

**ORDINANCE NO. 2019-12**

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING CHAPTER 490, PLANNING AND DEVELOPMENT REGULATIONS,  
RELATING TO DWELLING APARTMENT USES ABOVE THE STREET LEVEL**

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County is hereby amended and supplemented as follows:

**SECTION 1.** Amend as follows:

§490-144 Planning and Development Regulations, Central Commercial District-1

A. Permitted Uses

- (7) Dwelling apartment uses on floors above the street level floor, with the following conditions:
- a. ~~That adequate parking is provided for the site when any new gross floor area is proposed and the~~ Maximum density does not exceed 25 dwelling units per acre.
  - b. For structures in existence prior to September 2009, maximum 25 dwelling units per acre density, except that the density can be increased to allow no more than four size conforming dwelling units.
  - c. All dwelling units shall be a least ~~1,000~~ 600 square feet of habitable area and no more than two bedrooms per unit.
  - d. Ground floor commercial uses shall constitute a minimum 50% of the floor area of the floor area of any floor above with the largest floor area.

§490-145 Planning and Development Regulations, Central Commercial District-2.

A. Permitted Uses

- (7) Dwelling apartment uses on floors above the street level floor, with the following conditions:
- e. ~~That adequate parking is provided for the site when any new gross floor area is proposed and the~~ Maximum density does not exceed 25 dwelling units per acre.
  - f. For structures in existence prior to September 2009, maximum 25 dwelling units per acre density, except that the density can be increased to allow no more than four size conforming dwelling units.
  - g. All dwelling units shall be a least ~~1,000~~ 600 square feet of habitable area and no more than two bedrooms per unit.
  - h. Ground floor commercial uses shall constitute a minimum 50% of the floor area of the floor area of any floor above with the largest floor area.

**SECTION 2:** A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

**SECTION 3:** Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Revised General Ordinances are ratified and remain in full force and effect.

**SECTION 4:** If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

**SECTION 5:** This Ordinance shall take effect immediately upon its passage and adoption according to law.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin					
Councilwoman Triggiano					
Councilman Ballard					
Councilman Yngstrom					
Councilman Zipprich					
Councilwoman Horgan					

Introduction: April 10, 2019  
Public Hearing/Adoption: April 24, 2019