



# Zoning Administrator Permit for **Outdoor Dining '1'**

Complete this application in its entirety and submit to the address below:

**City of Hampton**  
**Development Services Center**  
**22 Lincoln Street, 3rd Floor**  
**Hampton, Virginia 23669**  
**757.728.2444 (p) | dscpermits@hampton.gov**

OFFICE USE ONLY	
Date Received	_____
Application Number	ZA _____ - _____
Zoning Official Approval	_____
Date Approved	_____

## 1. PROPERTY INFORMATION

Address or Location \_\_\_\_\_

LRSN \_\_\_\_\_ Zoning District \_\_\_\_\_

## 2. LOT INFORMATION

Current Number of On-site Parking Spaces \_\_\_\_\_ Proposed Number of On-site Parking Spaces \_\_\_\_\_

## 3. BUILDING INFORMATION

Square Footage \_\_\_\_\_ Square Footage of Outdoor Dining Area \_\_\_\_\_

Please attach a floor plan of the facility with all rooms labeled as to their use and square footage and showing the location of the outdoor dining area.

## 4. OPERATIONAL INFORMATION

Existing Seating Capacity \_\_\_\_\_ Proposed Seating Capacity \_\_\_\_\_

Length of Ownership of this Business \_\_\_\_\_

Existing Hours of Operation: Mon \_\_\_\_\_ Tue \_\_\_\_\_ Wed \_\_\_\_\_

Thu \_\_\_\_\_ Fri \_\_\_\_\_ Sat \_\_\_\_\_ Sun \_\_\_\_\_

Proposed Hours of Outdoor Dining: Mon \_\_\_\_\_ Tue \_\_\_\_\_ Wed \_\_\_\_\_

Thu \_\_\_\_\_ Fri \_\_\_\_\_ Sat \_\_\_\_\_ Sun \_\_\_\_\_

## 5. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_



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**6. APPLICANT INFORMATION (if different from owner)**

Applicant's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**7. APPLICANT AGENT INFORMATION (if different from applicant)**

Agent's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**8. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS**

*Complete this section only if the property owner is not an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc.*

*"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."*

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary):

Name of Legal Entity \_\_\_\_\_

Signed by:

Name (printed) \_\_\_\_\_, Its (title) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**9. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS**

*Complete this section only if the property owner is an individual or individuals.*

*"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."*

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_



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**CONDITIONS OF PERMIT**

*Please initial next to each condition to indicate applicant(s) understanding and willingness to comply.*

\_\_\_\_\_ The proposed dining operation and location will not significantly interfere with the pedestrian traffic or otherwise constitute a health and safety risk.

\_\_\_\_\_ Tables, chairs and other furniture placed outdoors shall be readily available for use. Any furniture which is not readily accessible may not be stored outside, but must be stored within a wholly enclosed structure.

\_\_\_\_\_ Any sound or noise from amplified music shall not exceed a noise level measurement of sixty (60) dBA upon the real property of another as determined by a sound level meter using the "A" weighting scale in accordance with the American National Standard Institute.

\_\_\_\_\_ Any encroachment of an outdoor dining area into a public right-of-way must be approved through an Encroachment Permit for Outdoor Seating.

\_\_\_\_\_ The hours of operation of the outdoor dining area shall not extend beyond 8:00AM – 9:00PM Sunday through Thursday and 8:00AM – 10:00PM Friday and Saturday.

\_\_\_\_\_ All outdoor lighting shall be focused downward and inward in a way that prevents spillover onto adjacent properties.

\_\_\_\_\_ All outdoor dining shall be subject to the provisions of the Hampton Zoning Ordinance and Hampton City Code, to include, but not be limited to, parking, setbacks, and building code requirements.

\_\_\_\_\_ The outdoor dining permit shall be valid for 18 months from the date of approval by the zoning administrator. After 12 months of operation, prior to the expiration date, the outdoor dining permit will be scheduled for review by the zoning administrator to consider if the continuation of the outdoor dining permit would not be detrimental to the public health, safety and welfare and that to continue the activities under the outdoor dining permit would not cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, hours and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state or local law. If, after review, the zoning administrator determines that the outdoor dining permit would not be detrimental to the public health, safety and welfare and that to continue the activities under the outdoor dining permit would not cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the zoning administrator may administratively extend the outdoor dining permit in five (5) year increments. Each such extension shall be subject to the same administrative review. If the zoning administrator determines that that the outdoor dining permit would be detrimental to the public health, safety and welfare and that to continue the activities under the outdoor dining permit would cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land the zoning district, the zoning administrator will notify the permittee of a denial of the extension in writing in the same manner as required under chapter 25 of the zoning ordinance. A permittee aggrieved by the decision of the zoning administrator may appeal the decision of the zoning administrator to the board of zoning appeals in the manner set forth in chapter 22 of the zoning ordinance. Nothing contained herein shall limit the rights of a permittee to seek a new outdoor dining permit.

\_\_\_\_\_ The zoning administrator, or appointed designee, shall have the ability to revoke the outdoor dining permit upon violations of any of the above conditions.

Signature \_\_\_\_\_