

ORDINANCE NO. 2009-34

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH,
NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER XXV,
PLANNING AND DEVELOPMENT REGULATIONS SECTION 25-10.9,
"REGULATIONS CONTROLLING THE NEIGHBORHOOD BUSINESS DISTRICT"
SECTION 25-10.15, "REGULATIONS CONTROLLING THE (P.O.) PROFESSIONAL OFFICE
ZONE DISTRICT" ELIMINATING LODGES, CLUBS AND FRATERNAL ORGANIZATIONS
AS PERMITTED USES IN THOSE TWO ZONE DISTRICTS**

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 25-10.9, "Regulations Controlling the Neighborhood Business District" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

25-10.9 Regulations Controlling Neighborhood Business District

- a. Permitted Uses.
 - 1. Professional office.
 - 2. Business office.
 - 3. Retail commercial not exceeding two thousand (2,000) square feet of ground floor area except the following are not permitted:
 - (a) Thrift stores secondhand stores pawn and consignment shops.
 - (b) Shops which offer for sale firearms and/or ammunition.
 - 4. Personal service establishments except:
 - (a) Massage establishments.
 - (b) Tattoo parlors and stores whose primary function is body piercing.
 - (c) Tarot, palm readers, psychics.
 - 5. Primary food service establishment.
 - 6. Fast food service establishment (pedestrian oriented).
 - 7. Primary liquor service establishment.
 - 8. Printing, publishing or bookbinding.
 - 9. Government offices including Federal, State, County or municipal buildings and grounds, but excluding schools.
 - ~~10. Lodges, clubs and fraternal organizations.~~
 - 11. Dwelling apartment uses on floors above the street level floor; provided, however, that there shall not be more than two (2) such dwelling apartments on each floor, or more than a total of four (4) such dwelling apartments in any building. Each dwelling apartment shall have a minimum of six hundred (600) square feet of habitable floor area, and shall have no more than two (2) bedrooms.
 - 12. Essential services.

[All other provisions remain unchanged...]

SECTION TWO: Section 25-10.15, "Regulations Controlling the (P.O.) Professional Office Zone District" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

25-10.15 Regulations Controlling (P.O.) Professional Office Zone District.

- a. Permitted Uses.
 - 1. Detached single family dwellings.
 - 2. Home professional offices.
 - 3. The following shall be considered permitted uses provided that the physical arrangement of the proposed use will not result in alteration of any existing buildings or property nor require any new construction which is not residential in character and appearance as provided in Subsection 25-5.20.
 - (a) At any location in the district:
 - (1) Professional offices.
 - (2) Professional office with apartments providing residential density of no greater than four (4) units per acre with a minimum of six hundred (600) square feet of habitable floor area for each apartment, except that for first floor apartments are a minimum of one thousand (1,000) square feet.

- (b) Only on properties in the zone district with frontage on Maple Avenue and Broad Street:
 - (1) Professional offices.
 - (2) Business offices.
 - (3) Banks trust companies and deposit institutions.
 - (4) Government offices including Federal, State, County or municipal buildings and grounds but excluding schools and facilities such as maintenance or storage yards.
 - (5) ~~Lodges clubs and fraternal organizations.~~
 - (6) Essential services.

[All other provisions remain unchanged...]

SECTION THREE: 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 FOUR: 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 FIVE: This Ordinance shall take effect immediately upon its passage and adoption according to law.

First Reading: July 27, 2009

Final Reading: August 24, 2009