



# City of Hampton

22 Lincoln Street  
Hampton, VA 23669  
www.hampton.gov

## Official Record

Zoning Ordinance - Text: Z21-04

File Number: 21-0217

Enactment Number: Z21-04

### Ordinance to Amend and Re-Enact the Zoning Ordinance of the City of Hampton, Virginia by Amending Chapter 10 Entitled, "Signs" Pertaining to Temporary Signs and Flags

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

#### Chapter 10 - SIGNS

#### Article I. - GENERAL SIGN REGULATIONS

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#### Sec. 10-4. - Requirements generally applicable to all permitted signs.

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- (3) Movement. No part of any sign may be in motion, such as by fluttering or rotating, whether by internal means or when set in motion by movement of the atmosphere. This prohibition shall not apply to flags, feather, or inflatable signs or the changing copy on electronic signs where permitted.

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- (5) Traffic and pedestrian safety. No sign or flag may obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of traffic or safety device.

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#### Sec. 10-5. - Freestanding and wall signs permitted.

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- (3) Additional signage incidental to certain primary uses. In addition to the other permitted signs set forth in this section, the following signs are permitted in conjunction with certain permitted primary uses.
- (a) In conjunction with an establishment with a drive-thru lane, two (2) freestanding signs per drive-thru lane, provided that the following provisions are met:
    - (i) The area of each additional freestanding sign shall not exceed 16 square feet when located in a front yard or a side yard and 24 square feet when located in a rear yard.
    - (ii) The maximum height of each freestanding sign shall be six (6) feet.

- (iii) Each sign shall be located immediately adjacent to the applicable drive-thru lane.
- (b) In conjunction with an automobile dealer, one (1) freestanding or flag sign for each franchise provided that the signs are 100 linear feet apart.
- (c) In conjunction with a gasoline supply station, the permitted sign set forth in the Table of Freestanding Signage Permitted may be increased by 24 square feet in sign area. In addition, each gasoline pump shall be permitted one (1) additional sign not to exceed two (2) square feet in sign area located on the pump.
- (d) In conjunction with an educational or medical campus encompassing 50 or more acres that are contiguous or separated by a street:
  - (i) Up to two (2) freestanding or flag signs may be permitted at each principal entrance provided that no more than one (1) sign shall be permitted at each side of the road or driveway.
  - (ii) Such signs shall not exceed 110 square feet in sign area and 12 feet in height.
  - (iii) Walls integrated into the design of a sign at the entrance to a campus shall not exceed 15 feet in height provided that no more than 25 percent of the wall shall be permitted at the maximum height.
  - (iv) All signs comply with the City of Hampton Landscape Guidelines.

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#### **Sec. 10-5.1 - Flag and flagpole regulations.**

- (1) The following criteria shall apply to flags on lots with a one-family, two-family, or a duplex dwelling as the primary use:
  - (a) Flags shall be mounted on a flagpole or similar device, which shall be either ground mounted or wall mounted.
  - (b) Flagpoles shall be setback from the nearest property line no less than the height of the flagpole. The maximum flagpole shall be 30'.
  - (c) No more than two (2) flags, not to exceed 24 square feet in area per flag, shall be permitted per parcel.
  - (d) No more than three (3) flags, not to exceed two (2) square feet in area per flag, shall be permitted per parcel.
  - (e) Flags shall comply with requirements for off-premises advertising signs.
  - (f) Ground mounted flagpoles above 5' in height shall require a zoning permit. No sign permit shall be required for flags.
- (2) The following criteria shall apply to flags on lots with a use other than a one-family, two-family, or a duplex dwelling as the primary use:
  - (a) Flags shall be mounted on a flagpole or similar device, which shall be either ground mounted, roof mounted, or wall mounted.
  - (b) The total flag area shall not exceed an amount equivalent to the permitted monument sign area. The total flag area shall be calculated separately from any

monument signs such that the flag area is permitted in addition to the monument sign area.

(c) Flags must comply with requirements for off-premises advertising signs.

(d) Ground mounted flagpoles above 5' in height shall require a zoning permit. No sign permit shall be required for flags.

(e) Flagpoles shall be setback from the nearest property line no less than the height of the flagpole..

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### ARTICLE III. - TABLES OF SIGNAGE PERMITTED

#### Sec. 10-33. - Table of Temporary Signage Permitted.

The attached table entitled, "Table of Temporary Signage Permitted" is hereby declared to be a part of this article as if fully set forth herein.

[The attached Chart/Table/Graphic, entitled, "Temporary Signage Table" is hereby declared to be a part of this ordinance as if fully set forth herein.]

approved by the Hampton City Council on 8/11/2021.

Aye: 7 Councilmember Bowman, Councilmember Weston Brown,  
Councilmember Brown, Vice Mayor Gray, Councilmember Hobbs,  
Councilmember Snead and Mayor Tuck



Signed by: \_\_\_\_\_  
Donnie R. Tuck

Date **AUG 11 2021**

Attested by:   
Katherine K. Glass

Date **AUG 11 2021**



TABLE OF TEMPORARY SIGNAGE							
WHEN PERMITTED	ZONING DISTRICT	TYPE	NUMBER	SIZE	OVERALL HEIGHT	DURATION	NOTES AND ADDITIONAL LIMITATIONS AND PERMISSIONS
In Conjunction with Any Establishment at Any Time	Any district	Banner, Inflatable, or Feather	1 per establishment	Banner: 50% of allowable permanent wall signage Inflatable: a footprint of no more than 3' x 3' Feather: 32 sq. ft.	Inflatable: 10 feet Feather: 10 feet	30 days in a calendar year, may be nonconsecutive	Sign permit required
Proximity to Election Day	Any R, MD, or PO district, LFA-5, BB-1, BB-2, BB-3, FM1, FM-2	Flag, banner or lawn	Per issue: 1 per property Per candidate: 1 per property	8 sq. ft.	Lawn: 5 feet	100 days prior to election and removed no more than 10 days after the election	No sign permit required; Permitted for election involving candidates for a federal, state or local office that represents the district in which the property is located or involves an issue on the ballot of an election within the district where the property is located per issue and per candidate. This shall not be construed to control the number of signs posted on the premises on a polling place on the day of a primary, general or special election.
	All others	Flag, banner or lawn	Per issue: 1 per establishment Per candidate: 1 per establishment	32 sq. ft.	Lawn: 10 feet	100 days prior to election and removed no more than 10 days after the election	
In Conjunction with Property for Sale or Rent	Any R district (except R-M), LFA-5, BB-1, BB-2, BB-3, FM-1, FM-2	Lawn	1 per property	8 sq. ft.	5 feet	Up to 1 year, removed no more than 2 weeks after the sale or lease date	No sign permit required; The sale or lease date shall mean the date that the contract is fully executed. Residential properties may have one additional sign denoting that the property on which it is placed is open for inspection by the public between sunrise and sunset on Saturday, Sunday, and federal legal public holidays.
	Any MD or DT district, R-M, C-1, PH-1, PH-2, PH-3, FM-3, FM-4	Banner or lawn	1 per property	16 sq. ft.	Lawn: 5 feet	Up to 1 year, removed no more than 2 weeks after the sale or lease date	
	All others	Banner or lawn	1 per property	32 sq. ft.	Lawn: 10 feet	Up to 1 year, removed no more than 2 weeks after the sale or lease date	
In Conjunction with Property under Construction	Any R, MD, or PO district, LFA-5, BB-1, BB-2, BB-3, FM-1, FM-2	Banner or lawn	1 per property	8 sq. ft.	Lawn: 5 feet	Removal no more than 2 weeks after the completion of construction	No sign permit required
	All others	Banner or lawn	1 per property	32 sq. ft.	Lawn: 10 feet		
In Conjunction with An Event at a Museum	Any district	Banner	3 per establishment	32 sq. ft.		3 months in a calendar year, may be nonconsecutive	No sign permit required
Proximity to a Special Event Date	Any R, MD, or PO district, LFA-5, BB-1, BB-2, BB-3, FM-1, FM-2	Banner or lawn	1 per property	8 sq. ft.	Lawn: 5 feet	Not before a special event permit is issued in accordance with the city code, nor more than 30 days prior to the event date; removed within 24 hours after the event	No sign permit required
	All others	Banner or lawn	1 per property	32 sq. ft.	Lawn: 10 feet	Not before a special event permit is issued in accordance with the city code, nor more than 30 days prior to the event date; removed within 24 hours after the event	No sign permit required
Proximity to a Yard Sale Date	Any district, in accordance with Sec. 1-28	Lawn	2 per property with approved yard sale permit	8 sq. ft.	Lawn: 5 feet	During time of yard sale as specified on yard sale permit	No sign permit required
In Conjunction with Any Establishment During Business Hours	Any district	Sandwich Board	1 per establishment	8 sq. ft.	5 feet	During hours that the establishment is open for business	No sign permit required
							May be located on a paved sidewalk right-of-way only when the pedestrian passageway between the sign and the establishment is not less than 5' in width, is compliant with the Americans with Disabilities Act, and remains unobstructed by any object, in the discretion of the city. No sandwich board shall be located in any street right-of-way or on any other city-owned property, or otherwise obstruct vehicular or pedestrian traffic.
							Shall be located within 20' of the establishment's primary entrance.
							Shall not be illuminated. Shall not be permanently affixed to the property, nor attached to any structure or vegetation such as utility structures, traffic signs/poles, trees, or similar items.
Proximity to a Federal Holiday	Any district	Flag	no limit	2 sq. ft.	2 feet	Not more than 7 days prior to the Federal Holiday; removed within 7 days after the Federal Holiday	No sign permit required