

1 **Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton,**
2 **Virginia By Amending Chapter 2 Entitled “Definitions” To Add New Definitions Of Park,**
3 **Public and Park, Private, And To Amend The Definitions Of Active Recreation Area, Open**
4 **Space, And Open Space Amenity**
5

6 **WHEREAS**, the public necessity, convenience, general welfare and good zoning practice so
7 require;
8

9 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia that Section 2-2 of Chapter
10 2 of the Zoning Ordinance of the City of Hampton, Virginia be amended to read as follows:
11

12 Section 2-2. – Definitions
13

14 ...

15 Active recreation area. That portion of the green area provided in ~~townhouse, multiple~~
16 ~~dwelling, or mixed-use~~ developments that is intended to, and can support physical
17 recreation activities or facilities.

18 ...

19 Open space. A parcel of land or an area of water or combination thereof, designated and
20 limited within a development site as being intended for the recreational use (passive and
21 active) and enjoyment of the residents, *employees, or guests*. Open space shall not
22 include streets, alleys, off-street parking or loading areas, or other facilities dedicated as
either private or public right-of-way.

23 Open space amenity. The specific open space area provided to residents, *employees, or*
24 *guests* as part of a development for their use and enjoyment. These amenities may be
25 improved or impervious surfaces, such as roof decks, balconies, and private patios, or
26 they may be of unimproved surfaces, provided they are designed to be used and
27 enjoyed by ~~the residents~~ *such individuals*, as determined by the Zoning Administrator.
28 The open space amenity shall not be counted toward any green area requirements for
29 the property.

30 ...

31 *Park, private. A parcel of land or an area of water or combination thereof, used for*
32 *primarily outdoor enjoyment which may include such amenities as picnic areas,*
33 *playgrounds, trails, indoor or outdoor athletic facilities, and nature preserves, which are*
34 *owned and operated by entities other than a governmental entity to provide active and/or*
35 *passive recreation for the general public. Open spaces, open space amenities, and*
36 *active recreation areas, as defined within this ordinance, shall not be considered private*
37 *parks.*

38 *Park, public. A parcel of land or an area of water or combination thereof, used for*
39 *primarily outdoor enjoyment which may include such amenities as picnic areas,*
40 *playgrounds, trails, indoor or outdoor athletic facilities, nature preserves, and public open*
41 *spaces which are owned or operated by a governmental entity to provide active and/or*
42 *passive recreation for the general public.*

43 ...