



Legislation Text

File #: 19-0016, **Version:** 1

Ordinance To Amend And Reenact Chapter 8 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Special Districts" By Amending Article 7 Entitled "Phoebus Districts" By Adding A New District Entitled "PH-2 - Phoebus Town District"

Background Statement:

Phoebus Business (PH-1) was adopted in 2015 following the review and update of the Phoebus Master Plan (2007, as amended). This district focuses on development form in order to further the policies of the Master Plan, especially as it relates to enhancing the historic, main street pattern of the commercial core of Phoebus. Over the last few years, staff has brought forward a few tweaks to the district, as is common with new concepts and regulations. The City has also recognized new investment, seen additional inquiries, and received additional insight from the community. This amendment is in combination with a number of others intended to provide a better tool for implementing the Phoebus Master Plan and delivering appropriate regulation across the mixed-use center of Phoebus.

Based upon the Master Plan's recommended development patterns creating a unique main street character founded in the neighborhood's historic structure and coupled with the need to facilitate appropriate growth, three distinct districts are recommended for adoption. The proposed PH-2 district, titled Phoebus Town, serves as middle district between the Urban Core (PH-1) and the more suburban Commercial Transition (PH-3) Districts. PH-2 is very similar to the current PH-1 standards, though the amount of frontage that must be covered by the building decreases from 80% to 75%, and the amount of potential setback increases from 10' to 15'. Unlike the proposed Urban Core District, the Town District permits one story buildings by-right. PH-2 also introduces a new standard limiting commercial building width to 75' and multifamily building width to 175' and all buildings to 8,000 square feet. As in PH-1, proposals that do not meet these dimensional standards can be submitted through the use permit process to be reviewed by the Planning Commission and City Council for conformance with the Phoebus Master Plan, and other relevant plans and policies.

This Zoning Ordinance Amendment is proposed in conjunction with Zoning Ordinance Amendments 18-00008, 18-00009, 18-00010, 18-00012, 18-00013, 18-00014, and Rezoning Applications No. 18-00009, and No. 18-00010 (file nos. 19-0011, 19-0012, 19-0015, 19-0018, 19-0019, 19-0020, 19-0021, and 19-0022).

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 Chapter 8, Article 7, Section 8-63 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

CHAPTER 8 - SPECIAL DISTRICTS

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ARTICLE 7 - PHOEBUS DISTRICTS

Sec. 8-61. - Overall Intent of Phoebus (PH) Districts.

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Sec. 8-62. - PH-1 District - Phoebus Urban Core

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Sec. 8-63. - PH-2 District - Phoebus Town

(1) Intent.

The PH-2 District is intended to promote pedestrian oriented, urban scale development in keeping with the historic development patterns of the mixed-use village center of Phoebus. Unlike the Phoebus Urban Core, this district does not require ground floor commercial development and provides greater flexibility in the footprint of buildings. While not as dense as PH-1 and providing more flexibility, this district is intended to facilitate an expansion of a denser development pattern similar to that found in the historic mixed-use center of Phoebus.

(2) Uses permitted.

Uses shall be permitted as set forth in Chapter 3 - Uses Permitted.

(3) Development standards.

- (a) For any newly-created lot, the minimum lot depth shall be ninety (90) feet. Where the lot can potentially be accessed via an alley or similar right-of-way to

the rear, the lot shall be created to provide such access.

- (b) Buildings in this district shall be subject to the following standards:
- (c) Setbacks.

- (i) Front.

For buildings with ground floor commercial space, there shall be a maximum front setback of zero (0) feet unless one of the following optional pedestrian amenities is provided in accordance with the City of Hampton Pedestrian Amenity Design Standards, in which case the maximum shall be fifteen (15) feet:

- (aa) Courtyard.
- (bb) Outdoor seating area.

For buildings with residential uses on the ground floor, buildings may be setback no more than fifteen (15) feet from the property line. This setback exists for the purpose of allowing for steps up to the minimum first finished floor height, porches, and ground level areas meeting the City of Hampton Pedestrian Amenity Design Standards, along with a pedestrian connection to the adjacent sidewalk.

- (ii) Side, adjacent to a public right-of-way.

For buildings with ground floor commercial uses, there shall be a maximum setback of zero (0) feet unless one of the following optional pedestrian amenities is provided in accordance with the City of Hampton Pedestrian Amenity Design Standards, in which case the maximum shall be fifteen (15) feet:

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In the case that the lot is not square, meaning the sides that meet to form corners are not perpendicular, the building shall be placed so that the

requirements of Sec.8-63(3)(c)(i)Front. shall be met, and shall match the side, adjacent to a public right-of-way to the greatest extent practicable per the discretion of the Zoning Administrator, or designee, based upon lot, not preferred building, characteristics.

- (iii) Side, not adjacent to a public right-of-way.

There shall be no minimum and no maximum setback, unless adjacent to a single-family or two-family residential district, in which case the minimum setback is five (5) feet.

- (iv) Rear.

There shall be no required setback unless adjacent to a single-family or two-family residential zone, in which case there shall be a minimum setback of 10 (ten) feet.

- (d) Building footprint.

- (i) The maximum width of a building with ground floor commercial uses shall be 75 feet. Width shall be measured at the front setback line.
- (ii) The maximum width of a building with ground floor townhouses or multifamily uses shall be 175 feet. Width shall be measured at the front setback line.
- (iii) The maximum area of the footprint of a building, measured by the exterior perimeter of the foundation, shall be 8,000 square feet.

- (e) Façade composition.

- (i) A minimum of 75% of the front setback line across the entire parcel must be occupied by the building façade.
- (ii) Primary entrance location.
- (aa) The primary entrance to buildings shall directly face the adjacent public right-of-way.
- (bb) Primary entrances to buildings with lot frontage abutting Mellen Street or Mallory Street shall be located on Mellen Street or Mallory Street, whichever is applicable. Entrances may be angled to directly face an intersection which includes Mellen Street or Mallory Street to meet this requirement.
- (iii) Elevation of first floor.

Where there are residential uses on the ground floor, the first finished floor shall be a minimum of 30 (thirty) inches above the grade at the base of the steps or ramp approaching the entrance.

(iv) Fenestration.

(aa) Where ground floor commercial space fronts on a public right-of-way, a minimum of 40 percent of the first floor building façade containing the primary entrance shall be comprised of glass windows or glass doors that allow views at least four (4) feet into the interior building space.

(bb) Where ground floor commercial space fronts on both Mellen Street and Mallory Street, a minimum of 40 percent of the building façade adjacent to Mellen Street and Mallory Street shall be comprised of glass windows or glass doors that allow views at least four (4) feet into the interior building space on both façades.

(cc) Where ground floor residential space fronts on a public right-of-way, a minimum of 20 percent of the first floor building façade shall be comprised of glass windows and/or glass doors.

(f) Height.

(i) All buildings shall be a minimum of 18' and a maximum of 50' in height.

(g) Accessory structures and equipment.

(i) Dumpsters, accessory structures, outdoor storage areas, and utility, stormwater, mechanical, or similar equipment shall be prohibited in the front yard on all lots and the side yard adjacent to public rights-of-way on corner lots.

(aa) All dumpsters and compaction devices shall be fully screened by an enclosure constructed of durable materials.

(h) If choosing to not meet the development standards as required by Sec.8-63(3), a use permit may be sought. Such a use permit shall be reviewed for conformance with adopted policies and achieving the intent of the PH-2 district to enhance the mixed-use streetscape around the Urban Core.

(4) Parking.

Parking shall be provided as described in chapter 11 herein.

- (a) Parking shall be prohibited in the area between the building and any adjacent public right-of-way, not to include any alleys and the following streets:
 - i. Lancer Street
 - ii. Williams Street
 - iii. Tennis Lane
 - iv. Larabee Lane
- (b) On waterfront properties, parking shall be prohibited between the building and the water feature.