



Legislation Details (With Text)

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Type:	Zoning Ordinance - Text	Status:	Passed		
File created:	2/13/2018	In control:	City Council Legislative Session		
On agenda:	3/14/2018	Final action:	3/14/2018		
Title:	Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Section 3-2 Entitled "Uses Permitted" To Add Two Categories of Bed and Breakfast to the Table of Uses Permitted				

Sponsors:

Indexes: , Economic Vitality

Code sections:

Attachments: 1. Redline Text, 2. Redline Use Table, 3. Clean Use Table, 4. PC Resolution, 5. Presentation

Date	Ver.	Action By	Action	Result
3/14/2018	1	City Council Legislative Session	approved	Pass

Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton, Virginia By Amending Section 3-2 Entitled "Uses Permitted" To Add Two Categories of Bed and Breakfast to the Table of Uses Permitted

Background Statement:

The Use Table is located in Chapter 3 of the Zoning ordinance; bed and breakfast is currently a listed use. If approved, this amendment would strike bed and breakfast and replace it with bed and breakfast 1 and bed and breakfast 2. These two replacement uses would be allowed in all of the same districts as bed and breakfasts are currently. A use permit would be required for both bed and breakfast 1 and bed and breakfast 2 in all districts except FM-4. This is in keeping with the current use table for bed and breakfasts, with one change. Currently, bed and breakfasts are allowed by-right in PH-1, and staff recommends this change to requiring a use permit to bring it in-line with the other districts. The use permit process allows staff an opportunity to more closely review individual applications, as there can be significant difference between bed and breakfasts, particularly if the option to hold events is requested.

Compared to other districts that permit bed and breakfasts, FM-4 is quite unique. It is one of the Fort Monroe Districts. These districts were established with a concerted effort between the City and the Fort Monroe Authority. Given the fact that the City's zoning ordinance does not apply to property on Fort Monroe so long as it is controlled by the State or Federal government, the added layer of review provided by the Fort Monroe Authority, isolated nature of the Fort, and the extensive process in coming to agreement on the current zoning regulations, staff finds it prudent to leave FM-4 unchanged for the time being.

Fundamentally, the proposed change is to create two types of bed and breakfasts; those that operate solely as a relatively small place to sleep and eat, and those that also provide an event venue. The purpose in creating the distinction is to permit places that are appropriate for such even spaces to operate while protecting neighborhoods from this additional layer of activity where it is not

appropriate.

Recommendations:

Staff Recommendation:

Approve ZOA 17-00010

Planning Commission Recommendation:

Approve ZOA 17-00010

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 3 of the Zoning Ordinance of the City of Hampton, Virginia, be amended to read as follows:

CHAPTER 3 - USES PERMITTED

...

Sec. 3-2. Table of uses permitted.

[See attached use table for changes.]

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The attached Table entitled, "TABLE OF USES PERMITTED - CITY OF HAMPTON ZONING ORDINANCE" is hereby declared to be a part of this ordinance as if fully set forth herein.