

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 10 of the zoning ordinance of the City of Hampton, Virginia entitled "Signs" pertaining to intent of sign regulations; administration and enforcement of sign regulations; permitted, prohibited, and exempt signs; requirements of permitted signs; and adoption of tables of freestanding, wall, and temporary signage permitted;

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 remove the regulations in the sign chapter that depend on a sign's content, but maintain regulations based upon content-neutral factors such as zoning district and use of the property;

WHEREAS: signs permitted under the proposed amendment may display any message about any topic, but must comply with other regulations such as the physical nature of the sign, duration of display, and location;

WHEREAS: the amendment would also make substantial housekeeping changes by consolidating regulations into three new tables of signage permitted, and clarifying permitted signs by zoning district;

WHEREAS: this amendment is being brought forward in conjunction with ZOA 194-2016 regarding definitions of signs; 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 LaRue and seconded by Commissioner Williams,

BE IT RESOLVED that the Hampton Planning Commission recommends to City Council approval of Zoning Ordinance Amendment No. 193-2016 with an amendment to state that the section pertaining to movement of signs does not prohibit electronic changeable copy signs.

A roll call vote on the motion resulted as follows:

AYES:	LaRue, Williams, Campbell, McCloud, Schmidt, Southall
NAYS:	None
ABST:	None
ABSENT:	Bunting

A COPY; TESTE:



Terry P. O'Neill
Secretary to Commission