

Village of Southampton

Local Law No. \_\_\_\_\_ of the year 2022.

A local Law amending Chapter 116 entitled “Zoning,” Section 116 of the Village Code of the Village of Southampton

Be enacted by the Board of Trustees of the Village of Southampton as follows:

**Section 1. Legislative Intent.** It is the intent of this amendment to Chapter 116 entitled “Zoning,” Section 116 “Words Defined,” “Special Conditions and Safeguards for Certain Uses,” and *Attachment 4, Business Districts Table of Use Regulations*, to establish a Home Furnishing Showroom as a Special Exception use in the Highway Business District and in the Village Business District.

**Section 2. Text Amendment.** Chapter 116 entitled “Zoning,” “Words Defined,” “Special Conditions and Safeguards for Certain Uses,” *Attachment 4, Business Districts Table of Use Regulations*, and schedule of off-street parking space requirements for nonresidential uses are hereby amended as follows:

§116-2 B.

Words defined. As used in this chapter, the following terms shall have the meanings indicated:

**Home Furnishings Showroom:**

A building or portion thereof containing at least 3,500 sq. ft. in interior space, exclusive of office and storage, primarily dedicated to the indoor display of home furnishing samples including but not limited to furniture, cabinetry, home appliances, light fixtures, carpet and/or rugs, flooring, tile, plumbing fixtures, countertops, window treatments, home décor, or similar items available for order at wholesale and/or retail and typically available for delivery to the consumer off-premises.

A Home Furnishings Showroom may include customary and incidental accessory retail sales on the premises, as well as accessory office, and storage uses on site which are excluded from the 3,500 sq. ft. minimum. Uses otherwise classified as Home Furnishings Showrooms less than 3,500 sq. ft. shall be considered to be “retail” for the purposes of this chapter, unless the Board of Appeals has granted a variance of the special exception criterion for size listed in §116-23(29)(a) pursuant to §116-27. A Home Furnishings Showroom may operate in connection with “31. Office and shop for a plumber, electrician or home improvement contractor” where permitted and duly authorized by the ZBA pursuant to §116-22 General Standards for Special Exception Uses. For uses devoted to building materials such as lumber and other building products, refer to §116 Attachment 4:2 Business Districts - Table of Use Regulations for “29. Wholesale business, including lumber and other building products for retail and wholesale.”

§116 Attachment 4: Business Districts - Table of Use Regulations

	VB	HB	OD	MD	MTL	HA	HRO
33. Home Furnishings Showroom	SE	SE	X	X	X	X	X

§116-23 Special Conditions and Safeguards for Certain Uses

B. List of Uses

(29) Home Furnishings Showroom:

(a) The interior space of the use shall be no less than 3,500 sq. ft. unless the Board of Appeals grants a variance of this criterion pursuant to §116-27.

(b) When located in the Highway Business Zone, the lot area shall be not less than 40,000 square feet nor shall it have a frontage of less than 150 feet along a highway unless the Board of Appeals grants a variance of these criteria pursuant to §116-27.

(c) The use shall be, in the Board’s determination, primarily dedicated to the display of home furnishings and similar items pursuant to §116-2 B, rather than a “retail store or shop” or other uses enumerated or otherwise unlisted in §116 Attachment 4:2 Business Districts - Table of Use Regulations.

(d) Outdoor storage or display of merchandise shall be prohibited within 50 of the front property line, and shall be, in the Board’s determination, incidental and accessory to the primary use as well as appropriate in scale. Areas of outdoor storage and display, including seasonal or temporary areas, shall be noted on the survey or plot plan. Outdoor storage or display shall not occupy any required parking or loading areas, fire zones, or otherwise impede pedestrian or vehicular traffic.

§ 116-14. Off-street parking, truck loading space and curb cut construction.

D. Schedule of off-street parking space requirements for nonresidential uses.

Uses	Number of Spaces Required
Home Furnishings Showroom	1 per each 500 square feet of total floor area

**Section 3. Authority.** The proposed local law is enacted pursuant to Municipal Home Rule Law 10(1)(i).

**Section 4. Severability.** If any section or subsection, paragraph, clause, phrase or provision of this law shall be adjudged invalid or held unconstitutional by any court of competent

jurisdiction, any judgment made thereby shall not affect the validity of this law as a whole, or any part thereof other than the part or provision so adjudged to be invalid or unconstitutional.

**Section 5. Effective Date.** This local Law shall take effect immediately upon filing with the Secretary of the State of New York.

Aye

Nay

\_\_\_\_\_

\_\_\_\_\_

Mayor Warren

Aye

Nay

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\_\_\_\_\_

Trustee Stevenson

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Trustee Arresta

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Trustee McLoughlin

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Trustee Brown

Dated: \_\_\_\_\_, 2022

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Cathy M. Sweeney – Village Clerk

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