

1 **Ordinance To Amend And Re-Enact The Zoning Ordinance Of The City Of Hampton,**  
2 **Virginia By Amending Chapter 2 Entitled “Definitions” To Add New Definitions Of Animal**  
3 **Day Care, Animal Shelter, Home Based Rescue And Veterinarian Office Or Hospital, And**  
4 **To Modify Definitions Of Home Occupation, Kennel and Establishment.**

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

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9 **BE IT ORDAINED** by the City Council of the City of Hampton, Virginia that Section 2-2 of Chapter  
10 2 of the Zoning Ordinance of the City of Hampton, Virginia be amended to read as follows:

11  
12 Section 2-2. – Definitions

13 ...

14 *Animal Day Care. A place or establishment, other than an animal shelter, where*  
15 *companion animals not owned by the proprietor are cared for a time limited to less than*  
16 *twenty-four (24) hours per day per client in exchange for a fee. The term shall include*  
17 *establishments commonly referred to as doggie daycares.*

18 *Animal Shelter. An establishment, other than a private residential dwelling and its*  
19 *surrounding grounds, which is used to house or contain animals for the purpose of finding*  
20 *permanent adoptive homes for animals which shall include, but not be limited to, a humane*  
21 *society, animal welfare organization, society for the prevention of cruelty to animals.*

22 ...

23 *Establishment. Any business, institutional, professional or religious entity which provides*  
24 *products or services, or any apartment, condominium, cluster home, townhouse for sale, or*  
25 *similar project. Only an entity which occupies a separate business space which is enclosed*  
26 *by walls and accessed and secured separately will be considered a single establishment.*  
27 *Any apartment, condominium, cluster home, townhouse for sale or similar project under*  
28 *single management or association will be considered a single establishment unless located*  
29 *on non-contiguous lots, in which case each non-contiguous grouping will be considered a*  
30 *separate establishment.*

31 ...

32 *Home Based Rescue. An occupied, detached, one or two-family residence in which five (5)*  
33 *or more companion animals over the age of four (4) months are kept for the purpose of*  
34 *facilitating adoption, including fostering or keeping animals which are not licensed as*  
35 *personal pets, excluding kennels.*

36 Home occupation. Any occupation or activity which is clearly incidental and secondary to  
37 use of the premises as a dwelling and which is carried on wholly or in part within a main  
38 building or accessory building by a member of the family who resides on the premises. ~~The~~  
39 ~~term expressly excludes (i) auto repair or service operations for vehicles other than the~~  
40 ~~owner/occupant's personal vehicle(s); (ii) motor vehicle display for purposes of sale or~~  
41 ~~lease other than the owner/occupant's personal vehicle; (iii) animal boarding facilities; (iv)~~  
42 ~~machine shop/metal working; and (v) body piercing and/or tattooing operations.~~

43 ...

44 ~~Kennel. The breeding, training, renting, selling and/or boarding of more than two (2) dogs~~  
45 ~~or two (2) cats over the age of four (4) months.~~

*Kennel. Any establishment in which five (5) or more canines, felines, or hybrids of either, over the age of four (4) months are kept for the purpose of breeding, hunting, training, renting, buying, boarding, selling, or showing.*

...

Sign. Any structure, wall fixture, object, display, or device that directs attention to or is intended to direct attention to the sign or to an object, product, place, activity, person, institution, organization, or business by means of temporary or permanent written copy, graphics, symbols, figures, fixtures, or projected images. The term shall not include public art; flags of any nation, state, or other geopolitical entity not related to a commercial business, product, or service; seasonal displays and decorations not advertising a product, service, or entertainment; or architectural features, except those that identify products or services or advertise a business use. The following terms and their definitions apply to the sign regulations in this chapter:

...

~~*Establishment*—For the purposes of signage only, any business, institutional, professional or religious entity which provides products or services, or any apartment, condominium, cluster home, townhouse for sale, or similar project. Only an entity which occupies a separate business space which is enclosed by walls and accessed and secured separately will be considered a single establishment. Any apartment, condominium, cluster home, townhouse for sale or similar project under single management or association will be considered a single establishment unless located on non-contiguous lots, in which case each non-contiguous grouping will be considered a separate establishment for purposes of this chapter.~~

...

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*Veterinarian office or hospital. An establishment used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals and preventive care for healthy animals under the supervision of a duly licensed veterinarian. The use may include animal grooming services, animal day care, animal kenneling, and limited retail sales of pet-related merchandise if they are clearly incidental and accessory in nature.*

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