

1 **Ordinance To Amend And Re-Enact Chapter 8 Of The Zoning Ordinance Of The City Of**  
2 **Hampton, Virginia Entitled “Special Districts” By Amending Article 7 – Phoebus Districts.**  
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4 **Whereas**, the public necessity, convenience, general welfare and good zoning practice so  
5 require;  
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7 **BE IT ORDAINED** by the Council of the City of Hampton, Virginia that Chapter 8, Article 7 of the  
8 Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:  
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10 **CHAPTER 8 - SPECIAL DISTRICTS**  
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12 ...  
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14 **ARTICLE 7 – PHOEBUS DISTRICTS**  
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16 **Sec. 8-61. – Overall Intent of Phoebus (PH) Districts.**  
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18 The intent of this article is to define the development standards necessary to permit and  
19 encourage development which meets the recommendations of the Hampton Community Plan  
20 (2006, as amended) and Phoebus Master Plan (2007, as amended):-  
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- 22 (a) *Implement standards requiring new construction to be contextually*  
23 *sensitive to the existing main street form of the development found in the*  
24 *core of Phoebus while providing opportunities for a variety of commercial*  
25 *and residential uses.*
- 26 (b) *Establish development standards which create a safe and pedestrian-*  
27 *friendly environment.*
- 28 (c) *Concentrate urban-scaled commercial development to best serve the*  
29 *local community and visitors alike.*
- 30 (d) *Enhance downtown Phoebus to assert and reinforce its sense of place.*
- 31 (e) *Enhance downtown Phoebus and its entrances as gateways to Fort*  
32 *Monroe.*
- 33 (f) *Recognize and respect the neighborhood’s listing on the National*  
34 *Register of Historic Places and Virginia Landmarks Register.*
- 35 (g) *Provide assurance to owners and investors that future development will*  
36 *be appropriate for the character of Phoebus.*  
37

38 **Sec. 8-62. – PH-1 District – Phoebus Business ~~Urban~~ Core**  
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(1) ~~Intent. The PH-1 District is intended to define the development standards necessary to permit and encourage commercial development in the business district of Phoebus which meets the recommendations of the Hampton Community Plan (2006, as amended) and Phoebus Master Plan (2007, as amended) in such ways as:~~

~~(a) — Implement standards requiring new construction to be contextually sensitive to the existing main street form of the development found in the core of Phoebus while providing opportunities for a variety of commercial and residential uses.~~

~~(b) — Establish development standards which create a safe and pedestrian-friendly environment.~~

~~(c) — Concentrate urban-scaled commercial development to best serve the local community and visitors alike.~~

~~(d) — Enhance downtown Phoebus to assert and reinforce its sense of place.~~

~~(e) — Enhance downtown Phoebus and its entrances as gateways to Fort Monroe.~~

~~(f) — Recognize and respect the neighborhood's listing on the National Register of Historic Places and Virginia Landmarks Register.~~

~~(g) — Provide assurance to owners and investors that future development will be appropriate for the character of Phoebus.~~

*The PH-1 District is intended to promote dense, pedestrian oriented, urban scale development with active street level uses that is in keeping with the historic development patterns of the mixed-use village center of Phoebus. PH-1 represents the most urban of the Phoebus Districts. The intent of this district's implementation is to encompass the key intersection of Mellen and Mallory Streets and neighboring blocks in support of the vision described in the Phoebus Master Plan (2007, as amended).*

(2) *Uses permitted.*

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

(3) *Development standards.*

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

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

(c) *Setbacks.*

(i) *Front.*

For buildings with ground floor commercial space, there shall be a maximum front setback of 0 (zero) feet unless one of the following optional pedestrian amenities is provided in accordance with the City of Hampton Pedestrian Amenity Design Standards, in which case the maximum shall be ~~ten (10)~~ **fifteen (15)** feet:

(aa) Courtyard.

(bb) Outdoor seating area.

For buildings with residential uses on the ground floor, buildings may be setback no more than ~~ten (10)~~ **fifteen (15)** feet from the property line. ~~When the building façade is setback, a projection, such as entry steps, stoop or porch, shall extend to the front 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, along with a pedestrian connection to the adjacent sidewalk.***

(ii) *Side, adjacent to a public right-of-way.*

For buildings with ground floor commercial uses, there shall be a maximum setback of 0 (zero) feet unless one of the following optional pedestrian amenities is provided in accordance with the City of Hampton Pedestrian Amenity Design Standards, in which case the maximum shall be ~~ten (10)~~ **fifteen (15)** feet:

(aa) Courtyard.

(bb) Outdoor seating area.

For buildings with residential uses on the ground floor, buildings may be setback no more than ~~ten (10)~~ **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, along with a pedestrian connection to the adjacent sidewalk.***

***In the case that the lot is not square, 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) *Building footprint.*

(i) *The maximum width of a building with ground floor commercial uses shall be 50 feet.*

(ii) *The maximum area of the footprint of the building, measured by the exterior perimeter of the foundation, shall be 5,000 square feet.*

~~(d)~~(e) *Façade composition.*

(i) A minimum of ~~80%~~ *90%* of the front setback line across the entire parcel must be occupied by the building façade, *which has occupiable, wholly enclosed space directly behind and connected to it.*

(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 ~~three (3) feet above grade.~~ *thirty (30) inches above the grade at the base of the steps or ramp approaching the entrance.*

(iv) *Fenestration.*

(aa) Where ground floor commercial space fronts on a public right-of-way, a minimum of 40 percent of the first floor building façade containing the primary entrance shall be comprised of glass windows or glass doors that allow views *at least four (4) feet* into the interior building space.

*(bb)* Where ground floor commercial space fronts on both Mellen Street and Mallory Street, a minimum of 40 percent of the building façade adjacent to Mellen Street and Mallory Street shall be comprised of glass windows or glass doors that allow views *at least four (4) feet* into the interior building space on both façades.

~~(dd)~~*(cc) Where ground floor residential space fronts on a public right-of-way, a minimum of 20 percent of the first floor building façade shall be comprised of glass windows and/or glass doors.*

164 ~~(e)~~(f) Height.

165 (i) All buildings shall be ~~a minimum of 18'~~ and a maximum of 50' in  
166 height.

167 (ii) *All buildings shall contain a minimum of two (2) stories of*  
168 *habitable/usable space with neither of the first two floors providing*  
169 *less than 50% of the gross square feet of the other floor.*

170 ~~(f)~~(g) Accessory structures and equipment.

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

175 (aa) All dumpsters and compaction devices shall be fully  
176 screened by an enclosure constructed of durable  
177 materials.

178 (h) *If choosing to not meet the development standards as required by*  
179 *Sec.8-63(3) a use permit may be sought. Such a use permit shall be*  
180 *reviewed for conformance with adopted policies and achieving the intent*  
181 *of the PH-1 district to enhance the historically dense mixed-use*  
182 *development pattern of the Urban Core.*

183  
184 (4) Parking.

185 Parking shall be provided as described in chapter 11 herein.

186 (a) Parking shall be prohibited in the area between the building and any  
187 adjacent public right-of-way, not to include any alleys and the following  
188 streets:

- 189 i. Lancer Street
- 190 ii. Williams Street
- 191 iii. Tennis Lane
- 192 iv. Larabee Lane

193 (b) On waterfront properties, parking shall be prohibited between the building  
194 and the water feature.

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196 **Sec. 8-63 – 8-66. – Reserved.**