



Legislation Details (With Text)

File #: 24-0152 **Version:** 1 **Name:** ZOA - Ch 2 Definitions, Physical Recreational Facility

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

File created: 3/27/2024 **In control:** City Council Legislative Session

On agenda: 5/8/2024 **Final action:** 5/8/2024

Title: Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 2, Section 2-2 Entitled, "Definitions" to Add a Definition of "Physical Recreational Facility"

Sponsors:

Indexes: , , Education

Code sections:

Attachments: 1. Redline Ordinance, 2. Chapter 2 Staff Report, 3. Presentation

Date	Ver.	Action By	Action	Result
5/8/2024	1	City Council Legislative Session	approved	Pass

Ordinance to Amend and Re-Enact the Zoning Ordinance of the City Of Hampton, Virginia by Amending Chapter 2, Section 2-2 Entitled, "Definitions" to Add a Definition of "Physical Recreational Facility"

Background Statement:

This proposed amendment adds a new definition within the zoning ordinance for "Physical Recreational Facility". Physical recreational facilities are establishments that operate as businesses or membership organizations in a building or portion of a building containing space designed and equipped for the conduct of sports, exercise, recreational, or athletic activities, whether or not under instruction, including but not limited to gymnastics, weight lifting, dancing, martial arts, and yoga. This term excludes uses such as bowling, amusement center, horse riding school, and dance hall.

Currently, uses similar to a "physical recreational facility" are categorized as either "retail sales, general", or as a "private school" in the event that general instruction or advancement is provided. For example, any dance studio that is providing general dance lessons or dance tier advancement would be a "private school" and would therefore require an approved Use Permit from City Council.

In conjunction with Zoning Ordinance Amendment 24-0153, creating a new definition and use is desirable in accordance with City policies. This step forward acknowledges that the current "retail sales, general" or "private school" definitions currently capture physical recreational facilities depending on whether or not lessons or courses are taught. This proposed amendment further supports small and start up business, and potentially helps streamline the permitting process for any new or expanding physical recreational facility in the City of Hampton.

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 City Council of the City of Hampton, Virginia that Chapter 2, Section 2-2 of the Zoning Ordinance of the City of Hampton, Virginia be amended to read as follows:

CHAPTER 2 - DEFINITIONS

...

Section 2-2. - Definitions.

...

Physical recreational facility. An establishment that operates as a business or membership organization in a building or portion of a building containing space designed and equipped for the conduct of sports, exercise, recreational, or athletic activities, whether or not under instruction, including but not limited to gymnastics, weight lifting, dancing, martial arts, and yoga. This term shall exclude other uses contained within Section 3-2 entitled, "Table of Uses Permitted."