

**Township of Lawrence
County of Mercer**

Ordinance No. 2434-22

**ORDINANCE AMENDING
§427, FLOOD PREVENTION AND
§1202, ZONING PERMIT,
OF THE LAND USE ORDINANCE OF THE
TOWNSHIP OF LAWRENCE**

WHEREAS, the Township Council of the Township of Lawrence (“Township Council”), a municipal corporation in the County of Mercer, State of New Jersey, finds that the public health, safety, morals and general welfare of the community shall be promoted by the revision and amendment of the Lawrence Township Land Use Ordinance to fully ensure the municipality's continued ability to participate in the National Flood Insurance Program (NFIP); and

WHEREAS, these amendments to the Lawrence Township Land Use Ordinance and the adoption of new federally compliant regulations as Chapter 185 Floodplain Management Regulations of the Code of the Township of Lawrence, are necessitated to maintain ordinance compliant with NFIP and incorporate State standards in the flood Hazard Area Control Act and the Uniform Construction Code; and

WHEREAS, the Planning Board of the Township of Lawrence has adopted a Master Plan that comprehensively provides a foundation for the appropriate use, regulation and development of lands in the township in a manner which will promote the public health, safety, morals and general welfare; and

WHEREAS, the Municipal Land Use Law at N.J.S.A. 40:55D-62a requires substantial consistency of the provisions regulating zoning and land use with the adopted Master Plan; and

WHEREAS, the Planning Board has determined that the revisions and amendments to the Lawrence Township Land Use Ordinance set forth herein are consistent with the goals and objectives of the Master Plan and more specifically the Conservation element where flood plans are identified as environmentally sensitive lands that are best left in an undeveloped state and therefore favorably recommends to the Township Council that the Lawrence Township Land Use Ordinance be so amended.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lawrence that the Lawrence Township Land Use Ordinance be hereby amended as follows:

Section 1. §427, Flood Prevention, as modified, shall be [entirely] amended as follows:

**Township of Lawrence
County of Mercer**

§427 Flood Prevention

- B. Limitations on Development. No storage of materials, structure, building, alteration of the natural contours of the ground, or alteration of any watercourse shall be undertaken in the Township of Lawrence without first complying with the rules and regulations of Chapter [8A] 185 of the Code of the Township of Lawrence, as applicable.**

Section 2. §1202.C., Specialized Zoning Permits, shall be amended to [add a] revise paragraph 3 as follows:

- 3. Development permit (flood hazard areas). A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard as established in Chapter [8A Flood Damage Prevention] 185, Floodplain Management Regulations, of the Code of the Township of Lawrence. Application for a Development Permit shall [Include a minimum the following:**
- a. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.**
 - b. Elevation in relation to mean sea level to which any structure has been floodproofed.**
 - c. Certification by a registered professional engineer or architect that the floodproofing methods for any non-residential structure meet the floodproofing criteria in §8A-15.B of the Code of the Township of Lawrence.**
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.**
 - e. In addition, the following information may be required by the Zoning Office:**
 - i. Plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area question;**
 - ii. Existing or proposed structures, fill, storage of materials, drainage facilities;**
 - iii. The location of the foregoing.] include all information required per 185-104 and 185-105 as applicable.**

**Township of Lawrence
County of Mercer**

Section 3. Continuation. In all other respects, the Lawrence Township Land Use Ordinance shall remain unchanged.

Section 4. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the Flood Damage Prevention Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 6. Enactment. This Ordinance shall take effect upon the filing thereof with the Mercer County Planning Board after final passage, adoption, and publication by the Township Clerk of the Township of Lawrence in the manner prescribed by law.

Additions
 Deletions

Adopted: December 6, 2022

RECORD OF VOTE

COUNCIL	AYE	NAY	PRESENT	ABSENT	ABSTAIN	MOVE	SECOND
Mr. Bobbitt	X						
Mr. Kownacki	X						
Ms. Lewis	X					X	
Mr. Powers	X						X
Mayor Ryan	X						