



Legislation Details (With Text)

**File #:** 20-0255      **Version:** 1      **Name:** ZOA20-00019 Infill Housing Green Area  
**Type:** Zoning Ordinance - Text      **Status:** Passed  
**File created:** 8/28/2020      **In control:** City Council Legislative Session  
**On agenda:** 12/9/2020      **Final action:** 12/9/2020  
**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 Green Area in the Infill Housing Overlay District

**Sponsors:**

**Indexes:** ,

**Code sections:**

**Attachments:** 1. Redline, 2. Presentation

Date	Ver.	Action By	Action	Result
12/9/2020	1	City Council Legislative Session	approved	Pass
9/9/2020	1	City Council Legislative Session	deferred	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 Green Area in the Infill Housing Overlay District

**Background Statement:**

On September 9, 2020, City Council indefinitely deferred this proposed zoning amendment, which if approved, would remove the duplicative regulations in the infill housing overlay requiring 50% green area on residential infill lots. At that meeting, City Council asked that staff bring a new zoning amendment forward that would add minimum green area requirements for all one and two family residences but would not limit parking on green area. Zoning amendment No. 20-0344, presented in a separate package, is the response to Council's request. That amendment sets a minimum green area requirement for all lots with a one-family, two-family, or a duplex dwelling, but does not limit parking on green area.

This amendment, No. 20-0255 is identical to what was presented to City Council on September 9, 2020, removing what would become duplicitous regulation in the infill housing overlay if Zoning amendment 20-0344 is approved.

This item is being brought forward in conjunction with Zoning Ordinance Amendment No. 20-0344, and just as before is proposed to remove duplicitous regulation.

**Recommendations:**

Staff Recommendation:  
Approval

Planning Commission Recommendation:

Approval

**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 Article V of Chapter 9 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**

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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. The front yard setback shall not be required to be more than 30' and shall not be less than 5'. 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) In the case where the average of the block is more than 30', there shall be no maximum front setback and the minimum front setback shall be 30'.
  - (a) The main entry door shall not be located on the furthest most exterior side walls.
  - (b) Any street facing façade shall include a minimum of 20% fenestration.
- (5) *Garage*. If constructed, an attached garage shall be located a minimum of eighteen inches (18") behind the front door.