

Section 17.3-132	<i>Application of the District</i>
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- A. The Buckroe Bayfront District exists as an alternative set of development standards for properties within the District. The standards of the District shall be applied to City and Hampton Redevelopment and Housing Authority owned properties. For privately owned properties the City shall not apply the standards of the Buckroe Bayfront District unless a Letter of Intent has been submitted or the property has been previously developed or redeveloped under the provisions of the District.
- B. The Buckroe Bayfront District shall consist of five sub-districts: Single Family Residential, Mixed Residential, Optional Mixed-Use, Required Mixed-Use, and Special. The boundaries of each sub-district are shown on the Buckroe Bayfront District Map, which shall act as a supplement to the City's Zoning Map.
- C. In the case of conflict between the Buckroe Bayfront District and those of the underlying zoning district or any other provisions of the City Code, the standards of the Buckroe Bayfront District shall apply.
- D. Upon issuance of building permits or final subdivision approval under the standards of the Buckroe Bayfront District the SPI-BBD becomes the base zoning district of the property for the purpose of future development, redevelopment, or renovation and shall be recorded on the Zoning District Map, Hampton, VA. Once a parcel is developed under the SPI-BBD standards, the standards of the previous zoning designation are no longer applicable.

Section 17.3-133	<i>Administration</i>
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Interpretation and administration of the Buckroe Bayfront District standards shall be the joint responsibility of the Zoning Administrator and the Planning Director or their designees. All interpretations shall be agreed upon by both the Zoning Administrator and the Planning Director. In the event that these two individuals cannot agree, the City Manager shall have final decision making authority on questions of interpretation. The Buckroe Bayfront Pattern Book and Buckroe Master Plan (2005, as amended) shall serve as guidance in the application review process. Small variations in dimensional requirements, representing less than a five foot change to required setbacks or a 10% change to area measurements, as appropriate, from any requirement described in the table in Section 17.3-134A. "General

Lot Standards,” can be approved by the Zoning Administrator and the Planning Director or their designees. The architectural standards may be modified in certain circumstances, subject to the approval of the Zoning Administrator and the Planning Director or their designees based on contributing to the unique character of Buckroe and consistent with the Buckroe Master Plan (2005, as amended). Such modifications shall not be applied to all buildings within a development project and should only be allowed in order to create individual unique buildings.

#### A. Review Process

##### 1. Pre-Design Meeting

An owner or developer should meet with the Planning Director or his designee in advance of submitting a preliminary design plan.

##### 2. Letter of Intent

Before or concurrently with submittal of a preliminary design plan, an owner or developer intending to develop under the Buckroe Bayfront District standards may submit a Letter of Intent. A Letter of Intent must clearly state the area or property to be included within the District, include a plat and legal description of the property(ies), and the signature(s) of the current property owner(s) of record.

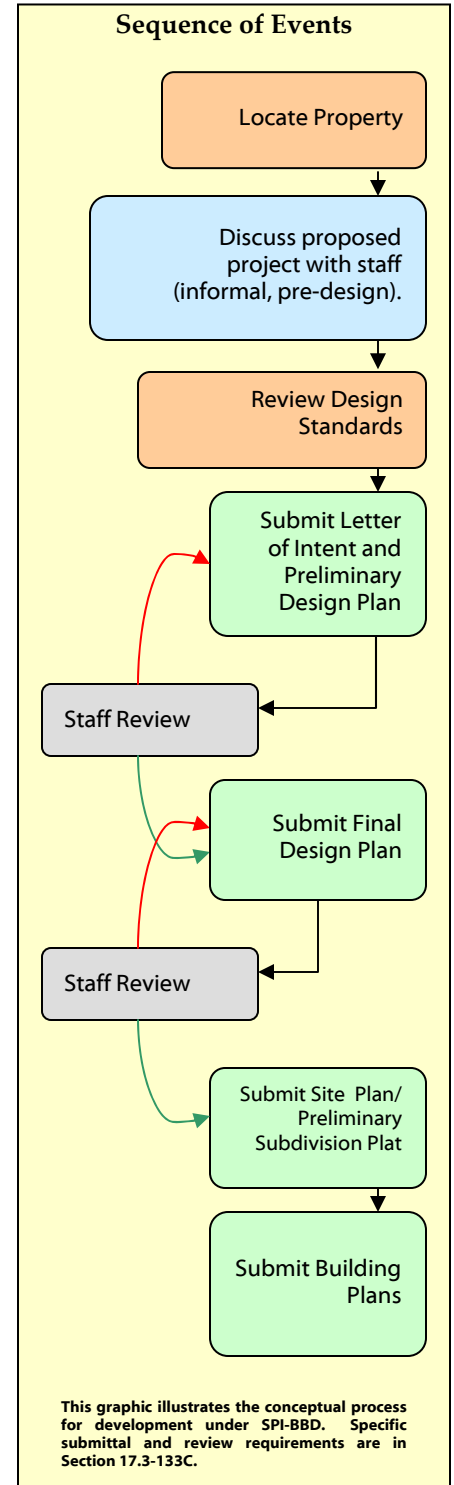
##### 3. Submittal of Preliminary Design Plan

The owner or developer shall submit three copies of a preliminary design plan in accordance with the provisions of this Article to the Planning Director or designee.

##### 4. Review of Preliminary Design Plan

Upon the acceptance of a complete application, the Planning Director shall approve, conditionally approve or disapprove the preliminary design plan within 30 days, requesting thereon any changes or additional information that will be required. In the case of disapproval, the reasons for such shall be identified in writing, referencing specific adopted ordinances and regulations. Modifications or corrections that would permit approval shall also be identified. One copy shall be returned to the applicant or the developer or his authorized representative, with the date of such approval, conditional approval or disapproval noted thereon over the signature of the Zoning Administrator and Planning Director or their designees.

##### 5. Submittal of Final Design Plan



Once approval or conditional approval has been received, the owner or developer may submit a final design plan in accordance with the provisions of this chapter to the Zoning Administrator and Planning Director or their designees. The final design plan shall be reviewed for consistency with the preliminary design plan and any conditions imposed thereon and a letter signed by the Planning Director indicating approval or disapproval shall be sent to the owner or developer within 14 days of acceptance of a complete application.

#### 6. Simultaneous Review

An owner or developer may submit plans as required under the site plan or subdivision ordinances for review simultaneous with the final design plan review process. The Planning Director or his designees shall meet with representatives of the Departments of Public Works, Codes Compliance, and any other agency necessary to conduct preliminary review of the development project. Final site plan or subdivision approval shall not be issued until final design review is complete and the owner or developer has received a letter of compliance indicating approval signed by the Zoning Administrator and the Planning Director or their designees.

#### 7. Other Permits

~~No building permit or land disturbing permit shall be issued for projects subject to the Buckroe Bayfront District standards until the owner or developer has received a letter of compliance indicating approval and signed by the Zoning Administrator and the Planning Director.~~

- a) No land disturbing permit shall be issued for projects subject to the Buckroe Bayfront District standards until the owner or developer has received a letter of compliance indicating Final Design Plan approval signed by the Zoning Administrator and the Planning Director.
- b) No building permit shall be issued for buildings subject to the Buckroe Bayfront District standards until the owner or developer has received a letter of compliance indicating approval of building illustrations signed by the Planning Director.

#### 8. Appeals

Decisions of the Planning Director can be appealed to the Hampton Planning Commission in a duly advertised public hearing pursuant to the Code of Virginia §15.2-2204 "Advertisement of plans, ordinances, etc." The Hampton Planning Commission shall either approve or deny the

#### *Designing a Structure in the Buckroe Bayfront District*

##### **1. Lot Type**

Select an appropriate lot type. The Buckroe Bayfront District Map (§ 17.3 - 127) illustrates allowable lot types permitted in each sub-district. Setbacks, yard requirements, parking and general regulations are identified for each lot type in § 17.3 - 128.

##### **2. Shape and Size**

Use the Buckroe Bayfront Pattern Book when selecting a massing style that suits you and the lot. The basic massing will determine programmatic and architectural elements. Room layouts should be designed to fit within each massing type.

##### **3. Windows and Doors**

Lay out rooms so that the placement of windows and doors relate to the shape and style of the structure. Typical window and door proportions and trim details are provided in the Buckroe Bayfront Pattern Book.

##### **4. Porches**

Identify front porches that have the appropriate massing, design elements and location for your building's type and architecture.

##### **5. Materials**

Choose your building materials based on the lists of acceptable materials.

##### **6. Landscape**

Plan your garages, parking areas and plantings based on the regulations in this Ordinance as well as the guidance offered in the Buckroe Bayfront Pattern Book. Plant species should be tolerant of heat, salt, and wind common to Buckroe.

*Planning Department staff can help you choose elements that work with various lot types and/or correspond to a particular architectural style.*

request. A non-refundable \$325 fee shall be assessed for an appeal request to cover the cost of advertising for the public hearing. The Hampton Planning Commission is the final authority with regards to appeals under article XVII. Special Public Interest: Buckroe Bayfront District.

## **B. Withdrawal of Application**

Applications under the standards of the SPI-BBD may be withdrawn at any time before issuance of building permits or approval of any subdivision, boundary line adjustment or property split.

## **C. Application Requirements**

### *1. Preliminary Design Plan*

The owner or developer shall submit a current survey plat of the property along with a preliminary design plan which shall include the following:

- a) A plan depicting existing site conditions including any existing buildings, pavement, and trees.
- b) Conceptual site plan showing the location of any proposed new buildings, proposed renovations of any existing buildings, and proposed and retained existing pavement.
- c) Proposed conceptual landscaping plan identifying the type, size, and location of both existing and proposed landscaping.
- ~~d) Illustrations depicting the front, side, and rear elevations of all proposed buildings and renovations of existing buildings and noting the materials to be used.~~

### *2. Final Design Plan*

After approval or conditional approval of a preliminary design plan, the owner or developer shall submit a final design plan which shall include the following:

- a) Site plan consistent with the requirements of Chapter 9 "Building and Development Regulations," Article IV "Site Plans" of the Hampton City Code. For single family, duplex or two family dwellings, a plan showing the location of any proposed new buildings, proposed renovations of any existing buildings, and proposed and retained existing pavement. For subdivisions, a preliminary subdivision plat consistent with Chapter 35 "Subdivisions," Article II "Preliminary Plat" of the Hampton City Code.
- b) Landscaping plan.

- e) ~~Illustrations depicting the front, side, and rear elevations of all proposed buildings and renovations of existing buildings.~~
- c) A narrative describing how each of the comments made on the preliminary design plan have been addressed in the final design plan.

3. *Building Illustrations*

Building illustrations depicting front, side, and rear elevations of all proposed buildings and renovations of existing buildings may be submitted with the preliminary design plan, with the final design plan, or later in the development review process. Building illustrations shall include notation of the exterior materials to be used.