

ORDINANCE NO. 2019-60

**ORDINANCE OF THE BOROUGH OF RED BANK, COUNTY OF MONMOUTH, NEW JERSEY  
AMENDING AND SUPPLEMENTING CHAPTER 490, PLANNING AND DEVELOPMENT  
REGULATIONS, RELATING TO MOTOR VEHICLE SERVICE STATIONS IN THE HB ZONE**

**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 and supplemented as follows:

**SECTION 1.** §490 Planning and Development Regulations, be amend as follows:

490-6 Definitions be amended as follows:

**MOTOR VEHICLE SERVICE STATION**—Any area of land, including structures thereon, which is used for the retail sale of gasoline or any other motor vehicle fuel and oil and other lubricating substances, including any sale of motor vehicle accessories, and which may include facilities for lubricating, washing or servicing of motor vehicles, except that auto body work of any nature and the sale of new or used retail sales unrelated to motor vehicles shall be prohibited.

490-122 relating to Conditional use requirements for Motor Vehicle service stations—Delete

490-143A. add new section (18) as a permitted use.

(18) Motor vehicle service stations. May be in combination with retail commercial uses, fast food service establishments and/or motor vehicle washing facilities. In aggregate, the retail commercial uses, food service establishments and motor vehicle washing facilities must be under 3,000 in gross square footage for them to be permitted uses. Motor vehicle service stations shall be subject to the following additional requirements.

- (a) Minimum 25' fueling equipment setback from all lot lines.
- (b) All fuel tanks to be underground.
- (c) No outside display or storage of accessory goods such as water, oil and anti-freeze.
- (d) Generators required that can service the entire site in the event of a power outage.
- (e) At least one electric vehicle charging station shall be provided.
- (f) No drive up facilities are permitted for fast food service establishment or non-service station retail establishments.

490-143 D(2) relating to Motor Vehicle Service Stations as a conditional use—Delete.

**SECTION 2:** 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 3:** 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.

**SECTION 4:** 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 5:** This Ordinance shall take effect immediately upon its passage and adoption according to law.

	Motion	Yes	No	Abstain	Absent
Councilman Yassin	Motion	X			
Councilwoman Triggiano		X			
Councilman Ballard		X			
Councilman Yngstrom	Second	X			
Councilman Zipprich		X			
Councilwoman Horgan		X			

Introduction: September 11, 2019

Public Hearing/Adoption: September 25, 2019

I hereby certify the above to be a true copy.

Pamela Borghi

Pamela Borghi, Municipal Clerk