



Legislation Details (With Text)

**File #:** 19-0132      **Version:** 1      **Name:** ZOA19-00001 Development Standards pertaining to the Infill Housing Overlay

**Type:** Zoning Ordinance - Text      **Status:** Passed

**File created:** 3/22/2019      **In control:** City Council Legislative Session

**On agenda:** 4/10/2019      **Final action:** 4/10/2019

**Title:** Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia by Amending Section 9-43 Entitled "Development Standards" Pertaining to the Front Yard Setback, Height, and Garage Location in the Infill Housing Overlay

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Redline, 2. Presentation, 3. PC Resolution

Date	Ver.	Action By	Action	Result
4/10/2019	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 9-43 Entitled "Development Standards" Pertaining to the Front Yard Setback, Height, and Garage Location in the Infill Housing Overlay

**Background Statement:**

Within Chapter 9 of the zoning ordinance is Article V, which deals with the Infill Housing Overlay. Staff is proposing changes to Section 9-43, entitled "Development Standards", to change the height requirement, front yard setback, garage location, and it also creates a façade zone. Staff has noticed that variances have become necessary because some the current standards are in conflict with one another. For example, it is almost impossible for smaller lots with a small front yard setback to meet all of the requirements for facade design, front yard green area, and parking.

In recognizing the flaw with the ordinance being too restrictive, staff is proposing to change the setback line from a build-to line to the start of a ten (10) foot façade zone. Instead of 50% of the width of the structure being on the front setback line, now 50% of the width of the structure must be within the façade zone. Having a façade zone permits structures to be pushed back an additional ten (10) feet, allowing for more front yard in order to meet the parking requirements, green area requirements, and potentially still have room for a porch. Making the requirement relate to the width of the façade zone rather than the home also allows for flexibility with the design of the front of the home.

The main entry door is currently required to be on the front most façade of a proposed residential structure under the infill housing overlay. This has created a number of homes that have a similar look, instead of the variety that we typically seen throughout the city. Staff is proposing to allow the front door on other areas of the home that are within the proposed façade zone. With the allowance for flexibility of the front door location, staff felt it necessary to create the 20% fenestration requirement, referring to a minimum amount of window and door openings, to provide eyes on the street and make sure that there are no safety issues.

Staff is also proposing to change the height restriction from twenty-five (25) feet to thirty-five (35) feet, which is consistent with the City's base single family residential zoning districts. Initially the smaller height was proposed because these infill lots need to be sensitive to the development that they are being built within, but staff has found that it only leads to shorter ceiling heights or flatter roofs, neither of which is desired, especially in areas with taller ceiling heights and higher pitched roofs. By keeping the two story height restriction, we can ensure that new homes are still sensitive to the surrounding development. Another small proposed change is that the garage be eighteen inches (18") behind the front door, where it was previously required to be behind the main front façade. The intent was that the garage be located behind the front door, and now the language would reflect that.

This application is being brought forward in conjunction with Zoning Ordinance Amendment No. 19-00002 to update the lot frontage requirement for a parking reduction in the Infill Housing Overlay, and also Zoning Ordinance Amendment No. 19-00004 to update the definition of façade zone.

**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 Section 9-43 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

Chapter 9 - OVERLAY DISTRICTS

ARTICLE V. - O-IH-INFILL HOUSING OVERLAY

Sec. 9-43. - Development standards.

- (1) Height. No building shall exceed thirty-five (35) feet in height and (2) two stories.
- (2) Dwelling Area. A reduction in dwelling size is permitted if the minimum dwelling size required by the base zone district cannot be met with the height restrictions and setback requirements of this chapter. In such a case, the required dwelling area shall be reduced to meet the largest square footage possible on that lot while meeting the minimum setback requirements of the base zone district and not exceeding the building height regulations set forth in this chapter.
- (3) Front yard setback and façade zone. There shall be a front yard setback equal to the average of the front yard setbacks for single family residences on the same block. A block shall be defined as three hundred (300) feet in both directions on the same side of the street. The façade zone shall be drawn as a polygon starting from the front setback line, back along the side property lines towards the interior of the property, with a fixed depth of ten (10) feet. Buildings shall meet the following provisions:
  - (a) A minimum of 50% of the width of the proposed structure shall be located within the

façade zone.

- (b) The main entry door must be located within the façade zone and shall not be located on the furthest most exterior side walls.
- (c) Any street facing façade within the façade zone shall include a minimum of 20% fenestration.
- (4) Green area. A minimum of fifty (50) percent of the front yard shall be green area.
- (5) Garage location. If constructed, an attached garage shall be located a minimum of eighteen inches (18") behind the front door.

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