

ORDINANCE NO. 2010-22

ORDINANCE OF THE BOROUGH OF RED BANK,
COUNTY OF MONMOUTH, NEW JERSEY
AMENDING AND SUPPLEMENTING THE
CHAPTER XXV, PLANNING AND DEVELOPMENT REGULATIONS
SECTION 25-5.32, "TRAIN STATION DESIGN DISTRICT REGULATIONS"
SECTION 10.14, "REGULATIONS CONTROLLING BUSINESS RESIDENTIAL-1 DISTRICT"
SECTION 10.19, "REGULATIONS CONTROLLING BUSINESS RESIDENTIAL-2 DISTRICT"
SECTION 10.22, "REGULATIONS CONTROLLING THE TRAIN STATION OVERLAY
DISTRICT"

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: Subsection 25-5.32, "Train Station Design District Regulations" is hereby amended and supplemented as follows (*strikeouts denote deletions, underlined text denote additions*):

25-5.32 Design District 2 Regulations.

- a. *Target area.* These standards and guidelines shall apply to properties located within the TS, BR-1 and BR-2 Zones west of Maple Avenue and north of Chestnut Street.
- b. *Applicability.* All applications for minor site plan approval or major site plan approval ~~permitted uses~~ within the underlying zone are subject to these regulations. Single Family and Two-Family Dwellings are exempt from these regulations.
- c. *Purpose.* To encourage desirable development in areas of the Borough which possess unique cultural and historical character and to further enhance, promote and expand the identity and environment of such areas to be modified or erected and/or sites to be improved. To revitalize and enhance the economic vitality and encourage creative development. To provide visual amenities, and to reinforce a sense of center through improvements of unoccupied open space which allow residents, shoppers, commuters and employees to congregate in a visually appealing space through the use of public art. To provide for safe and efficient flow of pedestrian and vehicular traffic, emphasizing a pedestrian and bicycle friendly environment. To encourage green construction standards which help negate the impact of said projects.
- d. *Design Standards.*

1. Historic and Architectural Guidelines ~~Characteristics~~. All applicants are encouraged to follow these guidelines for the design, alteration, or expansion of buildings.

(a) Building should be made to be similar to that of buildings in the early 20th Century and compatible in character, color and one or more of the following materials:

- (1) Brick and mortar or painted brick
- (2) Wood, Wood Clapboard, and/or Cedar Shake Shingles
- (3) Stone including Limestone and Granite
- (4) Steel, Cast Aluminum and materials that resemble Cast Iron
- (5) Non-permitted materials include: aluminum vinyl siding, brick face, stucco and fake stucco, glazed tile, glass except in windows, and concrete block.

(b) Signs or awnings shall comply with Ordinance requirements set forth under Subsection 25-8.27. ~~Signs shall be approved by a sub-committee of~~

~~the Planning Board.~~

(c) External building lighting mounted on façade should ~~shall~~ be gooseneck type with a single fixture point. Approval shall be made by a sub-committee of the Planning Board.

(d) Public entrances from the rear of a building should ~~shall~~ be clearly labeled with adequate signage.

(e) Upper level balconies running flush with the exterior, as an extension of the interior living space and not merely an extension of the window are encouraged.

(f) Colors should ~~shall~~ be in accordance with selected historical colors from Federal Standard 595 or by selection of Benjamin Moore historical colors or equal.

(g) Architectural styles should be made to recognize the significance of the railway district which was built primarily during the early 20th Century. These structures should have solid, traditional building materials honoring Grand structures from the industrial era such as the Eisner factory, the Anderson Building, and the Armory. For smaller developments, traditional townhouse structures with simple designs of residential buildings such as those found on Oakland Street and Rector Place are appropriate. The architecture should recognize simple, unadorned style consisting of walking neighborhoods.

(h) Exterior Alterations or Renovations should be made to be more conforming to the aforementioned standards. When appropriate, restoration and/or repair rather than replacement of deteriorated architectural features is preferred. Alterations or renovations which are arbitrary and seem to create the appearance of an architectural period not appropriate to the district are discouraged.

2. Unoccupied Open Space. The minimum unoccupied open space shall be 15% or whatever is greater in the underlying zone. This percentage of the site which is arranged, finished and intended to be used and is usable by the general public, including plazas, widened sidewalks, seating areas, mini-parks and similar facilities shall be included as Unoccupied Open Space. Parking Lots shall not be included in this percentage.

(a) Unoccupied open space within this design district may include the following:

(1) Plazas, gardens or pocket parks which promote public areas.

(2) Outdoor seating in the form of café seating or benches made available to the public. Any seating areas restricted for a specific use selling prepared food shall be considered an extension of that use and reviewed accordingly.

(3) Lighting both decorative and site lighting.

(4) Landscaping, planters and public art.

(b) Unoccupied open space for projects which require major site plan approval are encouraged to ~~shall~~ include the following:

(1) Public art in the form of sculptures, fountains, paintings, murals and/or landscaping should ~~shall~~ be incorporated into the layout of unoccupied open space. Blank walls may be painted so long as the image is not advertisement. Public Art may ~~shall~~ be selected from the list of artists pre-approved by the Monmouth County Council for the Arts or may be otherwise proposed by the applicant and determined to be appropriate by the approving Board. Final approval of artwork approved pursuant to site plan approval shall be made by the approving Board. All artwork shall be retained on the subject property and displayed in accordance with the approved site plan. ~~however,~~ The arrangement and placement of artwork should ~~must~~ be such that it is made available to

the public.

(2)Public access to unoccupied open space is encouraged and may be required if increased density or FAR is sought.

(c)Properties applying for bonuses of height, density and parking relief under the TS Overlay Zone shall be required to provide public access to unoccupied open space.

~~(1)The cost of improvements to unoccupied open space shall be a minimum of one (1) percent of the overall project construction cost. The cost shall be based on pre-construction estimates available and as approved by the Engineer.~~

e. *Sustainability*

1. It is a request by the Governing Body of the Borough of Red Bank that future development and redevelopment mitigate impacts on our resources through use of sustainable objectives such as the following:
 - a.Building re-use and reuse of original materials through refurbishment
 - b.LED site lighting for energy savings or lighting modifications to reduce light pollution by use of shields for cutoff
 - c.Solar or other alternative energy sources
 - d.Rain gardens for commercial rainwater collection should be aimed to supply 50 percent of landscaping irrigation
 - e.Roof top gardens or vegetative roofs with growing media and plants taking the place of bare membrane, gravel ballast, shingles or tiles
 - f.Low water usage fixtures

~~**SECTION TWO:** Subsection 25-10.14.d, Subsection 25-10.19.e, and Subsection 25-10.22.f, "Special Requirements" is hereby established as follows (*This section consists of entirely new material, therefore use of underlined text is omitted for ease of reading*):~~

~~Special Requirements.~~

1. ~~Prior to determining an application for development on any property in the Train Station Design District, the Administrative Officer shall make a positive finding that the development complies with the provisions of Subsection 25-5.32, Train Station Design District Regulations. In making this determination the Administrative Officer may consult with the Borough Engineer and the Planning Board Site Plan Committee. If the Administrative Officer cannot make such a positive finding, the applicant shall be directed to apply for a variance pursuant to Subsection 25-3.1(j)(9).~~

~~**SECTION TWO THREE:**~~ Any ordinance 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 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 FOUR FIVE:**~~ This Ordinance shall take effect immediately upon the amendment of Official Zoning Map of the Borough of Red Bank in accordance with §25-10.1(4) of the Revised General Ordinances of the Borough of Red Bank and its filing with the Monmouth County Planning Board.