



Legislation Text

File #: 22-0071, Version: 1

Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 1 Entitled, "General Provisions" To Add New Regulations Applicable to Many Or All Zoning Districts Regarding Recreation Areas Associated With Other Uses

Background Statement:

This amendment adds a new general provision to govern recreation areas that are associated with other uses such as an apartment complex. The new provision would make clear that these recreation areas associated with development are not considered parks and are permitted as long as there is an association or other legal entity responsible for managing the recreation area. This amendment is in conjunction with 22-0071 and 22-0072. 22-0072 would modify where and how the uses of private parks and public parks are permitted, while 22-0071 would add new definitions of private parks and public parks, and modify some existing definitions related to outdoor areas.

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 City Council of the City of Hampton, Virginia that Section 1-35 of Chapter 1 of the Zoning Ordinance of the City of Hampton, Virginia be added to read as follows:

...

Sec. 1-35. - Recreation Areas Associated With Other Uses

Recreation areas including open space, open space amenities, and active recreation areas provided for residential or non-residential developments which give opportunities for passive and/or active recreational activities to residents, employees, or guests of a development shall be permitted in conjunction with such development in all districts, subject, however, to the following regulations and requirements. Such recreation areas shall be owned or controlled by a community association or other entity, which maintains or operates the recreation area, and is connected with the development as evidenced by such documentation as the City Attorney may reasonably require. The documentation may include a declaration of restrictive covenants, easement agreement, or other similar agreement, and shall govern the maintenance of the recreation area.