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Adopted 5/3  
EFFEC. 5/24  
Jrd BOOK  
Gen. Code

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE 2010 - 05

AN ORDINANCE AMENDING CHAPTER 400 OF THE CODE OF THE TOWNSHIP OF LOWER

WHEREAS, Section 400-10 of the Code of the Township of Lower (the "Code") establishes a Zoning Map and Section 400-26 of the Code establishes district regulations for the Township of Lower (the "Township");

WHEREAS, the Township Council desires to amend Section 400-10B of the Code to modify the geographic boundaries established by the Zoning for the purposes of designating certain lots in the R-1 Zoning district, near the intersection of Bayshore and Fishing Creek Roads, as a Conservation Zoning District, and to re-designate the R-5 Zoning district as part of the Conservation Zoning District; and

WHEREAS, the Lower Township Planning Board recommended the geographic boundary and Zoning district changes as part of a recent re-examination of the Master Plan as set forth in a report dated November 12, 2009.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of the Township of Lower in the County of Cape May and the State of New Jersey as follows:

Section 1. Section 400-10B.3(b) is hereby amended as follows (new language is underlined and deleted language is ~~stricken~~):

(3)(b) The R-1 District near the intersection of Bayshore and Fishing Creek Roads consists of Block 494.01, Lots 3, 4.01 & 4.02, 4.04, 24 and that ~~portion of Lot 28 lying westward of an imaginary line formed by the northward extension of the westerly edge of Lot 1.03~~

Section 2. A new Subsection 400-10B.(5)(d) is hereby added as follows:

(5)(d) The Conservation District near the intersection of Bayshore and Fishing Creek Roads consists of Block 494.01, Lots 3, 1.04, 24 and that portion of Lot 28 lying westward of an imaginary line formed by the northward extension of the westerly edge of Lot 1.03

Section 3. A new Subsection 400-10B.(5)(e) is hereby added as follows:

(5)(e) The Conversation District located adjacent to the Cape May-Lewes Ferry shall consist of all property contained in Block 740, Lots 1.05, 12, 13 and 14 and Block 692, 693, 694 and 695 on the Tax Map of the Township of Lower.

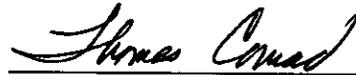
Section 4. Subsections 400-10B.(17) and 400-26 are hereby deleted in their entirety.

Section 5. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such inconsistency.

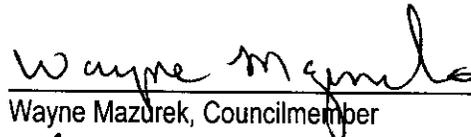
Section 6. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

Section 7. Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

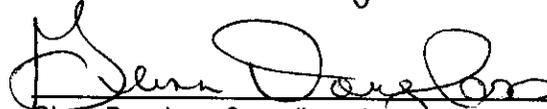
Section 8. This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.



Thomas Conrad, Councilmember



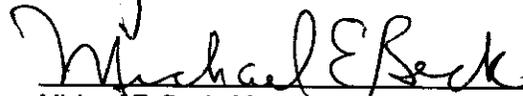
Wayne Mazurek, Councilmember



Glenn Douglass, Councilmember



Kevin Lare, Councilmember



Michael E. Beck, Mayor

Attest:   
Claudia R. Kammer, Township Clerk

Adopted: May 3, 2010