

**BOROUGH OF RED BANK**  
**COUNTY OF MONMOUTH**  
**ORDINANCE NO. 2017-13**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 490, PLANNING AND DEVELOPMENT REGULATIONS, RELATING TO PARKING CONTRIBUTIONS**

Councilman Whelan offered the following ordinance and moved its adoption:

**WHEREAS**, on October 25, 2010 the Governing Body of the Borough of Red Bank adopted Ordinance 2010-36 to temporarily suspend the Parking Deficiency Schedules in the Borough's Planning and Development Regulations; and

**WHEREAS**, the Governing Body has extended the temporary suspension of the Parking Deficiency Schedules in the Borough's Planning and Development Regulations by Resolution every year since the adoption of Ordinance 2010-36; and

**WHEREAS**, the Governing Body finds that the regulations requiring contributions to the Parking Utility Capital Improvement Fund when a parking deficiency exists, while having promoted the development of much needed parking facilities within the Borough, have been impeding development of such residential and commercial space, as well as general business development within the Borough; and

**WHEREAS**, the Governing Body finds that the economic conditions that led to the adoption of Ordinance 2010-36 continue to exist and will continue to exist for the foreseeable future; and

**WHEREAS**, the Governing Body finds that permanently eliminating those required contributions will have a beneficial effect upon and stimulate business development within the Borough;

**NOW THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Red Bank that Chapter 490 of the Revised General Ordinances of the Borough of Red Bank, Monmouth County is hereby amended as follows:

1. Borough Code § 490-98(P)(7) is hereby deleted in its entirety.
2. Borough Code § 490-142(B)(1) is hereby amended as follows:

*Off-street parking, subject to the provisions of § 490-98 of this chapter, except that in applications for nonresidential changes of occupancy between retail, personal service, business or professional offices, where there is no new gross floor area proposed and the proposed change results in a deficiency of less than five parking spaces, and no other variances or design waivers are required, then no variance shall be required for the parking space deficiency, and the administrative officer may grant administrative approval, provided the applicant pays all applicable contributions to the Municipal Parking Utility Capital Improvement Fund in accordance with the applicable Parking Deficiency Schedule.*

3. Borough Code § 490-143(B)(4) is hereby deleted in its entirety.
4. Borough Code § 490-144(B)(4) is hereby deleted in its entirety.
5. Borough Code § 490-145(B)(4) is hereby deleted in its entirety.
6. Borough Code § 490-146(B)(4) is hereby deleted in its entirety.
7. Borough Code § 490-147(B)(4) is hereby deleted in its entirety.
8. Borough Code § 490-148(B)(4) is hereby deleted in its entirety.
9. Borough Code § 490-149(B)(4) is hereby deleted in its entirety.
10. Borough Code § 490-150(B)(4) is hereby deleted in its entirety.
11. Borough Code § 490-151(B)(4) is hereby deleted in its entirety.

**12.** Borough Code § 490-154(D)(3) is hereby deleted in its entirety.

**BE IT FURTHER ORDAINED** that 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.

**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 Ziprich	( X )	( )	( )	( )
Councilwoman Horgan	( X )	( )	( )	( )
Councilwoman Schwabenbauer	( X )	( )	( )	( )
Councilman Taylor	( X )	( )	( )	( )
Councilman Whelan	( X )	( )	( )	( )

First Reading/Introduction: March 22, 2017

Second Reading/Public Hearing/Adoption: April 12, 2017

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Pamela Borghi, Municipal Clerk

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Pasquale Menna, Mayor