



City of Hampton

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

Council Approved Minutes - Final 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
Steven D. Bond, Interim City Attorney
Katherine K. Glass, CMC, Clerk of Council

Wednesday, June 12, 2024

6:30 PM

Council Chambers

CALL TO ORDER/ROLL CALL

Mayor Tuck called the meeting to order at 6 p.m. with all members of the City Council present. Deputy City Manager Brian DeProfio was sitting in for the City Manager, who was away.

Present: 7 - Councilmember Chris L. Bowman, Councilmember Steven L. Brown, Vice Mayor Jimmy Gray, Councilmember Hope L. Harper, Councilmember Billy Hobbs, Councilmember Martha Mugler and Mayor Donnie R. Tuck

DONNIE R. TUCK PRESIDED

INVOCATION - Councilman Steve Brown

Councilman Brown gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

Mayor Tuck recognized the Kecoughtan High School Boys Varsity Track Team who, two Saturdays ago, dominated the competition to win their second consecutive state championship. He shared that the highlight for him was watching their come-from-behind victory in the four-by-400-meter relay. They also won the indoor championship this year.

Mayor Tuck recognized Chazden Wilson who won the state title in high jump; and Tremayne Cowart, Gabriel Mason, Evan Adams, and Daniel Danner who were the

1600-meter relay team that took first place. He recognized the remaining team members: Caeleb Berkley, Andre Burks, Keith Cherry, Jeremiah Cody, Juh'Saun Credle, Gabriel Ervin, Kellen LaRoche, Caleb Matthews, Maxie Russell, Jaymes Saunders, Hayden Thomas, Jashoua Thomas, Knowel Smith, and Warren Smith.

Mayor Tuck recognized coaches Deon Moore, Maya Moore, Brittany Day, William Burrell, Jnyiah Wilson, and Ronisha Williams; Athletic Director Richard Fortune; and Executive Principal Dr. Dwayne Lucas.

Mayor Tuck welcomed the team to the front of the Chambers to give each a City coin. He apologized as he told them the coin has the Phoebus High School mascot on the back because they won three back-to-back state football championships. He shared that if he has any influence, perhaps Kecoughtan could be on the coins next year.

Coach Deon Moore thanked Mayor Tuck for the Phoebus coins and shared that he, Coach Maya, and Coach Williams started at Phoebus and that they won four championships with the boy's track team and one with the girl's track team. The girls championship was the first one in 25 years.

He shared that, last year at this time, he and the team were at the Council meeting and he was telling Council about discipline, focus, and hard work. Council asked a very distinct question and Evan Adams, Senior Class President for the upcoming year, turned to Council and said, "Yes, we'll win again." That was their motivation all year, even when things weren't looking very good. He expressed his thanks to seniors Chazden, Daniel, and Jaymes for giving everything they had at the state meet. He is also grateful that most of the team is returning next year and is hopeful they can win another championship.

Coach Moore stated that they are proud to be from the City of Hampton and proud to represent Hampton City Schools among all Class 6 Virginia High School League (VHSL) classes. From the beginning to the end, they are going to keep fighting and keep pushing, not only on the track but in the classroom as well. He added that the team's Grade Point Average (GPA) ranges from 3.0 to 4.26.

[24-0306](#) Resolution in Recognition of Steven D. Bond

Mayor Tuck recognized Interim City Attorney Steve Bond who has been appointed as one of the new Hampton General District Court Judges. His last day with the City is this coming Friday. Mayor Tuck offered the following comments: I believe that you are probably one of the most thoughtful people I've ever met. I would say that, regardless of what's going on with you or around you, you never show that you ever had a bad day. You have probably the sunniest disposition that I know of. You're a

compassionate individual and I believe fully that that will serve you well as a judge. I couldn't be more happy for you. I just think it's a great honor. I think the City is gaining a lot. You've been here for quite some time we are losing a lot, but we also know you'll just be across the street. He then read the resolution in recognition of Mr. Bond.

Mr. Bond was surprised by a visit from his wife, Tamara, and offered the following comments: It's personal faith, first I have to thank God. I would also like to thank my lovely wife who is my support. I would like to thank Council for helping me live out one of my dreams. One of my dreams was always to be the City Attorney, so I really appreciate the appointment. It allowed me to serve that dream out. The City Manager is not here, but I would love to thank the City Manager who, for 10 years, took a chance on me and appointed me as the Assistant City Manager. It was a non-traditional appointment and every day in that job I tried to make sure that she did not regret that chance that she took. I am so happy that Brian is here tonight. He has been more like a brother to me and I really appreciate all the work that we've done together. I truly believe that no one gets anywhere by themselves. I want to thank my work family, all of the attorneys in the City Attorney's office, all my colleagues, all the department heads who have supported me, and everyone in the community that supported me. It's bittersweet. I've been here for almost 17 years and this is a family. Leaving this family is going to be very difficult but I'm also looking forward to serving my community just in a different way. I've always said that I want to be able to make a living while making a difference. And this is still a way for me to live that up. So I am very, very grateful and very, very thankful. Thank you, Mayor, for all of your words. Thank you, Council and all my friends for everything that they've done to support me. I am just looking forward to the next chapter. Thank you.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Hope Harper, that this resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

CONSENT AGENDA

Clerk of Council Katherine Glass read the protocol for the consent agenda and a summary of the consent items.

Approval of the Consent Agenda

Motion made by Councilmember Hobbs, and seconded by Councilmember Mugler, to approve the Consent Agenda. The

motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

1. [24-0280](#) Resolution Authorizing the Execution and Delivery of an Equipment Lease/Purchase Agreement, and Related Instruments, and Determining Other Related Matters to Acquire Up to Three Fire Trucks

Attachments: [Hampton VA IFB Summary Memo 05.28.24](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

2. [24-0286](#) Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Chapter 2, Administration, Article I, In General, Sec. 2-7 to Remove the Requirement that the City Seal be Placed on all Municipal Vehicles

Attachments: [Redline](#)

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

3. [24-0281](#) Resolution to Authorize the Economic Development Authority of the City of Hampton, Virginia to Retain Certain Sales Proceeds from the Sale of Real Property in the Hampton Roads Center North Campus to Hampton Land Developer GP LLC to Use Those Funds to Finance Certain Infrastructure and Other Costs Related to the Development of that Real Property

Item approved.

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

PRESENTATIONS, PROCLAMATIONS, AWARDS

[24-0305](#) Motion to amend the agenda to move items 4 (23-0190) through 8 (23-0224) to after agenda item 66 (24-0228) which will allow them to be considered in the context of the overall short term rental policy that will be addressed in Items 11 through 66 of the agenda.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Motion be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

PUBLIC HEARINGS

Mayor Tuck read the following statement: We have an unusually large number of public hearing items on our agenda this evening and a larger number of individuals here to participate. As we have reached capacity in Council Chambers, we also have participants watching and listening in the lobby of City Hall. I am asking all present, whether in the Council Chambers or the lobby, to be courteous and avoid side conversations so that all present may fully hear the proceedings this evening. I am also asking that everyone conduct themselves according to our Citizen Participation Policy which prohibits addressing the Council while in the audience and also prohibits clapping, stomping, and similar behavior that may interfere with the meeting. It is the Council's expectation that we are able to conduct meetings in an orderly fashion. In the event that does not occur, individuals may be called out of order and warned that their behavior must cease. If the behavior continues after a warning, the meeting will be recessed and the individual escorted from the Chambers and the City Hall Building.

Ordinances

9. [24-0169](#) Ordinance to Amend the City Code of the City of Hampton, Virginia by Amending and Reenacting Chapter 37, "Taxation;" Article II, "Real Estate Taxes;" Division 7, "Special Assessments for Local Improvements," Section 37-140, "Elizabeth Lake Estates Service District"

Attachments: [Eliz Lake Serv Dist Tax Rate Sec 37-140 4.4.24](#)

[Eliz Lake Serv Dist Letter to Hampton City Council for Service District
Tax Increase - 12 Feb 2024](#)

Assistant City Manager Brian DeProfio explained that this item is the increase of the Elizabeth Lake Service District tax from \$1.06 to \$1.10. There's no planned presentation this evening but he provided background on this item which was addressed during the budget process. The Elizabeth Lake Estates Civic Association (ELECA), which is the beneficiary of the tax that impacts the homeowners of the Elizabeth Lake neighborhood, asked us to increase the tax from six cents to 10 cents per \$100 of assessed value to keep up with inflationary costs associated with maintaining the grounds. The Service District tax was established in 2002 for this reason and has not been increased since. When the increase was requested, there were some concerns raised by other homeowners in the Elizabeth Lake Community so Council asked the ELECA to get at least 65% of their homeowners in support of this increase and they were able to do that. The President of ELECA, Mr. Don Neubert made a presentation to Council this afternoon where he went through the efforts that they took to achieve greater than 65% support from the neighborhood.

Mayor Tuck opened the public hearing and welcomed the only person signed up to speak, Mr. Don Neubert.

Mr. Neubert greeted Council and commented: My wife Clara and I are 15-year residents of Elizabeth Lake Estates, and I'm the current president of the ELECA. Elizabeth Lake Estates is a community of 318 homes and has been a Service District in the City of Hampton since 2001. The Service District tax is six cents per \$100 of assessed home value and has not been increased since its inception in 2001. The Service District benefits allow Elizabeth Lake Estates and all 318 residents homeowners to address common issues, promote a positive image of Hampton as a desirable place to live, protect the waterfront to maintain its viability, improve the security of the neighborhood, and protect and increase property values. The ELECA board continually reviews the budget and expenses for adequate funding and since 2020, the rising costs, particularly the maintenance of five acres of common area open to the public and capital improvements to infrastructure, have resulted in a budget deficit that will deplete any budget reserve remaining. Increasing the Service District tax to 10 cents per \$100 of assessed home value will ensure a healthy and balanced budget for many years that will meet the intent of the Service District. ELECA desires to sustain and make improvements that have been deferred that will enhance the beautification of Elizabeth Lake Estates, maintain the benefits of the Service District, and keep Elizabeth Lake Estates in the City of Hampton as a desirable place to live. The ELECA board, which is made up of volunteers and residents of Elizabeth Lake Estates, is committed to supporting the Elizabeth Lake Estates members and residents and continues to provide information

so residents are informed and knowledgeable of the Service District benefits and the need to increase the Service District tax revenue. As requested by the City Council, the ELECA board and other Elizabeth Lake Estates volunteer members engaged with our residents to demonstrate their support. We went to great lengths to ensure we reached out to every ELECA member via newsletters, social media, emails, phone calls, and knocking on people's doors. We achieved 67%, 212 supporting signatures of residential support, exceeding the 65% super majority as requested by the City Council. I personally covered a portion of Elizabeth Lake and the residents I spoke with said they felt the information was adequate, transparent, and helpful in understanding the need for a Service District tax increase. With the results of the signatures collected, I know that the large majority of Elizabeth Lake residents are in support and I'm confident the City Council will see both the need for the increase and the required Elizabeth Lake Estates membership support. Finally, thank you for your time and please vote to approve. Thank you very much.

Mayor Tuck closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Ordinance-Budget-Coded be approved on second and final reading. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

10. [24-0240](#) Ordinance to Set the Salaries for the Mayor and Members of City Council Pursuant to Virginia Code Section 15.2-1414.6

Mr. DeProfio explained that the Virginia General Assembly, in their most recent session, increased the amount of pay localities can provide to Council members. The Mayor's and the Hampton City Council's pay has not increased for about 20 years. This action tonight would increase the mayor's pay from \$25,000 to \$47,000, and Council's pay from \$23,000 to \$43,000. If this is passed, these new pay levels will go into effect on July 1, 2025.

Mayor Tuck opened the public hearing and welcomed the only person signed up to speak, Mr. Michael Mulheran.

Mr. Mulhern greeted Council and made the following comments: I've been a homeowner since 1994. But I'm totally in approval. I've been a homeowner here. I love living in Hampton. I love this Council. I love this Mayor. I'm totally in favor of the proposal for the increase in salaries. Thank you.

Mayor Tuck closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Chris Bowman, that this Ordinance-Non-coded be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Mayor Tuck called a brief recess to allow the Kecoughtan students to leave and allow others waiting in the lobby to enter Council Chambers.

11. [24-0173](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of The City of Hampton, Virginia by Amending Chapter 1, Article 1 Entitled “Administration and Enforcement of Ordinance” to Add a New Section Regarding Zoning Administrator Permits and Associated Fees

Attachments: [Redline](#)
[Staff Report](#)
[Public Input](#)
[CCBID Letter of Support](#)
[Planning Commission Resolution](#)
[Presentation \(as presented on 6-12-24\)](#)

Mayor Tuck explained that the zoning ordinance amendments and rezoning applications in tonight’s public hearing will have one presentation followed by a combined public hearing. Separate votes will be required for each of the zoning ordinance amendments and rezoning applications.

Mr. DeProfio explained that the next 56 items will address the zoning ordinance changes that establish how the City would regulate short-term rentals (STR). Staff has been working with the community stakeholder group to develop regulations for STRs in Hampton for several months. Council has also received a lot of public input on this issue and provided guidance to staff based on that input to help us craft a framework that would best reflect the values and desires of our community. On May 16, 2024, the Hampton Planning Commission conducted a public hearing on the proposed zoning ordinance amendments related to STRs. The Planning Commission recommended approval of the STR ordinances and provided additional comments to Council in their recommendation. One of the items that Planning Commissioners

relayed to City Council and City leadership was citizen concerns that were voiced during the public hearing in terms of the effect of the proposed regulations on homestays. Homestays are when a resident rents out a room in their home as an STR but remains present in the home when the renter is using it. Following the discussion of these concerns, City Council requests that staff bring forward amendments to address the homestay rentals as a new use different from STRs. City staff have developed these homestay rental amendments and will bring them to the Planning Commission on June 20, 2024. City Council anticipates hearing these homestay rental amendments on August 14, 2024, following a recommendation from the Planning Commission. For anyone in the audience who is interested in homestays, that issue will not be addressed by Council tonight. It will be addressed at their meeting on August 14, and it will be addressed at the Planning Commission on June 20.

Mr. DeProfio introduced Zoning Administrator Allison Jackura to present the package of STR zoning ordinance amendments.

Ms. Glass read the protocol for public hearings and the titles for agenda items 11 (24-0173) through 66 (24-0228). As she read the titles for each item, Ms. Jackura displayed the map for each.

Ms. Jackura explained that items 24-0173 through 24-0177 are a set of five amendments that, together, establish new restrictions on how and where STRs can operate within the City and clarify other similar uses. On the long list of rezonings, each establishes the boundaries of a sub-district within the proposed STR overlay district.

State and local codes define an STR as lodging provided for 30 days or less that is not a hotel or bed and breakfast. These are commonly referred to as Airbnb or Vacation Rentals by Owner (Vrbo). STRs currently require a business license and use permit to legally operate within the City. If they do not have those they are not operating legally. She shared that we are proposing to regulate these because we want to ensure that we are adequately addressing any concerns or nuisances, as well as operations to protect the character of neighborhoods while also recognizing the benefits of STRs.

Before December 2013, STRs weren't a thing but as time went on, Airbnb was coming up as a kind of couch-surfing operation. The Zoning Administrator at the time was asked, "What is this use?" and "How is this permitted in the City of Hampton?" The zoning administrator determined, via an interpretation, that they were allowed by right as an accessory to a single-family home. This meant that someone could, first and foremost, have a home they primarily lived in and use it part-time as

a rental. If they were, first and foremost, primarily doing rentals rather than living there, that was considered a bed and breakfast which was a separate use requiring a use permit. The City operated under that interpretation until November 2019 when they clarified what it means to first and foremost live there. The applicant has to live there as a primary residence, which means they must live there for more than half the year. This meant that a person could only have one STR because they could only live in one place in the City for more than half of the year. Full-time STRs were not approved.

The City heard from the state that its local authorities would be removed or restricted and wanted to ensure that it was clear this is a local topic that we should regulate with our interests. In fall 2022, the City engaged stakeholders to provide guidance and thoughts about how this should be done. In December 2022, an ordinance was adopted to establish that all STRs were required to have a use permit regardless of whether they were primarily operating as an STR or whether they were primarily a home with rentals on the side. The adoption of the ordinance voided the previous interpretation. The City wanted to give those who had legally operated with a business license time to keep operating. They could continue to operate and were given a two-year grace period to get the use permit. That grace period ends December 31, 2024.

Staff realized that there would need to be a standard set of conditions to address the operational concerns such as the number of people allowed, the hours of operation, safety measures, nuisances, and other things. The phase one stakeholder group engagement developed a set of recommended conditions which were used under all of the approved use permits that previously went before Council. They are also a fundamental part of the regulations being proposed tonight.

In August 2023, Council recognized that it wasn't just the operational considerations that needed to be addressed but also how many and where the STRs are in the City to balance the character of the neighborhood. City Council enacted a pause on the consideration of use permits to allow time to think about the policy and develop recommendations.

The second set of stakeholders convened a mix of STR operators, a bed and breakfast operator, and representatives from a variety of different neighborhoods within the City. After receiving feedback from this group, staff presented recommendations for how to proceed with the amendments on February 14. At that time, Council asked for the amendments to be slightly more conservative on a couple of parts. Tonight's presentation contains the requested changes.

Ms. Jackura addressed the density, or how many STRs can be in the City. Staff

wanted to avoid having them all in one area so instead of a flat cap, the City will be divided into STR zones with each zone having a maximum number of STRs allowed. One percent of the total housing units in a zone may be STRs. She displayed a map of the 51 different STR zones that were created. They are based on physical barriers, geographical separators, major roadways, waterways, etc. The idea is that an STR in one zone won't impact neighbors or properties of STRs in a different zone. The names are themed based on a major waterway since water is so important in Hampton. On the map, each zone has a number that indicates how many STRs one percent would be. For example, one percent of the homes in Hampton River 5 would be three so that is how many STRs would be allowed in that zone. However, a major concern was having them all on the same block. To avoid that, the separation requirement is 500 feet between STRs, measured from the property boundaries. The proposed exception would be two STRs side-by-side but not behind or across from each other.

Ms. Jackura explained that the 500-foot number came from the City voluntarily identifying that when land use cases go before Council and Planning Commission, 1/10th mile, or 500 feet, is what is important that we notify neighbors. She displayed a map showing how the 500-foot distance would apply. Any STRs that had been operating legally and are covered under the grace period would be approved and not restricted by the separation as long as they get the appropriate permit before December 31, 2024.

When thinking about buildings that have multiple dwellings on the same property like apartments, triplexes, and townhomes, the STR would be the whole property since the separation is measured from the property line. If an apartment is proposed to operate as an STR, the whole property counts as one STR and would have to meet the definition of an STR, which is no more than nine bedrooms because any more than that is considered a hotel. This means the whole apartment complex is limited to nine bedrooms maximum. The 500-foot separation does not apply to these types of dense urban areas that have apartments and other multi-family dwellings.

Some apartment complexes have what staff has called amenity apartments. These are apartments that are kept vacant for guests of long-term residents and are allowed as part of the multi-family use rather than being considered part of the STRs. For complexes with at least 50 units and onsite management, no more than 10% of the units can be amenity units.

Staff was advised that there needs to be clarification between bed and breakfasts (B&Bs) and STRs. B&Bs must have onsite management and be open to public walk-ins during business hours.

Ms. Jackura explained that all STRs that meet the proposed density and separation requirements can be approved via an administrative process or Zoning Administrator Permit (ZAP), only if it meets all of the parking requirements per the zoning ordinance, on-site and on an improved surface. It cannot have events, more than five bedrooms, or 10 overnight lodgers. The five bedrooms and 10 overnight lodgers requirement comes from the building code.

The zoning ordinance defines events as being an announced gathering of people. It can be difficult to enforce but if they can prove that it was an announced event, it will be enforced.

If these standards aren't met, they don't qualify for a ZAP or administrator permit and must get approval via the use permit process which requires public hearings and City Council approval.

Conditions for a ZAP include a posted floor plan with safety features. The capacity limit is based on code requirements but no more than five bedrooms and 10 overnight lodgers are permitted between 10:00 p.m. and 7:00 a.m. During daytime hours twice the capacity will be permitted. There must be a responsible local person (RLP) who will address issues and respond to City calls within an hour. Sufficient parking must be provided onsite and on a permitted improved surface. Street parking does not count. No exterior signage is permitted. They must maintain a log of dates rented, the name of the primary person, and number of lodgers. No events are allowed. They may only advertise in compliance with the City Code. There is a \$200 permit fee and a \$50 inspection fee. They must pass an initial inspection with reinspection in the second calendar year of operation and every two years after. The City will notify them that the inspection is needed and must be completed within a certain period. If they fail to do that or if they haven't been operating within those two years, the permit will be revoked. If the permit has been revoked, they have the right to appeal the revocation before City Council.

The zoning ordinance is enforced by investigating a complaint; sending a Notice of Violation (NOV); giving 30 days to correct or appeal; reinspecting to confirm compliance; and issuing a criminal summons if not corrected. The court would order abatement if found guilty and possibly issue a fine (up to \$1,000 for the first violation). If uncorrected, the court could then fine the defendant an additional \$1,000 and find them guilty of a separate violation every 10 days after the abatement period for failing to correct.

Ms. Jackura displayed a series of slides showing maps of the 51 zones grouped by similar names; and tables showing the maximum number of STRs allowed, the number of current approved use permits, the number of grace-period STRs, and the

number of complete pending applications.

Fort Monroe is included because it is within the City's jurisdictional boundaries but, because it is state and federally-owned, the City does not regulate it. Anyone wanting to operate an STR would need to speak to the Fort Monroe Authority.

Staff sent all required notices, which included a postcard, to every property owner in the City. The notice included a link to the website with the STR zone map and an email address for questions or concerns.

Staff briefed stakeholder groups, Coliseum Central Business Improvement District (BID), Downtown Hampton Development Partnership (DHDP), Phoebus Partnership, Buckroe Improvement League, Peninsula Realtors Association, Neighborhood Commission, Northampton Civic League, Rotary Club, and others to try to reach as many people as possible. They also received a lot of written feedback which was a mix of support and opposition.

She noted that they heard a lot about Home Owners Associations (HOAs) and condos that indicated they have private covenants that restrict use. There was concern or desire that the City would prevent STRs from being approved in those zones because they're prohibited on the private covenant side. The City cannot enforce private covenants as they are not a party to those agreements. It doesn't stop an HOA from prohibiting them but it would be on them to enforce those restrictions.

During the Planning Commission meeting, several Commissioners discussed exploring the possibility of increasing the density allowance in the Buckroe STR zones, decreasing the required separation distance, and the impact on homestay rentals. Staff is proposing to bring homestay amendments to the Planning Commission on June 20th. One Commissioner spoke against the changes to the Buckroe STR zones saying it is a residential neighborhood and shouldn't be treated differently.

The Planning Commission recommended approval of all amendments and rezonings.

All STR use permit applications that are complete by June 30, 2024, will automatically be converted to ZAPs if eligible. After that, applications will be processed on a first-come, first-served basis. There will be an interest form on the website that people can submit if they want to be notified if an STR ceases to operate in their zone.

If adopted, the amendments will be effective July 1, 2024. Staff will mail letters to all

suspected illegal STRs. They will also mail letters to all grace-period STRs letting them know they will need a use permit or ZAP by the end of the grace period. Staff will meet with the Courts before October 1, 2024, to make sure to coordinate how enforcement will be done. Enforcement will begin on October 1, 2024.

Staff and Planning Commission are recommending approval of item numbers 24-0173 through 24-0228 with an effective date of July 1, 2024.

Vice Mayor Gray asked how someone would initiate a complaint in the event there is a party or event at an STR. Ms. Jackura explained that there are several ways. If the STR has gone through the approval process, there will be a designated RLP whose contact information will be on the City website. They could call that person saying there's an issue and asking for it to be corrected. If they don't feel comfortable doing that or if they tried and it didn't work, they could call the City's 311 system and indicate they have a complaint and would like to initiate an inspection. That will trigger the code enforcement team to go out and inspect to see if there is an issue and take action. Staff could then call the RLP. If the RLP fails to respond within an hour, that would be a violation, even if everything else was completely fine. One of the reasons for permitting STRs is to have a better way to enforce violations, however, if it is an unpermitted STR, they could use the same process attempting to contact the RLP or the City's 311 system. The City would go through the enforcement process which wouldn't be as easy as it would be under the permitting process. They could be taken to court because if they don't have a permit they are not allowed to operate and need to be shut down.

Mayor Tuck called a 10-minute recess at 8:18 p.m.

Following the recess, Mayor Tuck opened a joint public hearing on items 11 through 66. He welcomed the first two speakers, Lynn Howard and Craig Mottley.

Mr. Howard greeted Council and made the following comments: First, I do want to start with appreciation for your leadership, Council support, and staff's phenomenal work to get the best answer. I don't believe we have it yet, but we are way better than almost anybody I know of. And I didn't say that to make points. Now we're going to make some points. Hampton Roads has never had a center because we have 600,000 people on the peninsula. We have a million people on the south side. And we have a tiny little gate, the Hampton Roads Bridge Tunnel. That's about to change. Currently, 75,000 cars a day is the traffic count. When the bridge tunnel is completed, 210,000 cars a day. What that means for us is that we now have the potential to have a center of Hampton Roads, and it will be Hampton. What I want to encourage, and lobby for, is that we greatly strengthen our tourism because as we have more tourists, we have better events, better amenities, and better lodging.

That's what it takes to attract tourists. When we do that, we have more money to support the community, law enforcement, and social services, as well as to strengthen amenities, lodging, and events. Ultimately, we'll get hotels. Hotels follow demand they don't lead it. We've been flat in our hotel inventory for a decade. There is no prospect of that significantly changing and if it did, not soon enough. This proposal, according to staff analysis, is going to eliminate 70% of your Buckroe lodging. In Buckroe and Phoebus combined, it will eliminate 60% of your lodging. This is your tourist district and it will virtually wipe out lodging. When people come to the beach the intent is to stay at the beach. We can't even park at the beach. We have spent \$10 million in the last two years. We are creating a neighborhood beach. I don't think that is a correct entitlement that benefits the entire City. With the cuts that we would make with this proposal we would have, and I back this up by talking to the Commissioner of Revenue, one million dollars less per year. That's one million dollars that could go to improving tourism, as well as social support. We are about to open a door that allows a million people to suddenly have unfettered access to us. That is an enormous advantage.

Mayor Tuck commented that he generally doesn't speak after people speak, but regarding the comment about our hotels being flat for a decade, the City has had two hotels built since he became Mayor. Before 2019 there were only two open in our City.

Mr. Mottley greeted Council and made the following comments: Before you vote, please take into consideration that although STRs are marketed as a tourism product, I have found out they are more about helping the community. During COVID, STRs were used by traveling nurses versus hotels as a safer option without having to breathe the air from an entire building while helping the community. We help house families that have had catastrophic losses to their homes such as fire, flood, and acts of God, helping the community. We have families that are on a budget and would like to travel to our great City but do not have the means to afford multiple separate hotel rooms versus having an entire home. Also providing more safety by being underneath one roof, helping the community. We have helped families caring for loved ones in a long-term stay situation in local hospitals so that they could be with their loved ones in a time of need, helping the community. A nightly fee at a hotel was unaffordable, helping the community. The 500-foot rule and a one percent density cap will limit the amount of Airbnbs or STRs to the point that it would be hurting the community that we can no longer help these particular individuals because there will be less inventory. Please take these points into consideration while deliberating on your vote. Thank you for your time.

Mayor Tuck welcomed the next two speakers, Matthias Telkamp and Amy Hobbs.

Mr. Telkamp greeted Council and made the following comments: I'm here to express my viewpoints regarding the proposed regulations on short-term rentals in Hampton. A recent article in Wired highlighted the negative consequences of New York City's restrictive STR policies. When New York limited STRs, neighboring New Jersey saw a significant increase in STR activity, growing by 77%, 45%, and 32% in the three closest cities. This shift not only deprived New York of valuable tourism revenue but also strained New Jersey's infrastructure as it wasn't prepared for the sudden influx of tourists. New York City lost tax revenue from the STRs and the money that would have been spent within the City. That money ultimately went to New Jersey. Tourists staying in STRs spend money on local businesses boosting the economy. They dine at restaurants, they shop at stores, and they engage in local activities. These small businesses that rely on tourist spending might struggle without the influx of visitors that STRs bring. Would that make you look like you're supporting small businesses on reelection? While the idea of overlaying districts and limiting STRs to one, or even three percent per district might seem like a balanced approach, it can inadvertently stifle the City's economic growth. Limiting STRs to only one within a 500-foot radius and allowing homeowners to block STRs could lead to underutilization of potential tourist accommodation. This restriction could drive tourists into neighboring cities much like New York to New Jersey shifts. In conclusion, while regulating STRs is necessary, overly restrictive measures could harm the local economy and small businesses. And I also want to reiterate that small businesses in STRs are not the rich and they deserve an equal shot at the future. I urge the Council to consider a balanced approach that allows STRs to coexist with residential neighborhoods, ensuring the City continues to thrive economically. Thank you for your time and consideration.

Ms. Hobbs greeted Council and made the following comments: Thank you Mayor Tuck and Hampton City Council for the opportunity to speak tonight on the issue of STRs. My husband and I invested in a small home in Buckroe over 30 years ago. We watched the prostitutes walk in front of our home, avoiding the open ditches that ate more than one friend's car. We watched the homeless squat in houses and slum lords do despicable things to homes and tenants alike all around us. So I became involved. I joined boards, I sat on the neighborhood commission. I created and chaired The Friends of Buckroe Beach Park along with the members of the Buckroe Civic Association. At one point even ran for one of those seats you're sitting in. I fought with my neighbors and civic groups to create a safe and welcoming Buckroe. Now 20 years later, our neighborhood has finally turned the corner. We now have a safer neighborhood, mostly free of the issues of those times. This led my husband and I to once again invest in our neighborhood, buying our neighbor's home as an investment property to share a love of our corner of the world with others. We poured love, money, and sweat into making it a home away from home for all of our guests. We stocked it with Hampton magazines, Virginia magazines, flyers for our

pier, for our Bluebird Gap. We've provided links to the Coliseum, festivals, and downtown. We've now rented our little perch as we like to call her, to numerous families and have a premiere five-star status. Our guests mentioned their joy in the beach and farmers market, the closeness to Hampton University so they can attend graduations. Their easy drive to Fort Eustis for work and their excitement to attend events at the Coliseum. Buckroe was not like any other neighborhood in Hampton and her uniqueness deserves to be recognized. To say that she should be treated the same as any other neighborhood is doing a disservice to all she has to offer. She has the only easily accessible garden and event-filled beach on the peninsula, let alone Hampton. In the summer months, thousands of tourists pour onto her beaches and parks, and they leave their dollars behind. Dollars that don't require the City to reciprocate in any resources. Millions of dollars. Her residents have fought to create and build what she is now. We deserve the right to share her. I have talked to my neighbors. They are grateful for our well-kept lawn, our quiet guests, and our availability to them if there are any concerns. They also can't help but compare our beautiful home and quiet family guests to the long-term rental properties that have minimal oversight that do cause concerns such as multiple derelict cars on the street, loud parties late into the night, and very ill-kept homes. The City should welcome the opportunity to share our all-American neighborhoods with tourists and visitors, not limiting them to one every 500 feet. In Buckroe we no longer have a hotel to welcome those guests. The availability of STRs for families to come should be looked at as a blessing to our City, not as a problem to control. Especially when we don't offer them any other way to stay at our beach. I urge you to reconsider the 500-foot restriction and to review and reconsider the three percent density for Buckroe.

Mayor Tuck welcomed the next two speakers, Greg Garrett and Anthony Goodwin.

Mr. Garrett made the following comments: I am a long-term Hampton resident and stakeholder in this entire STR debate and conversation. The first thing I want to say is, and I've said this to all of you before, the staff recommendation went through 13 stakeholder meetings, an unbelievable time, and hundreds of hours, and it was amazing and close to perfect. And then a couple of changes have been made that are not in the interest of the City of Hampton or anything that's going to happen good for our future. I'm here to talk about two things that need to change in this incredible ordinance so that it can be a model ordinance for short-term rentals for the entire country. I'm also here to tell you who I used to be because it relates to this vote you're getting ready to do tonight. Because there could be a bunch of potential Greg Garretts in this room, who are going to spend the next 10, 20, 30, or 40 years buying houses in Hampton and remodeling them and revitalizing our beloved City like I have done. I'm also here to tell you how this ordinance, if adopted, like it has now been modified, without these two changes is going to negatively affect me and

more importantly affect the City of Hampton's family tourism and the tax revenue that we can garner from doing this ordinance right. The two things that need to change are eliminating the 500-foot radius, which is really a 1,000-foot diameter creating a no short-term rental zone. The second is the Buckroe and Phoebus. Back to the three percent like the stakeholders and the staff originally recommended, which leaves 97% of all homes in those high-demand areas, and 99% of the homes outside of those areas, either long-term rentals or owner-occupied homes. When I was 21, I bought three homes in the City of Hampton for \$7,000 each on Lee Street and two homes on Chapel Street. I spent three times what I paid for these homes remodeling them. These houses should have been condemned but now they're still sitting here. How did that happen? It happened because I had the freedom to do that. Do not deny the freedom to people who want to revitalize Buckroe and Phoebus and these other places doing this. If you pass this ordinance without the needed amendments, these homes that I bought will be denied revitalization or they'll probably be torn down and many mansions or something else will be built in their place. But it's not about me. It's about a million dollars plus in tax revenues. And it's about the entrepreneurs and the short-term rental owners and the people that want to enter the business that are here in this room in this City Council Chambers. They'd want to do something good for their child, their families, their future, and the City.

Mr. Goodwin greeted Council and made the following comments: I thank you for the opportunity. I'm a professional in the real estate industry and I have to also say I commend your staff for working so very hard to create such a wonderful framework of short-term rentals. I come from the south side, of course, in downtown Portsmouth and I am actually charged with, as a member of the Old Town Business Association, an ad hoc committee to look at this very same situation for the City of Portsmouth. I commend Hampton for taking the lead in creating a very comprehensive and very detailed program that you're focused on tonight. There are a few things that, as Mr. Garrett said, some small minor adjustments that could very well be attributed to your vote tonight. And that is first and foremost, I'm a big believer in property rights. Everyone in this room if they lease or own a piece of property or have the value of property rights afforded to them. I'll be a strong advocate for that. You've got an area, Hampton Roads as a region, has a three-legged stool I like to call it, that we rely on the port, the military, and tourism. Tourism is a big thing and when you have a community like Buckroe Beach and Phoebus and areas that you're inviting tourism in you need to be able to make sure you can accommodate them so the density thing is a very big, important piece of your conversation tonight. The one percent may hamper the ability to be able to accommodate that tourism dollar that we all so desperately need. Those dollars are coming in that a taxpayer or a resident does not have to pay. The nice thing about tourism dollars, which I always promote, is the fact that they don't necessarily need a school, a fire truck, or an ambulance. They're here, they spend their money and

then they go. A couple of other things that I'd like to point out to you. The permit fee of \$200, as business owners we sometimes have a fee based on, up to the first \$100,000 in income. It's verifiable. That \$200 might be a bit oppressive for some people who are trying to get into the business as more of a part-time so I would encourage you to look into that. The third thing I'd like to also say is that parking in some urban communities, such as your historic district here downtown, doesn't afford the opportunity to have parking driveways, or improved driveways on site. I do know that our in our part of the world down there in Portsmouth we have homes that are within three feet of each other so they sit basically on every inch of the land they have. So making that a possible variance to their permit. But otherwise, again, I just commend your staff and your willingness to step up and make it right.

Mayor Tuck welcomed the next two speakers, Kendall Tarkington and Terry Skawski.

Mr. Tarkington greeted Council and made the following comments: I live in the Pasture Point neighborhood and I've got kind of a unique situation here and you're probably aware of it, that we have two STRs on one property and one directly across the street. Pasture Point neighborhood, as you know, is a historic neighborhood. It has very narrow streets and does not really have the space for extra guests to visit. I've also been trying to get to the bottom of this since probably the second week of February because this particular property had two parties back-to-back within a month of each other. One of which was, from what I was told, a Grafton High School party where they took over our neighborhood. They were walking the streets with open liquor bottles, parking in every available spot. I mean, literally, I bet that there were 50 people there and they were walking down the streets and yelling and hollering. I was one, I proudly admit, I was the one to call the police and they came out with five squad cars. So that right there is Hampton's police being occupied taking care of parties that shouldn't have been there to begin with. Another issue we had, my next-door neighbor's wife needed the ambulance and it could not make the turn at the corner of the street. They actually had to take the gurney and roll it down the street. I believe that the regulations should be case-by-case. Maybe get a petition and if the neighbors agree to let them have an Airbnb there, let them do it. But I think those who have already had multiple violations already should not be approved. There are neighborhoods that I feel just can't accommodate it. That's all I have.

Ms. Skawski greeted Council and made the following comments: First I wanted to thank everyone involved for their countless hours spent weighing the pros and cons of having a short-term rental in our community. I have a small vacation home in the Buckroe 1 area and wanted to get full approval for this home to be an STR eight months per year. The Planning Commission recommended it for a four-person occupancy in June of 2023. With a pending proposed one percent density, only

nine STRS are allowed in our Buckroe 1 area. Eight STRs are already grandfathered in and are approved. The pending proposed 500-foot boundary between STRs eliminates us altogether. Because we are a block from Buckroe Beach, it's a popular spot for tourism. Can you please, I'm begging you, eliminate the pending proposed 500-foot boundary altogether and increase the proposed one percent density to 3.5% density? Thank you for giving me this opportunity to voice my opinion.

Mayor Tuck welcomed the next two speakers, Helena Mason and Chuck Dunlap.

Mr. Dunlap stated that Ms. Mason was not there and had had to leave. He offered the following comments: I have been a real estate agent and broker. I actually live in Smithfield. I work here on the peninsula, back and forth every day, last 32 years plus. I am a homeowner. I would hate to think that I'd have to leave my home and sell it. I think that there are a lot of people on the peninsula who are in that position, unfortunately. And they are forced landlords if you would, some of them long-term. Some of them would prefer to be short-term. I am a great proponent of property rights. I think when somebody buys a home or buys land, they ought to be able to pretty much do with it what they choose to do. I understand there are some valid reasons, legitimate reasons for regulating land use, but they ought to be minimal. Beyond that, I am asking you to look very, very carefully at what these other people are saying. The use of the land that they worked hard to purchase ought to be a major consideration. Thank you.

Mayor Tuck welcomed the next two speakers, Jeff Hanson and Al Soter.

Mr. Hanson greeted Council and made the following comments: I am from the Wythe area and I'm opposed to the current code because I didn't see some things in it that I would like to address. I didn't see anything regarding potentially using lodging tax associated with the lodgings like we do for the hotels. I think the hotels pay an 8% tax on lodgings but will that be extended to STLs and other short-term rentals? Another issue I would have is, there's a cost to the City for having more visitors and more people in the City. There'll be a cost for the police department to enforce some of the rules. There will also be a cost to codes to have inspectors and people to process the permitting as well. And I'm not sure if the City is ready for that. But I do agree that some of the codes seem to be fair and equitable at this time. Thank you.

Mr. Soter greeted Council and made the following comments: I've been a homeowner in the Buckroe District Number 1 for 34 years. I'm here tonight to speak in favor of most of the short-rental regulations proposed by the Planning Commission. I appreciate Hampton's efforts to develop a short-term rental program that meets the needs of our citizens and provides a benefit to all neighborhoods.

There are several proposed regulations that I do not agree with, which mirrors what most of the other speakers have mentioned. If enacted, they will preclude many tax dollars from the City. I feel they will prevent a majority of homeowners in the most desirable zones, which would be Buckroe and Phoebus, from engaging in short-term rentals. Number one is the 500-foot buffer between rentals. In Buckroe, where we only have a 60-foot width for the lots, that precludes eight homes on either side of the current rental that's already permitted on North First Street. I'm also opposed to the one percent cap per district. In historically vacation rental neighborhoods such as Buckroe and Grandview, these popular destinations should be allowed a higher percentage of rentals. Finally, I believe, and this has already been taken off the table, that someone renting a room in a house that they reside in, should be exempt from needing a permit, but should still be required to pay taxes and fees. In closing most regulations will provide for a successful program. Please reconsider the three that I've mentioned. Thanks for your attention.

Mayor Tuck welcomed the next two speakers, David Spring and Dwain Alexander.

Mr. Spring greeted Council and made the following comments: I own Buckroe Coffee Company. We're coming soon to this area and we're super excited to work with Hampton and we appreciate the reciprocity with the Council. The homestay thing, to take that into accountability from the last meeting is awesome. High five. Thank you for considering that. And keeping that in mind, I think that's a huge positive, especially with how it impacts the citizens and their opportunities to monetize their own homes and the freedoms of that. So, awesome. I love that y'all did that. I think let's get down to kind of the brass tacks a little bit. Who here is familiar with the waterfront tourism zone on the designated map areas? Or is everybody? So there's a waterfront tourism zone, and there's a Hampton urban enterprise zone. And those overlays, they kind of fall within the Buckroe 2 and the Phoebus 3 area. Those are the only two that had more allotted Airbnbs than the zoning ordinance allowed. So if there was some kind of way to do like a proximity overlay with the waterfront tourist zone or the Hampton urban enterprise zone that would kind of almost benefit those two areas where we're looking to try and bring business and revenue, things like that. So maybe that might be a reasonable solution to deal with versus the proximity aspect. Maybe look at those two maps combined. Maybe an overlay just as a solution. Maybe we can consider it. I think the 500-foot proximity thing, please just table it. And then last but not least, approve the map already. To make them read that one more time is like cruel and unusual punishment. I think all of us agree on the map, but maybe just table the 500-foot proximity thing until we can find a better solution and consider the waterfront tourism zoning and the Hampton urban enterprise zone overlays with regards to an exception to proximity. So thank you. I appreciate that.

Mr. Alexander greeted Council and made the following comments: Thank you for the opportunity to speak and for putting together the rule. My concern is with the 500-foot, no STR section or division. As written, it would allow someone who was already permitted to create an STR, to use it one week a year, but within that 500-foot or 1,000-foot radius, they couldn't come back and have anybody else do it. So they've lost everybody else in that area for the other 51 weeks of the year sir. Additionally, it seems to favor owners of multiple properties and multiple units so if you have two next door, you can you can avoid the 500-foot rule. If you have an apartment complex you can avoid the 500-foot rule which favors businesses over individuals. This is a personal matter to me. I've been here for 29 years and owned my house for 24. I am retired, my kids are gone, and my hope was to rent out my property for a couple of weeks a year and use that money and time to travel. This rule, if someone in my area had one already, would just stop me from doing that and I would like you to reconsider the 500-foot rule. Thank you.

Mayor Tuck welcomed the next two speakers, Antoinette Weathers and Lillian Dixon.

Ms. Weathers greeted Council and offered the following comments: I appreciate the significant balance required between the benefits of the short-term rentals and the challenges that they pose. As a Phillips Lake resident, I have four primary concerns, the environmental impact; the environmental footprint on the lake and wetlands in our Phillips Lake community is one of my major concerns; security concerns with the increased likelihood of illegal activities; and the quality of life. It's been my experience that we've had increased noise, traffic, parking issues, and disturbances in our residential area. It's affecting the quality of life for some of our residents. I certainly support a robust plan for enforcing permits, ordinances, and conduct rules to minimize disturbance to our neighbors. I'm requesting Council consider stricter controls, record keeping, maintaining guest stays including dates and names, and tax collection. I agree the City should collect hotel taxes to avoid losing revenues that would otherwise be collected from hotels. Inspections, periodic inspections, and authority for the inspectors. We've made attempts to call 311 and we've had inspectors come out. I believe they should be given the authority to impose fines and penalties and suspend rental permits whenever necessary. Thank you.

Ms. Dixon made the following comments: I sincerely appreciate all the work of the Planning Commission and the Hampton City Council to address the business model for investors and homeowners. The STR ordinance appears to protect the integrity of our communities, but also allows your constituents to supplement their income in very tough economic times. What I've realized as a rental host is the economic impact on our community. STR hosts provide employment to several of your constituents and they, in turn, take their hard-earned dollars and put it back into our communities: yard maintenance, lawn beautification, pest control, handyman,

housekeeper, plumbing, power washing, laundry service, electricians, construction projects, just to name a few. I too return a lot of my revenue to our economy as well through home beautification and modernization. Additionally, because of my STR, the City benefits from occupancy tax every time I have a renter. My neighbors benefit from my business because I do yard maintenance for them to ensure our piece of Hampton remains beautiful. I've also taken full advantage of Hampton's curb appeal program and have done several projects on my home. While I'm happy with the work that has been accomplished with the STR ordinance, the 500-foot radius 360 degrees is a part of the ordinance that I really have trouble with because it impacts everybody in every single zone, some more than others. While a host that meets all City codes, and provides five-star accommodations and service to their guests could be eliminated, a marginally operating STR could survive. What I have discovered in my experience as a host is that guests and short-term rental properties expect safety and security in their accommodations. Guests have an expectation that we, as hosts, will be responsive to any of their concerns. I just hope that when you consider that 360 rule, you understand that it not only affects the host and the guests, but it also impacts the people in our communities. I think if we work together and we don't enforce that 360 rule that I think it'll work out fine. Please consider eliminating that part of the ordinance. Thank you.

Mayor Tuck welcomed the next two speakers, Karen Ray and Lynn DeGregorio.

Ms. Ray did not come to the podium when called.

Ms. DeGregorio made the following comments: I came here because I missed the meeting last month. I think the proposal is very good as it stands. I think that it's very good to limit the amount of Airbnbs or STRs. I really like the proposal and I did not come here thinking I would. Thank you very much.

Mayor Tuck apologized for pronouncing Ms. DeGregorio's name incorrectly when he called her.

Mayor Tuck welcomed the next two speakers, Edith Morant and Mary Ellen Smalls.

Ms. Morant did not come to the podium when called.

Ms. Smalls greeted Council and made the following comments: I live in the Hampton area and have been here about 40 years now. Hampton is like a little Martha's Vineyard for me. I work with Airbnb. I have a business and I employ males and females, young and old. I've really enjoyed working with the community, and the STR community, and learning about the people who come into our town. I've met people from all over the world coming here to try to find out more about our rich history

here. I love the way that communities have really grown and how they have taken an interest in their communities. I really commend the Commission on what they've gone through and have brought forth so far. The regulations and the guidelines that we have now are right on point. But I do have a concern with the 500-foot buffer because it will put a lot of businesses out of business, a lot of homeowners out of business. I ask you to consider that 500-foot. Thank you.

Mayor Tuck welcomed the next two speakers, Dave Rogers and Barbara Boston.

Mr. Rogers greeted Council and made the following comments: I am from the neighborhood of Buckroe Beach. Let me repeat that, the neighborhood of Buckroe Beach, particularly Overlay District Number One. I want to thank the City staff and stakeholders. They put a lot of time into developing this. I want to particularly stick to the one percent density. We've heard from a number of people who want to expand it. They tell us all the benefits. There are some negatives, we have to acknowledge that there are some problems with short-term rentals. In my neighborhood alone, I've seen trash, parking problems, and maintenance issues. A couple of weeks ago, we had a large party house that was a short-term rental. I have two bullet holes in my fence and one on the roof of my truck from that short-term rental. The one percent will help maintain the character of our neighborhoods. With the density, at one point in time in my neighborhood between Buckroe Avenue and Pilot Street, there were 30. From my yard, I can see nine, either active or pending. That's an awful lot of density for a neighborhood. I'm not against them. I am a consumer of short-term rentals. Please stick to the one percent and help maintain the character of our neighborhoods. Thank you.

Ms. Boston did not come forward when called.

Mayor Tuck welcomed the next two speakers, Linda Kelly and Susan Rolf.

Ms. Kelly did not come forward when called.

Ms. Rolf greeted Council and made the following comments: My husband and I live in the Buckroe Beach Zone 1 area and I wanted to talk to you about why my part of Buckroe Beach should be treated differently than neighborhoods. I got the idea of the short-term rental because I saw families out on a beach playing and that doesn't normally happen where I live. Most of the houses are vacant along with the beaches, they're vacant. The owner of the house told me that he started short-term renting his home and I've talked with other homeowners whose houses sit vacant and we all suggested that we should do the same. It's a shame to have this wonderful area with vacant houses and beaches. We were from Roanoke and we'd drive to Virginia Beach each year for vacation. We didn't go to Buckroe, they don't have anywhere

to stay, there are no restaurants, and it's not accommodating to visitors. So I suggest we change this. I suggest that we fill these vacant homes with families, that we have families on the vacant beaches. Let's promote restaurants and tourism in our area. Buckroe Beach is a diamond in the rough. It's a wonderful vacation spot with the beach, the view, the pier, and the marina. A few of the houses near me are occupied by one or two adults. Families don't own the beach houses and are not living in beach houses. This area is not a neighborhood and I don't feel that it should be treated like one. If the 500-foot rule is required in Buckroe Beach, then in my area, that one house would be able to have a short-term rental. Our lots are only 60 feet wide. Nobody else would be able to short-term rental, it would just be the one. So I'm asking you to waive the 500-foot rule in Buckroe Beach and let families come and enjoy our hidden treasure. Let them stay in the now vacant homes. Let them swim in the now vacant beaches. Let them promote restaurants and businesses in our area. Let's let families discover Buckroe Beach. Thank you.

Mayor Tuck welcomed the next two speakers, David Rolf and Jack Jones.

Mr. Rolf made the following comments: First, let me thank you for following my wife because I'll finally be able to get the last word this evening. Beach short-term rental properties have been a staple for a very long time. Probably since the first humans found a cave with a view of the Mediterranean, people have wanted to be at the beach. I remember as a child my family would rent a beach house. We would spend hours looking at the catalog to find a house that was open for our week. If one house was not available, maybe the one next to it was. It seemed like every home in the area was a vacation home. When we arrived at the beach, we would get a key from the real estate company managing that particular property. There were at least four or five such companies managing all these homes. Quiet family destinations like Emerald Isle and Sandbridge headlined many of these communities. Present day finds companies like Airbnb stepping up to take care of this need. Private homeowners can now manage their own properties to provide for vacationing families. These individual owners maintain their homes and properties and as such have a huge motivation to properly vet their renters. This helps to ensure that the communities like Buckroe Beach maintain a healthy family environment. The incentives for local governments to embrace short-term rentals are numerous. Increased taxes from short-term rental businesses are only one advantage. Local restaurants and shops capitalize on the novelty to the vacationing families and enjoy increased foot traffic. Local events like the farmer's market would receive more attention. The restaurant at Salt Ponds might even reopen with this revitalization. The possibilities are endless. I encourage the City Council to take advantage of the opportunity that short-term rentals provide especially in the Buckroe Beach area. The Planning Commission has already divided the City into different zones. You should make Buckroe Beach unlimited to short-term rentals and do away with the

500-foot separation. Thank you.

Mayor Tuck noted that Joan Weaver had signed up for public hearings and public comments and asked if she wanted to speak on STR. Ms. Weaver stated that she wanted to speak on both. He welcomed Ms. Weaver to the podium.

Ms. Weaver greeted those on the dais and made the following comments: I am here to say, what really disappoints me about what I've heard, i.e. stakeholders, stakeholders, dollars, dollars, dollars. Where is a decency for people? Stakeholders have one thing in mind, dead presidents. I'm looking at long-term homeowners. I believed in the American dream. I bust my butt. I got a home and now the tranquility of it all is what we should enjoy. Why are we consistently hearing about tourism, tax dollars, and revenue? Let's look at the decent mom, dad, grandmother, and grandfather, who have made those sacrifices and have their homes and let it be perfectly understood, you short-term rentals may have rights, but your rights end where my rights start. Make no mistake about that. So I love what you all have put forward. Yes, there needs to be some restrictions, safety, and vetting concerns of who you are bringing in, these transient rental occupants. Traffic and parking, congestion, and these celebratory distractions. Then don't tell me the man who's managing the project is going to do this and do that. He's at home sleeping in his bed. Why should I be inconvenienced? Oh, God, I gotta go call 311. Why should I have to pull out my officers when they can be doing better things? Everybody has the opportunity and the chance. But let's look at humanity, mankind, and decency. Don't put no dollars over me. No. Respect me and then your dollars will come. Thank you.

Mayor Tuck welcomed the next two speakers, Debra Breeland and Kathleen Martin.

Ms. Breeland did not come forward when called.

Ms. Martin made the following comments: Most of the speakers have already addressed some of the issues or concerns that I have so I'm going to just add a little personal note. A lot of people who are thinking about short-term rentals are people who have owned their home for years and years and years. I, being a recent widow, have hopes that I can stay in my family's home. My family's historic home has been in our family since it was built and it may be able to, it may concern me, these restrictions because at a future time, I may have to visit one or two of my children for a week or two so that I can rent out that beautiful home so that I can continue to pay the taxes and upkeep and capital improvements that are going to be needed. I want to leave that home to my four children and grandchildren to enjoy but I may not be able to do that if I'm not allowed to have a short-term rental during the year for a few weeks. I am in the Wythe 3 zone and the one percent allows 11 short-term

rentals. I kind of used a quarter and I kind of went over the map and actually, I don't think 11 will actually fit in Wythe 3 zone. With the 1000-foot radius, 11 of those circles will not fit in that zone. We live in a neighborhood that is not going to attract anyone really other than families. And I know for a fact that Airbnb and Vrbo very closely keep track of residents and the renters and if they're not behaving, they don't get to rent again. And if the host is not a host that takes care of their property and enforces the rules, they don't get to be a host. I think some of these fears are really unfounded. And if the enforcement of the rules happens then we won't have these terrible incidents that affect neighbors. I just want you to consider that. Individuals have rights also. The way it is now it does seem like apartment owners and people who are in big businesses are going to be exempt from the 500 feet and the one percent and that doesn't seem fair to individual families like myself.

Mayor Tuck welcomed the next two speakers, Julenn Keeling and Kim Nguyen.

Ms. Keeling greeted Council and made the following comments: Thank you for the opportunity to come before you. I am a longtime resident, realtor, and property manager. I'll try and be as succinct as possible. I manage short and long-term properties for my clients and I feel that everyone should at least have the opportunity to pursue the short-term rental route if they so choose. It provides a monetary means for homeowners to have additional income in these challenging economic times. STR units are not the enemy of neighborhoods and communities and I can personally tell you that my STR units are far more maintained than my long-term rentals, both inside and out, simply because my STRs have to in order to be successful. The current proposed restrictions on the zones are too restrictive, and in fact, infringe on fundamental property owners' rights. I do agree that there should be regulations, and in fact, welcome them. However, the current ones need additional work to become law or ordinance. The 500-foot radius is extremely restrictive, especially in our beach and waterfront areas of the City. For our units, the overwhelming majority of our guests have been those families vacationing, coming to Coliseum events, the Williams tournaments, and visiting loved ones at our military bases. Having the STR units provide a much-needed variety of accommodations, will help the City to make the City more marketable for continuing to attract tourism dollars, as well as boost local businesses and local economies. Thank you again for your time and consideration. Have a great evening.

Kim Nguyen did not come forward when called.

Mayor Tuck welcomed the next two speakers, Marsha Jurewicz and Kevin Mihlfeld.

Ms. Jurewicz made the following comments: I want to talk a little about my significant other of 16 years. I promise this has a point. He was once a video-game-playing

artist who backpacked across Turkey, Syria, and Iraq, was not really inspired to volunteer, had no real interest in local patronage, always kind-hearted, but that just wasn't him. In 2018 we bought a house on Willard in this little town we knew nothing about, Phoebus. Little did we know, and by we, I mean all of us here, that this video-game-playing, backpacking artist would have an immeasurable impact on Phoebus. And most noteworthy is that living in Phoebus is what inspired him. He's now a board member of the Partnership. He's also the Phoebus Neighborhood Commissioner, and that's the least of his accomplishments. He curated the first and only Phoebus Early African-American Leader Pop-up Museum as part of the Harrison Phoebus Day Festival, which he conceptualized and coordinated. You may not know that every single artifact that he borrowed belonged to new Phoebus residents, advocates just like him. One who sold his comic book collection to put a down payment on a Phoebus home in 2021. Another moved here in 2018 and wrote four books on the history of Phoebus. Another moved here with his wife in 2020 and on Memorial Day, a few weeks ago, grabbed this group of guys, went to Hampton National Cemetery, and helped plant flags. After writing the Living Shoreline Stewardship Grant, he and 13 volunteers spent hundreds of hours planting vegetation to prevent erosion along the Mill Creek coastline. And then a nor'easter hit and this is what you don't know, at 3:00 a.m. that night, he says to me, Marsha, I gotta go check on the plants. He put on his waders, went down to Mill Creek, got in the water, and checked on the plants. The irony that an illegal short-term rental would pop up next door to us this year, bringing in bulldozers to plow down the living shoreline in their backyard and our backyard to build a dock without permits. They built a second kayak dock in a Chesapeake Bay protected area and a backyard patio so obscene that it now causes our property to flood with rain overflow. This property grosses \$1,100 a night on Airbnb. Last Monday night, I waited until midnight before calling the police on a party being thrown in their backyard. The police never came.

Mr. Mihlfeld made the following comments: praise the Lord of Saints. I'm glad to be here tonight as a resident of the Buckroe 2 area on Atlantic Avenue. I live on a street that has a number of short-term rentals. In my honest opinion, I think it adds tremendous value to the street in which I live. One of the reasons I decided to purchase my home was because of those short-term rentals. I didn't know they were at the time but when I saw them, they stood out from among the other homes. They're well-kept. I think sites like Airbnb, Vrbo, and those kinds of things, usually do a very good job of vetting their clientele. I do believe it brings a sense of community development, enhancement, and beautification to our streets. There's an incentive for those owners to keep that place pristine and clean, their yards kept well. There is an incentive for them to draw attention to the local attractions, telling people where they can go to eat, where they can go to shop, how close they are to the beach, how close they are to the Coliseum, those kinds of things. I think we need that kind

of revenue in our neighborhood. I don't think the one percent is fair, as it were. As we saw on the map that our precious lady read earlier, there are areas that have very little demand and that's because there's nothing that's drawing people in there. In these areas down around the waterfront, Fort Monroe, the Phoebus district, and Buckroe, those are magnets, that's where we want to draw people to so to limit to one percent only hurts us in the long run. I do think we need revenue. Maybe we could fix a couple of roads around our City and do some things with some added value. So as a homeowner, I don't have any vested interest. I'm not leasing out my home as a short-term rental or anything like that. I just live in it. I've got four chickens in the backyard, and I cook out every day. Come on through. That's what I do. I like the fact that these homes are nice, people have been kind, we've had no issues with parking, no issues with parties, and I think that we should really reconsider the 500-foot restrictions. I think we need a more common-sense approach and I think we need to consider that those two areas maybe need to take some of the percentages away from the areas where there is not a demand because the demand, we need the density there to be able to meet the demand.

Mayor Tuck welcomed the next two speakers, Patricia Gross and Michelle Wise. Neither came forward when called.

Mayor Tuck welcomed the next two speakers, Susan Gaston and Malaika Yemanje.

Ms. Gaston greeted Council and made the following comments: I'm here with you this evening on behalf of my client, the Virginia Peninsula Association of Realtors, known as VPAR. The association represents real estate professionals and advocates for housing opportunities and the rights of private property owners throughout Hampton, Newport News, Poquoson, Isle of Wight, and York County, as well as the greater Peninsula Hampton Roads regions. I would also like to begin, as many other speakers have noted, by thanking the City staff for the amazing work and guidance that they've provided. Allison Jackura, Bonnie Brown, and their teams have done yeoman's work to make sure that the stakeholders and the citizens could be candid, disagree without being disagreeable, and work together in what remains a very inclusive effort. As you all know, VPAR has a long-standing collaborative relationship with the City that has produced some of the most positive policy language in the region and some cases, the country. Our mutual cooperation and candor have set a standard among realtor associations throughout the nation. Model ordinances and significant engagement efforts have been the result, from flooding and resiliency to rental inspection. We believe that we are well on our way to a similar outcome with the City's approach to regulating short-term rental properties. VPAR has had a seat at the table throughout these many months of discussion, including actively participating in the first round of workgroup meetings that initially vetted the issue and helped to establish specific policy provisions. Since then, we have maintained ongoing communication with the City staff, including the City Manager, Ms. Jackura,

and Ms. Brown on how best to move forward with a policy that not only benefits short-term rental property owners, but also benefits the renters and users of those properties, all while enhancing Hampton's reputation as a tourist-friendly destination, and maintaining, if not strengthening, the character and quality of the City's neighborhoods. There are portions in the draft ordinance that will need to be continually assessed and amended. This is particularly relevant in the 500-foot rule which does, we believe, warrant further study. VPAR would align itself with several previous speakers who have suggested that this diameter may be too restrictive and should be considered for possible reduction. But while the work continues, let's not let the perfect be the enemy of the good. This is a good, if not great, work product and it's on its way to being a model ordinance. Hampton continues to lead the way in our region on strong policy so let's keep working on this language as the policy evolves. But also, please give certainty and focus on those units that are already in operation as well as those that could be in operation, allowing the rights of neighbors, STR users, tourists, and other visitors to Hampton to pursue their dreams, all while promoting the City's economy, its tourism, and the entrepreneurial ecosystem. Thank you all for allowing us to speak to you tonight.

Melaika Yemanje did not come forward when called.

Mayor Tuck welcomed the last speaker, Gail Williams.

Ms. Williams greeted Council and made the following comments: Thank you for the opportunity to come and speak with you tonight. I just have a few things I'd like to say. I'm definitely, number one, against the STRs. I ask that you exclude townhomes that are individually owned. I know there are townhomes in the City that are not but exclude those. And the reason that I ask that is that we're connected to one another. I've been in my home for 26 years, actually 27. I've had five homeowners beside me during that time period and every time someone new comes, I get roaches. All the other time I don't have any. So, when you look at the short-term and we're connected this way, we have a possibility of getting bedbugs and roaches, and each time it takes about two months to get that infestation out of my home. So, for those that are individually owned, please consider not having short-term rentals. Also, it was mentioned about HOAs. HOAs can be dissolved so if we can look at the future, maybe we should just exclude it altogether because they are townhomes connected. Because HOAs can be dissolved in the future. Parking, we have a serious parking situation. We have City streets. We only have 90 townhomes, three streets, and those streets, the parking there is only about 13 spots and 11 of them are taken every single day by the homeowners that live here. The City is placing the responsibility on the homeowners. That's not fair. You don't have enough staff now for the problems that we have in the City. Trash cans, you start sending out letters about those and people going to be imposed. I call the City on so many homeowners

leaving theirs in the front every single week and nothing is done. It's not fair to place a responsibility on us. My mom worked for the City for 18 years as a horticulturist, beautifying the City, and doing the landscape all around the City, and I want to continue to see Hampton as a beautiful City. I don't want it to be known as Hampton STR you know. I want it to continue to be known as the beautiful City of Hampton, Virginia. If I wanted to live by a hotel, I would have built my house by a hotel so I don't want you to bring a hotel next to my home. Thank you very much.

Mayor Tuck commented that people misunderstood the 500-foot radius and someone mentioned 1,000 feet. There's not 1,000 feet between the STRs, there's 500 feet. He explained that back in the early to mid-2000s, the City realized that the only way it could grow was through redevelopment. It developed six master plans and each one impacted a different community in the City. One of those was Buckroe and at the time there was a lot of controversy about the Buckroe Master Plan. At the time it was drafted, the concern was that Buckroe was primarily rentals and they wanted more home ownership there. The City invested public dollars in buying some of the cottages and some of the blighted properties to try and spur the private investment that you see now. There are those who view it as a model community, but that was through the City's help. The idea at the time was to try and make it more than just a resort area with ongoing rentals and make it one where there was an established community. He referenced someone's comment that they want a neighborhood, not a community, and stated that that is offensive to the people who live in Buckroe who consider that to be a neighborhood where individuals know each other and don't want to see that on every block, every other house is a short-term rental.

Mayor Tuck welcomed Jack Jones to the podium.

Mr. Jones made the following comments: I'll try not to be too rude and crude. I've lived here since I was eight years old. I grew up in the Gordon's Trailer Court which used to be behind the fishing pier 100 years ago. I've seen this place come apart, come together. I remember years ago, the big apartments on the beach now, used to be Foster's Cottages where people would come down from Richmond and different places they had to have a place to stay. They used to stay in the cottages, Gordon's Cottages, Todd's Cottages, all along there. I see this changing. Now in my mind, as weird as it works, those places got torn down because big businesses came in and built all these great big apartments across there and everything. All of First Street, all back in that area, and some nice homes. Things change. I think in my mind, this is too big a piece to be cutting up like you're cutting up. I live off of Fox Hill Road now and you will make a bed and breakfast, or B&B, or whatever you want to call it that far away from the beach. The beach is what pulls those people here and you want to cut all that up. Part of Bethel Road, New Market, Todds Lane.

That doesn't make sense to me. Maybe it does you. I appreciate all the work that you put into it. I really do. I had never seen it before. But I think you're just taking too big a bite for what you're kind of trying to build up Buckroe Beach area, bring more people in. Well then work on that area. In my mind, if you took everything from the beach to Pembroke Avenue to Mercury Boulevard, that's the Buckroe Beach area. I've got a little rental house over there. If it gets put in that group, so be it. But if that's what you're trying to do is build up Buckroe Beach, you know, don't build up Buckroe Beach by putting a B&B on Todd's lane. Thank you.

Mayor Tuck closed the public hearing.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Text be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

12. [24-0174](#) 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 Amend the Existing Definitions of "Bed and breakfast 1" and "Bed and Breakfast 2" to Clarify How the Use Operates and to Consolidate to a Singular Definition

Attachments: [Redline](#)
[Staff Report](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Text be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

13. [24-0175](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of The

City of Hampton, Virginia by Amending Chapter 3 Entitled “Uses Permitted” to Modify the Use “Short-term rental” to be Permitted with a Zoning Administrator Permit if Certain Additional Standards are Met, Add Additional Standards on the Operation of the Use “Short-term Rental”, Reflect the Combination of the “Bed and breakfast 1” and “Bed and Breakfast 2” Uses, and Add Additional Standards for the “Multifamily Dwelling” Use

- Attachments:** [Redline](#)
[Redline Standard Districts](#)
[Clean Standard Districts](#)
[Redline Special Districts](#)
[Clean Special Districts](#)
[Staff Report](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Text be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 6 - Councilmember Bowman, Councilmember Brown, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Nay: 1 - Vice Mayor Gray

14. [24-0176](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of The City of Hampton, Virginia by Amending Chapter 9, Entitled “Overlay Districts” to Add Article VIII, Entitled “O-STR - Short-term Rental Overlay” to Add a New Overlay District Which Regulates the Density and Separation of Short-term Rentals

- Attachments:** [Redline](#)
[Short-term Rental Overlay District Map](#)
[Staff Report](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Text be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

15. [24-0177](#) Ordinance to Amend and Re-Enact the Zoning Ordinance of The City of Hampton, Virginia by Amending Chapter 10, Article II, Section 10-19 Entitled "One and Two Family Residential District Sign Regulations" to Reflect a Proposed Change in the Name of the Bed and Breakfast Use

- Attachments:** [Redline](#)
[Staff Report](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Text be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

16. [24-0178](#) Rezoning Application by the City of Hampton to Rezone into the

Back River 1 Zone of the Short-Term Rental Overlay (O-STR)
District all of the Parcels of Land Bounded as Shown in the
Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Back River 1](#)
[Affidavit - OSG - Back River 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

17. [24-0179](#) Rezoning Application by the City of Hampton to Rezone into the Back River 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit -City - Back River 2](#)
[Affidavit - OSG - Back River 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

18. [24-0180](#) Rezoning Application by the City of Hampton to Rezone into the Back River 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Back River 3](#)
[Affidavit - OSG - Back River 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

19. [24-0181](#) Rezoning Application by the City of Hampton to Rezone into the Back River 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Back River 4](#)
[Affidavit - OSG - Back River 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

20. [24-0182](#) Rezoning Application by the City of Hampton to Rezone into the Buckroe 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Buckroe 1](#)
[Affidavit - OSG - Buckroe 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

21. [24-0183](#) Rezoning Application by the City of Hampton to Rezone into the Buckroe 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Buckroe 2](#)
[Affidavit - OSG - Buckroe 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

22. [24-0184](#) Rezoning Application by the City of Hampton to Rezone into the Coliseum Central 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - CC 1](#)
[Affidavit - OSG - CC 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Bowman and seconded by Councilmember Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

23. [24-0185](#) Rezoning Application by the City of Hampton to Rezone into the Coliseum Central 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - CC 2](#)
[Affidavit - OSG - CC 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

24. [24-0186](#) Rezoning Application by the City of Hampton to Rezone into the Coliseum Central 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - CC 3](#)
[Affidavit - OSG - CC 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance

- Map be approved with an effective date of September 1, 2024.
The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

25. [24-0187](#) Rezoning Application by the City of Hampton to Rezone into the Coliseum Central 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - CC 4](#)
[Affidavit - OSG - CC 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

26. [24-0188](#) Rezoning Application by the City of Hampton to Rezone into the Downtown 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Downtown 1](#)
[Affidavit - OSG - Downtown 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hobbs and seconded by Councilmember Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

27. [24-0189](#) Rezoning Application by the City of Hampton to Rezone into the Downtown 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Downtown 2](#)
[Affidavit - OSG - Downtown 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

28. [24-0190](#) Rezoning Application by the City of Hampton to Rezone into the Downtown 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Downtown 3](#)
[Affidavit - OSG - Downtown 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

29. [24-0191](#) Rezoning Application by the City of Hampton to Rezone into the Downtown 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Downtown 4](#)
[Affidavit - OSG - Downtown 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

30. [24-0192](#) Rezoning Application by the City of Hampton to Rezone into the Fort Monroe Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Fort Monroe](#)
[Affidavit - OSG - Fort Monroe](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

31. [24-0193](#) Rezoning Application by the City of Hampton to Rezone into the Fox Hill 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Fox Hill 1](#)
[Affidavit - OSG - Fox Hill 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be

approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

32. [24-0194](#) Rezoning Application by the City of Hampton to Rezone into the Fox Hill 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Fox Hill 2](#)
[Affidavit - OSG - Fox Hill 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

33. [24-0195](#) Rezoning Application by the City of Hampton to Rezone into the Fox Hill 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Fox Hill 3](#)
[Affidavit - OSG - Fox Hill 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

34. [24-0196](#) Rezoning Application by the City of Hampton to Rezone into the Fox Hill 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Fox Hill 4](#)
[Affidavit - OSG - Fox Hill 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

35. [24-0197](#) Rezoning Application by the City of Hampton to Rezone into the Hampton River 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Hampton River 1](#)
[Affidavit - OSG - Hampton River 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

36. [24-0198](#) Rezoning Application by the City of Hampton to Rezone into the Hampton River 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Hampton River 2](#)
[Affidavit - OSG - Hampton River 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

37. [24-0199](#) Rezoning Application by the City of Hampton to Rezone into the Hampton River 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Hampton River 3](#)
[Affidavit - OSG - Hampton River 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

38. [24-0200](#) Rezoning Application by the City of Hampton to Rezone into the Hampton River 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Hampton River 4](#)
[Affidavit - OSG - Hampton River 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning

Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

39. [24-0201](#) Rezoning Application by the City of Hampton to Rezone into the Hampton River 5 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Hampton River 5](#)
[Affidavit - OSG - Hampton River 5](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

40. [24-0202](#) Rezoning Application by the City of Hampton to Rezone into the Hampton River 6 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Hampton River 6](#)
[Affidavit - OSG - Hampton River 6](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

41. [24-0203](#) Rezoning Application by the City of Hampton to Rezone into the Long Creek 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Long Creek 1](#)
[Affidavit - OSG - Long Creek 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

42. [24-0204](#) Rezoning Application by the City of Hampton to Rezone into the Long Creek 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Long Creek 2](#)
[Affidavit - OSG - Long Creek 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

43. [24-0205](#) Rezoning Application by the City of Hampton to Rezone into the Long Creek 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Long Creek 3](#)
[Affidavit - OSG - Long Creek 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

44. [24-0206](#) Rezoning Application by the City of Hampton to Rezone into the Neil Armstrong 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Neil Armstrong 1](#)
[Affidavit - OSG - Neil Armstrong 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

45. [24-0207](#) Rezoning Application by the City of Hampton to Rezone into the Neil Armstrong 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Neil Armstrong 2](#)
[Affidavit - OSG - Neil Armstrong 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning

Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

46. [24-0208](#) Rezoning Application by the City of Hampton to Rezone into the Neil Armstrong 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Neil Armstrong 3](#)
[Affidavit - OSG - Neil Armstrong 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

47. [24-0209](#) Rezoning Application by the City of Hampton to Rezone into the Neil Armstrong 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Neil Armstrong 4](#)
[Affidavit - OSG - Neil Armstrong 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

48. [24-0210](#) Rezoning Application by the City of Hampton to Rezone into the Neil Armstrong 5 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Neil Armstrong 5](#)
[Affidavit - OSG - Neil Armstrong 5](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

49. [24-0211](#) Rezoning Application by the City of Hampton to Rezone into the Newmarket Creek 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Newmarket Creek 1](#)
[Affidavit - OSG - Newmarket Creek 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

50. [24-0212](#) Rezoning Application by the City of Hampton to Rezone into the Newmarket Creek 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Newmarket Creek 2](#)
[Affidavit - OSG - Newmarket Creek 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

51. [24-0213](#) Rezoning Application by the City of Hampton to Rezone into the Newmarket Creek 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Newmarket Creek 3](#)
[Affidavit - OSG - Newmarket Creek 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

52. [24-0214](#) Rezoning Application by the City of Hampton to Rezone into the Newmarket Creek 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Newmarket Creek 4](#)
[Affidavit - OSG - Newmarket Creek 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning

Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

53. [24-0215](#) Rezoning Application by the City of Hampton to Rezone into the Newmarket Creek 5 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Newmarket Creek 5](#)
[Affidavit -OSG - Newmarket Creek 5](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

54. [24-0216](#) Rezoning Application by the City of Hampton to Rezone into the Newmarket Creek 6 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Newmarket Creek 6](#)
[Affidavit - OSG - Newmarket Creek 6](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

55. [24-0217](#) Rezoning Application by the City of Hampton to Rezone into the Northampton 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Northampton 1](#)
[Affidavit - OSG - Northampton 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

56. [24-0218](#) Rezoning Application by the City of Hampton to Rezone into the Northampton 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Northampton 2](#)
[Affidavit - OSG - Northampton 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

57. [24-0219](#) Rezoning Application by the City of Hampton to Rezone into the Northampton 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Northampton 3](#)
[Affidavit - OSG - Northampton 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

58. [24-0220](#) Rezoning Application by the City of Hampton to Rezone into the Northampton 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Northampton 4](#)
[Affidavit - OSG - Northampton 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

59. [24-0221](#) Rezoning Application by the City of Hampton to Rezone into the Northampton 5 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Northampton 5](#)
[Affidavit - OSG - Northampton 5](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning

Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

60. [24-0222](#) Rezoning Application by the City of Hampton to Rezone into the Phoebus 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Phoebus 1](#)
[Affidavit - OSG - Phoebus 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Gray and seconded by Councilmember Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

61. [24-0223](#) Rezoning Application by the City of Hampton to Rezone into the Phoebus 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Phoebus 2](#)
[Affidavit - OSG - Phoebus 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

62. [24-0224](#) Rezoning Application by the City of Hampton to Rezone into the Phoebus 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Phoebus 3](#)
[Affidavit - OSG - Phoebus 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

63. [24-0225](#) Rezoning Application by the City of Hampton to Rezone into the Wythe 1 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Wythe 1](#)
[Affidavit - OSG - Wythe 1](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

64. [24-0226](#) Rezoning Application by the City of Hampton to Rezone into the Wythe 2 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Wythe 2](#)
[Affidavit - OSG - Wythe 2](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

65. [24-0227](#) Rezoning Application by the City of Hampton to Rezone into the Wythe 3 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Wythe 3](#)
[Affidavit - OSG - Wythe 3](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Zoning Ordinance - Map be approved with an effective date of September 1, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

66. [24-0228](#) Rezoning Application by the City of Hampton to Rezone into the Wythe 4 Zone of the Short-Term Rental Overlay (O-STR) District all of the Parcels of Land Bounded as Shown in the Attached Proposed Rezoning Map

Attachments: [Proposed Rezoning Map](#)
[Staff Report](#)
[Affidavit - City - Wythe 4](#)
[Affidavit - OSG - Wythe 4](#)
[Presentation and Public Input](#)
[Planning Commission Resolution](#)

A joint presentation and joint public hearing were held on items 24-0173 through 24-0228. Please see item 24-0173 for presentation and comments.

A motion was made by Councilmember Martha Mugler and seconded by Vice Mayor Jimmy Gray, that this Zoning Ordinance

- Map be approved with an effective date of September 1, 2024.
The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Use Permits

4. [23-0190](#) Use Permit Application by Loretta O'Brien-Parham to Permit a Short-Term Rental (STR) at 3808 Chesapeake Ave [LRSN: 2002617]

Attachments: [Staff Report](#)
[Planning Commission Resolution](#)
[Presentation](#)

Mr. DeProfio explained that item numbers 4. 23-0190 through 8. 23-0224 are the use permit applications for the short-term rentals that were in the approval process prior to the development of the new zoning ordinance language Council just adopted. As a result of Council's adoption of the short-term rental amendments tonight, four out of five of the pending use permits are eligible to be converted to zoning administrator permits. They would not need to be heard by City Council but instead would be administered at the staff level. Staff is recommending that all five of these use permits be deferred until the September Council meeting as a result of the conversion to ZAP on September 1. Council will not have to hear items 23-0190, 23-0221, 23-0223, and 23-0224 again, however, item number 23-0222 pertaining to 404 North Second Street cannot be converted to a ZAP. Staff is recommending City Council act upon that item at the September meeting after the final amendments are considered for the zoning ordinances governing short-term rentals.

Mayor Tuck opened the public hearing and, since there were no speakers, closed the public hearing.

A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, that this Use Permit be deferred to the City Council Legislative Session, due back on 9/11/2024.

The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

5. [23-0221](#) Use Permit Application by FUM Properties, LLC to Permit a

Short-Term Rental (STR) at 136 S Second St [LRSN: 13004183]

Attachments: [Staff Report](#)
[Planning Commission Resolution](#)
[Presentation](#)

See item number 4. 23-0190 for notes on this item. Mayor Tuck opened the public hearing and, since there were no speakers, closed the public hearing.

A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, that this Use Permit be deferred to the City Council Legislative Session, due back on 9/11/2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

6. [23-0222](#) Use Permit Application by Antionique & Twaitney Addison to Permit a Short-Term Rental (STR) at 404 N Second St [LRSN: 12007147]

Attachments: [Conditions](#)
[Staff Report](#)
[Planning Commission Resolution](#)
[Presentation](#)

See item number 4. 23-0190 for notes on this item. Mayor Tuck opened the public hearing and, since there were no speakers, closed the public hearing.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Chris Bowman, that this Use Permit be deferred to the City Council Legislative Session, due back on 9/11/2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

7. [23-0223](#) Use Permit Application by Blossom by the Sea, LLC to Permit a Short-Term Rental (STR) at 406 N Second St [LRSN: 12007148]

Attachments: [Staff Report](#)
[Planning Commission Resolution](#)
[Presentation](#)

See item number 4. 23-0190 for notes on this item. Mayor Tuck opened the public hearing and, since there were no speakers, closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Use Permit be deferred to the City Council Legislative Session, due back on 9/11/2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

8. [23-0224](#) Use Permit Application by Antoinette Smith to Permit a Short-Term Rental (STR) at 526 Settlers Landing Road [LRSN: 2003217]

Attachments: [Staff Report](#)
[Planning Commission Resolution](#)
[Presentation](#)

See item number 4. 23-0190 for notes on this item. Mayor Tuck opened the public hearing and, since there were no speakers, closed the public hearing.

A motion was made by Councilmember Hope Harper and seconded by Councilmember Martha Mugler, that this Use Permits be deferred to the City Council Legislative Session, due back on 9/11/2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Resolutions

67. [24-0093](#) Resolution Authorizing the Following Transfers and Grants Associated With City Property Located at or Adjacent to the Woodlands Golf Course and River Street Park to the Commonwealth of Virginia for Purposes of the Virginia

Department of Transportation Project, State Project:
0064-114-374, I-64 Hampton Roads Express Lanes Segment
4C: (1) the Transfer of City Property Containing 9,405 Square
Feet, More or Less (LRSN 2003325, Portions of LRSNs
12000815 and 12000817); (2) the Granting of Temporary
Construction Easements on City Property Containing 100,336
Square Feet, More or Less (Portions of LRSNs 12000815,
12000817, and 2003323); and (3) the Granting of Certain
Easements of Access, Light or Air on City Property Abutting
Upon the Limited Access Highway (Portions of LRSNs
12000815, 12000817, 2003323, and 2003325)

Attachments: [P. 040 041 042 - Deed - final](#)
[Exhibit A \(combined plan sheets\)](#)
[Combined Exhibit A](#)

Mr. DeProfio explained that this is a transfer of certain City property to the Virginia Department of Transportation (VDOT) and granting of a temporary construction easement on City property adjacent to I-64 to support the construction of the Hampton Roads Express Lane project that is currently underway on that stretch of I-64.

Mayor Tuck opened the public hearing and, because there were no speakers, closed the public hearing.

A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

68. [24-0285](#) Resolution Authorizing Execution of a Right of Way Agreement Granting Easements to Dominion Energy Virginia Over City Property Located at 2935 N. Armistead Avenue (LRSN: 6001304); 2927 N. Armistead Avenue (LRSN: 6000802); 2921 N. Armistead Avenue (LRSN: 6000803); 2917 N. Armistead Avenue (LRSN: 6000804); and 2909 N. Armistead Avenue (LRSN: 6000805) in Order to Provide Electrical Services and Utilities to Langley Air Force Base

Attachments: [Right of Way Agreement](#)

Mr. DeProfio explained that this item grants an easement to Dominion Virginia Power to provide electrical services to Langley Air Force Base. There is no staff presentation on this item.

Mayor Tuck opened the public hearing and, because there were no speakers, closed the public hearing.

A motion was made by Councilmember Martha Mugler and seconded by Councilmember Hope Harper, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

PUBLIC COMMENT

Ms. Glass read the protocol for public comment.

Mayor Tuck welcomed the first two speakers, Ursula Barkers and Joan Weaver.

Ms. Barkers greeted Council and made the following comments: I'm here to address the serious and recurring issue at the intersection of Greenbriar Avenue and Shell Road. This very busy intersection also serves as a school bus stop. Over the last three years, there have been up to eight accidents at this same intersection causing significant bodily injuries and damage to surrounding properties. This weekend alone, two serious accidents occurred. Sunday's accident occurred around noon. Ambulances took away several injured individuals including one child and a pregnant lady. For a third time, the same neighbor's property was damaged. The out-of-control vehicle also took down a stop sign which was left on the resident's front lawn laying there for over eight hours and was only reinstalled after dark following my urgent email to City Council alerting them of this extremely careless oversight. The frequency and severity of these incidents are alarming creating a climate of fear in our community. Homeowners are nervous to spend time in their yards and simply walking down the streets for constant worry about the next speeding car. Our community has documented the speeding and dangerous driving in this area extensively by sending emails and making calls to City Council, Police Chief, and other City staff over many years. Despite our many pleas for action and the City's multiple traffic studies on Greenbriar Avenue, and most recently at this intersection, the City has yet to implement any effective measures to ensure the safety of our neighborhood. The traffic both day and night is heavy and, without intervention, we are bound to witness more accidents and potential tragedies. Once again, we urgently request that the City implement measures including installing traffic lights, speed bumps, increased signage, or other traffic calming measures to

ensure a safe intersection. The current situation is untenable and the lack of response from the City is deeply concerning to us all. We urge you to take immediate and effective action to protect the residents and properties around Greenbriar Avenue and Shell Road. Our community deserves to feel safe, and it is the City's responsibility to ensure our safety. I thank you very much for your time and attention to this critical issue.

Ms. Weaver greeted Council and made the following comments: I am here as always, and will always come back for my neighborhood the Wythe. Nobody will ever make me understand why we are Greater Wythe and they are Olde Wythe. One street separates us but it strongly still appears to be a two-tier system of justice. But just as sure as I can breathe, I'm going to bring it up, and eventually it will get addressed. I concur with Ursula. It was said so eloquently and so well. Charlene and her husband, and Mr. Kenney, and Mr. Evans, are everything that we need to try to bring our neighborhood up. We don't need to lose them because of the traffic situation. We are asking, we are demanding that something be done for that intersection. I would hate to lose either one of them because a vehicle veered into their home and then they are no longer with us. We can't afford that. And last but not least, my baby I will resurge again. Virginia State School for the Deaf and Blind campus. If you all, or whatever department goes and give citations, if you are going to hold us accountable, the cash cow, NorthPoint Commerce, Phoenix, whatever you want to call it, hold them accountable too. I invite everybody, even those who are listening to me, to go to the intersection of Old Aberdeen Road, and Shell Road and take it all the way down to Childs Avenue. It makes no sense. That industrial site is just a wretched hot mess. I would love for you all to be able to see that on a daily basis. But most importantly, look at the grass that they have that comes up to my knee. I can have a blade of grass and you go take me to court. Somebody go over there, whoever the site manager is, and clean up that area. It is deplorable. So once again, our Greenbriar Avenue, and that cash cow that we did not want that was thrown into our laps, hold them accountable, make them clean that exterior area up and then don't deface our national landmark the Virginia State School for the Deaf and Blind. Thank you all.

Mayor Tuck Welcomed the next two speakers, Terry Skawski and Dwain Alexander.

Ms. Skawski greeted Council and made the following comments: I'm here to talk about Blossom by the Sea, hoping that you can possibly pass that today as a short-term rental. I wanted to put a face to it. I know it's been deferred. Thank you.

Mr. Alexander did not come forward when called.

Lynn DeGregorio spoke during the public hearing and didn't wish to make any

additional comments during public comment.

Mayor Tuck called the next two speakers, Charlene Thompson and Franklin Chambers.

Ms. Thompson greeted Council and made the following comments: The purpose of my appearance here tonight is that I am that homeowner whose house has been hit numerous times on the corner of Greenbriar and Shell Road. My son had a suburban parked on the side driveway. Because someone decided to speed and the other person decided not to stop, the vehicle came into our yard, knocked the suburban over, and flipped it through the gate, the gate where my grandson and our two dogs had just went into the house from the backyard. God forbid that they were still out there in the backyard. What might have happened? I've already lost one grandchild. I don't want to lose another so I am here tonight, and I waited patiently to have my time to speak, to ask that something be done. Whether it be speed bumps or a traffic light. Something. I'm begging you all. I'm sure you probably don't have this situation in your neighborhood, but we have it in ours so I'm asking you to just put yourself into our shoes and do something. We're scared to sit out on the front porch. I mean, cars just come out of nowhere and barrel into our home. The living room where we sit and watch TV is right there. God forbid there's another careless accident and it comes through our house. We don't want to die. We've only lived there for three years and we want to continue to stay but we need to feel safe in our own house. Thank you.

Mr. Chambers greeted Council and made the following comments: I follow suit with Ms. Thompson, Ms. Ursula, and Ms. Joan. I am also a resident on the corner of Greenbriar and Shell Road. I've been a resident there for 20 years. I have a book here that I sit in my garage and I watch the traffic. I have over 40 pages of pictures of accidents on that corner. If that's not proof, pictures are proof. I welcome any of you to take a look at any of these pictures. Some horrific accidents that have been happening on that corner. Now I will share with you if you don't know, Shell Road, from the time you get on Shell Road on that west end from where it used to be the School for the Deaf and Blind, all the way up to Powhatan, there is no control there. It is a raceway, it's a drag strip basically. Cars get on there and they run. That should be a 35-mile-an-hour speed zone. But every morning at 5:30 when I get up to go to work, it's like Indianapolis 500 there. Zoom, zoom, zoom, zoom. There's nothing restricting those cars through that area there. And then you have Greenbriar which crosses that area. That's a neighborhood street, the speed limit should be 25 or less. I mean, we have young kids that get off the bus right there on that corner and they walk down that street. Now granted, we do not have, we still have the ditches there, we do not have sidewalks so there's a significant safety issue with those young kids walking down those streets when they get off that bus. Also, if you

just take time on Friday, which is trash pickup day, it never fails, a trash can or several trash cans end up knocked in the ditch because cars refuse to stop or slow down through that neighborhood. I just follow with the concerns of my other neighbors here with the safety of that area and like my other neighbors, I beg of you to do something, do something quickly before it's too late. So far in the 20 years I've been there I've never seen anybody killed but I've seen some very, very close incidents and we do not need a fatality on that corner. I beg of you to act quickly. One thing I live by is, that quitters never win and winners never quit. I commend you on your efforts and your job and I just asked you to do something with that corner. Thank you very much.

Mayor Tuck welcomed the next two speakers, Richelle Wallace and Jeannie Belgrave.

Ms. Wallace did not come to the podium when called.

Ms. Belgrave greeted Council and made the following comments: I'm going to be short and sweet and to the point and with common sense. Only two points tonight and one is, reducing the speed limit exactly on North Armistead where it begins, and East Mercury Boulevard where North Armistead Avenue is because that is a residential area. You have a lot of houses on North Armistead and there are a lot of sharp turns and blind spots. I brought a map right here. There are a couple of them there that are super dangerous. They're very dangerous. Specifically, South Greenville Avenue and North Greenville Avenue but especially South Greenville Avenue is very sharp and there are houses right there. We have a lot of kids playing and people walking their dogs and if anybody comes in here without reducing the speed or somebody wants to turn and go to Mercury or Langley it is really hard. It's very dangerous right there. So that's one of the points that I wanted to make. I wanted to say something else but it's almost 10 or 11, I don't know. The other point was, what are the digital water measurements that you have now? I don't know if those are new or not. But that area, particularly in Riverdale, there are many houses there that the flow of water is under the City regulations that we're supposed to have and it's being days like that. Somebody came to my house, for example, and it's taking days for them to really figure out what's going on and my house is not the only one. There are older houses that are like that. And I don't know how long it's going to take. I don't know what's going on. I know when I call 311 they say, oh, you know, with a push of a button, we can just shut off the water in your house. If we have that power, then we should have better power to fix it faster because it's been days having just a little bit of water and the flow is under 12 gallons. It's almost eight gallons per minute and I believe 12 gallons is the standard for the City for each house. That's all for today. Remember Flag Day Friday. I hope we see something going on in the City about Flag Day. And that's all thank you so much for listening

and I hope something is done. Reduce it from 40 to 35. Thank you.

Mayor Tuck welcomed the next two speakers, Diane Davis and Craig Knopp.

Ms. Davis greeted those on the dais and made the following comments: Thank you for the opportunity to speak with you regarding the need to improve the ditch drainage system in my neighborhood just past the Woodland Road Golf Course and particularly on Oakland Avenue. Specifically, my residence. This neighborhood has experienced significant flooding time and time again, leaving residents without any recourse. 311 has been called many times during flooding events, only to learn that no response will occur due to the significant amounts of rainfall throughout the City. We request the City develop a more productive preventative maintenance plan to service the ditch drainage system on a regular basis. The lawn care service used to beautify the neighborhood is defeated when the grass is totally submerged under water for hours and hours before self-draining. Thank you.

Mr. Knopp greeted Council and made the following comments: I was going to talk about homeless but I have a few other things that had popped up. While we were down in the lobby, the TV that was down there on the street side over there where we were sitting, the shade covered like the upper quarter of the TV but the bottom three quarters had had some sun on it. I was just wondering if we could do something to the windows to help block out the shades so that way people could see that while we were down there in the lobby. One other thing, I've had a couple of people ask about camera placement in some areas of the City. Who do I talk to over at the police station about trying to get that implemented? One other thing about the homeless. Over by Aldi's, probably about three weeks ago, there was a lady asking us for food to go eat and you know I thought, hey this is the perfect time to use that homeless hotline that we have out there in the medians. I went out, took a picture of the sign, and called the homeless thing. Now this Saturday we called it and had to get through a bunch of the menus in there and I really didn't find what I wanted so I'm going to email Mary Bunting some questions and some issues that I had with the lady there. That's the first time I'd used the hotline so it was a good experiment for me to use that. One other thing, the homeless, I know we can't really stop them so much out there I think due to the Supreme Court hearing or something like that. One thing though, is we spend money to go send the police as escorts for us to go in and clean up the homeless encampments every other month or something like that. One way, or one thing I'm wondering is, would it be possible to put a permit on panhandling to help offset the costs for police escorts while we clean up the homeless encampments? Just an idea? I don't know if it's actually plausible or not. But it was just some. So that's all I have. Thank you.

Stephen Santiago did not come forward when called.

Mayor Tuck requested Jason Mitchell, Director of Public Works, to address the issue at Greenbriar Avenue and Shell Road.

Mr. Mitchell explained that the City is aware of the multiple accidents that have happened at Greenbriar and Shell Road. The traffic study has been completed. There is significant speeding on Greenbriar and Shell Road which Council will see in the memo later this week. They reviewed the two videos from the accident that happened last week and the one on Sunday. They were direct results of customers that (1) failed to stop at the stop sign and crashed immediately into a car coming down Shell Road, and (2) it was a car that actually came to a stop on Greenbriar and then accelerated out into oncoming traffic and hit another car on Shell Road. He stated that the City does plan to go into the Shell Road corridor at several locations and create four-way stops and multiple three-way stops. They will then request Council to adopt the additional \$200 fine for speeding in those locations, both Greenbriar and Shell Road.

In response to Mayor Tuck, Mr. Mitchell explained that they generally don't recommend speed bumps, particularly in residential neighborhoods. The fear with speed bumps is that there are customers who are distracted, on their cell phones, and/or impaired and if they hit that speed bump, they could leave the roadway and end up hitting homes, pedestrians, cars, etc. Instead of speed bumps, they generally recommend segmenting the road, slowing cars down, and doing enforcement to prevent cars from exiting the roadway.

Mr. Mitchell addressed the water issue which is related to Newport News Waterworks which has switched over to digital meters. He explained that, for most of Hampton, there is typically about 30 pounds of pressure that comes to the meter. There may be a pressure issue from the meter to the home but they can look at that.

Mr. Mitchell explained that he would have to research the drainage on Oakland Avenue to see exactly where it is and when it is actually flooding to determine if it is during significant rain events and if it is something they can maintain.

In response to Vice Mayor Gray, Mr. Mitchell explained that there are currently stop signs on Greenbriar Road as you enter Shell Road from both ends of the intersection. The recommendation is to make that a four-way stop so all four directions would need to stop before entering the intersection. He added that they also plan to go down the Shell Road corridor towards Powhatan Parkway. There will be two other three-stop sign intersections where there will be two stop signs on Shell and one on the cross street. They will be segmented in three different locations almost equally dispersed from where Greenbriar starts and Powhatan Parkway ends.

They also plan to recommend that Council adopt an additional \$200 fine for speeding for cars going more than 10 miles over the speed limit because the traffic study indicated that there were a large number of cars that were well over 10 miles an hour over the current limit.

In response to Councilman Brown, Mr. Mitchell explained that all of their traffic studies are coordinated with Hampton Police Department (HPD). They do targeted enforcement so the traffic indicates how many vehicles are traveling down the road, how fast they're going, what times of the days we're having those issues, then HPD can actually target those times, and try and try to restrict those drivers from speeding in a neighborhood.

Mr. Mitchell explained that they use a phased approach when trying to resolve issues like the one at Greenbriar and Shell Road. They use flashing warning signs, additional fines, and segmented sections to try to slow people down. If that doesn't work, other things can be tried in the future, similar to what was done on King Street many years ago. They could close off the road and make those roads one-way roads or dead-end roads but that does impact things like garbage collection and street sweeping because it's really hard to turn a commercial vehicle around in a cul de sac. He stated that they can look at doing that if what they're implementing doesn't work, but is very confident that, with the current plan and targeted enforcement from HPD, those problems will go away.

Mr. DeProfio added that he reached out to Chief Wideman and he is going to start doing targeted enforcement in that area even before the additional measures are in place.

GENERAL ITEMS

Resolutions

69. [24-0294](#) Resolution Ratifying the Submission by the Interim City Attorney to the Circuit Court of the City of Hampton of a Petition Requesting that a Special Election be Ordered to Fill a Vacancy in the Office of the City Council Member Resulting from the Resignation of Vice Mayor James "Jimmy" A. Gray, Jr.

Attachments: [Writ of Special Election 2024](#)
[Petition for Writ of Election - 4-16-24](#)

A motion was made by Councilmember Steven Brown and seconded by Councilmember Martha Mugler, that this Resolution

be approved. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

Appointments

70. [24-0289](#) Consideration of Appointments to the Hampton-Newport News Community Services Board

A motion was made by Councilmember Steven Brown and seconded by Councilmember Billy Hobbs, that this Appointment be deferred to the City Council Legislative Session, due back on 7/10/2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

71. [24-0292](#) Consideration of Appointments to the Western Tidewater Regional Jail Authority

Councilwoman Mugler moved that the following individuals be appointed: Sheriff Karen Bowden, City Manager Mary Bunting, with Deputy City Manager Brian DeProfio as her alternate, and Vice Mayor Jimmy Gray, with Mayor Donnie Tuck as his alternate. No second was required and the motion passed on the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

72. [24-0304](#) Consideration of the Appointment of an Interim City Attorney

Mr. DeProfio shared that, as mentioned earlier, Interim City Attorney Steve Bond will be leaving to become a judge and will be missed. They served together as Assistant City Managers from December 2018 until he was appointed as Interim City Attorney about six months ago. He thanked Mr. Bond for his service and wished him well in this next chapter of his career. With Mr. Bond leaving, Hampton is welcoming back a familiar face, the former City Attorney, Cynthia Hudson who is being appointed Interim City Attorney until Council selects a permanent City Attorney later this year.

A motion was made by Councilmember Steven Brown and seconded by Councilmember Hope Harper, that Cynthia E. Hudson be appointed to serve as the Interim City Attorney beginning June 17, 2024. The motion carried by the following vote:

Aye: 7 - Councilmember Bowman, Councilmember Brown, Vice Mayor Gray, Councilmember Harper, Councilmember Hobbs, Councilmember Mugler and Mayor Tuck

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

There were no reports.

MISCELLANEOUS NEW BUSINESS

Mayor Tuck reminded everyone that this is the only meeting scheduled for the month of June.

ADJOURNMENT

The meeting adjourned at 10:47 p.m.

Contact Info:

Clerk of Council, 757-727-6315, council@hampton.gov

Donnie R. Tuck
Mayor

Katherine K. Glass, CMC
Clerk of Council

Date approved by Council _____

