

TOWNSHIP OF MILLBURN
ORDINANCE 2719-25
ORDINANCE AMENDING AND SUPPLEMENTING THE TOWNSHIP OF MILLBURN
DEVELOPMENT REGULATIONS AND ZONING ORDINANCE

WHEREAS, the 2018 Master Plan Reexamination and Update recommends the following Objectives:

Objective 1.02: Promote the appropriate mix of development in Downtown and other commercial areas.

Objective 2.02: Improve and maintain safe and efficient pedestrian circulation in the central business district.

Objective 2.03: Allow for conveniently located parking in the central business district.

Objective 2.04: Improve visibility and sight distances at all intersections.

Objective 2.09: Encourage adoption of pedestrian and bicycle-favorable roadway design.

Objective 4.01: Promote opportunities for high-quality retail and commercial activity in all business districts.

Objective 4.02: Maintain a pedestrian scale in all appropriate business districts.

Objective 4.03: Leverage opportunities for redevelopment where appropriate.

Objective 4.04: Strengthen existing business centers.

Objective 6.01 Require private development to incorporate sustainable design practices that control run-off, improve streetscapes, increase energy efficiency, and preserve open space and greenways.; and

WHEREAS, the Master Plan Reexamination and Update recommends the Township “promote clear, user friendly, and transparent application, review and public hearing processes for development proposals and applications;” and

WHEREAS, the Township seeks to provide for development and zoning definitions that are clear and facilitate efficient land use administration.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MILLBURN, IN THE COUNTY OF ESSEX AND STATE OF NEW JERSEY, AS FOLLOWS (additions are underlined and deletions appear as strikethroughs):

Section 1: Establish new section DRZ Section 503 Site, Building and Public Realm Design Standards as follows:

DRZ 503 – Site, Building and Public Realm Design Standards

A. Purpose

This ordinance establishes comprehensive site plan design standards to guide development and redevelopment of multifamily, commercial, industrial, mixed-use buildings and other non-residential buildings. The goal is to reinforce pedestrian-scaled, contextually appropriate development, and support high-quality commercial activity.

B. Site Planning and Circulation Standards

1. Building Placement

- i. Buildings shall be oriented to the public street
- ii. Corner buildings shall address both frontages with entrances or active façades.

2. Pedestrian Circulation

- i. All buildings shall provide direct, Americans with Disabilities Act (ADA) compliant pedestrian connections to the sidewalk and parking areas.
- ii. Sites shall include pedestrian walkways between primary entrances, public sidewalks, transit stops, and major site features.

3. Vehicular Access and Parking

- i. Curb cuts shall be minimized and located away from intersections.
- ii. Parking shall be located underground, where physically feasible, or to the rear or side of buildings. Parking between the building and street is prohibited.
- iii. Short-term parking near primary entrances and designated pickup/drop-off zones shall be provided where physically feasible.
- iv. All vehicular access driveways and circulation routes shall be designed to accommodate emergency vehicle access, including turning radii and vertical and horizontal clearance, in accordance with standards approved by the Township Fire Official or applicable emergency services authority.

4. Bicycle Access and Storage

- i. All developments shall provide short-term bicycle parking at a minimum rate of 1 rack space per 7,500 square feet of gross floor area or 1 rack space per 10 dwelling units, whichever is greater. Bicycle racks shall be located within 40 feet of building entrances, clearly visible, and not obstruct pedestrian circulation.
- ii. Multifamily residential developments shall provide secure, long-term indoor bicycle storage at a minimum of 1 space per 2 dwelling units. This may be provided in dedicated bicycle rooms, lockers, or garages accessible to residents.
- iii. In addition to long-term bicycle storage, multifamily buildings shall provide common area storage rooms for oversized personal mobility equipment such as strollers, cargo bikes, walkers, or scooters. The size of such common storage shall be no less than 15 square feet per 10 dwelling units.
- iv. Individual residential units in multifamily developments shall include a dedicated storage space of at least 25 cubic feet per unit, which may be provided as a closet, utility room, or designated off-unit storage area.

5. Sight Distance and Safety

multifamily housing developments, including standards for capacity, location, lighting, environmental protection, signage, and aesthetics.

- b. Refuse and recycling storage may be located either outdoors or within an enclosed area of the principal building.
 - c. Screening shall consist of a solid masonry or decorative panel enclosure with an opaque gate and shall be at least 6 feet high.
 - d. All dumpster enclosures shall include a permanent, weatherproof roof or overhead cover to contain litter, prevent wildlife intrusion, and reduce visibility from above.
 - e. Enclosures shall use materials and finishes that match or complement the principal building.
- iii. Prohibited Materials
- a. The use of the following materials shall be prohibited:
 - 1) Corrugated metal siding
 - 2) Vinyl siding
 - 3) Unpainted CMU
 - 4) Exposed tilt-up concrete without articulation
 - 5) EIFS, except for upper floors of buildings in Section 4.iii below.

4. Specific Building Design Standards

i. Attached Dwellings or Townhouses

a. Roof Pitch

- 1) Minimum 6:12 roof pitch and maximum 12:12. Flat roof sections are permitted only on mid-block or interior façades.

b. Facade Modulation

- 1) Each unit shall have a distinct front façade segment articulated by a minimum 6-inch horizontal or vertical plane break at intervals not exceeding the width of each unit.
- 2) Front façade plane breaks shall extend at least one full story in height.

c. Windows & Transparency

- 1) Street-facing façades shall have at least 25% transparent glazing on the first floor.
- 2) Measuring area shall exclude doors but include sidelights and any continuous fixed glazing.

d. Garage Orientation

- 1) Front-facing garages may occupy no more than 50% of the unit's width.

ii. Non-Residential, Mixed-Use and Multifamily Buildings

a. Floor Heights:

- 1) Ground Floor Shall be a minimum of 12 feet and maximum of 16 feet for commercial/mixed-use buildings to ensure appropriate proportions for pedestrian areas.
 - 2) Upper floor-to-floor heights shall support long-term adaptability for residential, or office uses.
- b. Roof Style:
- 1) Sloped roofs are optional.
 - 2) Flat roofs shall include a minimum 1-foot parapet and screening of mechanicals from all public rights-of-way and adjacent residential buildings.
- c. Massing and Facade Articulation:
- 1) Buildings shall express a legible base, middle, and top through projections, material changes, or horizontal detailing.
 - 2) Building mass shall be vertically articulated every 20–30 feet, with façade breaks of at least 6 inches in depth, occurring along the full height of the base or entire façade. Façade breaks shall be architectural (e.g., step-backs, material transitions, or façade recesses).
 - 3) The maximum façade wall length without window or articulation shall be 15 feet.
- d. Windows and Transparency:
- 1) Transparency Standards for street facing facades:
 - i. Multifamily Residential: Ground-floor façades shall have at least 40% transparent glazing.
 - ii. Retail: Minimum 60% transparency on street-facing ground floors.
 - iii. Office: Minimum 40%.
 - iv. Residential (upper levels): Minimum 25%
 - 2) Windows for residences, lobbies, commercial storefronts and shared common-use rooms on the ground floor should have clear and nonreflective glass.
 - 3) Stained, translucent, or decorative glass may only be used for transom and accent windows.
 - 4) Windows on upper-level floors may be lightly tinted but should not be mirrored.
 - 5) Window and door glazing for mechanical and related rooms may be translucent (admitting light but not views) or opaque (such as spandrel glass)
 - 6) Measuring area shall exclude doors but include sidelights and any continuous fixed glazing.

- 7) Windows on facades adjacent to parks and open space, water features, or significant landscaping, the applicant shall incorporate bird-friendly glazing or treatments to mitigate bird strikes, such as, but not limited to, fritted, patterned, or ultraviolet-reflective glass.
- e. Entrances and Street Interfaces
 - 1) Primary entrances shall face the street and be clearly visible and accessible from public sidewalks.
 - 2) Ground floors shall be designed for activation with display windows, recessed entries, or outdoor use areas. Blank walls longer than 15 feet on the ground floor are prohibited.
 - 3) Entrances should provide overhead weather protection with canopies or awnings.
 - 4) For buildings over 100 feet long, at least one public-facing pedestrian entrance shall be provided every 50 feet, where feasible.
 - f. Balconies:
 - 1) Balconies are permitted for residential units only in mixed-use or multifamily buildings only. Balconies are prohibited for non-residential use.
 - 2) Balconies shall be located on interior, non-public facing facades. Balconies may be located on public-facing façades only if designed as recessed balconies flush with the main wall plane.
 - 3) Project no more than 4 feet and comprise no more than 25% of unit width.
 - 4) Balcony railings shall be at least 50% transparent (e.g., picket, cable, or glass) to reduce visual bulk.
 - g. Mechanical Screening:
 - 1) Rooftop equipment shall be screened with materials that match the roof or parapet and extend at least 2 feet above the mechanical unit.
 - h. Material Guidelines
 - 1) The focus shall be on materials that reinforce traditional development patterns and human-scale context.
 - 2) Primary façade materials ($\geq 70\%$) shall include: brick, stone, architectural precast, or fiber cement with traditional exposure.
 - 3) Accents ($\leq 30\%$) may include wood-look composites, architectural metal, or tile. The material area shall be measured across each street-facing elevation, excluding windows and doors.

- 4) Façade material proportions shall be calculated exclusive of transparent windows and door openings. Proportions shall apply per each elevation.
 - 5) Ground-level finishes shall convey permanence and be resistant to wear.
- iii. Commercial, Industrial and Highway Commercial Buildings
- a. Applicability: These standards are for commercial and industrial building types in predominantly commercial, wholesale business and/or manufacturing areas. While these areas may currently include auto-oriented characteristics, development and redevelopment are encouraged to transition incrementally toward more walkable, street-oriented design consistent with Township objectives.
 - b. Massing and Scale:
 - 1) Front façade shall include vertical articulation at least every 40 feet.
 - 2) Blank walls shall be interrupted with windows, material changes, or architectural relief. A wall spanning 20 or more feet without an opening or articulation shall be considered a blank wall.
 - c. Entrances
 - 1) Principal entrance shall face the street or prominent corner.
 - 2) For large-format buildings, provide at least one pedestrian entrance every 150 feet.
 - d. Transparency
 - 1) Minimum 20% glazing on primary façades facing streets.
 - 2) Measuring area shall exclude doors but include sidelights and any continuous fixed glazing.
 - e. Roof Design
 - 1) Flat roofs are permitted
 - 2) Parapets are required for effective screening of rooftops
 - f. Materials
 - 1) Use durable, high-quality materials: precast, masonry, architectural metal panels.
 - 2) EIFS and vinyl siding are prohibited on all street-facing elevations.
 - g. Loading Areas
 - 1) Located at side or rear.
 - 2) All loading areas shall be screened with a combination of opaque walls and evergreen plantings to a minimum height of 6 feet at time of planting.
 - h. Pedestrian Access

- 1) Safe pedestrian routes required from sidewalk to main entry.
 - 2) Provide crosswalks across any parking areas or drive aisles.
- iv. Conditional Uses in Residential Zones
- a. Massing and Scale:
 - 1) Buildings shall reflect the general scale of nearby single-family homes, using pitched roofs, articulated entries, and windows at pedestrian scale.
 - b. Roof Design:
 - 1) Pitched roofs shall have a minimum 8:12 slope, consistent with surrounding homes.
 - c. Materials:
 - 1) Use similar materials to neighboring residences, such as clapboard siding, shingles, or brick.
 - d. Windows & Transparency:
 - 1) Street-facing façades shall have at least 25% transparent glazing on the first floor.
 - 2) Measuring area shall exclude doors but include sidelights and any continuous fixed glazing.
 - e. Landscaping:
 - 1) Provide dense evergreen buffering and front yard plantings that reflect residential landscape character.
 - f. Entrances:
 - 1) Buildings shall provide an obvious and welcoming entrance facing the primary street.
 - g. Lighting:
 - 1) All site lighting shall be at a pedestrian scale to maintain consistency with the residential character.
 - h. Parking:
 - 1) Parking shall be located behind the building and screened with vegetation or fencing consistent with residential character.
 - i. Signage:
 - 1) All signage shall be at a pedestrian scale to maintain consistency with the residential character.
- v. Solar Energy Systems
- a. Preference for Rooftop Solar
 - 1) Solar photovoltaic (PV) and/or solar thermal systems shall be installed on building rooftops where physically feasible, before consideration of freestanding or canopy-mounted systems.
 - 2) Freestanding solar arrays or solar canopies over parking areas shall only be permitted when the applicant demonstrates that

rooftop installation is technically infeasible due to structural limitations, shading, or other documented constraints.

b. Permitted Locations

- 1) Freestanding solar energy systems, including solar canopies over parking areas, shall be permitted only in nonresidential zoning districts.
- 2) No freestanding solar structures shall be located in any residential zoning district, whether principal or accessory to a residential or conditional use, nor on any lot adjacent to a residential use, defined for purposes of this section as sharing a lot line or located directly across a public right-of-way from such use.

c. Design and Aesthetic Standards for Freestanding Solar

- 1) Freestanding solar energy systems shall be integrated with the overall site design and shall not detract from the architectural character of the principal building.
- 2) All supporting structures shall be constructed of durable, corrosion-resistant materials, with finishes and colors that complement the principal building and surrounding development.
- 3) All electrical equipment, conduits, and wiring shall be located underground or fully concealed from public view.
- 4) Solar canopy supports shall be designed as architecturally finished columns or frames, not bare industrial steel, unless clad or painted to coordinate with the principal building.
- 5) The minimum design life of all freestanding solar structures shall be 20 years, and applicants shall provide manufacturer specifications or equivalent documentation demonstrating the durability of panels and structural components.

d. Screening and Placement

- 1) Where visible from a public street ~~or adjacent residential property~~, freestanding solar energy systems shall be screened with fencing, evergreen landscaping, or a combination thereof, to a height sufficient to obscure structural supports and equipment, while maintaining adequate solar exposure.
- 2) Systems shall not be placed within required front yard setbacks unless designed as an integrated architectural element or canopy over parking.

e. Compliance

- 1) All solar energy systems shall comply with applicable state and federal safety regulations, utility interconnection requirements, and the Township's building and electrical codes.

D. Public Realm and Streetscape Standards

1. Sidewalks

- i. Minimum total sidewalk width: 10 feet in commercial/mixed-use zones, including:
 - a. Clear path of travel for pedestrian zone: 6 feet minimum
 - b. Area for street furniture and landscaping: 4 feet minimum
- ii. In areas with an existing, historically established sidewalk width that is less than 10 feet, the existing dimension may be retained, provided that any alterations or improvements maximize pedestrian clearance to the extent feasible without encroaching on the roadway or compromising safety.

2. Landscaping and Shade Trees

- i. Large canopy street trees shall be planted at 30 to 40 foot intervals, adjusted based on species, overhead utilities, and spatial constraints, as approved by the Township Engineer or Township Forester.
- ii. Trees shall be planted a minimum of 10 feet from underground utilities, driveways, fire hydrants, and light poles. Where curb strips are less than four (4) feet wide, or where overhead utility wires are present, only small-stature native trees or columnar native cultivars shall be used to ensure no conflicts at maturity. Species selection shall account for mature height and branching structure to avoid conflict with infrastructure. Final tree placement shall be shown on the landscape plan and subject to review by the Township engineer and shade tree official, where applicable.
- iii. Landscaping shall include a combination of deciduous and evergreen plantings to ensure seasonal interest and year-round screening.
- iv. At least 70% of all new proposed trees, shrubs, and groundcovers shall be native. The use of deer-resistant native species is preferred. The use of invasive species, including those listed on the New Jersey Invasive Species Strike Team Do Not Plant List, is prohibited.
- v. All species shall also be salt-tolerant.
- vi. All landscaping and shade trees shall also comply with all requirements of § DRZ-516.8.

3. Street Furniture

- i. Street furniture such as benches, waste receptacles, and bike racks shall be provided every 75 feet of building frontage, and within 20 feet of each primary building entrance, subject to circulation and ADA requirements.
- ii. Design of furniture shall be consistent with existing where such style has been established and not obstruct pedestrian flow and shall coordinate with lighting and landscaping for visual cohesion.

- iii. Street furniture shall be maintained by the property owner or business and remain in good working condition at all times.
- 4. Lighting
 - i. Pedestrian-scale lighting required every 40–50 feet, with a mounting height between 10 and 14 feet.
 - ii. Fixtures shall be full cutoff and dark-sky compliant.
- 5. Public Amenities and Plazas
 - i. Plazas and outdoor dining spaces are permitted within required setbacks, provided they maintain a 6-foot clear pedestrian path.
- 6. Intersection Enhancements
 - i. Curb extensions, textured crosswalks, and corner seating areas shall be provided at major intersections, provided they do not infringe on required sight triangles under DRZ-523.
 - ii. Maintain full sight distance per Section B.5.

Ordinance 2719-25

ATTEST:

MILLBURN TOWNSHIP

Christine A. Gatti, RMC
Township Clerk

By: _____
Annette Romano, Mayor

1st Reading and Introduction: 10/21/2025
1st Publication: 10/30/2025
Referral to Planning Board: 10/22/2025
Notice to County Planning Board Prior to Adoption: 10/22/2025
Notice to Clerks of Adjoining Municipalities: 10/22/2025
Notice to Affected Property Owners: N/A
2nd Reading: 11/12/2025
Adoption: 11/12/2025
2nd Publication: 11/20/2025
Filing with County Planning Board: 11/17/2025

CERTIFICATION

I, Christine A. Gatti, Clerk of the Township of Millburn, in the County of Essex, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of an Ordinance duly adopted by the Township Committee at a regular meeting held on the 12th day of November, 2025.

Christine A. Gatti, RMC
Township Clerk