

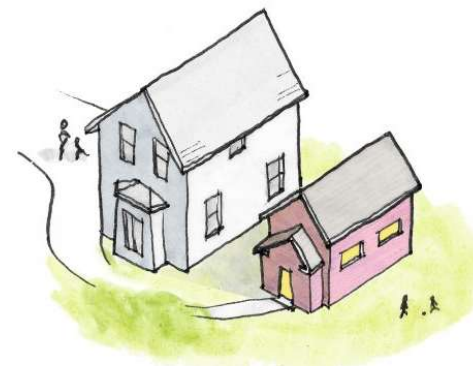
ZONING ORDINANCE AMENDMENT NO. 25-0018, 25-0019, 25-0268, 25-0269

*Chapters 1, 2, 4, and 11
Modifications to define and permit Accessory Dwelling Units*

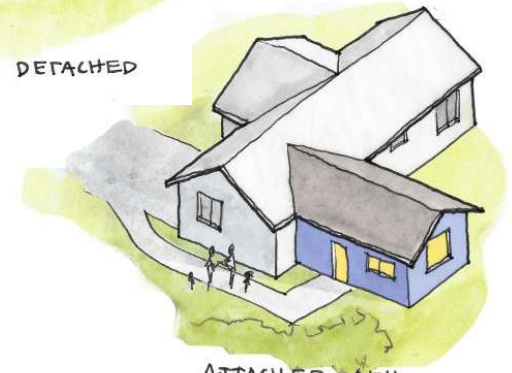
City Council
November 12, 2025

WHAT IS AN ACCESSORY DWELLING UNIT?

- Accessory dwelling unit (ADU) is a smaller secondary housing unit on a one-family residential lot.
- Main types:
 - *Detached ADUs* – where new or existing accessory structures are added or converted to create an ADU.
 - *Attached ADUs* – a portion of an existing principal dwelling, or an addition is constructed, to be used as an ADU



STAND-ALONE DETACHED



ATTACHED ADU

BACKGROUND

Introduce another housing option in order to **increase housing opportunities** in Hampton's existing neighborhoods.

OUTCOMES

Based on community input and steering group discussion, staff recommends a phased, data-informed approach to ADU implementation, that **emphasizes safety and family unity.**

PROPOSED AMENDMENTS

Chapter 1 – General Standards & Regulations

Chapter 2 – Definitions

Chapter 4 – Dwelling area language

Chapter 11 – Parking Requirements

PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Chapter 1 – Create additional standards and regulations for Accessory Dwelling Units (ADUs)

- Permit ADUs on all one-family residential properties by-right, subject to Zoning Administrator Permit (ZAP) and development standards.
- Standards aim to minimize the impact of additional housing units within one-family neighborhoods and on the city as a whole, ensure the ADU remains accessory to the principal dwelling, and prohibit specific uses within ADUs.

PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Max. number of ADUs on one lot	One (1)
Min. lot requirements	None
Setbacks	Attached ADU: Must meet setback requirements of base zoning district for principal dwellings Detached ADU: Must meet setback requirements for accessory structures. In no instance shall any portion of a detached ADU be located beyond the front plane of the principal dwelling *Planning Commission has recommended increasing the required side setback to 5 ft from 3 ft
Max. rear lot coverage	Twenty (20%) percent

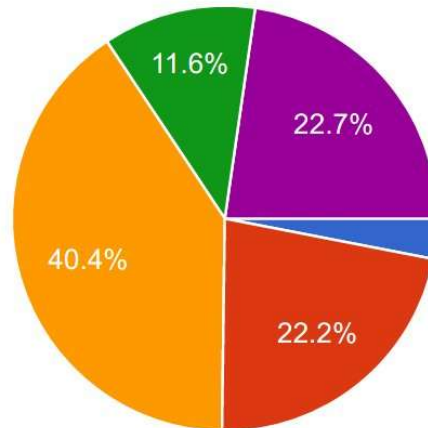
PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Max. dwelling area 800 sq. ft. or fifty (50%) percent of the area of the principal dwelling, whichever is less

What should the *maximum* size of a detached ADU be?

361 responses



**Survey responses cont.*

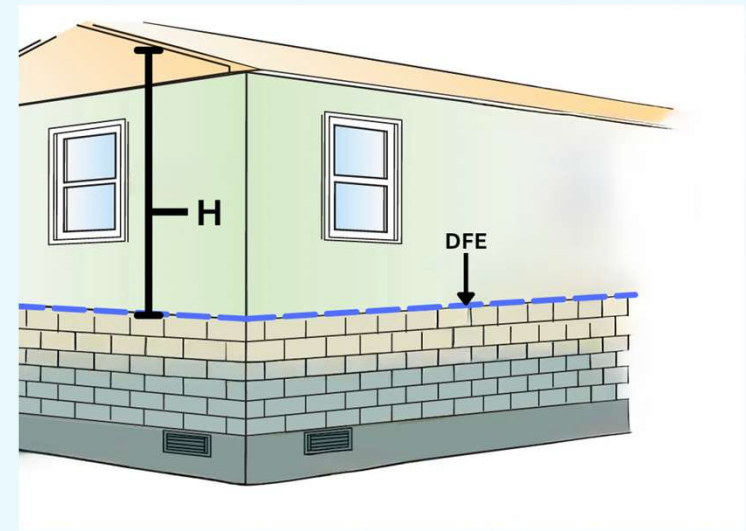
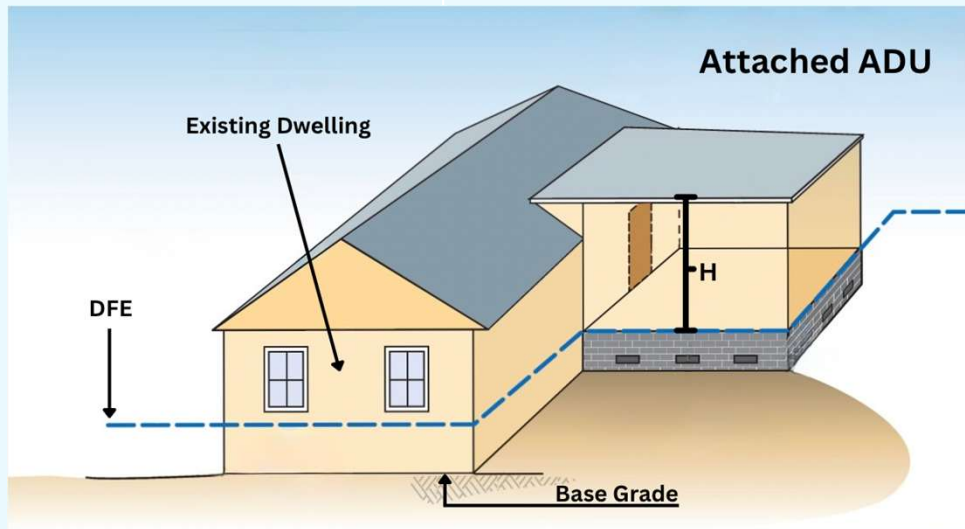
- Similar to 1 car garage
- Similar to a 2 car garage
- % of the main house
- About the size of the main house
- No preference

PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Max. height

No more than 16ft, approximately 1.5 stories, not to exceed height of the principal dwelling (Exception in the flood zone)



Design Flood Elevation (DFE) = Base Flood Elevation (BFE) + Freeboard

PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

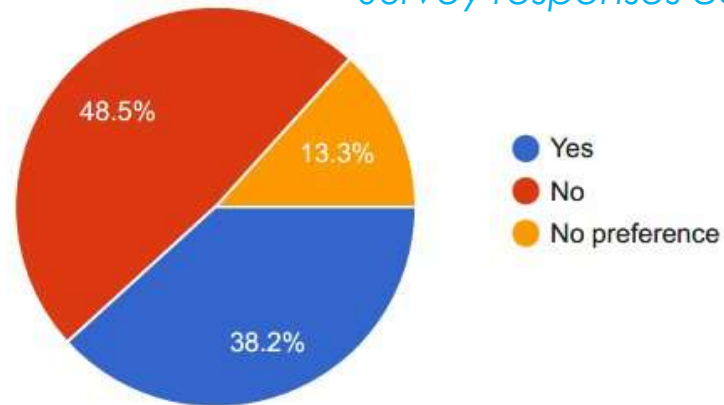
Prohibited uses within ADUs

Short-term rentals (STRs)

Should ADUs be allowed as short-term rentals (less than 30 days) on platforms like Airbnb or Vrbo if they meet the City's density and separation rules?

**Survey responses cont.*

361 responses



PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Principal Access

- The principal access to an ADU shall have a safe and accessible path of ingress and egress connecting to and from the right of way.
- Any principal access to an attached ADU shall be located in the side or rear yard.

Owner Occupancy

- A property owner shall reside on the premises, either in the principal dwelling or in the ADU.

PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Nonconforming structure defined. A structure that does not comply with the current rules, regulations, or restrictions in place, but was permissible under previous provisions of this ordinance or predates this ordinance.

Nonconformities

ADUs may be permitted in conjunction with a legally nonconforming principal dwelling, subject to the following provisions:

- An **attached ADU** may be located within or structurally connected to a legally nonconforming principal dwelling, provided that the ADU does not create any new nonconformity or increase the degree of any existing nonconformity
- An existing detached accessory structure that was legally established may be converted to a **detached ADU** even if it does not meet current setback and height requirements, provided that the conversion does not increase the degree of any existing nonconformity. In all cases, the dwelling area of the converted unit shall not exceed eight hundred (800) square feet.

PROPOSED ORDINANCE

Chapter One - General Standards & Regulations

Existing Standards in Buckroe Bayfront Districts

- Standards outlined in this section would supersede our existing standards for ADUs in the Buckroe Bayfront Districts [BB-1, BB-2, and BB-3].
- Any new ADU constructed in a Buckroe Bayfront District must comply with the new standards in Chapter 1.
- *Planning Commission recommends adopting language clarifying that Standards outlined in this section would supersede our existing standards for ADUs in the Buckroe Bayfront Districts [BB-1, BB-2, and BB-3].

PROPOSED AMENDMENTS

Chapter Two - Definitions

- *Accessory dwelling unit (ADU). A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit (hereafter an “attached ADU”), or as a detached structure on the same lot, which has a separate kitchen, bathroom, and sleeping area (hereafter, a “detached ADU”).*
- Dwelling area. The gross *finished floor area* of dwelling unit, ~~exclusive of any hallways between units.~~ *This term shall include living rooms, bedrooms, kitchens, bathrooms, and finished attics, basements, or additional finished storage areas, but excludes unfinished basements, mechanical rooms, screened porches or decks, and unconditioned storage areas.*

PROPOSED ORDINANCE

Chapter Four – One-and Two-family Residential

- Add the word “principal” in front of every use of the word “dwelling” in Sections 4-5, 4-15, 4-24, 4-35, 4-45, 4-54, 4-64, 4-74-, 4-84-, 4-94, 4-105.
- Strike the following language in Article III, Sec. 4-21, concerning the R-R District:

Uses shall be permitted as set forth in chapter 3—Uses Permitted. ~~Additionally, the following standards shall apply:~~

~~(1) An accessory building or structure or use, including a private pier, private garage, guest house, or servant quarters, is permitted provided:~~

~~(a) That no guest house shall be located on a lot having an area less than twelve thousand (12,000) square feet;~~

~~(b) That no servant quarters are located in any accessory building on a lot containing less than ten thousand (10,000) square feet; provided further, no accessory building shall be constructed on a lot until the construction of the main building has been actually commenced and no accessory building shall be used unless the main building is completed and in use.~~

~~(a) One (1) temporary open air stand is permitted provided that it does not exceed an area of two hundred (200) square feet, for the display and sale of products on the premises.~~

PROPOSED ORDINANCE

Chapter Eleven - Parking Requirements

Chapter 11 - Amend the parking requirements for accessory dwelling units

Staff proposes amending the requirement to be as follows:

- *Any lot with frontage abutting a right-of-way permitted for parking on both sides of that block is not required to provide any additional on-site parking in conjunction with an ADU*
- *Any lot with frontage abutting a right-of-way identified by the City of Hampton as prohibiting parking on either side of that block shall identify one (1) off-street parking space on an improved surface in conjunction with an ADU.*

PROPOSED ORDINANCE

Chapter Eleven - Parking Requirements

- This amendment aims to preserve and protect neighborhood character by reducing any potential challenges to parking
- Understands and acknowledges that a majority of single-family homes have sufficient on-site or on-street parking to accommodate a new ADU
- Additional surface parking requirements negatively impact the City of Hampton's Resilient objectives and priorities

PROPOSED AMENDMENTS - SUMMARY

Permit Accessory Dwelling Units in all one-family residential properties, subject to additional standards and requirements (Chapter 1)

Define “Accessory Dwelling Unit” (Chapter 2)

Refine and clarify language relating to principal dwellings in all one-family residential districts (Chapter 4)

Amend the parking requirements for ADUs in residential districts to exempt lots with on-street parking and to require additional off-street parking for lots with no on-street parking (Chapter 11)

CONCLUSION

- Staff recommends **APPROVAL** of Zoning Ordinance Amendments No. 25-0018, 25-0019, 25-0268, & 25-0269
- Planning Commission recommend **APPROVAL** with the following revisions:
 - Side setbacks requirement from 3 ft to 5 ft
 - This Ordinance would supersede the current regulations for ADU's in the Buckroe Bayfront Districts

QUESTIONS?