

**An Ordinance to amend and re-enact Chapter 7 of the Zoning Ordinance of the City of Hampton, Virginia entitled “R-9 District – One family Residence District” by adding a new Chapter 7.1 entitled “R-4 District - One family Residence District”.**

**BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 7 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows

*Chapter 7.1*

*R-4 District – One Family Residence District*

*Sec. 7.1-1. Intent and Application of the District*

*This district is intended to accommodate the orderly development of residential neighborhoods comprised of a dense pattern of residential lots. This type of lot pattern is frequently found in Hampton’s older traditional neighborhoods and is becoming an emerging trend in newer developments which seek to recreate the street character and neighborhood pattern of traditional neighborhoods. In addition, this district is intended to facilitate appropriate development of existing undeveloped lots within existing developed neighborhoods, subject to the limitations set forth in this section.*

*Application of this district shall be limited to two scenarios:*

*(1) Contiguous areas of lots recorded prior to January 27, 1960 that meet the dimensional standards of this district and when viewed collectively comprise sufficient land area to justify consideration for applying the R-4 District within the context of the recommendations of the Comprehensive Plan and the surrounding zoning and development pattern.*

*(2) Geographic areas within the boundaries of adopted master plans, small area plans or neighborhood plans which recommend residential development on lots meeting R-4 standards and are further governed by an adopted Pattern Book to which any development shall conform.*

*Sec. 7.1-2. Uses Permitted; R-4 District*

*The following uses are permitted in all R-4 Districts.*

- (1) All uses permitted in R-13 Districts*

*Sec. 7.1-3. Height Regulations; R-4 District*

*No building in an R-4 District shall exceed thirty five (35) feet in height; provided that the height limit for any building may be increased by the number of feet necessary to sufficiently elevate the first habitable floor to the height necessary to meet flood zone requirements.*

*Sec. 7.1-4. Lot Area; R-4 District*

*Structures in an R-4 District shall meet these requirements:*

- (1) A lot shall contain a minimum of four thousand (4,000) square feet and such lot shall have a minimum frontage of forty (40) feet; or*

- (2) A lot shall contain a minimum of three thousand (3,000) square feet and such lot shall have a minimum frontage of thirty (30) feet; such lot shall be permitted only with a Use Permit reviewed by the Planning Commission and approved by City Council, subject to the provisions of section 18-22 hereof. Any Use Permit granted under this provision shall be reviewed by the Fire Marshal for conformance with appropriate fire protection methods.*

- (3) Corner lots in the R-4 District shall have a minimum frontage of forty-five (45) feet.*

- (4) For lots less than the minimum lot areas defined in (1) above, a structure may be erected or placed on a substandard lot, but no provision set forth in this section 7.1-4 shall prohibit the application of the provisions of section 18-22 hereof.*

*Sec. 7.1-5. Dwelling Area; R-4 District*

*The minimum floor area within an R-4 District shall be thirteen hundred (1300) square feet of heated living area.*

*Sec. 7.1-6. Building Setback Regulations; R-4 District*

*(1) Front Yard.*

*(a) If the minimum required off-street parking is accessed from the front, there shall be a minimum front yard in an R-4 District of fifteen (15) feet.*

*(b) If the minimum required off-street parking is accessed from the side or rear, there shall be a minimum front yard in an R-4 District of fifteen (15) feet.*

*(c) Colleges and public or private schools as may be permitted in this section shall provide a minimum front yard setback of fifty (50) feet. Parking shall be prohibited within this required setback*

*(d) Churches and other places of assembly, as may be permitted in this section, shall be set back at least thirty (30) feet from the front property line. Parking shall be prohibited within this required setback.*

*(2) Side Yard.*

*(a) For lots in the R-4 district which have a minimum of four thousand (4000) square feet, there shall be side yards which measure a minimum of seven and one-half (7.5) feet.*

*(b) For lots in the R-4 district which have less than a minimum of four thousand (4000) square feet, there shall be side yards which measure a minimum of five (5) feet.*

*(c) Corner lots shall have a minimum side yard along the street of a least fifteen (15) feet.*

*(d) Lots having a width of forty (40) feet or less and of record prior to January 27, 1960, which are developed in accordance with section 18-22 (1) shall have a side yard of not less than five (5) feet on each side.*

*(e) Colleges and public or private schools, as may be permitted in this section shall provide a minimum side yard of thirty (30) feet. Parking within ten (10) feet of the property line shall be prohibited.*

*(f) Churches and other places of assembly, as may be permitted in this section, shall provide minimum side yards of thirty (30) feet. Parking within ten (10) feet of the property line shall be prohibited.*

*(3) Rear Yard.*

*(a) There shall be a rear yard in an R-4 District with a depth of not less than fifteen (15) feet to a house and five (5) feet to a garage.*

*(b) Colleges and public and private schools, as permitted in this section, shall provide a minimum rear yard setback of thirty (30) feet. Parking within ten (10) feet of the rear property line shall be prohibited.*

*(c) Churches, as may be permitted in this section, shall provide a minimum rear yard of thirty (30) feet. Parking within ten (10) feet of the rear property line shall be prohibited.*

*Sec. 7.1-7. Accessory Structure; R-4 District.*

*In any R-4 District:*

(1) *Accessory structures shall not cover more than twenty percent (20%) of the rear yard.*

(2) *No accessory structure shall be located closer than five (5) feet to the rear property line.*

(3) *No accessory structure shall be located closer than five (5) feet to the side property line.*

(4) *All provisions of section 18-18 - "Additional Restriction on Accessory Buildings" shall apply unless specified otherwise in this chapter.*

*Sec. 7.1-8. Off-Street Parking; R-4 District.*

*Uses permitted in any R-4 District shall provide garage or vehicle parking space as required in chapter 19 hereof.*

*Sec. 7.1-9. Fences; R-4 District*

*For lots in the R-4 district with a minimum lot size of four thousand (4000) square feet, fences shall be permitted as provided in Chapter 18 hereof. For lots in the R-4 district with a minimum lot size of three thousand (3000) square feet, fences are prohibited.*

*Sec. 7.1-10. Other Regulations*

*(1) For structures to be constructed on R-4 lots, the following shall be submitted to the zoning administrator for approval:*

*(a) A plat showing a footprint of the proposed structure (s) along with the location of any proposed driveways, parking aprons, etc.*

*(b) Building elevations including description of proposed materials*

*(c) Floor plans*

*(d) A landscape plan*

*(2) The zoning administrator shall review the documents and render, in writing, as to whether the proposed structure is consistent with either:*

*(a) The adopted Pattern Book if one has been adopted for the geographic area in which the proposed R-4 structure is to be constructed; or*

*(b) If a Pattern Book has not been adopted for the geographic area in which the proposed R-4 structure is to be constructed, then the general visual character, placement and architectural scale (size, height, bulk etc.) of existing single family homes within three hundred (300) feet in all directions from the subject lot's property lines.*