



Legislation Details (With Text)

**File #:** 22-0005      **Version:** 1      **Name:** Animal Uses Ch 3 - ZOA21-00015  
**Type:** Zoning Ordinance - Text      **Status:** Passed  
**File created:** 12/20/2021      **In control:** City Council Legislative Session  
**On agenda:** 1/12/2022      **Final action:** 1/12/2022  
**Title:** Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Section 3-2 Entitled, "Table of Uses Permitted" and Section 3-3 Entitled, "Additional Standards on Uses," to Clarify Existing Additional Standards for Animal-Related Uses, Such As "Animal Boarding/Stables", "School, Horse Riding", "Accessory Use/Structure for the Keeping of Recreational Animals", and "Agriculture/Farming"  
**Sponsors:**  
**Indexes:** , Animal Control  
**Code sections:**  
**Attachments:** 1. Staff report, 2. Redline Ch 3 - Animal Structures, 3. Redline\_Standard\_Table of Uses Permitted ZOA21-00015, 4. Redline\_Special\_Table of Uses Permitted ZOA21-00015, 5. Clean Ch 3 - Animal Structures, 6. Clean\_Standard\_Table of Uses Permitted ZOA21-00015, 7. Clean\_Special\_Table of Uses Permitted ZOA21-00015, 8. Presentation

Date	Ver.	Action By	Action	Result
1/12/2022	1	City Council Legislative Session	approved	Pass

Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Section 3-2 Entitled, "Table of Uses Permitted" and Section 3-3 Entitled, "Additional Standards on Uses," to Clarify Existing Additional Standards for Animal-Related Uses, Such As "Animal Boarding/Stables", "School, Horse Riding", "Accessory Use/Structure for the Keeping of Recreational Animals", and "Agriculture/Farming"

**Background Statement:**

In past years, staff have received numerous requests or complaints from residents regarding animal-related uses and care. Last year, staff began addressing these concerns by clarifying requirements for kennels and animal daycare facilities; these amendments continue that effort to clarify how animals are regulated within the Zoning Ordinance. Staff has worked closely with the Hampton Animal Response Team (HART, formerly Animal Control) to coordinate this effort.

If adopted, this amendment would clarify existing uses and their associated additional standards related to animals within Chapter 3 of the Zoning Ordinance. This amendment would remove the use of 'accessory use/structure for keeping of recreational animals' in order to capture those standards within Chapter 1. It would also rename the existing use 'animal boarding/stables', to 'stables', to be clearer that the use is intended to address stables for horses and similar equine animals. The amendment would add an additional standard for the existing use agriculture/farming which requires structures be kept at least 100 feet from property lines.

This amendment is in conjunction with 22-0006 and 22-0007 which incorporate the general standards for accessory keeping of animals and add a definition for companion animals, respectively.

**Recommendations:**

Staff Recommendation:

Approve

Planning Commission Recommendation:

Approve

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

**BE IT ORDAINED** by the Council of the City of Hampton, Virginia that chapter 3 of the Zoning Ordinance of the City of Hampton, Virginia, be amended to read as follows:

**CHAPTER 3 - USES PERMITTED**

....

**Sec. 3-2. Table of uses permitted.**

**(a) Table of Uses Permitted in Standard Zoning Districts.**

[See attached use table for changes.]

**(b) Table of Uses Permitted in Special Zoning Districts.**

[See attached use table for changes.]

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**Section 3-3. - Additional standards on uses.**

....

- (19) *School, horse riding* in the R-R, R-LL, R-43, R-33, R-22, and R-15 districts, or, *Stables* in the R-R district.

The following minimum conditions shall be met:

- (a) No more than four (4) animals be kept, stabled, or pastured for each acre of land so used.
- (b) An accessory building, structure, or use, to include a private stable for the keeping of, or the use of, horses, ponies, or similar equine animals is permitted, provided:
  - (i) That such a stable or such use shall not be permitted on a lot containing less than one (1) acre; if two (2) or more such animals but not exceeding eight (8) are to be kept, a minimum lot area of two (2) acres shall be required; if more than eight (8) such animals are to be kept, a minimum lot area of three (3) acres shall be required; and
  - (ii) That no structure used as a stable, manure pit, or bin, or yard for the keeping of such equine animals shall be located nearer than sixty (60) feet to any adjacent lot line, except where such lot line abuts a water course at least sixty (60) feet in width.

....

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- (37) *Agriculture/farming* in the R-R district shall be on a lot with a minimum of three (3) acres.

- (a) That no structure or yard for the keeping of any animals, other than as described in Section 1-24(4) be within 100 feet of any property line.

[The attached Table, entitled, "Table of Uses Permitted - City of Hampton Zoning Ordinance" is hereby declared to be a part of this ordinance as if fully set forth herein.]