

ORDINANCE NO. 2009-25

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING CHAPTER XXV,
PLANNING AND DEVELOPMENT REGULATIONS
SECTION 25-2.3, "DEFINITIONS"**

BE IT ORDAINED by the Governing Body of the Borough of Red Bank that Chapter XXV of the Revised General Ordinances of the Borough of Red Bank, Monmouth County, "Planning and Development Regulations" is hereby amended and supplemented as follows:

SECTION ONE: Section 25-2.3, "Definitions" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

25-2 DEFINITIONS.

[...]

25-2.3 Definitions. As used in this Chapter:

[...]

Open Space Unoccupied shall mean an unoccupied grassed wooded or landscaped area open to the sky on the same lot with a principal and/or accessory building. Improved sidewalks, paved paths, or other pedestrian ways within an unoccupied open space area, which exceeds four (4') feet in width shall be deducted in determining the unoccupied open space area. ~~In the CCBD, CBD, SBD-2 and MS zone districts, public passageways and plazas areas providing required ingress and egress and pedestrian spaces landscaped and containing amenities for the public such as street furniture or sculptural elements may provide up to fifty (50%) percent of the unoccupied open space requirement.~~ Parking area or traffic channelization islands which are not landscaped or which have an area of less than three hundred fifty (350) square feet shall not be considered as unoccupied open space. Riparian grants may provide up to twenty-five (25) percent of the unoccupied open space requirement.

[All other provisions remain unchanged...]

SECTION TWO: Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.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 THREE: 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 FOUR: This Ordinance shall take effect immediately upon its passage and adoption according to law.

First Reading: July 27, 2009

Final Reading: August 24, 2009