

ORDINANCE NO. 2009-40

**ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING THE
CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS
SECTION 25-8.37, "GARAGES (INCLUDING VERTICAL PARKING GARAGES)"
SECTION 25-9.13, "COMMERCIAL PARKING FACILITIES"**

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 25-8.37, "Garages (Including Vertical Parking Garages)" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

25-8.37 Garages (Including Vertical Parking Garages).

- a. Design standards and general requirements:
 1. ~~No garage, parking structure or accessory building is permitted between a principal structure and a street.~~
 2. Commercial parking facilities or vertical parking garages, whether freestanding or attached to a principal structure, when allowed as a conditional or permitted accessory use, shall conform to bulk requirements for principal structures, except as provided herein.
 3. Vertical parking garages shall not exceed a height of forty-five (45') feet or the maximum height permitted in the zone district, whichever is less. ~~In no event shall there be more than five (5) parking levels.~~
 4. Individual single-story garages, whether attached or detached, shall be arranged to open to the interior or rear of a lot, except fully detached garages, located entirely in the rear of any principal building.
 5. Attached single-story garages shall have a capacity of not more than ten (10) vehicles arranged in a row, ~~and there shall be a minimum distance of twenty-five (25') feet between such structures.~~
 6. The architectural design and materials used in the construction of garages shall conform to the design and building materials used in the construction of the main structures. When the parking facility is the primary structure, it shall be compatible with the established architecture and development patterns in the area.
 7. No part of any garage or other accessory building shall be used for living purposes.
 8. Roofs of garages may be landscaped and utilized for open space and recreation uses such as, but not limited to, tennis courts. Fifty (50%) percent of such areas may be utilized to meet minimum unoccupied open space requirements.
 9. Any garage used or operated as part of a commercial parking facility shall conform to the applicable provisions of Subsection 25-9.13 for Commercial Parking Facilities.
 10. All garages and parking facilities shall have adequate security provisions and vandal resistant lighting with a minimum lighting level of 0.5 horizontal foot candles throughout the parking area.
 11. Only passenger vehicles, small vans, pick-up trucks, and similar vehicles, whether such carry passengers or commercial plates, may be parked in any parking space for more than thirty (30) days extended periods. Construction equipment, dump trucks, and other similar equipment. are not permitted.
 12. Garages and Commercial parking facilities areas shall be used as automobile parking units only, with no vehicle sales, dead storage, dismantling or servicing of any kind permitted.
 13. Retail or other mixed uses incorporated as part of a vertical parking garage shall be reviewed under the bulk requirements for vertical parking garage as described herein.
- b. Aisle and space dimensions for underground and vertical parking garages shall

conform to Subsection 25-8.21, except for the following:

- 1. Minimum one-way aisle width – twenty-two (22') feet.
- 2. Minimum one-way aisle width according to the following (ninety 90°) degree bays and one-way aisles are discouraged.

Parking on Right & Left Side of Aisle	None	90 Bays	60-90 Bays	40-90 Bays	Parallel Bays
None	12'	22'	18'	16'	16'
90 Bays	22'	22'	22'	22'	24'
60-90 Bays	18'	22'	20'	20'	20'
40-90 Bays	16'	22'	20'	16'	18'
Parallel Bays	16'	24'	20'	18'	16'

- 3. Minimum parking space size.
 - (a) Controlled low turnover spaces (including commuter spaces, single user employee parking and similar uses) – 8' x 17.5' or 8' x 16.5' with curb overhang.
 - (b) All other – 9' x 18' or 9' x 17' with curb overhang.
 - (c) All parallel parking spaces – 9' x 22'.
 - 4. Minimum compact parking space size – 7'4" x 16'
 - 5. Maximum number of compacts spaces – 33-1/3% of Total.
- c. Underground garages shall be considered accessory structures and shall comply with bulk requirements for the zone. Underground garages shall be equipped with the following:
- 1. Fire fighting devices. Garages located under a principal or accessory building shall also have an automatic fire alarm system.
 - 2. Mechanical or other ventilation equipment adequate to prevent the accumulation of carbon monoxide or exhaust fumes. Gas accumulation may not exceed in excess of one part in ten thousand (10,000) (one-hundredth (0.01%) percent) or the concentration of gasoline vapors in excess of twenty (20%) percent of the lower explosive limit. Building or health code limits that reduce this threshold shall prevail.
 - 3. Garages located under a principal or accessory building shall have an automatic fire alarm system and a ceiling or protected construction of not less than one and one-half (1 ½) hour fire resistance.
 - 4. Backup power shall be provided for minimum lighting and to allow for safe egress.
 - 5. Handicap accessible parking stalls shall be provided in accordance with ADA accessibility guidelines.
- d. Vertical parking garages shall comply with the following:
- 1. Fire fighting devices and automatic fire alarm systems shall be provide.
 - 2. Backup power shall be provided for minimum lighting and to allow for safe egress.
 - 3. All designs for a vertical parking garage will provide an outward orientation which is physically and visually integrated with existing development in the area and which is compatible with established architecture and development patterns.
 - 4. Handicap accessible parking stalls shall be provided in accordance with ADA accessibility guidelines.
 - 5. Bulk or size requirements:
 - (a) Minimum lot area—20,000 square feet
 - (b) Minimum lot frontage—100 feet
 - 6. Minimum setbacks:
 - (a) Sixty (60') feet from the centerline of any street.
 - (b) Twenty-five (25') feet from any property line.
 - (c) Fifty (50') feet from any residential use on any adjacent property.
 - (d) One hundred (100') feet from any residential zone district property.
 - 7. Maximum lot coverage – The combination of principal and accessory structures shall not exceed the zone requirements.
- e. Special Requirements:

1. All applications for a vertical parking garage on properties abutting or clearly visible from the Navesink River shall include maximum feasible design precautions which will minimize visibility of parking from the river. At a minimum, the precautions will achieve visibility of no more than two (2) levels on thirty (30%) percent of the perimeter visible from the river and visibility of no more than one (1) level on sixty (60%) percent of the perimeter visible from the river.
- f. Bonus Provisions.
1. In an effort to augment the development capacity of available sites by providing sufficient on-site parking to service the facility without the need or use of public parking, which would benefit the Borough and its residents as well as the users of the development, additional gross floor area shall be permitted as a bonus in accordance with this section.
 - (a) For above finished grade vertical parking garages, a bonus FAR equal of 1.0 shall be permitted.
 - (b) For below finished grade vertical parking garages, a bonus FAR equal to 2.0 shall be permitted.
 - (c) The bonus provisions above can be combined when a vertical parking garage is constructed above and below finished grade.
 - (d) The bonus provisions provided under this section are to be used for the vertical parking garage only. The FAR for the principal use shall remain that as permitted in the zone.

[All other provisions remain unchanged...]

SECTION TWO: Section 25-9.13, "Commercial Parking Facilities" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

25-9.13 Commercial Parking Facilities. Commercial parking facilities include self-park and attendant parking surfaces, structures or garage facilities, whether underground or vertical; where a fee or charge is required for its use. No commercial parking facility shall be considered as a means of providing off-street parking.

- a. All commercial parking facilities shall provide parking for a minimum of twenty (20) vehicles.
- b. Self-park commercial parking facilities shall provide parking stalls and aisles of a size consistent with the design standards under Subsection 25-8.21 of this Chapter. Vertical parking garages shall also comply with provisions of 25-8.37 of this Chapter.
- c. Attendant parking ~~commercial parking facilities that may utilize parking stalls eight and one-half (8 1/2') feet in width by seventeen (17') feet in length and may provide for the stacking of automobiles provided that it is not necessary to move more than two (2) automobiles to gain access to another automobile.~~
- d. Commercial parking facilities shall be screened from adjacent residential uses or residential zones in accordance with the provisions of Subsection 25-8.4b of this Chapter.
- e. ~~Attendant parking~~ Commercial parking facilities shall provide an accessory building with sanitary facilities or alternative plans for sanitary facilities shall be submitted in writing for approval.
- f. All commercial parking facilities shall provide a sign visible to the operator of an automobile entering the site which sign shall include the following:
 1. Parking Rates;
 2. Hours of Operation; and
 3. Owner's and Operator's Name, Address and Telephone Number.
- g. Surface parking ~~Parking garage~~ facilities shall meet all area, yard and structure coverage, setback and height requirements for principal structures buildings in the particular zone, except that vertical parking garages that shall conform to the following:
 1. Minimum lot area- 20,000 square feet;
 2. Twenty-five (25') feet from any property line;

3. Fifty feet from any residential use on any adjacent property;
 4. One hundred feet from any residential zone district property;
 5. Minimum Unoccupied Open Space- twenty (20%) percent.
 6. Maximum height- Forty-Five (45') feet or the maximum height permitted, whichever is less.
 7. All applications for a vertical parking garage on properties abutting or clearly visible from the Navesink River shall include maximum feasible design precautions which will minimize visibility of parking from the river. As a minimum, the precautions will achieve visibility of no more than two (2) levels on thirty (30%) percent of the perimeter visible from the river and visibility of no more than one (1) level on sixty (60%) percent of the perimeter visible from the river.
- h. There shall be no direct access to a single story parking garage facility from the street. All vehicular access to the garage structure(s) shall be from the side yard, rear yard or lot interior.
- i. All Commercial parking facilities shall have artificial lighting that will provide a minimum lighting level of 0.5 horizontal foot candles throughout the parking areas and access drives. Shielding shall be required where necessary to prevent glare upon adjacent properties or streets.
- j. Minimum Unoccupied Open Space- twenty (20%) percent.
- k. Signs shall be permitted as specified for the zone in which the use is proposed.
- l. The architectural design and materials used in construction of commercial parking facilities shall be compatible with established architecture and development patterns in the area. When the parking facility is an accessory structure, it shall conform to the design and building materials used in the construction of the main structures.

[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: August 24, 2009

Final Reading: September 28, 2009