

BOROUGH OF MILFORD
ORDINANCE NO. 959-2023

ORDINANCE OF THE BOROUGH OF MILFORD, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, REGARDING POP-UP USES WITHIN THE BOROUGH.

WHEREAS, the Borough of Milford finds it desirable and in the best interest of the Borough to enable applicants to apply for a temporary zoning permit to operate a pop-up use within the Downtown Business (B) Zone through the enactment of amendments to Chapter 190 Zoning at § 190-3 and § 190-79, for the betterment of the Borough; and

WHEREAS, the Borough’s purpose underlying this Section is to enable applicants to apply for a temporary zoning permit to operate a pop-up use within the Downtown Business (B) Zone subject to certain restrictions; and

WHEREAS, the Borough of Milford finds it desirable and in the best interest of the Borough to amend Chapter 190 Zoning at § 190-3 and § 190-79; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the Common Council of the Borough of Milford, County of Hunterdon, and State of New Jersey, that Chapter 190 Zoning at § 190-3 and § 190-79 is amended as follows:

Article I § 190-3 “Word usage; definitions.” at subsection F is supplemented as follows:

PERMIT, TEMPORARY ZONING

A certificate issued by the Zoning Officer in connection with pop-up uses only, stating that a proposed building or use will meet all of the requirements of this chapter. All temporary zoning permits shall only be valid for a period not to exceed the time limits imposed upon pop-up uses.

POP-UP USES

Temporary uses that are not an extension of the same uses contained and functioning within an adjacent structure. They may include: farmers markets; street festivals/fairs and stands; interim structures to support programmed events; or, retail uses that operate in a temporary location for a period of time not to exceed six (6) weeks. Operation of a pop-up use shall require a temporary zoning permit, but not site plan approval. No pop-up use shall operate within a public right-of-way without approval. Other uses that are both temporary and permitted within the subject zoning district may be permitted as pop-up uses at the discretion of the zoning officer.

Article VI “Downtown Business (B) Zone” § 190-79 “Permitted Uses.” is supplemented to include the following:

V. Pop-up uses.
by law.

Henry Schepens, Mayor

Attest:

Karen Dysart, RMC

Introduction: April 3, 2023
Public Hearing: May 1, 2023
Adoption: May 1, 2023
Publication: May 11, 2023

FIRST READING - ROLL CALL VOTE

Council Member	Motion	Adopt	Second	Ayes	Nays	Abstain	Absent
Noralie LaFevre			x	x			
James Gallos				x			
Robert White	x			x			

Elisa Yager				x			
Ronald Rehl							x
Douglas Sloyer				x			

SECOND READING & FINAL ADOPTION - ROLL CALL VOTE

Council Member	Intro.	Adopt.	Second	Ayes	Nays	Abstain	Absent
Ronald Rehl							
Noralie LaFevre							
James Gallos							
Robert White							
Elisa Yager							
Douglas Sloyer							