

**ORDINANCE NO. 2012-15**

**AN ORDINANCE AMENDING THE BOROUGH OF RED BANK'S ZONING MAP TO RE-CLASSIFY THE RESIDENTIAL PROPERTIES LOCATED ON RECTOR PLACE FROM THE WD WATERFRONT DEVELOPMENT DISTRICT TO THE R-B2 RESIDENTIAL ZONE DISTRICT**

Mr. DuPont offered the following ordinance and moved its adoption on final reading:

**WHEREAS**, 2009 Re-Examination and Report of the Master Plan and Development Regulations of the Borough of Red Bank included a recommendation to "Limit the permitted uses along Rector Place in the WD Zone to detached single-family dwellings."; and

**WHEREAS**, the Governing Body of the Borough of Red Bank implemented the above planning recommendation with the adoption of Ordinance 2009-35, which revised the permitted uses of the Waterfront Development ("WD") District to allow: "For properties fronting on Rector Place, detached single-family dwellings."; and

**WHEREAS**, in an effort to clarify those properties that were intended to be included in the Rector Place Residential Zone, the Governing Body of the Borough of Red Bank adopted Ordinance 2011-19,"Ordinance of the Borough of Red Bank, County of Monmouth, New Jersey Amending and Supplementing Chapter XXV, Planning and Development Regulations Section 25-10.16, 'Use Regulations Controlling the Waterfront Development District' For Purpose of Clarifying Those Properties to Be Included Within the Rector Place Residential Zone."; and

**WHEREAS**, the WD District has been the subject of three recent interpretation requests to the Borough's Zoning Board of Adjustment ("ZBA"); and

**WHEREAS**, the ZBA has recommended that the Governing Body clarify the zoning issues raised by the interpretation requests; and

**WHEREAS**, the Borough's Planner has prepared a report dated June 21, 2012 for the Governing Body with Planning and Zoning Recommendations for revisions to the WD District, including the proposed amendment to the Zoning Map, which report is incorporated herein by reference; and

**WHEREAS**, the properties affected by this re-zoning Ordinance have been recommended to be changed to reflect more appropriate uses in acknowledgment of their present use; and

**WHEREAS**, the proposed change in zoning has been recommended by the Borough's Planner; and

**WHEREAS**, the proposed change is consistent with the intent of the Borough's 2009 Master Plan Re-Examination Report; and

**WHEREAS**, this change is made for zoning and planning purposes as described in relevant New Jersey Statutes; and for good cause shown

**IT IS HEREBY ORDAINED** by the Mayor and Council of the Borough of Red Bank, County of Monmouth, and State of New Jersey as follows:

**Section One:** The Zoning Map of the Borough of Red Bank is hereby amended to include the following lots within the R-B2 Residential Zone District:

Block 1, Lot 2;

Block 1, Lot 3;

Block 1, Block 4;

Block 1, Lot 4.01;

Block 1, Lot 5;

Block 1, Lot 5.01;

Block 1, Lot 6;

Block 1, Lot 7;

Block 1, Lot 8;

Block 1, Lot 9;

Block 1, Lot 10;

Block 1, Lot 10.01;

Block 1, Lot 11;

Block 1, Lot 12;

Block 1, Lot 13;

Block 1, Lot 14.

**Section Two:** The foregoing amendment to the Borough’s Zoning Map is hereby adopted and a copy of the amended map is on file with the Borough Clerk and is available for inspection.

**Section Three:** Chapter XXV of the Revised General Ordinances of the Borough of Red Bank, “Planning and Development Regulations”, Subsection 25-10.16(a) (1) (2), "Use Regulations Controlling the Waterfront Development District" is hereby amended to reflect the fact that the properties referenced in Section I above have been removed from the WD District, and are now included within the R-B2 District.

**Section Four:** All other parts of the Planning and Development Regulations of the Borough of Red Bank shall remain in full force and effect, and unchanged unless specifically amended by the terms of this Ordinance.

**Section Five:** A copy of this Ordinance shall be mailed by certified mail in accordance with applicable Statutes to all property owners in the affected area and within 200 feet of the affected area.

**Section Six:** 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.

**Section Seven:** This Ordinance shall become effective immediately upon passage and publication in accordance with law.

Seconded by Mr. Murphy and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	( x )	( )	( )	( )
Mr. Zipprich	( )	( )	( )	( x )
Mr. DuPont	( x )	( )	( )	( )
Ms. Horgan	( x )	( )	( )	( )
Ms. Lee	( )	( )	( )	( x )
Mr. Murphy	( x )	( )	( )	( )

Dated: July 25, 2012

I hereby certify this to be a true copy of Ordinance No. 2012-15 which was adopted on July 25, 2012.

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Municipal Clerk