

ORDINANCE NO. 7534-19

AN ORDINANCE TO AMEND AND REORDAIN CHAPTER 45, ZONING ORDINANCE, ARTICLE IV., SUMMARY OF USES BY DISTRICT, SECTION 45-402, SUMMARY OF USES BY DISTRICT, BY AMENDING PERMITTED USES "D" UTILITIES.

WHEREAS, Section 45-402 of the Code of the City of Newport News, Virginia, contains a comprehensive listing of uses permitted by the Zoning Ordinance of the City of Newport News, Virginia, in a "matrix" format; and

WHEREAS, the Newport News Planning Commission, in accordance with applicable law, has recommended an amendment, identified as ZT-2018-0008, to Section 45-402, Summary of Uses by District, which would:

1. Amend use "D.8. Communication/Tower Antenna" to "D.8. Communication Tower Greater Than 50 Feet in Height" and allowing such use in the R9 Mixed Use, P1 Park, O1 Office, O2 Office Park, O3 Office/Research and Development, C1 Retail Commercial, C2 General Commercial, C3 Regional Business, C4 Oyster Point Business, C5 Oyster Point Business/Manufacturing, M1 Light Industrial, and M2 Heavy Industrial Districts by conditional use permit; and

2. Add a new use "D.9. Communication Tower Not Greater than 50 Feet in Height", and permit such use in the R9 Mixed Use, P1 Park, O1 Office, O2 Office Park, O3 Office/Research & Development, C1 Retail Commercial, C2 General Commercial, C3 Regional Business District, C4 Oyster Point Business District, C5 Oyster Point Business/Manufacturing, M1 Light Industrial, and M2 Heavy Industrial District by right; and

3. Renumber and amend the former uses identified as "D.9. Sanitary Landfill" to "D. 10. Sanitary Landfill"; "D.10 Sewage Treatment Plant" to "D.11. Sewage Treatment Plant"; "D.11. Solid Waste Transfer" to "D.12. Solid Waste Transfer"; "D.12. Transmission Lines" to "D.13. Transmission Lines"; "D.13. Water Reservoir" to "D.14. Water Reservoir"; "D. 14 Water Treatment Plant" to "D.15 Water Treatment Plant"; "D.15. Electrical Generation From Landfill Gases" to "D.16. Electrical Generation From Landfill Gases"; and the zoning district allowances for all of such uses shall remain the same as previously identified in the Summary of Uses under their formerly designated numbers.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Newport News, Virginia, that Chapter 45, Zoning Ordinance, of the Code of the City of Newport News, Virginia, Article IV., Summary of Uses by District, Section 45-402, Summary of Uses by District, be, and the same hereby is, amended as follows:

1. Use "D.8. Communication Tower/Antenna" shall be amended to "D.8. Communication Tower Greater than 50 Feet in Height" and such use shall be allowed in the R9 Mixed Use, P1 Park, O1 Office, O2 Office Park, O3 Office/Research and Development, C1 Retail Commercial, C2 General Commercial, C3 Regional Business, C4 Oyster Point Business, C5 Oyster

Point Business/Manufacturing, M1 Light Industrial and M2 Heavy Industrial Districts by conditional use permit.

2. Use "D.9. Communication Tower Not Greater Than 50 Feet in Height" shall be added and allowed in the R9 Mixed Use, P1 Park, O1 Office, O2 Office Park, O3 Office/Research and Development, C1 Retail Commercial, C2 General Commercial, C3 Regional Business District, C4 Oyster Point Business District, C5 Oyster Point Business/Manufacturing, M1 Light Industrial and M2 Heavy Industrial districts by right.

3. Use "D.9. Sanitary Landfill" shall be re-numbered and amended to "D.10. Sanitary Landfill"; use "D.10. Sewage Treatment Plant" shall be re-numbered and amended to "D.11. Sewage Treatment Plant"; use "D.12. Transmission Lines" shall be re-numbered and amended to "D.13. Transmission Lines"; use "D.13. Water Reservoir" shall be re-numbered and amended to "D.14. Water Reservoir"; use "D. 14 Water Treatment Plant" shall be re-numbered and amended to "D.15 Water Treatment Plant"; use "D.15. Electrical Generation From Landfill Gases" shall be re-numbered and amended to "D.16. Electrical Generation From Landfill Gases"; and the zoning district allowances for all of such uses shall remain the same as previously identified in the Summary of Uses under their formerly designated numbers.

4. The rest and remainder of Section 45-402 shall not be affected by this amendment, shall remain effective as adopted, shall be deemed incorporated into this ordinance by reference as if fully set forth herein and shall be deemed reordained hereby.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON FEBRUARY 26, 2019

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk