

Chapter 115. Zoning

Article XII. Supplemental Land Use Regulations

§ 115-48.2. Bed-and-breakfast estates.

[Added 10-10-1995 by Ord. No. 166-1995; amended 11-8-2005 by Ord. No. 9-2005; 12-13-2006 by Ord. No. 8-2006; 10-11-2016 by Ord. No. 6-2016]

Bed-and-breakfast estates, as defined in § 115-6, may be operated in any zoning district as a conditional use when in full compliance with the following requirements:

- A. The only buildings eligible for a bed-and-breakfast estate use shall be owner-occupied Class I historic resources.
- B. A bed-and-breakfast estate shall consist of at least four guest rooms, but no more than 10 guest rooms, with the total occupancy of each guest room/suite being two persons maximum.
- C. No bed-and-breakfast estate guest room/suite shall contain any cooking facilities.
- D. There shall be no more than two employees on the premises at any one time who are not resident members of the bed-and-breakfast estate household.
- E. Breakfast may be prepared and served to the bed-and-breakfast estate overnight guests by the owner as part of the accommodations, but no more meals shall be prepared and served by the owner to overnight guests (whether or not separately billed).
- F. Licensed caterers shall be engaged to serve catered meals and beverages to overnight guests and attendees of weddings, wedding receptions, small parties and special events.
- G. Owners shall comply with all federal, state and local requirements for the preparation, handling and serving of food.
- H. Any amenities (swimming pool, tennis court, etc.) shall be solely for the use of the resident owner and the overnight guests of the bed-and-breakfast estate.
- I. With the conditional use application, the applicant shall submit an impact assessment report which shall evaluate the potential negative impacts the proposed bed-and-breakfast estate shall have on the surrounding community with respect to such matters as parking, noise, lighting, views and anything else in the neighborhood which would be affected by the proposed use.
- J. With the conditional use application, the applicant shall provide scaled drawings of the floors of the dwelling and indicate the owner's living areas, overnight guest rooms/suites and common area with a color legend to distinguish each from the other and marked as an exhibit. One such exhibit shall be placed in the Zoning Officer's file.
- K. Accessory buildings shall not be included in the conduct of the bed-and-breakfast estate.
- L. The following design standards shall be applicable to bed-and-breakfast estate operations:
 - (1) Screening as required by § 115-52.
 - (2) Storage as required by § 115-53.

- (3) Landscaping as required by § 115-45.1.
 - (4) Access and traffic control as required by § 115-55.
 - (5) Interior circulation as required by § 115-57.
 - (6) Off-street loading as required by § 115-59.
 - (7) Regulation of emissions of smoke, fumes, odors and noise as required by § 115-60.
 - (8) The maximum occupancy of a bed-and-breakfast estate for weddings, wedding receptions, small parties and special events shall be based on the available common area, the formula being one person per 10 square feet of common area. In the event that the aforesaid activities are conducted out of doors, the maximum occupancy may not exceed that which has been established by the common area. Neither indoor nor outdoor maximum occupancy may exceed 100 people.
 - (9) Off-street parking.
 - (a) Off-street parking for a bed-and-breakfast estate shall be that which is required by § 115-58 for single-family residences, and, in addition, there shall be:
 - [1] One space for each employee of the bed-and-breakfast estate.
 - [2] One space for each available guest room/suite.
 - [3] One space for each two persons attending a wedding, wedding reception, small party or special event, based on maximum occupancy as required by § 115-48.2L(8).
 - (b) Plans for parking areas are to be submitted to the Township Engineer for review and comment at least two weeks prior to the scheduled hearing. The review is to be based upon § 115-58B(1). Parking areas designated for use in the conduct of weddings, wedding receptions, small parties and special events may be areas of stable grass and/or meadow if they can be demonstrated as suitable to the Township Engineer's satisfaction.
 - (c) Off-street parking spaces must be provided on the lot for which they are intended unless satisfactory evidence is presented to the Zoning Officer that an agreement exists which provides for sufficient permanent off-street parking spaces on another lot.
- M. Music or entertainment associated with the conduct of the bed-and-breakfast estate is to be acoustic exclusively and without amplification.
- N. If tents or canopies are to be used in the conduct of weddings, wedding receptions, small parties or special events, they are to be fully screened from any vantage point off of the property.
- O. The hours of operation for the bed-and-breakfast estate weddings, wedding receptions, small parties and special events shall be limited to the hours of 9:00 a.m. Eastern standard time to 9:00 p.m. Eastern standard time.
- P. A professional structural engineer registered in the State of Pennsylvania is to review the structural capacity of the bed-and-breakfast estate common area according to the proposed maximum occupancy [harmonic loads (dancing) are to be a factor] and submit to the Board of Supervisors the results of the review along with the recommended design to accommodate the maximum occupancy.
- Q. The length of stay for any overnight guest shall be limited to not more than 14 consecutive days.
- R. The resident owner shall maintain a guest register which shall list the names, addresses and lengths of stay of all guests.
- S. One sign shall be permitted for purposes of identifying the property as a bed-and-breakfast estate, provided that the sign shall not exceed six square feet in area and shall contain no information other than identification of the premises as the named bed-and-breakfast estate, and the sign shall have been presented to the East Bradford Township Historical Commission for review and comment at least two weeks prior to the conditional use hearing.

- T. Lot coverage shall be increased by 5% for the underlying zoning district in which the use is located.
[Amended 11-8-2005 by Ord. No. 9-2005]
- U. No external enlargements, alterations or changes to the exterior of the Class I historic resource shall be permitted, except as required by the Township Building Code^[1] and the Pennsylvania Department of Labor and Industry, or for safety reasons as required by any other governmental agency. The proposed design of any required enlargement, alteration or change shall be reviewed by the East Bradford Historical Commission, which Commission shall provide comments to the applicant, the Zoning Officer and the Board of Supervisors.
[1] Editor's Note: See Ch. 45, Building Construction.
- V. Where the property is not served by a public sewage system, the applicant shall present documentation which shall be satisfactory to the Township that the existing on-site sewage system shall be adequate to handle the increased flows from the bed-and-breakfast estate, as well as the availability of sufficient backup area on the lot; and that the Chester County Health Department has certified the adequacy of the existing on-site sewage system for the bed-and-breakfast estate after an on-site inspection of the existing sewer system and/or any required improvements to the system.
- W. The applicant shall comply with all other applicable Township codes and regulations, including but not limited to the Fire, Health, Plumbing and Building Codes.
- X. Upon compliance with all of the requirements of this chapter, the Zoning Officer shall be authorized to issue a use and occupancy permit which shall be valid for a period of one year, unless revoked sooner for violation of any of the provisions of this chapter. The permit may be renewed annually, provided that the Zoning Officer has inspected the facility and found it to be in compliance with the provisions of this chapter. In the event that the Zoning Officer determines a violation to exist, the permit shall not be renewed until the violation is remedied.