

TOWNSHIP OF MAPLEWOOD



ORDINANCE

#2357 -06

**AN ORDINANCE
TO AMEND
CHAPTER 271
OF THE CODE
OF THE TOWNSHIP OF MAPLEWOOD
Entitled
"Zoning and Development Regulations"**

"Interpretive Statement"

The purpose of this ordinance is to permit Bed and Breakfast establishments as a conditional use within the R 1-5, R1-7 and R2-4 Zones of the Township of Maplewood.

BE IT ORDAINED, by the Township Committee of the Township of Maplewood, County of Essex, State of New Jersey, that Chapter 271 of the Code of the Township of Maplewood be amended as follows:

FIRST: DEFINITION

Bed and Breakfast

A Bed and Breakfast establishment ("Bed and Breakfast(s)") is a detached single-family residence ("residence") with no more than four (4) rooms available to guests for lodging. The residence shall be owner occupied and managed. The maximum number of guests staying at the Bed and Breakfast at any one time shall be no more than eight (8) individuals, including children over the age of six (6). A breakfast shall be the only food service available for guests. Food and lodging are to be included in one stated price.

Guests

Persons who use the facilities of a Bed and Breakfast and provide consideration to the owner of the Bed and Breakfast in return for same.

SECOND: LOCATION

Bed and Breakfasts are only permitted as a conditional use in the R1-5, R1-7 and R2-4 Zones.

THIRD: BED AND BREAKFAST

- (a) The minimum lot width shall be one hundred (100') feet.

- (b) The minimum lot area shall be fifteen thousand square (15,000) feet.
- (c) The residence must be set back at least ten (10') feet from the property line on the non-parking side.
- (d) Each Bed and Breakfast shall maintain an exterior residential appearance and character, meaning an exterior facade, that is compatible with the surrounding single family homes, and is, of an appearance that would be found in a structure designed for and occupied by a family as a detached single-family residence.
- (e) Guest Bedrooms:
 - (1) The maximum number of guest rooms allowed shall be four (4) and the number of guests at any one time shall be not more than eight (8) adults and children over the age of six (6). The maximum number of guests per room shall be in compliance with all Township Code requirements.
 - (2) Entrances to guests rooms shall be on the interior of the residence. Secondary, exterior entrances to guests rooms are permitted only for access to patios, verandas and balconies or as may be required to comply with the Construction Code and/or Fire Code.
- (f) Guest Parking:
 - (1) One off street parking space shall be provided for each guest bedroom. This is in addition to the requirement for off street parking for single family residents.
 - (2) Guest parking must be located in the rear yard and/or side yards, but no closer than fifteen (15') feet from the side property lines and twenty (20') feet from the rear property line.
 - (3) Guest parking must be screened from view from the street and from immediate residential neighbors by landscaping, permitted fencing and/or the Residence itself.
- (g) Signage:
 - (1) Signage for the Residence shall be restricted to a single ground graphic or wall graphic, but not both, in the front yard or on the front wall of the Residence at least fifteen (15') feet from the front property line. If the Residence is a corner lot, two (2) graphics are permitted, one for each front yard, in compliance with the front site triangle provisions of Section 271-55 of the Code of the Township of Maplewood.
 - (2) Maximum area of the sign shall be four (4) square feet.

- (3) Maximum height of the sign shall be six (6') feet for a ground graphic or eight (8') feet for a wall graphic.
- (4) The sign may be illuminated externally by not more than two (2) seventy-five (75) watt light bulbs. Internally illuminated signs are not permitted. No sign shall contain a telephone number or words to the effect that the Residence is full or vacant.

(h) Lighting:

Exterior lighting shall be shaded to prevent illumination off site. All exterior lighting, except for demonstrated security needs shall be extinguished by 11:00 p.m.

(i) Secondary or Accessory Structures:

Detached secondary or accessory structures may not be used for guest rooms, dining and/or food preparation as part of the operation of a Bed and Breakfast.

FOURTH: SEVERABILITY

If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

FIFTH: REPEAL OF PRIOR ORDINANCES

Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

SIXTH: EFFECTIVE DATE

This Ordinance shall take effect after final passage and publication, filing of a copy with the County Planning Board and serving a copy on all adjoining municipalities.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title for the first time at a meeting of the Township Committee of the Township of Maplewood, held on May 16, 2006, reintroduced as amended on June 7, 2006 and June 20, 2006 and that the Committee met again on July 5, 2006, at 7:30 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Committee proceeded to consider the said Ordinance on second reading and final passage.

ELIZABETH J. FRITZEN, R.M.C.
Township Clerk