

**TOWNSHIP OF MILLBURN
ORDINANCE NO. 2417-13**

**AN ORDINANCE TO AMEND AND SUPPLEMENT THE
"DEVELOPMENT REGULATIONS AND ZONING ORDINANCE"
OF THE TOWNSHIP OF MILLBURN PERTAINING TO
CONDITIONAL USES AND MINIMUM PARKING REQUIREMENTS**

BE IT ORDAINED by the Township Committee of the Township of Millburn, in the County of Essex and the State of New Jersey, as follows:

Section 1. Article 6, "Zoning Provisions," of the Millburn Township Development Regulations Ordinance is hereby amended as follows:

Section 606.2 d. Conditional Uses is hereby amended in its entirety to read as follows:

1. Houses of worship, subject to the following standards:
 - a) The lot shall have frontage on a primary, secondary or collector street as shown in the Circulation Element of the Master Plan.
 - b) The lot shall have a minimum area of 3 acres.
 - c) The lot shall have a minimum frontage of 200 feet.
 - d) The lot shall have a minimum depth of 250 feet.
 - e) Vehicular access shall be from other than a local street if the lot has frontage on more than one street.
 - f) Lot coverage shall not exceed the maximum established for the underlying Residential Zone district.
 - g) The minimum front yard setback shall be 100 feet.
 - h) The minimum side yard setback shall be 40 feet.
 - i) The minimum rear yard setback shall be 50 feet.

- j) The minimum buffer to a residential use or zone shall be 25 feet.
 - k) The minimum parking setback shall be 20 feet.
 - l) Building height shall not exceed the maximum established for the underlying Residential Zone district.
2. Public and private schools, subject to the following standards:
- a) The lot shall have frontage on a primary, secondary or collector street as shown in the Circulation Element of the Master Plan.
 - b) The lot shall have a minimum area of 3 acres.
 - c) The lot shall have a minimum frontage of 200 feet.
 - d) The lot shall have a minimum depth of 250 feet.
 - e) Vehicular access shall be from other than a local street if the lot has frontage on more than one street.
 - f) Lot coverage shall not exceed the maximum established for the underlying Residential Zone district.
 - g) The minimum front yard setback shall be 100 feet.
 - h) The minimum side yard setback shall be 40 feet.
 - i) The minimum rear yard setback shall be 50 feet.
 - j) The minimum buffer to a residential use or zone shall be 25 feet.
 - k) The minimum parking setback shall be 20 feet.
 - l) Building height shall not exceed the maximum established for the underlying Residential Zone district.
3. Radio antennas in accordance with the provisions of Section 606.2e3

Section 607.2, Minimum Parking Requirements is hereby amended as follows:

Replace Section 607.2 d. with the following:

d. House of Worship

1 space per 3 seats within the sanctuary or worship hall or 5 spaces per 1,000 square feet of gross floor area, whichever is greater.

Add the following:

z. Public and private schools

2 spaces per classroom for grades K-8 and 3 spaces per classroom for grades 9-12.

aa. Places of Assembly

1 space per 3 seats or 5 spaces per 1,000 square feet of gross floor area, whichever is greater.

Section 2. The provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision hereof be declared invalid or unconstitutional said finding shall not affect any other part, portion or provision thereof.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Millburn, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Development Regulations and Zoning Ordinance of the Township of Millburn are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

Section 5. A certified copy of the Ordinance, upon adoption, shall be sent to the Essex County Planning Board and to all surrounding municipalities.

ATTEST:

MILLBURN TOWNSHIP

Christine Gatti,
Township Clerk

By: _____
Sandra Haimoff
Mayor

Introduced: _____
Adopted: _____
Effective: _____

CERTIFICATION

I, CHRISTINE GATTI, Clerk of the Township of Millburn, in the County of Essex, New Jersey, do hereby certify that the foregoing is a true and correct copy of an ordinance duly adopted by the Township Committee of said Township at a regular meeting held on the ____ day of _____, 2013.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this ____ day of _____, 2013.

Christine Gatti
Township Clerk