

# STAFF EVALUATION

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To: Planning Commission

Prepared By: Stephanie Mertig, AICP

728-5234

Reviewed By: Caroline Butler, AICP

728-5231

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Case No.: Zoning Ordinance

Date: October 4, 2007

Amendment: Mini-storage

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## General Information

City Council recently asked staff to review the zoning districts in which mini-storage facilities are permitted and make recommendations as to whether the current categories are appropriate or should be revised.

Mini-storage, or self-storage, facilities are permitted by-right in several zoning districts throughout the City. Those zoning districts in which they are permitted are:

- ***C-3: General Commercial.***

The C-3 District is Hampton's most intense commercial district. It has a semi-industrial character, and permits (in addition to all non-residential uses permitted in the Limited Commercial C-2 District) uses such as cleaning and pressing establishments, car washes, used car sales, plumbing and electrical shops, adult entertainment establishments and automobile body shops as well as the manufacture, processing and packaging of dairy, bakery or seafood products. There are no setbacks, except where properties abut residential districts. Small pockets of C-3 zoning exist throughout the city, however it is predominantly found along the West Pembroke Avenue corridor and a section of East Mercury Boulevard. Nearly all existing mini-storage facilities are located in the C-3 district.

- ***M-2: Light Manufacturing***

The M-2 District provides areas for light industrial uses that are not obnoxious or offensive by reason of emission or odor, smoke or dust, gas, noise or vibration. These permitted uses include warehousing, distribution, light fabrication or processing, assembly, storage, and commercial and office uses. There are no setbacks, except where properties abut residential districts. M-2 zoning is generally found on West Pembroke Avenue, near Powhatan Parkway, adjacent to Sunset Creek and in parts of Copeland Industrial Park. A few isolated pockets are located elsewhere in the city.

- ***M-3: Heavy Manufacturing***

The M-3 District provides areas for a range of more intensive industrial uses that, as with the M-2 District, are not obnoxious or offensive by reason of emission or odor, smoke or dust, gas, noise or vibration. These uses include fabrication, manufacturing, assembly, processing and bulk storage. Indoor automobile wrecking (junk yards) are permitted with a Use Permit. There are no setbacks, except where properties abut residential districts. M-3 zoning is primarily found off of West Pembroke Avenue in Copeland Industrial Park and along North Armistead Avenue in the Brights Creek area.

- ***M-4B: Langley Flight Approach - Land Intensive Manufacturing: Mixed Business and Manufacturing***

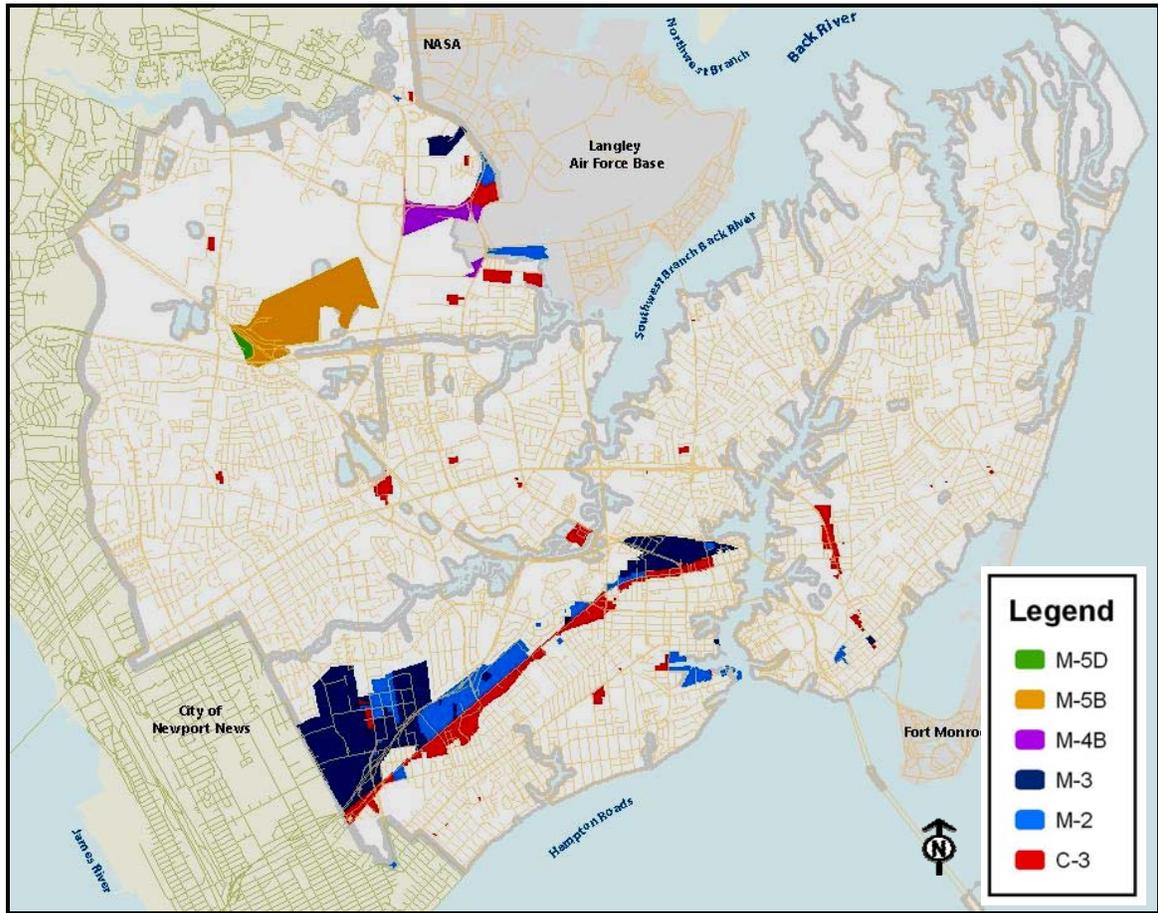
The M-4B District establishes an area for industrial and commercial uses which require large amounts of land but are minimally populated by either employees or customers, and also uses that are not disrupted by, nor disrupting to operations at Langley Air Force

Base. Examples of permitted uses include commercial parking lots and garages, new automobile/vehicle sales, pleasure craft sales, distribution plants, ice and cold storage, machine shops, freight or truck terminals, and rock, sand or gravel storage. Junk yards are permitted with a Use Permit. There are setbacks from rights-of-way and residential properties. The M-4B district is located in the Langley Aircraft Approach area, adjacent to Commander Shepard Boulevard.

- ***M-5B: Langley Flight Approach - Mixed-Use: Limited Business I and M-5D: Langley Flight Approach - Mixed-Use: Limited Business II***

The M-5B and M-5D Districts limit the intensity of development in the flight approach to Langley Air Force Base while providing for a range of commercial and industrial activities. Permitted uses within these districts include: parcel or express delivery warehouses, offices and office buildings, data processing centers, blueprinting services, distribution centers, research or testing laboratories, and a variety of retail shops and personal services. There are setbacks from rights-of-way and residential properties. These districts are part of the Langley Aircraft Approach Area, generally between Magruder Boulevard and Interstate 64.

Figure 1: Zoning Districts that Allow Mini-Storage



**Existing Facilities**

Thirteen mini-storage facilities are currently located in the City of Hampton. Two facilities, located in the Limited Commercial (C-2) District are legally non-conforming. These facilities could not rebuild if they were destroyed or demolished. Most mini-storage facilities in Hampton

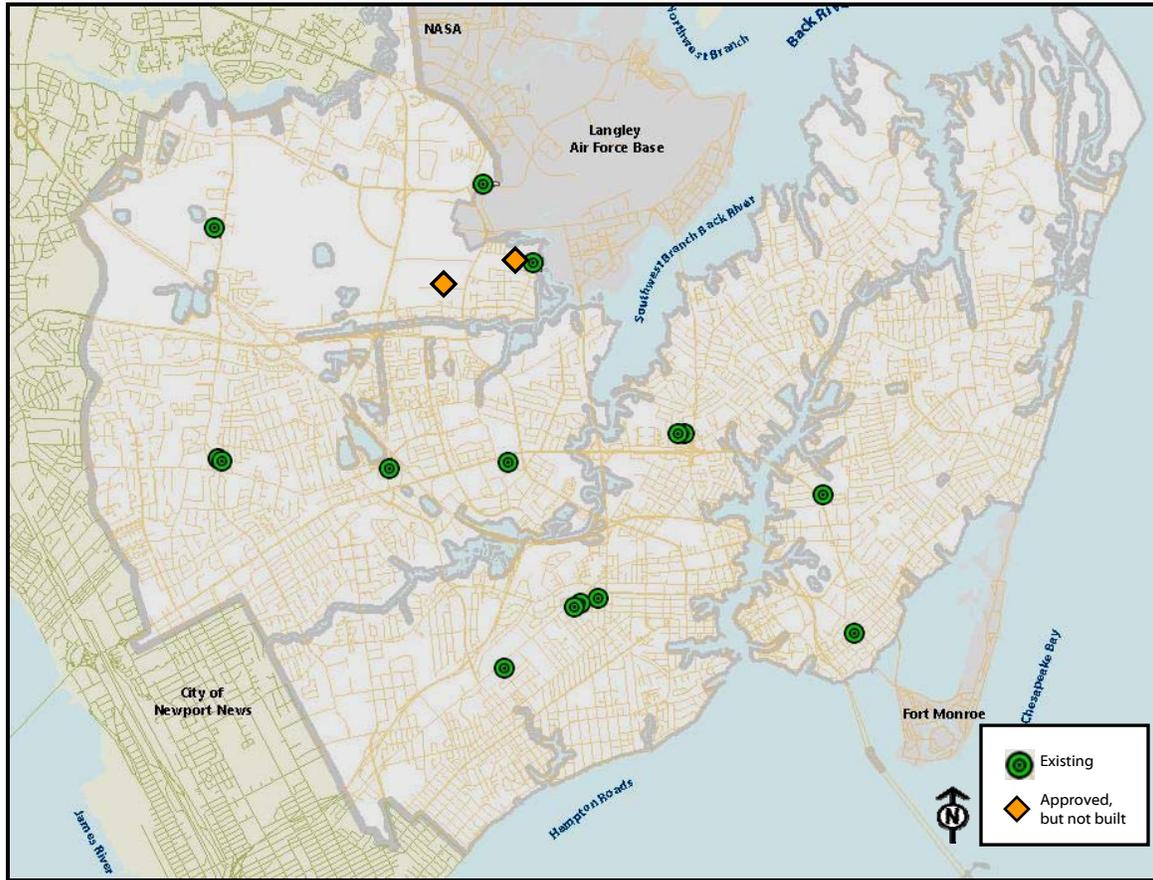
are located in the C-3 District. If the Zoning Ordinance were changed to require a Use Permit for mini-storage, these uses would be permitted to continue, but would require a Use Permit to expand their facilities. The following table lists existing mini-storage facilities:

Facility Name	Address	Acreage	Zoning
AAAA Self Storage	1349 Big Bethel Road	10	C-3
American Classic Self Storage	906 Big Bethel Road	4.1	C-3
Key Self Storage	20 Potter Lane	7.2	C-3
Simply Self Storage	815 LaSalle Ave.	3.0	C-3
Qwik-Stor	1213 North King Street	3.1	C-3
Atlantic Self Storage	2401 Buildamerica Drive	5.2	C-3
Unknown	14 E. County Street	0.07	C-2*
Affordable Storage	1645 W. Pembroke Ave	1.9	C-3
Mercury Self Storage	185 E. Mercury Blvd.	2.2	C-3
Mini-Price Self Storage	1141 W. Pembroke Avenue	4.4	C-3
A-Langley Self Storage	3105 Commander Shepard Blvd.	8.7	C-3
U-Haul	1023 W. Mercury Blvd.	2.4	C-2*
Public Storage	1205 W. Pembroke Avenue	3.2	C-3

\*Currently Legal Non-Conforming Use

In addition, there are also a few mini-storage facilities that have been approved, but have not yet been built. This includes Phase 2 of a storage facility located on Potter Lane, which was permitted under Rezoning 1089 and is currently undergoing site plan review. This also includes property on Tarrant Lane, off of North Armistead Avenue, which was the subject of Rezoning Application No. 1210.

Figure 2: Mini-storage locations



Source: Hampton GIS Database, Property Class = #435 (Mini-Warehouse)

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**Analysis**

Recent attempts to place mini-storage facilities in areas that are considered unsuitable has prompted a review into the districts in which they are permitted. As the Zoning Ordinance is currently written, mini-storage is permitted by-right in one commercial district (C-3). Although this is a semi-industrial district that accommodates uses that may require outdoor storage, construction of a mini-storage facility represents significant investment in the property and a long-term use. As can be seen on the zoning map, C-3 properties are much more likely than industrial properties to be near neighborhoods. The built-out nature of our city requires increasing levels of review to ensure that new developments have minimal impacts on these neighborhoods. Public review is necessary to properly evaluate proposed facilities and avoid, minimize or mitigate possible conflicts. **Therefore, staff recommends amending the Zoning Ordinance to require a Use Permit for mini-storage facilities in the C-3 district.**

Mini-storage facilities are also permitted in five industrial districts in Hampton (M-2, M-3, M-4B, M-5B and M-5D). Warehousing is a compatible land use that complements other industrial uses. It is also an appropriate use for Aircraft Approach areas because of their land requirements and low levels of customer and employee traffic. These districts are generally consolidated in location and rarely abut dense residential zones. They are generally found in areas recommended by the Hampton Community Plan (2006, as amended) for business and industrial use. **Staff recommends that the Zoning Ordinance continue to allow mini-storage by-right in these districts.**

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**Alternatives Analysis: What else can be done?**

The ability to construct mini-storage facilities in inappropriate locations presents a multi-part challenge without a simple solution. While staff suggests requiring a Use Permit for these facilities in the C-3 district, that does not represent a complete “fix” to the problem.

*Realign C-3 in the Zoning Ordinance Re-Write*

Many other uses in the C-3 district could be just as injurious to adjacent neighborhoods and are still permitted as a matter of right. Recognizing this, staff has been working in the Zoning Ordinance re-write project to reclassify the C-3 district to a Limited Business or Limited Manufacturing district, rather than have it fall under a “commercial” category. We believe that this move will better reflect the types of uses that are permitted within the district, and will better align C-3 uses with Hampton Community Plan recommendations for business and industrial use.

*Comprehensive Rezoning*

Much of the problem of inappropriate siting has to do with inappropriate zoning in several locations. Perhaps the most effective “fix” would be to evaluate zoning districts in the context of their locations and comprehensively rezone inappropriate zoning to resolve potential land-use conflicts. However, while this solution is effective and generally championed by neighborhoods, it can be unpopular to property owners who wish to retain more intense zoning.

Comprehensive rezoning is presented as an additional option available to the Planning Commission and City Council. Should either body desire that comprehensive rezonings be pursued, it may authorize staff to proceed with evaluations and rezonings of this nature.