

TOWNSHIP OF MAPLEWOOD



ORDINANCE # 3126-24

AN ORDINANCE TO AMEND CHAPTER 271 OF THE CODE OF THE TOWNSHIP OF MAPLEWOOD ENTITLED ZONING AND DEVELOPMENT REGULATIONS WITH RESPECT TO R-1-5 AND R-1-7 ZONES

“Interpretive Statement”

This Ordinance will amend Article V (“Zoning Provisions”) of Chapter 271 of the Township Code to amend setbacks in R-1-5 and R-1-7 zones.

WHEREAS, the Township Committee (the “Township Committee”) of the Township of Maplewood, New Jersey (the “Township”) seeks to maintain a strong quality of life and consistency of scale in Maplewood’s residential neighborhoods; and

WHEREAS, on August 8, 2023, the Township Committee adopted a Master Plan prepared by BFJ Planning, 115 5th Avenue, New York, NY 10003 (the “2023 Master Plan”); and

WHEREAS, the 2023 Master Plan recommends that the Township consider context-sensitive regulations to maintain consistency with the existing development pattern, such as increasing side yard setbacks; and

WHEREAS, the Township wishes to act upon the recommendations of the Master Plan by increasing the side yard setbacks in the R-1-5 and R-1-7 zones, as further described below; and

WHEREAS, the Township believes that these changes will improve quality of life in these zoning districts and maintain the consistency of scale and integrity of the existing development pattern; and

WHEREAS, by way of introduction of this Ordinance it is hereby referred to the Planning Board of the Township (the “Planning Board”) for the Planning Board’s review prior to final adoption of the Ordinance as required by N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64; and

WHEREAS, by way of Memorandum from the Planning Board to the Township dated July 11, 2024, the Planning Board found this Ordinance to be consistent with the Master Plan, and made two recommendations, which have been incorporated herein; and

WHEREAS, within thirty (30) days of the final adoption of this Ordinance, the Township Clerk shall provide notice, pursuant to N.J.S.A. 40:55D-15, by personal service or certified mail to the Planning Board of the County of Essex which notice shall state the effective date of this Ordinance and include a copy hereof,

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

- RECITALS**. The aforementioned recitals are incorporated herein as if set forth at length.

2. **AMENDMENT OF AREA AND SETBACK REQUIREMENTS.** The table entitled “Minimum requirements” at Article V, Chapter 271, Section 70(A)(4)(a) of the Township Code is hereby amended as follows:

- R-1-7 Zone: Side yard, each (feet) – increase from 7 feet on each side to 9 feet on each side.
- R-1-5 Zone: Side yard, each (feet) – increase from 5 feet on each side to 7 feet on each side.
- R-1-7 Zone: Side yard, combined – increase from 25% of lot width to 30% of lot width.

All other portions of Section 70(A)(4)(a) not expressly amended herein shall remain unchanged.

3. **AVAILABILITY OF THE ORDINANCE.** A copy of this Ordinance shall be available for public inspection at the offices of the Township Clerk.

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

5. **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.

6. **EFFECTIVE DATE.** This Ordinance shall take effect, after final passage and publication as provided by law, on October 1, 2024.

PUBLIC NOTICE is hereby given that the foregoing proposed Ordinance was introduced and read by title at a meeting of the Township Committee of the Township of Maplewood, held on July 2, 2024, amended by the Township Committee of the Township of Maplewood at a meeting held on July 16, 2024, and that the Township Committee will meet again on August 6, 2024, at 8:00 p.m. at the Municipal Building, 574 Valley Street, Maplewood, New Jersey, at which time and place the Township Committee will hold a hearing and proceed to consider the foregoing Ordinance on final reading and final passage.

MOTION: Dafis **SECOND:** Adams
YES: Cripe, Dafis, De Luca, Engel, Adams
NO: None
ABSTAIN: None
ABSENT: None

Introduction: July 2, 2024
Adoption: August 6, 2024



ATTEST Elizabeth J. Fritzen, Township Clerk