

Ordinance No. 1873-06

AN ORDINANCE AMENDING THE LAND USE ORDINANCE OF  
THE TOWNSHIP OF LAWRENCE, COUNTY OF MERCER, STATE OF NEW JERSEY

WHEREAS, the US Environmental Protection Agency ("USEPA") published the regulation entitled "National Pollutant Discharge Elimination System - Regulations for Revision of the Water Pollution Control Program Addressing Storm Water Discharges" (Federal Register, Volume 64, Number 235, pages 68722-68852) on December 8, 1999 as required by Section 402(p) of the Clean Water Act; and

WHEREAS, in February 2004 the New Jersey Department of Environmental Protection adopted new Stormwater Management Rules (N.J.A.C. 7:8) in fulfillment of its obligations under the USEPA Regulations; and

WHEREAS, Lawrence Township is designated as a Tier A Municipality under N.J.A.C. 7:8 and is obligated to implement certain ordinances required by the Tier A NJPDES Municipal Stormwater General Permit (NJ0141852) on or before April 1, 2006; and

WHEREAS, Lawrence Township desires to meet its obligations under N.J.A.C. 7:8.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lawrence, County of Mercer, State of New Jersey that the Land Use Ordinance is amended as follows:

Section 1. Article IV, ZONING DISTRICT REGULATIONS

§426 Flood Plain (FP) Overlay District

A. Statutory Authorization. This section is intended to ensure compliance with *N.J.S.A. 58:16A-50 et. seq.*, the Flood Hazard Area Control Act. [ , and should be read in conjunction with Lawrence Township Ordinance No. 699, adopted December 19, 1973, as subsequently amended.]

**B. 9. To ensure design in these areas address water quality, flooding and groundwater recharge and shall incorporate the use of non structural stormwater management strategies to the maximum extent practical.**

Section 2. Article V, PERFORMANCE AND DESIGN STANDARDS

§522 Drainage and Storm Water Management

B. Storm Water Management Goals ...architectural techniques. **The design of all stormwater management facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of non-structural stormwater management strategies to the maximum extent practical.** Land subject to ...

C. Best Available Technology (BAT) Required ... filtration functions. Best available technology may include measures such as **extended detention basins, infiltration basins,** contour terraces and swales.

**[D. Storm Water Design Volumes.] *section deleted entirely***

**[E] D. Lot Grading Lots shall...**

**[F] E. Storm Water System Strategy and Design**

**2. ... pump or roof leaders, other [disposal] systems, such as drywells, as approved by the Municipal Engineer may be used. Drywells shall be setback from all property lines a minimum of 10 feet.**

**3. Storm water runoff calculations. Techniques and design for computing storm water runoff shall be [subject to the approval of the Municipal Engineer. The Rational Method of surface water runoff computation may be used for storm sewers and open channels with drainage basins up to 25 acres in area. The Soil Conservation Service Method (Urban Hydrology for Small Watersheds, Technical Release No. 55) or other methods approved by the Municipal Engineer shall be used for drainage basins larger than 25 acres in area.] in accordance with N.J.A.C. 7:8-5 and N.J.A.C. 5:21.**

**[4. and 5.] *sections deleted entirely***

**4. Soil testing is required for all proposed infiltration basins and drywells. Testing shall be witnessed by the Municipal Engineer, unless such requirement is waived.**

**[6] 5. ...and inlets, swales, et cetera. The depth of standing water at the pavement gutter line shall not exceed 9 inches for a 100 year storm event.**

**[7. and 8.] *sections deleted entirely***

**[G] F. Detention and Retention Facilities ...for a 100-year storm event. [Runoff shall be computed for each site using curve numbers found in Urban Hydrology for Small Watersheds, Technical Release No. 55, Engineering Division, Soil Conservation Service, U.S. Department of Agriculture, latest edition or as further restricted by the Municipal Engineer on a site specific basis.]**

**[4. and 5.] *sections deleted entirely***

**[6] 4. Conveyance. ... creating adverse impacts on property. [Areas subject to ponding shall be reviewed to verify that the depth of ponding in the gutter line shall not exceed 9 inches during the 100-year storm.] Backwater impacts ...**

**[8] 5. Detention basins ...**

**[9. thru 17.] *sections deleted entirely***

**[18] 6. Any [detention] stormwater facility approved as part ...**

**[19] 7. An agreement for the ownership ...**

[20] **8.** Detention basins shall be constructed on individual lots (not part of a residential building lot) in all residential major subdivisions and may be constructed within an easement in all residential minor subdivisions.

**9.** For development with less than ¼ acre of new impervious coverage, a deed restriction shall be established which limits the total new impervious coverage to less than ¼ acre. This impervious coverage limitation shall be applied to the subject lot or equally distributed between all lots within a subdivision, as deemed appropriate.

[H. Detention Facilities in Flood Hazard Areas] *section deleted entirely*

[I. Additional Requirements for Larger Development] *section deleted entirely*

[J] **G.** Landscaping ....the standards in §□525 and shall contain indigenous species to the maximum extent practical. This may involve ...

[K] **H.** Detention Basin Maintenance *contents remain unchanged*

[L] **I.** Easement Requirements *contents remain unchanged*

#### §529 Open Space

**H.** Greenway Specifications ...surfaces shall be hard paths which may include permeable paving materials. See Conservation Map of the...

#### §530 Parking

**N.** Paving and Curbing All parking and loading areas, driveways and access drives...

**c)** The design of all drainage for parking facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of non structural stormwater strategies to the maximum extent practical. All parking and loading areas shall be designed to minimize impervious surfaces by use of permeable materials where appropriate.

#### §533 Sidewalks

**7.** ... established by the municipality and shall comply with the design criteria of the American with Disabilities Act and New Jersey Department of Transportation. Permeable paving materials shall be used where appropriate and stormwater management and related drainage controls shall comply with §522.

#### **B.** Bikeways

**3.** ... New Jersey Department of Transportation and the design of all drainage or parking facilities shall address water quality, flooding and groundwater recharge and shall incorporate the use of non structural stormwater strategies to the maximum extent practical. All parking and loading areas shall be designed to minimize impervious surfaces by use of permeable materials where appropriate.

#### **Section 3. Repealer**

All other ordinances or parts of ordinances adopted prior to the date of this ordinance that are inconsistent with the provisions of this ordinance are hereby repealed insofar as they relate or concern the provisions contained herein.

**Section 4. Severability**

**If any section, paragraph, sentence, clause or phrase in this ordinance shall be declared invalid for any reason, the remaining portions of said ordinance shall not be affected thereby and shall remain in full force and effect.**

**Section 5. Effective Date**

**This ordinance shall become effective twenty (20) days after adoption thereof.**

**Deleted Material in brackets [ ]**

**New Material Underlined \_\_\_\_\_**

**Adopted: February 7, 2006**