

**ARTICLE #10
AMENDMENT #9**

Hampton Zoning Ordinance Amendment

Article 7 – Procedures, Section 7.2 Construction Provisions
New Section 7.2.5 Commercial Facilities

~~Strikethrough~~ = Proposed Deletion

Underline = Proposed Addition

Highlighting = All Proposed Changes

7.2. Construction Provisions

~~7.2.5. Except as provided in Article 5, Section 5.2.34, all establishments which dispense food and drink will be on a permanent foundations, contain kitchen and sanitary facilities, and meet all applicable codes. (Amended March 2022)~~

~~7.2.5.1. All businesses shall be located in a building with a permanent foundation, four walls and a permanent roof. (Amended March 1998)~~

7.2.5 Commercial Facilities.

7.2.5.1. All commercial uses shall be located inside a building with a permanent foundation, four walls and a permanent roof.

7.2.5.1.1. An exception to Section 7.2.5.1 may be made by the Building Inspector to allow a temporary unenclosed commercial use on private property, including any temporary structures and/or vehicles/trailers required for proper operation, in cases where a business on said property was closed or relocated because the building has been rendered uninhabitable or demolished due to fire, storm, or Act of God. The Building Inspector shall determine the appropriate duration of the temporary commercial use.

7.2.5.1.2. An outdoor display area, used for the limited seasonal sale (60 days or less) of Christmas trees, flowers, pumpkins, and other similar seasonal products, may be permitted by the Building Inspector provided that such display area does not negatively impact the flow of traffic on the site, public access, or surrounding uses.

7.2.5.2. All establishments which dispense food and drink shall be constructed on a permanent foundation and contain kitchen and sanitary facilities, except as provided in Article 5, Section 5.2.34. An exception may also be made by the Building Inspector in accordance with Section 7.2.5.1.1 above. Outdoor dining as an activity accessory to a restaurant located within fully enclosed roofed structure may also be permitted in accordance with Article 5, Section 5.2.48. All applicable codes shall be met.