

1 **Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton,**  
2 **Virginia By Amending Section 3-3 Entitled, "Additional Standards on Uses" To Add**  
3 **Additional Use Regulations for the Smoke and Vape Shop Use.**

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5 **WHEREAS**, the public necessity, convenience, general welfare and good zoning practice so  
6 require;

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8 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia that Section 3-3 of the  
9 Zoning Ordinance of the City of Hampton, Virginia be amended to read as follows:

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11 **CHAPTER 3 – DEFINITIONS**

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15 **Section 3-3. – Additional standards on uses.**

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19 (57) *Smoke or Vape shops in any district are subject to obtaining a Use Permit by City*  
20 *Council and shall comply with the following additional standards:*

21 *(a) No Smoke or Vape Shop may be permitted within one-thousand (1,000) feet of a*  
22 *child day center as defined in Va. Code 22.1-289.02, any public, or private, or*  
23 *parochial school, or any religious facility.*

24 *(b) A new or amended use permit will not be issued for any Smoke or Vape Shop*  
25 *located within one (1) mile from the nearest Smoke or Vape Shop or other existing*  
26 *retail establishment which meets the definition of "Smoke or Vape Shop" in Section*  
27 *2-2 of this ordinance..*

28 *(c) The hours of operation of a Smoke or Vape Shop shall be limited to 9:00 a.m. to 8:00*  
29 *p.m.*

30 *(d) No Smoke or Vape Shop may operate a drive-through.*

31 *(e) No Smoke or Vape Shop may install or use any form of illumination visible from the*  
32 *public right-of-way which is not expressly permitted by this Ordinance, except as*  
33 *provided in a Lighting Plan approved by the Director of Community Development or*  
34 *their designee and incorporated into the terms of the Use Permit.*

35 *(f) The exterior and interior windows of a smoke or vape shop shall not be covered by*  
36 *or treated with any film, tint, blinds, curtains, shades, shutters, or other device that*  
37 *would impede visibility into the establishment.*

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