

1 **Ordinance To Amend And Reenact Chapter 8 Of The Zoning Ordinance Of The City Of**
2 **Hampton, Virginia Entitled “Special Districts” By Amending Article 7 Entitled “Phoebus**
3 **Districts” By Adding “PH-3 - Phoebus Commercial Transition District”**

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5 **Whereas**, the public necessity, convenience, general welfare and good zoning practice so
6 require;

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8 **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 8, Article 7 of the
9 Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

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11 **CHAPTER 8 - SPECIAL DISTRICTS**

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15 **ARTICLE 7 – PHOEBUS DISTRICTS**

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19 **Sec. 8-63. – PH-2 District – Phoebus Town**

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23 ***Sec.8-64 – PH-3 District – Phoebus Commercial Transition***

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25 ***(1) Intent.***

26 The PH-3 District is intended to create edges of the pedestrian oriented Phoebus
27 mixed-use center while being more accommodating to vehicles and auto oriented
28 commercial.

29 ***(2) Uses permitted.***

30 *Uses shall be permitted as set forth in Chapter 3 - Uses Permitted.*

31 ***(3) Development standards.***

32 ***(a) For any newly-created lot, the minimum lot depth shall be ninety (90) feet.***
33 *Where the lot can potentially be accessed via an alley or similar right-of-*
34 *way to the rear, the lot shall be created to provide such access.*

35 ***(b) Buildings in this district shall be subject to the following standards:***

36 ***(c) Setbacks.***

37 ***(i) Front.***

38 *For buildings with ground floor commercial space, there shall be a*
39 *maximum front setback of forty-five (45) feet.*

40 *For buildings with residential uses on the ground floor, buildings*
41 *may be setback no more than fifteen (15) feet from the property*
42 *line. This setback exists for the purpose of allowing for steps up to*
43 *the minimum first finished floor height, porches, and ground level*

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areas meeting the City of Hampton Pedestrian Amenity Design Standards.

- (ii) Side, adjacent to a public right-of-way.
For buildings with ground floor commercial uses, there shall be a maximum setback of forty-five (45) feet.
For buildings with residential uses on the ground floor, buildings may be setback no more than fifteen (15) feet from the property line. This setback exists for the purpose of allowing for steps up to the minimum first finished floor height, porches, and ground level areas meeting the City of Hampton Pedestrian Amenity Design Standards.
In the case that the lot is not square, means sides that meet to form a corner are not perpendicular, the building shall be placed so that the requirements of Sec.8-63(3)(c)(i)Front. shall be met, and shall match the side, adjacent to a public right-of-way to the greatest extent practicable per the discretion of the Zoning Administrator, or designee, based upon lot, not preferred building, characteristics.*
- (iii) Side, not adjacent to a public right-of-way.
There shall be no minimum and no maximum setback, unless adjacent to a single-family or two-family residential district, in which case the minimum setback is five (5) feet.*
- (iv) Rear.
There shall be no required setback unless adjacent to a single-family or two-family residential zone, in which case there shall be a minimum setback of 10 (ten) feet.*
- (d) Façade composition.*

 - (i) A minimum of 50% of the front setback line across the entire parcel must be occupied by the building façade.*
 - (ii) Primary entrance location.*

 - (aa) The primary entrance to buildings shall directly face the adjacent public right-of-way.*
 - (bb) Primary entrances to buildings with lot frontage abutting Mellen Street or Mallory Street shall be located on Mellen Street or Mallory Street, whichever is applicable. Entrances may be angled to directly face an intersection which includes Mellen Street or Mallory Street to meet this requirement.*
 - (iii) Elevation of first floor.
Where there are residential uses on the ground floor, the first finished floor shall be a minimum of 30 (thirty) inches above the grade at the base of the steps or ramp approaching the entrance.*
 - (iv) Fenestration.*

87 (aa) Where ground floor commercial space fronts on a public
88 right-of-way, a minimum of 30 percent of the first floor
89 building façade containing the primary entrance shall be
90 comprised of glass windows or glass doors that allow
91 views at least four (4) feet into the interior building space.
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93 (bb) Where ground floor residential space fronts on a public
94 right-of-way, a minimum of 20 percent of the first floor
95 building façade shall be comprised of glass windows
96 and/or glass doors.

97 (e) Height.

98 (i) All buildings shall be a minimum of 18' and a maximum of 50' in
99 height.

100 (f) Screening and connectivity.

101 (i) Dumpsters, accessory structures, outdoor storage areas, and
102 utility, stormwater, mechanical, or similar equipment shall be
103 prohibited in the front yard on all lots and the side yard adjacent to
104 public rights-of-way on corner lots.

105 (aa) All dumpsters and compaction devices shall be fully
106 screened by an enclosure constructed of durable
107 materials.

108 (ii) Regardless of the depth of any setback greater than 0 feet, a
109 clear, direct pedestrian access shall be installed and maintained
110 between the sidewalk in the directly adjacent public right-of-way
111 and any public entrance facing that right-of-way. Where the
112 pedestrian access crosses a drive aisle, the pedestrian path shall
113 be made clear by using material that is different in color and
114 texture or pattern than the drive aisle it crosses.

115 (g) If choosing to not meet the development standards as required by
116 Sec.8-63(3) (a) and/or (d), which pertain to dimensions and access to a
117 new lot and building footprint, a use permit may be sought. Such a use
118 permit shall be reviewed for conformance with adopted policies and
119 achieving the intent of the PH-3 district to create edges to the Phoebus
120 mixed-use center while being more accommodating to vehicles and auto
121 oriented commercial.

122 (i) Applications shall specify the requested dimensional changes
123 and include to-scale drawings of the site layout, including but not
124 limited to showing lot boundaries, building footprint, pedestrian
125 and vehicular access, parking, and adjacent sidewalk or similar
126 adjacent public features, as well as all facades, including location
127 of doors, windows, architectural features, roof or parapet line,
128 and building materials.