

§ 490-146 BR-1 Business/Residential-1 District.

[Amended by Ord. No. 1998-33; Ord. No. 2000-35; Ord. No. 2003-26; Ord. No. 2005-9]

A. Permitted uses:

- (1) Detached single-family dwellings.
- (2) Dwelling uses on floors above street level where each dwelling has a minimum of 1,000 square feet of habitable floor area and no more than two bedrooms at a maximum density of 16 units per acre, except that the permitted maximum density may be increased to allow up to four residential units per site when the rate of 16 units per acre results in less than four units.
[Amended 10-12-2009 by Ord. No. 2009-37]
- (3) Multifamily dwellings, known as "garden apartments" or "apartment houses," at a density not to exceed 16 units per gross acre; or townhouses at a density not to exceed 14 units per gross acre, subject to § 490-96 of this chapter.
[Amended 10-12-2009 by Ord. No. 2009-37]
- (4) Professional offices and home professional offices.
- (5) Business offices.
- (6) Retail commercial, except:
 - (a) Large food stores exceeding 8,000 square feet, commonly called "supermarkets."
 - (b) Shops which offer for sale firearms and/or ammunition.
- (7) Personal service establishments, except:
[Amended 10-12-2009 by Ord. No. 2009-37]
 - (a) Massage services.
 - (b) Tattoo services and stores whose primary function is body piercing.
- (8) Art studios and galleries.
- (9) Banks, trust companies and deposit institutions.
- (10) Primary food-service establishments.
- (11) Primary liquor-service establishments.
- (12) Motor vehicle diagnostic and service facilities.
- (13) Hotel and motel.
- (14) Theaters.
- (15) Mortuary and funeral homes.
- (16) Lodges, clubs and fraternal organizations.

- (17) Government offices, including federal, state, county or municipal buildings and grounds, but excluding schools and facilities such as maintenance or storage yards.
- (18) Essential services.

B. Required accessory uses:

- (1) Off-street parking, subject to the provisions of § 490-98, 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, and provided further that this requirement may be met as set forth in Subsection B(3)(d) below.

[Amended 4-12-2010 by Ord. No. 2010-15]

- (2) Off-street loading, subject to the provisions of § 490-97, provided that no more than one off-street loading space shall be required, and provided further that this requirement may be met as set forth in Subsection B(3)(d) below.

[Amended 4-12-2010 by Ord. No. 2010-15]

- (3) Off-street parking and off-street loading requirements may be met by:

[Amended 4-12-2010 by Ord. No. 2010-15]

- (a) Providing the required spaces on site.
- (b) Providing the required spaces on other properties owned by or under the control of the developer located within a zone which permits the proposed uses either contiguous with or within 500 feet walking distance of a primary pedestrian entrance to the site being developed.
- (c) Providing evidence that a specific agreement exists with the Red Bank Borough Municipal Parking Utility which provides for the developer to lease sufficient spaces from the Parking Utility.
- (d) A combination of Subsection B(3)(a), (b) and (c) acceptable to the municipal agency.^[1]

[1] *Editor's Note: Former Subsection B(4), regarding contribution to the Red Bank Borough Municipal Parking Utility Capital Improvement Fund, which immediately followed this subsection, was repealed 4-12-2017 by Ord. No. 2017-13.*

C. Permitted accessory uses:

- (1) Fences and hedges, subject to the provisions of § 490-91 of this chapter.
- (2) Private garage space for the storage of motor vehicles, provided that the garage, whether attached or detached, shall be arranged to open to the side or rear of the lot, unless detached and located entirely to the rear of the principal structure.
- (3) Signs, subject to the provisions of § 490-104 of this chapter, as follows:
 - (a) For multifamily dwellings: minor and Type A signs and one Type G3 or G4 sign.
 - (b) For all other permitted uses:

[1] Minor and Type A and B signs.

[2] Types G3 and G4.

[3] Type W2 or W3.

[4] One Type R2 or Type R3 per public entrance.

[5] One Type P1.

(4) Off-street loading within enclosed storage structures.

(5) Other customary residential accessory uses and buildings, subject to § ~~490-35~~ of this chapter, provided such uses are incidental to the principal use and do not include any activity commonly conducted as a business.

Any such accessory building or use shall be located at the same lot as the principal structure.^[2]

[2] *Editor's Note: Original § 25-10.14c6, regarding personal earth terminals, which immediately followed this subsection, was repealed 10-12-2009 by Ord. No. 2009-37.*

(6) Commercial parking facilities.

[Added 10-12-2009 by Ord. No. 2009-37]