

**AT A PUBLIC HEARING IN A REGULAR MEETING OF THE HAMPTON PLANNING COMMISSION HELD IN THE CITY COUNCIL CHAMBERS, CITY HALL, HAMPTON, VIRGINIA, ON THURSDAY, DECEMBER 21, 2017 AT 3:30 P.M.**

**WHEREAS:** the Hampton Planning Commission has before it this day Zoning Ordinance Amendment No. 17-00015 to Amend and Re-Enact Chapter 9, Article 2 of the Zoning Ordinance of the City of Hampton, Virginia Entitled "O-CBPD – Chesapeake Bay Preservation District Overlay";

**WHEREAS:** the Chesapeake Bay Preservation District Overlay is a regulatory tool adopted to adhere to the Commonwealth of Virginia's Chesapeake Bay Preservation Act;

**WHEREAS:** the Chesapeake Bay Preservation Act opens with and sets as a theme that: *Healthy state and local economies and a Healthy Chesapeake Bay are integrally related; balanced economic development and water quality protection are not mutually exclusive;*

**WHEREAS:** this zoning ordinance amendment is an update to Hampton's existing district;

**WHEREAS:** the proposed changes reorganize the chapter for clarity and ease of use;

**WHEREAS:** this amendment creates a "special green area", which requires an additional setback between a vegetated Resource Protection Area and a building;

**WHEREAS:** "permitted encroachments" will become an administrative approval;

**WHEREAS:** the proposed changes streamline the process for reaching a resolution;

**WHEREAS:** the Chesapeake Bay Review Committee is made up of four members of City staff and only one member of the public;

**WHEREAS:** the Board of Zoning Appeals is an existing body suited for reviewing and rendering decisions on exception requests, given the Board's history of hearing Chesapeake Bay Preservation District appeals, zoning variance cases, and appeals of the Zoning Administrator's decisions; and

**WHEREAS:** two members of the public spoke against moving exception reviews to the Board of Zoning Appeals.


**NOW, THEREFORE,** on a motion by Commissioner Ruthann Kellum and seconded by Commissioner Pete Peterson,

**BE IT RESOLVED** that the Hampton Planning Commission recommends to City Council denial of Zoning Ordinance Amendment No. 17-00015.

A roll call vote on the motion resulted as follows:

<b>AYES:</b>	Kellum, Gray, Peterson, Southall
<b>NAYS:</b>	Garrison
<b>ABST:</b>	None
<b>ABSENT:</b>	Coleman, Carter

**A COPY; TESTE:**

  
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Terry P. O'Neill  
Secretary to the Commission