

**TOWNSHIP OF CRANFORD
CRANFORD, NEW JERSEY**

ORDINANCE NO. 2023-08

**AN ORDINANCE TO AMEND THE CODE OF THE
TOWNSHIP OF CRANFORD, CHAPTER 255 LAND DEVELOPMENT,
TO BAN SHORT TERM RENTALS FROM RESIDENTIAL DISTRICTS**

WHEREAS, pursuant to N.J.S.A. 40:55D-62, the New Jersey State Legislature has vested municipalities with the authority to adopt and amend zoning ordinances; and

WHEREAS, the Township of Cranford (the “Township”) has adopted zoning ordinances setting forth permitted and prohibited uses in residential zones throughout the Township for the purpose of maintaining and preserving the public health, safety and welfare of its residents; and

WHEREAS, the Town desires to and currently does prohibit certain business uses in residential districts, including short-term stay businesses that are inconsistent with and detrimental the public health, safety and welfare when in close proximity to districts otherwise dedicated exclusively to residential uses, including but not limited to negative impacts due to sanitation, overcrowding, illegal parking, traffic, noise, density, and security issues that can arise in connection with commercial uses defined by frequent occupant turnover; and

WHEREAS, the Township desires to update and clarify those existing prohibitions to reflect changes in the marketplace that could cause ambiguity as to the permitted and prohibited uses in residential districts.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Cranford, Union County, State of New Jersey as follows:

SECTION 1: Chapter 255, Article I, General Provisions, Section 1 is hereby amended as follows:

§ 255-1. Purposes; definitions

A. ...

B. Definitions.

(1) For the purpose of this chapter, unless the context clearly indicates a different meaning, the term "shall" indicates a mandatory requirement, and the term "may" indicates a permissive

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action. The singular shall also mean the plural, and "person" shall also mean other legal entities.

(2) As used in this chapter, the following terms shall have the meanings indicated:

...

SHORT-TERM RENTAL (STR): the rental for compensation of any dwelling unit rented in whole or in part thereof for the purposes of overnight lodging for a period of less than 30 consecutive days. A short-term rental shall not include an owner-occupied dwelling unit that is leased or subleased for a period of less than 30 consecutive days no more than four times in any twelve-month period.

....

SECTION 2: Chapter 255, Article V. Zoning, Section 36 is hereby amended as follows:

§255-36. Use regulations.

The use regulations applicable to each zone district within the Township of Cranford are as follows. (Note that "PPU" is permitted principal use; "CU" is conditional use.)

A. Residential Districts

(1) Principal permitted and conditional uses.

| Uses | Districts Where Permitted | | | | | | | | |
|-----------------------------------------------------|-----------------------------------|-----|-----|-----|-----|-----|-----|-----|--------|
| | R-1 | R-2 | R-3 | R-4 | R-5 | R-6 | R-7 | R-8 | R-SC-1 |
| Community residences for developmentally disabled. | PPU | PPU | PPU | PPU | PPU | — | — | — | — |
| Community shelters for victims of domestic violence | Permitted in all zones | | | | | | | | |
| Family day-care homes | Permitted in all zones | | | | | | | | |
| Detached 1-family dwellings | PPU | PPU | PPU | PPU | PPU | — | — | — | — |
| Detached 2-family dwellings | — | — | — | — | PPU | — | — | — | — |
| Semidetached 1-family dwellings | — | — | — | — | CU | PPU | CU | — | — |
| Attached 1-family dwellings | — | — | — | — | CU | PPU | CU | — | — |
| Garden apartment dwellings | — | — | — | — | — | — | PPU | CU | — |
| Apartment dwellings | — | — | — | — | — | — | — | PPU | — |
| <u>Short-term rental (STR)</u> | <u>Not permitted in any zones</u> | | | | | | | | |

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| | | | | | | | | | | |
|------------------------------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|
| Farms | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU |
| Farm stands | CU | CU | CU | CU | CU | CU | CU | CU | CU | CU |
| Country clubs and private swimming clubs | PPU | — | — | — | — | — | — | — | — | — |
| Institutional and public uses | CU | CU | CU | CU | CU | CU | CU | — | — | — |
| Essential services | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU | PPU |

(2) Accessory uses.

...

B. Business districts.

(1) Principal permitted and conditional uses.

| Uses | Districts Where Permitted | | | |
|--------------------------------------------------------------|---------------------------|-----|-----|-----|
| | D-C | D-B | D-T | VC |
| Advertising agencies and website design companies | CU | CU | PPU | CU |
| Antique stores | PPU | PPU | PPU | PPU |
| Apparel and accessory stores | PPU | PPU | PPU | PPU |
| Apparel embroidery and printing stores | PPU | PPU | PPU | PPU |
| Appliance and electronic service, supply and repair shops | CU | CU | PPU | CU |
| Art galleries | PPU | PPU | PPU | PPU |
| Artist and artisan studios and workshops | PPU | PPU | PPU | PPU |
| Bakeries | PPU | PPU | PPU | PPU |
| Banks and financial institutions | CU | PPU | PPU | PPU |
| Banks and financial institutions with drive-through services | — | CU | CU | — |
| Bars and taverns | PPU | PPU | — | — |
| Beauty and barber shops | PPU | PPU | PPU | PPU |
| Bed-and-breakfast hotel | CU | CU | — | CU |
| Bicycle repair and sales shops | PPU | PPU | PPU | PPU |
| Building supply, garden and hardware stores | PPU | PPU | PPU | PPU |
| Camera and photo supply stores | PPU | PPU | PPU | PPU |
| Candy stores | PPU | PPU | PPU | PPU |
| Child-care centers | PPU | PPU | PPU | PPU |
| Coffee shops | PPU | PPU | PPU | PPU |

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| | | | | |
|----------------------------------------------------|-----|-----|-----|-----|
| Convenience stores | CU | CU | CU | CU |
| Cooking schools | PPU | PPU | PPU | PPU |
| Dance and theatrical studios | PPU | PPU | PPU | PPU |
| Delicatessens | PPU | PPU | PPU | PPU |
| Educational services | PPU | PPU | PPU | PPU |
| Essential services | PPU | PPU | PPU | PPU |
| Eyeglass sales and repair | PPU | PPU | PPU | PPU |
| Florists | PPU | PPU | PPU | PPU |
| Fruit and vegetable stores | PPU | PPU | PPU | PPU |
| Funeral homes | — | CU | CU | CU |
| Furniture stores | — | PPU | PPU | — |
| Gasoline service stations | — | CU | CU | — |
| Gift, card and novelty shops | PPU | PPU | PPU | PPU |
| Grocery stores | PPU | PPU | PPU | PPU |
| Hobby and game shops | PPU | PPU | PPU | PPU |
| Home furnishing stores | PPU | PPU | PPU | PPU |
| Household appliance sales | — | PPU | PPU | — |
| Hotels | CU | CU | — | — |
| Institutional and public uses | CU | CU | CU | CU |
| Insurance agents and brokers | CU | CU | PPU | CU |
| Jewelry stores | PPU | PPU | PPU | PPU |
| Laundry and dry-cleaning services | PPU | PPU | PPU | PPU |
| Liquor and package goods stores | PPU | PPU | PPU | PPU |
| Luggage and leather goods stores | PPU | PPU | PPU | PPU |
| Museums and art galleries | PPU | PPU | PPU | PPU |
| Musical instrument sales, rentals and repair shops | PPU | PPU | PPU | PPU |
| New and used bookstores | PPU | PPU | PPU | PPU |
| New and used vehicle sales dealers | — | CU | — | — |
| Offices (professional, business, administrative) | CU | CU | PPU | PPU |
| Office, professional in dwellings | — | CU | PPU | PPU |
| Office supply and support stores | PPU | PPU | PPU | PPU |
| Paint and wallpaper stores | PPU | PPU | PPU | PPU |
| Party goods stores | PPU | PPU | PPU | PPU |
| Performing arts studios | CU | CU | PPU | — |
| Pet groomers, supply and purchase stores | PPU | PPU | PPU | PPU |
| Pharmacies | PPU | PPU | PPU | PPU |
| Photography studios | PPU | PPU | PPU | PPU |

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| | | | | |
|-------------------------------------------------------------------|-----------|-----------|-----------|-----------|
| Physical fitness studios, gyms, yoga and martial arts instruction | PPU | PPU | PPU | PPU |
| Picture framing | PPU | PPU | PPU | PPU |
| Printing and publishing services | CU | CU | PPU | CU |
| Public and private garages (structured parking) | CU | CU | PPU | — |
| Religious goods stores | PPU | PPU | PPU | PPU |
| Residential apartments | CU | CU | CU | CU |
| | PPU* | PPU* | PPU* | |
| Restaurant | PPU | PPU | — | PPU |
| Secondhand and consignment stores | PPU | PPU | PPU | PPU |
| Security brokers | CU | CU | PPU | CU |
| Shoe and luggage repair | PPU | PPU | PPU | PPU |
| <u>Short-term rentals</u> | <u>CU</u> | <u>CU</u> | <u>CU</u> | <u>CU</u> |
| Sidewalk cafes | PPU | PPU | PPU | PPU |
| Social service agencies | CU | CU | CU | — |
| Spa, nail and hair salons | PPU | PPU | PPU | PPU |
| Sporting goods stores | PPU | PPU | PPU | PPU |
| Stationary stores | PPU | PPU | PPU | PPU |
| Tax return preparation service | CU | CU | PPU | — |
| Theaters | CU | PPU | — | CU |
| Trophy shops | PPU | PPU | PPU | PPU |
| Veterinarian office | CU | CU | CU | — |
| Watch and clock repair | PPU | PPU | PPU | PPU |
| Web-based retailers | — | — | PPU | — |

* in corresponding Overlay District.

(2) Accessory uses.

...

C. Office districts.

(1) Principal permitted and conditional uses.

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Districts Where Permitted

| Uses | O-1 | O-2 | ORC¹ | NC |
|-------------------------------------------------------------------------------------------------|------------------------|------------|------------------------|-----------|
| Artist and artisan studios and workshops | — | — | PPU | PPU |
| Banks and financial institutions | — | CU | CU | CU |
| Beauty and barber shops | — | — | — | PPU |
| Business and administrative offices | PPU | PPU | PPU | PPU |
| Child-care centers | Permitted in all zones | | | |
| Convenience stores | — | — | — | PPU |
| Data processing and computer firms | PPU | PPU | PPU | — |
| Essential services | PPU | PPU | PPU | PPU |
| Existing one- and two-family residential dwellings as of 2014 subject to the R-5 Zone standards | — | — | PPU | PPU |
| Funeral homes | — | PPU | PPU | — |
| Gasoline service stations | — | — | — | CU |
| Institutional and public uses | CU | CU | CU | CU |
| Nursing homes, long-term care facilities and rehabilitation centers | PPU | — | — | — |
| Pharmacies | — | — | — | PPU |
| Physical fitness studios, gyms, yoga and martial arts instruction | — | — | — | PPU |
| Professional offices in dwellings | CU | CU | PPU | PPU |
| Research laboratories | PPU | PPU | — | — |
| Residential uses | — | — | CU | CU |
| Restaurants | — | — | CU | CU |
| <u>Short-term rentals</u> | — | — | <u>CU</u> | — |
| Tax return services | — | — | — | PPU |
| Veterinarian office | — | PPU | — | PPU |

(2) Accessory uses.

...

SECTION 3: Chapter 255, Article V. Zoning, Section 39 is hereby amended as follows:

§255-39. Conditional uses.

A. General. All conditional uses shall be subject to site plan review. A conditional use shall not be approved unless it is found that it meets all the requirements of this chapter, does

¹ Development in the ORC District is subject to supplemental use regulations found in §255-37J.

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not substantially impair the use and enjoyment of surrounding properties and does not substantially impair the character of the surrounding area.

B. Specific conditions for conditional uses.

(1) Advertising agencies.

...

(23) Short-term rentals (STR).

(a) No STR use is permitted on the ground floor of any building.

(b) All STR uses must maintain compliance with all annual permitting requirements and health regulations consistent with the Township of Cranford Municipal Code.

(c) The use shall be located within a one-thousand-foot walking distance of a parking lot or an enclosed parking facility in which space is leased for tenant use or within a one-thousand-foot walking distance of Cranford Station.

(d) All STRs shall be equipped with a sprinkler and fire alarm systems in accordance with the Township of Cranford Fire Prevention Code.

(e) No STR occupant shall use the premises at any time for any commercial or social event.

(f) An STR's compliance with the specific conditions of this Section 255-39 shall not override any contractual limitation or prohibition on a dwelling unit's use as an STR.

SECTION 4. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

SECTION 5. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Cranford, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Revised General Ordinances of the Township of Cranford are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 6. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the Union County Planning Board and to all other persons entitled thereto pursuant to N.J.S.A. 40:55D-15.

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SECTION 7. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Cranford for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64.

SECTION 8. This Ordinance shall take effect immediately upon (1) adoption and publication in accordance with the laws of the State of New Jersey; (2) filing of the final form of adopted ordinance by the Clerk with (a) the Union County Planning Board pursuant to N.J.S.A. 40:55D-16, and (b) the Township Tax Assessor as required by N.J.S.A. 40:49-2.1.

Introduced: June 20, 2023

Adopted: August 8, 2023

Approved:

Brian Andrews, Mayor

Attest:

Patricia Donahue, RMC
Municipal Clerk

| RECORDED VOTE | INTRODUCED | ADOPTED |
|------------------------|-------------------|----------------|
| Brian Andrews | Aye | Aye |
| Terrence Curran | Aye | Aye |
| Paul Gallo | n/a* | Aye |
| Kathleen Miller Prunty | Aye | Aye |
| Gina Black | Aye | Aye |

*Commissioner Gallo was appointed to the Township Committee on June 20, 2023; he attended his first Official Meeting on July 10, 2023

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