

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2560-20
ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP OF MILLBURN DEVELOPMENT
REGULATIONS AND ZONING ORDINANCE**

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 6 "Zoning Provisions", Section 606 "Zone Requirements" is hereby amended and supplemented as follows (additions are underlined and deletions appear as ~~strike throughs~~):

606.6 Highway Business B-2

b. Permitted Principal Uses

11. Restaurants, fast food restaurants, retail food establishments and eating and drinking establishments. Drive-up windows shall not be permitted.

d. ~~Conditional Uses~~

~~Restaurants, fast food restaurants, retail food establishments, and eating and drinking places provided the closest part of the structure so used, exclusive of parking and loading areas, is not less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District. Drive-up windows shall not be permitted. This Section 606.6d. shall apply only to lots abutting on primary and secondary roadways as shown in the Traffic Circulation Plan Element of the Township's current Master Plan. **[Ord.11-93, 16-93B]**~~

606.6.1 Neighborhood Business B-3

b. Permitted Principal Uses

8. Restaurants, fast food restaurants, retail food establishments and eating and drinking establishments. Drive-up windows shall not be permitted.

d. Conditional Uses

1. ~~Restaurants, fast food restaurants, retail food establishments, and eating and drinking places provided the closest part of the structure so used, exclusive of parking and loading areas, is not less than 125 feet from the nearest lot line of a single-family dwelling in a Residential District. Drive-up windows shall not be permitted. This Section 606.6.1d shall apply only to lots abutting on primary and secondary roadway's as shown in the Traffic Circulation Plan Element of the Township's current Master Plan. **[Ord.11-93, 16-93B]**~~

606.7 Central Business B-4

b. Permitted Principal Uses

9. Restaurants, fast food restaurants, retail food establishments and eating and drinking establishments. Drive-up windows shall not be permitted.

~~d. Conditional Uses~~

~~Restaurants, fast food restaurants, retail food establishments, and eating and drinking places provided the closest part of the structure so used, exclusive of parking and loading areas, is not less than 125 feet from the nearest lot line of a single family dwelling in a Residential District. Drive-up windows shall not be permitted. **[Ord. 15 95]**~~

~~d.e. Area and Setback Requirements~~

~~e.f. Other Provisions~~

Section 2. 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 or 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.

1st Reading and Introduction: 7/14/2020