



City of Hampton

MARCH 11, 2009

To: Hampton City Council

From: James Freas, AICP
Senior City Planner

Subject: Zoning Ordinance Amendment to the SPI-Buckroe Bayfront District

The Special Public Interest – Buckroe Bayfront District (SPI-BBD) was adopted in September, 2007 with the purpose of providing a zoning district that would permit and encourage development consistent with the *Buckroe Master Plan* (2005, as amended) and the *Buckroe Bayfront Pattern Book* (2007). Recently there have been two development proposals for properties within the Bayfront District that would potentially require rezoning to SPI-BBD, but in both cases, the site developer will not necessarily be the builder, creating an issue where the sequence of the development review process would prevent these developments from being able to utilize the District. The proposed amendment will address this development review sequencing issue.

The SPI-BBD requires that a final design plan be approved before any permits can be issued for development. The final design plan includes a site plan, landscaping plan, and building elevations. The problem with this sequence is that, for developments where a developer intends to ready the land for development (get land disturbing permits, subdivide the land, and provide any necessary roads or utilities) and then sell individual parcels to different builders, the developer cannot provide final building elevations as part of the final design plan; those would be provided by the builders after they have purchased a parcel. Under the current SPI-BBD design review sequence, without the building elevations, the developer cannot receive the land disturbing permits necessary to do the initial land development work.

The proposed amendment would remove building elevations from the list of required submittals under the Preliminary and Final design plans, creating a new category of submittals entitled Building Illustrations. An applicant would be able to submit their Building Illustrations at any point during the development review process, but approval would be necessary before building permits could be issued. In this way, land disturbing permits could be issued after the Final Design Plan has been approved, but before the buildings have been designed or approved.

Planning Department staff has met with representatives of the Land Development Services and City Attorney's Offices to ensure that the proposed amendment will work within the context of our existing development review process and ordinances. The ordinance language of the proposed amendment is attached for your review.

If you have any questions or need additional information, please contact me at 757.728.5233 or at jfreas@hampton.gov.