

## STAFF EVALUATION

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To: City Council

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728-5239

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Case: ZOAs: 182, 183, 184, 185, 186 & 187-2016 and  
RZs: 16-00002, 00003, 00004, 00005 & 00006.

Date: April 13, 2016

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### General Information

#### *Description*

This series of zoning ordinance amendments and the associated rezonings are recommended in concert with a recommendation to amend the Hampton Community Plan (2006 as amended) to recognize the closure of Fort Monroe as a military installation and to support the reuse of portions of the property for private, mixed-use development. The Fort Monroe Land Use Plan (2016, CPA 16-00001) will provide the policy support for the proposed zoning amendments.

The recommended ordinance amendments and rezonings will establish four new zoning districts and change the zoning of Fort Monroe from One Family Residential (R-13) District to four new mixed use districts and the Parks and Open Space General (PO-1) District.

Staff are recommending the following amendments to the zoning ordinance:

1. ZOA 182-2016: Chapter 1 General Provisions, General Green Area Requirements. This amendment adds the new Fort Monroe districts to the list of existing districts that are exempt from the minimum ten percent green area requirement. The ten percent green area requirement would be out of character with the historic development patterns on Fort Monroe and create potential conflicts with historic preservation requirements on new development.
  2. ZOA 183-2016: Chapter 2 Definitions. This amendment adds a definition for “day spa”. It would clarify the zoning requirements for a use that is important to promoting hospitality related uses on Fort Monroe.
  3. ZOA 184-2016: Chapter 3 Uses Permitted. This amendment adds the new Fort Monroe Districts to the use table, identifies the uses permitted in the new districts, and adds the new districts to the list of additional standards. This type of amendment is required whenever new districts are established in the zoning ordinance.
  4. ZOA 185-2016: Chapter 8 Special Districts, Parks and Open Space Districts. This amendment adds “active” recreation to the intent statement for the Parks and Open Space General (PO-1) District. It would clarify the zoning requirements for a use that is important to promoting recreation related uses on Fort Monroe. This amendment would apply wherever the PO-1 district is found in the city.
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5. ZOA 186-2016: Chapter 8 Special Districts, Fort Monroe Districts. This amendment creates four new mixed use districts for Fort Monroe.
6. ZOA 187-2016: Chapter 10 Supplemental Regulations. This amendment creates new sign regulations for the Fort Monroe zoning districts. It would permit appropriate signage while protecting the historic character of Fort Monroe.

Staff are also proposing the following rezonings:

1. RZ 16-00002: this amendment would rezone portions of Fort Monroe from One Family Residential (R-13) District to Fort Monroe Inner Fort (FM-1) District. The intent of this district is to protect the single-family character of the residential community within the Inner Fort while promoting the enjoyment of the Fort Monroe National Monument, the Casemate Museum and related visitor attractions. This district is 34.63 +/- acres or about 6.8% of the zoned acreage on Fort Monroe.
2. RZ 16-00003: this amendment would rezone portions of Fort Monroe from One Family Residential (R-13) District to Fort Monroe Historic Village (FM-2) District. The intent of this district is to protect the residential character within the Historic Village and to promote new residential development. This district also provides limited options for retail and employment uses. This district is 75.3 +/- acres or about 14.9% of the zoned acreage on Fort Monroe.
3. RZ 16-00004: this amendment would rezone portions of Fort Monroe from One Family Residential (R-13) District to Fort Monroe North Gate (FM-3) District. The intent of this district is to promote employment uses on Fort Monroe through the reuse of existing buildings and new construction. This district also provides limited options for new residential development. This district is 33.5 +/- acres or about 6.6% of the zoned acreage on Fort Monroe.
4. RZ 16-00005: this amendment would rezone portions of Fort Monroe from One Family Residential (R-13) District to Fort Monroe Wherry Quarter (FM-4) District. The intent of this district is to support the enjoyment of the Fort Monroe National Monument and other visitor attractions on Fort Monroe. This district is 26.4 +/- acres or about 5.2 % of the zoned acreage on Fort Monroe.
5. RZ 16-00006: this amendment would rezone portions of Fort Monroe from One Family Residential (R-13) District to Parks and Open Space General (PO-1) District. The intent of this district is to conserve and protect open spaces and natural areas and to promote recreational opportunities. This district is 336.57 +/- acres or about 66.5% of the zoned acreage on Fort Monroe.

The proposed Fort Monroe zoning districts are shown on the attached maps.

In addition to the proposed zoning regulations described above, development on Fort Monroe will be subject to historic preservation requirements. These requirements are similar to the requirements of a local historic district overlay zone but they will be administered by the Fort Monroe Authority (FMA). A Historic Preservation Manual and Design Standards (Design Standards) has been prepared for use by FMA as a guide to preservation, restoration and new construction on Fort Monroe. To the extent that the Design Standards address traditional zoning requirements such as building heights and setbacks, these requirements have not been included in staff's recommendations in order to avoid potential conflicts between the City and FMA requirements.

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*Plans and Policies*

As a result of the 2005 BRAC, the Hampton Community Plan (2006 as amended) identified Fort Monroe as one of the City's seven strategic investment areas (master plan areas). The Community Plan supports reuse planning for Fort Monroe to ensure that the Fort "remains a positive presence within the community" (page I-5).

Other Community Plan policies that apply to the closure and reuse of Fort Monroe include:

LU-CD Policy 13: Encourage public and private upkeep, preservation, and adaptive reuse of buildings and other resources that have been determined to have historic value.

LU-CD Policy 16: Promote public access, both physical and visual, to the water. Promote boating access, water uses, and dredging for recreational and commercial use of waterways.

LU-CD Policy 18: Promote the important role of trees, quality landscaping, and public open spaces in defining the image of the city. Encourage connections between open spaces and community facilities.

LU-CD Policy 19: Promote the important role of city waterways and water-related features (such as wetlands, shorelines, and manmade water features) in defining the image of the city.

CF Policy 29: Provide parks and recreational facilities that contribute to the health and safety of children and youth. Encourage physical activity and pedestrian and bike access to reduce the dangers of traffic and the risks associate with a sedentary lifestyle.

CF Policy 30: Encourage and cooperate with other jurisdictions and agencies to develop and maintain a unified regional trail system, including hiking, biking and waterways.

CF Policy 31: Promote the creation of urban waterfront parks to enhance the character and urban design of the city while promoting redevelopment and reinvestment.

A specific plan for the closure and reuse of Fort Monroe has also been developed to provide specific policies for the Fort that will complement the general guidance noted above. The Fort Monroe Land Use Plan (2016, CPA 16-00001) is being concurrently considered with the recommended Fort Monroe zoning amendments. This proposed plan amendment recognizes the

establishment of the Fort Monroe National Monument, identifies a new mixed-use community with private land ownership, and recommends the preservation of the historic and natural resources found on the Fort Monroe property.

*Existing Regulations*

Fort Monroe is currently zoned One Family Residential (R-13) District. The VA Hospital, Langley Air Force Base and NASA are also zoned R-13. R-13 zoning for large federal properties is intended as a safe “holding zone” in the event that the property becomes available in the future for sale or reuse. R-13 is a suburban single-family residential district that is inconsistent with the existing, largely historic development on Fort Monroe. R-13 is also inconsistent with the mixed-use plan proposed by the Fort Monroe Authority and the Fort Monroe Historic Preservation Manual and Design Standards.

The current zoning for Fort Monroe is shown on the attached maps.

*Recommendation*

Zoning ordinance amendments and a rezoning for Fort Monroe are needed to implement the policies of the Hampton Community Plan (2006 as amended) and more specifically the Fort Monroe Land Use Plan (2016). The Fort Monroe Land Use Plan (2016) and the zoning amendments recommended in this report will:

Recognize the establishment of the Fort Monroe National Monument and its impact on Fort Monroe and the surrounding community.

Support the transfer of property by the Fort Monroe Authority to private ownership thereby making it subject to the City’s zoning ordinance.

Promote a new mixed-use community with housing, employment, recreational, and tourism opportunities for Hampton residents and visitors.

Support the preservation of the historic and natural resources found on Fort Monroe.

In addition to supporting adopted City policies, the recommended zoning ordinance amendments and rezonings are consistent with the planning and regulating responsibilities of the Fort Monroe Authority (FMA) including the FMA’s 2013 Land Use Master Plan and the Programmatic Agreement for the Closure and Disposal of Fort Monroe.

2013 Land Use Master Plan (FMA): this plan identifies an extensive network of public open spaces and recreational opportunities that serves as a framework for the reuse of the Fort. The FMA plan also identifies a mix of uses to promote a new “live, work, play” community on Fort Monroe. This proposed mix of uses includes private ownership of housing and other commercial properties. These planning principles are reflected in the zoning ordinance and rezoning recommendations.

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Programmatic Agreement: this document addresses the impacts of the closure and reuse of Fort Monroe and it ensures the preservation of the Fort's historic resources. The Agreement establishes management zone boundaries for the Fort based on historical and existing architectural character, current and past land uses, construction periods and concentrations of contributing historic structures. The management zones and the Design Standards established by the Programmatic Agreement are reflected in the proposed Fort Monroe (FM) District boundaries and the proposed zoning ordinance amendments.

Staff recommends approval of the six zoning ordinance amendments; ZOA 182-2016, ZOA 183-2016, ZOA 184-2016, ZOA 185-2016, ZOA 186-2016, ZOA 187-2016, and the five rezonings; 16-00002, 16-00003, 16-00004, 16-00005, and 16-00006 with the Wherry Quarter revisions dated March 1, 2016.