



Legislation Text

File #: 17-0189, **Version:** 1

Ordinance to Amend and Reenact the City Code of the City of Hampton, Virginia by Amending Article VIII of Chapter 9 Entitled, "Identification and Inspection of Rental Dwelling Units" Pertaining to Expansion of the North Phoebus District Boundaries

Background Statement:

In October of 2013, City Council established a number of rental inspection districts within the City of Hampton, one of which was the North Phoebus District. The purpose of the rental inspection program is to ensure safe, decent and sanitary housing, stabilize neighborhoods and reduce and/or prevent blight.

City staff received a request from stakeholders in the Phoebus area to expand the original North Phoebus District to include adjacent properties. Pursuant to Code of Virginia section 36-105.1:1 and section 9-241 of the Code of the City of Hampton, a finding must be made that (i) there is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the expanded district; (ii) the residential rental dwelling units within the expanded district are either (a) blighted or in the process of deteriorating, or (b) the residential rental dwelling units are in the need of inspection by the community development department to prevent deterioration, taking into account the number, age and condition of residential dwelling units inside the expanded district boundaries; and (iii) the inspection of residential rental dwelling units inside the expanded district boundaries is necessary to maintain safe, decent and sanitary living conditions for tenants and other residents living within the expanded district boundaries.

Staff has determined that based on the average age of housing in the expanded district (65 years), the percent of rental units in the expanded district (49%), the value of the housing as a percentage of the City's average (66%) and the condition of the dwellings, that the criteria are satisfied as set forth by the Code of Virginia and the Code of the City of Hampton. A public meeting was held on February 28, 2017 at the Open Door Baptist Church in Phoebus, to give members of the community information about the expanded district and answer any questions that they had. The Planning Commission was also briefed on the expansion of the district at their April 20, 2017 meeting; no action by the Planning Commission was necessary.

Recommendations:

Staff Recommendation:

Approval

WHEREAS, the City Council is authorized, pursuant section 36-105.1:1 of the Code of Virginia, to inspect residential rental dwelling units for compliance with the Uniform Statewide Building Code and to promote safe, decent, and sanitary housing for its citizens;

WHEREAS, by ordinance adopted October 23, 2013, the City Council established a number of rental

inspection districts within the City of Hampton, which included the North Phoebus District (the "District");

WHEREAS, upon a request from stakeholders in Phoebus, the City reviewed the area immediately surrounding the existing District to determine whether the District should be expanded to include additional dwelling units to the southeast of the original District boundaries;

WHEREAS, in accordance with section 36-105:1:1 of the Code of Virginia and section 9-241 of the City Code of the City of Hampton and based upon the evidence presented through the staff report, the City Council finds that (i) there is a need to protect the public health, safety and welfare of the occupants of dwelling units inside the expanded District; (ii) the residential rental dwelling units within the expanded District are either (a) blighted or in the process of deteriorating, or (b) the residential rental dwelling units are in the need of inspection by the community development department to prevent deterioration, taking into account the number, age and condition of residential dwelling rental units inside the expanded District boundaries; and (iii) the inspection of residential rental dwelling units inside the expanded District boundaries is necessary to maintain safe, decent, and sanitary living conditions for tenants and other residents living in the expanded District boundaries;

WHEREAS, before adopting an ordinance to establish or amend a rental inspection district, the City Council is required by the Virginia Code to hold a public hearing on the proposed ordinance; and

WHEREAS, accordingly, the City Council has held a duly advertised public hearing on the proposed amendment, which would expand the boundaries of the District as set forth herein.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Hampton, Virginia that section 9-242 of the City Code of the City of Hampton, Virginia be amended and reenacted to read as follows:

Sec. 9-242. - Rental inspection districts.

Based upon the findings of City Council as set forth in section 9-241 above, the following areas are included and hereby declared to be rental inspection districts which are subject to the requirements of this article immediately:

North Phoebus District - starting at the intersection of Old Buckroe Rd. and W. Taylor Ave. running northeast on Old Buckroe Ave., proceeding 335 ft. past the intersection of Old Buckroe Rd. and W. Sherwood Ave., running southeast on an imaginary line along the boundary of parcels that share a boundary with Jane Bryan Elementary School (LRSN 12005514) to N. Mallory St., running southwest on N. Mallory St. to its intersection with Corey Circle, proceeding southeast along Corey Circle 200 ft. past its intersection of N. Mallory St., running southwest on an imaginary line along the back of parcels that front N. Mallory St., running southeast on an imaginary line along the back of parcels that

front Sherwood Ave. to its intersection with Perry St., running southwest along Perry St. to its intersection with E. Sherwood Ave., running southwest on an imaginary line along the back of parcels that front Perry St. and E. Hygeia Ave., running southwest along N. Hope St. to its intersection with E. Mercury Blvd., running northwest along E. Mercury Blvd. to its intersection with N. Mallory St., running northeast along N. Mallory St. to its intersection with W. Taylor Ave., running northwest on W. Taylor Ave. to the point and place of beginning.

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A map showing the rental inspection districts described above is hereby adopted as a part of this article and shall be available for public inspection in the Department.

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