article 15.

- 5.1 Lot Area: No minimum lot area shall be required.
- 5.2 Lot Width: No minimum lot width shall be required.
- 5.3 Front Yard: No minimum front yard shall be required.
- 5.4 Side Yard: No minimum side yard shall be required.
- 5.5 Rear Yard: No building shall be within twenty (20) feet of the rear lot line.
- 5.6 Maximum Height: No building shall exceed a height of thirty-five (35) feet.
- 5.6 Supplementary Regulations: See regulations prescribed in this Zoning Ordinance.

Section 6. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.

ORDINANCE NO. 346

AN ORDINANCE AMENDING CHAPTER 165, ARTICLE 11, ARTERIAL TRANSITIONAL (A-T) ZONING DISTRICT, BY ADDING NEW SUBSECTION 4.3, MULTI-FAMILY DWELLINGS THERETO.

BE IT ENACTED by the City Council of the City of Hampton, Iowa:

- SECTION I.** **PURPOSE:** The purpose of this Ordinance is to amend Section 4 of Article 11 (A-T) of Chapter 165 of the Hampton Municipal Code to provide for a new Subsection allowing Multi-Family Dwellings as a Conditional Use.
- SECTION II.** **AMENDMENT.** Section 4 of Article 11 (A-T) of Chapter 165 of the Hampton Municipal Code is amended by adding thereto Section 4.3, "Multi-Family Dwellings" as defined herein below.
- SECTION III.** **DEFINITIONS:** The term Multi-Family Dwelling shall be defined as a residence designed for occupancy by three (3) or more families with separate facilities for housekeeping and cooking for each, as defined as Dwelling, Multi-Family under Article 3, Chapter 165, Hampton Municipal Code.
- SECTION IV.** **REPEALER:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.
- SECTION V.** **SEVERABILITY CLAUSE:** If any Section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudications shall not affect the validity of the Ordinance as a whole or any Section, provision or part thereof not adjudged invalid or unconstitutional.
- SECTION VI.** **EFFECTIVE DATE:** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF HAMPTON, IOWA, ON
THE 27th DAY OF FEBRUARY, 2014, AND APPROVED
THIS 27th DAY OF FEBRUARY, 2014.**



Brook S. Boehmler, Mayor

ATTEST:



Ron Dunt, City Manager

ARTICLE 11 ARTERIAL TRANSITIONAL (AT) DISTRICT

Section 1. INTENT. This district is intended to provide for certain areas of the City for the development of service, retail, and other nonresidential uses which because of certain locational requirements and operation characteristics are appropriately located in close proximity to arterial and other main thoroughfares. Residential type structures are also permitted. The district is further characterized by a typical need for larger lot sides, off-street parking, adequate setbacks, clear vision, safe ingress and egress, and access to the other adjacent thoroughfares.

Section 2. PRINCIPAL PERMITTED USES. Only the following principal uses and structures shall be permitted in the (AT) District:

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|------|---|------|---|
| 2.1 | Antique shops | 2.31 | Florist shops |
| 2.2 | Art galleries | 2.32 | Furniture store |
| 2.3 | Arts, crafts, hobby shops | 2.33 | Garden supply store |
| 2.4 | Auditorium, exhibition hall, private clubs | 2.34 | Gift shops |
| 2.5 | Automobile service station | 2.35 | Governmental office buildings |
| 2.6 | Automobile washing | 2.36 | Grocery store |
| 2.7 | Auto body repair | 2.37 | Hotel, motel |
| 2.8 | Automobile, trailer, motorcycle, boat and farm
implement establishments for display, hire, rental
and sales (including sales lots) | 2.38 | Insurance and real estate offices |
| 2.9 | Bank, including drive-in establishments, savings
and loans | 2.39 | Law offices |
| 2.10 | Barber and beauty shops | 2.40 | Liquor store |
| 2.11 | Bed and breakfast inns | 2.41 | Lumber and building materials |
| 2.12 | Bicycle shops, sales and repairs | 2.42 | Massage therapy offices and clinics |
| 2.13 | Book and stationery shops, but not adult books | 2.43 | Mortuaries |
| 2.14 | Bowling alley | 2.44 | Personal improvement services |
| 2.15 | Business and management consulting services and
business offices in which goods, wares or
merchandise are not displayed or sold on premises | 2.45 | News dealers |
| 2.16 | Carpentry shop | 2.46 | Newspaper office, but not including industrial
printing shops |
| 2.17 | Catering establishments | 2.47 | Opticians offices |
| 2.18 | Chiroprodists, chiropractors and osteopaths offices
and clinics | 2.48 | Photographer, art, sculptor and composer studios |
| 2.19 | Commercial nurseries and greenhouses | 2.49 | Physicians offices and clinics |
| 2.20 | Convenience store | 2.50 | Radio and television broadcast, sales and service
shops (Towers are governed by Section 16 or
Article 15 of this Zoning Code) |
| 2.21 | Credit reporting services and collection services | 2.51 | Retail print shop |
| 2.22 | Dairy store | 2.52 | Research and testing services but not industrial
laboratories |
| 2.23 | Day care centers | 2.53 | Restaurants |
| 2.24 | Dentists offices and clinics | 2.54 | Retail pet shop |
| 2.25 | Drive-in | 2.55 | Single-family detached dwellings |
| 2.26 | Drug store | 2.56 | Sporting good store |
| 2.27 | Dry cleaning and coin operated laundry | 2.57 | Tailors and dressmakers |
| 2.28 | Educational, charitable religious and similar public
or quasi-public office buildings | 2.58 | Toy stores |
| 2.29 | Employment services | 2.59 | Travel bureaus |
| 2.30 | Engineers and architects offices | 2.60 | Two-family dwellings |
| | | 2.61 | Religious assembly (churches) |
| | | 2.62 | Commercial Storage Building consisting of storage
units for enclosed indoor storage only |

Section 3. PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted in the (AT) District:

- 3.1 Private recreational facilities;

- 3.2 Living quarters of persons employed on the premises and not rented or otherwise used as a separate dwelling;
- 3.3 Private garages;
- 3.4 Parking lots;
- 3.5 Accessory uses and structures normally incidental and subordinate to the permitted uses and to uses and structures permitted as exceptions;
- 3.6 Temporary buildings for the uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.

Section 4. CONDITIONAL USES AND STRUCTURES. The following uses and structures may be permitted in the (AT) District subject to provisions of Article 18 and 20 of this Zoning Ordinance and with the approval of the Board of Adjustment:

- 4.1 Public or private utility substations, relay stations, etc.
- 4.2 Auction houses.
- 4.3 Multi-Family Dwellings.

Section 5. BULK REGULATIONS. The following minimum requirements shall be observed, subject to modifications contained in Article 15.

- 5.1 Lot Area: The minimum lot area shall be: 6,000 square feet minimum (all uses).
- 5.2 Lot Width: The minimum lot width shall be 60 feet.
- 5.3 Front Yard: The minimum front yard shall be 30 feet.
- 5.4 Side Yard: The minimum side yard if adjacent to a residential district shall be equal to the minimum side yard required in the adjacent district; but in no instance less than 6 feet.
- 5.5 Rear Yard: The minimum rear yard if adjacent to a residential district shall be equal to the minimum rear yard required in the adjacent district; but in no instance less than 6 feet.
- 5.6 Maximum Height: No building shall exceed a height of 35 feet or three stories, whichever is less, unless otherwise provided.

Section 6. GENERAL REGULATIONS. The following general regulations shall apply in the AT District.

- 6.1 All required yards, including those which may be used for off-street parking shall be landscaped. They shall be landscaped attractively with natural lawn, living trees and/or shrubs, etc. Any areas left in a natural state shall be properly maintained in a sightly and well-kept condition.
- 6.2 All business shall be conducted within an enclosed yard or building, except by special exceptions.
- 6.3 New additions and conversions from residential to commercial shall:
 - a) Preserve significant historic material and features. Building finishes used for the addition should be similar in material, color and dimension to those used on the existing structure.
 - b) Preserve the character of the building. The scale of the addition should be compatible with the original building.
 - c) Make a visual distinction between old and new construction based on location of new construction and its visual appeal to the neighborhood.

Section 7. DESIGN REVIEW BOARD. The following regulations shall apply in the AT District.

7.1 Powers and Duties:

- a) The Planning and Zoning Commission shall be responsible for reviewing all applications for design review required under this section.
- b) The Planning and Zoning Commission shall have the power to approve or deny applications with or without conditions. If an application is denied the reasons for the denial shall be stated.
- c) The Planning and Zoning Commission shall create and maintain a list of design guidelines which it shall apply to all applications. Said guidelines may be amended by a majority vote of the Planning and Zoning Commission.

Section 8. DESIGN REVIEW PROCEDURE. The following procedures shall apply in the AT District.

8.1 Application for Design Review.

- a) The applicant shall obtain a design review application from the Administrative Official who shall be responsible for the overall coordination and administration of the design review process. Once the application and appropriate sets of plans have been received and determined to be complete, the Planning and Zoning Commission shall within 20 working days conduct a review and approval or disapproval or modification of the application.
- b) Should a question arise as to compliance with the conditions as outlined by the Design Review Board, a clarification review before the Board may be called by any City Department having jurisdiction or by the applicant.
- c) Upon receipt of a properly completed application, the applicant shall be notified of the time and place the review will be held. The Planning and Zoning Commission shall have full power and authority to consider any application subject to design review under this section.
- d) The Planning and Zoning Commission may require such changes in said plans and specifications as in its judgment may be requisite and appropriate to the maintenance of a high standard of design and architecture.
- e) No zoning/building permit shall be issued unless all the plans, including amendments, notes, revisions or modifications have been approved by the Planning and Zoning Commission. Minor modifications to plans that have been approved by the Planning and Zoning Commission will be permitted when approved by the Administrative Official.
- f) An applicant may submit an application for a zoning/building permit simultaneously with a design plan review in order to expedite processing. However, no zoning/building permit shall be issued until the final design plan has been approved.

Section 9. LANDSCAPING. The applicant shall submit the following:

- 9.1 A general concept of the intended landscaping, graphic or written.
- 9.2 A listing of existing vegetation by type, number, size and location.
- 9.3 Proposals to protect and preserve trees during and after construction.
- 9.4 A proposed plan showing number, size, type and location of plant materials.
- 9.5 Any maintenance needs or landscape construction plans.

ORDINANCE NO. 348

AN ORDINANCE AMENDING SECTION 3(E) OF ARTICLE 12, LIGHT INDUSTRIAL ZONING DISTRICT (I-1) AND SECTION 3(D) OF ARTICLE 13, HEAVY INDUSTRIAL ZONING DISTRICT (I-2), CHAPTER 165, REMOVING THE WORDS "GUN POWDER" FROM PROHIBITED INDUSTRIAL USES, HAMPTON MUNICIPAL CODE.

BE IT ENACTED by the City Council of the City of Hampton, Iowa:

SECTION I. **PURPOSES:** The purpose of this Ordinance is to amend Section 3(E) of Article 12 (I-1) and Section 3(D) of Article 13 (I-2) of Chapter 165 of the Hampton Municipal Code to remove the words "gun powder" leaving the words "fireworks or other explosives".

SECTION II. **AMENDMENT:** Section 3(D) of Article 13 (I-2), Chapter 165, and Section 3(E) of Article 12 (I-1), Chapter 165, Hampton Municipal Code are with amended to read as follows:

Section 3(D) of Article 13 (I-2), Chapter 165 of the Hampton Municipal Code shall be, "Manufacture or storage of fireworks or other explosives as defined herein."

Fireworks are defined as any device containing specific chemicals that are known to produce spectacular effects and explosions, and includes but is not limited to "sparklers", "snakes", "pop bottle or other devices that launch to provide a "sky display", "firecrackers", or any other device containing combustible chemicals ignited to produce explosions or spectacular effects.

Explosives are defined as any substance able or likely to explode, but excluding farm chemicals and fertilizer."

Section 3(E) of Article 12 (I-1), Chapter 165, Hampton Municipal Code shall be "Manufacture or storage of fireworks or other explosives as defined herein."

Fireworks are defined as any device containing specific chemicals that are known to produce spectacular effects and explosions, and includes but is not limited to "sparklers", "snakes", "pop bottle or other devices that launch to provide a "sky display", "firecrackers", or any other device containing combustible chemicals ignited to produce explosions or spectacular effects.

Explosives are defined as any substance able or likely to explode, but excluding farm chemicals and fertilizer."

SECTION IV. **PENALTY:** Anyone including an individual, Corporation, Limited Liability Company or Partnership not complying with any of the provisions of the Municipal Code shall be charged with a Simple Misdemeanor and upon conviction subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$625.00, or both.

SECTION V. **REPEALER:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

SECTION VI. **SEVERABILITY CLAUSE:** If any Section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudications shall not affect the validity of the Ordinance as a whole or any Section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION VII. **EFFECTIVE DATE:** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF HAMPTON, IOWA, ON
THE 27th **DAY OF** FEBRUARY, **2014, AND APPROVED**
THIS 27th **DAY OF** FEBRUARY, **2014.**



Brook S. Boehmler, Mayor

ATTEST:



Ron Dunt, City Manager

ORDINANCE NO. 347

AN ORDINANCE AMENDING SECTION 4, ARTICLE 12, LIGHT INDUSTRIAL ZONING DISTRICT (I-1), CHAPTER 165, HAMPTON CODE AND SECTION 4, ARTICLE 13, HEAVY INDUSTRIAL ZONING DISTRICT (I-2), CHAPTER 165, HAMPTON CODE ALLOWING FIREARM MANUFACTURING AND ASSEMBLY AS A PRINCIPAL PERMITTED USE.

BE IT ENACTED by the City Council of the City of Hampton, Iowa:

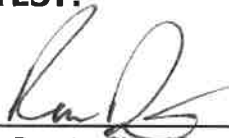
- SECTION I.** **PURPOSES:** The purpose of this Ordinance is to amend Section 4 of Article 12 (I-1), Chapter 165, Hampton Municipal Code and Section 4, Article 13 (I-2), Chapter 165 of the Hampton Municipal Code to allow firearm manufacturing and assembly as a principal permitted use.
- SECTION II.** **AMENDMENT.** Section 4 of Article 12 (I-1), and Section 4 of Article 13 (I-2), Chapter 165, Hampton Municipal Code are amended as follows: Section 4 of Article 12 (I-1) of Chapter 165 is amended by adding new Section 4.28 to read as follows: "4.28 Firearm Manufacturing and Assembly."
- Section 4 of Article 13 (I-2) of Chapter 165 is amended by adding new Subsection 4.13 to read as follows: "4.13 Firearm Manufacturing and Assembly."
- SECTION III.** **DEFINITIONS:** Firearms are defined as rifles, pistols or other portable gun.
- SECTION IV.** **PENALTY:** Any individual, Corporation, firm, Limited Liability Company or Partnership shall upon violating any of the provisions of the Municipal Code will be charged with a Simple Misdemeanor, upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$625.00, or both.
- SECTION V.** **REPEALER:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.
- SECTION VI** **SEVERABILITY CLAUSE:** If any Section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudications shall not affect the validity of the Ordinance as a whole or any Section, provision or part thereof not adjudged invalid or unconstitutional.
- SECTION VII.** **EFFECTIVE DATE:** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF HAMPTON, IOWA, ON
THE 27th **DAY OF** FEBRUARY, **2014, AND APPROVED**
THIS 27th **DAY OF** FEBRUARY, **2014.**



Brook S. Boehmler, Mayor

ATTEST:



Ron Dunt, City Manager

CITY OF HAMPTON, IOWA – ORDINANCE NO. 347

ORDINANCE NO. 349

AN ORDINANCE AMENDING SECTION 6, ARTICLE 12, LIGHT INDUSTRIAL ZONING DISTRICT (I-1), CHAPTER 165, HAMPTON MUNICIPAL CODE AND SECTION 6, ARTICLE 13, HEAVY INDUSTRIAL ZONING DISTRICT (I-2), CHAPTER 165, HAMPTON MUNICIPAL CODE TO PROVIDE AMMUNITION MANUFACTURING AS A CONDITIONAL USE.

BE IT ENACTED by the City Council of the City of Hampton, Iowa:

- SECTION I.** **PURPOSES:** The purpose of this Ordinance is to amend Section 6, Article 12 (I-1), by adding a new Section 6.7 to Article 12, Chapter 165 of the Hampton Code of Ordinances, renumbering current Section 6.7 to 6.8, and adding new Subsection 6.7 and renumber current Section 6.7 to Section 6.9 to Article 13 (I-2), Chapter 165 of the Hampton Municipal Ordinances by adding new Subsections to provide that Ammunition Manufacturing may be a conditional use in Light and Heavy Industrial Districts.
- SECTION II.** **AMENDMENTS:** Section 6, Article 12 (I-1), Chapter 165 and Section 6, Article 13 (I-2), Chapter 165 of the Hampton Municipal Code are hereby amended by adding thereto Section 6.7 in said Article 12 (I-1), renumbering current 6.7 to 6.8 and adding Section 6.7 to Article 13 (I-2), Chapter 165, Hampton Municipal Code and renumbering current Subsection 6.7 to Section 6.9 which amendments will each read as follows: Sections 6.7 Article 12 (I-1), Chapter 165 and Section 6.7 Article 13 (I-2), Chapter 165, "Manufacturing ammunition, commonly defined as bullets or shells, to be used in pistols, rifles, shotguns, or other means of projectile."
- SECTION III.** **PENALTY:** Any person, firm, Corporation upon violating any of the provisions of this Ordinance shall upon conviction, be subject to imprisonment not exceeding thirty (30) days, or a fine not exceeding \$625.00.
- SECTION IV.** **REPEALER:** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.
- SECTION V.** **SEVERABILITY CLAUSE:** If any Section, provision or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudications shall not affect the validity of the Ordinance as a whole or any Section, provision or part thereof not adjudged invalid or unconstitutional.
- SECTION VI.** **EFFECTIVE DATE:** This Ordinance shall be in effect after its final passage, approval and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF HAMPTON, IOWA, ON
THE 27th **DAY OF** FEBRUARY, **2014, AND APPROVED**
THIS 27th **DAY OF** FEBRUARY, **2014.**



Brook S. Boehmler, Mayor

ATTEST:



Ron Dunt, City Manager

Section 10. APPEAL. The following regulations shall apply in the AT District.

10.1 The applicant or any City Department having jurisdiction may appeal any decision of the Planning and Zoning Commission to the Board of Adjustment.

Section 11. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.

ARTICLE 12 LIGHT INDUSTRIAL (I-1) DISTRICT

Section 1. INTENT. The intent of this District is to provide space for certain commercial and a wide range of industrial uses and structures which are able to meet certain performance standards to protect nearby non-industrial uses from undesirable environmental conditions.

Section 2. PROHIBITED NON-INDUSTRIAL USES. In industrial districts, no building may hereafter be used in whole or in part for any of the following purposes:

- A. Residential uses or any dwelling use including hotels and motels; excluding a caretakers unit;
- B. Retail store, service shop, theater or other place of commercial recreation or amusement, filling station, restaurant or tavern;
- C. School, church, hospital, sanitarium, correctional institution or other institutional use;
- D. Cemetery.

Section 3. PROHIBITED INDUSTRIAL USES. The following industrial uses are prohibited in industrial districts:

- A. Acid manufacture, or storage except on a limited scale as an accessory to a permitted industry and under conditions specified by the Board of Adjustment;
- B. Slaughterhouse and stockyard;
- C. Manufacture of fertilizers;
- D. Garbage, waste materials, offal, dead animal, or refuse incineration or storage;
- E. Manufacture or storage of fireworks or other explosives as defined herein.

Section 4. PRINCIPAL USES PERMITTED. Only the following principal uses and structures shall be permitted in the (I-1) District, except those uses which by reason of the emission of odor, dust, fumes, smoke, noise and other obnoxious characteristics would be injurious to the public health, safety and general welfare of the community:

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| 4.1 Assembly or fabrication of metal products, inside a building; | 4.14 Concrete and cement products manufacture; |
| 4.2 Baggage, transfer, storage warehouses; | 4.15 Dairy products manufacture; |
| 4.3 Bakery, wholesale and manufacture; | 4.16 Dry goods, wholesale or storage; |
| 4.4 Building material storage and sales yard; | 4.17 Express storage and delivery station; |
| 4.5 Boot and shoe manufacture; | 4.18 Food products manufacture; |
| 4.6 Broom manufacture; | 4.19 Ice cream manufacture; |
| 4.7 Cabinet maker; | 4.20 Moving company; |
| 4.8 Candy manufacture; | 4.21 Popcorn processing; |
| 4.9 Canning and preserving manufacture; | 4.22 Private parking lots; |
| 4.10 Cap and hat manufacture; | 4.23 Produce warehouse; |
| 4.11 Clothing manufacture; | 4.24 Publicly owned and operated buildings and facilities, excluding substations, transfer pumping stations, storage facilities, and regulator stations; |
| 4.12 Cold storage and delivery station; | 4.25 Storage of farm and agricultural products, inside a building, including grain elevators; |
| 4.13 Commercial or industrial storage building; | |

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|------|---|------|--|
| 4.26 | Transfer company, storage warehouse; | 4.29 | Wood products, manufacture, inside a building; |
| 4.27 | Warehouse and wholesale establishments; | 4.30 | Firearm manufacturing and assembly. |
| 4.28 | Welding shop, inside a building; | | |

Section 5. PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted:

- 5.1 Accessory uses and structures normally incidental and subordinate to the permitted uses and structures and to uses and structures permitted as exceptions;
- 5.2 Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of the construction work;
- 5.3 Essential services;
- 5.4 Living quarters used by custodians or watchmen of the property.

Section 6. CONDITIONAL USES AND STRUCTURES. The following uses and structures may be permitted in the (I-1) District subject to provisions of Article 18 and 20 of this Ordinance and with the approval of the Board of Adjustment:

- 6.1 Agricultural farming and the usual agricultural and farming buildings and structures;
- 6.2 Fertilizer manufacture, storage, or processing;
- 6.3 Fuel storage;
- 6.4 Gas manufacture;
- 6.5 Radio and television towers and transmitter or receiver facilities;
- 6.6 Substations, transfer stations, treatment facilities, pumping stations, storage facilities and regulator stations;
- 6.7 Manufacturing ammunition, commonly defined as bullets or shells, to be used in pistols, rifles, shotguns, or other means of projectile;
- 6.8 Other uses determined by the Zoning Board of Adjustment to be of the same general character as the uses permitted in the District.

Section 7. BULK REGULATIONS. The following minimum requirements shall be observed subject to modifications contained in Article 15:

- 7.1 Lot Area: Minimum lot area shall be ten thousand (10,000) square feet.
- 7.2 Lot Width: Minimum lot width shall be seventy-five (75) feet.
- 7.3 Front Yard: Minimum front yard shall be twenty (20) feet.
- 7.4 Side Yard: Minimum side yard shall be twenty (20) feet; however, on lots adjacent to a residential district, all buildings and incidental areas shall be located as to provide a minimum side yard of fifty (50) feet on the side adjacent to the residential district.
- 7.5 Rear Yard: Minimum rear yard shall be twenty (20) feet.
- 7.6 Minimum Height: No building shall exceed a height of thirty-five (35) feet unless otherwise provided.
- 7.7 Supplementary Regulations. See regulations prescribed in this Zoning Ordinance.

Section 8. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.

ARTICLE 12b
RESTRICTED INDUSTRIAL COMMERCIAL (RIC) DISTRICT

Section 1. INTENT. The intent of this district is to provide space for certain commercial and a limited range of industrial uses and structures which are able to meet certain performance standards to protect residential uses that are in close proximity.

Section 2. PROHIBITED NON-INDUSTRIAL USES. In industrial districts, no building may be used in whole or in part for any of the following purposes:

- 2.1 Residential uses or any dwelling use including hotels and motels; excluding a caretaker's unit;
- 2.2 Theater or other place of commercial recreation or amusement, filling station, restaurant or tavern;
- 2.3 School, church, hospital, sanitarium, correctional institution or other institution use;
- 2.4 Cemetery.

Section 3. PROHIBITED INDUSTRIAL USES. The following industrial uses are prohibited in industrial districts:

- 3.1 Acid manufacture or storage, except on a limited scale as an accessory to a permitted industry and under conditions specified by the Board of Adjustment;
- 3.2 Slaughterhouse and stockyard;
- 3.3 Manufacture of fertilizers;
- 3.4 Garbage, waste materials, offal, dead animal or refuse incineration or storage;
- 3.5 Manufacture or storage of gun powder, fireworks or other explosives.

Section 4. PRINCIPAL USES PERMITTED. Only the following principal uses and structures shall be permitted in the Restricted Industrial Commercial (RIC) District:

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| 4.1 Assembly or fabrication of metal products, inside a building | 4.15 Commercial or industrial storage building |
| 4.2 Auction houses | 4.16 Dry goods, wholesale or storage |
| 4.3 Automobile repair and service station (repair work permitted only inside a building) | 4.17 Express storage and delivery station |
| 4.4 Baggage, transfer, storage warehouses | 4.18 Ice cream manufacture |
| 4.5 Bakery, wholesale and manufacture | 4.19 Moving company |
| 4.6 Building material storage and sales yard | 4.20 Private parking lots |
| 4.7 Boot and shoe manufacture | 4.21 Publicly owned and operated buildings and facilities, excluding substations, transfer pumping stations, storage facilities and regulator stations |
| 4.8 Broom manufacture | 4.22 Storage of packaged farm and agricultural products inside a building (bulk storage NOT permitted) |
| 4.9 Cabinet maker | 4.23 Transfer company, storage warehouse |
| 4.10 Candy manufacture | 4.24 Warehouse and wholesale establishments |
| 4.11 Cap and hat manufacture | 4.25 Welding shop, inside a building |
| 4.12 Catering and commercial kitchen establishments | 4.26 Wood products manufacture inside a building. |
| 4.13 Clothing manufacture | |
| 4.14 Cold storage and delivery station | |

Section 5. PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted in the (RIC) District:

- 5.1 Accessory uses and structures normally incidental and subordinate to the permitted uses and structures and to uses and structures permitted as exceptions;

- 5.2 Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work;
- 5.3 Essential services;
- 5.4 Living quarters used by custodians or watchmen of the property.

Section 6. CONDITIONAL USES AND STRUCTURES. The following uses and structures may be permitted in the Restricted Industrial Commercial (RIC) District subject to provisions of Article 18 and 20 of this Zoning Ordinance and with the approval of the Board of Adjustment:

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| 6.1 Administrative and business offices (but not professional offices or medical offices) | 6.15 Garden supply sales |
| 6.2 Assembly | 6.16 Gas manufacture |
| 6.3 Automobile and truck washing | 6.17 Ice cream manufacture |
| 6.4 NEW automobile, trailer, motorcycle, boat and farm implement sales | 6.18 Lumber and building materials |
| 6.5 Building maintenance services | 6.19 Machine shop work if limited to indoors (no punching or other processes that are greater than 55 decibels at the property line) |
| 6.6 Carpentry shop | 6.20 Outlet sales of items manufactured on the premises |
| 6.7 Construction sales and services | 6.21 Radio and television broadcast, sales and service shops |
| 6.8 Commercial nurseries and greenhouses | 6.22 Radio and television towers and transmitter or receiver facilities |
| 6.9 Communication services | 6.23 Substations, transfer stations, treatment facilities, pumping stations, storage facilities and regulator stations |
| 6.10 Custom manufacturing | 6.24 Veterinary services |
| 6.11 Exhibition hall and convention facilities | |
| 6.12 Fertilizer storage | |
| 6.13 Food products manufacture | |
| 6.14 Fuel storage | |

Section 7. BULK REGULATIONS. The following minimum requirements shall be observed, subject to modifications contained in Article 15.

- 7.1 Lot Area: Minimum lot area shall be 10,000 square feet.
- 7.2 Lot Width: Minimum lot width shall be 75 feet.
- 7.3 Front Yard: Minimum front yard shall be 20 feet.
- 7.4 Side Yard: Minimum side yard shall be 20 feet; however, on lots adjacent to a residential district, all buildings and incidental areas shall be located as to provide a minimum side yard of 50 feet on the side adjacent to the residential district.
- 7.5 Rear Yard: Minimum rear yard shall be 20 feet.
- 7.6 Maximum Height: No building shall exceed a height of 35 feet unless otherwise provided.
- 7.7 Supplementary Regulations: See regulations prescribed in this Zoning Ordinance.

Section 8. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.

Section 9. PERFORMANCE STANDARDS. Properties in the Restricted Industrial Commercial (RIC) District shall comply with the following regulations:

- 9.1 New mechanical equipment shall not be located in front of a building or in the front yard. If it is located on the roof of a building, equipment must be screened by a parapet or other screening that is of the same material or appearance as the building façade or roof. If equipment is on the

ground, it shall be screened from view of any adjacent residential district with 100% opaque landscaping or a 100% opaque screening fence that is as high as the equipment.

- 9.2 The outside storage of pipe, lumber, forms, machinery or other occupational materials shall be screened from view of any adjacent residential district with 100% opaque landscaping or a 100% opaque screening fence that is as high as the items stored.
- 9.3 Vehicles parked in the front yard may only be parked in areas that are surfaced with either asphalt, concrete or crushed rock so as to provide a durable surface.
- 9.4 The front façades of the new buildings and substantial additions (over 50% new) shall either (i) meet the standards of Article 4, Section 6.6-5, or (ii) be at least 30% masonry or other finished material (such as adobe) that is not metal.
- 9.5 Lighting of signs shall be directed away from residential districts. Internally lit signs shall face and illuminate in a direction perpendicular to the road upon which the business is located as to prevent illumination toward residentially zoned districts.
- 9.6 No new monopole signs shall be allowed. New free-standing signs must be either ground or monument signs. The height of new free-standing signs shall be limited to eight feet from surrounding grade. The width of new free-standing signs shall be limited to eight feet.
- 9.7 No flashing, portable or moving signs shall be permitted.
- 9.8 Except for security lighting facing buildings, new outside lighting shall have 180° cut-off type fixtures.
- 9.9 After such time that the use on a property changes or after a new building or addition is built that expands the area of the buildings existing on site in 2004 by more than 50%, the following conditions shall apply:
 - a) Trash containers shall not be located in the front yard and shall be screened on three sides with a fence or wall of at least six feet in height. The fence or wall shall either be of wood or masonry construction or be of the same style and material as the primary building façade. A gate shall be provided for the fourth side.
 - b) To provide adequate screening, in yards adjacent to residential districts, at least 5 shrubs, 3 small trees or one large tree shall be planted for every 40 feet along the boundary with the residential district. Shrubbery must be of a type that grows a minimum of six (6) feet high at maturity. Rear yard plantings must be evenly spaced, but plantings in the front yard need not be. Rather, plantings in the front yard may be placed in groupings.

ARTICLE 13

HEAVY INDUSTRIAL (I-2) DISTRICT

Section 1. INTENT. The intent of this District is to provide space for a certain range of industrial uses and structures which are able to meet certain performance standards to protect nearby non-industrial uses from undesirable environmental and physical conditions. This is the least restrictive zoning District. In the best interest of the City, certain uses in the I-2 District shall be subject to final approval of the Board of Adjustment or conditional approval, or denial to assure that proper safeguards are taken.

Section 2. PROHIBITED NON-INDUSTRIAL USES. In industrial districts, no building may hereafter be used in whole or in part for any of the following purposes:

- A. Residential uses or any dwelling use including hotels and motels; excluding a caretakers unit;
- B. Retail store, service shop, theater or other place of commercial recreation or amusement, filling station, restaurant or tavern;
- C. School, church, hospital, sanitarium, correctional institution or other institutional use;
- D. Cemetery.

Section 3. PROHIBITED INDUSTRIAL USES. The following industrial uses are prohibited in industrial districts:

- A. Acid manufacture, or storage except on a limited scale as an accessory to a permitted industry and under conditions specified by the Board of Adjustment;
- B. Slaughterhouse and stockyard;
- C. Garbage, waste materials, offal, dead animal, or refuse incineration or storage;
- D. Manufacture or storage of fireworks or other explosives as defined herein.

Section 4. PRINCIPAL USES PERMITTED. Only the following principal uses and structures shall be permitted in the (I-2) District, except those uses which by reason of the emission of odor, dust, fumes, smoke, noise, vibration, and other obnoxious characteristics would be injurious to the public health, safety and general welfare of the community:

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|---|--|
| 4.1 Automotive assembly; | 4.6 Concrete and cement products manufacture; |
| 4.2 Auto truck repair, including body shop; | 4.7 Grain elevator and storage; |
| 4.3 Bottling works; | 4.8 Open air new and used autos, trucks, farm implement and machinery sales and storage; |
| 4.4 Blacksmith; | 4.9 Sheet metal shop; |
| 4.5 Cement, lime, gypsum or plaster of Paris manufacturer, warehouse; | |

- 4.10 Solid waste transfer station;
- 4.11 Storage of farm and agricultural products;
- 4.12 Truck and freight terminals;
- 4.13 Firearm manufacturing and assembly.

Section 5. PERMITTED ACCESSORY USES AND STRUCTURES. The following accessory uses and structures shall be permitted, subject to approval by the Zoning Board of Adjustment:

- 5.1 Accessory uses and structures normally incidental and subordinate to the permitted uses and structures and to uses and structures permitted as exceptions;
- 5.2 Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work;
- 5.3 Essential services;
- 5.4 Living quarters used by custodians or watchmen of the property.

Section 6. CONDITIONAL USES AND STRUCTURES. The following uses and structures may be permitted in the (I-2) District subject to provisions of Article 18 and 20 of this Zoning Ordinance and with the approval of the Board of Adjustment:

- 6.1 Agricultural farming and the usual agricultural and farming buildings and structures;
- 6.2 Fertilizer manufacture, storage, or processing;
- 6.3 Fuel storage;
- 6.4 Gas manufacture;
- 6.5 Radio and television towers and transmitter or receiver facilities;
- 6.6 Substations, transfer stations, treatment facilities, pumping stations, storage facilities and regulator stations;
- 6.7 Manufacturing ammunition, commonly defined as bullets or shells, to be used in pistols, rifles, shotguns, or other means of projectile;
- 6.8 Other uses determined by the Zoning Board of Adjustment to be of the same general character as the uses permitted in the District;
- 6.9 Adult-Oriented Businesses as defined in Chapter 126 of the Hampton Code of Ordinances.

Section 7. BULK REGULATIONS. The following minimum requirements shall be observed, subject to modifications contained in Article 15.

- 7.1 **Lot Area:** Minimum lot area shall be ten thousand (10,000) square feet.
- 7.2 **Lot Width:** Minimum lot width shall be seventy-five (75) feet.
- 7.3 **Front Yard:** Minimum front yard shall be twenty (20) feet.
- 7.4 **Side Yard:** Minimum side yard shall be twenty (20) feet; however, on lots adjacent to a residential district, all buildings and incidental areas shall be located as to provide a minimum side yard of fifty (50) feet on the side adjacent to the residential district.
- 7.5 **Rear Yard:** Minimum rear yard shall be twenty (20) feet.

- 7.6 Minimum Height: No building shall exceed a height of thirty-five (35) feet unless otherwise provided.
- 7.7 Supplementary Regulations: See regulations prescribed in this Zoning Ordinance.

Section 8. ZONING PERMITS REQUIRED. Zoning permits shall be required in accordance with the provisions of Article 20 of this Ordinance.