

**Zoning Ordinance Amendment: New Section 407 B  
Standards for Restaurants in the Residential C/Mixed Use Zone (RC/M)**

**2018-12**

It is ordained by the Town Council of the Town of New Shoreham as follows:

**Article 4 – Section 407 – Hotels**

**B. Standards for Restaurants in the Residential C/Mixed Use Zone (RC/M):**

Restaurants may be allowed by special use permit in the Residential C/Mixed Use Zone. In addition to any conditions imposed by the Zoning Board of Review and/or the Planning Board in connection with the granting of a special use permit and with the review of plans under Development Plan Review, respectively, the following standards shall apply to all restaurants proposed within this zoning district:

1. Accessory to a Hotel: A restaurant in the RC/M Zone shall be allowed only as an accessory use to a hotel which is actively operating on the property, and shall be contained on the same parcel as the hotel.
2. Conforming Lot: The hotel for which a restaurant is proposed as an accessory use shall be on a parcel meeting the dimensional requirements of Section 407 – Hotels.
3. Liquor Service Limitations: The liquor license granted to a hotel restaurant shall be restricted to a BV license with service hours as established by the licensing authority.
4. Capacity Limit: The capacity of the restaurant shall be in accordance with applicable Town rules and regulations, but in no case exceed fire safety requirements. The Zoning Board may further limit seating based upon site and neighborhood characteristics.
5. Outside Seating: Outside seating may be allowed as part of a restaurant accessory to a hotel, provided that the total number of restaurant seats does not exceed that allowed under the provisions of this section. Any outside seating arrangement shall be included in the site plans approved by the Planning Board and specifically granted by the Zoning Board as part of the special use permit. Outside seating shall be designed so as to mitigate visual, noise and lighting impacts on adjoining properties through proper screening and placement.
6. Hours of Operation: All restaurants located on the same parcel as a hotel as approved under the provisions of this section shall be limited to operating between the hours of 6:00 am and 10:00 pm.

7. Parking: In addition to the required parking for the hotel, there shall be one (1) parking space provided per ten (10) restaurant seats. The Zoning Board of Review may allow a reduction in the required parking, however there shall be no fewer than one (1) parking space per fifteen (15) seats.
8. Special Provisions. The development plans for a restaurant proposed as an accessory use to a hotel shall show, in addition to all other Development Plan Review requirements of this Ordinance, the following:
  - a. Building floor plans indicating total seating capacity for the restaurant and service area.
  - b. Proposed site plan indicating on-site parking, and if proposed, the locations (porches, decks and patios) and dimensions of outdoor dining areas, including number of tables and total seating capacity, use of walls and vegetative screening, outdoor lighting details and other site amenities.
9. Discontinuance of Use. If such restaurant should cease to operate for a period of two (2) years, the special use permit shall expire. Reinstatement of the restaurant use shall require submittal of a new application and appropriate approvals by the Zoning Board of Review and the Planning Board.

Attest:

Fiona Fitzpatrick, Town Clerk

Posted: March 12, 2018  
Hearing: April 2, 2018  
Adopted: April 2, 2018  
Effective: April 2, 2018  
Posted: April 3 – 13, 2018