

# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
[www.hampton.gov](http://www.hampton.gov)



## Agenda

Wednesday, May 24, 2023

6:30 PM

Council Chambers

### City Council Legislative Session

*Mayor Donnie R. Tuck*  
*Vice Mayor Jimmy Gray*  
*Councilmember Chris L. Bowman*  
*Councilmember Steven L. Brown*  
*Councilmember Hope L. Harper*  
*Councilmember Billy Hobbs*  
*Councilmember Martha Mugler*

*STAFF: Mary Bunting, City Manager*  
*Cheran Cordell Ivery, City Attorney*  
*Katherine K. Glass, CMC, Clerk of Council*

## WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time.

### ORDER OF BUSINESS

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

### CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol to encourage participation by citizens in City government and to ensure its meetings are conducted in an efficient and orderly manner. Citizens are encouraged to review both documents prior to attending City Council meetings. The Citizen Participation Policy and City Council Public Hearing & Public Comment Protocol are available on the City's website and copies can be provided upon request to the Clerk of Council. Please take note of the following key provisions contained in the above-referenced documents.

(1) No person shall be permitted to enter a City Council meeting with the following items:

- Large objects that may be used as weapons, including but not limited to batons, sticks, knives, or other cutting tools;
- Large banners, signs, flags, or other displays;
  - Permitted banners, signs, flags, or other displays shall be limited to 3'x5'; composed of paper, cardboard, foamboard, or fabric; and shall not contain wood, metal, or plastic supports or handles.
- Megaphones, bullhorns, whistles, or other devices designed to emit loud noises;
- Laser pointers, flashlights, or other devices designed to emit lights;
- Food or drink; and
- "Selfie" sticks.

(2) The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council on a public hearing item or as part of the general public comment period, you must sign in before the meeting in the lobby of City Hall. Speaking on topics not appearing on the agenda as public hearing items is handled under the public comment portion of the meeting.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add").

Meetings of the Council are formal proceedings, and all comments are recorded. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

**CALL TO ORDER/ROLL CALL****INVOCATION - Councilman Steven Brown****PLEDGE OF ALLEGIANCE TO FLAG****MAYOR'S COMMENTS****CONSENT AGENDA**

1. [23-0113](#) Resolution to Amend the Fiscal Year 2024 Council Approved Budget to Accept and Appropriate the Fiscal Year 2024 Public Safety Answering Point (PSAP) Education Program Grant Awarded by Virginia Department of Emergency Management (VDEM), Virginia 911 Services Board.
2. [23-0129](#) Resolution to Amend the Fiscal Year 2023 Council Approved Budget to Accept and Appropriate the FY23 Special Virginia Sexual and Domestic Violence Victim Fund Grant awarded by the Virginia Department of Criminal Justice Services
3. [23-0125](#) Resolution Approving Fiscal Year 2023 Second and Third Quarter Budget Adjustments
4. [23-0148](#) Approval of the minutes from the work and ceremonial sessions of May 10, 2023.

**PRESENTATIONS, PROCLAMATIONS, AWARDS****PUBLIC HEARINGS****Rezoning**

5. [23-0150](#) STAFF IS RECOMMENDING THAT THIS ITEM BE DEFERRED - Rezoning Application by the City of Hampton to Rezone a Total of +0.86 Acres at 200 N First Street and 372 N First Street [LRSNs: 12006702 & 12007400, respectively] from Multiple Residential (R-M) District to Parks and Open Space (PO-1) District

**Use Permits**

6. [23-0143](#) Use Permit Application By RNFV1 LLC. to Permit a Short-Term Rental (STR) at 230 N Fifth Street [LRSN: 112006999]
7. [23-0144](#) Use Permit Application by Kevin & Yong Westby to Permit a Short-term Rental (STR) at 826 N First St [LRSN: 12007581]
8. [23-0145](#) Use Permit Application by Erin & David Scott to Permit a Short-term

Rental (STR) at 8 Findley St [LRSN: 7000091]

## Ordinances

9. [23-0133](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 1 Entitled “General Provisions” To Add New Regulations Applicable To Many Or All Zoning Districts Regarding Limitations On The Parking And Storing Of Food Trucks
10. [23-0134](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 2, Section 2-2 Entitled “Definitions” to Add a Definition of “Food trucks” and Other Related Definitions
11. [23-0135](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Sections 3-2 Entitled, “Table of Uses Permitted” and Section 3-3 Entitled, “Additional Standards On Uses,” To Update Additional Standards Related to Home Occupations To Allow Food Truck Parking, And To Add “Food Truck Host Sites” As Permitted With A Zoning Administrator Permit Within The Residential (R-LL, R-43, R-R, R-33, R-22, R-15, R-13, R-11, R-9, R-8, and R-4), The Multifamily (MD-1, MD-2, MD-3, MD-4, and R-M), The Commercial (C-1, C-2, And C-3), The Manufacturing (M-1, M-2, And M-3), The Langley Flight Approach (LFA-1, LFA-2, LFA-3, LFA-4, And LFA-5), The Buckroe Bayfront (BB-3, BB-4, And BB-5), The Hampton Roads Center (HRC-1, HRC-2, And HRC-3), The Langley Business Park (LBP), The Downtown (DT-1, DT-2, And DT-3), The Phoebus (PH-1, PH-2, And PH-3), The Fort Monroe (FM-1, FM-2, FM-3, And FM-4) And The Parks (PO-1 And PO-2) Zoning Districts With Additional Standards
12. [23-0136](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 6, Article 1 Entitled “C-1 District - Neighborhood Commercial” To Permit The Use “Food truck host site”
13. [23-0137](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 7, Article 1 Entitled “M-1 District - Limited Manufacturing” To Permit The Use “Food truck host site”
14. [23-0138](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 8, Entitled “Special Districts” To Permit The Use “Food Truck Host Site” Within the Langley Flight Approach Districts, the Hampton Roads Center Districts, the Downtown Districts, and the Langley Business Park District
15. [23-0139](#) Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Chapter 9, Article III, Section 9-23 Entitled “O-CC District - Coliseum Central Overlay” To Permit The Use “Food Truck Host Site” Within the Coliseum Central Overlay District

16. [23-0154](#) Ordinance to Amend and Re-Enact Chapter 34 of the City Code of The City Of Hampton, Virginia Entitled "Streets and Sidewalks" by Amending Article I, Section 34-7 Regarding Food Truck Sales Conducted on or Adjacent to Public Right-Of-Ways
17. [23-0155](#) Ordinance To Amend And Re-Enact Chapter 15 Of The City Code Of The City Of Hampton, Virginia Entitled "Food and Food Establishments" By Adding a New Article VI Pertaining to Regulation of Mobile Food Service Facilities
18. [23-0156](#) Ordinance to Amend and Re-Enact Article XIII of Chapter 2 of The City Code of The City of Hampton, Virginia Entitled "Special Events" Pertaining to Food Trucks at Neighborhood-Scale Special Events

**PUBLIC COMMENT****GENERAL ITEMS****REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES****MISCELLANEOUS NEW BUSINESS****ADJOURNMENT****Contact Info:**

Clerk of Council, 757-727-6315, [council@hampton.gov](mailto:council@hampton.gov)