

**AT A PUBLIC HEARING IN A REGULAR MEETING OF THE HAMPTON PLANNING COMMISSION HELD IN THE COUNCIL CHAMBERS, CITY HALL, HAMPTON, VIRGINIA, ON THURSDAY, JUNE 2, 2016 AT 3:30 P.M.**

**WHEREAS:** the Hampton Planning Commission has before it this day an ordinance to amend and reenact Chapter 2 of the zoning ordinance of the City of Hampton, Virginia entitled "Definitions" pertaining to definitions related to signage;

**WHEREAS:** this amendment is necessary to conform the zoning ordinance with the United States Supreme Court's decision in Reed v. Town of Gilbert, Arizona, 135 S. Ct. 2218 (2015), where the Court expanded the types of sign regulations that are considered content-based and presumptively unconstitutional under First Amendment principles;

**WHEREAS:** this amendment would amend the definitions of sign, abandoned non-conforming sign, awning/canopy sign, banner, discontinued sign, freestanding sign, ground-mounted sign, projecting sign, and wall sign; would remove the definitions of business/shopping center sign, construction sign, directory sign, exposure, festoons, illegal sign, menu board, permanently attached sign, political sign, public directory or information sign, and real estate sign; and would create new definitions for feather sign, inflatable sign, interstate/arterial sign, lawn sign, public art, pylon sign, and temporary sign, all so that the definitions are not content-based;

**WHEREAS:** this amendment is being brought forward in conjunction with ZOA 193-2016 regarding sign regulations in chapter 10 of the zoning ordinance; and

**WHEREAS:** One speaker spoke on this item as an attorney representing billboard companies in Virginia and requested changes to the amendments that would clarify the intent of the provisions regarding movement of signs and lighting requirements.

**NOW, THEREFORE,** on a motion by Commissioner McCloud and seconded by Commissioner Williams,

**BE IT RESOLVED** that the Hampton Planning Commission recommends to City Council approval of Zoning Ordinance Amendment No. 194-2016.

A roll call vote on the motion resulted as follows:

<b>AYES:</b>	LaRue, Williams, Campbell, McCloud, Schmidt, Southall
<b>NAYS:</b>	None
<b>ABST:</b>	None
<b>ABSENT:</b>	Bunting

A COPY; TESTE:

Handwritten signature of Terry P. O'Neill in cursive script, written in black ink.

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Terry P. O'Neill  
Secretary to Commission