

ORDINANCE NP2023-11

ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 490, PLANNING AND DEVELOPMENT REGULATIONS, RELATING TO THE HEIGHT REQUIREMENT IN THE WATERFRONT DEVELOPMENT ZONE

WHEREAS, the Borough's 1995 Master Plan, Land Use Plan recommends that the height limit for the Waterfront District to be compatible with the adjacent areas of the downtown and the mixed-use neighborhood; and

WHEREAS, the zones adjacent to the Waterfront Development height limit standards are 40-feet/4 Stories for the Central Commercial District-2 zone and 40-feet for uses other than single-family homes in the Business/Residential-1 Zone; and

WHEREAS, under the maximum height for the Waterfront Development zone ranges from 45-feet to 65-feet depending on the natural ground elevation of the site; and

WHEREAS, the following amendment to the Land Ordinance would allow a maximum height requirement based on the average grade for the zone;

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Red Bank that Chapter 90 of the Revised General Ordinance is hereby amended as follows (~~stricken text~~ indicated deletions, underlined text indicates additions):

§490-148 WD Waterfront Development District.

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E. Area, yard and structure requirements:

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6. Maximum structure height. The elevation of the highest point of any flat roof deck (parapet elevation to be used if parapets exceed 30 inches in height) or of the mean height level between the eaves and ridge for gable or hipped roofs or of the deckline for mansard roofs shall not exceed:

a. ~~Elevation of 75 feet (USC & GS datum, MSL=0)~~ 50 feet or five stories (as measured from average grade)

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F. Special Requirements:

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~~3. In order to encourage creative site design, provide for adequate light and air and mitigate wind impacts, upper levels of structures that are located on properties abutting or contiguous with the Navesink River and that exceed an elevation of 50 feet (USC & GS datum, MSL=0) shall be set back an additional five feet from the thirty five foot setback requirement provided in Subsection E(4)(c) of this section for each five feet of elevation above 50 feet; provided, however, that the upper level setback shall not exceed 90 feet.~~

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BE IT FURTHER ORDAINED, that 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.

BE IT FURTHER ORDAINED that any ordinances or portions thereof that 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.

BE IT FURTHER ORDAINED that if any provision of this Ordinance or application of such provision to any person or circumstances 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.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its passage and adoption according to law.

INTRODUCTION						COUNCILMEMBER	FINAL ADOPTION					
Moved	Sec.	Aye	Nay	Abs.	NP		Moved	Sec.	Aye	Nay	Abs.	NP
						KRISTINA BONATAKIS						
						DAVID CASSIDY						
						NANCY FACEY-BLACKWOOD						
						BEN FOREST						
						LAURA JANNONE						
						KATE TRIGGIANO						
						MAYOR WILLIAM PORTMAN						
Introduced: August 24, 2023						I hereby certify the above ordinance was adopted by the Borough Council of the Borough of Red Bank, County of Union, State of New Jersey on the aforementioned date.						
Final Adoption: September 14, 2023												
						_____ Laura Reinertsen, Borough Clerk						