

TOWNSHIP OF SOUTHAMPTON

ORDINANCE 2020-09

AN ORDINANCE AMENDING CHAPTER 12 AND CHAPTER 19 OF THE GENERAL CODE REGARDING PERMITTED AND CONDITIONAL USES

WHEREAS, the Planning Board Planner recommends that the Township update the Zoning Code to allow restaurants as a permitted use in business zones;

WHEREAS, the Committee wishes to amend these sections of the Code to permit restaurants, fast-food restaurants, and drive-in/drive-through restaurants in certain zones throughout the Township;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Township Committee of the Township of Southampton, County of Burlington, State of New Jersey that Chapter 12 and Chapter 19 of the General Code of the Township of Southampton be and is hereby amended to state as follows [new material indicated by underline.]:

Section One. Amendments to the Township Code.

The Township Committee amends the below sections of Chapter 12 entitled "Land Development" of the Township Code to read as follows:

§ 12-2.3 of the Code entitled "Definitions applicable throughout Southampton Township" is amended to read as follows:

RESTAURANT

A public eating facility where patrons are first seated at tables, booths or counters, after which food ordered by them is served to the patrons by waiters or waitresses at such tables, booths or counters. The term "restaurant" does not include drive-in restaurants or fast-food restaurants as otherwise defined in this section

RESTAURANT, DRIVE-IN AND/OR DRIVE-THROUGH

An establishment where patrons are served soft drinks, ice cream and other food products for consumption outside the confines of the principal building or in automobiles parked on the premises, regardless of whether or not, in addition thereto, seats or other accommodations are provided for the patrons.

RESTAURANT, FAST-FOOD

A restaurant, including drive-in and drive-through restaurants, which may or may not

have tables, which is essentially designed to dispense quick, ready-made food of limited variety at which the patron obtains food directly from the dispensing counter or take-out window for consumption on or off the premises.

§ 12-3.6.b. of the Code entitled “HC – Highway Commercial District” is amended to read as follows:

b. Permitted Uses

...

19. Restaurants

§ 12-3.6.d. of the Code entitled “HC – Highway Commercial District” is amended to read as follows:

d. Conditional Uses

...

4. Fast-food Restaurants subject to the following conditions:

(a) All signs shall conform to the requirements of Subsection 12-5.15 of the Land Development chapter.

(b) Minimum off-street parking requirements shall be in conformance with Subsection 12-5.10.

§ 12-3.11.b. of the Code entitled “TC – TOWN CENTER DISTRICT” is amended to read as follows:

b. Permitted Uses

...

7. Restaurants

8. Mixed uses of any of the above [Former #7 – renumbered as #8 to insert “Restaurants”.]

The Township Committee amends the below sections of Chapter 19 entitled “Pinelands Development” of the Township Code to read as follows:

§ 19-2.9.b. of the Code entitled “Highway Commercial” is amended to read as follows:

b. Permitted Uses.

...

8. Restaurants

§ 19-2.9.d. of the Code entitled “Highway Commercial” is amended to read as follows:

d. Conditional Uses

...

2. Fast Food Restaurant

Section Two. Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Township Committee hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Township to meet the goals of the Ordinance.

C. This Ordinance shall take effect upon passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by: Heston
Motion seconded by: Rossell

VOTE:

Committeeman Heston:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Deputy Mayor Raftery:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Committeewoman Rossell:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Committeeman Young, Sr.:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Mayor Mikulski:	<input checked="" type="radio"/> Yes	No	Abstain Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by: Rossell
Motion seconded by: Raftery

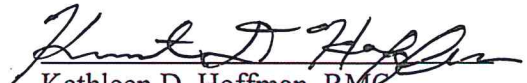
VOTE:

Committeeman Heston:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Deputy Mayor Raftery:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Committeewoman Rossell:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Committeeman Young, Sr.:	<input checked="" type="radio"/> Yes	No	Abstain Not Present
Mayor Mikulski:	<input checked="" type="radio"/> Yes	No	Abstain Not Present

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was

introduced after first reading at a meeting of the Southampton Township Committee held on August 18, 2020 and adopted after a public hearing at a meeting of the Southampton Township Committee held on November 17, 2020.


Kathleen D. Hoffman, RMC
Township Clerk/Administrator

4831-1915-8199, v. 1