

# **City of Hampton**

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

# Notice of Action 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 for the City Manager, who is 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

### **INVOCATION - Councilman Steve Brown**

Councilman Brown gave the invocation.

#### PLEDGE OF ALLEGIANCE TO FLAG

#### **MAYOR'S COMMENTS**

Mayor Tuck recognized the Kecoughtan High School Varsity Track team on their second consecutive state championship.

24-0306 Resolution in Recognition of Steven D. Bond

A motion was made by Councilmember Steven Brown and seconded by Councilmember Hope Harper, that this resolution be approved. Mr. Bond was surprised with a visit from his wife, Tamara, and gave brief remarks. 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**

# 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 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 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

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 all agenda items pertaining to short term rentals (or would you rather say land use items) to be heard at the same time.

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**

# **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"

Mayor Tuck opened the public hearing. Don Newbert spoke. The Mayor then 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

Mayor Tuck opened the public hearing. Michael Mulheran spoke. The Mayor then closed the public hearing. A motion was made by Councilmember Billy Hobbs 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.

The Clerk read the titles for agenda items 11 (24-0173) through 66 (24-0228). Allison Jackura, Zoning Administrator, presented information on those agenda items. The Mayor then opened a joint public hearing on items 11 through 66.

The following individuals spoke at the public hearing: Lynn Howard, Craig Mottley, Matthias Telkamp, Amy Hobbs, Greg Garrett, Anthony Goodwin, Kendall Tarkington, Terri Skawski, Chuck Dunlap, Jeff Hanson, Al Soter, David Spring, Dwain Alexander, Antoinette Weathers, Lillian Dixon, Lynn DeGregorio, Mary Ellen Smalls, Dave Rogers, Barbara Boston, Joan Weaver, Susan Rolf, David Rolf, Kathleen Martin, Julenn Keeling, Marsha Jurewicz, Kevin Mihfeld, Susan Gaston, Gail Williams, and Jack Jones.

Helena Mason, Karen Ray, Edith Morant, Linda Kelly, Debra Breeland, Kim Nguyen, Patricia Gross, Michelle Wise, and Malaika Yemanje were signed up to speak but weren't present when called upon.

**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

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 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
- 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

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

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

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
- 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

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

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

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

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

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

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

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

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

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

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

- 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

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

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

- 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

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

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

- 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

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

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

- 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

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

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

- 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

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

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

- 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

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

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

- 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

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

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

- 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

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

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

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

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
- Fezoning 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

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
- 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

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

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

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
- 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

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

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

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
- Fezoning 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

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
- 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

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

Fezoning 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

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
- 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

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
- 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

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

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
- 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

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

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

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

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
- 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

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

Mayor Tuck opened the public hearing and, since there were no speakers, he closed the public hearing. A motion was made by Vice Mayor Jimmy Gray and seconded by Councilmember Billy Hobbs, 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
- Use Permit Application by FUM Properties, LLC to Permit a Short-Term Rental (STR) at 136 S Second St [LRSN: 13004183]

  Mayor Tuck opened the public hearing and, since there were no speakers, he closed the public hearing. A motion was made by Councilmember Billy Hobbs and seconded by Councilmember Steven Brown, 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
- 6. <u>23-0222</u> Use Permit Application by Antionique & Twaitney Addison to Permit a Short-Term Rental (STR) at 404 N Second St [LRSN: 12007147]

Mayor Tuck opened the public hearing and, since there were no speakers, he closed the public hearing. A motion was made by Councilmember and Steven Brown seconded by Councilmember Chris Bowman, 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
- 7. Use Permit Application by Blossom by the Sea, LLC to Permit a Short-Term Rental (STR) at 406 N Second St [LRSN: 12007148]

  Mayor Tuck opened the public hearing and, since there were no speakers, he closed the public hearing. A motion was made by Councilmember Chris Bowman and seconded by Councilmember Hope Harper, 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

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

Mayor Tuck opened the public hearing and, since there were no speakers, he 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.** <u>24-0093</u> Resolution Authorizing

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)

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

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**

The following individuals spoke during the public comment period: Ursula Barkers, Joan Weaver, Terri Skawski, Charlene Thompson, Franklin Chambers, Jeannie Belgrave, Diane Davis, and Craig Knopp.

Dwain Alexander, Lynn DeGregario, Richelle Wallace, and Stephen Santiago were called upon but didn't speak.

At the Mayor's request, Jason Mitchell, Director of Public Works, briefly spoke about traffic issues in the Shell Road corridor and the plans to address it. He also briefly spoke on speed bumps which aren't recommended in that area. He also briefly spoke about water and drainage issues.

#### **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.

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 AttorneyA 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**

There were no items of new business.

#### **ADJOURNMENT**

The meeting adjourned at 10:47 p.m.

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