

**ORDINANCE NO. 2017-31**

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, STATE OF NEW JERSEY APPROVING NEW ZONING MAP AND AMENDING CHAPTER 490: "PLANNING AND DEVELOPMENT REGULATIONS" TO INCLUDE NEW ZONING MAP**

Councilman Whelan offered the following ordinance and moved its adoption:

**WHEREAS**, the Borough Engineer of the Borough of Red Bank (the "Borough") has prepared a new Zoning Map to include certain redevelopment and housing overlay areas that have been approved since the Borough's Zoning Map was last revised February 4, 2010;

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Red Bank, County of Monmouth, State of New Jersey, as follows:

1. That the Governing Body hereby approves the new Zoning Map prepared by Laura Neumann, P.E., P.P., CME Municipal & Consulting Engineers, and last revised on [INSERT DATE].
2. That Chapter 490: "Planning and Development Regulations" of the Borough's Revised General Ordinances is hereby amended as follows (~~stricken text~~ indicates deletions, underlined text indicates additions):

**§ 490-143 Zoning Map; interpretation of district boundaries.**

A. Official Zoning Map.

- (1) The locations and boundaries of the zoning districts of the Borough are hereby established as shown on the Official Zoning Map of the Borough of Red Bank, New Jersey, which is attached hereto and is hereby made a part of this chapter, together with all notations, references and designations shown thereon. This map was prepared by Laura Neumann, P.E., P.P., CME Consulting & Municipal Engineers, and last revised August 29, 2017 ~~Christine Ballard, P.E., P.P., T&M Consulting Engineers, and last revised February 4, 2010.~~ This map replaces the map prepared by ~~Richard A. Kosenski, P.E., P.P., last revised July 1999~~ Christine Ballard, P.E., P.P., T&M Consulting Engineers, last revised February 4, 2010.
- (2) Authentication of Official Zoning Map. Subsequent to the adoption of this chapter, the original copy of the Official Zoning Map shall be authenticated by the Mayor's signature, and the Seal of the municipality, attested by the Borough Clerk, under the following certificate:  
  
"I certify that this is the Official Zoning Map of the Borough of Red Bank, New Jersey, referred to in the Code of the Borough of Red Bank, New Jersey."
- (3) Maintenance of the Official Zoning Map. Said original copy of the Official Zoning Map shall be maintained in the office of the Borough Clerk and shall be made available for public reference. Copies of all or a part of the Official Zoning Map may be reproduced for public distribution. However, the original copy of the Official Zoning Map maintained in the office of the Borough Clerk shall be the final authority as to the current status of zoning districts in the Borough of Red Bank.
- (4) Changes to the Official Zoning Map.
  - (a) When, in accordance with the provisions of this chapter and of state Law, changes are made in district boundaries or other matters portrayed in the Official Zoning Map, such changes will not become effective until the Official Zoning Map has been amended, with an entry bearing ~~the following~~ an additional notation explaining the most recent change thereto, such as:  
  
"On June 9, 2009, by Ordinance No. 2009-19, and on September 28, 2009, by Ordinance No. 2009-39, the governing body made the following changes in the Official Zoning Map: Addition of the Washington Street Historic District and addition of the Train Station Overlay Zone."
  - (b) Each such entry shall be signed by the Mayor and attested by the Borough Clerk. Each ordinance amending the Official Zoning Map

in any manner shall include the provision that it shall not take effect until the Official Zoning Map has been amended in accordance with these provisions.

- (c) No changes of any nature shall be made to the Official Zoning Map except in conformity with the above procedure. Any unauthorized changes to the map or its contents by any person or persons shall be considered a violation of this chapter.

**BE IT FURTHER ORDAINED** that a copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies for their review and comment pursuant to applicable New Jersey Statutes.

**BE IT FURTHER ORDAINED** that 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.

**BE IT FURTHER ORDAINED** that, 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.

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

Seconded by Councilman Yngstrom and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Yngstrom	( x )	( )	( )	( )
Councilman Zipprich	( x )	( )	( )	( )
Councilwoman Horgan	( x )	( )	( )	( )
Councilwoman Schwabenbauer	( x )	( )	( )	( )
Councilman Taylor	( x )	( )	( )	( )
Councilman Whelan	( x )	( )	( )	( )

Dated: October 11, 2017