

Borough of Little Silver

Settled 1667

Incorporated 1923



New Businesses Use and Occupancy

A **Development Permit** (zoning review) **is required** from the Planning and Zoning Department for all new businesses and tenants to a commercial space or building.

Once zoning approval for the use and occupancy has been obtained A **Certificate of Occupancy** is required and must be applied for through the Fire Marshal at Borough of Red Bank, 90 Monmouth Street, Red Bank, New Jersey 07701 (732) 530-2760.

For Zoning Approval:

The person/business to occupy the space must complete the Application for Development Permit and Authorization which must be notarized. A detail description of the proposed use, number of employees, hours of operation, number of parking spaces provided in the lot, location and size of the storefront or office suite and layout for same if existing and "to scale" plans for any renovation work.

FOR ALL NEW USES A SITE PLAN WILL BE REQUIRED

Submit: Development Permit application, detailed description of proposed use and four (4) sets of plans (including site plan) with the required fee.

A \$100 fee is required if the business/tenant's use remains the same; a \$300 fee; two checks \$50 and \$250 is required for all new uses. Fees are made payable to the "Borough of Little Silver" and are non-refundable.

PLEASE BE AWARE that zoning approval or use and occupancy does **NOT** include approval for any signs you may wish to install. All signs must be applied for, approved by the Zoning Officer and scheduled for a Planning Board hearing. **Separate applications are required for all signs.**

After Zoning Approval:

You must obtain a Certificate of Occupancy from the Fire Marshal at 732-530-2760, and if needed, a Building Permit, from the Construction Official of the Borough of Rumson 80 East River Road Rumson, New Jersey 732-842-3022

Final Inspection **is required** by the Building Inspector. To schedule final inspections, please call 732-842-3022. ******Failure to schedule an inspection may result in Code Enforcement Action**

Department of Planning & Zoning

APPLICATION FOR DEVELOPMENT PERMIT

DPA #

1. Name of Applicant(s):		2. Telephone:	
		E-mail:	
3. Mailing Address:		Zip:	
4. Agent for Service and Notice if other than Applicant:		5. Telephone:	
		E-mail:	
6. Agents Mailing Address:		Zip:	

DEVELOPMENT

7. Location - Street Address:			
8A. Block(s) and Lot(s) number(s):		8B. Zone:	8C. Current Use:
9. Owner's Name and Address (If different from Applicant)			Telephone:
			E-Mail:
10. Describe Proposed Development			
11. Development Name (If any):			
12. Check (✓) If Proposed	A. New Building ☐ Construction	B. Interior ☐ Renovations	C. Exterior ☐ Renovations
D. Subdivision ☐	E. Site Improvements or Revisions ☐	F. Sign ☐	G. Patio ☐
H. Removal or ☐ Demolition	I. Change in ☐ Occupancy	J. Change in use ☐	K. Other ☐ Attach Descriptions
L. Pod			
Signature of Applicant or Agent:			Date:
Type or Print Name of Applicant or Agent:			

ZONING OFFICER REVIEW

13. Action Required	A. Planning Board ☐	B. Board of Adjustment ☐	C. Board Action ☐ Not Required
14. Applications Required:		F. Appeals	☐
A. Minor Subdivision	☐	G. Interpretations	☐
B. Major Subdivision	☐	H. Bulk Variance (s)	☐
C. Site Plan	☐	I. Use Variance	☐
D. Conditional Use Permit	☐	J. Direction for Building	☐
E. Sign	☐	Permit Insurance	
Note: Planning Board may not grant more than one area variance.			
15. Notice of Public Hearing required ☐		Fee is \$	16. Fee Paid ☐
17. Other required approvals (or comments).			

MUST BE SIGNED IN FRONT OF A NOTARY

Authorization is hereby given to the Borough of Little Silver, its agents, employees and representatives to inspect all or any part of the above property, whether interior or exterior, at any reasonable hour of the day, with respect to any matters relating to the Application for Development, within the judgment of the Borough or such representatives related thereto. This Authorization shall permit representatives to take photographs and to make sketches and notes with respect to the subject property.

CHECK WHICHEVER IS APPLICABLE

____ I/We am/are the Owner(s) of record of the above referenced property and concur with the Application for Development submitted to the Borough of Little Silver.

____ I/We certify that I/we have the permission of the owner(s) of the above referenced property to make this application for development and present these plans to the Borough of Little Silver.

____, of full age, being duly sworn, according to law, upon my oath, depose and say that I am authorized to make this application and that all of the statements and information contained in the application, plans, attachments and other documents submitted herewith are true.

Applicant's Signature

Sworn and Subscribed to before
me this day of , 20 .

Notary Public

MUST BE SIGNED IN FRONT OF A NOTARY

IF APPLICANT IS NOT THE OWNER, PLEASE HAVE PROPERTY OWNER COMPLETE.

_____ being duly sworn, depose and say that I am the owner of the land which is the subject of this Development Permit Application and the building(s) and or structure(s) located on same and do approve and agree to this application.

Authorization is hereby given to the Borough of Little Silver, its agents, employees and representatives to inspect all or any part of the above property, whether interior or exterior, at any reasonable hour of the day, with respect to any matters relating to the Application for Development, within the judgment of the Borough or such representatives related thereto. This Authorization shall permit representatives to take photographs and to make sketches and notes with respect to the subject property.

Therefore, permission is granted to _____ to present the proposed development plans.

Applicant's Signature

Sworn and Subscribed to before
me this day of , 20 .

Notary Public

SECTION-10.8 B-1 BUSINESS ZONE

A. Permitted Uses

1. The retail sale of goods which may include the following:
 - a. Grocery Stores and food markets.
 - b. Drug stores.
 - c. Dry goods stores.
 - d. Baked goods stores.
 - e. Packaged liquor stores.
 - f. Flower shops.
 - g. Confectionery stores.
 - h. Household supplies stores.
 - i. Stationery supplies, tobacco and periodical stores.
 - j. Haberdashery, dress goods and notions.
 - k. Hardware, plumbing supplies and electrical supplies.
 - l. Boat supplies and automobile supplies.
 - m. Shops of artisans and craftsmen.
 - n. Furniture and appliance stores.
 - o. Gift shops.
2. Personal service establishments which may include the following:
 - a. Barber shops and beauty shops
 - b. Tailoring and dressmaking shops.
 - c. Dry cleaning and laundry collection shops
 - d. Shoe repair shops.
 - e. Appliance repair shops.
 - f. Radio and television repair shops.
 - g. Art, dancing, music, gymnastics and other similar instructional schools.
 - h. Nursery schools and day nurseries.
3. Private clubs and fraternal organizations.
4. Business and professional offices

5. Restaurants, lunchrooms, and other eating and dining establishments (except that lunch wagons, diners, refreshment or eating places where patrons are served outside of the building and restaurants, eating places or refreshment places of the type known as drive-ins or fast food restaurants, whether patrons are served outside or inside of the building shall not be permitted).
6. Federal, State, County and Municipal buildings and grounds.
7. Essential services.

B. Required Accessory Uses

1. Off street parking subject to the provisions of Section 8.20.
2. Off street loading subject to the provisions of Section 8.19.

C. Permitted Accessory Uses

1. Fences and walls subject to the provisions of Section 8.14.
2. Signs subject to the provisions of Section 8.26.
3. Other customary accessory uses and buildings which are clearly incidental to the principal use and building.

D. Conditional Uses: Subject to the provisions of Article IX of This Chapter.

1. Public Utilities-Section 9.3.
2. Off Tract Parking Lots-Section 9.8.

E. Prohibited Uses: Other uses not expressly permitted in this section are prohibited.

F. Area, Yard and Building Requirements

1. Minimum lot area: 5,000 square feet.
2. Minimum lot frontage: 50 feet.
3. Minimum front setback: 25 feet. No parking areas shall be permitted in front yards.
4. Minimum rear yard setback:
 - a. Principal building-50 feet.

- b. Accessory building -8 feet.
- 5. Minimum side yard setback:
 - a. Principal and accessory building - 8 feet.
- 6. Maximum building and/or structure height:
30 feet and not exceeding 2 1/2 stories.
16 feet for any free standing accessory building
- 7. Minimum unoccupied open space: Forty percent (40%).
- 8. Minimum floor area of any building: 2,000 square feet.
- 9. Minimum floor area of any use contained in a multi-use building: 1,000 square feet.
- 10. Maximum floor area of any use contained in a multi-use building: 3,000 square feet.
- 11. Maximum Floor Area Ratio (FAH): .30

G. Additional Regulations and Standards

- 1. No building, structure, improvement and/or development, which increases the footprint of any existing structure or building or which enlarges the ground area of development currently existing on the subject property or which is new development, shall be permitted in the Coastal Flood Zone, as defined in Chapter XIX of the Revised General Ordinances of the Borough of Little Silver. For purposes of this paragraph, the following shall not be considered buildings, structures, improvements and/or development regulated hereby: fences.
- 2. Any bona fide restaurant, as defined herein and in Chapter VII of the Ordinances of the Borough of Little Silver, that operates with a Restaurant Conditional Liquor License, as defined in Chapter VII of the Ordinances of the Borough of Little Silver, will require a side yard setback of 20 feet on any side or rear of subject property that abuts a residential zone. A 6 foot high solid fence must be constructed in accordance with Section 8.14 of this chapter along any property line that abuts a residential zone. In addition a shrub line minimum 6 foot in height is required along the fence line when property abuts a residential zone. Any proposed parking lot lighting shall not exceed 15 feet in height along any property line that abuts a residential zone. The common entrance and outside public gathering (including smoking area) is prohibited on any side of the property that abuts a residential zone.
- 3. To qualify as a bona fide restaurant under this section, the premises must comply with the following requirements:

- (a) There shall be no food or beverages consumed at counters in any part of the licensed premises that is available to the public. For purposes of this section, a counter shall be any linear footage of wood or other material exceeding 1 foot in length and that is connected to a wall at the perimeter of a room or between posts or other fixtures in such a manner as to provide a horizontal space upon which food and/or drink is permitted or encouraged to be placed. The definition of counter shall not include the bar counter of the bar/lounge area, behind which a bartender or bartenders are located; food and beverages may be consumed at the bar.
- (b) The dining area of the licensed premises shall be devoted to the purposes of dining and shall not contain fewer than 300 hundred square feet of floor space. The computation of said dining area shall not include any space used for kitchen, pantry, storage, rest rooms, bar/lounge area or any other purpose than dining.
- (c) Men's lavatory. For the first seventy-five seats or fraction thereof in the dining room area, the men's lavatory shall contain one water closet, one urinal and one wash basin. For each additional seventy-five or fraction thereof in dining capacity over seventy-five, there shall be one additional water closet and one additional urinal required in the men's lavatory.
- (d) Women's lavatory. For the first one hundred fifty seats or fraction thereof in the dining room area, the women's lavatory shall contain two water closets and one wash basin. For each additional seventy-five or fraction thereof in dining seating capacity over one hundred fifty there shall be one additional water closet required in the women's lavatory.
- (e) Both lavatories. There shall be an additional wash basin in each lavatory for each seventy-five seats or fraction thereof above one hundred and fifty.
- (f) Miscellaneous. The entrances to such lavatories shall be screened from public view.
- (g) There shall be suitable facilities on the licensed premises for temporary storage of coats, hats, umbrellas, overshoes and other items of clothing outside the dining area.
- (h) There shall be no service of food or beverages of any kind on any patio, deck, or other area available to the public that is located outside the foundation line of the licensed premises. For purposes of Section 7-3.8, any patio, deck, or other area available to the public that is located inside the foundation line of the licensed premises shall be considered part of the dining area, and must provide a dining menu at all times it is open.
- (i) A premises licensed under this section may provide tables and a bar/lounge area at which alcoholic beverages may be served without meals for the use or patrons.
- (j) The number of bar stools shall be calculated as no more than 1 bar stool per 4 seats of dining, but in any event no more than 1 bar stool for every two (2) feet of bar counter. For purposes of calculating the number of permitted bar stools, "dining seats" shall include the actual number of seats used at tables in the bar/lounge area, out of the 50 seats permitted

- (k) The maximum capacity of the bar/lounge area shall not exceed 100 people having a maximum capacity of not more than 50 seats, not more than 25 bar stools and a standing capacity of not more than 25.
- (l) Such bar/lounge area shall offer a dining menu during all hours of operation.
- (m) The bar/lounge area should be delineated by a knee wall, railing or architectural feature to designate the limits of the bar/lounge area.
- (n) The tables in the bar/lounge area shall be at least 42 inches high. Each seat at such tables in the bar/lounge area shall be included in computing the floor space required by this section and shall also be included in the total seating capacity required by any provision in this section to meet the requirement for obtaining such license.

SECTION-10.9 B-2 BUSINESS ZONE

A. Permitted Uses

1. The retail sale of goods which may include the following:
 - a. Grocery Stores and food markets.
 - b. Drug stores.
 - c. Dry goods stores.
 - d. Baked goods stores.
 - e. Packaged liquor stores.
 - f. Flower shops.
 - g. Confectionery stores.
 - h. Household supplies stores.
 - i. Stationery supplies, tobacco and periodical stores.
 - j. Haberdashery, dress goods and notions.
 - k. Hardware, plumbing supplies and electrical supplies.
 - l. Boat supplies and automobile supplies.
 - m. Shops of artisans and craftsmen.
 - n. Furniture and appliance stores.
 - o. Gift shops.
2. Personal service establishments which may include the following:
 - a. Barber shops and beauty shops.
 - b. Tailoring and dressmaking shops.
 - c. Dry cleaning and laundry collection shops.
 - d. Shoe repair shops.
 - e. Appliance repair shops.
 - f. Radio and television repair shops.
 - g. Art/dancing, music, gymnastics and other similar instructional schools.
 - h. Nursery schools and day nurseries.
3. Private clubs and fraternal organizations.
4. Business and professional offices.
5. Restaurants, lunchrooms, and other eating and dining establishments (except that lunch wagons, diners, refreshment or eating places where patrons are served outside of the building and restaurants, eating places or refreshment places of the type known as drive-ins or fast food restaurants, whether patron are served outside or inside of the building shall not be permitted).

6. Shops of a plumber, carpenter, boat builder, painter, mason or electrician.
7. Warehouses.
8. Lumber yards.
9. Federal, State, County and Municipal buildings and grounds.
10. Essential services.

B. Required Accessory Uses

1. Off street parking subject to the provisions of Section 8.20
2. Off street loading subject to the provisions of Section 8.19.

C. Permitted Accessory Uses

1. Fences and walls subject to the provisions of Section 8.14.
2. Signs subject to the provisions of Section 8.26.
3. Bulk storage subject to the provisions of Section 8.6.
4. Other customary accessory uses and buildings which are clearly incidental to the principal use and building.

D. Conditional Uses: Subject to the provisions of Article IX of This Chapter

1. Public Utilities - Section 9.3.
2. Motor vehicle service stations - Section 9.4.
3. Motor vehicle repair garage - Section 9.5.

E. Prohibited Uses: Other uses not expressly permitted in this section are prohibited.

F. Area, Yard and Building Requirements

1. Minimum lot area: 5,000 square feet.
2. Minimum lot frontage: 50 feet.
3. Minimum front setback: 25 feet. No parking areas shall be permitted in front yards.

4. Minimum rear yard setback:
 - a. Principal building - 50 feet.
 - b. Accessory building - 8 feet.
5. Minimum side yard setback:
 - a. Principal and accessory building - 8 feet.
6. Maximum building and/or structure height:
30 feet and not exceeding 2 1/2 stories.
7. DELETED.
8. Minimum unoccupied open space: Forty percent (40%).
9. Minimum floor area of any building: 2,000 square feet.
10. DELETED.
11. Minimum floor area of any use contained in a multi-use building: 1,000 square feet.
12. Maximum floor area of any use contained in a multi-use building: 3,000 square feet.
13. Maximum Floor Area Ratio (FAR): .30

G. Additional Regulations and Standards

1. No building, structure, improvement and/or development, which increases the footprint of any existing structure or building or which enlarges the ground area of development currently existing on the subject property or which is new development, shall be permitted in the Coastal Flood Zone, as defined in Chapter XIX of the Revised General Ordinances of the Borough of Little Silver. For purposes of this paragraph, the following shall not be considered buildings, structures, improvements and/or development regulated hereby: fences.
2. Any bona fide restaurant, as defined herein and in Chapter VII of the Ordinances of the Borough of Little Silver, that operates with a Restaurant Conditional Liquor License, as defined in Chapter VII of the Ordinances of the Borough of Little Silver, will require a side yard setback of 20 feet on any side or rear of subject property that abuts a residential zone. A 6 foot high solid fence must be constructed in accordance with Section 8.14 of this chapter along any property line that abuts a residential zone. In addition a shrub line minimum 6 foot in height is required along the fence line when property abuts a residential zone. Any proposed parking lot lighting shall not exceed 15 feet in height along any property line that abuts a residential zone. The common entrance and outside public gathering (including smoking area) is prohibited on any side of the property that abuts a residential zone.

3. To qualify as a bona fide restaurant under this section, the premises must comply with the following requirements:
 - (a) There shall be no food or beverages consumed at counters in any part of the licensed premises that is available to the public. For purposes of this section, a counter shall be any linear footage of wood or other material exceeding 1 foot in length and that is connected to a wall at the perimeter of a room or between posts or other fixtures in such a manner as to provide a horizontal space upon which food and/or drink is permitted or encouraged to be placed. The definition of counter shall not include the bar counter of the bar/lounge area, behind which a bartender or bartenders are located; food and beverages may be consumed at the bar.
 - (b) The dining area of the licensed premises shall be devoted to the purposes of dining and shall not contain fewer than 300 hundred square feet of floor space. The computation of said dining area shall not include any space used for kitchen, pantry, storage, rest rooms, bar/lounge area or any other purpose than dining.
 - (c) Men's lavatory. For the first seventy-five seats or fraction thereof in the dining room area, the men's lavatory shall contain one water closet, one urinal and one wash basin. For each additional seventy-five or fraction thereof in dining capacity over seventy-five, there shall be one additional water closet and one additional urinal required in the men's lavatory.
 - (d) Women's lavatory. For the first one hundred fifty seats or fraction thereof in the dining room area, the women's lavatory shall contain two water closets and one wash basin. For each additional seventy-five or fraction thereof in dining seating capacity over one hundred fifty there shall be one additional water closet required in the women's lavatory.
 - (e) Both lavatories. There shall be an additional wash basin in each lavatory for each seventy-five seats or fraction thereof above one hundred and fifty.
 - (f) Miscellaneous. The entrances to such lavatories shall be screened from public view.
 - (g) There shall be suitable facilities on the licensed premises for temporary storage of coats, hats, umbrellas, overshoes and other items of clothing outside the dining area.
 - (h) There shall be no service of food or beverages of any kind on any patio, deck, or other area available to the public that is located outside the foundation line of the licensed premises. For purposes of Section 7-3.8, any patio, deck, or other area available to the public that is located inside the foundation line of the licensed premises shall be considered part of the dining area, and must provide a dining menu at all times it is open.
 - (i) A premises licensed under this section may provide tables and a bar/lounge area at which alcoholic beverages may be served without meals for the use or patrons.
 - (j) The number of bar stools shall be calculated as no more than 1 bar stool per 4 seats of dining, but in any event no more than 1 bar stool for every two (2) feet of bar counter. For purposes of calculating the number of permitted bar stools, "dining seats" shall include the actual number of seats used at tables in the bar/lounge area, out of the 50 seats permitted

- (k) The maximum capacity of the bar/lounge area shall not exceed 100 people having a maximum capacity of not more than 50 seats, not more than 25 bar stools and a standing capacity of not more than 25.
- (l) Such bar/lounge area shall offer a dining menu during all hours of operation.
- (m) The bar/lounge area should be delineated by a knee wall, railing or architectural feature to designate the limits of the bar/lounge area.
- (n) The tables in the bar/lounge area shall be at least 42 inches high. Each seat at such tables in the bar/lounge area shall be included in computing the floor space required by this section and shall also be included in the total seating capacity required by any provision in this section to meet the requirement for obtaining such license.

SECTION: 8.20: O. Minimum Off-street Parking Spaces Required.

1. Automotive Repair Garage or Body Shop: one (1) parking space for each four hundred (400) square feet of gross floor area.
2. Automotive Sales and Service: one (1) parking space for each four hundred (400) square feet of gross floor area shall be provided for customer and employee parking. These areas shall be in addition to areas utilized for display and storage of vehicles. Site plans shall specify which parking spaces are designated for customers, employees, display and storage.
3. Automotive Service Station: five (5) parking spaces for each service bay, exclusive of vehicle service area. In no instance shall there be less than five (5) off-street parking spaces.
4. Banks, Savings and Loan Associations and Similar Financial Institutions: one (1) parking space for each two hundred (200) square feet of gross floor area.
5. Barber and Beauty Shop: three (3) parking spaces for each chair (if known) , but not less than one (1) parking space per two hundred (200) square feet of gross floor area.
6. Business Offices: one (1) parking space for each one hundred fifty (150) square feet of gross floor area.
7. Church, Temple or Chapel: one (1) parking space for each four (4) seats in the main congregation seating area. Where no individual seats are provided, twenty (20) inches of bench shall be considered as one (1) seat. Where seats or benches are not provided, or are provided only in a portion of the main congregation seating area, one (1) parking space for each fifty (50) square feet of floor area within the main congregation seating area.
8. Community Center, Library, Museum, Art Gallery: one (1) parking space for each two hundred (200) square feet of gross floor-area.
9. Community Club, Private Club, Lodge: one (1) parking space for each one hundred (100) square feet of gross floor area, plus one and one-half (1.5) spaces for each boat slip where applicable.
10. Meeting Rooms, Assembly or Exhibition Hall: one (1) parking space for each fifty (50) square feet of gross floor area.
11. Dwellings: two (2) parking spaces for each single family dwelling.
12. Dental or Medical Offices: one (1) parking space for each one hundred (100) square feet of gross floor area, except that if located within a building housing three (3) or more separate, unassociated Practitioners the requirement shall be one (1) parking space for each one hundred fifty (150) square feet of gross floor area.
13. Farmers Market: One (1) parking space for each one thousand (1,000) square feet of land area in the site.

14. Furniture, Appliance Stores or Similar Types of Uses Requiring Large Amounts of Storage: one (1) parking space for each four hundred (400) square feet up to four thousand (4,000) square feet, plus one (1) parking space for each eight hundred (800) square feet of gross floor area above four thousand (4,000) square feet.
15. Government Office: to be determined by the Planning Board, except that governmental offices within privately owned buildings shall provide, a minimum of one (1) parking space for each one hundred fifty (150) square feet of gross floor area.
16. Hardware, Auto Supply Stores: one (1) parking space for each four hundred (400) square feet of gross floor area.
17. Laundromats or Similar Coin-operated Cleaning: one (1) parking space for each two hundred (200) square feet of gross floor area.
18. Manufacturing or Industrial Establishment, Research or Testing Laboratory, Bottling Plant or Similar Uses: one (1) parking space for each five hundred (500) square feet of gross floor area.
19. Professional Office: One (1) parking space for each two hundred (200) square feet of gross floor area.
20. Public and Private Utilities, Electrical Substation, Gas Regulator, Water Works. Pumping Station and Similar Facilities: to be determined by the Planning Board based on the specific need of the use.
21. Restaurant, Cafe, Diner: one (1) parking space for each fifty (50) square feet of gross floor area.
22. Recreation Facilities: those not specifically mentioned herein shall be determined by the Planning Board.
23. Residential: for all residential developments, parking shall be provided as set forth in the Residential Site Improvement Standards (RSIS), as set forth in Table 4.4.-Parking Requirements for Residential Land Uses.
24. Retail Stores, Except Otherwise Specified: one (1) parking space for each one hundred fifty (150) feet of gross floor area.
25. Studio: art, music, dance, gymnastics and similar for the purpose of giving instruction rather than shows or exhibitions: one (1) parking space for each one hundred (100) feet of gross floor area.

26. Schools:

- a. Elementary: one (1) parking space for each eight (8) students based on design capacity.
- b. High School: one (1) space for each three (3) students based on design capacity.

27. Nursery School, Day Camp or Similar Uses: one (1) parking space for each five hundred (500) square feet of gross floor area.

28. Shopping Centers: six (6) parking spaces for each one thousand (1,000) square feet of gross floor area.

29. Veterinary Clinics or Hospitals or Animal Care Facilities: one (1) parking space for each four hundred (400) square feet of gross floor area.

30. Warehouse, Wholesale, Machinery or Large Equipment Sales; one (1) parking space for each one thousand. five hundred (1,500) square feet of gross floor area, plus one (1) parking space for each vehicle used in connection with the business.

P. **Criteria for Determining Required Parking Spaces.** In computing the number or the above required parking spaces, the following rules shall govern:

1. Where fractional spaces result, the required, number shall be construed to be the nearest whole number.
2. The parking space requirements for a use not specifically mentioned herein shall be the same as required for a use of similar nature as determined by the Planning Board based upon that use enumerated herein which is most similar to the proposed use. If there is no use enumerated herein having sufficient similarity to the use proposed to enable the Planning Board to establish rational parking requirements, the Planning Board may, in its discretion, direct the applicant to furnish the Planning Board with such data as may be necessary to enable the Planning Board to establish rational parking requirements.
3. Nothing in the above requirements shall be construed to prevent the joint use of off-street parking facilities by two (2) or more uses on the same site, provided the total of such spaces shall not be less than the sum of the requirements for various individual uses computed separately by the above requirements.
4. No part of off-street parking required by a structure or use shall be included as part of an off-street parking requirement of another use unless substantial proof and assurances are presented and it is determined by the Planning Board that the use of this parking will not be simultaneous.