

**HAMPTON TOWNSHIP ORDINANCE #2023-18**

**AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF HAMPTON, COUNTY OF SUSSEX, STATE OF NEW JERSEY, TO REGULATE WAREHOUSES**

**BE IT ORDAINED** by the Township Committee of the Township of Hampton in the County of Sussex, as follows:

**SECTION 1.** Section 108-7, entitled “Definitions” of Article II, entitled “Word Usage; Construction Application; Definitions” of Chapter 108, entitled “Zoning”, be and is hereby amended to add the following definitions:

**WAREHOUSE**

A building primarily used for indoor storage of goods, materials or merchandise for later or subsequent distribution or delivery elsewhere for purposes of processing or sale.

**WHOLESALE DISTRIBUTION CENTER**

A building or part of a building where finished products are stored or kept in bulk for sale to retail establishments which shall not include a retail store but may include a sales outlet.

**SECTION 2.** Subparagraph (5) of Paragraph (B) of Section 108-16, entitled “HC-MFG Highway - Commercial - Manufacturing - Industrial District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- (5) Wholesale distribution centers.

**SECTION 3.** Paragraph (B) of Section 108-16, entitled “HC-MFG Highway - Commercial - Manufacturing - Industrial District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to add Subparagraph (7) as follows:

- (7) Warehouses as a conditional use, subject to the requirements of § 108-32F(8).

**SECTION 4.** The initial clause of Paragraph (E) of Section 108-16, entitled “HC-MFG Highway - Commercial - Manufacturing - Industrial District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- E. Area and yard requirements for offices, manufacturing plants and wholesale distribution centers.

**SECTION 5.** Subparagraph (4) of Paragraph (E) of Section 108-16, entitled “HC-MFG Highway - Commercial - Manufacturing - Industrial District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- (4) Floor area minimum and maximum for manufacturing plants and wholesale distribution centers. Each building shall have a minimum gross floor area of 5,000 square feet and a maximum gross floor area of 30,000 square feet.

**SECTION 6.** Paragraph (F) of Section 108-16, entitled “HC-MFG Highway - Commercial - Manufacturing - Industrial District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- F. General requirements governing offices, manufacturing plants, wholesale distribution centers and warehouses.

**SECTION 7.** Subparagraph (4) of Paragraph (B) of Section 108-17, entitled “HC-RD Highway - Commercial - Research - Development District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- (4) Wholesale distribution centers.

**SECTION 8.** Paragraph (B) of Section 108-17, entitled “HC-RD Highway - Commercial - Research - Development District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to add Subparagraph (9) which shall read as follows:

- (9) Warehouses as a conditional use, subject to the requirements of § 108-32F(8).

**SECTION 9.** Paragraph (E) of Section 108-17, entitled “HC-RD Highway - Commercial - Research - Development District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- E. Area and yard requirements for offices, industrial plants, wholesale distribution centers, laboratories and, except for lot area, planned industrial development.

**SECTION 10.** Paragraph (F) of Section 108-17, entitled “HC-RD Highway - Commercial - Research - Development District.” of Article IV, entitled “District Regulations” of Chapter 108 entitled “Zoning” be and is amended to read as follows:

- F. Floor area minimum and maximum for industrial plants, wholesale distribution centers and laboratories. Each building shall have a minimum gross floor area of 5,000square feet and a maximum gross floor area of 30,000 square feet.

**SECTION 11.** Paragraph (F) of Section 108-32, entitled “Conditional uses.” of Article V, entitled “General Regulations” of Chapter 108 entitled “Zoning” be and is amended to add Subparagraph (8) which shall read as follows:

- (8) Warehouses. The following shall supersede any conflicting regulations:

(a) Conditions. The applicant shall meet the following conditions:

- [1] The property is located in the HC-MFG Highway - Commercial - Manufacturing - Industrial District or the HC Highway Commercial District or the HC-RD Highway - Commercial - Research - Development District.
- [2] The lot contains a minimum area of two acres.

- [3] The lot contains a maximum area of five acres.
- [4] The lot contains a minimum frontage of 200 feet.
- [5] The lot contains a minimum depth of 200 feet.
- [6] The principal building shall contain a minimum gross floor area of 5,000 square feet.
- [7] The principal building shall contain a maximum gross floor area of 30,000 square feet.
- [8] Loading docks and doors shall only be located on façades facing the rear yard.
- [9] Trash enclosures shall be screened and located to the rear of the building.
- [10] A property developed with a warehouse shall have street frontage on a State Highway, and truck access shall only be permitted from such highway.
- [11] All storage of goods shall be contained within a building. No storage of goods outdoors or in shipping containers shall be permitted.
- [12] The applicant shall comply with the procedures contained in § 108-32(A) through (D).
- [13] Parking shall be prohibited within the area(s) of the property lying within 100 feet of the boundary of any street and also within any area(s) of the property lying within 50 feet of any of its lot lines.

[14] The applicant shall plant vegetative screening consisting of a mix of deciduous trees, evergreens and shrubbery with a height of no less than six feet to screen the rear and side facades of the building.

(b) Yard and bulk requirements.

[1] Minimum front yard setback: 150 feet.

[2] Minimum side yard setback: 50 feet.

[3] Minimum rear yard setback: 100 feet.

[4] Maximum building coverage: 30%.

**SECTION 12.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 13.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 14.** The Clerk is directed to give notice at least 10 days prior to the hearing on the adoption of this Ordinance to the County Planning Board and to all others entitled pursuant to the provisions of N.J.S.A. 40:55D-15. Upon the adoption of this Ordinance, after public hearing, the Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Sussex County Planning Board, as required by N.J.S.A. 40:55D-16.

**SECTION 15.** This Ordinance shall take effect after publication and passage according to law.

### **CERTIFICATION**

I hereby certify that the above Ordinance was introduced by the Township Committee at a special meeting held September 12, 2023 at the Hampton Township Municipal Building, Baleville, Sussex County, New Jersey.

Date: \_\_\_\_\_

\_\_\_\_\_  
Kathleen Armstrong, RMC  
Township Clerk

**HAMPTON TOWNSHIP  
NOTICE**

**NOTICE IS HEREBY GIVEN** that the attached Ordinance #2023-18 was introduced at a regular meeting of the Township Committee of the Township of Hampton, Sussex County, New Jersey, held on the 29th day of February 2023 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at a Special Meeting of the Township Committee to be held on the 12th day of September 2023 at the Municipal Building, One Rumsey Way, in the Township of Hampton, at 4:00 p.m., and remotely via Zoom if available, or remote only at the discretion of the Administrator or Mayor, at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance. To attend the meeting remotely use the following link: <https://us02web.zoom.us/j/4919500389>, or to attend the meeting by phone, dial 929-205-6099 (Meeting ID: 491 950 0389).

Kathleen Armstrong, RMC  
Township Clerk

**NOTICE  
ORDINANCE 2023-18**

**NOTICE IS HEREBY GIVEN** that the foregoing Ordinance #2023-18 was adopted at Final Reading at special meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, September 12, 2023, at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC  
Township Clerk