

ORDINANCE AMENDING MILLVILLE CODE CHAPTER 30 ("LAND USE AND DEVELOPMENT REGULATIONS"), ARTICLE XII ("ZONING DISTRICT REGULATIONS"), SECTION 30-117.14 ("AIRPORT ENTERPRISE DISTRICT") AND ATTACHMENT I ("SCHEDULE OF DISTRICT REGULATIONS") IN ORDER TO CLARIFY THAT ASPHALT PLANTS AND MINING OPERATIONS ARE NOT PERMITTED USES IN THE AE ZONING DISTRICT

WHEREAS, on January 9, 2017 the City of Millville Planning Board after a public hearing approved an updated Land Use Element (hereinafter "the 2017 LUE") of its Master Plan by Resolution No. 4-2017PB; and

WHEREAS, the 2017 LUE recommended that the Millville Executive Airport and the surrounding uses and industries be reclassified into a new Airport Enterprise Zoning District (hereinafter "the AE District"); and

WHEREAS, the 2017 LUE under "Intent and Purpose (Vision)" provided that "[t]he Airport Enterprise Land Use Category is intended to support the Airport and related aviation, transportation and manufacturing establishments; and

WHEREAS, the 2017 LUE specifically recommended the following categories of uses:

- 1.) Aviation support and development;
- 2.) Technology development;
- 3.) Industrial parks;
- 4.) Recreational uses;
- 5.) Research and development;
- 6.) Retail sales and tourist attractions."

WHEREAS, the 2017 LUE did not recommend such environmentally intensive uses as asphalt plants and mining operations which the Board of Commissioners finds to be in any case incompatible with the stated intent and purpose of the AE zone; and

WHEREAS, by Ordinance No. 19-2023 the Board of Commissioners of the City of Millville amended Chapter 30 to implement the recommendations contained in the 2017 LUE; and

WHEREAS, the Board of Commissioners finds that Section 30-117.14 of the new zoning ordinance is unclear to the extent that it might be read to include such environmentally intensive uses as asphalt plants and mining operations which interpretation would be inconsistent with the Board of Commissioners' intent in adopting the new zoning ordinance.

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of the City of Millville that Millville Code Section 30-117.14 ("Airport Enterprise District") is hereby amended as follows:

Section One

§30-117.14. Airport Enterprise District (AE)

A. Purpose. (No Change)

B. Permitted Uses.

1. General manufacturing.

2. Pharmaceutical and cosmetic manufacturing, packaging and assembly.
3. Plastic injection mold manufacturing, assembly and product distribution.
4. The manufacture, assembly, or distribution of solar or energy products.
5. Light manufacturing, assembly, packaging, and distribution.
6. Scientific, medical, technology or specialized laboratory and research development facilities.
7. Wholesale establishments.
8. Warehousing, or storage facilities and distribution facilities, including refrigerated facilities.
9. Transportation depots, yards and maintenance for rail, truck, bus and motor freight stations.
10. State-licensed cannabis cultivator (Class 1), cannabis manufacturer (Class 2), cannabis wholesaler (Class 3), and cannabis distributor (Class 4).
11. Airports and related facilities.
12. Air transportation facilities including shelter, terminals, supply and repair of aircrafts, and related passenger facilities.
13. Motels and hotels as per § 30-208.
14. Restaurants and convenience stores primarily for the use and to meet the needs of air passengers and uses in this district.
15. Microbreweries and distilleries in accordance with state license requirements.
16. Agricultural uses in existence prior to December 31, 2022.

C. Asphalt Plants and Mining Operations.

Asphalt plants and mining operations shall not be permitted uses in the Airport Enterprise District.

D. Accessory buildings, structures or use. A building, structure or use customarily incidental and subordinate to the principal use of land or buildings and located on the same lot with such principal use or buildings. Single-family dwellings as an accessory use to agricultural uses in existence prior to December 31, 2022, are also a permitted accessory use. Single-family accessory uses may be added after December 31, 2022, according to the Schedule of Bulk Requirements in Attachment 1.

E. Bulk, coverage and other standards. See Schedule of District Regulations in Attachment 1.

Section Two

Should any provisions of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

Section Three

This ordinance shall take effect twenty (20) days after final passage, according to law.

FIRST READING: May 21, 2024

Moved By: Ranello
 Seconded By: Sooy

<u>VOTING</u>	<u>In Favor</u>	<u>Against</u>	<u>Abstain</u>	<u>Absent</u>
Benjamin J. Romanik	X			
Joseph Sooy	X			
C. Kirk Hewitt		X		

Stephen E. Watson, Jr		X		
Marissa Ranello	X			

SECOND READING: June 18, 2024

Moved By: Ranello
 Seconded By: Sooy

VOTING	In Favor	Against	Abstain	Absent
Benjamin J. Romanik	X			
Joseph Sooy	X			
C. Kirk Hewitt		X		
Stephen E. Watson, Jr	X			
Marissa Ranello	X			

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on June 18, 2024.


 Jeanne M. Parkinson, City Clerk

PROCEDURE

Approved on First Reading:	May 21, 2024
Published:	May 25, 2024
Approved on Second Reading:	June 18, 2024
Published:	June 22, 2024
Effective Date:	July 12, 2024

Section Two
LAND USE AND DEVELOPMENT REGULATIONS

City of Millville

SCHEDULE OF DISTRICT REGULATIONS
AE - Airport Enterprise District

Permitted Uses Site plan review as per § 30-42 is required for all new or expanded uses.	Minimum Lot Size			Minimum Lot Depth (feet)	Minimum Yard			Maximum	
	Area (square feet)	Interior (feet)	Corner (feet)		Front (feet)	Rear (feet)	Side (feet)	Height (feet)	Coverage (percent)
(1) Principal uses:									
(a) General manufacturing	50,000	100	130	100	30	25	25	75	75
(b) Pharmaceutical and cosmetic manufacturing, packaging and assembly	20,000	100	120	100	30	25	25	75	75
(c) Plastic injection mold manufacturing, assembly and product distribution	20,000	100	120	100	30	25	25	75	75
(d) The manufacture, assembly, or distribution of solar or energy products	20,000	100	120	100	30	25	25	75	75
(e) Light manufacturing, assembly, packaging, and distribution	20,000	100	120	100	30	25	25	75	75
(f) Scientific, medical, technology or specialized laboratory and research development facilities	20,000	100	120	100	30	25	25	75	75
(g) Wholesale establishments	20,000	100	120	100	30	25	25	75	75
(h) Warehousing, or storage facilities and distribution facilities, including refrigerated facilities	20,000	100	120	100	30	25	25	75	75
(i) Transportation depots, yards and maintenance for rail, truck, bus and motor freight stations	20,000	100	120	100	30	25	25	75	75
(j) State-licensed cannabis cultivator (Class 1), cannabis manufacturer (Class 2), cannabis wholesaler (Class 3), and cannabis distributor (Class 4)	20,000	100	120	100	30	25	25	75	75
(k) Airports and related facilities	20,000	100	120	100	30	25	25	35	75

MILLVILLE CODE

Permitted Uses	Minimum Lot Size			Minimum Lot Depth (feet)	Minimum Yard			Maximum	
	Area (square feet)	Interior (feet)	Corner (feet)		Front (feet)	Rear (feet)	Side (feet)	Height (feet)	Coverage (percent)
Site plan review as per § 30-42 is required for all new or expanded uses.									
(l) Air transportation facilities including shelter, terminals, supply and repair of aircrafts, and related passenger facilities	20,000	100	120	100	30	25	25	35	75
(m) Motels and hotels as per § 30-208	2 acres	200	200	200	35	30	30	35	75
(n) Restaurants and convenience stores primarily for the use and to meet the needs of air passengers and uses in this district	1 acre	200	200	150	35	30	30	35	75
(o) Microbreweries and distilleries in accordance with state license requirements	1 acre	200	200	150	35	30	30	35	75
(p) Agricultural uses in existence prior to December 31, 2022	5 acres	200	300	400	75	50	40	35	20
(2) Accessory uses:									
(a) A building, structure or use customarily incidental and subordinate to the principal use of land or buildings, and located on the same lot with such principal use or building					30	20	20	35	Included in maximum lot coverage
(b) Single-family dwellings as an accessory use to agricultural uses in existence prior to December 31, 2022; single-family accessory uses may be added after December 31, 2022, according to the Schedule of Bulk Requirements in this table	5 acres	300	300	500	100	100	40	35	Included in maximum lot coverage