

**TOWNSHIP OF MILLBURN  
ORDINANCE NO. 2528-19  
ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP OF MILLBURN DEVELOPMENT  
REGULATIONS AND ZONING ORDINANCE**

**STATEMENT OF PURPOSE:** *Analysis of existing development within the Township's OR-2 zone concentrated at the east end of Millburn Avenue revealed that the district contains principally office uses, including medical offices, together with a number of retail/personal service uses. Neither retail sales establishments nor eating and drinking establishments currently exist within the district. While the built condition largely conforms to the current OR-2 zone standards with regard to use, the subject amendment accomplishes the following objectives. It expressly allows for medical offices, which is not presently the case, and, in recognition of the fact that OR-2 zone is in close proximity to established residential uses and zones it expands upon and reinforces the definition of retail services rendering it clear that retail service use shall not include establishments primarily engaged in the sale of products or merchandise, including food or drink, to the general public.*

**BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLBURN, IN THE  
COUNTY OF ESSEX AND STATE OF NEW JERSEY, AS FOLLOWS:**

**Section 1. Article 3 "Definitions", Section 301.54 "Retail Services" is hereby amended and supplemented by adding the following as underlined below:**

**301.54 Retail Services:** Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, such as laundry, cleaning and garment services; photographic portrait studios; beauty and barber shops; and shoe repair shops. Retail services shall not include establishments primarily engaged in the sale of products or merchandise, including food or drink, to the general public. Retail services shall not include those uses defined under "Medical Office" as defined in this ordinance.

**Section 2. Article 6 "Zoning Provisions", Section 606.8 "Office Research OR-1, OR-2, OR-3" is hereby amended and supplemented under Section b. "Permitted Principal Uses" by adding the following as underlined below:**

- b. Permitted Principal Uses
1. Offices, including medical offices in the OR-2 Zone, and financial institutions.
  2. Retail services, such as beauty salons and barber shops.
  3. In addition in the OR-1 Zone, office-hotel complex.
  4. In addition in the OR-3 Zone, Mixed-Use Development subject to the standards contained herein.

**Section 3. Conflicts and Severability**

- a. Conflicts. All other Ordinances, parts of Ordinances, or other local requirements that are inconsistent or in conflict with this Ordinance are hereby superseded to the extent of any inconsistency or conflict, and the provisions of this Ordinance apply.
- b. Severability. If any portion or clause of this Ordinance is declared invalid for any reason whatsoever, same shall not affect the validity or constitutionality or any other part of portion of this Ordinance.
- c. This Ordinance shall be so construed as not to conflict with any provision of New Jersey law.
- d. The provisions of this Ordinance shall be cumulative with, and not in substitution for, all other applicable zoning, planning and land use regulations.

**Section 3.** This Ordinance may be renumbered for purposes of codification.

**Section 4.** This Ordinance shall take effect after final passage and publication as provided by law.

*1<sup>st</sup> Reading and Introduction: 3/5/2019*