



Legislation Text

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Ordinance To Amend And Re-Enact Chapter 10 Of The Zoning Ordinance Of The City Of Hampton, Virginia Entitled "Signs" By Amending Article 1 Pertaining to Freestanding and Wall Signs Permitted and Article II Section 10-13 Pertaining to O-CC District Sign Regulations

Background Statement:

This proposal would amend Chapter 10, Article 1; Section 10-5, and Article 2, Section 10-13, O-CC District Sign Regulations. The purpose of amending Section 10-5 is to permit additional signage that is considered internal to the site and not visible from public rights-of-way. The purpose of the amendment to the O-CC (Coliseum Central Overaly) sign regulations is to offer additional signage through an incentive based regulation, in which a development could qualify for additional freestanding and wall signage in exchange for increasing the quality of the development through enhanced site and building design, including but not limited to higher quality architectural elements, building materials, paving materials, and site amenities. Guidance for these development enhancements is provided in the *Coliseum Central Design Standards*.

This amendment is the culmination of a multiple year effort of staff and the Coliseum Central Business Improvement District (CCBID) to acknowledge the complexities and special needs of larger businesses and shopping centers, especially as it relates to visibility and signage. Larger centers typically have multiple access points from multiple streets, contain multiple buildings of varying shapes and sizes, and buildings that are set back greater distances from the street than those in smaller centers. All such site characteristics can result in larger centers having multiple frontages and in some instances considered to be 360-degree properties, meaning visible by the public from all sides. The current City sign regulations do not account for such differences. The proposed changes, developed by City staff in cooperation with the CCBID, offer greater freestanding and wall signage for special, larger business parks and shopping center through an incentive-based approach. The incentive for the property owner is to increase their property's visibility through increased signage. The benefit to the City and the CCBID is greater aesthetics through higher quality design and materials as laid out in the *Coliseum Central Design Standards*, ultimately creating a more vibrant and successful business district.

This amendment is accompanied by Zoning Ordinance Amendment No.19-00012, which provides definitions for various elements proposed to be governed through Zoning Ordinance Amendment No.19-00013. The Coliseum Central District is the neighborhood shopping district for its surrounding neighborhoods, the community shopping district for the entire City of Hampton, and is the regional shopping district for much of the Peninsula. This area is recognized in the City's strategic plan as one of the most important economic engines within the region. Coliseum Central contains the highest concentration of large shopping centers within the City and experiences the signage challenges mentioned above. As the District continues to redevelop into a more dense and mixed-use regional center, the lack of visibility of businesses will remain relevant. The Coliseum Central Master Plan, 2015 as amended, recommends the establishment of development incentives that offer relief from the base standards in exchange for enhanced aesthetics for both site and building design

elements/amenities. The Plan also recommends unifying signage as businesses invest incrementally in their properties. Freestanding signage should remain low to the ground, visible to both motorists and pedestrians, and high pole signs should no longer be allowed and eliminated. Approval of ZOA No.19-00013 would offer additional freestanding and wall signage options to qualifying properties within the Coliseum Central District.

Recommendations:

Staff Recommendation:

Approve

Planning Commission:

Approve

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 Sections 10-5 and 10-13 of the Zoning Ordinance of the City of Hampton, Virginia, be amended and re-enacted as follows:

Chapter 10 - SIGNS

ARTICLE 1. - GENERAL SIGN REGULATIONS

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

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(4) In addition to the other permitted signs as set forth in this section, the following signs are permitted in conjunction with an establishment:

- (a) Freestanding monument signs completely screened from view by someone standing at ground level from any public right-of-way due to a physical obstruction including, but not limited to, a building, screening, landscaping, or opaque fencing. The dimensional requirements of each such sign shall not exceed 12 feet in sign height, four (4) feet in sign width, and 16 square feet in sign area.

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ARTICLE II. - SUPPLEMENTAL SIGN REGULATIONS IN CERTAIN ZONING DISTRICTS

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Sec. 10-13. - O-CC District sign regulations.

(1) Optional incentive signage for business parks/shopping centers.

- (a) Intent and applicability. In an effort to address the special signage needs of the Coliseum Central area, additional signage may be permitted for business park/shopping centers 1 and 2, defined in Chapter 2, as an optional incentive when such business park/shopping centers provide certain features, design elements and amenities as set forth in this section.

(2) Contents of Section. Signage requirements and incentives applicable in the O-CC District are set forth in the following order in this section:

- (a) Signage requirements generally applicable to the O-CC district.
- (b) Optional incentive signage specifically applicable to business park/shopping centers in the O-CC district.
 - (i) Additional freestanding optional incentive signage permitted.
 - (ii) Additional wall optional incentive signage permitted.
 - (ii) Prerequisites to approval of optional incentive signage.
 - a. Approval as a business park/shopping center 1 or 2.
 - b. Approval of qualifying design improvements.
 - c. Identification of nonconforming signage.
 - (iii) Application process for approval of optional incentive signage.
 - (iv) Effect of approval of optional incentive signage.

(3) Signage requirements generally applicable to all establishments in the O-CC district.

- (a) The following sign types shall not be permitted anywhere in the O-CC district:
 - (i) Signs painted on a building or accessory structure, including fences and walls;
 - (ii) Wall signs that are formed plastic or injection molded plastic;
 - (iii) Wall signs that are internally illuminated sign box cabinets;

- (iv) Wall signs that are box-type, back-lit panel;
 - (v) Parapet signs;
 - (vi) Roof signs.
- (b) Parcels in the O-CC district are required to have at least 100 feet of frontage on a public right-of-way in order to place a freestanding sign facing that right-of-way.
 - (c) No freestanding sign shall be located closer than 50 feet to any other freestanding sign that requires a sign permit, which shall exclude non-commercial signs and signs exempt from regulation as set forth in this chapter.
 - (d) All freestanding signs in the O-CC district shall be monument signs.

(4) **Additional freestanding optional incentive signage permitted.** Business park/shopping center 2 uses which meet the qualifications for optional incentive signage set forth in this section, as determined by the zoning administrator, shall be permitted the following additional freestanding signage:

- (a) A total of four (4) **“Large Shopping Center Signs,”** which shall comply with the following requirements and the Table of Freestanding Optional Incentive Signage Requirements set forth below:
 - (i) The two (2) freestanding signs that are generally permitted by-right outside the optional incentive signage package may be increased in height and area such that they constitute Large Shopping Center Signage.
 - (ii) No more than a total of four (4) Large Shopping Center Signs shall be located within the business park/shopping center 2 site boundaries. If an Interstate/Arterial sign is located within the business park/shopping center 2 site boundaries, then such Interstate/Arterial sign shall constitute one (1) of the four (4) Large Shopping Center signs.
- (b) One (1) **“Combination Sign”** which shall be permitted in lieu of two (2) of the four (4) Large Shopping Center Signs \ and which shall comply with the Table of Freestanding Optional Incentive Signage Requirements set forth below.
- (c) An unlimited number of **“Internal Business Park/ Shopping Center Signs,”** which shall comply with the Table of Freestanding Optional Incentive Signage Requirements set forth below.

(d) An unlimited number of **“Existing Freestanding Outparcel Signs,”** which shall mean all freestanding signs on business park/shopping center outparcels that were legally in existence prior to approval of an optional incentive signage package and which do not meet the requirements as set forth in this section. Such existing freestanding outparcel signs shall be considered legally nonconforming and governed by Chapter 12 of the zoning ordinance. Notwithstanding the foregoing, signs made legally nonconforming as a result of approval of an optional incentive signage package shall be brought into compliance with the requirements of this section upon a change in tenant or operator of the establishment on the outparcel.

(e) The following is an illustrative table of the permitted type and number of additional freestanding optional incentive signs:

[The attached Table, entitled, "Permitted Sign Combinations" is hereby declared to be a part of this ordinance as if fully set forth herein.]

(f) Table of freestanding optional incentive signage requirements:

[The attached Table, entitled, "Freestanding Optional Incentive Signage" is hereby declared to be a part of this ordinance as if fully set forth herein.]

(5) **Additional wall optional incentive signage permitted.** Business park/shopping center 1 and 2 uses which meet the qualifications for optional incentive signage set forth in this section, as determined by the zoning administrator, shall be permitted the following additional wall signage as set forth in the Table of Wall Optional Incentive Signage Requirements.

(a) Table of Wall Optional Incentive Signage Requirements:

[The attached Table, entitled, "Wall Optional Incentive Signage" is hereby declared to be a part of this ordinance as if fully set forth herein.]

(6) **Prerequisites to Qualify for Optional Incentive Signage.**

(a) **Review and approval of the business park/shopping center 1 or 2 boundaries.**

Upon submittal of complete optional incentive signage application materials and any other information as may reasonably be required by the City, the zoning administrator shall review the proposed boundaries of the business park/shopping center 1 or 2 and

determine whether the requirements of Chapter 2 are met. Outparcels which meet the definition of “business park/shopping center outparcel, dependent” must be included within the boundaries of the applicable business park/shopping center in order for the business park/shopping center boundaries to be approved. Outparcels which meet the definition of “business park/shopping center outparcel, independent” may voluntarily be included within the boundaries of the applicable business park/shopping center at the discretion of the property owners.

(b) **Review and approval of site design prerequisites.** Upon approval of the business park/shopping center boundaries, the zoning administrator shall review the application materials to determine whether the following site design requirements have been met.

(i) All legally non-conforming signs located within the business park/shopping center boundaries shall be removed prior to approval of any optional incentive signage, except: legally nonconforming signs that were included as part of a sign package approved prior to January 1, 2020 under a former version of this ordinance; and existing freestanding outparcel signs as defined in section 10- 13(4)(d).

(ii) The following shall be applicable and required, as determined by the zoning administrator:

(aa) For new construction/redevelopment, which shall mean new development and/or removal and replacement of existing buildings, parking areas, or roads: the business park/shopping center shall adhere to all “Coliseum Central Design Standards” provisions pertaining to building design/materials, signage, and site design/materials. Sign design shall complement the primary building architecture of the business park/shopping center, utilize materials permitted by the Coliseum Central Design Standards, and comply with the “City of Hampton Landscape Guidelines.”

(bb) For renovations, which shall mean the refurbishment, restoration, or other improvement of an existing site development, including but not limited to, buildings, parking areas, and roads: renovation of 75% of all

building facades within the business park/shopping center and the entire site within the business park/shopping center boundaries. As applicable, the site and/or building(s) shall adhere to the following “Coliseum Central Design Guidelines” provisions pertaining to architectural design elements, materials, and colors, including but not limited to fuel canopies, drive-thru’s, sheds, and one-story buildings: (1) Building design, (2) Fenestration, (3) Roof massing, (4) Building massing, and (5) Pedestrian cover. In addition, a minimum of three of the following site elements shall be provided and shall adhere to the “Coliseum Central Design Standards” for site design/materials: (1) Outdoor pedestrian space(s), (2) Pedestrian amenities, (3) Pavement materials, (4) Walls and fences, and (5) Site Lighting. In addition, the entire business park/shopping center and all signage shall comply with the “City of Hampton Landscape Guidelines”. Sign design shall adhere to the signage provisions in the “Coliseum Central Design Standards,” complementing the primary building architecture of the Business park/shopping center.

(c) **Review and approval of the optional incentive signage.** Upon approval by the zoning administrator of the business park/shopping center boundaries and site design prerequisites, the zoning administrator shall review the optional incentive signage which the applicant desires to install to determine compliance with this section.

(d) **Identification of nonconforming signage.** Upon approval by the zoning administrator of the business park/shopping center boundaries, site design prerequisites, and the optional incentive signage to be installed within the business park/shopping center, the zoning administrator shall identify, in writing: (1) all legal nonconforming signs that must be removed prior to issuance of a sign permit for any optional incentive signage, and (2) all legal nonconforming signs that qualify as existing freestanding outparcel signs which may remain in existence as described in section 10-13(4)(d).

(7) **Application process for approval of optional incentive signage.**

(a) Application for optional incentive signage shall be made to the zoning administrator by submittal of an application, which shall be signed by all affected property owners, and

all such other plans, information, and documentation that the zoning administrator deems necessary to make a determination of whether the application complies with the applicable standards and regulations, which may include but shall not be limited to, conceptual site plan, building elevations with material call-outs, survey plats, and documentation concerning the business park/shopping center. Prior to approval of an application for optional incentive signage, a copy of the application and associated materials shall be provided by the zoning administrator to the Coliseum Central Design Review Committee.

(8) Effect of approval of optional incentive signage.

(a) Upon issuance of a sign permit for any optional incentive signage, the qualifying business park/shopping center shall be perpetually maintained in compliance with the design requirements of section 10-13(6) (b). Subsequent to approval of optional incentive signage, all renovations and new construction within a business park/shopping center shall comply with the design requirements of section 10-13(6)(b).

(b) Amendment to approved business park/shopping centers and optional incentive sign packages.

(i) If, subsequent to approval of optional incentive signage, a business park/shopping center desires to add a business park/shopping center outparcel to the existing boundaries, then such business park/shopping center outparcel shall be required to be brought into full compliance with this section prior to becoming eligible for inclusion in the business park/shopping center and optional incentive signage.

(ii) If, subsequent to approval of optional incentive signage, a business park/shopping center outparcel desires to be removed from the approved boundaries, then it shall immediately remove all optional incentive signage from the outparcel. If removal of the outparcel would result in disqualification of the business park/shopping center from optional incentive signage, then the written consent of all owners of the business park/shopping center shall be required prior to removal of the outparcel from the business park/shopping center boundaries.