

**City of Cape May**  
**Cape May County, New Jersey**



**Master Plan Reexamination**

**March 12, 2019**



# **Master Plan Reexamination Report - March 12, 2019**

**City of Cape May  
643 Washington Street  
Cape May, NJ 08204**

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## **Planning Board Staff & Professionals:**

**Ms. Tricia Oliver, Board Assistant  
Mr. Craig R. Hurless, PE, PP, Board Engineer  
Mr. Richard King, Board Attorney**

Prepared By:



6684 Washington Avenue  
Egg Harbor Township, NJ 08234  
Phone 609.646.2950

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Craig R. Hurless, PP  
New Jersey Professional Planner License No. 005646

This Master Plan Reexamination was adopted on March 12, 2019 by the City of Cape May Planning Board pursuant to Resolution 03-12-2019:3. The Original document is signed and sealed.

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**Tables and Figures for Traffic Element are included by reference only. See 2003 Master Plan for actual figures.**

## **1.0 Master Plan Reexamination**

### **1.1 Introduction**

The Master Plan represents the City's vision for itself and a means for guiding land development policy and planning decisions. Once adopted by the Planning Board, the Master Plan serves as the basis for governing land use throughout the City on both a private and public level. Goals and objectives serve as the crux of the Master Plan, outlining a vision for a community and delineate actions that can achieve that vision.

In recognizing the importance of a Master Plan or comprehensive plan for municipalities, the State of New Jersey enacted the Municipal Land Use Law (MLUL) which requires communities to have a Master Plan in order to zone. According to the MLUL, plans shall be reexamined at least once every ten years to ensure that goals and objectives remain current and to update the Master Plan based on changes underway both within and outside the community since the time of the last Master Plan Reexamination.

Pursuant to N.J.S.A. 40:55D-89, this report constitutes a Reexamination Report for the City of Cape May. Cape May last completed a Master Plan in 2003 and Reexamination Report in 2009. This Reexamination Report is based on of the goals and objectives of the 2003 report, which itself were built upon years of diligent land use planning in the City of Cape May. The need for a Master Plan Reexamination was also underscored in the wake of Superstorm Sandy, which struck New Jersey in October 2012 and resulted in much damage along the Jersey coast. As a result of Superstorm Sandy, infrastructure needs, insurance impacts and regulatory changes have significantly altered conditions in the City that require reexamination.

### **1.2 Reexamination Public Outreach & Involvement**

The Master Plan provides a vision for the City. The Master Plan also provides direction and guidance for the growth, resource preservation, and land use decisions. Participation and input from the public, business owners and stakeholders is vital for the plan to be successful. As part of the Reexamination process, Cape May utilized a participatory process that engaged local residents, business persons and other interested stakeholders in discussing what we want our community to be. Through this process, the plan identifies where the community seems to be heading and recommends what has to be done to achieve the desired common vision. To develop a consensus and ensure that the public had significant input into the Master Planning Process, a wide variety of public outreach activities were held.

#### **Master Plan Reexamination Subcommittee**

A Master Plan Reexamination Subcommittee was established by City Council and met on a monthly basis. The Committee consisted of 10 members of the public and business leaders including the City Council liaison representative; and the Planning Board Engineer/Planner. The subcommittee was tasked with the following:

- Aid and support the Planning Board by ensuring public participation and focused attention in the Master Plan Process.

- Revisit the previous Master Plan for relevance and guidance in considering the parameters of the updated Master Plan.
- Gather and codify pertinent community questions, suggestions and insights to inform the Master Plan reexamination process.
- Act as a preliminary community sounding board to test the assumptions, ideas and proposals of the Master Plan consultants.
- Explore ways to increase public awareness and participation in development of the plan.

As part of the tasks performed by the Subcommittee, an online public survey was prepared to aid the City in preparing its Master Plan Reexamination. The Master Plan survey was advertised with local media, the City website, and was available at [www.capemaycity.com](http://www.capemaycity.com). Over 150 responses were received and results were utilized in developing recommendations.

### **Planning Board Work Sessions**

The Planning Board discussed and developed the reexamination at numerous regularly scheduled workshop meetings. Planning Board Meetings were held to discuss the following topics:

January 23, 2018 - Work Session, Kick Off and General Discussion, Identify Focus Topics, Sub-Committee Report

February 27, 2018 - Work Session, Land Use Element  
March 27, 2018 - Work Session, Traffic & Parking Element

April 24, 2018 - Work Session, Resiliency Element

May 22, 2018 - Work Session, Community Facilities & Recreation Element

June 26, 2018 - Work Session, Historic Preservation Element

July 24, 2018 - Work Session, Recycling & Solid Waste Element, Utility Element

August 28, 2018 - Work Session, Conservation Element

September 25, 2018 - Work Session, Housing Element

October 9, 2018 - Work Session, Housing Element & Fair Share Plan

October 23, 2018 - Adoption of Housing Element & Fair Share Plan

November 27, 2018 - Work Session, General Discussion of all elements and topics, Draft Preparation

December 11, 2018 - Work Session, General Discussion of all elements and topics, Draft Preparation

January 8, 2019 - Work Session, General Discussion of all elements and topics, Draft Preparation

January 22, 2019 - Work Session, General Discussion of all elements and topics, Draft Preparation & Review

February 11, 2019- Work Session, General Discussion of all elements and topics, Draft Preparation & Review

February 26, 2019- Work Session, General Discussion of all elements and topics, Draft Review

March 12, 2019 - Public Review & Adoption

### **Open House**

In addition, a public open house meeting was held to promote public involvement and receive input from the residents of Cape May. The open house was advertised with local media outlets, posted at City Hall and the website as well as Convention Hall. The meeting was held on April 16, 2018 at the Cape May Convention Hall. An introduction was presented and public comments were solicited. The meeting was well attended by well over 100 members of the public and a wide variety of planning concepts and recommendations were discussed. These recommendations were the basis for reexamination of the Master Plan.

## **CAPE MAY MASTER PLAN REEXAMINATION**



**OPEN HOUSE**  
**April 16, 2018**  
**7 – 9 PM**

**CAPE MAY CONVENTION HALL - 714 BEACH AVE.**

The City of Cape May Planning Board is currently reexamining the Master Plan and desires your input in planning for Cape May's future. The Master Plan provides a vision for the City. The Master Plan also provides direction and guidance for the growth, resource preservation, and land use decisions.

Participation and input from the public, business owners and stakeholders is vital for the plan to be successful! As part of the Reexamination process, Cape May will utilize a participatory process that engages local residents, business persons and other interested stakeholders in discussing what we want our community to be. We will identify where the community seems to be heading and what has to be done to achieve the desired common vision. The plan will provide for sustainable growth, recognize fiscal constraints, housing needs and protection of natural, historical and community resources. Please come to this meeting with your ideas for Cape May's future. Tell us what you like about our community and provide suggestions to make it better.

### **Partners & Stakeholders**

The City Council, Planning Board and Advisory Committee recognized the importance of public outreach and identified the following boards, commissions, departments, public & private partners, and stakeholders as potentially having interest and providing invaluable knowledge and resources

in the Reexamination of the Master Plan. The following partners were requested to participate in this process:

**Boards & Commissions**

Planning & Zoning Board  
Historic Preservation Commission  
Environmental Commission  
Shade Tree Commission

**Municipal Departments**

Code Enforcement  
Construction & Zoning  
Police Department  
Fire Department/EMS  
Cape May Beach Patrol  
Housing  
Licensing  
Office of Emergency Management  
Floodplain Manager  
Public Works  
Water & Sewer Department  
Department of Tourism, Recreation & Civic Affairs

**Municipal Advisory Committees**

Beach Safety  
Bicycles & Pedestrians  
Buildings & Properties  
Lafayette Street Park  
Master Plan Reexam  
Parking  
Pets  
Public Safety Building  
Seawall & Promenade  
Cape May Task Force  
Green Team

**Arts/Theater**

Cape May Jazz  
Cape May Stage  
East Lynne Theater Company  
Mid Atlantic Center for the Arts

**Education**

Cape May Elementary School  
New Jersey's Green College  
The Richard Stockton College of New Jersey  
Rutgers - Marine Research Facility

**Business**

Cape May Chamber of Commerce  
Washington Street Mall Management Company

**Local News**

Cape May Star & Wave  
The Press of Atlantic City  
Cape May Gazette  
Cape May County Herald  
Exit Zero  
Social Media

**Stakeholders**

US Coast Guard Training Center  
Cape May Tennis Club  
Cape May County Library  
Nature Center & New Jersey Audubon  
Greater Cape May Historical Society  
Cape May Housing Authority

These stakeholders were invited to present ideas and planning recommendations with respect to their expertise and involvement with the community. Numerous stakeholders actively participated in the preparation of this Reexamination.

**1.3 Background & Setting**

The City of Cape May is a 2.2 square mile community located at the southern end of New Jersey and Cape May County. Cape May is bound by the Atlantic Ocean to the south, Cape May Harbor to the east, Lower Township and Cape Island Creek to the north and west, and West Cape May to the west.

Cape May's southern shoreline is formed by wide, white sand beaches that border the Atlantic Ocean and the City is influenced by sensitive environmental features that are essential to Cape May's economy and sense of place. Wetlands occur throughout all sections of the city and limit development on vacant lands, particularly near Cape May Harbor in the east end and along Cape Island Creek which parallels Lafayette Street. Protection of fragile dunes is essential to protection of the valuable beach resources.

Cape May considers itself to be America's first resort community. Settlement occurred in the early nineteenth century but few structures remain from that period. However, it is Cape May's extraordinary collection of late-nineteenth century Victorian architecture that has led to the City's designation as a National Historic Landmark. Summer remains Cape May's busiest season, with vacationers being attracted by a combination of its historic ambiance and its beachfront location. Although most of the New Jersey coast is occupied by resort communities, Cape May receives the second largest number of visitors, after Atlantic City. Unlike many other beachfront towns, Cape May's environmental, historic and cultural assets that offer a wide-range of activities and opportunities have led to Cape May's emergence as a year-round resort.

Cape May benefits from its proximity to major population centers and visitor attractions in the Mid-Atlantic Region. It is approximately 50 miles south of Atlantic City, 80 miles southeast of Philadelphia and 150 miles south of New York City.

Both Route 9 and the Garden State Parkway terminate in Lower Township, near the Schellenger’s Landing Bridge, which provides the main route for vehicular traffic approaching Cape May. A secondary street access is available via Seashore Road, through West Cape May.

The Cape May-Lewes Ferry, which provides service between the southern end of New Jersey and Lewes, Delaware, is located at the western end of the Cape May Canal. Buses connect the ferry with Cape May’s Transportation Center, which is located near the City’s main shopping district, the Washington Street Mall. The Transportation Center was also serviced by the Cape May Seashore Railroad, which previously provided service between the City and Cape May Court House, via the historic Cold Spring Village. The railroad is no longer operating on this line.

Cape May is separated from the New Jersey mainland by Cape May Harbor and the Cape Canal, which is part of the Intracoastal Waterway. This island is shared by the City of Cape May, the Boroughs of West Cape May and Cape May Point, and a portion of Lower Township. Cape May City shares municipal borders with the Borough of West Cape May and Lower Township. The eastern end of the city is occupied by a U.S. Coast Guard base, which occupies approximately 20% of the land area in the City.

Cape May’s regional location is shown on Map 1.1.



Map 1.1 – Aerial Map of Cape May, New Jersey



#### **1.4 Requirements of the Periodic Reexamination Report**

The MLUL requires that the Reexamination Report address each of the following five (5) statutory requirements:

- The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination Report.
- The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- The extent to which there have been significant changes in assumptions, policies, and objectives forming the basis for the Master Plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses; housing conditions; circulation; conservation of natural resources; energy conservation; collection, disposition, and recycling of designated recyclable materials; and changes in state, county, and municipal policies and objectives.
- The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” P.L.1992, c. 79 (C.40A:12A-1 et seq.) into the Land Use Plan Element of the municipal Master Plan, and recommended changes if any in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

This reexamination report addresses each of these statutory requirements.

#### **1.5 General Municipal Goals**

The Municipal Land Use Law empowers municipal governments with the right to control the physical development of the lands within their bounds. N.J.S.A. 40:55D-2 of the Municipal Land Use Law, as amended, lists 15 general purposes regarding the local planning process. The City of Cape May reaffirms these purposes in addition to its more specific goals and objectives that are described later in this report.

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;

- d.* To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e.* To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f.* To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g.* To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h.* To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i.* To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j.* To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k.* To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l.* To encourage senior citizen community housing construction;
- m.* To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n.* To promote utilization of renewable energy resources; and
- o.* To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

## **1.6 Review of Planning Documents**

Several previously adopted planning documents were examined in the preparation of this Master Plan Reexamination. These documents are listed as an inventory of planning reference documents and included for reference as indicated below:

**City of Cape May Master Plans**

- Master Plan Reexamination, City of Cape May, Cape May County, NJ, February 27, 2009 – Revised March 13, 2009
- Master Plan, City of Cape May, Cape May County, NJ, March 2003
- City of Cape May, Cape May County, New Jersey, Housing Element & Fair Share Plan, December 2008
- Housing Element & Fair Share Plan, City of Cape May, Cape May County, New Jersey, August 21, 2018

**Other Plans and Documents**

- Zoning Map, City of Cape May dated August 1, 2016
- Code of the City of Cape May
- City of Cape May, Land Development Regulations
- City of Cape May, Historic Preservation Commission Design Standards, (Last Amended Ordinance 335-2017)
- City of Cape May Historic Preservation Map
- The Vision Plan for the City of Cape May, New Jersey, October 2007
- Environmental Resource Inventory for the City of Cape May, September 2017
- City of Cape May Creative Placemaking Plan, September 2017
- Bicycle and Pedestrian Plan for Cape May City and Cape May Point Borough, 2017
- Cape May County Solid Waste Management Plan (Last Amended 2012)
- Cape May County Comprehensive Plan, 2007
- Borough of West Cape May Master Plan Reexamination Report, October 2015
- Township of Lower, Master Plan Reexamination, April 14, 2011

This report is a reexamination of the above referenced 2003 Master Plan and subsequent 2009 Reexamination. It is the intent of this report to reexamine, review and update the information contained in the last Master Plan and subsequent Reexamination. It is intended to create a comprehensive document and many of the graphics, photos, maps and tables from the Master Plan and Reexamination have been reproduced from the original document. For editing purposes, some graphics, photos, maps and tables from the Master Plan have been omitted and the original document should be referenced for that information. In addition, a new Utility Element and Resiliency Element have been developed.

**1.7 Required Provisions of Periodic Reexamination Reports****1.7.1 Major Problems and Objectives and the Extent to Which Problems and Objectives Have Been Reduced or Have Increased**

The first provision stated in N.J.S.A 40:55D-89a of the Municipal Land Use Law or MLUL states that a re-examination report shall include: *The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*

The major problems and objectives identified in the 2003 Master Plan and subsequent Reexamination in 2009 were explained in each element. This reexamination details how progress has been made towards those objectives and how problematic situations have changed. These have been identified and are listed specifically in the reexamination of each element that follows.

### **1.7.2 The Extent to Which Such Problems and Objectives Have Been Reduced or Have Increased Subsequent to the Last Reexamination**

The second provision stated in N.J.S.A 40:55D-89b of the Municipal Land Use Law or MLUL states that a re-examination report shall include: *The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*

An analysis has been performed for the major problems and objectives identified in the 2003 Master Plan and subsequent Reexamination in 2009 to determine the extent to which problems have increased or decreased and if objectives have been met.

The City has made progress in addressing many of the problems and objectives identified in the Reexamination Report from 2009. Some of the problems or challenges and objectives identified in previous planning studies still need to be addressed. A summary of the problems and objectives that remain valid since the last reexamination and a more detailed analysis is provided in the reexamination of each specific element.

### **1.7.3 The Extent to Which There Have Been Significant Changes in the Assumptions, Policies and Objectives**

#### **Changes in Assumptions, Policies and Objectives**

The third provision of a reexamination is contained in 40:55 D-89c of the MLUL and requires that a reexamination report address: *The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation, collection, disposition, and recycling of designated recyclable materials and changes in State, County, and Municipal policies and objectives.*

The updated background studies identify the extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, and housing conditions. Specific changes to circulation, conservation, collection, disposition, and recycling of designated recyclable materials are identified in the reexamination of each element. Changes in State, County, and Municipal policies and objectives are also identified below.

## **Background Studies**

The following background studies identify the extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, and housing conditions.

A number of other changes have occurred either on a regional or statewide basis that have also changed the conditions for development were identified in the 2003 Master Plan and subsequent 2009 Reexamination. Inventory information was taken from the latest U.S. Census Data and other source information as identified. This reexamination provides updates based on the 2010 U.S. Census Data and the 2012-2016 American Community Survey 5-Year Estimates representing the most recent available comprehensive database of this type of information for the municipality.

## **Population**

According to the 2000 Census, the City of Cape May lost 634 persons in its population between 1990 and 2000, representing more than a 13% decline. The 2010 Census and 2016 American Community Survey (ACS) reflects information that confirms that this trend continues. Population declined by an additional 427 persons from 2000 to 2010 and 78 persons from 2010 to 2016. As shown in Table 1.1, population in Cape May County declined by 2.16%. It should be noted that a 20-40% regional decline in population is shown by other seashore municipalities including Avalon Borough, North Wildwood City, Ocean City, Sea Isle City, Stone Harbor, and Wildwood Crest Borough. These declines reflect the trend of seashore communities transitioning to more second home units. Cape May has been more resilient to this regional trend and has been shown to be a more stable residential community.

**Table 1.1**  
**Population in Cape May County Municipalities**

<b>Municipality</b>	<b>2016</b>	<b>2010</b>	<b>2000</b>	<b>1990</b>	<b>2010 to 2016 % Change</b>
Avalon Borough	1,421	1,334	2,143	1,809	6.52%
Cape May City	3,529	3,607	4,034	4,668	-2.16%
Cape May Point Borough	214	291	241	248	-26.46%
Dennis Township	6,342	6,467	6,492	5,574	-1.93%
Lower Township	22,272	22,866	22,945	20,820	-2.60%
Middle Township	18,778	18,911	16,405	14,771	-0.70%
North Wildwood City	3,943	4,041	4,935	5,107	-2.43%
Ocean City	11,430	11,701	15,378	15,512	-2.32%
Sea Isle City	1,905	2,114	2,835	2,692	-9.89%
Stone Harbor Borough	925	866	1,128	1,025	6.81%
Upper Township	12,098	12,373	12,115	10,681	-2.22%
West Cape May Borough	955	1,024	1,095	1,026	-6.74%
West Wildwood Borough	500	603	448	453	-17.08%
Wildwood City	5,192	5,325	5,436	4,484	-2.50%
Wildwood Crest Borough	3,210	3,270	3,980	3,631	-1.83%
Woodbine	2,690	2,472	2,716	2,678	8.82%
<b>Cape May County Total</b>	<b>95,404</b>	<b>97,265</b>	<b>102,326</b>	<b>95,089</b>	<b>-1.91%</b>

Source: 2016 ACS 5-Year Population Estimates  
2010 Census Data

Cape May's decline in population is a continuation of a trend that began in the 1980's. The 1970 population of 4,392 grew more than 10% in 1980 to 4,853. However, between 1980 and 1990, the population declined nearly 4% to 4,668. The 2000 population of 4,034 brought the population to more than 8% below the 1970 population. The 2016 population of 3,529 is a further reduction of 12.52%. Census population estimates for July 1, 2017 indicate a population of 3,480. Projecting the 2017 estimate at current rates indicates a population estimate of 3,429 by 2020.

The following table indicates that the number of certificates of occupancy for residential units that have been issued from 2000 through 2017 is 231. It is clear that the rate of new housing growth in the City has slowed over the most recent eight year period (2008-2016) with 84 units as compared to 2000-2007 with 138 units.

**Table 1.2**  
**Cape May City**  
**Certificates of Occupancy (C.O.) for Residential Construction: 2000-2016**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
C.O.	15	16	19	35	16	22	15	9	12	11	4	7	10	8	7	13	12	231

*Source: New Jersey Department of Community Affairs, Division of Codes & Standards*

### **Density and Distribution of Population**

Cape May's population has declined since 1990. This decline followed decades of population growth in the City, when the population increased by 461 residents or 10.5 percent of its 1970 population. Between 2000 and 2010, the City lost 427 residents, or 10.6 percent of its 2000 population. The city lost an additional 78 persons from 2010 to 2016. It is expected that Cape May's year-round population will continue to decline. Table 1.3, demonstrates the change in population since 1970.

**Table 1.3**  
**Population Change by Decade**

	Population	# Change	% Change
1970	4,392		
1980	4,853	461	10.5%
1990	4,668	-185	-3.8%
2000	4,034	-634	-13.6%
2010	3,607	-427	-10.6%
2020	3,429	-178	-4.9%

*Source: New Jersey State Data Center, US Census Data*

The decline in population reflects the increasing number of residential properties that are used as second homes. These declines do not reflect any lessening of Cape May's viability. To the contrary, real estate in Cape May remains desirable and vacancy rates are low. Few new homes are being built due to the unavailability of vacant land. However, the redevelopment of existing residential lots remains strong.

The census data reflects residency on Census Day (April 1, 2010) and the owner's census data is recorded at the location of the primary residence. In the 2000 census, 51.4 % of Cape May's homes were designated for seasonal use. This was an increase of 968 seasonal homes since 1990, when

seasonal homes accounted for 27.7% of the housing stock. The 2010 data reflects this continued trend. Total housing was 4,155 units, with 2,320 of the units or 55.8% indicated as vacant or seasonal.

Density is a measure of the distribution of population over a given area. Cape May's relatively small land area, intensity of buildings, and compactness of development have contributed to Cape May's status as the 6th densest community in Cape May County behind Wildwood, Wildwood Crest, North Wildwood, West Wildwood and Ocean City. Even with the decrease in population in the City since 1990, Cape May has remained amongst the middle of the densest resort communities in the county. This decrease in density can be attributed to the increasing number of households living in the City on a seasonal basis. Cape May's middling density is also a product of undeveloped tracts in East Cape May and the preserved open space in its existing parks.

Despite Cape May's median density, density itself is not necessarily a measure of quality of life. Scarcity of land resources and high real estate values has led to development at greater densities in coastal communities across New Jersey. As a whole, the densities of coastal communities in Cape May County are several factors larger than the density of the county aggregate. This is due to the relatively low densities of mainland Cape May County communities as a whole, as well as the large inland tracts of land preserved from development, such as the Cape May County Airport and Belleplain Wildlife Refuge, Cape May National Wildlife Refuge, and Beaver Swamp Fish & Wildlife Refuge. Table 1.4 displays density figures for municipalities in Cape May County:

**Table 1.4**  
**Density of Cape May County - 2000 to 2016**

	Land Area (square miles)	Total Population			Persons per Square Mile		
		2000	2010	2016	2000	2010	2016
New Jersey	7,416.9	8,414,350	8,791,894	8,915,456	1,134.5	1,185.4	1,202
Cape May County	256.5	102,326	97,265	95,404	398.9	379.2	371.9
"Resort Communities"							
Avalon	4.6	2,143	1,334	1,421	465.9	290.0	308.9
<b>Cape May City</b>	<b>2.3</b>	<b>4,034</b>	<b>3,607</b>	<b>3,529</b>	<b>1,753.9</b>	<b>1,568.3</b>	<b>1,534.3</b>
Cape May Point	0.4	241	291	214	602.5	727.5	535
North Wildwood	1.7	4,935	4,041	3,943	2,902.9	2,377.1	2,319.4
Ocean City	7	15,378	11,701	11,430	2,196.9	1,671.6	1,632.9
Sea Isle City	2.3	2,835	2,114	1,905	1,232.6	919.1	828.3
Stone Harbor	1.6	1,128	866	925	705.0	541.3	578.1
West Cape May	1.2	1,095	1,024	955	912.5	853.3	795.8
West Wildwood	0.3	448	603	500	1,493.3	2,010.0	1,666.7
Wildwood	1.3	5,436	5,325	5,192	4,181.5	4,096.2	3,993.8
Wildwood Crest	1.1	3,980	3,270	3,210	3,618.2	2,972.7	2,918.2
"Mainland Communities"							
Dennis Township	62.1	6,492	6,467	6,342	104.5	104.1	102.1
Lower Township	27.4	22,945	22,866	22,272	837.4	834.5	812.8
Middle Township	70.4	16,405	18,911	18,778	233.0	268.6	266.7

	Land Area	Total Population			Persons per Square Mile		
	(square miles)	2000	2010	2016	2000	2010	2016
Upper Township	65	12,115	12,373	12,098	186.4	190.4	186.1
Woodbine	7.8	2,716	2,472	2,690	348.2	316.9	344.9
"Resort Communities"	23.8	41,653	34,176	32,269	1,750.1	1,436.0	1,355.8
"Mainland Communities"	232.7	60,673	63,089	62,180	260.7	271.1	267.2

Source: 2016 ACS 5-Year Estimates & 2010 US Census

In terms of distribution of population across the City's land area, the portions of the City bound by Lafayette Street, Texas Avenue, Pittsburgh Avenue and New Jersey Avenue are the densest and tend to be occupied on a more year-round basis, according to the 2010 Census. The residential blocks nearest the City's ocean and harbor shoreline are inhabited on a more seasonal basis.

It has been observed that a number of the new seasonal homeowners are purchasing homes in anticipation of future use as retirement homes. Once a proportion of current seasonal homeowners actually do retire in Cape May, they will be listed as permanent residents. This helps lessen the trends of declining population and increased seasonal homeownership that were found in the last census. It should be noted that 32.5% of Cape May City residents are age 65 or older, as compared with 23.8% of the total County population.

Future population projections through 2040 were available from the South Jersey Transportation Planning Organization ("SJTO") "Regional Transportation Plan 2040" July 2012. This plan notes that Cape May County had one of the lowest growth rates in the country in the 2000 - 2010 decade with an actual decline from 102,326 to 97,265. Using local input and past trends, this Plan used Moody's forecast with the expectation that the current decline would be reversed but growth would be minimal. In its May 2011 Ocean City Metro Report (Cape May County is designated as the Ocean City Micropolitan Statistical Area "OCE"), Moody's Analytics stated that: *Location amid densely populated urban areas will serve as a long-term driver for tourism, but leisure/hospitality will muster a pace of growth that is below the national average. OCE will benefit from an influx of retirees, supporting growth in healthcare. However, low industrial diversity and high relative business costs will restrict growth. OCE will be a below-average performer over the long-run.*



**Table 1.5**  
**Cape May County Population Projections 1990-2040**

Municipality	1990	2000	%	2010	2020	%	2030	2040	%
Avalon Borough	1,809	2,143	1.85	1,334	1,208	-0.94	1,220	1,233	0.10
<b>Cape May City</b>	<b>4,668</b>	<b>4,034</b>	<b>-1.36</b>	<b>3,607</b>	<b>3,512</b>	<b>-0.26</b>	<b>3,547</b>	<b>3,584</b>	<b>0.10</b>
Cape May Point	248	241	-0.28	291	322	1.05	347	351	0.46
Dennis Township	5,574	6,492	1.65	6,467	6,461	-0.01	6,525	6,594	0.10
Lower Township	20,820	22,945	1.02	22,866	22,846	-0.01	23,075	23,317	0.10
Middle Township	14,771	16,405	1.11	18,911	21,872	1.57	23,175	23,419	0.35
North Wildwood City	5,017	4,935	-0.16	4,041	3,858	-0.45	3,897	3,937	0.10
Ocean City	15,512	15,378	-0.09	11,701	11,002	-0.60	11,112	11,228	0.10
Sea Isle City	2,692	2,835	0.53	2,114	1,980	-0.64	1,999	2,020	0.10
Stone Harbor	1,025	1,128	1.00	866	816	-0.58	824	833	0.10
Upper Township	10,681	12,115	1.34	12,373	13,237	0.70	13,589	13,732	0.19
West Cape May	10,126	1,095	0.67	1,024	1,007	-0.16	1,017	1,028	0.10
West Wildwood	453	448	-0.11	603	709	1.75	765	773	0.46
Wildwood City	4,484	5,436	2.12	5,325	5,298	-0.05	5,351	5,407	0.10
Wildwood Crest	3,631	3,980	0.96	3,270	3,124	-0.45	3,155	3,189	0.10
Woodbine	2,678	2,716	0.14	2,472	2,416	-0.22	2,441	2,466	0.10
<b>Cape May County</b>	<b>95,809</b>	<b>102,326</b>	<b>0.76</b>	<b>97,265</b>	<b>99,928</b>	<b>0.27</b>	<b>102,012</b>	<b>103,083</b>	<b>0.16</b>

Source: South Jersey Transportation Planning Organization "Regional Transportation Plan 2040" July 2012

These long range projections factored in an assumption that the current decline would be reversed but growth would be minimal. Based on most recent Census data, it appears the current decline has slowed but has not reversed itself. The SJTO projection of population trend reversal appears premature and it is unclear if and when the reversal will occur. Whether this assumption will prove true can be argued and ultimately the future trends will be dictated by current and future demographic and economic factors.

It is widely known that Cape May County as well as the City of Cape May populations greatly increases during the summer. Cape May County has provided estimates of summer population in 2016. It has been estimated that Cape May City's summer population swells to 46,324 persons. This is 13.2 times the City's population estimate of 3,500 for 2016.

**Table 1.6**  
**Cape May County Summer Population Estimate - 2016**

Type	Cape May City	Cape May County
Dwelling Units, 2015*	4,246	99,382
Dwelling Units x 5 Residents/DU	21,230	496,910
Hotel/Motel Units	3,255	18,733
Hotel/Motel Units x 2.5 residents/unit	8,138	46,876
Campsites	-	14,724
Campsites x 3.75 Campers/Site	-	55,215
Group Quarters	4000	14,091
Marina Slips	228	4,660
Marina Slips x 2 persons/slip	456	9,320
Day Trippers	12,500	145,000
<b>Total Population</b>	<b>46,324</b>	<b>767,412</b>

\*Dwelling unit numbers from 2016 NJDCA building permits and 2015 ACS

\*\*Camp Site Numbers from 2016 County Health Dept.

\*\*\*Marina counts from 2010 "Boaters Guide to Cape May County"

\*\*\*\*Day-Trippers: Annual figure from Longwoods International 2005 Survey

### **Age of Population**

The Census breaks the population down by age cohorts. Table 1.7: 2016 Age Cohorts shows the break-down for the City of Cape May and Cape May County. Generally, in comparison to the County as a whole, Cape May has an older population. The City population age 65+ is 32.5% of the total. The County population 65+ is 23.8%. Children under the age of 19 make up 20.5% of the County's population as compared with 21.8% of the City's population.

**Table 1.7**  
**2016 Age Cohorts**

<b>Age</b>	<b>Population Cape May City</b>	<b>% of Population</b>	<b>Population Cape May County</b>	<b>% of Population</b>
Under 5	142	4.0	4,533	4.8
5 to 9	52	1.5	4,825	5.1
10 to 14	51	1.4	4,558	4.8
15 to 19	525	14.9	5,490	5.8
20 to 24	446	12.6	5,732	6.0
25 to 34	381	10.8	9,369	9.8
35 to 44	81	2.3	9,186	9.6
45 to 54	226	6.4	13,347	14.0
55 to 59	158	4.5	7,263	7.6
60 to 64	318	9.0	8,325	8.7
65 to 74	598	16.9	12,823	13.4
75 to 84	340	9.6	7,077	7.4
85 +	211	6.0	2,876	3.0
<b>Total</b>	<b>3,529</b>	<b>100</b>	<b>95,404</b>	<b>100</b>

Source: 2016 ACS 5-Year Estimates

The median age for Cape May County was 48.4 in 2016 which increased from 46.4 years in 2010 and increased from 42.3 years in 2000. The median age for the City of Cape May has declined from 50.2 years in 2010 to 48.8 years in 2016.

Non-family households make up 44.2% of the households in Cape May City. This is lower than the County rate of 35.5% and slightly lower than the State average of 30.7%. The average household size in Cape May City is 1.95 (persons per dwelling unit), while the County average is 2.31 and the State average is 2.68, making the average household size in Cape May City smaller than that of the County and State.

#### *Education:*

Within Cape May City's adult population, 92.9% have received a high school diploma and 43.5% received a bachelor's degree or higher making the City slightly better educated than the rest of Cape May County. The County data indicates 90.1% of the adult population has received a high school diploma and 30.5% of the adult population has received a bachelor's degree or higher.

## **Housing**

### *Age of Housing:*

Table 1.8 depicts the number of new housing units constructed between 2000 and 2016 for the City, County and State.

**Table 1.8**  
**Cape May City, Cape May County and New Jersey**  
**Housing Units: 2000, 2010 & 2016**

<b>Jurisdiction</b>	<b>Housing Units 2000</b>	<b>Housing Units 2010</b>	<b>Housing Units 2016</b>	<b>Increase</b>	<b>% Increase from 1990-2010</b>
Cape May City	4,064	4,155	4,259	195	4.80%
Cape May County	91,047	98,309	98,900	7,853	8.62%
New Jersey	3,310,275	3,553,562	3,586,442	276,167	8.34%

*Source: 2010 Census Data & 2000 Census Data*

As of 2016, approximately 76.3% of the City's current housing stock was constructed prior to 1980, with 23.5% constructed prior to 1940. The City therefore has what can be considered an older housing stock. The age of housing stock can be used as a gauge of the overall condition of housing in the community. However, Cape May's age can be attributed to its numerous historic structures.

According to the New Jersey Department of Labor, Residential Building Permits Issued, 128 new building permits were issued in Cape May from 2009-2017. From January 2018 to May 2018, there were seven residential building permits issued.

### *Housing Tenure:*

Cape May has increased its 2010 total housing units to 4,155 to according to the 2010 Census. This represents a 2.2% increase over the 4,064 housing units identified in the 2000 Census. Of these units, 1,457, or 35.1%, are occupied units, 2,320 housing units (55.8%) are for seasonal use. The remaining units are considered vacant. In comparison, of the 2000 units, 1,821, or 45%, are occupied units, 2,089 housing units (51.4%) are for seasonal use. Comparing these figures with the 1990 Census, there were 4,052 total housing units, 1,868 of which were occupied (46%) and 1,121 (27.7%) were considered for seasonal use. This data confirms the continuing trend of losing full time residential units to second homes and rental unit conversions.

**Table 1.9**  
**Cape May County Total & Occupied Housing Units 2000 & 2010**

Municipality	Total Units			Occupied Units			% Occupied	
	2000	2010	% Change	2000	2010	% Change	2000	2010
Avalon Borough	5,281	5,434	2.9	1,045	692	-33.8	20%	13%
Cape May City	4,064	4,155	2.2	1,821	1,457	-20.0	45%	35%
Cape May Point	501	619	23.6	133	164	23.3	27%	26%
Dennis Township	2,327	2,672	14.8	2,159	2,370	9.8	93%	89%
Lower Township	13,924	14,507	4.2	9,328	9,579	2.7	67%	66%
Middle Township	7,510	9,296	23.8	6,009	7,256	20.8	80%	78%
North Wildwood City	7,411	8,840	19.3	2,309	2,047	-11.3	31%	23%
Ocean City	20,298	20,871	2.8	7,464	5,890	-21.1	37%	28%
Sea Isle City	6,622	6,900	4.2	1,370	1,041	-24.0	21%	15%
Stone Harbor	3,428	3,247	-5.3	596	441	-26.0	17%	14%
Upper Township	5,472	6,341	15.9	4,266	4,566	7.0	78%	72%
West Cape May	1,004	1,043	3.9	507	493	-2.8	50%	47%
West Wildwood	775	893	15.2	202	276	36.6	26%	31%
Wildwood City	6,488	6,843	5.5	2,333	2,251	-3.5	36%	33%
Wildwood Crest	4,862	5,569	14.5	1,833	1,532	-16.4	38%	28%
Woodbine	1,080	1,079	-0.1	773	757	-2.1	72%	70%
<b>Cape May County</b>	<b>91,047</b>	<b>98,309</b>	<b>8.0</b>	<b>42,148</b>	<b>40,812</b>	<b>-3.2</b>	<b>46%</b>	<b>41.5%</b>

Source: Census 2010, Redistricting Data File H1, February 2011; Census 2000, General Demographic Profiles, US Census Bureau, 2001

The percentage of occupied units decreased from 2000 to 2010 and increased from 2010 to 2016.

The most recent available 2016 Census data indicates that 1,404 housing units (33%) in the City were occupied and 2,855 units (67%) were vacant. A total of 967 units (68.9%) of the occupied units are owner occupied with the additional 437 units (31.1%) occupied by renters. The City has a high vacancy rate due to the seasonal and recreation uses shown in Table 1.10.

**Table 1.10**  
**Cape May City**  
**Housing Tenure: 2016**

Cape May City	2000 Units	2000 % of Total	2010 Units	2010 % of Total	2016 Units	2016 % of Total
Total Housing Units	4,064	100%	4,155	100%	4,259	100%
Occupied Housing Units						
-Owner Occupied	1,034	56.8%	791	54.3%	967	68.9%
-Renter Occupied	787	43.2%	666	45.7%	437	31.1%
-Total	1,821	100%	1,457	100%	1,404	100%
Vacant Housing Units	2,243	100%	2,698	100%	2,855	100%
Seasonal, Recreational Use	2,089	93.1%	2,320	86%	N/A	N/A
Rental Vacancy Rate	85	3.8%	283	10.5%	N/A	N/A

*Source: 2010 Census Data & 2000 Census Data*

#### *Physical Character of the City Housing Stock*

Although not as impacted as other Cape May County seashore towns, Cape May is experiencing a transition from a year-round community to a seasonal community. This is most apparent in data examining the amount of seasonal homes in the City. This Census data reveals that the City and County trend of loss of occupied units continued. From 2000 to 2010, the City's occupied units fell 20% to 1,457 and fell another 3.6% from 2010 to 2016. This follows a State and regional seashore community trend that reflects the growing portion of seasonal units. Avalon, Ocean City, Sea Isle City, and Stone Harbor were communities that also had losses of 20% or more. Full time residents are being lost to this trend. Cape May has slowed this trend and has not been impacted to the extent of other coastal communities in Cape May.

In Table 1.11, selected housing data from the City's Division of Construction Code Enforcement shows low building activity during the Great Recession. Beginning in 2007, construction activity decreased significantly until 2012, when the economy began to rebound.

**Table 1.11**  
**Cape May Building Permits: 2007-2017**

Year	New Building	Addition	Alter.	Demo	C/O Issued	Units Lost	Units Gain	Change
2007	21	27	521	15	51	13	9	-4
2008	15	35	560	9	60	29	12	-17
2009	4	23	563	6	55	13	6	-7
2010	14	24	516	14	31	4	4	0
2011	12	22	487	9	35	10	10	0
2012	12	30	432	6	34	4	12	+8
2013	26	37	299	9	27	4	12	+8
2014	35	50	448	15	16	1	7	+6
2015	34	32	517	14	34	6	13	+7
2016	27	48	633	21	35	0	15	+15
2017	20	52	576	8	34	7	14	+7
TOTAL	220	380	5552	126	412	91	114	+23

*Source: City of Cape May Building Permit Data*

New structures built within Cape May over the past decade have tended to be detached dwellings and some attached single-family housing units. In some cases, new developments have been conversion projects replacing bed and breakfast uses with single family rental type uses. In other cases, existing homes were demolished to make way for new, flood elevation-compliant homes. There is insufficient land for major increases in building units. This trend should continue for some time as flood insurance rates continue to escalate. Overall, new units did not translate to more full time residents, as the secondary home trend outweighed any gains.

Table 1.12 provides an inventory of the age of the housing stock in Cape May City

**Table 1.12**  
**Cape May City**  
**Inventory of Housing Age: 2016**

Year(s) Constructed	Percent of Total
2014 or later	0%
2010 to 2013	1.4%
2000 to 2009	4.0%
1980 to 1999	18.4%
1960 to 1979	32.9%
1940 to 1959	19.9%
1939 or earlier	23.5%

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates*

For 2017, Cape May County had a foreclosure rate of 1 in 1074 units. The Cape May City area, which is based on the 08204 zip code and includes portions of Lower Township, had a foreclosure rate of

1 in 1012 units The foreclosure issues within the City are rare and do not appear to be significant or deleterious to the overall housing stock.

The average household size in Cape May for 2010 is 1.95 persons per household, compared with the 2000 and 1990 estimates, when average household size was 2.02 and 2.13 persons per household, respectively. This follows a national trend to smaller household size. Cape May County has an average household size of 2.32 persons per household which has remained relatively consistent over the last decade.

In 2016, the median value of the owner occupied units in Cape May City was \$557,200. The median home value has decreased since the release of the 2010 Census, which was \$700,000. Cape May City's average median home value is greater than that of Cape May County as well as New Jersey.

**Table 1.13**  
**Cape May City, Cape May County and New Jersey**  
**Median Home Values: 2010 & 2016**

Median Home Value	2010	2016	Percent Decrease
Cape May City	\$700,000	\$557,200	-20.4%
Cape May County	\$337,300	\$296,100	-12.21%
New Jersey	\$357,000	\$316,400	-11.37%

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, 2010 Census Data & 2000 Census Data*

Online real estate website Zillow was utilized to provide 2017 data for comparison. The median home value in Cape May is \$581,600. Cape May home values have gone up 10.9% over the past year and Zillow predicts they will rise 3.9% within the next year. The median list price per square foot in Cape May is \$445, which is higher than the Ocean City Metro average of \$273. The median price of homes currently listed in Cape May is \$795,000. It should be noted that this data is for all units and does not provide specific owner occupied units data.

As noted in Table 1.14 the majority of owner occupied units are valued at more than \$300,000. Of the 967 owner-occupied units reported in the 2012-2016 American Community Survey, 90% were valued at more than \$300,000. Housing within the City is expensive.

**Table 1.14**  
**Cape May City**  
**Home Value of Specified Owner Occupied Units: 2016**

Value of Specified Owner Occupied Units	Number of Units	Percent of Total
Less than \$50,000	9	0.9%
\$50,000- \$99,999	0	0%
\$100,000- \$149,999	10	1%
\$150,000- \$199,999	0	0%
\$200,000- \$299,999	78	8.1%
\$300,000- \$499,999	333	34.4%
\$500,000- \$999,999	370	38.3%
Over \$1,000,000	167	17.3%

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, and 2010 Census Data*

As noted in Table 1.15 the majority of the gross rents charged were less than \$1,500 per month. Of the 357 rental units reported in the 2012-2016 American Community Survey, 94.9% of the units were rented at less than \$1,500.

**Table 1.15**  
**Cape May City**  
**Gross Rent of Specified Renter Occupied Units: 2016**

Value of Occupied Rental Specified Units	Number of Units	Percent of Total
Less than \$500.00	33	9.2%
\$500.00-\$999.00	286	80.1%
\$1,000.00-\$1,499.00	20	5.6%
\$1,500.00-\$1,999.00	8	2.2%
\$2,000.00-\$2,499.00	10	2.8%
\$2,500.00-\$2,999.00	0	0%
\$3,000 or more	0	0%
No cash rent	80	--

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, and 2010 Census Data*

The median gross rent in Cape May City was \$837.00 in 2016. The median rent is lower than that of the Cape May County and New Jersey averages.



**Table 1.16**  
**Cape May City, Cape May County and New Jersey**  
**Median Rents: 2010 & 2016**

Median Rent	2010	2016	% Change
Cape May City	\$788.00	\$837.00	6.2%
Cape May County	\$973.00	\$1,045.00	7.4%
New Jersey	\$1,092.00	\$1,213.00	11.1%

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates, 2010 Census Data*

Single family detached homes remain the dominant housing structure in the City, representing 41.7% of total housing units. In addition, single family attached homes account for 26.9% of the housing structures in the City.

**Table 1.17**  
**Cape May City**  
**Types of Dwelling Units: 2016**

Type of Unit	Number of Units	Percent of Total
1- Unit; detached	1,774	41.7%
1- Unit; attached	1,145	26.9%
2 Units	123	2.9%
3 or 4 Units	398	9.3%
5 to 9 Units	225	5.3%
10 to 19 Units	173	4.1%
20 or more Units	421	9.9%
Mobile Homes	0	0%
Boat, RV, Van, etc.	0	0%
<b>Total</b>	<b>4,259</b>	<b>100%</b>

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates*

Table 1.18 provides Census data regarding the condition of housing and whether units are overcrowded:

**Table 1.18**  
**Cape May City**  
**Condition of Housing: 2016**

Characteristic	Number of Units
Overcrowded (> 1 person per room)	0
Total Units lacking complete plumbing	0
Total Units lacking complete kitchen	0

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates*

## **Employment & Labor**

### *Analysis of Existing Employment:*

The 2016 American Community Survey data indicates that the civilian labor force (16 years and older) for Cape May City and Cape May County in 2016 were 1,115 and 47,194 respectively. The Cape May City labor force represents 2.36% of the County civilian labor force. In 2016, the percent of the persons age 16 and over in the civilian labor force in Cape May City was 34%. This average is lower than the County average of 58.6%. The City had a lower unemployment rate than the County; rates were 1.9% and 5.4% respectfully.

The Census data distribution of occupational positions in Cape May City generally reflects that of Cape May County and the State.

**Table 1.19**  
**Cape May City and Cape May County**  
**Civilian Labor Force Characteristics: 2016**

	<b>Cape May City</b>		<b>Cape May County</b>	
	Number of Persons	Percent of Total	Number of Persons	Percent of Total
Labor Force	1,115	34%	47,194	58.6%
Employed	1,051	32%	42,837	53.2%
Unemployed	64	1.9%	4,357	5.4%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

**Table 1.20**  
**Cape May City, Cape May County and New Jersey**  
**Occupation Distribution: 2016**

<b>Occupation</b>	<b>Cape May City</b>	<b>Cape May County</b>	<b>New Jersey</b>
Management, business, science and arts occupations	39.3%	34.5%	41.2%
Service Occupations	15.1%	22.5%	16.7%
Sales and Office Occupations	28.5%	24.6%	24.4%
Natural resources, construction and maintenance occupations	9.0%	11.0%	7.2%
Production, transportation and material moving occupations	8.0%	7.4%	10.5%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

In 2016, the median income in Cape May City was \$54,907. However, there is a wide range of income levels, as 33.9% of the population make over \$100,000 and 18.9% make under \$25,000. The distribution of household income is indicated in Table 1.21.

**Table 1.21**  
**Cape May City**  
**Household Income: 2016**

<b>Household Income</b>	<b>Number</b>	<b>Percent</b>
Less than \$10,000	91	6.5%
\$10,000- \$14,999	49	3.5%
\$15,000- \$24,999	125	8.9%
\$25,000- \$34,999	196	14.0%
\$35,000-\$49,999	204	14.5%
\$50,000- \$74,999	149	10.6%
\$75,000- \$99,999	115	8.2%
\$100,000- \$149,999	279	19.9%
\$150,000- \$199,999	91	6.5%
\$200,000 or more	105	7.5%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

*Analysis of Future Employment:*

As mentioned in the 'Analysis of Existing Employment' section, data from the 2016 American Community Survey data indicates a civilian labor force (those in the population above the age of 16) of 1,115, of which 1,051 were employed. Classifications of workers by occupation distribution can be referenced in Table 1.22, which lists occupation by industry of workers in the City.

**Table 1.22**  
**Cape May City**  
**Employment Classification: 2016**

<b>Industry</b>	<b>Number of Employees</b>	<b>% of Total Employed</b>
Agriculture, forestry, fishing, hunting and mining	4	0.4%
Construction	34	3.2%
Manufacturing	50	4.8%
Wholesale Trade	0	0.0%
Retail Trade	181	17.2%
Transportation, warehousing and utilities	58	5.5%
Information	10	1.0%
Finance, Insurance, Real Estate and Rental/Leasing	81	7.7%
Professional, scientific, management, administrative and waste management services	94	8.9%
Educational services, health care and social assistance	152	14.5%
Arts entertainment, recreation, accommodation and food services	188	17.9%
Other services except public administration	141	13.4%
Public Administration	58	5.5%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

### **Income**

According to the 2012-2016 American Community Survey, the 2016 median household income for Cape May County was \$59,338. This is more than the median household income for the City, indicated as \$54,907. Approximately 5.6% of the families in Cape May were considered to be below the poverty line in 2016.

**Table 1.23**  
**Median Household Income 2016**

Municipality (Geographic Area)	Median Income (2016 Dollars)		Per capita Income (2016 Dollars)	Income in 2016 below poverty level % of Families
	Households	Families		
Avalon Borough	82,678	109,643	71,818	1.5
Belleplain, CDP	79,583	93,882	29,309	0.0
Burleigh, CDP	39,583	41,625	24,683	14.2
Cape May City	54,907	99,250	43,427	5.6
Cape May Courthouse, CDP	60,181	79,936	33,205	7.1
Cape May Point Borough	48,438	78,750	39,121	1.7
Dennis Township	65,545	75,909	28,201	10.6
Diamond Beach, CDP	-	-	46,994	0.0
Erma, CDP	75,515	87,897	34,176	2.3
Lower Township	56,241	68,432	29,170	6.0
Middle Township	60,829	75,126	32,618	8.7
N. Cape May, CDP	54,728	83,697	29,216	2.7
North Wildwood City	43,516	63,205	29,833	7.6
Ocean City	63,108	78,935	31,903	7.5
Rio Grande, CDP	51,045	63,229	29,460	19.9
Sea Isle City	70,333	121,036	51,660	4.0
Stone Harbor Borough	95,250	101,597	71,178	4.5
Strathmere CDP	212,188	215,972	70,662	0.0
Upper Township	79,672	92,171	37,057	2.7
Villas CDP	45,361	54,617	26,106	10.7
West Cape May Borough	58,438	77,083	36,246	10.6
West Wildwood Borough	47,411	56,875	29,336	5.3
Whitesboro, CDP	41,713	50,655	19,174	8.0
Wildwood City	28,271	28,894	27,274	26.3
Wildwood Crest Borough	58,897	66,758	35,966	2.8
Woodbine	38,092	52,750	17,907	22.3

Source: US Census Bureau, 2012-2016 American Community Survey 5 Year Estimates - Units Affordable to Low and Moderate Income Households

Cape May City is in COAH's Region 6, which encompasses Atlantic, Cape May, Cumberland and Salem counties. The median household income in Cape May City in 2016 was \$54,907.

**Table 1.24**  
**Council on Affordable Housing**  
**2017 Regional Income Limits**

	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
<b>Median</b>	\$51,085	\$54,734	\$58,383	\$65,681	\$72,979	\$75,898	\$78,817	\$84,655	\$90,494	\$96,332
<b>Moderate</b>	\$40,868	\$43,787	\$46,706	\$52,545	\$58,383	\$60,718	\$63,054	\$67,724	\$72,395	\$77,066
<b>Low</b>	\$25,543	\$27,367	\$29,192	\$32,840	\$36,489	\$37,949	\$39,409	\$42,328	\$45,247	\$48,166
<b>Very Low</b>	\$15,326	\$16,420	\$17,515	\$19,704	\$21,894	\$22,769	\$23,645	\$25,397	\$27,148	\$28,900

*Source: Council on Affordable Housing*

Based on the qualifying formula in N.J.A.C. 5:80-26, the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed twenty-eight percent (28%) of gross monthly household income based on a five percent (5%) down payment. In addition, moderate-income sales units must be available for at least three different prices and low-income sales units available for at least two different prices. The maximum sales prices must now be affordable to households earning no more than seventy-percent (70%) of median income. The sales prices must average fifty-five percent (55%) of median income.

Under UHAC regulations, rents including utilities may not exceed thirty-percent (30%) of gross monthly income. The average rent must now be affordable to households earning fifty-two percent (52%) of median income. The maximum rents must be affordable to households earning no more than sixty-percent (60%) of median income. In averaging fifty-two percent (52%), one rent may be established for a low-income unit and one rent for a moderate-income unit for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by HUD and utilized in New Jersey. In addition thirteen percent (13%) of all restricted rental units must be affordable to households earning no more than thirty-percent (30%) of median income.

Based upon the average household size of 1.95 in Cape May City in 2016 and the regional limits, the median income in Region 6 for Cape May City in 2017 is \$58,383. At a minimum, 93 owner occupied units and 339 renter occupied units could be considered affordable to two person very low, low and moderate income households as indicated in Table 1.25. Of the 93 owner occupied units, 30 units could be considered affordable to two person low income and some moderate income and 63 units could be considered affordable to a two person moderate income. Of the 339 renter occupied units, 33 units could be considered affordable to two person very low income and low income, 286 units could be considered affordable to a two person low income and moderate income and 20 units could be considered affordable to a two person moderate income. Based upon these numbers approximately 10.14% of the 4,259 units in the City in 2016 are potentially affordable. Of these, approximately 33 units representing approximately 0.77% could be affordable to very low and low income households with the remaining 399 units representing approximately 9.37% could be affordable to low income and moderate income households. Although these figures are estimates and assumptions regarding household size have been made, it appears that the City has significant numbers of affordable units, some of which are naturally affordable, and some of which can be counted as affordable housing credits.

**Table 1.25**  
**Cape May City**  
**Estimate of 2016 Housing Units Affordable to Low & Moderate Income Households**  
**Information for Median Income, Mortgage and Rental Information**

<b>Income Level</b>	<b>Annual Income</b>	
Median Household Income	\$54,907	
Moderate Income	\$29,192 - \$46,706	
Low Income	\$17,515 - \$29,192	
Very Low Income	<\$17,515	
<b>Income Level</b>	<b>Affordable Monthly Rent</b>	<b>Affordable Monthly Mortgage</b>
Moderate Income	\$729.80 - \$1,167.65	\$681.15 - \$1,089.81
Low Income	\$437.88 - \$729.80	\$408.68 - \$681.15
Very Low Income	<\$437.88	<\$408.68
<b>Mortgage Status and Selected Owner Costs</b>	<b>Number of Units</b>	<b>Affordability</b>
<b>Owner Occupied Units with a Mortgage</b>		
Less than \$500.00	0	
\$500.00-\$999.00	30	Some Low Income & Some Moderate Income
\$1,000.00-\$1,499.00	63	Some Moderate Income
\$1,500.00-\$1,999.00	118	Not Affordable
\$2,000.00-\$2,499.00	74	Not Affordable
\$2,500.00-\$2,999.00	47	Not Affordable
\$3,000.00 or more	113	Not Affordable
Not Mortgaged	522	
<b>Renter Occupied Housing Units</b>		<b>Affordability</b>
Less than \$500.00	33	Some Low Income & Some Very Low Income
\$500.00-\$999.00	286	Some Low Income & Some Moderate Income
\$1,000.00-\$1,499.00	20	Some Moderate Income
\$1,500.00-\$1,999.00	8	Not Affordable
\$2,000.00-\$2,499.00	10	Not Affordable
\$2,500.00-\$2,999.00	0	Not Affordable
\$3,000.00 or more	0	Not Affordable
No Rent Paid	80	

Source: 2010 Census Data, 2012-2016 American Community Survey 5-Year Estimates

### Changes in State, County & Municipal policies & Objectives

The following background studies identify the extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the changes in State, County, and Municipal policies and objectives.

#### *Re-examination of State Development and Redevelopment Plan (State Plan):*

On January 2, 1986, the New Jersey Legislature enacted the New Jersey State Planning Act. As part of this Act, the New Jersey State Planning Commission was created and directed to prepare and adopt a statewide plan for growth and redevelopment in New Jersey. The State Planning Commission was created to create a guideline for the future growth of New Jersey which is called the State Development and Redevelopment Plan. The aim of the legislation was to ensure that New Jersey remained a desirable place to live and work, that a positive business climate was maintained, and that public expenditure for improvements to roads, sewers, water supply and the like was spent in the most efficient manner possible. The plan is to be designed to protect the natural resources of the state, identify areas for growth, limited growth, and agriculture or conservation, and to establish state policy on housing, the use of land, and economic development.

In 1992, the Commission released the *State Development and Redevelopment Plan (State Plan)*. To achieve the legislative goals, the State Planning Commission, now the Smart Growth Commission, and its staff, the Office of State Planning, have developed plans with considerable public comment and formal negotiations (the cross-acceptance process) on points of contention. Following years of review, the first Plan was adopted on June 12, 1992. The current Plan was adopted on March 1, 2001. It is a policy document on growth management that seeks to coordinate the provision of public services for development and redevelopment in the most efficient manner and direct growth to the most appropriate locations. The organizing concept of the Plan is to designate planning areas and centers. This structure identified five basic "planning areas", outside of the Pinelands areas, based on physical size, population densities, availability of infrastructure, and pattern of existing land uses. These five planning areas, include: Metropolitan Planning Area (PA 1), Suburban Planning Area (PA 2), Fringe Planning Area (PA 3), Rural Planning Area (PA 4) and its subset Rural Environmentally Sensitive Planning Area (PA 4B), and Environmentally Sensitive Planning Area (PA 5). In addition to the planning areas, the Plan defines five types of centers; Urban, Town, Regional, Village, and Hamlet. Centers are embedded within planning areas and are intended to be the focus of growth in the State. Ideally, centers are to be developed in a manner that creates "communities of place". These planning areas are mapped on the State's Resource Planning and Management Map (RPMM).

As required by law, all governmental agencies are now required to reexamine their planning documents every ten (10) years. In 1997 the State Planning Commission began a reexamination of the State Plan. On March 31, 1999, the State Planning Commission approved the *New Jersey State Development and Redevelopment Plan: Interim Plan*. A new State Plan was approved in 2001.

This reexamination of the State Plan has provided municipalities, county agencies, and citizens with the opportunity to provide comments on the previously adopted State Plan and make suggestions and recommendations. Municipal and county agencies were also offered an additional chance to request changes in policy and / or request modifications to the RPMM.



When the State Plan was adopted in 1997, the plan was to serve as an advisory document providing recommendations that would result in "smart growth" or a pattern of "preferred growth" throughout the State. In her 1998 State of the Union address, Governor Whitman clearly stated that one of her goals is that all State agencies use the State Plan as a basis for their policy and decision making process. Decisions regarding funding, priority of improvements / maintenance, and implementation of new projections or extensions of existing systems should now be required to be based on the principals and concepts contained in the State Plan.

The State agencies that have integrated the State Plan into their policies and decision-making processes include the Department of Community Affairs (NJDCA), Department of Environmental Protection (NJDEP), and Council on Affordable Housing (COAH). All of these agencies potentially impact the City.

The New Jersey State Planning Commission approved the release of the Preliminary State Development and Redevelopment Plan (State Plan) and the Preliminary State Plan Policy Map On April 28, 2004. This action launched the third round of Cross-acceptance.

The New Jersey State Development and Redevelopment Plan are adopted by the State Planning Commission and are used to guide state agencies and municipalities in planning efforts across multiple jurisdictions. A guiding force of the State Plan is cross acceptance, where municipalities, counties, and the state negotiate to achieve consensus and consistency for planning efforts across the State's various jurisdictions. Cross-acceptance is a negotiating process between the state, counties, and municipalities and public that is meant to ensure that everyone has the opportunity to participate and shape the goals and policies of the State Plan. The State Plan and the State Plan Policy Map are intended to represent the input of these parties so that a State Plan can be created that makes sense for all of New Jersey. Cross-acceptance concludes with written Statements of Agreements and Disagreements supported by each negotiating entity and the State Planning Commission and with the negotiated agreements being added to the Draft Final State Plan. The latest State Plan was adopted in 2001. In 2011, the Office for Planning Advocacy released a draft State Strategic Plan to replace the 2001 plan. The Strategic Plan has not yet been adopted.

Plan endorsement is a voluntary review process designed to ensure the coordination of the state, counties, and municipalities and public planning efforts for achieving the goals and objectives in the State Plan. These guidelines set the standards by which municipal petition will be evaluated for consistency with the State Plan. Upon endorsement, municipalities are entitled to financial and technical incentives that can assist in implementation of the endorsed plans.

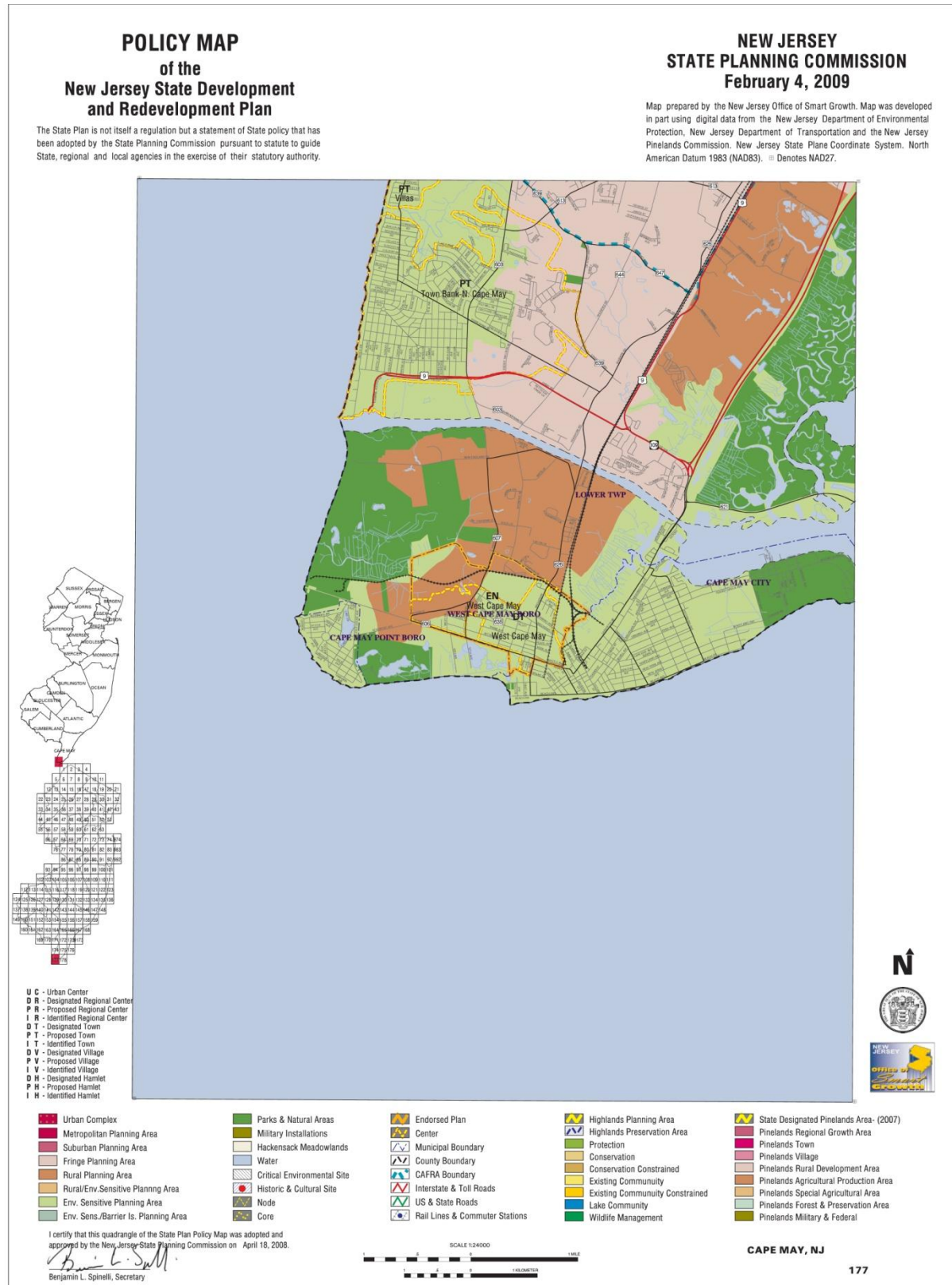
Cape May is designated as a Town within the Environmentally Sensitive Planning Area (PA5). Prior designation as a Town Center was as a result of a petition prepared by the City and adopted by the State Planning Commission in October of 1999. As a result, the City was included in the 2001 Plan as a Designated Existing Town. This designation has given Cape May a priority in competing for state grant funding. The current State Plan has eliminated the concept of Centers Designation in favor of a process known as Plan Endorsement. The State Planning Commission updated the guidelines for plan endorsement in 2007. The Cape May Town designation expired on January 7, 2008. Cape May City received NJ State Plan Endorsement on October 10, 2012 which expires in 2022. Cape May is a Designated Town (DT) Center as depicted on the State Smart Growth Area Map.

The State Plan's intention in the Environmentally Sensitive Planning Area is to:

- Protect environmental resources, through the protection of large contiguous areas of land;
- Accommodate growth in Centers; and
- Protect the existing character of stable communities.

There have been no significant changes in the State Development and Redevelopment Plan that the City will need to address. The State Plan policy objectives for land use, housing, economic development, transportation, natural resource conservation, recreation, redevelopment, historic preservation public facilities and services all support the proposals of the City's Master Plan contained in this reexamination.

The following map is the current Policy Map of the New Jersey State Development and Redevelopment Plan.



Map 1.2 Policy Map

*Reexamination of Cape May County Comprehensive Plan:*

The Cape May County Comprehensive Plan was adopted in July of 2002. On February 15, 2005 the Plan was amended to include a new Open Space and Recreation element that met the guidelines of the Green Acres Program of the New Jersey Department of Environmental Protection. The Plan was further amended in 2007 to include a preliminary Farmland Preservation Plan in accordance with State Agriculture Development Committee (SADC) requirements. No further updates have been adopted. Based on a review of this plan, there have been no changes to the County Master Plan that would affect the assumptions, goals and objectives identified in the Master Plan and Reexamination.

*Reexamination of Adjoining Municipalities Master Plans:*

The master plans for all adjoining municipalities were reviewed during the preparation of this reexamination. The Borough of West Cape May Master Plan Update was prepared October 2015. The Township of Lower adopted its latest master plan in 1978 and its latest reexamination was adopted on April 14, 2011. Based on a review of these plans, there have been no changes that would affect the assumptions, goals and objectives identified in this reexamination report.

Cape May should continue their cooperative planning effort among the various jurisdictions within the area to formulate mutually acceptable development policies, realizing that adjacent development may have a significant impact on the City's goals and objectives.

Cape May's regional location in relationship to the State is shown on Map 1.3.



Map 1.3 Reference Map

***Impacts of Superstorm Sandy***

Since the 2008 Master Plan Update, the City has a heightened awareness of flooding from hurricanes such as Superstorm Sandy, as well as from rising sea levels. New flood maps have been issued by the Federal Emergency Management Agency (FEMA) and new data on sea-level rise has become available.

Even though the City was spared major damage from this event, additional planning strategies and regulations must be adopted to address flooding and environmental concerns raised due to Superstorm Sandy and rising sea levels. These strategies and regulations are more fully discussed and developed in the reexamination of the elements.

***Homeowners Flood Insurance Affordability Act of 2014***

The U.S. National Flood Insurance Program has been in a constant state of flux since Superstorm Sandy when it was revealed that the program was \$24 billion in debt. As a result, Congress has passed several pieces of legislation, most recently the Homeowners Flood Insurance Affordability Act of 2014.

Several provisions in the law were implemented to limit rate increases and prevent payment of full-risk rates upon purchasing a new home or policy. However, a surcharge of \$25 for primary residences and \$250 for all other structures was instituted. In addition, owners of second homes and substantially damaged and improved properties were initially obligated to pay a 25 percent rate increase, though property owners may qualify for lower rates based on the extent of their building's flood-proofing.

In addition to reforms to the National Flood Insurance Program (NFIP), FEMA has also undertaken revisions to Flood Insurance Rate Maps across New Jersey. Prior to Superstorm Sandy, FEMA was working on updates to the region's Flood Insurance Rate Maps. In the wake of the storm, the State of New Jersey adopted the preliminary work maps that FEMA was producing with the intent of enforcing more up-to-date flood standards. The revised preliminary FIRM was issued on January 30, 2015. The formal adoption date of these maps remains unknown.

While the flood insurance regulatory changes and new maps will better protect policyholders and the fiscal state of the NFIP, as well as encourage flood-resilient structures in vulnerable areas, the implementation of the new regulations will likely result in a cost burden and could change the character of the areas in the City that are in the floodplain. Considering this, the City should revisit its development regulations (explained in a subsequent section of this report) to determine whether modifications to the zoning code are warranted in light of best practices for flood-resilient structures.

***National Flood Insurance Program Community Rating System***

The Community Rating System (CRS) is designed to reward communities for taking steps to reduce flooding risk. These activities and elements include public information, mapping, regulation, flood-damage reduction, and early warning systems. Actions under these categories are eligible for points that are added up to designate where the community is "rated" according to class rankings of 10 through 1.

Cape May has participated in the National Flood Insurance Program (NFIP) since 1971. Cape May has a Class 6 certification and receives a 20% discount on premiums. The City has also adopted the most recent advisory flood map created by FEMA. As of December 31, 2017, there are 2,655 policies

in force, insuring over \$684.7 million of property with total annual insurance premiums of over \$2.56 million. Since 1978, 1,102 claims have been paid totaling \$10.0 million. The City is currently in good standing with the NFIP and it is recommended that the City strives to maintain compliance with program requirements. It is also recommended that the City strive to achieve a Class 3 or 4 certification through the Community Rating System. It is recommended that additional resiliency techniques be investigated and implemented to achieve the highest rating possible and minimize potential risks. The FEMA Cape May Coastal Project Area risk map identifies risks for Cape May and has been provided for reference:

### ***Sea Level Rise and Infrastructure Impacts***

The historical rate of sea level rise along the New Jersey coast over the past half-century was 0.14 inches/year, while predicted future rates are expected to increase to 0.5 inches/year. This means that by 2050 sea level is expected to rise by approximately 1 foot and by 2100 sea level is projected to rise about 3 feet along the Jersey Shore. It is important to take into sea level rise into account when developing land use regulations and designing infrastructure. For this reason, it is recommended that the City maintain a requirement of two feet above base flood elevation (BFE) for future development and pursue a BFE+3' requirement.

### ***Conservation of Natural Resources & Energy***

Guiding growth away from environmentally sensitive areas and encouraging growth in suitable locations continues to be a policy. Developing a new sustainable policy that promotes energy efficiency, water conservation, green building, reducing resource consumption and protecting the natural environment will be a focus area in future planning efforts. Additional emphasis on resiliency planning is necessary to ensure that future storms and or sea level rising are considered in the City's development plans. Developing a policy that promotes energy efficiency through building design will continue to be a focus for the City. Promoting mass transit, bicycling and walking as alternatives to single-occupancy vehicles continues to be a policy. Exploring solar on municipal buildings is a new policy that should be implemented.

### ***Residential Site Improvement Standards***

The Residential Site Improvement Standards (RSIS) set forth the standards for residential development. Residential applications before the City must conform to the standards or apply for exemptions or waivers to the standards based on special conditions. The latest regulation can be found at N.J.A.C. 5:21-1.1 et seq. effective on February 6, 2006. It should be noted that residential stormwater management is addressed in the RSIS in Chapter 7 at N.J.A.C. 5:21-7.1 et seq.

### ***Municipal Stormwater Management***

Under the Municipal Land Use Law Section 40:55D-93, every municipality shall prepare a stormwater management plan and a stormwater control ordinance to implement the plan. The City has adopted a Stormwater Management Plan in accordance with these requirements. As required by the Municipal Land Use Law, the Stormwater Management Plan shall be reexamined at each Master Plan reexamination.

### ***Affordable Housing***

The City has prepared a Master Plan Housing Element (including a Fair Share Element) in accordance with the requirements set forth in the "Municipal Land Use Law" (N.J.S.A. 40:55D-28) ("MLUL"), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et. seq.), applicable Mount Laurel case law, applicable orders of the Court, and the Settlement Agreement between the City and Fair Share Housing Center

("FSHC"). The Supreme Court invalidated the most recent version of the regulations adopted by the New Jersey Council on Affordable Housing ("COAH") on September 26, 2013 in Re: Adoption of N.J.A.C. 5:96 & 5:97 by NJ Council on Affordable Housing, 215 N.J. 578 (2013). Cape May City has adopted an Affordable Housing Plan comports with COAH's rules at N.J.A.C. 5:91 et seq. and N.J.A.C. 5:93 et seq., and subsequent applicable laws and regulations such as amendments to the FHA. In accordance with the above, the Housing Element is designed to achieve the goal of accessibility to affordable housing to meet both present and prospective needs, with particular attention to creating a realistic opportunity for the production of low and moderate income housing.

In response to New Jersey Supreme Court's decision In Re: the Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), and the City's desire to avoid any potential builder's remedy law suites, the City filed a Declaratory Judgment action on July 8, 2015, along with a motion for temporary immunity, and sought approval of a Housing Element and Fair Share Plan. The Court subsequently granted the City's immunity motion, and that immunity against all Mount Laurel lawsuits is still in full force and effect.

Because of the current uncertainty as to the appropriate manner by which to calculate the City's affordable housing obligations, the City and FSHC agreed that a settlement would be in the best interest of low and moderate income households and the City. Under the supervision of the Special Court Master, the City and its professionals entered into negotiations with representatives of the FSHC to settle the City's Declaratory Judgment action globally. A settlement agreement was eventually agreed to, which was executed by FSHC and the City on February 21, 2018 (hereinafter the "FSHC Settlement Agreement").

After a properly noticed Fairness Hearing was held April 20, 2018, the Court entered an Order on May 16, 2018, which approved the FSHC Settlement Agreement. This Housing Element and Fair Share Plan effectuate the settlement as approved by the Court. A Compliance Hearing was held on August 30, 2018. The Superior Court Order finalizing the City's Judgment of Compliance and Repose was filed December 17, 2018. The City has immunity from all Mount Laurel lawsuits until July 1, 2025. The Master Plan Housing Element including the Fair Share Element has been adopted but has been included within this document to provide a comprehensive document.

### ***Education***

The Cape May City School District is a community public school district serving students in pre-Kindergarten through sixth grade. It is the only public school within the City. The school is known as the Cape May City Elementary School. Approximately 60% of the students in the district come from the United States Coast Guard Training Center Cape May, 25% come from Cape May City residents, and 15% come from the Cape May Housing Authority. The district also serves students from Cape May Point, a non-operating district, who attend as part of a sending/receiving relationship.

School enrollment at the Cape May Elementary School has continued to increase slightly in recent years, with the number of students increasing from 145 students in 2011, to 185 students in 2015, and to 205 students enrolled in the 2016 school year. Estimates of the 2017 school year are a total of 223 students on the school roll (Source NJ Dept of Education & Cape May Elementary 2017-2018 User Friendly Budget Summary). According to the 2007 Long Range Facilities Plan, the school has a functional capacity of 227 students.

For seventh through twelfth grades, public school students from Cape May attend the schools of the Lower Cape May Regional School District, which serves students from Cape May City, Cape May



Point, Lower Township and West Cape May. Schools in the district (with 2014-15 enrollment data from the National Center for Education Statistics) are Richard M. Teitelman Middle School (grades 7 and 8; 524 students) and Lower Cape May Regional High School (9-12; 905).

School enrollment at the Middle School has decreased in recent years, with the number of students decreasing to 524 students in 2015, decreasing to 498 students enrolled in the 2016 school year and further decreasing in the 2017 school year to a total of 461 students on the school roll (Source NJ School Performance Report, 2016-2017 Richard Teitelman Middle School & Lower Cape May Regional 2017-2018 User Friendly Budget Summary).

School enrollment at the High School has generally decreased in recent years, with the number of students increasing to 903 students in 2015, decreasing to 819 students enrolled in the 2016 school year, and increasing in the 2017 school year to a total of 844 students on the school roll (Source NJ School Performance Report, 2016-2017 Lower Cape May Regional High School & Lower Cape May Regional 2017-2018 User Friendly Budget Summary).

In combination with the other factors discussed in this section, it is expected that Cape May's year-round population will continue to decrease and the supply of full time housing will likely continue to decrease. In recognition of these trends, the City should anticipate shifting demands on its municipal services and utilities.

#### ***US Coast Guard - Training Center Cape May***

Training Center Cape May (TRACEN) is the 5<sup>th</sup> largest base in the Coast Guard. The training center is the sole accession point for the entire enlisted workforce and is considered the birthplace of the enlisted corps and the City and County as well is considered the Coast Guard's Hometown. (Source: <http://www.forcecom.uscg.mil/Our-Organization/FORCECOM-UNITS/TraCen-Cape-May/>)

The US Coast Guard indicates the facilities history as follows:

*Sewell Point, the area occupied by the Training Center, has a long history of naval presence. During the American Revolution and throughout the nineteenth century, Cape May Sound was used as a harbor of refuge. In 1917, the Navy established a "section base" in Cape May, to provide training, vessel support and communication facilities for coastal defense. Initially, the Navy converted an abandoned amusement center, built along the oceanfront, for military use. The old skating rink became the mess hall and sleeping quarters, the stage was made into a galley, the "human roulette wheel" -- a scrub table and the "barrel of fun" became a brig. When the old wooden structure burned down in 1918, the Navy built standard military facilities along the harbor front (some of these buildings still stand today).*

*After World War I, the base was adapted to accommodate dirigibles. The largest hanger in the world, 700 feet long and over 100 feet tall, was built to accommodate an airship under construction in Britain. Unfortunately, the ZR-2 crashed on its test flight and "lighter-than-air" craft were never fully adopted for Navy use.*

*In 1924, the U.S. Coast Guard (see History) occupied the base and established air facilities for planes used in support of U.S. Customs Service efforts. During the Prohibition era, several cutters were assigned to Cape May to foil rumrunners operating off the New Jersey coast. After Prohibition, the Coast Guard all but abandoned Cape May leaving a small air/sea rescue contingent. For a short period of time (1929-1934), part of the base was used as a civilian airport. With the advent of World War II, a larger airstrip was constructed and the Navy returned to train*

*aircraft carrier pilots. The over the water approach simulated carrier landings at sea. The Coast Guard also increased its Cape May forces for coastal patrol, anti-submarine warfare, air/sea rescue and buoy service. In 1946, the Navy relinquished the base to the Coast Guard.*

*In 1948, all entry level training on the east coast was moved to the U.S. Coast Guard Recruit Receiving Station in Cape May. The Coast Guard consolidated all recruit training functions in Cape May in 1982. (Source: <http://www.forcecom.uscg.mil/Our-Organization/FORCECOM-UNITS/TraCen-Cape-May/Information/Cape-May-History/>)*

The current training center is host to five resident training programs including: Recruit Training; Direct Entry Petty Officer Training; Company Commander School; Recruiter School; and Recruiter-in-Charge School. Personnel Totals are indicated as follows: Total including tenant commands is 591; Total recruit training capacity - 960; Officers - 35; Enlisted - 219; Civilians - 95; Contractors-128.

Training Center Cape May Housing consists of 172 Coast Guard owned housing units and 2 command quarters. Currently, there are 48 two bedroom units, 92 three bedroom units, and 32 four bedroom units. In addition, Training Center Cape May has 85 Unaccompanied Personnel Housing rooms for single members.

Cape May recognizes the Coast Guard Training Facility as an important part of the community's housing and employment. Although most do not qualify as defined permanent residents, they make up an essential year round resident component, stabilize the school system and are an economic presence. The Coast Guard is an essential stakeholder that helps make Cape May a 12 month a year town.

The Cape May County Coast Guard Community Foundation convenes Coast Guard personnel and their families to discuss the ways in which the Foundation can help make Cape May County feel like their "hometown." What is very clear from these conversations is that they want more interaction with the City, in the City. While they enjoy events, like the Foundation's annual festival that brings City residents to TRACEN, they also want to be in and involved in the community more frequently. The interest in being a more active part of the community raises issues of inclusivity, access and service provision. Some of the recommendations contained in the Master Plan address these issues explicitly, e.g. the completion of the bike lanes from the Coast Guard base to the elementary school. However, other recommendations that do not speak directly to TRACEN and Coast Guard personnel but could, with attention to their details, help to facilitate interactions that would be mutually beneficial. Moving forward, it is recommended that Cape May actively pursues Coast Guard involvement in all that it does.

### **Natural Features**

Cape May is designated in the New Jersey State Development and Redevelopment Plan as an Environmentally Sensitive Planning Area (PA5), which is apparent on Map 1.4 - Natural Features. The vast majority of undeveloped land in Cape May is environmentally constrained by floodplain, wetlands or both. These environmentally sensitive lands, and the wildlife habitats that they support, are very much a part of what makes Cape May an attractive area to live and vacation. These resources form the basis for the City's flourishing eco-tourism.

**Floodplain**

The Federal Emergency Management Agency's (FEMA's) Region II office has prepared a coastal flood study to update Flood Insurance Rate Maps (FIRMs) for communities in coastal New Jersey. The flood hazards shown on the FIRM are used to determine flood insurance rates and requirements and where floodplain development regulations apply. Cape May's new FEMA Flood mapping became effective October 5, 2017. The updated maps will aid communities in planning for and reducing the risk from future flooding.

The low-lying barrier island is, not surprisingly, located almost entirely in the one hundred year floodplain. These flood hazard areas are subject to periodic flooding which can result in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures and impairment of the tax base. It has been recognized that uses and structures that are inadequately anchored and flood proofed, elevated or otherwise protected from flood damage contribute to flood losses. Cape May has enacted a Flood Damage Prevention Code which establishes standards of development within these areas to promote the public health, safety and general welfare.

**Wetlands**

Wetlands are incredibly important biologically diverse ecosystems that not only store water and help to control runoff and flooding, they support numerous wildlife habitats, including threatened or endangered species. Numerous species of plants and animals spend their entire lives in wetlands or others use them as feeding, nesting or nursery grounds or stop in them to rest during migration.

Wetlands help to maintain water quality. Marsh vegetation can remove excess sediments and nutrients from the environment. Wetlands help to control floods and reduce erosion during storms. Coastal wetlands are a valuable resource that provides valuable open space for recreation while at the same time protecting the shoreline from the destructive power of storm waves.

A substantial portion of the eastern half of Cape May is preserved wetlands. These areas are denoted on the current zoning map. There is great concern regarding the potential development of these wetlands in East Cape May. This is the last concentration of undeveloped land in Cape May. Much of this land is zoned residential and only the state's wetland protection policies have so far prevented development. A large residential subdivision plan has been filed but it has been in litigation with the State over the extent of the wetlands for a number of years and it is unknown when or how this will be resolved. Acquisition of this land to assure permanent protection was discussed by the City in the former Reexam and Master Plan. Feasibility of this land acquisition would have to be determined as the resolution of the litigation plays out.

Cape May is an integral part of the Atlantic Flyway. Millions of birds migrate each fall to warmer climates and stop, rest and feed in Cape May to fortify themselves for the journey southward. This presents a unique opportunity to observe numerous species each autumn and again in the spring, and many tourists come to the area to observe the migrating birds. The habitats that support these birds are not only important environmentally, but also economically as the migrating birds draw numerous tourists to the area. Bird watching has flourished as an ecotourism element that has helped Cape May become a 12 month tourist destination.

The City of Cape May Environmental Commission's function is to study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance,

marine resources and protection of flora and fauna. The Commission also conducts research into the use and possible use of the open land areas of the City.

The Cape May Environmental Commission has advocated a proactive policy regarding wetlands. They have suggested acquisition of all environmentally sensitive wetlands within the City Limits, specifically targeting the protection of the East Cape May wetlands areas. Consideration of wetland buffers has also been recommended, recognizing that State and Federal guidelines govern within these areas. Cape May continues to rely on state regulations governing wetlands for establishment of appropriate wetland buffers.

### **Shade Trees**

The City recognizes the importance of protecting existing vegetation and replacing vegetation that is removed when land is developed. Cape May has a landscaping ordinance that requires street trees for all development, landscaping requirements that require up to 60% of a lot be left in vegetation and tree replacement requirements for larger trees that are removed. These requirements cut energy consumption, remove air pollution, increase property values, and add to the sense of community pride and provide aesthetic value to neighborhoods.

The Shade Tree Commission has been entrusted to regulate the planting and care of shade and ornamental trees and shrubbery in any public area and ensure their proper growth, care and protection. The Commission is also responsible for evaluation of removal of any tree, or part thereof, dangerous to public safety.

For over 45 years, the City has participated in Arbor Day Foundation's Tree City USA Program. Cape May has achieved Tree City USA recognition by meeting the program's four requirements: Providing for a Shade Tree Commission; establishing and enforcing a tree-care ordinance; providing an annual community forestry budget of at least \$2 per capita; and providing an Arbor Day observance and proclamation. The City has adopted a "Community Forestry Management Plan" authored by the Shade Tree Commission with the intent of increasing the community's understanding of the urban forest and increasing the public's appreciation of trees on public and private land that benefit the entire community.

### **Beaches**

Cape May is world renowned for its beautiful beaches and has been recognized in many publications. In 2011, Trip Advisor ranked the Cape May City beaches 9th in the world and 2nd in the United States. Crowned one of the *25 Best Beach Towns* in America by *Thrillist*, Cape May was recognized for being a National Historic Landmark filled with historic sites and quiet beaches. Cape May also was named No. 15 for *America's Favorite Towns* by *Travel + Leisure*, which cited its beautiful beaches, incredible Victorian architecture and shops for its ranking.

Cape May's beaches are vital to both the environmental and physical protection of the City, as well as being one of its most valuable economic resources. The beaches are the first line of protection from storms approaching from the sea. Dunes not only enhance the beaches storm protection and the City's beauty along the ocean, they are critical for stabilizing the beach and provide important habitat. The City has strived to educate the public regarding the importance of the beach environment through information on the City's website, nature walks, educational signs, and displays at the Nature Center.

Like all coastal communities, Cape May recognizes the fragility of beaches and dunes and has invested heavily in beach replenishment projects in cooperation with the U.S. Army Corps of Engineers. It has also adopted and implemented a Beach Management Plan as well as special land use zoning controls designed to limit further encroachments along the beach strand.

**Cape May Meadows**

In April 2011, the Cape May area received the 2010 Coastal America Partnership Award for restoring the Lower Cape May Meadows. This 350 acre beach and wetlands area located between Cape May and Cape May Point is a key freshwater ecosystem for migratory birds. For decades it suffered from coastal erosion that caused saltwater to degrade the wetlands. Studies began in 1987 to determine how to restore the degraded wetlands and replenish the beaches to prevent saltwater damage. Beach replenishments have occurred since 2004. The Army Corp, NJDEP, US Fish and Wildlife Service, and the Nature Conservancy all actively participated in this enhancement.

**Cape May Harbor**

Located on the northern end of Cape May is the Cape May Inlet - a deep, all-weather inlet protected by rock groins that allows boats to safely travel to and from the Atlantic Ocean and Cape May Harbor. Located five miles east of Cape May Point off the Atlantic Ocean, which is near Cape May Channel, the inlet allows access to Cape May Harbor and Jarvis Sound. Jarvis Sound leads north along the New Jersey Intracoastal Waterway toward Wildwood. Cape May Harbor leads south to meet up with the Cape May Canal, which eventually connects into Delaware Bay. Cape May Harbor is also the location of southern terminus of the New Jersey Intracoastal Waterway.

As much as Cape May is known for its beaches and historic architecture, it is also a world-renown wildlife viewing destination due to its location on a migratory flyway. The harbor and adjacent meadows provide habitat as well as a rest stop for the wildlife during their migration making the harbor an invaluable natural resource. The harbor provides a valuable eco-tourism location with boating, kayak and paddleboard access. Harborview Park and the Fisherman's Memorial Park front on this waterway.



Map 1.4 - Natural Features

#### **1.7.4 The Specific Changes Recommended**

The fourth provision of a reexamination is contained in 40:55 D-89d of the MLUL and requires that a reexamination report address: *The specific changes recommended for the master plan or development regulations, if any including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*

The specific changes recommended for the Master Plan or development regulations, including underlying objectives, policies and standards have been specifically provided within the goals, objectives and recommendation sections of each specific element contained in this reexamination. Based on the findings of this comprehensive reexamination, a new plan is not required at this time.

#### **1.7.5 Redevelopment Plans**

The fifth provision of a reexamination is contained in 40:55 D-89e of the MLUL and requires that a reexamination report address: *The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79(C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

To date, no redevelopment areas have been approved by the City. The 2009 Reexamination included a recommendation to evaluate the potential redevelopment of the City Hall and entire complex of public buildings in the half-block bounded by Lafayette, Franklin and Washington Streets. Other structures within the area included the headquarters of the Cape May Historical Society and two properties not now owned by the city: Blue Rose Inn and the Macedonia Baptist Church. Alternative sites for a new City Hall were explored by the City and it was determined that they were not feasible at this time due to prohibitive acquisition costs and environmental constraints. In 2018, the City followed the 2009 Reexamination recommendation and requested that the Planning Board perform a study of the Redevelopment area that was expanded and contained all properties in this Block. Concern was expressed by the community and the redevelopment study area was not completed or implemented. Because of the ongoing planning activities for redevelopment of the fire house, Franklin Street School and possibly one day City Hall, it is recommended that this area continue to be recommended for redevelopment consideration if warranted by study.

The City hosted a presentation and forum about New Jersey redevelopment laws on August 13, 2018. An introduction to New Jersey redevelopment laws and tools available that can be used by Cape May to redevelop vacant and underdeveloped properties in ways that could add to the City's tax base and contribute to the values of surrounding properties and neighborhoods were discussed. This forum was extremely educational and highlighted the benefits of redevelopment.

The City should recognize the ability to use the redevelopment law to gain greater control over if, when and how development takes place in the community. Redevelopment can allow negotiation with prospective developers, offering flexibility which traditional land use approval reviews don't allow. Redevelopment area designations could encourage the reinvestment and development of underdeveloped, underutilized or obsolete areas so that Cape May could get the type of development that it desires. Redevelopment designations could be used to build public support, with specific developers and their visions for projects could follow. The Boards and Commissions

would be able to continue to review and have say in approval of redevelopment plans as well as future redevelopment site plans and other projects under their jurisdiction. It is recommended that the City should promote the redevelopment process and move forward with any future plans in an open and transparent manner.

The following area is also recommended for future consideration: The area located along Beach Avenue including the former movie theater between Stockton Place and Howard Street and the properties located along the south side of Beach Avenue that include the convention center "annex" (excluding the new convention center) have been underutilized and include vacant commercial space. While other areas have seen investment, this area includes larger spaces and buildings that are not readily adaptable to a viable reuse. Consideration should be given to the future development in this area with the potential for redevelopment to ensure the appropriate reuse and improvement to the area.



## 2.0 Goals and Objectives, Principles, Assumptions, Policies & Standards

**A reexamination of the master plan must address the major problems and objectives relating to land development in the City identified in the 2003 Master Plan and subsequent 2009 Reexamination. The reexamination must also detail the extent to which such problems have been reduced or have increased and identify the extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan. The following reexamination of each element details these requirements of a reexamination as they pertain to the goals and objectives, principles, assumptions, policies and standards.**

The Municipal Land Use Law requires that the Master Plan contain a statement of objectives, principles, assumptions, policies and standards upon which the constituent proposal for the physical, economic and social development of the municipality is based. Cape May continues to be recognized as one of the premier resorts on New Jersey's Atlantic Coast. People are attracted to Cape May not only for its beautiful beaches but also for birding, fishing and other associated eco-tourism and recreational opportunities; for the historic structures and Victorian ambiance that has made the city famous and has given it its National Historic Landmark status; for the numerous cultural activities that are taking place in the community year-round; and for its dining and shopping opportunities.

This plan is based upon the assumption that Cape May will continue to be a major resort destination, attracting a large number of visitors who are well in excess of the number of year-round residents. Further, the number of seasonal homes now represents a majority of the housing stock and the number of year round residents continues to fall but at a lesser rate. Providing affordable housing to full-time residents remains a goal. Providing workforce housing in appropriate locations also remains a priority. Nonetheless, the City must continue to provide a full range of services to its year-round residents, including recreation and utilities.

Cape May's success has created its own set of problems, in terms of traffic congestion, parking shortages, and increasing pressure for the private redevelopment of relatively small lots. These issues have created problems for year-round and seasonal residents as well as for tourists. There is even some speculation that visitation to the City may have peaked and that future success will be dependent upon the resolution of these issues. The plan assumes that these problems can be mitigated, if not totally resolved, and their resolution has been given the highest priority in the planning process.

Protection of the environment continues to be an underlying assumption of the City's Master Plan. In this way, the plan will continue to advance the objectives of the State Plan as well.

The City Master Plan, the development policies as contained in this plan, and the City ordinances which govern the use of the land within the municipality, reflect the collective goals of the community. These adopted goals not only state the desires of City residents, they are also the criteria against which all land use and development activity should be measured. The goals are

consistent with the earlier master plan and reexamination reports, with modifications included herein.

The following sections correspond to elements of the Master Plan. The objectives are the specific policies that will help achieve the specified goal. As Cape May has evolved, the objectives for the City have changed. Some of the objectives have remained the same, but others have been removed as the objective has been completed, or added as a need was identified.

## 3.0 Land Use Element Reexamination

The 2003 Master Plan contains the Land Use Element in Section III. The goals, objectives and recommendations that are relative to this element were reexamined in 2009. It is recommended that the following updates be included in Section III of the Master Plan. This Element is revised and updated as follows:

### 3.0 Land Use Element Reexamination

#### 3.1 Introduction

Housing objectives in Cape May in 2003 and the 2009 Reexam focused on stabilizing a decreasing full-time residential base condition in the City. Since the time of the 2000 Census, the amount of full time housing in the City has decreased dramatically while rental or second home housing has increased. As indicated in this Reexamination, the City's permanent population loss is slowing and development is mostly infill of already developed areas. However, the City's summertime population must also be addressed. While development regulations continue to focus on preserving stable neighborhoods and promoting public safety, damage from Superstorm Sandy and new floodplain regulations have presented redevelopment challenges for Cape May. In addition, there has been little activity in Cape May regarding development of new affordable housing. The City remains committed to compliance with the Act when warranted.

The challenges presented by recent economic contraction have brought renewed urgency to economic development goals in Cape May. The City seeks to continue supporting its existing commercial uses and expanding its commercial offerings to strengthen its ratable base and commercial amenities. As the City strives to transition from a seasonal community to a year round destination, Cape May hopes to attract businesses that service both its year-round population and amenity-seeking seasonal population and visitors with the goal of a robust, stable, and job-producing commercial sector in Cape May.

The land use goals and objectives from the 2003 Master Plan and 2009 Reexamination are updated below.

#### 3.2 Goals/Objectives

It is a goal to ensure that adequate services are provided to accommodate existing and future City residents and visitors. The following shall be the land use goals and objectives:

**Residential Land Use**

- Goal: To Preserve established residential districts and provide a wide range of housing types to meet the varied income and age level needs of residents and vacationers.
- Objectives:
  - a. Maintain opportunities for residents to obtain satisfactory housing at affordable prices through encouraging the existence of a wide range of housing types.
  - b. Provide housing alternatives for the elderly, such as age-restricted development, assisted living facilities, nursing homes and congregate care facilities.
  - c. Ensure that residential land use is compatible with the City's natural and historic environment by reevaluating residential development and redevelopment patterns and adopting revised performance standards and bulk and area requirements as needed.
  - d. Ensure that adequate parking is provided for any new development.
  - e. Protect the remaining wetland and environmentally sensitive areas in the City.
  - f. Develop opportunities for workforce housing that support the needs of commercial land use.

**Commercial Land Use**

- Goal: Maintain Cape May's unique appeal by offering varied activities and services in appropriate areas while maintaining the City's character and quality of life.
- Objectives:
  - a. Encourage the continuation of a variety of types of commercial land use within the City's existing commercial districts. Promote the development of commercial areas that enhance the City's pedestrian scale and encourage access by means of alternate forms of transportation other than the private automobile.
  - b. Enhance the City's economy and provide employment opportunities by encouraging appropriate commercial uses in commercial districts and other areas where appropriate access for such uses is available.
  - c. Promote varied and convenient shopping opportunities for residents and tourists, including appropriate design features to enhance access for the physically challenged.
  - d. Maintain the City's environmental and historic quality by control of commercial land use patterns and adoption of improved design and performance standards for land use in all of the areas regardless of whether they are in the historic district.

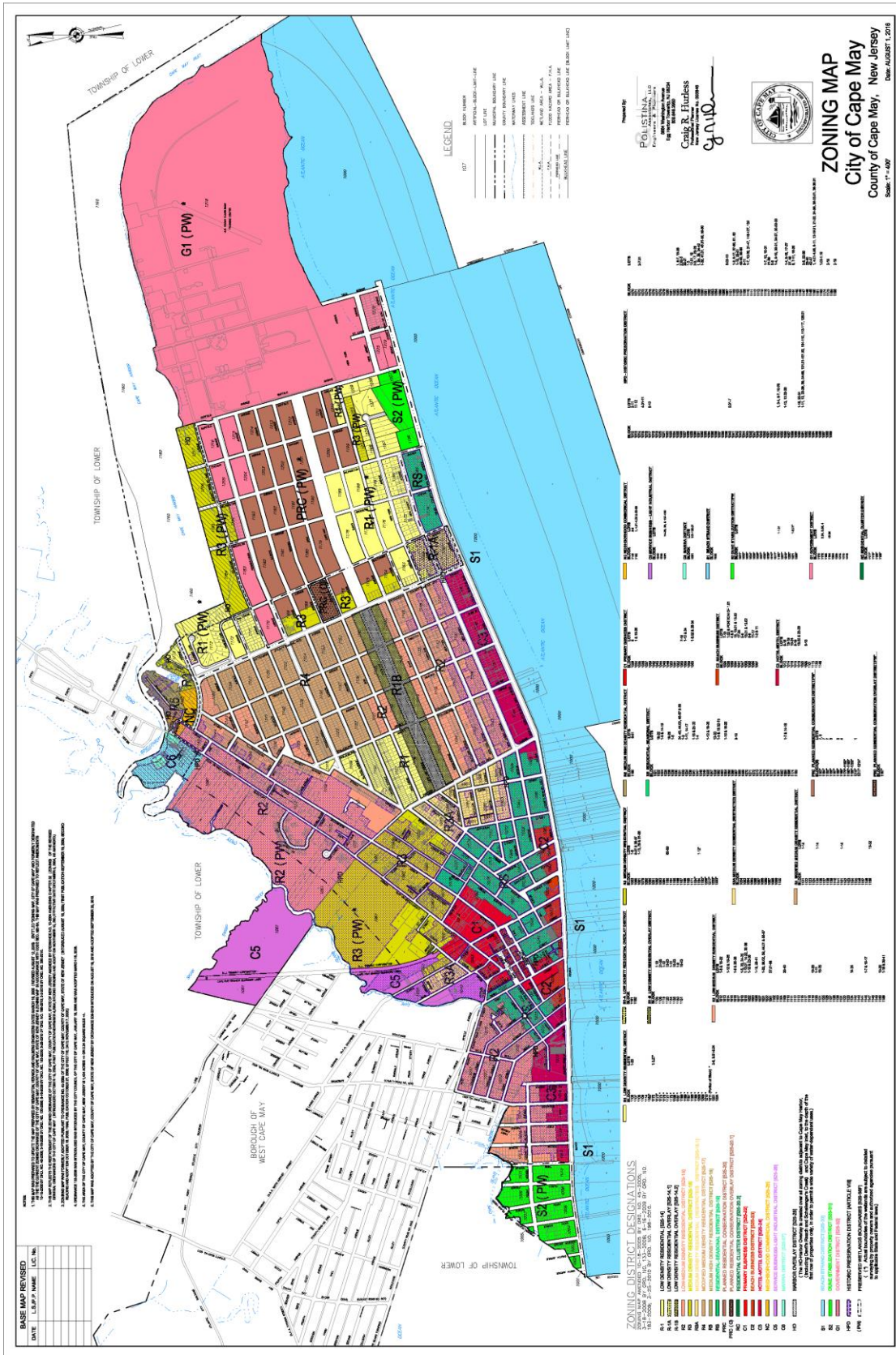
- e.* Support continued existence of the Coast Guard and fishing and tourism industries so as to enhance their important economic contributions.

### **Oceanfront and Harborfront Land Use**

- Goal: Protect the environmental quality of the oceanfront and harborfront land while encouraging public access.
- Objectives:
  - a.* Protect the environmental quality of the oceanfront and harborfront land while encouraging public access.
  - b.* Preserve environmental integrity of natural resources in harborfront and oceanfront area.
  - c.* Improve access opportunities for the physically challenged.
  - d.* Maintain current beach replenishment and dune erosion protection measures as they are essential to safeguard oceanfront and harborfront land uses.
  - e.* Encourage water dependent uses that promote additional public access to the Cape May Harbor including Devil's Reach and Schellenger's Creek and Cape May Inlet.

### **3.3 Zoning Map**

The emphasis of this Land Use Element Reexamination is to stabilize existing development and to protect it from encroachments that threaten to alter the existing character of Cape May, in areas of the City that are both within and outside of the historic district. Cape May's patterns of land use have been established over the course of the City's long history and dramatic changes in land use patterns are not warranted. Zoning boundary changes recommended in the 2003 Master Plan and 2009 Reexamination have all been implemented. The current zoning map titled "Zoning Map, City of Cape May, Cape May County, New Jersey", dated August 1, 2016 (Map 3.1 shown below) reflects all recent changes and has been included as follows:



### 3.4 **Residential Land Uses**

#### Definitions of Dwelling Types & Accessory Apartments

Past ordinance definitions of dwelling types that were somewhat at variance from common usage and lead to an imprecision of regulation and confusion have been addressed. Recommendations were addressed and implemented into the zoning ordinance after the 2003 Master Plan was adopted. The following indicates the current definitions of common residential uses:

#### DWELLING, ATTACHED

Three- to six-family dwellings constructed in a row, with each unit having its own front and rear access to the outside, and no unit being located over another unit, and each unit being separated from any other unit by one or more vertical common fire-resistant walls.

#### DWELLING, MULTIFAMILY

A building other than an attached dwelling that is designed to accommodate three or more dwelling units within a single structure.

#### DWELLING, SEMIDETACHED

One of two dwelling units, designed for and occupied by a single family and having at least one party wall in common with an adjacent dwelling unit.

#### DWELLING, SINGLE-FAMILY DETACHED

A single-family residence on an individual lot with private yards on all four sides of the house.

#### DWELLING, TWO-FAMILY DETACHED

A building where not more than two dwelling units are entirely separated by horizontal floors unpierced, except for access to the outside or to a common cellar and having no party wall.

#### QUADS

Four attached residential units, two in front and two in the rear of the same building.

No further changes are recommended for the residential use definitions.

To provide for the development of affordable housing to meet the affordable housing needs of low and moderate income residents, allowance of accessory apartments within the residential zoning districts within the City was implemented as recommended in the 2009 Reexamination in accordance with the Housing Element and Fair Share Plan. This mechanism allowed for the use of the City's existing and proposed dwellings and accessory buildings to be utilized for affordable housing opportunities. Accessory apartments are permitted for all zoning districts that allow apartments over commercial uses. The following definition was adopted in Affordable Housing §59-41:

ACCESSORY APARTMENT — A self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an

existing home or accessory building, or by the construction of a new accessory structure on the same site.

It is recommended that this definition be incorporated into the Zoning Code definitions with a reference to being permitted subject to §59-42 Accessory Apartment Program requirements.

Current affordable housing regulations encourage zoning and development standards to be relaxed to provide incentives for the creation of affordable housing. The City has a number of businesses that may be suitable for development with accessory apartments over a commercial use to meet the affordable housing needs of low and moderate income residents. However, many of such potential sites are constrained by the inability to provide off-street parking spaces. It is anticipated that potential occupants of accessory apartments will provide a permanent labor source that is now lacking within the City and thus would rely less on auto travel and create a more transit friendly environment that may reduce the necessity for onsite parking. The City should further evaluate the accessory apartment affordable housing program and consider a relaxation of parking standards if warranted. These recommendations were incorporated into the 2009 Reexamination and were further developed and approved with the 2018 adoption of the Housing Element & Fair Share Plan and remain valid.

### **3.5 Residential Districts**

The residential districts established in §525 are in accordance with the planning policies as described in the City of Cape May Comprehensive Development Plan (Master Plan) and are intended to achieve the following:

- A. Provide sufficient space, appropriately located, for residential development to meet the housing needs of the present and expected future population of the City, both year-round and seasonal, within the range of dwelling types and densities anticipated in the Land Use element of the City's Comprehensive Development Plan.
- B. Assure light, air and privacy, as far as possible, by controlling the spacing and height of buildings and other structures.
- C. Protect residential areas against hazards of fire, offensive noise, vibration, smoke, odors, glare or other objectionable influences.
- D. Prevent congestion, as far as possible, by regulating the density of population and the bulk of buildings and by providing for sufficient off-street parking.
- E. Make possible provision of those public and private educational, recreational, health and similar facilities serving the needs of nearby residents, which perform most effectively in a residential environment and do not create objectionable influences.
- F. Promote the most desirable use of land and direction of building development in accord with a well-considered plan, to promote stable residential development, to protect the character of any district and its peculiar suitability for particular uses, to conserve the value of land and buildings and to protect the City's tax revenues.



### **3.5.1 Protecting Residential Neighborhoods: Evaluation of the NC District**

The 2000 Master Plan Reexamination Report identified several zoning districts that required attention. These were the MU Mixed Use District, the HD Harbor District and the R-4 Residential District. The 2003 Master Plan identified several additional recommended changes. The MU and HD districts have been eliminated based on the 2003 master plan recommendations for the reasons set forth in the 2009 Reexamination.

The former Mixed Use district primarily encompassed Yacht Ave but also included both sides of Washington Avenue where it makes a 90° turn and heads north toward Lafayette Street. The district permitted marine-related retail sales, auto service stations, marinas, fishing piers, and clubs. There is a marina at the end of Yacht Avenue as well as the Coast Guard Auxiliary, but most uses on this street are residential.

Yacht Avenue is unique in the City in that it is the only residential street where lots on both sides of the street adjoin water. The uses adjacent to Yacht Avenue on Washington Street are non-residential and include a gas station. Lots on the north side of Yacht Ave. are generally quite small, with some lots having an area of less than 1,000 square feet and lot widths of 15 feet or less. Lots are deeper and have a larger lot area on the south side, but many are less than 50 feet in width. Older development is characterized by small cottages, but increasing land values have led to lot consolidation and the construction of larger buildings, including multiple dwellings. The street is not part of the historic district but some have suggested that it has a special character that is worthy of preservation. However, that character is more one of small New England sea shanties than of the Victorian homes that characterize the existing historic district.

Consistent with the 2003 Master Plan and 2009 Reexamination, this reexamination does not make a recommendation on the inclusion of Yacht Avenue in the historic district. That issue should be determined by the Historic Preservation Commission. However, the 2003 Master Plan did recognize that the character of Yacht Avenue was threatened by former MU zoning regulations. In addition, there may be a safety concern. The right-of-way width of Yacht Avenue is just 16.5 feet wide at entrance and expands to 33 feet beyond the throat. These widths are not adequate for increased residential densities. The Fire Department has noted that these conditions are a matter of concern if density is allowed to increase on this street. Traffic safety still remains a concern.

Zoning rules for the adjacent former Harbor District posed a similar potential threat to its existing character. The 1988 Master Plan recommended the establishment of a water dependent mixed use Harborfront district that would combine the uses permitted in the existing MU and C-6 districts.

The Plan stated that “the harborfront district should extend the entire length of the City’s harbor.” It also recommended a more detailed Harborfront Enhancement Master Plan, which was prepared in 1991. The principles of the Harborfront Enhancement Master Plan remain valid and are applicable to more than the former Harbor District. It was recommended that they be applied instead to a Harbor overlay district that would apply to a wider area, as described below.



The Harbor District was limited to the area along the Harbor, from Harbor Lane to Missouri Avenue, east of Pittsburgh Avenue, and the north side of Delaware Avenue, from Baltimore to Buffalo Avenues. The south side of Delaware Avenue was also included from Brooklyn to Wilmington Avenues.

Land use in the Harbor District was primarily limited to public parkland and single-family detached dwellings built on lots of approximately a quarter acre in area. Many of these homes are within a development built in accordance with the Planned Waterfront Residential Option. Other uses include a 2.3-acre tract at the northeast corner of Missouri and Pittsburgh Avenue, which is devoted to a former U.S. Navy communications antenna site that is now vacant but is the subject of a major subdivision application, and the Nature Center of Cape May, which is located at 1600 Delaware Avenue.

The former Harbor District regulations permitted a number of uses not currently present in the district, including clubs, lodges and fraternal organizations, fishing piers, marinas, commercial uses (in conjunction with Planned Waterfront Residential Option), and the retail sales and rental of goods and services related to recreational or marine uses (as a conditional use). There was a concern that these uses would threaten the predominantly residential character of the former Harbor District area. Public access uses are provided for at the Fisherman's Memorial Park, and there are no other remaining large tracts for commercial or marina development that would affect the character of nearby residential properties. However, it was determined that it may be unwise to encourage the redevelopment of existing sites for nonresidential uses through attractive zoning incentives. It was recommended that the MU Mixed Use and HD Harbor District be deleted from the zoning map and the following suggested map amendments were proposed.

First, a Harbor Overlay was established over all zoning districts adjacent to Cape May Harbor and Cape May Inlet, to the depth of the first row of properties. A full variety of water dependent uses are permitted, including marinas with accessory sales, yacht clubs, piers and docks.

As per the recommendations within the 2003 Master Plan, The MU and HD districts have been eliminated and the Harbor Overlay has been established along Cape May Harbor, Devil's Reach and Schellenger Creek to allow for water dependent uses. Although these recommendations have been implemented into the current zoning ordinance, the above referenced section has been retained because it forms the basis for planning adjustments proposed for the NC Neighborhood Commercial District as detailed below.

The NC Neighborhood Commercial district on the north side of Texas Avenue (anchored by the Wawa) was extended to include properties on Yacht Avenue, prior to its 90° turn, and on both sides of Washington Avenue, where it makes its westward turn towards Lafayette Street. It was recommended in the 2003 Master Plan that three nonconforming properties on the south side of Texas Avenue be included in this NC District as well, in order to make the existing uses conforming. The properties are now used as a restaurant/tavern and as professional offices.

The NC district expansion was adopted. However, the nonconforming properties on the south side of Texas Avenue were not included in the NC district as recommended in the 2003 Master Plan. It is again recommended that the nonconforming properties be added to the NC district to create a comprehensive neighborhood commercial district and to establish parcels containing the existing nonconforming commercial business uses as conforming by NC zoning. The NC district (south side) should not extend past Massachusetts Avenue as the former medical office ("Dr. Drake") is

currently being converted to a residential dwelling.

It was also recommended in the 2009 Reexam that additional nonconforming lots be added to the NC district. Block 1160, Lots 4.01 and 4.02 are currently within the R-5 residential district and contain nonconforming uses, a multiple family dwelling and a real estate office. Opposite these parcels and abutting Washington Street, are a gas service station and the Cape May Marlin and Tuna Club located within the NC Neighborhood Commercial District. To bring the uses of Block 1160, Lots 4.01 and 4.02 into conformity and to create a comprehensively planned NC district, it is recommended that these parcels be added to the NC District. The proposed changes to the NC District were adopted and are now included on the Zoning Map.

To address the potential for increased density concerns and lack of supporting road infrastructure concerns cited in the 2003 Master Plan, it is again recommended to not add any lots fronting on Yacht Avenue into the NC District.

The following 2003 recommendations were incorporated into the zoning code and zoning map as recommended: The balance of Yacht Avenue was designated within a proposed new R-5 District that permits single-family detached and semi-detached dwellings on lots of 1,500 square feet per unit. Other bulk standards were created to be consistent with those in the former MU District. Single-family attached and multifamily dwellings are prohibited, but existing dwellings of these types would be protected as legal, non-conforming uses. Marina uses could continue by virtue of the Harbor Overlay.

The west side of Harbor Lane was also in the former MU District, but its character is substantially different than that of Yacht Avenue. Newer homes, representing a mixture of dwelling types, are present in this portion of the district and access is less of a concern. It was proposed that this area be rezoned to R-3 and this area was rezoned as recommended. The permitted uses were revised to reflect the proposed new dwelling definitions and quads were deleted as a permitted use in this district.

### **3.5.2 Revisiting the R-3 District**

The R-3 Medium Density Residential District is now one of Cape May's largest residential districts in terms of land area and it is the most permissive in terms of the range of uses that it permits. Based upon the definitions in place at the time of the 2003 Master Plan, the R-3 District permitted single-family detached dwellings, single-family attached dwellings, two-family detached dwellings, tourist/guest houses, multiple dwellings, and quads. Houses of worship, historic conversions,



municipal uses, and schools were also permitted by right in this district.

The portion of the R-3 District that is west of Madison Avenue and south of Lafayette Street is, with a few exceptions developed almost entirely with single-family detached dwellings. Some the larger homes, particularly those in or near the historic district, have been converted to tourist/guest homes. This is an option permitted in the R-3 and R-S districts but not in the R-2 or R-1 districts.

This core of single-family dwellings is located in the portion of the R-3 District that is west of Madison Avenue and south of Lafayette Street. It is supportive of the character of the historic district, even though some of the homes in this District are not actually in the historic district. A proliferation of multiple family dwellings, attached dwellings and two-family dwellings would undermine the character of these neighborhoods and are discouraged.

The most famous local example of the havoc that unsympathetic development could bring to the surrounding neighborhood is the so-called Christmas Island development on the triangular block formed by Swan, Wenonah and Madison Avenues. The small site got its name from the fact that it was once entirely occupied by a nonconforming Christmas shop. Developers acquired the site and submitted plans for a multiple dwelling that fully complied with the R-3 regulations. The site plan was approved by right, but many thought it to be out of character with the surrounding area.

To avoid similar situations, it was recommended in the 2003 Master Plan that a new R-3A Restricted Medium Density Residential district be established in the areas now zoned R-3, which is west of Madison Avenue and south of Lafayette Street. The R-3A District would maintain the same bulk standards as now permitted for single-family detached dwellings in the R-3 District, but the only permitted residential uses would be single-family attached and tourist/guest houses. Permitted nonresidential uses such as houses of worship, historic conversions, municipal uses, and schools would also be permitted.

Ironically, this area includes Christmas Island. However, there are no adjoining districts that would permit multiple dwellings if this zoning recommendation were adopted. To avoid a spot zone, it was also recommended that this and other uses that are not in concert with the proposed zoning change would be designated as legal nonconforming uses. The R-3A district was established as recommended between Madison Avenue, Jefferson Street, Kearney Avenue and Columbia Avenue. Zoning changes have effectively stopped the proliferation of multiple dwelling developments.

Ownership and use pattern changes have occurred on Elmira Street since the 2003 Master Plan. Within Block 1060, lots fronting on Elmira Street are zoned R-3 and Lots 4.01, 4.02, 34-32 fronting on Lafayette Street are zoned C-1. Lots within Block 1053 are zoned R-3 with the exception of Lots 13-15 which front on Lafayette Street. The City has obtained Block 1060, Lots 1, 2, 3, 33, & 34 and has developed this parcel with a parking lot. Based on the existing nonconforming commercial development patterns within Block 1053 that front on Elmira Street and the commercial uses in Block 1060, this area relates more to the C-1 commercial uses on Lafayette Street and is now less appropriate for residential use and more appropriate for commercial uses. The C-1 district was expanded to include Block 1053, Lots 7-12 and Block 1060, Lots 1-3, 6.01, 6.02, 33, 34, as recommended in the 2009 Reexamination and is now shown on the current Zoning Map.

### **3.5.3 The R-4 District**

The R-4 district is found only in the Village Greene, an area with a distinctive character that is not found elsewhere in Cape May. Homes are a mix of single-family detached dwellings, single-family attached dwellings and quads, on lots that are a minimum of 6,250 square feet for single family detached homes, 5,000 square feet



for semidetached homes, and 11,250 square feet for four unit quads. These are the only dwelling types permitted in the District.

Most dwellings in the area were built as one-story units but some have been expanded to two stories. These increased building heights created some controversy, again by those who felt that two story buildings detracted from the special character of the Village Greene section. The height of principal buildings in the R-4 district was limited to 20 feet in 1993, but some felt that even this restriction was being subverted by clever renovations that were designed to comply with the ordinance but which nonetheless added an additional level of living space. The 2003 Master Plan proposed no changes to the R-4 bulk standards but did address the issue of roof slopes.

#### **3.5.4 Floor Area Ratio**

One of the concerns that had arisen in Cape May and many other communities is the issue of people buying an existing home, tearing down the dwelling, and then building a new home on the lot that is the maximum permitted by current zoning regulations. Such homes are often out of character with the surrounding neighborhood and are sometimes referred to as “Monster Homes” or “McMansions.” Rising real estate values, the desirability of Cape May, and the scarcity of undeveloped, buildable lots makes this an increasingly attractive option. Currently, Cape May’s zoning ordinance controls building mass by regulating setbacks, building height and lot coverage. This may not be sufficient. One measure of building mass is the floor area ratio (FAR). Controlling floor area ratio is one way to insure that the size of a redeveloped home does not grossly differ from those of other nearby homes.

Determining the correct FAR is important, however. Aerial photographs of existing development were studied, as were records of floor area and corresponding lot area supplied by the City Assessor’s office and a local realtor, who sits on the Planning Board. Following that research, it was recommended that a base floor area ratio of 0.40 be established for single-family detached dwellings in all zoning districts. The differences in minimum lot area will account for distinctions between zoning districts. It is important not to penalize existing homes, particularly older homes in the historic district where some existing homes already have a large FAR. Accordingly, it was suggested that in every instance the permitted FAR be established as the greater of the base FAR or the FAR of an existing dwelling on a lot, which was constructed prior to 1950 in all residential districts except R-4, and prior to 1970 in the R-4 District.

The recommended base floor area ratio for other dwelling types contained in the 2003 Master Plan is 0.45 for single-family semi-detached dwellings (and two-family detached); 0.50 for multi-family dwellings, and 0.55 for quads, in accordance with the proposed definitional changes. As with single-family detached dwellings, the permitted FAR would be established as the greater of base FAR or the FAR of an existing dwelling on a lot that was constructed prior to 1950 in all residential districts except R-4, and prior to 1970 in the R-4 District.

Floor area ratio requirements have been implemented in Code Section 525-52. Adjustments were made to the recommended floor area ratios for quads and additional standards were implemented for the C-1, C-2, RS and R-4 districts. They are as follows:

- A. *Except as otherwise provided in this section, the following maximum floor area ratios shall apply uniformly throughout the City:*

- (1) *Single-family detached dwellings: 0.40.*
  - (2) *Semidetached dwellings: 0.45.*
  - (3) *Two-family detached dwellings: 0.45.*
  - (4) *Multifamily dwellings: 0.50.*
  - (5) *Quads: 0.36.*
- B. *All dwellings in the C-1, C-2 and RS Zones shall be subject to a maximum floor area ratio of 0.65.*
- C. *Single-family detached dwellings in the R-1 Zone shall be subject to a maximum floor area ratio of 0.50. [Amended 6-21-2005 by Ord. No. 37-2005]*
- D. *The floor area ratio of each dwelling built prior to 1950 shall be the greater of its floor area ratio (on the effective date of this chapter) or the applicable floor area ratio set forth in this section; provided that, in the R-4 Zone, the floor area ratio of each dwelling built prior to 1970 shall be the greater of its floor area ratio (on the effective date of this Chapter) or the applicable floor area ratio set forth in this Section.*
- E. *Dwellings in the R-4 Zone shall be subject to the floor area ratio restrictions set forth in §525-17B.*

As part of this reexamination, it is recommended that no adjustments be made to the current floor area ratios contained in the zoning code, as these standards appear to be effective.

Floor area ratio definitions have also been implemented in the Code after the 2003 Master Plan Recommendations. The definition of floor area ratio was amended to clarify that it only applies to the principal structure on the lot and that it excludes the floor area of both attics and basement or ground level areas that are not designed for human habitation. As recommended, it was defined as “an interior finished room, enclosed by a floor, ceiling and permanent weather-resistant walls; which has a minimum floor to ceiling height of 6.5 feet; and which is intended primarily for occupancy by human beings.” This would exclude garages (whether attached or detached from the dwelling) as well as sheds, parking areas, storage areas, and mechanical equipment shelters.



Another recommendation of the 2003 Master Plan was to regulate roof pitch as a means of preventing unaesthetic flat roofs. This was implemented in all zoning districts as builders attempt to fit the maximum livable area into district height limitations as it was noted as a problem in the R-4 district. A predominant roof pitch of not less than 4 inches in 12 and not more than 12 inches in 12 would be appropriate and would eliminate nearly flat and very steep rooflines in non-historic sections of Cape May. Mansard roofs should also be permitted. This was addressed within the revised definition of building height as follows:

## BUILDING HEIGHT

The vertical distance measured from the mean level of the crown of the road in front of the building to the highest point of the roof deck for flat and mansard roofs or to the highest ridge line of pitched roofs. For pitched roofs, an additional five feet may be added to the maximum building height permitted in the zoning district in which the building is located, except in the R-4 Modified Medium-Density Residential District, which shall be governed exclusively by the provisions of §525-17B(2) and in which district the maximum height of any building, including necessary appurtenances or common decorative features and regardless of roof style, shall not exceed 20 feet. "Pitched roofs" are defined as any roof with 80% or more of its projected horizontal planes (areas) constructed at slopes equal to or greater than four in 12. Maximum heights shall not prohibit necessary appurtenances or common decorative features exceeding those heights, except in the R-4 Modified Medium-Density Residential District, which shall be governed exclusively by the provisions of §525-17B(2) and in which district the maximum height of any building, including necessary appurtenances or common decorative features and regardless of roof style, shall not exceed 20 feet. Height regulations are subject to the requirements of §525-58D.

### **3.5.5 Fine Tuning Existing Residential District Boundaries**

Several other small changes to residential zoning boundaries were proposed in the 2003 Master Plan. One area that is recommended for a zoning map amendment is the block bounded by Pittsburgh, Beach, Baltimore, and New Jersey Avenues. This block had been zoned C-3, reflecting its former use as the site of the large Christian Admiral Hotel. The hotel was razed, despite its historic status, because it was in too poor a state of repair to be salvaged. The land was then subdivided into 75 by 150 foot lots, on which large oceanfront single-family detached homes have been constructed. Given the current land use, this block is more properly zoned R-1.

This recommendation was addressed by Ordinance No. 133-2008 which became effective April 8, 2008. A R-1A Low Residential overlay was created which contains the same use regulations as the R-1 district. The bulk and area standards are the same as the R-1 district except for building setback, rear yard setback, minimum habitable floor area, lot coverage and floor area ratio which have been implemented to maintain the large scale dwellings that currently exist.

Another proposed map amendment contained in the 2003 Master Plan that was implemented was the rezoning of both sides of Ohio Avenue, between Philadelphia and Reading Avenues, to the R-2 District. This would better conform to existing patterns of development. This area was previously zoned R-4 but is not part of the Village Green Development. This recommendation was addressed by the Zoning Map for the City of Cape May, dated March 15, 2005 and revised July 19, 2005 which was adopted October 18, 2005.

It was determined during the 2009 Reexamination that the Zoning Board of Adjustment has granted numerous use variance applications for expansions and renovations to structures located on the south side of Maryland Avenue between Wilmington Avenue and Buffalo Avenue. This area is comprised of all lots within Block 1222 (Lots 1-10) and Block 1223 (Lots 1-10) and is completely developed with twenty (20) semidetached dwellings on lots that measure 50' x 125'. This area is unique since the semidetached development occurs uninterrupted on one side of the street for two blocks and no development has occurred on the opposite side of the street. This area was

previously zoned R-1 which does not allow semidetached dwellings. Subsequent to the 2009 Reexamination, this area was rezoned to R-3 District and the applications to the Zoning Board have effectively been eliminated.

### **3.5.6 Residential Site Improvement Standards**

An area of great concern to the Planning Board has been the excessive demands for off-street parking that is generated by summer rentals. It is not uncommon for multifamily groups or even unrelated individuals to share a summer rental and to arrive in Cape May with far more vehicles than there are available off-street parking permits. Parking issues are treated in more detail in the Circulation Element. It is important to note here, however, that the City is not able to directly amend its zoning regulations as they affect off-street parking standards for residential uses. These are now regulated by the New Jersey Residential Site Improvement Standards (RSIS), which apply the same per-bedroom parking standards to every municipality from urban cities such as Newark and Camden, to rural communities such as Lower Alloways Township, and to seashore resorts like Cape May. It was recommended that the zoning ordinance should be amended to reflect all applicable RSIS standards. This recommendation has been addressed. The RSIS has been implemented into the zoning ordinance Sec. 525-49C(1) as a parking requirement for all dwellings.

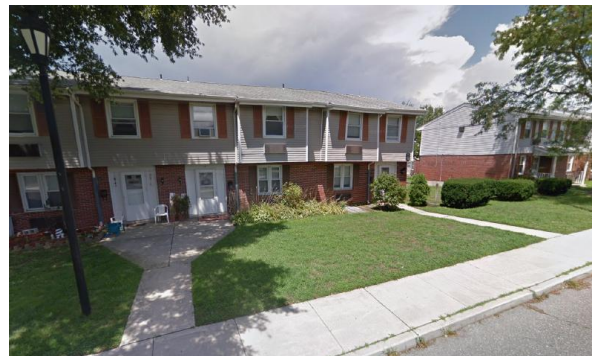
### **3.5.7 Cape May Housing Authority**



The Cape May Housing Authority (CMHA) main office is located at 639 Lafayette Street Cape May. Recognized as a high performing authority, The CMHA operates 85 (Section 9 - Traditional) low rent units. As defined in its mission statement, the Authority is committed to achieving excellence in providing safe, clean and modern housing assistance while promoting self-sufficiency, upward mobility and partnership with residents, community and others to enhance the quality of life in our community.

The CMHA offers three public housing communities that provide housing for families and senior/disabled individuals. Lafayette Court and Osborne Court have the smaller efficiency and one-bedroom units and Broad Street Court provides larger units for families.

The first community, where the Housing Authority office is located is known as Lafayette Court. Lafayette Court was built in 1967 and contains a total of 27 one-story units comprised of 17 one-bedroom and 10 efficiency units. This site is located at Block 1060, Lots 9-16 & 23-27 between Lafayette Street and Broad Street. A small parking area for 7 vehicles is located off Broad Street.





The second community is known as Osborne Court. Osborne Court was built in 1967 and contains a total of 28 one-story units comprised of 16 one-bedroom and 12 efficiency units. This site is located at Block 1080, 2-29 between Lafayette Street, Jefferson Street and Osborne Street. A small parking area for 10 vehicles is located off Jefferson Street.

The third community is known as Broad Street Court. Broad Street Court was also built in 1967 and contains a total of 30 two-story units comprised of 10 two-bedroom, 16 three-bedroom, and 4 four bedroom units. This site is located at Block 1061, Lots 32-37.01 at 631 Broad Street. A larger parking area for approximately 52 vehicles is located off Broad Street. This parking area is subject to flooding as it is located near Cape Island Creek.

In past Master Plans and Reexaminations, little attention has been paid to planning for the CMHA's future. During this reexamination, the Planning Board recognizes the Authority's important role in providing Cape May with stable year-round residents living in affordable housing while promoting stability, self-sufficiency, upward mobility and partnership with residents, community and others to enhance the quality of life in our community. It is recognized that the housing stock is now over 50 years old and that replacement may need to occur in the near future. The existing sites may offer the potential to be redeveloped at higher densities and provide more affordable units in the core downtown area. The City should strive to foster the relationship with the CMHA and aid in comprehensively planning for the future. The City and CMHA should work together to navigate the changing State and Federal regulations and if possible, replace the existing aging housing stock with modern housing.

### **3.5.8 Undersized Lots**

The Zoning Board of Adjustment was handling numerous applications for dwelling construction on nonconforming lots. Variances were being granted for lot size, lot width and lot frontage where new construction was otherwise conforming including FAR and lot coverage. After reviewing yearly reports and recognizing that this pattern had developed, the Zoning Board made a recommendation to the Planning Board to consider revising the ordinance to permit new construction on undersized lots without variance so long as the applicant complied with all other zoning controls. The Planning Board agreed and forwarded a revision to the zoning ordinance (Ordinance 337-2017) which was approved by City Council on November 21, 2017. This new ordinance has been effective in dealing with construction on the numerous undersized lots that exist in the City.

### **3.6 Nonresidential Districts/Commercial Districts**

In addition to the goals stated in §525-2, the districts established in §525-21 are in accordance with the intent and planning policies as described in the City of Cape May Comprehensive Development Plan (Master Plan) and are intended to achieve the following:

- A. Provide sufficient space in appropriate locations for the various types of commercial and service establishments anticipated by the comprehensive development plan.
- B. Assure light and air to the extent possible by controlling the spacing and height of buildings and other structures.

- C. Protect commercial development against intrusive uses which are incompatible with it and against objectionable influences such as offensive noise, vibration, smoke, odors, or glare and from the hazards of fire.
- D. Provide appropriate space for the requirements of present day merchandising, including the provisions of off-street parking and safe circulation of pedestrian and motor traffic.
- E. Promote the most desirable use of land and pattern of building development in accord with a well-considered plan in order to promote stable commercial development, strengthen the economic base of the City, protect the character of commercial areas and nearby districts, conserve the value of land and buildings, and promote municipal tax revenues.

No significant changes were proposed in the 2003 Master Plan to the boundaries of the nonresidential districts, other than the aforementioned removal of the former Christian Admiral Hotel Block from the C-3 District, which has been addressed, and the fine-tuning of the Neighborhood Commercial District on Texas Avenue, which has partially been addressed. The aforementioned NC District changes should now be implemented as recommended.

As indicated in the 2003 Master Plan, it is again recommended to avoid the unintended encroachment of commercial uses into residential districts where not warranted by sound planning principles. The Master Plan recognizes that a number of nonconforming nonresidential uses exist in residential districts. Those nonconforming uses that existed prior to the establishment of any zoning regulations in the City; those that were conforming under the zoning regulation in effect at the time the use was established; and those for which a use variance was obtained are all legally protected nonconforming uses. However, as a matter of public policy, the Master Plan views the further expansion of nonconforming uses onto new lots in residential districts, even if adjoining or close to existing nonconforming uses, to be a threat to the integrity of the residential district that should be discouraged by the Zoning Board of Adjustment.

Another concern identified in the 2003 Master Plan was the lack of architectural detailing that is present on the rear of some older commercial buildings. Views from rear streets are as important as those from the front of the building and need to be appropriately treated. It was recommended that the zoning ordinance should be revised to require that building treatments avoid long uninterrupted façade planes without architectural detailing or changes in the direction of the façade plane. All elevations that are visible from a public street should be treated. The Code already gives the Planning Board approval power over the exterior design of a large number of nonresidential and multiple dwelling buildings. Architectural design changes have been made to the Code's zoning Section 525-59J as previously indicated. This provision included attached dwellings, when that definition was added to the ordinance.



Buffer, screening and landscape standards are equally important and it was recommended that they should be upgraded when the new zoning ordinance is prepared. It was recommended that different standards should be established for the degree of screening required, based upon the proposed land use and the land use from which it is to be screened and the landscaping standards

should be reviewed to insure a better mix of deciduous, evergreen, and ornamental trees, as well as both high and low level shrubs. These recommendations have been addressed. Additional screening requirements based upon proposed and existing land uses have been implemented and are contained in Section 525-59H. Landscaping standards in Section 525-59I contain requirements for deciduous, evergreen, and ornamental trees, as well as both high and low level shrubs. It is now recommended that specific recommended species be provided in the Code for ease of use and selection. Development of these species should include consultation by the Shade Tree Commission and Environmental Commission.

Signage regulations for residential and commercial properties are limited but are generally appropriate for the character of the City. At the same time, it is recognized that directional and wayfinding signage for tourists needs to be improved and more specific recommendations are made in the Circulation Element. This is particularly important for a community like Cape May where a high percentage of motorists during the summer season may be first-time visitors who are unfamiliar with the City. The confusion of these motorists only serves to compound traffic congestion. Adequate signage is only part of the answer, however. It must be present in a graphically simple but recognizable family of signs, against a background that does not compete with other messages for the motorists' attention. The photo above, of the past condition at the intersection of Sidney and Washington Avenues, is an example of what to avoid. Signage regulations contained in Section 525-48 for residential and commercial properties have been adjusted and no new changes are recommended. Signage recommendations for directional signage remain valid and should be implemented consistent with the Traffic & Parking Element reexamination.



### 3.7 Table of Uses

The following table of uses reflects an update to the Table of Uses contained in the 2003 Master Plan:

**Summary of Uses by Right in Cape May Zoning Districts**  
**Table 3.1**  
**March 2019**

Uses By Right	R-1	R-1A	R-1B	R-2	R-3A	R-3	R-4	R-5	RC	RS	PRC	PRC (0)	NC	C-1	C-2	C-3	C-5	C-6	G-1	S-1	S-2	HO	
Amusement Centers in Existing Structures																							
Animal Hospitals and Boarding																	•			•			
Apartments above Commercial Uses																							
Apartments, Accessory (Affordable)	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Arts, crafts, fine arts, & studios															•	•	•						
Auto Rental Office															•			•					
Auto or Truck Rental Office																							
Automobile Body Repair Shop																		•					
Automotive Service Station																		•					
Auto Wash																		•					
Beach (and Dune) Protection Projects																					•	•	•
Bicycle Rental															•	•	•	•					
Boat Building, Repair, Sales, Rental & Storage																			•				
Boat Club													•						•				•
Boatels, etc.																			•				
Building, Plumbing or Electrical Contractor																		•					
Business, Admin, & Prof. Offices													•	•	•	•	•	•					
Clubs, Lodges, Frat, Org.														•		•							
Cold Storage Plant, Beverage, Baking, etc.																		•					
Commercial Recreation (Limited)																•							
Commercial uses in Pln Res Wtrft Opt.																							
Drinking Establishments, Licensed															•	•			•				
Dune Protection Projects																							
Dwelling, Multiple-Family								•					•				•						
Dwelling, Quads								•															
Dwelling, Single-Family Detached	•	•	•	•	•	•	•	•	•	•	•	•					•		•				
Dwelling, Single-Family Semi-Detached						•	•	•		•	•	•					•						
Dwelling, Attached						•				•													
Dwelling, Two-Family Detached						•		•		•													
Eating Establishments, no drive-thru													•		•								
Eating Establishments, On-Premise, no drive-thru														•		•							
Financial Institutions													•	•									
Fishing Piers, Boat Docks																			•				•
Funeral Parlors																		•					
Government Uses, Federal																			•				

\* - District Added    \*\* - District Deleted  
 • - Use Permitted  
 ✓ - Use Added    X - Use Deleted  
 C = Conditional Use

**Summary of Uses by Right in Cape May Zoning Districts**  
**Table 3.1 Continued**  
**March 2019**

Uses By Right	R-1	R-1A	R-1B	R-2	R-3A	R-3	R-4	R-5	RC	RS	PRC	PRC (O)	NC	C-1	C-2	C-3	C-5	C-6	G-1	S-1	S-2	HO
Historic Conversions	C	C	C	C	C	C	C	C	C	C			C	C	C	C	C	C				
Hotels & Motels															•	•						
Launching Ramps																						•
Libraries, Art Galleries, Museums														•	•							
Light Manufacturing																	•					
Marina																		•				•
Marine or rec. retail sales & service																		•				
Motor Vehicle Sales																		•				
Municipal Uses	•	•	•	•	•	•	•	•	•	•	•	•										
Off-Street Parking Facilities																		•				
Parking Lot or Garage, Public													•	•	•	•	•	•				
Parks and Conservation Areas																						•
Personal Services Shops													•	•	•							
Places of Worship	•	•	•	•	•	•	•	•	•	•	•	•		•								
Planned Res. Waterfront Option.																						
Printing Plant																		•				
Radio, Television or Recording Studio																		•				
Recreation, Beach Related																				•		
Recreation, Not Detrimental to Dune Stabilization																					•	
Recreation, Public, & Cultural Uses																						•
Research and Development Uses																		•				
Retail sale of goods or prep. Foods														•	•							
Retail sale of goods or prep. Foods (<=5,000 sf)													•									
Retail Stores & Service Businesses																		•				
Schools	•	•	•	•	•	•	•	•	•	•	•	•										
Service Businesses															•							
Shopping Centers															•							
Shopping Center, Neighborhood													•									
Small Appliance Repair Shops													•									
Taxi Stations															•	•						
Teaching Center																						•
Theatres, w/o drive-in															•			•				
Tourist/Guest Homes					•					•							•					
Travel Agencies																•						
Wholesale Businesses, Warehousing, Bldg Material																		•				

\* - District Added    \*\* - District Deleted    • - Use Permitted  
 ✓ - Use Added    X - Use Deleted    C = Conditional Use

### **3.8 Other Recommendations**

The current Zoning Ordinance permits averaging of existing front yard setbacks to determine setback requirements. The intent of the setback averaging is to maintain the character of the street by allowing a deviation from the required setback, in cases where many of the existing structures do not conform to front building setbacks. As recommended in the 2009 Reexamination, this requirement was modified on 6-16-2009 by Ord. No. 183-2009 to simplify the survey and application of this standard which has been effective.

### **3.9 Vision Plan**

The Vision Plan for the City of Cape May was prepared in 2007. This plan was prepared to build on the City's rich history and its ecological resources while recommending improvements that will reinvigorate the image of the City as well as enhance its unique character. This plan recommends park improvements and acquisitions, streetscape improvements, and transportation and parking improvements. This plan targets five areas for urban design improvements; Beach Avenue west; Convention Hall vicinity; Beach Avenue east; Harbor Vicinity; Washington Street Mall and vicinity. This plan is generally consistent with the Master Plan and this reexamination. In the 2009 Reexamination, the City adopted the Vision Plan as an addendum to this element and implement recommendations contained in the Vision Plan as resources become available, providing they are not inconsistent with the updated findings, goals, objectives and recommendations of this updated report.

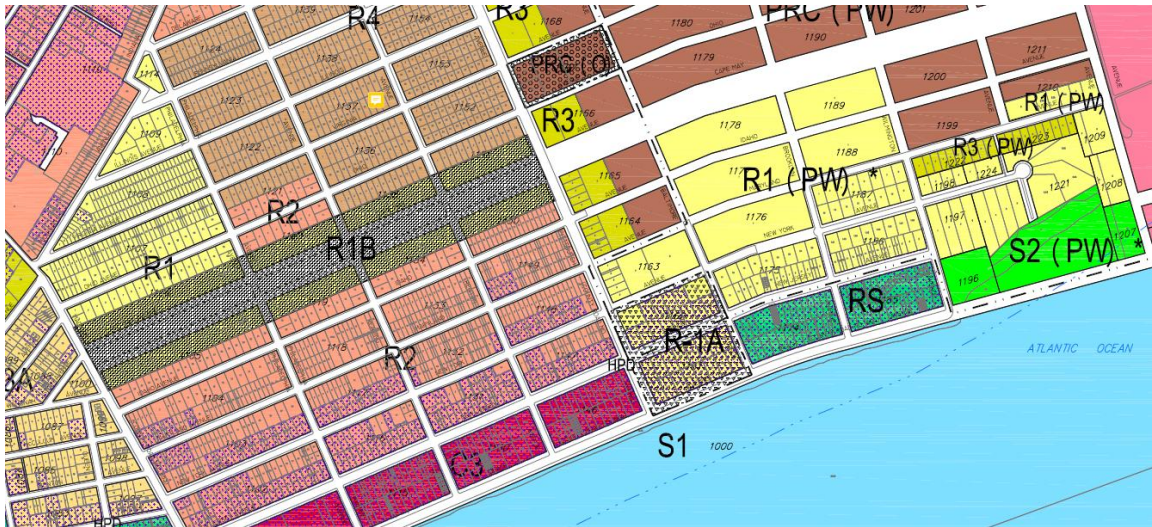
### **3.10 Recommended Changes in the City's Master Plan, Development Regulations, and Zoning Map**

Cape May's current master planning reexamination efforts represent the first comprehensive reexamination of land use changes in almost a decade. Sea level rise, resiliency planning, flood insurance and affordable housing changes, demographic and economic change further demonstrated the need to reform or amend the City's zoning code to facilitate appropriate and resilient development. This Master Plan Reexamination has resulted in the following recommendations:

1. Reexamine and revise the Definitions §525-4 to verify all uses and terms contained in the code are defined. (i.e. "sleeping unit").
2. Revise the zoning code regulations governing residential districts in Article IV Residential Districts including the Intent §525-13 stated and update so that it is consistent with recommendations in this Reexamination.
3. All districts should be updated to include reference to Article V - Affordable Housing. This would include the listing of rehabilitation, accessory apartment and market to affordable programs as permitted uses.
4. Architectural standards for required Affordable Housing off site units should be developed. It is recommended that these units be required to architecturally fit in with the neighborhoods in which they are developed.

5. All residential districts or districts where residential uses are permitted should be updated to include reference to Article V - Affordable Housing Inclusionary zoning requirements and densities.
6. Lot size and lot area definitions currently do not exclude wetlands or buffers from density or lot yield calculations. This has been reexamined and it is recommended that this will remain unchanged as development patterns have been acceptable.
7. All residential districts area and bulk regulations should be revised to eliminate "ground" in the minimum floor area requirements: i.e. habitable ~~ground~~ floor area. (Some have Habitable Floor Area and some have Habitable ground floor area) This would encourage future development to be consistent with flood standards and resiliency.
8. Fee simple lots for two-family dwellings have been a zoning trend driven by flood insurance and other considerations that should be addressed in the zoning regulations. All Bulk regulations should be revised to incorporate a "per lot" methodology. No changes to density are proposed.
9. Comprehensively reexamine and address standards for R-1 District §525-14. Lot frontage should be revised to 75' not 74' (typo.)
10. Comprehensively reexamine and address standards for R-1A District §525-14.1. Lot frontage should be revised to 75' not 74' (typo.)
11. Comprehensively reexamine and address standards for R-1 District §525-14. The R1B was created in 2012 which adjusted maximum permitted lot coverage higher to 40%. Existing Permitted Lot Coverage (See map of R1 zones): for residential zones is currently:

R1	30%
R1A	75%
R1B	40%
R2	40%
R3	45% (SFD), 70%(SEMI-DETACHED/TWO-FAMILY)
R3A	45% (ALL USES)
R4	45% (SFD), 50%(ALL OTHER USES)
R5	60% (ALL USES)



Map 3.2 - R1 Zoning District Map

Because lot coverage is proportional to lot size and to create equitable development regulations within the City, it is recommended that the maximum permitted lot coverage for the R1 District be revised from 30% to 40%. The R1B district could be eliminated and revised back to R1.

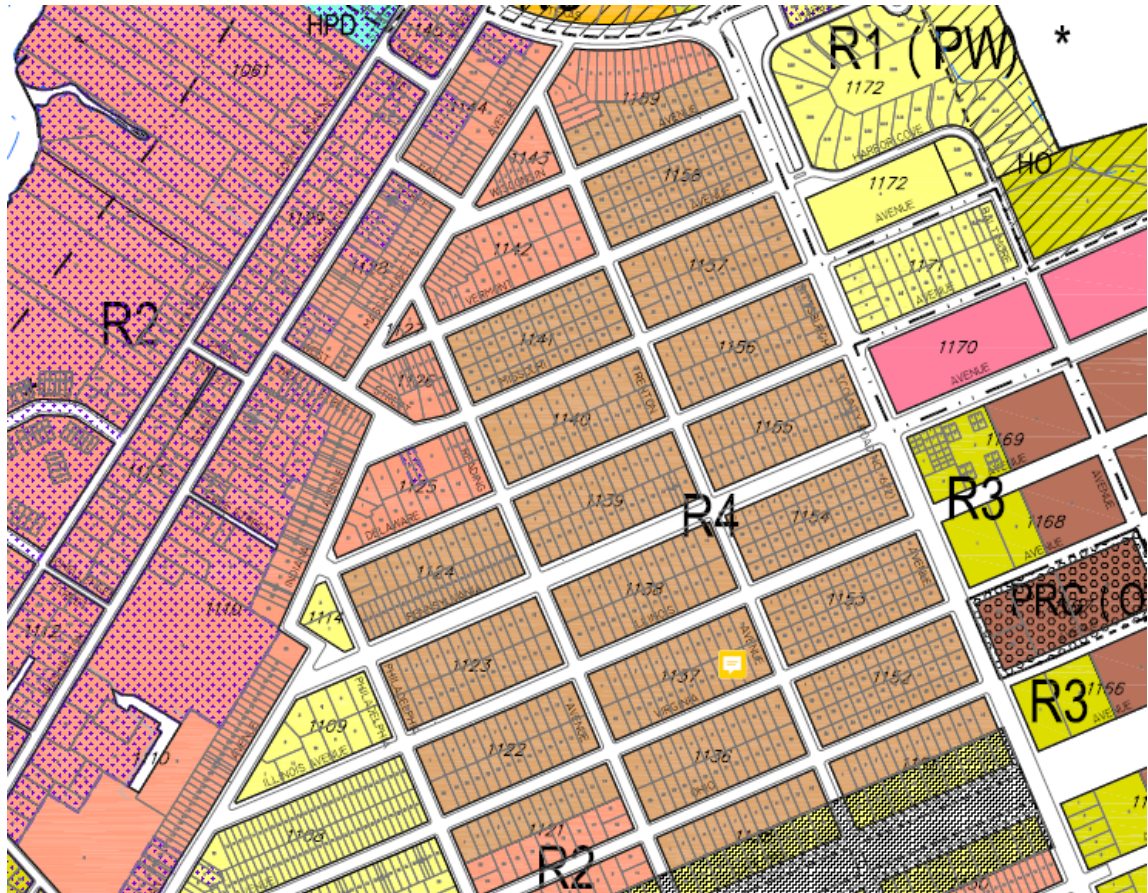
12. Address residential development consistent with the R-3 development standards that has been developed or redeveloped in the C-5 district. It is recommended that (Block 1061 - Lots 14 &15) along Elmira Street opposite Venice Avenue be changed to the R-3 district as development on these two lots is consistent and were approved by variances equivalent to R3 zoning controls. See Below:



Map 3.3 - R3 Zoning District Map

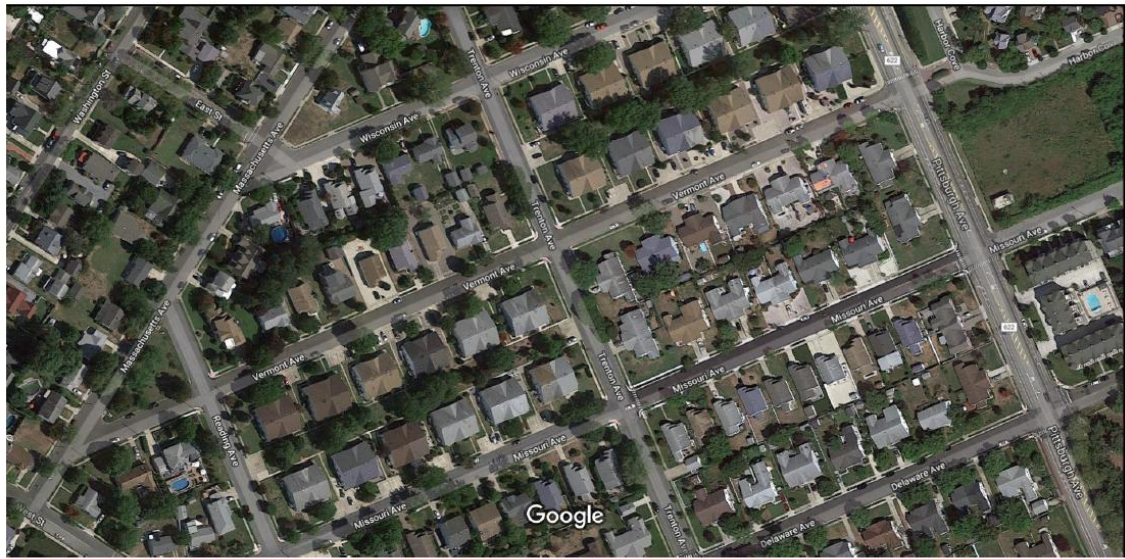


13. Comprehensively reexamine and address standards for R-4 District §525-17 (Village Green area). Additions and accessory structures and fences in this area have been problematic from an emergency access and light, air and open space standpoint and can disrupt the original "campus" design and open space/pedestrian access ways abutting the quads and two-family structures. Not permitting fences or permitting fences but require an appropriate setbacks to facilitate public and emergency access while also preserving light, air and open space, should be considered. Standards for corner lot situations need to be developed and addressed. Due to the uniqueness and complexity of development in this area, further detailed study is required. Property survey evaluation may be required. See Below for Zoning Area, aerial mapping and Examples:



Map 3.4 - R4 Zoning District Map

Google Maps R4 District Aerial Map



Aerial mapping - Source Google Maps 2018



Example of fence abutting common walkways in R4 District.



Example of fence abutting common walkways.

14. Comprehensively reexamine and address standards for R-4 District §525-17 (Village Green area). HVAC structures or condensers should not be permitted in front of the front building facade.
15. Comprehensively reexamine and address standards for R-4 District §525-17 (Village Green area). A per unit requirement is necessary for 4 unit quads. Creation of fee simple lots should be permitted. It is recommended that the 11,250 requirement is revised to a 2,812.5 SF per unit requirement. A rear yard requirement of 0' should also be included for the attached side.
16. Comprehensively reexamine and address standards for R-4 District §525-17 (Village Green area). Currently, for quads located on corner lots, the rear yard setback shall be measured from the property line opposite the main entrance to the dwelling unit. Main entrance is not defined and should be or a better methodology be developed and incorporated for establishment of setbacks.
17. Comprehensively reexamine and address standards for R-4 District §525-17 (Village Green area). Due to the relatively high real estate costs within the City, many full time residents call this area home due to the lower average cost dwelling units that this area contains. These units are often small and do not contain the bedrooms necessary for families. Cape May should ensure that this area is affordable to residents and possibly facilitate carefully planned zoning regulations that may allow additional bedrooms that support these families. Care should be taken so that redevelopment is not encouraged so that it family homes would not be replaced with second homes.
18. Comprehensively reexamine and address standards for R-5 District §525-18. A side yard setback of 0' should be added for semi-detached structures. Minimum lot size and minimum

lot size per dwelling unit are inconsistent and should be corrected (1,500 SF vs. 2,500 SF) in Table A for Single-family Detached, semidetached and two-family detached uses.

19. Comprehensively reexamine and address standards for S1 and S2 Districts (§525-30, §525-31). The uses by right and zoning controls don not reflect existing uses and should be evaluated and updated accordingly.
20. Discuss and possibly address standards for pool regulations. Swimming pools are currently counted towards lot coverage. Citing Cape May's summer tourism and homeowner/tourists expectations, consideration of relaxing pool regulations has been mentioned with the possibility of evaluating lot coverage requirements and pools. Overdevelopment of lots and impacts from pools has been cited as concerns. No recommendation is made at this time. Further study and discussion should be made to develop any pool related recommendations.
21. Comprehensively reexamine and address standards for all commercial districts. Evaluate and update uses by right. New and trending modern uses such as distilleries, breweries, recreational retail (i.e. axe throwing, escape rooms, etc.) and other tourist compatible uses should be explored and added where appropriate.
22. Comprehensively reexamine and address standards for C-1 District §525-22 (Washington Street and Mall Primary Business District). Availability of off street parking in this area is extremely lacking and the ability to develop new parking is problematic due to land availability. Availability of work force housing has also been cited as a concern. This area is pedestrian friendly and complementary to apartments over commercial uses which are permitted currently. Ability to convert unused areas above commercial uses has been curtailed by lack of parking. Relaxing or eliminating the parking requirements for apartment uses in this district should be investigated.
23. Comprehensively reexamine and address standards for C-2 District §525-23 (Beach Avenue Beach Business District). Availability of off street parking in this area is extremely lacking and the ability to develop new parking is problematic due to land availability. Availability of work force housing has also been cited as a concern. This area is pedestrian friendly and complementary to apartments over commercial uses which are permitted currently. Ability to convert unused areas above commercial uses has been curtailed by lack of parking. Relaxing or eliminating the parking requirements for apartment uses in this district should be investigated.
24. Workforce Housing - The commercial hospitality segment is one of the largest employers in Cape May and given the growth in the year round nature of this segment and the difficulty in recruiting certain seasonal and entry level employees due to shortages of affordable housing has been problematic. Throughout this reexamination process, it has been recognized that the City requires affordable workforce housing which is located in appropriate areas and supports the commercial uses including hotels and restaurants. Affordable workforce housing should not to be confused with "affordable" units required to meet our State mandated affordable obligations. These units are necessary to address housing for seasonal and full time permanent staff of commercial uses in the City. The City should discuss and potentially develop guidelines that permit this type of use. These could be defined as Work-Force Housing Facilities (WHF) which could provide for dormitory and

small apartment style housing for both seasonal and year round residents. The goal of the housing is to accommodate entry level seasonal and year round employees and to provide the first stop on the way to promotion and finding permanent housing should they chose to build a career here. WHF's could include small rooms, shared rooms, with shared baths and small studio and one bedroom apartments. Minimum permitted areas of the WHF's units should be able to be smaller than current zoning allows (apartments currently have a 500 SF minimum requirement). Housing types could be midrise or low rise types and could be stand alone or attached to other commercial facilities. Most seasonal and entry level employees, many of whom are international, do not bring cars. Reduced parking requirements should be considered and bike accommodation required. Leveraging Cape May's walk and bike ability and having a housing option will enable Cape May to compete for scarce employees against other urban employment markets where one doesn't have to own a car to hold a job. The ability to have a job without having to own a car is desirable for many entry level workers. Determining the appropriate areas for this potential use requires additional study so that they are complimentary to commercial uses and not detrimental to established residential neighborhoods.

25. Sign Regulations §525-48B requires all signs which are not temporary signs shall require the approval of the Planning Board or Zoning Board, depending on which Board has jurisdiction. This is unnecessary and should be eliminated as the Zoning Official would normally review and approve signage permits.
26. Off street parking standards in §525-49C should be revised and incorporate standards for all uses permitted in the commercial districts. Often it is difficult to determine/verify the number of employees that count towards the parking requirement. An update of the parking requirements to modern standards that incorporate employees into the parking requirement calculation should be considered.
27. Parking Trust Account §525-49E reads as follows:

Parking Trust Account. The current parking trust zoning regulations are as follows: *In the event that an applicant has insufficient land for 100% of the required off-street parking spaces required by Subsection C based on the proposed use or uses of the site, the approving authority may still approve the application conditioned upon the applicant installing the parking spaces for which there is sufficient land and contributing \$5,000 for each additional parking space omitted, up to the required number, to a City Parking Trust Account maintained by the City specifically for the periodic purchase, lease, acquisition or maintenance of off-street parking lots to serve the City under the following terms and conditions:*

- (1) *Contributions to the City Parking Trust Account shall be permitted only for the conversion of buildings in existence as of the effective date of the establishment of the City Parking Trust Account. In the event that the application for development constitutes an addition to an existing building or the construction of a new building, the parking requirements of Subsection C must be met and no contribution to the City Parking Trust Account will be permitted. In the event that the application includes new construction, construction of the actual parking spaces on the site must be utilized and no contribution to the City Parking Trust Account will be permitted.*

- (2) *Nothing herein shall prevent the approving authority from denying the application, notwithstanding an offer of the contribution to the City Parking Trust Account.*
- (3) *The fees required shall be paid prior to the issuance of any building permits for the development application in question.*

Contributions to the Parking Trust Account have been infrequent over the past ten years due to the fact that the contribution may only be collected for the conversion of existing buildings may be a deterrent and not an incentive to development. Revising this Section to allow for a more liberal application and allowance of the contribution in lieu of variances has been discussed in the past to potentially generate funds to target improvements to the City's parking infrastructure. It is now recommended that the above provision for the Parking Trust Fund be eliminated.

28. Modern construction trends are for larger outdoor showers. Outdoor showers are currently regulated by §525-54A(6)(c) and only permit showers 4' x 4' x 6' high. It is recommended that the maximum permitted size be increased to at least 4' x 6' x 6' high.
29. Fencing is regulated in §525-56E and states: *Solid fences or walls located in any required yard area may not exceed four feet in height. Fences may be constructed to six feet in height when located in the rear.* Clarification should be provided as to "rear." "Rear" should be clarified to indicate rearward of the principle structure. Six (6) foot high fences in the side yards could potentially negatively impact views in historic neighborhoods and should not be permitted.
30. Building height regulations are regulated in §525-58D. Heights are currently measured from elevation 11.0 (1929 NGVD). The modern standard compatible with FEMA Flood Regulations is the 1988 NAVD datum. The equivalent reference elevation is elevation 9.7 (1988 NAVD). It is recommended to revise the reference standard slightly higher to an even elevation 10.0 (1988 NAVD) which would effectively raise permitted building heights by 0.3 feet and also facilitate building more resilient building by encouraging added heights to minimum first floor elevations.
31. Building height regulations are regulated in §525-58D. Lowest floor elevations for the entire City (not only Flood Zones) shall not be less than 10 1/2 feet above mean sea level (1929 NGVD). The modern standard compatible with FEMA Flood Regulations is the 1988 NAVD datum. The equivalent reference elevation is elevation 9.2 (1988 NAVD). It is recommended to revise the reference standard slightly higher to elevation 9.5 (1988 NAVD) which would effectively raise minimum permitted lowest floor elevations by 0.3 feet and also facilitate building more resilient building by encouraging added heights to minimum first floor elevations. Building heights for structures not within the flood zone are measured from the reference elevation indicated above. It is recognized that these structures are still at risk and may be more at risk in the future recognizing sea level rise. It is also recommended that HVAC mechanicals be included and meet the first floor elevation requirements.

32. Off street parking design standards should be revised to eliminate the obsolete provision that surface drainage is required to be connected to the City's stormwater system (§525-59E(3)).
33. To maximize potential parking spaces within the City, off street parking design standards should be revised to clarify no limit to the stacking of parking spaces for dwelling uses only. (§525-59E). Back out parking should not be permitted for commercial uses and clarified as such. Parking in lawns should be expressly prohibited and enforced. The City currently allows on-street parking in driveway curb cut areas by permit for dwellings where the owner entirely controls the driveway. To address parking shortages in the City, these types of spaces are relatively unknown and should be publicized, promoted and possibly permitted to count toward off-street parking requirements.
34. To increase stormwater recharge into the ground and promote stormwater resiliency, off street parking design standards should be revised to allow for permeable pavers or other suitable construction. Incentivizing permeable construction materials could be achieved by allowing the 50% lot coverage credit already permitted for residential uses.
35. Lighting standards contained in §525-59F should be revised to modern standards.
36. Landscaping requirements included in §525-59I (and Street trees §525-59.0.) should be revised to include recommended species for plants and trees. Recommended species should be determined from the book referenced in the code known as "Backyard habitat for Birds, a Guide for Landowners and Communities in New Jersey" as well as consulting with the City Shade Tree Commission and Environmental Commission. The species determined should be included in the code for ease of selection by developers and homeowners.
37. Flagpoles should be permitted with a 5' minimum setback from any lot line.
38. To address and promote compliance with flood regulations without variance approval and promote aesthetics, incorporate zoning regulation to address raising of and improvements to non-conforming structures and structures on non-conforming lots to eliminate the need for variances. Variances should only be required for new improvements that do not conform to bulk and area standards. Double stairways have been proposed for past development that has required variances. These may be more desired instead of side loading stairs and should be permitted without variance. Stairs excluded from setback requirements should have a minimum setback of 1 foot from the right-of-way line and have a maximum size limit developed.
39. Upgrade building codes and zoning laws so they are consistent and to reflect the increased risk of storm and floods.
40. Revise the checklist and application requirements consistent with recommendations contained herein. It is also recommended to incorporate Environmental Commission checklist requirements.
41. Evaluate patio and deck maximum width of 50% of lot width. Decks and patios should not be limited to no greater than the building width to which they are attached. Deck and patio

widths should be dependent on lot coverage requirements alone. This language should be eliminated from the Code.

42. Setbacks are measured to the nearest face of the structure including eaves and steps. It is recommended that setbacks be measured to the wall and eaves not more than 18" be permitted within the required setback. Stairs should be not included in the building setback requirement. Stairs should have a separate setback requirement and also have a maximum width requirement when located in the required building setback.
43. FEMA CRS Recommended Changes: The City Floodplain Manager has recommended the following tasks to aid in upgrading the City's CRS rating (Potential CRS Points listed):
  - A. Prohibit the use of fill to elevate buildings in regulatory flood plain including not approving conditional letters or letters of Map Revisions. (280 pts)
  - B. Increase freeboard requirement to BFE +3 feet (from current BFE +2 feet). (Up to 220 pts with fill prohibition or additional 150 points with no fill prohibition.)
  - C. Adopt a less than 50% threshold for making a structure comply with current regulations if the building is substantially improved or substantially damaged. (20pts)
  - D. Prohibit new critical facilities from the 500 yr. flood plain (essentially only allow them in the X-zone). (80 points) OR Require new critical facilities be protected to at least one foot above 500-yr flood level. (40 points)
  - E. Adopt regulations requiring that the owner of a building sign a non-conversion agreement that is filed with the deed and other property records that include one of the following controls:
    - a. If City will inspect at least once a year. (90 pts)
    - b. If the City is granted the right to inspect the enclosure area at any time. (60pts)
    - c. If the agreement does not mention inspections. (30pts)
    - d. For items F, the City can opt to enforce the enclosure limits only where the lowest floor is more than 4 feet high.
  - F. It is also suggested to reestablish a minimum first floor height for the entire town by extending the SFHA requirements to Non-SFHA properties. We have one but may need to revise elevation to the modern 1988 vertical datum.
  - G. Require new streets in the floodplain to be at or above BFE to provide access for emergency vehicles. This would need to be sent to FEMA for their consideration and scoring. It is listed as an example of other higher regulatory standards towns should consider.
  - H. A separate zone for Wetlands that is restricted to open space ONLY should be considered.



44. Cape May Housing Authority. The Authority's plays an important role in providing Cape May with stable year round residents living in affordable housing. It is recognized that the housing stock is now over 50 years old and that replacement may need to occur in the near future. The existing sites offer the potential to be redeveloped at higher densities and provide more affordable units in the core downtown area. Mid rise apartment type redevelopment should be considered. This would address the Authority's goals and address the City's affordable housing obligations. The City should continue to foster its relationship with CMHA and monitor changes to State and Federal regulations affecting the feasibility of replacing the current housing stock with new modern units.
45. Implementation Committee. The City has established numerous advisory committees to aid City Council in planning and addressing issues in the community. It is recommended that the City takes a similar approach to the implementing the recommendations contained in this Reexamination by establishing a Master Plan Implementation Committee. This Master Plan Implementation Committee could develop an action plan that could include prioritization, action steps, costs, funding measures to implement all recommendations contained in the Master Plan and subsequent Reexaminations. This will ensure that recommendations contained herein are developed and implemented.

## 4.0 Traffic and Parking Reexamination

The Traffic and Parking Element is contained in Section IV of the 2003 Master Plan and 2009 Reexamination. This section contains numerous sub-sections that contain the various assumptions, policies and recommendations as required in the Master Plan. Numerous studies, graphics and maps contained in the original documents have been omitted and those documents should be referenced for that material. The reexamination update, comments and recommendations of the Traffic and Parking Element is the result of a coordinated effort by the Planning Board and the Cape May Parking and Traffic Advisory Committee. The following reexamination section identifies, gives the current status and updates the assumptions, policies and recommendations statements with recommendations as follows:

### 4.0 Traffic & Parking Element

This section discusses the existing traffic and parking conditions for the City of Cape May, followed by an analysis of issues, and recommendations for improvements. The following reexamination section identifies, gives the current status and updates the assumptions, policies and recommendations statements as follows.

This 2019 Reexamination Report has prioritized addressing traffic circulation and parking issues from the perspective of efficiency, safety and addressing its peak summertime needs. As indicated in this Reexamination, the City's permanent population is no longer growing and development is mostly infill of already developed areas. However, the City's summertime population must be addressed.

### 4.1 Introduction

During the summer, motorists encounter significant congestion entering Cape May, between the Canal Bridge and Schellenger's Landing Bridge, and also on Lafayette Street, typically between Franklin Street and Ocean Street. Further, finding an available parking space in the downtown and on many beachfront blocks during the summer season can be extremely difficult. Outside of the summer season, traffic and parking concerns in the City are generally minimal. For all these reasons, the Traffic and Parking chapter focuses on addressing summer conditions.

It is not anticipated that the City would be able to completely eliminate traffic congestion, or should even try to do so. The moderate level of congestion on many downtown blocks helps ensure that motor vehicles travel at an appropriate pace, allowing them to safely share the roadway with the large number of two-wheel and four-wheel bicyclists, pedestrians, horse-drawn carriages, trolleys and other transportation modes. Similarly, while the parking demand downtown can be alleviated to some degree, it will always be difficult to provide the number of parking spaces needed to accommodate all visitors within a short distance of their destination. However, the City should attempt to improve traffic circulation and parking where feasible. The goal of the recommendations in this chapter is to improve traffic and parking conditions across the City, while maintaining the charming and historic character of the community that makes it such a popular resort community.

Many of the recommendations set forth in this section involve streets and intersections under the jurisdictional control of Cape May County. Therefore, the implementation of any of these recommendations must be approved by and coordinated with the Office of the Cape May County Engineer.

It is recognized that the assumptions, policies and recommendations contained in this element are based on the extensive traffic analysis performed during the July and August summer months of 2002 by Orth Rodgers Associates (ORA). It is understood that background growth of traffic has occurred in the City that is typical of similar roadways in the State. The 2002 traffic analysis identified problematic areas based on traffic at the time of study and it is also recognized that the background growth that has occurred only exacerbates the problems identified in the Master Plan.

Based on the fact that there have been no significant changes to traffic conditions throughout the City, other than typical growth, it has been determined that a new traffic study is not warranted at this time and that problems recognized through the previous study remain valid unless otherwise addressed by the City as identified specifically in the Reexamination.

#### **4.2 Existing Conditions**

This section provides a review and update of existing conditions identified in the 2003 Master Plan and the 2009 Reexamination.

##### Road Classifications (2003 Reexamination p. 39)

Functional road classifications have not changed within the City since the 2003 Master Plan. No changes are recommended for this section.

##### Volumes (2003 Reexamination pp. 40-45)

Traffic volumes contained in the Master Plan are based on the traffic analysis performed during the summer of 2002. There have been no significant changes to traffic routes or conditions throughout the City, other than typical traffic growth, thus the volumes identified remain a valid foundation and effective tool for establishing the assumptions, policies and recommendations contained in the Master Plan and Reexamination. Problems identified with these volumes are still valid. No changes are recommended for this section.

##### Parking Conditions (2003 Reexamination pp. 46-48)

The parking analysis contained in the Master Plan is based on the ORA analysis performed during July and August of 2002. There have been no significant changes to parking conditions throughout the City, other than typical traffic growth and associated parking demand, thus the issues identified remain a valid foundation and effective tool for establishing the assumptions, policies and recommendations contained in the Master Plan and Reexamination. No changes are recommended for this section.

### 4.3 **Goals/Objectives**

It is a goal to ensure that adequate services are provided to accommodate existing and future City residents and visitors. The following shall be traffic and parking goals and objectives:

- Goal: Develop a coordinated circulation system within a local and regional planning context to provide for the safe and efficient movement of people and goods.
- Objectives:
  - a. Encourage alternate circulation modes and networks to minimize and efficiently move auto traffic into and out of the City. Continually monitor, evaluate and adapt to modern technology and trends such as ride sharing, autonomous driving technology, etc and recognize their impacts on parking and vehicular density.
  - b. Evaluate county, state and federal transportation and circulation planning in order to coordinate them with local planning, giving particular emphasis to City entrances and exits.
  - c. Encourage restoration of railroad traffic and other high volume transportation modes as alternative means of accessing the City.
  - d. Minimize the negative impact of bus and heavy vehicle traffic on the City's street system.
  - e. Continue to explore the feasibility of centralized and satellite parking, and expanding parking supply.
  - f. Explore the feasibility of an expanded shuttle service tying together parking lots and destinations in both Cape May City and Cape May County.
  - g. Study the feasibility of encouraging traffic to use alternate routes into Cape May City other than Lafayette Street.
  - h. Continue to seek grant programs and funding sources to implement recommendations.
  - i. Encourage the use of bicycles and walking as alternatives to the automobile.
  - j. Implement the Bicycle & Pedestrian Plan.

### 4.4 **Bicycle & Pedestrian Plan**

In 2017, the City of Cape May and the Borough of Cape May Point in Cape May County developed a bicycle and pedestrian circulation plan as part of the New Jersey Department of Transportation's (NJDOT) Local Bicycle / Pedestrian Planning Assistance Program. Through "Bike Walk Cape May", each municipality seeks to make improvements for non-motorized traffic on its dense roadways and sidewalk network, identify off-road trail opportunities, and develop better linkages between the two municipalities. The Bike Walk Cape May report provides an overview of the existing

conditions for bicyclists and pedestrians in the study area. It includes an analysis of: crash data; identification of key pedestrian and bicycle traffic generators; review of key corridors and intersections for non-motorized traffic within study area and connections between the two; and a review of the roadway network's bicycle level of traffic stress (LTS) within the study area. The report also includes recommendations for improved facilities to enhance the overall bicycle and pedestrian network. This comprehensive planning document and recommendations contained therein is incorporated into this element and should be referenced for all studies and complete recommendations. Based on an analysis of existing conditions, the key issues, deficiencies, and trends related to traffic circulation, parking, bicycle and pedestrian mobility within Cape May City are:



- Cape May City is a dense, compact municipality with shops, restaurants, recreational areas, and cultural and historic attractions in close proximity, which supports traffic calming, walking and biking trips. Cape May is a historic resort community and popular tourist destinations. Tourism peaks in the summer months but is active year-round. Often on rainy days, Cape May becomes a peak destination because Cape May has much more to offer than just the beach.
- Cape May has a seasonal parking issue. Parking occupancy rates in the downtown mall area are typically at full capacity (>90%) in the summer season.
- There is a lack of availability of centrally located strategic sites for parking, which is an issue.
- The ability to provide off-street parking is the primary factor in limiting commercial growth and is particularly prevalent in hotel/motel/guest house uses.
- NJ 109/Garden State Parkway via Schellenger's Landing bridge is the primary entry point into Cape May City, causing most vehicular traffic to be funneled to Lafayette and Washington Streets which are the City's busiest streets. Texas Avenue and Pittsburgh Avenue are the second busiest streets. Beach Avenue has the third highest traffic volumes within the City due to the beach and many attractions that line the street.
- The majority of bicycle and pedestrian crashes occurred on five streets: West Perry Street/Sunset Boulevard, Jackson Street, Washington Street, Lafayette Street and Beach Avenue. These are important activity areas as they provide access to the beach, downtown, elementary school, and a connection between Cape May City and Cape May Point.
- Long pedestrian crossing distances are a typical issue along the Beach Avenue corridor. This is important as Beach Avenue must be crossed to access the beach, the promenade, and other destinations along the shore.

- Existing bicycle racks provide significant capacity on Beach Avenue and in the downtown of Cape May City, but there is unmet demand for additional parking. Bicycle thefts were reported in areas without bicycle parking and bicycle racks are needed in those areas.
- Existing on-street bicycle lanes on Madison Avenue, New Jersey Avenue, Pittsburgh Avenue, and Pennsylvania Avenue provide a foundation to build a bicycle network around and improve connectivity.
- Cape May City has existing wayfinding signage. Enhancements and an extension of the system can further improve the convenience of bicycling and walking.
- Sunset Boulevard is the major connector between Cape May City and Cape May Point Borough. Sunset Boulevard is a relatively high speed road (35 mph). Given the local context and limited alternative routes, it experiences pedestrian and bicycle activity, but lacks sidewalks or designated bike lanes. Connectivity between the municipalities could be enhanced.

To address these issues, the following summary highlights some of the important recommendations found in the plan:

### **Intersection Improvements:**

#### ***Beach Avenue at Ocean Street & Others***

This signalized intersection is typical of signalized crossings along Beach Avenue and provides access to the beach and leads to the commercial areas in downtown Cape May City. Proposed recommendations seek to minimize the pedestrian crossing distance and enhance visibility by installing high visibility continental crosswalks at the intersection and straighten crosswalks at the approach. Dashed bicycle lane striping will be maintained through the intersection along Beach Avenue. Given observed travel patterns to the beach, similar treatment approach would be applicable at most crossings of Beach Avenue where standard crosswalk markings are present.

#### ***Gurney Street at Columbia Avenue***

This unsignalized intersection is located in the historic district. The existing configuration creates wide pedestrian crossings. Proposed improvements include place making strategies to transform part of the intersection into a public park space focused around the War Memorial making it a more accessible park. Improvements include ADA curb ramps, elimination of the right turn lane from Columbia Avenue to Gurney Street, and park improvements. The City has received a NJDOT grant and anticipates a May 2020 completion date. Improvements to the adjacent "Soldiers & Sailors" park are also being undertaken concurrently.

#### ***Benton Avenue at Sewell Avenue, Howard Street at Sewell Avenue***

This unsignalized intersection is located in the historic district and is adjacent to a hotel and residential neighborhoods. The existing configuration necessitates controlled pedestrian crossings. Proposed improvements include ADA compliant ramps, curb extensions at Benton Avenue, and high visibility crosswalks.

#### ***Myrtle Avenue and Jackson Street***

This signalized intersection is located near the border with West Cape May. The existing configuration necessitates controlled pedestrian crossings and shortening the length of pedestrian

crossings. Proposed improvements include, no turn on red signage at the Perry Street/Jackson Street corner, curb extensions at Myrtle Avenue and Perry Street, ADA compliant ramps and high visibility crosswalks.

### ***Jackson Street at Broad Street***

This unsignalized intersection is located near the border with West Cape May. The existing curvature of Jackson Street creates a challenging environment for all roadway users. The configuration necessitates controlled pedestrian crossings and shortening the length of pedestrian crossings. Three options are presented in the Plan. Further study is necessary to determine the best solution.

### ***Lafayette Street at Jackson Street***

This unsignalized intersection is an important access point to the primary business district and its parks and tourist attractions. The configuration necessitates traffic calming devices and geometry, controlled pedestrian crossings and shortening the length of pedestrian crossings. Two options are presented in the Plan. Further study is necessary to determine the best solution.

### ***Washington Street Mall***

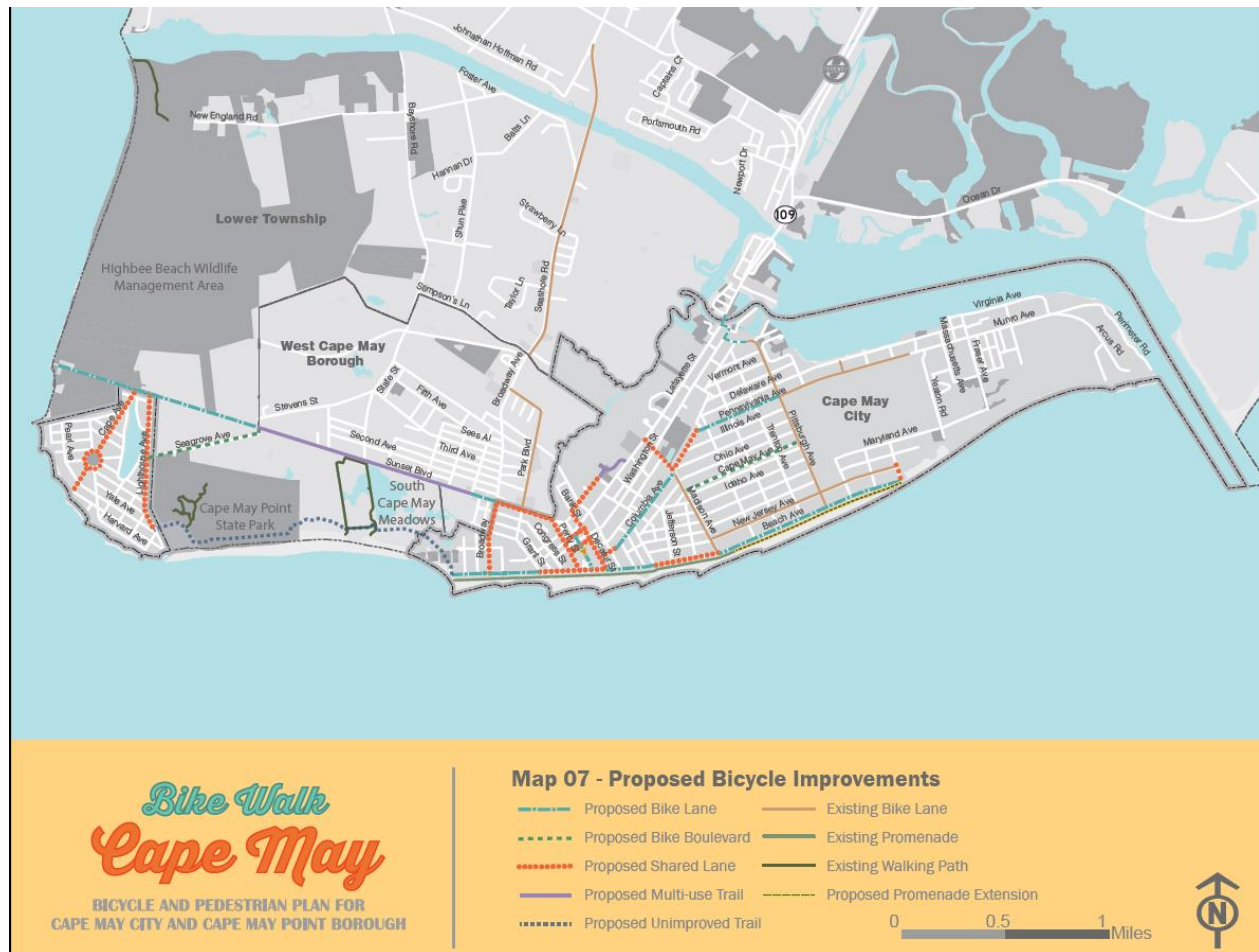
The Mall is a pedestrian only corridor from Ocean Street to Perry Street. The proposed recommendations seek to prioritize pedestrian traffic over vehicular traffic at the Jackson Street and Decatur Street crossings. Proposed improvements include raised intersections. Further traffic study is recommended to determine the best solution.

### ***Beach Avenue Promenade Extension***

The existing seawall provides Cape May with a multi-use Promenade along Beach Avenue between Second Avenue and Madison Avenue. The proposed recommendations seek to extend the seawall from Madison Avenue to Wilmington Avenue. This would both provide storm resiliency protection and facilitate promenade expansion for recreational use. This recommendation is consistent with the 2015 USACoE feasibility study report to extend the seawall and promenade seven blocks (0.85 miles).

### **Bicycle Network Improvements:**

Cape May City and Cape May Point Borough are communities whose roadways have a high degree of connectivity and several existing bicycle facilities. The proposed bicycle network outlined in the Plan proposes to expand and connect the existing bicycle facilities to create a more complete bicycle network. Development of the network is keyed around providing convenient access to major destinations, linking both municipalities and improves user connectivity to lessen stress to users. The proposed bicycle improvements are shown in the following Map 4.1:



Map: 4.1 Proposed Bicycle Improvements

Bicycle Network Improvements are recommended for the following important streets:

- Beach Avenue
- Jackson Street
- Columbia Avenue
- Pennsylvania Avenue
- Texas Avenue
- Cape May Avenue - Bicycle Boulevard

Shared Lane Facilities are improvements necessary to incorporate both vehicular traffic and bicycle traffic sharing common lanes and are recommended for the following streets:

- Beach Avenue
- Michigan Avenue
- Columbia Avenue
- Decatur Street
- Broadway
- Perry Street/West Perry Street



Shared-lane markings typically consist of a bicycle and chevron symbol (photo above left). To increase the visibility and effectiveness of the marking, the marking can be applied on a green background, such as the example from Newark shown above. This “enhanced” shared-lane marking is particularly useful on streets with higher traffic volumes and more activity. Additional design details can be found in NACTO’s “Urban Bikeway Design Guide.”



- Lyle Lane & Carpenter Lane
- Wilmington Avenue

### **Speed Limit Changes:**

In Cape May City, a consistent speed limit of 25 mph is recommended (with the exception of 20 mph on bicycle boulevards), which is consistent with the urban character and relatively dense residential neighborhoods throughout the City. It is also recommended that the City consider further lowering the speed limit to 15 mph on City streets west of Madison Avenue during the peak tourist season, when there is additional bicycle, surrey, horse-drawn carriage, and vehicle traffic sharing the streets. The vast majority of the City's streets are already 25 mph, and the proposed change would only impact the following streets:

- Broadway - Proposed speed limit reduction from 30 mph to 25 mph. This residential street is a major connector to the beach for both bicyclists and pedestrians.
- Pittsburgh Avenue - Proposed speed limit reduction from 35 mph to 25 mph was recommended. The County has reduced the speed limit from 35 mph to 30 mph. Given the wide roadway width, targeted enforcement and traffic calming elements such as curb extensions should also be considered to support the lower speed limit.

### **Bicycle Facilities:**

The City lacks an ample amount of bicycle parking. Bicycle racks are often over-capacity during the peak summer months, and the plan shows that bicycle theft data indicated a correlation between thefts and lack of secure bicycle parking. Most existing bicycle racks are an obsolete rack designs which do not adequately support the bike frame, have poor spacing, and are frequently used incorrectly. The inverted-U, "A", or post & loop designs have been recommended. However, often space and capacity are overriding factors that should dictate the type and style of bicycle racks. The City should continue efforts to provide additional bicycle parking throughout downtown Cape May City and at beach access points along Beach Avenue. It is also recommended that the City should require new development to provide bicycle parking to further expand parking capacity and improve the convenience of bicycling. Cape May City should also explore opportunities to for bicycle corrals in key commercial nodes, such as along Beach Avenue and at the Washington Street Pedestrian Mall intersections with Jackson Street, Decatur Street and Perry Street.

### **Wayfinding:**

Wayfinding is yet another method for improving the convenience and attractiveness of walking and biking found in the Plan. It serves as a navigational aid for both residents and visitors, indicating the location and direction of key destinations. By providing information, distance and time estimates, wayfinding can also overcome people's tendency to over-estimate distances, thereby making walking or biking options more appealing and encouraging people to make more trips by foot or by bike. The wayfinding system can also be used to designate and promote bicycle routes in the network. This will help direct bicyclists to the preferred routes and steer bicyclists away from high traffic areas such as Lafayette and Washington Streets.

#### **4.5 Analysis & Recommendations**

To better plan to achieve the goals and objectives stated in this element, the following analysis and recommendations detailed in the 2003 Master Plan and 2009 Reexamination are hereby updated as follows:

##### **4.5.1 Traffic Signals**

The traffic signals in the City provide for an orderly and safe movement of traffic and are well maintained. Except for the intersection of Ocean Street and Washington Street, and Franklin and Washington Street, all of the traffic signals are owned and maintained by Cape May County. Under agreement, the County also maintains the signals at the above-noted intersections.

###### ***Beach Avenue***

The largest cluster of traffic signals is along Beach Avenue where there are seven closely spaced signals. The signals are synchronized during the summer months to avoid multiple stoppages along Beach Avenue and provide for adequate side street green time to accommodate vehicular and pedestrian traffic. During the off season, the signals go into a flashing mode, flashing yellow to Beach Avenue and red to the side streets. During the peak season, "fixed time" mode is better suited to the large pedestrian volumes. Operating the seven traffic signals on Beach Avenue in a stop-and-go mode year around is not recommended.

###### ***Madison Avenue***

The two signalized intersections of Madison Avenue and Lafayette Street, and Madison Avenue and Washington Street operate in a "fixed time" mode. That is, they cycle through their timing schedule whether or not there are vehicles waiting on the side street, Madison Avenue.

In order to make the traffic signals more traffic responsive so that they only service the side street upon demand, it is recommended that these signals operate on a "semi-actuated" mode; they would continuously provide green time to vehicles on Lafayette Street and on Washington Street until a vehicle stops at the Madison Avenue approaches. Vehicle detectors already exist at these locations, but would have to be activated by the County. To accommodate pedestrians, push buttons would have to be installed. The changes will have a positive effect on traffic flow on both Lafayette Street and Washington Street. To the extent they have not yet been implemented, the recommendations made under this heading are valid and shall remain as recommendations.

###### ***Washington Street and Ocean Street***

Early in the study, ORA identified a significant conflict between pedestrians and vehicular traffic at this intersection, much of which could be traced to the exclusive pedestrian phase. Exclusive pedestrian phases are very unusual in New Jersey. There are only about ten in the entire State. As a result, pedestrians are conditioned to cross at intersections during the non-conflicting phase.

At this intersection, the phasing sequence consisted of a green signal for Ocean Street, followed by Washington Street, followed by the exclusive pedestrian phase. However, pedestrians typically crossed Ocean Street during the Washington Street green and did not wait for the following exclusive pedestrian phase. As a result, traffic on Washington Street often encountered unnecessary delays. Based on the observations and recommendations made by ORA, the signal phasing has already been adjusted as follows: green signal for Ocean Street, followed by the exclusive pedestrian phase, followed by the Washington Street phase. Although this revision was made after

the peak summer season, field observations indicate a significant increase in the percentage of pedestrians crossing the intersection during the exclusive pedestrian phase and not in conflict with vehicles.

Observations at this intersection also revealed that all of the signal indications are post mounted at the curb line, not over the roadway. Although the vehicular signals are not as visible as they could be, there is no indication that this is causing a problem, based on the crash data. On the other hand, the pedestrian "Walk/ Don't Walk" signals are located on the same signal support just a couple of feet below the vehicular indications. The vehicular indications are much brighter than the pedestrian indications. When the pedestrians see the prominent green ball vehicle indications, they seem to overlook the less visible "Don't Walk" message. Separation between the two conflicting signal indications would help reduce pedestrian confusion. It is recommended that the "Walk/ Don't Walk" indications be remounted on an 8-foot arm or pipe extension from the existing signal pole so that they are located directly over the sidewalk area at the crosswalk and not in the same line of sight with the vehicular indications.

It is also suggested that during peak periods, a crossing guard type person or police person be assigned to the intersection to ensure in a polite way that the pedestrians wait for their exclusive pedestrian phase. ORA understands that this has been tried in the past with minimal success, but more extensive efforts may yield more success. This area continues to be a problem area from a traffic/pedestrian standpoint. To the extent they have not yet been implemented, it is recommended that the proposals made under this heading remain valid.

#### ***Beach Avenue at Pittsburgh Avenue***

The City has placed a flashing warning light on the south side of Beach Avenue, facing west, just prior to the intersection of Pittsburgh Avenue in accordance with recommendations. Highly visible signage directing eastbound motorists on Beach Avenue to turn left onto Pittsburgh Avenue for the "Garden State Parkway" has not been completed and remains a recommendation. It has been observed that motorists, who are unfamiliar with the Pittsburgh Avenue route for leaving Cape May, miss the turn onto Pittsburgh Avenue and end up at Wilmington Avenue/Poverty Beach. As a result, they meander through Maryland, New York and New Jersey Avenue residential sections looking to return to Pittsburgh Avenue. It is believed that highlighting the left turn from Beach Avenue onto Pittsburgh Avenue as the preferred route to exit Cape May will relieve some of the frustration of temporarily lost motorists as well as some of the traffic congestion in the residential areas adjacent Poverty Beach and Shelton College.

#### ***Lafayette Street at Decatur Street***

Due to the difficulty experienced by motorists, bicyclists and pedestrians in crossing Lafayette Street at Decatur Street, the Committee recommends that some form of traffic control be installed at this location. Traffic controls which are recommended for consideration include a traffic light synchronized with the light at Lafayette and Ocean Streets, a flashing light or, at a minimum, a four way stop sign.

### **4.5.2 One-Way Streets**

One-way regulations are typically implemented to reduce congestion and increase the carrying capacity of a street network. They have been especially effective in downtown districts comprised of narrow streets, with on-street parking and high vehicular and pedestrian volumes. By eliminating opposing traffic movements, they are also effective in reducing conflicts (delays) and

crashes at both signalized and non-signalized intersections. In addition, streets can benefit from the addition of parking lanes and dedicated bicycle lanes. Even with increased traffic volumes, studies have shown that conversion from two-way to one-way traffic flow reduces travel times and crashes by 10 to 50 percent.

There are a few possible negative effects of converting to one-way operation. Some motorists may have to travel an extra distance to reach their destination. However, over time, most motorists will adjust their driving habits to minimize that inconvenience. Sufficient signing and pavement markings must be installed to clearly delineate the one-way operation in order to avoid wrong way movements. A good system of interconnected streets is beneficial. Transit operations will have to adjust their routes accordingly. The one-way system must take into consideration response times by emergency service personnel.

Some business owners are concerned that a change in operation will reduce business by decreasing traffic flow. Studies have shown that the opposite in fact occurs. After a brief learning curve as motorists adapt to new traffic patterns, the customer base increases because it actually becomes easier and safer to reach a particular business. One-way street conversion has also been shown as having no effect on residential property values.

Other benefits of one-way operations include:

1. Provides additional turning lanes without widening.
2. Simplifies traffic signal timings.
3. Reduces vehicle/pedestrian and vehicle/vehicle conflicts at intersections.
4. Meets changing traffic patterns almost immediately at a minimal cost; large capital expenditures are not required.
5. Facilitates the unloading of commercial vehicles.
6. Since widening is typically not required, sidewalks, trees, etc. are not disturbed.
7. At mid-block pedestrian crossings, pedestrians only have to look one way.

There are already in existence several one-way streets in the City, all of which operate efficiently. The crash analysis shows minimal crash experience on the designated one way streets, the one exception being the circular flow with multiple weaving areas at the east end of Lafayette and Washington Streets in the vicinity of Sidney Street and Texas Avenue. That area operates more like a traffic circle than a one-way street system.

### ***Bank Street between Lafayette Street and Broad Street***

Bank Street intersects Lafayette Street slightly offset toward the west from Decatur Street. Sight distance to the left from Bank Street is restricted by a wall. Vehicles exiting Bank Street and Decatur Street try to merge or cross Lafayette Street vying for the same gaps in traffic. This will be more pronounced after the implementation of the one-way on Decatur Street. The reversal of traffic flow on Lyle Lane will make for increased traffic volumes exiting Decatur Street. Further, Bank Street traffic will no longer be able to access Decatur Street. In order to provide for the safest possible traffic flow in the area, the short block of Bank Street between Lafayette Street and Broad Street should be made one-way away from Lafayette Street (northbound). That diverted traffic would then use Broad Street to Jackson Street to Lafayette Street, a minimal distance out of their way. As a result, a significant congestion point along a main arterial will be eliminated.

***Bank Street and Venice Avenue***

It is recommended making Bank Street one way for cars traveling out of Cape May between the driveway located behind the real estate office site to Venice Avenue and Venice Avenue one way from Bank Street to Elmira Street. This change in the traffic flow would create between 20 and 35 parking spaces just a short walking distance to the center of town. Implementation of Bank Street one way in this manner would free up cartway width to enable parking on the Bank Street Commons side of the street where no parking presently exists. That portion of Bank Street between the driveway located behind the real estate office to Broad Street would remain two ways in order to maintain ingress and egress of delivery trucks and other vehicles which currently use that driveway. It should be noted that these additional Bank Street parking spaces were available for decades up until Bank Street was repaved several years ago.

***Lafayette Street and Washington Street***

Washington Street and Lafayette Street are parallel east/west roadways approximately 1 1/2 miles in length that traverse the City from its entrance at Lower Township to the Washington Street Mall area. They are approximately 300 feet apart. At the easterly entrance to the City, Lafayette Street and Washington Street form a one-way couplet in the Sidney/Texas Avenue area. These two roadways are connected to each other by ten (10) cross streets, three (3) of which have signalized crossings: Madison Avenue, Franklin Avenue, and Ocean Street.

Both Lafayette Street and Washington Street operate as two-way streets carrying one lane of traffic in each direction. Parking is permitted along Washington Street on alternate sides for most of its length. Parking is permitted on Lafayette Street in only two locations: in front of a residential neighborhood and the Elementary School. At both locations the curb line has been set back to shadow the parked vehicles.

On both streets, numerous Sycamore trees growing between the sidewalk and the curbing lean out over the roadway. Advisory signs are placed advising motorists, especially truckers, of that condition.

The two roadways are relatively narrow, with widths of 26 to 28 feet for Lafayette Street, and 30 feet for Washington Street. Because of their narrow widths, and because vehicles typically travel faster on these roadways than those downtown, they do not provide an amenable environment for bicycling. Few bicyclists choose to ride there.

Traffic counts taken during the study revealed that 70 percent of all traffic coming into and out of the City from the north, as well as internal circulation movements, use Lafayette Street. Motorists tend to exit on the same street or driveway that they use to enter a city. Under the current street configuration, motorists that enter Cape May via Lafayette Street, exit via Lafayette Street. Field observations and traffic counts confirm this. For example, motorists exiting the beachfront area of the City via Madison Avenue were observed crossing Washington Street, then turning right onto Lafayette Street to exit the City, rather than follow the shorter route of Washington Street out of the City.

Based on field observations and an analysis of the traffic volume data, it was recommended in the 2003 Master Plan that Lafayette Street be made one way westbound and Washington Street one way eastbound from Sidney Street to Ocean Street. It should be noted that under this proposal, 20 percent of the traffic on the two roadways would be shifted to Washington Street, and the tour trolleys and buses accessing the Transportation Center from the west would have to change their route. However, the following positives can be achieved:

- There will be one lane of moving traffic on each street instead of the present two lanes.
- Parking can be permitted on one side of each street for its entire length, as opposed to the current situation, in which parking is only permitted on Lafayette Street for limited sections. Additional meters could be considered in the downtown area.
- A dedicated bicycle lane can be established along the entire length of both streets to accommodate two wheel and four-wheel bicycles, as well as horse drawn carriages, thus minimizing interference with vehicular traffic.
- The parking lane and bike lane will provide safe distance between moving vehicles and the overhanging trees.
- Emergency vehicles will be less affected by congestion since vehicles can pull to either side to allow them to pass.
- The City has expressed interest in physically widening Lafayette Street at Elmira Street to create a westbound through/left-turn lane and a right-turn lane. This action would no longer be needed since the one-way configuration will permit the westbound approach on Lafayette Street at Elmira Street to be restriped to provide for an exclusive left-turn lane and a combination through/right lane. This lane configuration will also emphasize the termination of the one-way westbound flow on Lafayette Street at this intersection. A leading green arrow could be installed to facilitate the left turn onto Ocean Street.
- The left turn prohibition from Lafayette Street into the Acme parking lot currently presents both an enforcement and congestion problem, as many motorists choose to ignore it. This left turn can now be allowed, thereby eliminating that congestion point.
- Left turns at other key intersections such as at Madison Avenue and Franklin Street can have their own designated lane, thereby no longer blocking traffic.

A number of issues would have to be addressed to facilitate the proposed conversion. A greater number of vehicles will now be turning left from Ocean Street onto Washington Street to exit the City. An increase in left-turn volumes at this intersection can be accommodated because the Washington Street phase of the signal timing can be eliminated. A lead left phase for Ocean Street traffic turning left onto Washington Street can be provided, and a few more seconds added to the pedestrian interval.

Motorists desiring to make a U-turn can do so via the various connector streets, some of which are signalized. A formal signed U-turn can be established on Sidney Street by converting its one-way southbound direction to a two-way English style traffic system separated by a positive barrier.

Some residents have expressed concern about one-way conversion in the past due to the perception that one-way streets would lead to faster traffic speeds. However, because only one lane of moving traffic is proposed on each street, not two lanes, differences in vehicular speeds should be minimal. Vehicles will not have the option of changing lanes to travel at a faster speed.

It should be noted that the implementation of a one-way system will require the approval of the County, as well as the New Jersey Department of Transportation. It will require major changes to the signing and pavement markings. An extensive publicity effort will have to be made to ensure that everyone in Cape May, as well as the adjoining municipalities, are aware of the impending change in traffic flow. Implementation should be considered in the off seasons of February and March, or October and November.

As indicated in the 2009 Reexam, these recommendations have not been implemented to date. The proposals made under this heading are long standing and controversial. Although the analysis, on its face, appears to substantiate the conclusions reached, it is further recommended that the City solicit and consider further study and public input before a decision is made to implement these recommendations. Public safety concerns including emergency response issues would have to be addressed satisfactorily before this recommendation should ever be considered. Review of this recommendation for the 2019 Reexamination yielded the same conclusion as in 2009.

#### **4.5.3 Geometric Improvements**

While geometric improvements are much more costly than traffic control devices, there are times where they are needed to improve traffic flow and safety. Such improvements are usually considered longer term since they require detailed plan development, securing funding and possible right-of-way acquisition.

##### ***Elmira Street***

The City has completed the plans to widen Elmira Street between Lafayette Street and Broad Street in order to provide for two-way traffic, one lane in each direction. This improvement provides for better downtown traffic circulation and is compatible with a recommendation later in the study to direct traffic into the City from Ferry Road in Lower Township via Broadway, Central Avenue, and short sections of Park Boulevard and Leaming Avenue in West Cape May through Elmira Street.

##### ***Broad Street***

The City is currently working on plans to widen Broad Street from the railroad tracks to St. Johns Street, by narrowing the sidewalk on the northerly side. The roadway widening here will improve overall traffic circulation in the downtown area. That widening should include an increase of the corner radius at the intersection of Broad Street and St. Johns Street. This recommendation remains valid and the City should continue with the implementation of the recommended improvements.

##### ***Ocean Street between Hughes Street and Carpenters Lane***

The easterly curb line of Ocean Street between Hughes Street and Carpenters Lane extends into the northbound travel lane of Ocean Street, creating a significant jog in the traffic flow. That alignment change is so significant that a northbound motorist not paying full attention to driving tasks could inadvertently ride up on the sidewalk. It should be noted that there was no crash data at this location which would indicate that this is a chronic problem. Cutting back the wide sidewalk area approximately five (5) feet would smooth out the northbound traffic flow while still leaving sufficient sidewalk width. This action should leave a slight jog, thus acting as a traffic calming feature as well as shadowing the trolleys parked at the Washington Street intersection (Figure IV-7). This recommendation has not been implemented to date and continues to remain valid.

***Ocean Street between Washington Street and Carpenters Lane***

There is a designated CAT bus stop along the westerly curbline of Ocean Street at the corner with Carpenters Lane. This is an excellent location for the CAT bus stop which services the mall area. The location also provides very good visibility for promoting the CAT service. Buses stopped at this location interfere with through traffic as well as block pedestrian sight lines. The sidewalk area is extremely wide. Cutting into the sidewalk area for a width of eight (8) feet, for the length of one CAT bus, will improve traffic flow and sight lines. This would still leave ample sidewalk area for pedestrian traffic (see Figure IV-7). This recommendation has not been implemented to date and continues to remain valid.

***Lafayette Street and Ocean Street***

The Acme parking lot is located on the northeast corner of the intersection. At the corner, the parking lot is approximately three (3) feet higher than the sidewalk area. The two are separated by a vertical concrete wall. Field observations have shown that many pedestrians walking from the Mall area/ Washington Street to Lafayette Street cut across the parking lot, heading toward the corner at Ocean Street. Once they reach the corner and see the elevation difference, about half of the pedestrians turn around and go another way while the other half jump off the wall. It is recommended that a couple of steps be installed to facilitate the pedestrian movement from one elevation to the other. Such construction should not interfere with any of the current parking spaces, and will be of more importance once the traffic signal at the Transportation Center is removed and all pedestrians directed to cross at the remaining signalized intersection. This recommendation has not been implemented to date. It is recognized that private property rights may be involved in implementation and that any future development of this site should consider these issues. It is further recommended that appropriate directional signage be provided for pedestrians.

***Route 109 at Schellenger's Landing Road***

The most congested area in the region is not actually in Cape May City, but in Lower Township, on Route 109 at the westerly end of the Canal Bridge. At this point, two westbound lanes of traffic converge into one through lane. At the same point where the lanes merge, a very heavy left turn movement into Schellenger's Landing Road is introduced, as is a U-turn lane from under the bridge. The lane drop/heavy left turn combination creates extensive backups during peak periods and general slowing of traffic and erratic lane changes throughout the day. In the opposite direction, one very wide lane is provided for vehicles exiting the City.

Recent improvements to the roadway and bridge have not solved this problem. As noted, this entire intersection which negatively impacts traffic entering Cape May City is outside of the City limits in Lower Township. There is also a split jurisdiction of the roadway between Cape May County and the NJDOT. All three jurisdictions would have to concur in these recommendations, with all likelihood the County taking the lead. It is recognized that this is a significant problem area for traffic entering and leaving Cape May and generally agrees with the observations and recommendations contained under this heading. However, it is also recognized that this section of Route 109 is within the boundaries of Lower Township and that solutions to the problem must be coordinated with Lower Township, Cape May County and the New Jersey Office of Smart Growth. It is further recommended that the City prioritizes this recommendation and continued to work with the above referenced parties to implement the recommendations.

***Lafayette Street at Madison Avenue***

Lafayette Street widens west of Madison Avenue and the additional width is used for on street parking. It is recommended to construct a curbed bump-out from the curb on the elementary school



side on Lafayette Street into the wider portion west of Madison Avenue adjacent to the entrance of the parking lot. This bump-out would serve at least three purposes. First, it would contribute to the safety of school children crossing Lafayette Street by providing a “landing area” and shortening the length of the crossing. Second it would serve as a traffic calming structure which narrows the roadway, causing motorists to slow down as they approach this narrowed section which would also contribute to the safety of the children. Third, it could serve as a platform for a removable sign. During the summer months, when school is not in session, there could be a sign installed directing motorists driving on Lafayette Street toward Center City to turn right into the elementary school parking lot for “Free Parking and Trolley Service to Center City”. The goal is to minimize traffic entering the downtown area by enhancing the use of the Elementary School parking lot as a remote parking lot serviced by a shuttle. During the school year, appropriate signs could be installed as desired by the School.

#### ***Lafayette Street at Sydney Avenue/Roseman's Lane***

Lafayette Street northbound traffic is required to exit onto Sydney Avenue to accommodate one-way traffic into town on Lafayette Street. Motorists attempting to turn left onto Roseman's Lane at this intersection often back up traffic. Left turns should be prohibited onto Roseman's Lane.

#### **4.5.4 Signing**

Studies have shown that most motorists make minimal reference to maps when traveling to unfamiliar areas, and rely primarily on signing once they reach their destination. Motorists also have a tendency to enter and exit an area via the same route without trying to see if there is a less congested or shorter route available. Such behavior causes congestion. Of more concern is the fact that a confused or lost motorist is more likely to get involved in an accident. All of the above creates undesirable traffic situations, especially in resort areas where many motorists are first time visitors or travel to the area infrequently.

Good directional signing can alleviate most of the noted concerns, and disperse traffic such that a high percentage of motorists do not use the same route when entering and exiting an area. Good guide signing requires that signs are located sufficiently in advance and are legible so that motorists can make the proper decision before they must negotiate a turn. These signing practices are difficult to implement in urban areas with closely spaced streets, limited right-of way, curbside parking, driveways, and overhanging trees. Such conditions are typical throughout the City.

The following discussion highlights problem areas that were observed during our traffic studies and field observations and provides general recommendations which, once implemented, will significantly improve traffic operations and safety.

#### ***General Guide Signing***

A very high percentage of the traffic entering the City comes from the Garden State Parkway, with much smaller percentages coming from the Cape May-Lewes Ferry, Route US 9 and Ocean Drive. All of this traffic is currently signed to enter the City via Route 109 and the Schellenger's Landing Bridge. Once within the City limits, most motorists continue down Lafayette Street to the downtown area, then diverge to their final destinations, such as lodging, the beachfront or even the Cape May Point Lighthouse. If this traffic could be redirected to alternate, less congested routes, overall traffic congestion will decrease significantly. The assumptions made in the above referenced section remain valid and it is recommended that this paragraph remain in the updated Master Plan reexamination.

***Automobile Traffic from the Ferry***

Vehicles from the Ferry should not have to enter the City via Route 109. Directional signing has been installed on eastbound Ferry Road directing that traffic onto Seashore Road (CR 626). Seashore Road becomes Broadway in West Cape May. Signing should be installed in advance of the intersection of Broadway and Central Avenue directing traffic destined for Cape May City to turn left onto Central Avenue. At the same location, straight through signing should be installed directing motorists to the West Cape May Business District, the beach, and the lighthouse. Signing for the beach and the Lighthouse should be installed at the intersection of Broadway and Sunset Boulevard (CR 606). A "Welcome to the City of Cape May" sign should also be installed at the Cape Island Creek Bridge. Reverse signing should direct motorists along these routes back to the Ferry, which will keep this traffic out of the downtown area. This recommendation has not been completely implemented to date and remains valid.

***Cape May Lighthouse***

Although it is a significant destination for many motorists, directional signing to the Lighthouse is limited. Many motorists drive into the City, and only then ask for directions to the Lighthouse. Traffic on the Garden State Parkway, Ferry Road, and Ocean Drive should all be directed to the Lighthouse via Seashore Road to Broadway Avenue to Sunset Boulevard. See specific recommendations made under the heading 'Signs to Ease Congestion on Lafayette Street between the Acme and Colliers' below. This recommendation has not been addressed and remains valid.

***Signs on Beach Avenue to Ease Traffic Leaving Cape May on Beach, Pittsburgh and Lafayette Streets***

It is recommended to place signs at or near the intersections of Beach Avenue with Broadway, Grant, Perry, Jackson, Decatur and Ocean Streets, directing motorists to the Garden State Parkway, Route 9 and the Ferry via Broadway Avenue; and at Beach Avenue and Patterson Street, moving the sign that says "next right to CM Point and Ferry" closer to the intersection of Beach and Broadway. It is believed that incorporating this signage will redirect at least some of the traffic leaving Cape May from the Lafayette Street/Washington Street/Pittsburgh Avenue exit routes to The Ferry/Garden State Parkway via Broadway and the West Cape May Bridge. This recommendation has not been implemented and remains valid.

***Signs to Ease Traffic on Lafayette Street Near the Entrance/Exit of Cape May***

It is recommended to place a sign advising motorists to stay left for "The Historic District, Tennis Club, Physick Estate" at Lafayette Street before Sidney Street. It is also recommended placing, at Sidney and Washington Streets, a sign advising motorists to turn right on Washington Street for "The Historic District, Tennis Club, Physick Estate" and retaining the signs directing motorists to turn left for the beaches and Coast Guard Station. It should be noted that there are existing signs on Lafayette Street before Sidney Street advising motorists to stay right for Center City and the business district and left for the beaches and Coast Guard Station. However, it is believed that the additional signage directing motorists to the Historic District, Physick Estate and tennis club via Washington Street will divert that traffic from the more heavily traveled Lafayette Street onto the less heavily traveled Washington Street, further relieving congestion on Lafayette Street resulting from incoming traffic. This recommendation has not been implemented and remains valid.

***Signs to Ease Congestion on Lafayette Street between the Acme and Collier's***

It is recommended to place a sign advising motorists to turn right on St John Street for "West Cape May, Cape May Point" at Lafayette and St. John Streets and also recommends placing a sign, at Broad and Elmira Streets, advising motorists to turn right on Elmira Street for "West Cape May, Cape May

Point". It is further recommended to place a sign on Elmira Street at the edge of town boundary advising motorists to turn right on Broadway for "Garden State Parkway and Ferry"; and to turn left on Broadway for "West Cape May and Cape May Point". In addition, the Committee recommends placing a sign on West Perry Street at Broadway (on the "Godmothers" corner) advising motorists coming from Cape May Point to turn left for "Garden State Parkway and Ferry". It is believed that adding this signage will divert at least some of the traffic passing through Cape May to Cape May Point, West Cape May, the Ferry and the Garden State Parkway away from Center City thereby reducing congestion in that area due to transient motorists. Some signs have been placed but not all. To the extent that they have not been implemented, this recommendation remains valid.

### ***General Signage Issues***

There are several global issues that these signing recommendations address. First, they spread entering and exiting traffic out which will relieve congestion in the downtown business district. Second, they expose motorists to other parts of the City, including businesses that they would not normally see. Third, they also expose motorists to additional parking opportunities, both metered and unmetered, that could be used both then and in the future to alleviate the parking crunch in the downtown area. While the change in the traffic signal timing sequence at the intersection of Ocean Street and Washington Street has had some very positive effects in decreasing the pedestrian/vehicular conflicts, some visible signage to remind pedestrians to obey the signals has also helped. Signs with the message "Obey Walk Signals" have been installed on the signal poles on all four corners of the intersection facing approaching pedestrians on the Mall, as well as those coming from the Washington Street approaches as recommended. Many of these signing recommendations involve county roads, so any implementation will require concurrence and coordination with the Office of the County Engineer.

### ***Uniformity and Esthetics of Signage***

In recognition of the historic beauty of the City of Cape May, the Committee recommends that all of the signage be uniform, attractive and in consonance with the historic beauty of Cape May; accordingly, the design of all signage will be subject to the approval of the Cape May Historic Preservation Commission.

#### **4.5.5 Pavement Markings**

Pavement markings provide an important, cost effective function in providing guidance and information for both motorists and pedestrians. As a general statement, the existing pavement markings throughout the City are properly placed and in relatively good condition. Once pavement markings are placed, they must be maintained since they do deteriorate rapidly due to weather and traffic flow. This is especially true for transverse markings such as stop lines and crosswalks. Certain types of crosswalk marking designs and materials can reduce labor and maintenance costs, while enhancing the visibility of the crosswalk.

In addition to how they are placed, the composition of pavement marking materials is critical to their durability. NJDOT has done significant research into pavement marking materials and their durability. The following is a brief summary of those findings. There are four commonly used materials: paint, epoxy, thermoplastic, and inlaid tape. Paint is the least durable, lasting about one year; epoxy and thermoplastic pavement markings will last three (3) to five (5) years; and inlaid tape applied to new asphalt could last up to 10 years. The life cycle of all of these materials is increased significantly with the addition of glass beads to the mix. The beads also provide these materials with their nighttime reflectivity. The State recommends that thermoplastic pavement

markings be used for stop lines, crosswalks, and word and symbol messages and the other three materials for center lines and edge lines. To reduce long-term maintenance costs and work efforts, consideration should be given to using long life pavement marking materials in future applications.

#### ***Beach Avenue from Ocean to Howard Streets***

It is recommended that left turn lanes be added at Gurney Street, Stockton Place and Howard Street to allow traffic proceeding eastward to make left turns without impeding the through eastbound traffic on Beach Avenue. This would alleviate some of the congestion caused by motorists desiring to turn left at those intersections. Left turn striping has been added at Ocean Street. This recommendation otherwise has not been implemented and remains valid.

#### ***Beach Avenue***

It is recommended to place additional signs along Beach Avenue warning motorists that pedestrians in designated crossing areas have the right of way. At present there are only a few signs warning motorists that pedestrians have the right of way crossing Beach Avenue. It is recommended that such warning signs be placed along Beach Avenue at least between alternate pedestrian crossings from Pittsburgh Avenue to First Avenue in proximity to the designated crossing areas. In addition, it is recommended that pedestrian crossings at all streets intersecting Beach Avenue between Wilmington Avenue and First Avenue, be clearly marked on the surface of Beach Avenue at each intersection. Furthermore, it is recommended that a pedestrian crossing area be marked across Beach Avenue at the east end of the promenade. Because there is an entrance to the beach at the east end of the promenade, people routinely cross Beach Avenue to enter the beach or the promenade at that location. It is recognized that this location is in the middle of the block between Madison and Philadelphia Avenues and therefore would not normally be a suitable location for a designated pedestrian crossway. However, since pedestrians have been crossing Beach Avenue here and will continue to do so, safety concerns dictate the placement of a clearly marked cross walk for people entering and leaving the beach and promenade. Many of the recommended signs have been placed. The City should continue to maintain these signs and place them where warranted. This recommendation otherwise has not been implemented and remains valid.

#### ***Lafayette Street at St. Johns Street***

During periods of congestion on Lafayette Street, traffic backs up from the traffic signals at Ocean Street and the Transportation Center through this intersection, frequently blocking it. Because St. Johns Street is very narrow and this is a 'T'-style intersection, many motorists do not notice it. In order to improve the visibility of the intersection and inform westbound motorists of its width, it is recommended that crosswalks be painted across all three approaches and that two "Do Not Block Intersection" signs be installed with one on the near right side corner and one on the far right corner of the intersection. The City has completed all improvements for this recommendation.

### **4.5.6 Parking**

#### ***Parking Meters and Tiered Parking Rates***

Current parking meter information for the 2019 season is provided on the City's website. The Washington Street Mall area including Carpenters Lane, Lyle Lane, and Mansion Street is active April 1st to December 31st. All other parking meters in the City are in effect beginning May 1st with the following exceptions: Community Center Parking Lot on Lafayette Street - No Parking on Wednesday and Saturday from July 1 to Labor Day; Broadway from Beach to Grant, First Avenue from Beach to street end, Mt. Vernon Avenue from Patterson to street end, Patterson Avenue from

Beach to Mt. Vernon Avenue, Second Avenue from Beach to street end. June 1 to September 15, from 10:00 AM to 6:00 PM; Washington Street Mall area, Carpenters Lane, Lyle Lane, and Mansion Street April 1st - December 31st. A Free parking lot is also available at the Cape May Elementary School located at the intersection of Lafayette Street and Madison Avenue on Saturdays and Sundays while school is in session and daily during the summer break till 11:00PM. No overnight parking is permitted.

With the following above referenced exceptions, parking meters are in effect May 1 to October 31, every day, from 10:00 AM to 10:00 PM. Since the 2009 Reexamination, the City has incorporated a user friendly modern parking application available for mobile



phones. All meters are 25 cents per fifteen minutes and stand-alone meters only accept quarters or Parkmobile. Multi-meters also accept credit cards and Parkmobile. Change is available from several businesses and at beach tag sales booths, during the beach season. The City provides a five (5) minute grace period on all meters, before an overtime violation occurs.

It was recommended in the 2009 Reexamination that the installation of additional parking meters along Beach Avenue from Trenton Avenue to Wilmington Avenue. It was also recommended to install parking meters from Beach Avenue to New Jersey Avenue on Madison, Philadelphia, Reading, Trenton, Pittsburgh, Baltimore, Brooklyn and Wilmington Avenues. The addition of these meters is consistent with the meters already installed along Beach Avenue and those streets perpendicular to Beach Avenue between Second Avenue and Queen Street. These additional meters have not been installed.

It was also recommended that there be two tiers of parking rates implemented. There should be a premium rate, which is higher than the present standard rate, for prime locations such as those adjoining the mall and those along Beach Drive. The present standard rates would remain in effect for all other parking locations. In addition to increasing parking meter revenues, this two tiered system would encourage motorists to park at more remote, less expensive places such as the Jackson Street lot or at free lots such as the Elementary School lot. It is also recommended that the three hour limit should be enforced at those parking spots in the vicinity of the mall to encourage turnover.

It was also recommended that a substantial portion of the parking meter revenues be earmarked for other parking and traffic matters, for example underwriting free parking at remote locations such as the Cape May Elementary School lot and free transportation from those lots to Cape May attractions such as the beach and the Mall.

In 2018, the Parking & Traffic Advisory Committee have studied these issues and have made recommendations that have included similar recommendations to those referenced above. Tiered parking rates have been recommended to establish higher parking rates nearest the Primary Business District. Appropriate tier rates should be established by the City. The promotion of parking along Beach Avenue outwards from the business district in current under parked areas by turning meters off at 6:00 p.m. has been recommended. These areas could be serviced by the shuttle providing routes to the business district. These recommendations should be explored, fully developed and implemented. Establishing a performance contract with the shuttle provided should be explored potentially using funding derived from parking meter revenue. Jitney service should

also be explored. The City should continue to utilize the Parking & Traffic Advisory Committee to study and implement these recommendations.

### ***Unloading/Loading Zones at Beach Entrances***

It is recommended to create and maintain unloading/loading zones at each beach entrance with appropriate signage identifying each zone as such. Since there “no parking” areas are presently located at most, if not all beach entrances, this might simply entail erecting the appropriate signage and identifying these areas as beach goers unloading/loading areas as part of the publicity program (see below). The Committee also recommends that the signage incorporate appropriate messages regarding the availability of shuttle service between the beach and the remote parking areas.

### ***Parking Demand***

One of the most significant traffic issues in Cape May is the difficulty of finding a parking space in the downtown. As noted in the Existing Conditions section, on-street parking spaces in the downtown are at capacity on most summer days. Indeed, it can be difficult to find a parking space in the entire western third of the City, roughly west of Jefferson Street. The parking situation, in turn, contributes to traffic congestion in the downtown, as motorists frequently circle blocks several times in the effort to find a parking space. While on-street parking on Beach Avenue east of Madison Avenue also fills up in the course of the day, it is generally possible in this area to find a parking space one or two blocks removed from the beach. Addressing the parking problem in the downtown, on the other hand, requires a comprehensive solution. As discussed earlier, the parking situation has worsened in the past 16 years, a trend that will likely continue.

### ***Parking Supply***

The City has increasingly limited options for creating new parking spaces in the downtown. A Cape May traffic and parking study in 1986 recommended expanding the Perry-Jackson lot, and reorganizing the Bank Street lot to create more spaces. Both of these recommendations were implemented. The Department of Public Works has been active in restriping on-street parking areas to yield a greater number of spaces, but these result in relatively few additional spaces compared to the demand. The City has developed a surface parking lot in the vicinity of the intersection of Elmira and Venice Streets. This lot is about one-quarter mile from the Mall, and employees in downtown establishments have made use of these facilities.

There are few underutilized lots in the downtown today. However it was recommended in the 2003 Master Plan, that one possibility for a new surface or structured parking facility would be the site of Vance’s Bar. This site is not viable for a standalone parking facility due to Green Acre Funding requirements. That site is now being planned as a park with possible surface parking of approximately 80 spaces.

Subsequent to the Reexamination further preliminary study yielded recommendations for future consideration for parking sites. Sites with appropriate size, utilization, and proximity to parking problem areas were evaluated. In addition to recommendations for the existing one acre Jackson Street surface parking lot owned by the City, the Transportation Center site was recommended for consideration. This site is 1.22 acres (0.37 acres City owned and 0.85 NJDOT owned) and contains the City’s transportation center which may be underutilized. The City’s Bank Street surface parking area currently is 1.2 acres and has private developed lands totaling 1 acre that abut the lot which could be acquired for a larger site. Private property that was also suggested for further study includes the following:

- Franks Theater Site - Total area is 0.75 acres. This site is strategically located near Convention Hall and the beach.
- Victoria Village Plaza - Total area is 3.45 acres. This site is located downtown near the Washington Street Mall and Primary Business District.
- Cape May Lumber Yard - (100 park Blvd.) Total area 1.582 acres. This site is located downtown near the Washington Street Mall and Primary Business District.
- Star of the Sea (525 Washington Ave.) Total area is 1.1 acres. The school is no longer in use. This site is located downtown near the Washington Street Mall and Primary Business District.

The City should remain vigilant and acquire any land that becomes available for potential parking where it is consistent with the goals and objectives in this element and economically feasible. It is recommended that conversion of any “underutilized lots” in the downtown area for parking be pursued. Public private partnerships could be established. It is further recommended that the City evaluates other potential sites for parking. Sites located out of the center of town may be viable if connection with the shuttle system is provided. It should also be noted that after further study, the sites mentioned may not be suitable for parking but may be suitable for community or recreational uses and could remain potential acquisition targets.

Based upon past preliminary investigations by the Master Plan Parking and Traffic Advisory Committee in 2003, the possibility of sharing private parking lots for public use does not appear to offer significant potential for creating new parking spaces. The major objections of the private owners seem to involve liability and staffing issues.

### ***Parking Enforcement***

As discussed in the 2003 Master Plan Existing Conditions section, up to 8% of motorists park longer than the three hours permitted at most meters on streets around the Washington Street Mall. It may be possible to reduce this violation rate, and thus create greater turnover at these meters, through more rigorous enforcement of the three-hour limit. This can be accomplished simply by chalking tires. A parking enforcement officer would circle downtown streets and make a colored chalk mark on the tire of vehicles, and return three hours later to identify vehicles with these chalk marks. These vehicles would then be ticketed.

Cape May City could maintain its image as a tourist-friendly community by waiving the first ticket, but treating the second parking ticket as a traffic offense. This would be especially advised since many visitors to the City would not necessarily be aware that “meter-feeding” is not permitted. The primary goal of this ticketing program would be to reduce the number of violations by downtown employees or regular visitors.

It should be noted, however, that enforcement of the three-hour limits would have limited potential for addressing the parking problem downtown. Even if all employees currently parking on the streets adjacent to the Mall – Carpenters, Lyle and Mansion – moved their vehicles elsewhere, the spaces freed up would be far lower than the current excess parking demand. Assuming that a certain amount of extended parking still exists, the recommendations made under this heading shall remain valid to the extent the recommendations have not yet been implemented.

Parking Management Districts (PMD) such as a Beach Avenue PMD and Downtown PMD could be established with tiered pricing recommendations were also recommended in the 2007 Vision Plan.

### ***Parking Regulations***

The City's off street parking regulations are contained in Code Section 525-49. These standards regulate and set the required number of off-street parking requirements for various uses. Residential uses are governed by the parking requirements contained in the Residential Site Improvement Standards and are referenced as such in the code. Requirements for commercial uses and their employees are also set forth for various uses. To address parking deficiencies in the City, it is recommended that the Code be revised to clarify there are no limits to stacked spaces in driveways for residential dwellings. Requirements for commercial uses should be updated to ensure that a minimum regulation is provided for each permitted use. Because these requirements relate directly to land use regulation and development, additional recommendations have been included in the 2019 Land Use Element Reexamination.

### ***Satellite Lots and Shuttle System***

One of the most promising means for alleviating parking demand downtown would be the creation of an effective bus shuttle and satellite lot system. Either of these two strategies can be effective in reducing parking demand in downtown Cape May, but since they would be most effective in combination, they will be discussed together.

A "satellite lot" refers to any lot outside the downtown where visitors, or employees living outside the downtown, could park their vehicle and thence walk, bicycle or shuttle to the downtown. Ideally, a satellite lot should be located to the north of the City so that motorists would not need to encounter the congestion on Route 109 between the Canal Bridge and Schellenger's Landing Bridge, or on Lafayette Street in Cape May.

There is an existing satellite lot on Lafayette Street at the Cape May Elementary School located at 921 Lafayette Street. There are 62 spaces at this school, including six handicapped stalls. In the summer, a sign is installed on Lafayette Street southbound in advance of the lot, as well as at the lot itself. A sign indicates that a shuttle passes by the lot. In

2018, the Great American Trolley Company offered free Park & Ride service to the Washington Street Mall, beach, and promenade, and one-way trolley rides in Cape May. Service was provided from 12:00 noon to 11:00 p.m. daily during the summer season (July through September). The Park & Ride was free but you must park at the elementary school on Lafayette and receive a return pass from the driver. One-way trolley fare for non Park & Ride passengers was \$1.00 per person, each way. Passes were also available from participating hotels. Trolley stops were located at any corner on the route and drivers could be reached by phone for information regarding the route.

The 2003 Master Plan identified that a factor in the limitations of the elementary school lot may be its location. It is about 1/2 mile to the Mall, and 0.6 miles to Beach Avenue. Studies show that people are reluctant to walk more than 1/4 mile after parking, although some people were observed to be walking to the downtown. Further, visitors have to pass through significant

PARK  
&  
RIDE

SERIVCE

PARK FREE

at school lot at  
Madison &  
Lafayette and  
ride Trolley to  
Mall, Beach and  
Promenade.

**SERVICE RUNS**  
June 30 to Sept. 9, 2018  
12 Noon to 11 PM Daily  
in a continuous loop  
in Cape May.  
**Fare is \$1.00  
Per Person  
One Way.**

**TROLLEY STOPS AT  
ANY CORNER ON  
ROUTE.**  
To check where driver is,  
call him on his company  
cell phone at  
**609-846-4057**

**CAPE MAY  
TROLLEY SERVICE**  
www.gatrolley.com

The map shows the trolley route starting at the Washington Street Mall Shopping & Dining District, heading south on Washington St, then east on Beach Ave, and north on Lafayette St. Key streets shown include Beach Ave, Promenade, Washington St, Lafayette St, Madison St, and Marina District. A 'PARK & RIDE' location is marked at the intersection of Lafayette St and Madison St.



congestion – between the Canal Bridge and Schellenger’s Landing Bridge – to reach this lot, and may not see the point in parking outside the downtown once they have navigated the most congested roadways.

In the 2003 Master Plan, ORA examined the possibility of locating a satellite lot outside Cape May City, at sites recommended by the *Cape May Intermodal Ground Transportation Feeder Study*, prepared by the South Jersey Transportation Authority in May 1995. Municipal officials from Cape May communities, including Cape May City, participated in this study along with other agencies. This study has been important in analyzing the potential for shuttle service in the region. For example, its recommendation for a “Downtown Loop” shuttle service led directly to the creation of the Cape Area Transit system. Recommendations for improved shuttle service in the future should build upon this study. This traffic study will thus analyze some of the recommendations in that report, pointing out, when necessary, how strategies should be revised.

The *Feeder Study* recommended three locations as being the most promising park and ride lots:

- Historic Cold Spring Village
- Rio Grande Mall
- Elementary School #2 – Cape May Court House

All three of these sites have limited potential as a successful satellite lots to be served by a shuttle. The distance that motorists on the Parkway would travel out of their way to reach Cold Spring Village is roughly equal to the distance to downtown Cape May. The large majority of motorists would likely not travel out of their way to that extent, when within striking distance of downtown. Further, this attraction is most popular on summer weekends – when the need for satellite parking is greatest. Based on communications with Cold Spring Village, it appears that it would be difficult to use its parking lot as a satellite facility. Motorists would have to go well out their way from the Parkway, passing through the Cape May Court House business district, to reach Elementary School #2, and this site also does not seem feasible. Rio Grande Mall on Route 47 would be more feasible in terms of location, and should receive further consideration.

One reason why these sites were identified in the 1995 report is their proximity to the Cape May Seashore Line rail service, which previously ran between the 4-H Fairgrounds and the Cape May Transportation Center. This excursion rail service was a welcome amenity and added to the historic character of the Cape May area. The operator estimated its ridership at 22,000 to 24,000 per year, which was useful in reducing traffic and parking in Cape May City. The City should support the return of the Seashore Lines service if the opportunity presents itself, just as it should better promote the shuttle.

However, the creation of any satellite lots outside the City should typically be planned with shuttle service in mind, not rail service. Shuttle service has greater potential for reaching a much larger audience than rail service. With round-trip adult fares ranging from \$5.00 to \$8.00, and child fares ranging from \$4.00 to \$5.00, depending upon the distance from Cape May, the Seashore Line was more costly than desired to attract a wide audience. Further, with only four trips per day into and out of the City, it ran far too infrequently to capture the many visitors. The City should thus not focus upon development of the Seashore Lines as a means for significantly reducing traffic flow into the City.

Several of the sites identified in the study have some potential for use as park and ride lots that would be serviced by a shuttle. These include the Charles Sandman Consolidated School on Seashore Road in Lower Township, and the Carl Mitnick School, also on Seashore Road in Lower Township. Charles Sandman School has approximately 70 spaces. Carl Mitnick School offers greater potential as a satellite lot, with 127 spaces in its parking lot, and capacity for parking on a flat, grassy area next to the asphalt lot. It lies along Seashore Road south of Route 9, and thus would attract motorists who prefer not to travel out of their way, especially for those coming from the ferry.

Although not analyzed in the 1995 report, it was stated in the 2003 Master Plan that the location with the greatest potential as a satellite lot would be the grassy lot owned by the NJDOT on Route 109 at the base of the Canal Bridge. This site would be visible and accessible, and would be particularly attractive to incoming motorists inasmuch as congestion on Route 109 through Schellenger's Landing often starts at this point. However, this lot is across the roadway from a residential area, and a satellite lot here thus presents community impact issues that would need to be addressed. Major impacts would include traffic, lighting associated with the parking lot, and noise. Extensive landscaping would be needed to buffer this use from the residents. With roughly 54,000 square feet of this lot being developable – presuming environmental concerns could be addressed – this area could accommodate at least 180 vehicles. The NJDOT recently completed improvements in this area without consideration of a satellite lot.

As noted earlier, the most promising means for intercepting both visitors and employees, and convincing them not to drive into the City is a bus system, not a rail line. NJ Transit Routes 552, 313, 315, 316 Philadelphia-Wildwood-Cape May Express and 319 Atlantic City - Wildwood -Cape May Daily all travel through Cape May County municipalities, terminating at the Cape May Transportation Center. However, none of these bus routes would likely attract the seasonal vacationer. These bus routes have been operating for many years, and have attracted only a small number of persons traveling to Cape May, most of them workers. The most frequent of these services runs hourly, and most of these routes take far longer to travel between the Wildwoods and Cape May than is desirable. The route with the shortest service between Wildwood Bus Terminal and Cape May only has four trips per day. Further, most families simply do not make the effort to investigate regular bus service on vacation. A special shuttle has the marketing appeal necessary to capture this audience.

Two strategies for shuttles offer the greatest potential for attracting employees and visitors from their personal vehicles:

1. Improve attractiveness and awareness of the existing shuttle; and
2. Expand the existing shuttle and develop a regional shuttle to pick up vacationers and employees from other municipalities in Cape May County.

To a large extent, these two strategies are intertwined. Greater success in promoting the use of the shuttle within Cape May City will lay the foundation for a well-used regional shuttle. In the absence of an effective shuttle system – both locally and regionally – it will become increasingly difficult to address parking demand in downtown Cape May without investing in new facilities, such as a parking garage. A discussion of both strategies follows.

The 2003 Master Plan recommended the City of Cape May should take the following actions to better promote the shuttle:

*Create a more visible presence at key locations.* A number of shuttle signs are posted at locations around the City. These signs should be more visible, with an affixed route map and with associated benches and/or shelters. Reserved bus stops could be created along Beach Avenue. This may involve the removal of several parking spaces. The removal of parking spaces is less of an issue on Beach Avenue east of Madison Avenue, since parking demand here is less pronounced. However, even on Beach Avenue west of Madison Avenue, the City should consider that a more functional shuttle system may lessen the demand for parking.

*Promote the shuttle.* Currently, many visitors remain unaware of the existence of the shuttle. Better effort could be made to inform visitors of the shuttle. The availability of the shuttle should be advertised on the web site for Cape May City and the Cape May City Chamber of Commerce, and other web sites. It should be described in literature sent to visitors. Participating members in the Chamber of Commerce should be encouraged to mention the shuttle in their literature or on their web sites, and have shuttle brochures in their shops and lodgings. The 2007 Vision Plan recommended expanding service to Year Round shuttle Service with expanded loops and spurs that could include the Nature Center, Harbor & Coast Guard. Peak Season shuttle service could be expanded to Cold Spring Village, West Cape May and other places. These recommendations will only be worthwhile if the shuttle is well promoted and utilized.

*Develop regional shuttle to pick up vacationers and employees from other municipalities in Cape May County.* The former CAT City Route was only one of four potential shuttle services discussed in the 1995 SJTA *Feeder Study*. One route discussed with significant potential to reduce traffic and parking demand is the Route 9/ Beach Feeder Bus Service. Originating at the Rio Grande Mall, and concentrating on locations along Route 9/ Seashore Road, this shuttle would stop at a number of large campgrounds, such as Wildwood Canadian Campground and Green Holly Shore Campground. Campgrounds, in general, represent a potential major source of ridership. There are 47 campgrounds in Cape May County, with over 15,500 campground sites. A survey of campground visitors reveals that their willingness to take the shuttle is in direct proportion to the frequency and cost of service. Other services discussed in the 1995 *Feeder Study* – such as a shuttle between Wildwood Convention Center and Cape May County Zoo, and the Atlantic City International Airport route, would have less impact on intercepting motorists traveling to Cape May.

A shuttle route not discussed in the 1995 report – but which should be considered by Cape May City in its effort to create a regional service – would be a route which serves the largest resort areas to the north: Wildwood Crest, Wildwood, and North Wildwood. Depending upon further study, stops in these resort towns could be combined with stops in Stone Harbor and Avalon, or stops in the large campgrounds to the west of the Parkway. It would be advisable, at least initially, to focus on the feasibility of combining service to the Wildwood communities with the campgrounds clustered around the Route 9 corridor to the south of NJ Route 47. Through the Wildwood communities, the service would not replicate the existing New Jersey Transit routes with their regular stops along New Jersey Avenue. Rather, the shuttle would have a limited number of stops at major hotel/attractions in the Wildwoods. In addition to the marketing that should be carried out by the City of Cape May, Chamber of Commerce, and local businesses in Cape May, this service should be heavily marketed by the hotels, campgrounds and major attractions in communities to the north that it would serve. The service should be re-named so visitors can immediately understand the focus of the route, such as Cape May Seashore Express. When presented as a service focusing exclusively on the needs of these communities, it will be easier to convince visitors who normally would shy away from the bus to avail themselves of this service.

As noted above, the regional shuttle would focus on visitors staying in campgrounds and hotels in Cape May County to the north. It is not necessarily expected that the regional shuttle could be successful in intercepting visitors from a long distance driving into Cape May for the day or longer. Visitors driving long distances specifically for the purpose of seeing Cape May City and Cape May Point – particularly those visitors staying more than one day, and with correspondingly more baggage – are less likely to leave their vehicles at a lot outside the City and transfer to a shuttle. The shuttle should target those people who are already staying or live in the area. As discussed earlier, the existing CAT “City Route” should be better promoted and made more attractive to serve longer-term visitors who are already in the City.

Although the DRBA shuttle between Lewes Ferry and the Cape May Transportation Center has often been cited as evidence that a shuttle system can be successful in the Cape May area, there are in fact better and more relevant examples, as discussed below.

***Conclusion: Shuttle Service (2003 Master Plan with updates)***

Cape May City should coordinate with Cape May County and with other municipalities in the County on creation of a regional shuttle system. Such a system would help reduce the demand for parking in downtown Cape May, and obviate the need for land acquisition or construction of new parking facilities. Employees can be accommodated at locations outside Cape May City, freeing up a greater number of spaces for customers. Involvement of municipal officials and the local business community, in both Cape May and other municipalities, would be critical for this service to succeed. There is an incentive for other communities to cooperate on a regional shuttle system. It would reduce traffic and congestion on their roads, just as it would on Cape May streets. It would also provide a means for vacationers in Cape May to visit these towns.

Although different in many respects, successful shuttle systems share certain characteristics:

- They are well-publicized, through tourist literature, brochures at establishments, web site links, and other means
- They have prominent signage, both for associated satellite lots and the shuttle service stops;
- They have a frequency of 10 to 30 minutes;
- They provide economic incentives to ride, with reasonable fares set at no more than \$1.00 for a one-way trip, or through setting a fee to park at park-and-ride lots, and providing free shuttle service.

Cape May City should strive to incorporate these features in both a local and regional shuttle service. It is also recommended that in addition to the Cold Spring, Rio Grande and other shuttle locations mentioned, the DRBA Ferry location should be considered.

The City continues to incubate and foster the growth of the shuttle service. For the 2018 season, shuttle service was being provided by the Great American Trolley Company. This service was subsidized by the City as the City recognized that aiding the funding of the shuttle service is essential in developing a self sufficient service. It is recommended that the City strive to create a self-sufficient shuttle service by incorporating sponsorships by business and commercial groups, the accommodations industry and funds generated by riders. It is further recommended that one of

the long term goals should be the establishment of a fare-free shuttle service. Otherwise, it is recommended that the stated conclusion reached be included in the updated Master Plan.

Establishing a performance contract with the shuttle provided should also be explored potentially using funding derived from parking meter revenue. The possibility of providing jitney service should also be explored. This could provide smaller, more frequent and possibly more reliable service. The City should continue to utilize the Parking & Traffic Advisory Committee to study and implement these recommendations.

### ***Parking Garage***

A parking garage in the downtown is a long-term possibility for the City. It is currently not the most desirable option for the City, since the parking situation is most problematic within a relatively confined season. However, as parking demand grows in the future, and if the City is successful in lengthening its tourist season, a garage should be considered as an option.

The 2003 Master Plan indicated that the most strategic location for a parking garage would be at the intersection of Lafayette Street and Jackson Street. This would be the first opportunity for parkers entering the downtown via Lafayette Street. The Perry-Jackson public lot could be combined with the lot currently occupied by Collier's Liquor Store lot. The ideal garage would consist of a three-store facility, with retail at the front of the ground floor, leaving the remainder of the ground floor and two stories above for parking. Such a facility could yield roughly 280 spaces in the garage; combined with 20 spaces in the remaining Perry-Jackson lot on the other side of Chestnut Street, there would be 300 total spaces, versus the 127 in the existing Perry-Jackson lot and Collier's lot combined. However, the facility would be quite expensive. Façade treatments would be more extensive than a typical parking garage, given the need to complement the Victorian architectural character of the City. Construction on a non-rectangular lot would likely also help drive up costs past the typical estimate of \$30,000 (2018 Estimate) per space. Construction costs for the garage portion alone - not including the cost of the retail space, and not including acquisition costs - could be as much as \$4.2 million (2003 Estimate).

The Bank Street lot could also be investigated as a structured parking facility. This could accommodate a parking garage with about 360 spaces, with approximate construction costs of up to \$5.2 million (2003 Estimate). There would be not acquisition costs. It should be noted that the parking demand at this site would be somewhat less than the intersection of Lafayette Street and Jackson Street. Any other potential site should be investigated for use as a potential facility.

The 2007 Vision Plan recommended study of the potential utilization of existing or future private parking as a parking facility to be operated as part of a public private venture. This recommendation is supported.

The 2009 Reexamination indicated there was substantially no support among the Planning Board and Master Plan Parking and Traffic Subcommittee members for the construction of a parking garage in Cape May. Although there are very serious parking problems, they exist only for approximately three months out of the year. Consequently, the Committee deemed it inadvisable for the City to incur the expense for a structure which may only be sufficiently utilized during a fraction of the year. That being said, the Committee recognized that, as mentioned in paragraph one under this heading, circumstances could change which might justify revisiting this issue. Consequently, the Committee recommends that a parking garage not be included in the short term plans of the City but might be considered in the long term if warranted by changes in circumstances. This remains a recommendation warranting future study.

***Bicycle & Pedestrian Facilities***

Bicycling is a popular activity in Cape May in the summertime. Visitors and residents enjoy bike riding along the beach and through the many attractive neighborhoods, both for recreation and exercise. Further, given the difficulty in finding parking spaces on many streets, it is a highly practical transportation mode. For this reason, the City should maintain its strong support for bicycling.

Bicycle activity in Cape May is so extensive that it is more characteristic of some European town centers than the typical U.S. city. Bicyclists are regularly found on every street, often riding the wrong way on a one-way street, or on the wrong side of a two way street. This is typically undesirable, but there are relatively few bicycle crashes in Cape May. Part of the reason for this is because non-motorized modes are so omnipresent. The mix of bicycles, pedestrians, surreys, and horse-drawn carriages, along with the short blocks, and narrow and parked-out streets, combine to create natural "traffic calming." As a result, vehicular speeding is rare on most Cape May streets. Motorists in Cape May quickly realize the importance of being cautious in driving around downtown streets, and are alert to the presence of these non-motorized modes.

Since the Reexamination of the Plan in 2009, the City has adopted a Bicycle and Pedestrian Plan which has comprehensively evolved the plans and concepts originally recommended. In 2017, the City of Cape May and the Borough of Cape May Point in Cape May County jointly developed a bicycle and pedestrian circulation plan as part of the New Jersey Department of Transportation's (NJDOT) Local Bicycle/Pedestrian Planning Assistance Program. Known as "Bike Walk Cape May", the report provides an overview of the existing conditions for bicyclists and pedestrians in the study area. It includes an analysis of crash data; identification of key pedestrian and bicycle traffic generators; review of key corridors and intersections for non-motorized traffic within study area and connections between the two; and a review of the roadway network's bicycle level of traffic stress (LTS) within the study area. The report also includes recommendations for improved facilities to enhance the overall bicycle and pedestrian network. This comprehensive planning document and recommendations contained therein is incorporated into this element, supersedes all former recommendations and should be referenced for all studies and complete recommendations.

***Vehicle Reduction***

The City should explore the feasibility of a one vendor contract for garbage collection that would mirror the City's recycling procedure, which establishes five recycling zones with a once per week, Monday to Friday pick up schedule. Currently, there are at least five private garbage collection companies picking up trash, resulting in multiple trucks within the City, often on the same days and often picking up garbage from multiple homes on the same street. A system similar to our recycling process would result in less emissions pollution; less noise and odor pollution; less traffic congestion; and less wear and tear on City roadways.

***Low Speed Vehicles (LSVs)***

In 2014, Cape May City passed an Ordinance Amending Chapter 7 of the Cape May City Code permitting the Operation of Low Speed Vehicles. These LSVs are regulated with the same rules as any motor vehicle. They must possess all the safety provisions of a motor vehicle (seatbelts, lights, mirrors, blinkers, etc.), be insured and the driver must be licensed. LSVs are street legal on roads with a speed limit of 35 mph or less, which encompasses all of the City's roadways. Since permitting these vehicles, usage within the City has flourished. Users have enjoyed their smaller size, ease of use and parking. The City should continue to promote their usage. Parking zoning regulations should be evaluated and consider a percentage of LSV sized parking to count toward

off-street parking requirements. LSV parking should be added in strategic locations around the City's commercial areas.

### ***Implementation and Funding***

The Board endorses the City's investigation of funding sources available through County, State and Federal agencies as well as quasi-public and private organizations for use in financing the improvements which are adopted for inclusion in the updated Master Plan; and urges that those sources of funding be vigorously pursued in order to minimize the financial impact which the implementation of such improvements may have on the City of Cape May. It is further recommended that the project list of recommendations providing guidance of short, intermediate and long term traffic circulation and parking goals found in the Master Plan be updated and evaluated by the City on an annual basis to provide guidance and planning for projects as funding becomes available.

### ***Parking & Traffic Advisory Committee***

In May 2018, the City has established a parking and traffic advisory committee comprised of 9 public members and a Council Member liaison. The Parking Advisory Committee was established to assist and advise the City Manager and City Council on such matters as:

- Reviewing available traffic and parking studies and reports, the City's Master Plan and other related documents to understand persistent issues, significant trends and recommended solutions;
- Understanding the distinct parking concerns of year-round and seasonal homeowners, beach-goers, hotel-owners and staff, innkeepers and staff, restaurant-owners and staff, Mall and other area business operators and staff, bicyclists, delivery and lawn services, and public safety interests;
- Exploring the availability of grant money or other funding resources to create additional parking spaces and make improvements to existing surface parking resources;
- Surveying relevant groups of stakeholders to understand comparative advantages and disadvantages of parking garage construction and additional surface parking lots including location and size;
- Reviewing the City's metered parking policies and recommending improvements as needed;
- Reviewing and recommending action on parking-related plans in the City's existing Master Plan and the evolving Master Plan Reexamination;
- Soliciting public review and comment.

The Parking Advisory Committee's 2018 Activities included:

- Meeting with the current owner of the Cape May Trolley Service to learn what transportation is provided by this company within the City limits, costs, routes, etc.
- Meeting with the owner of Patriot Parking System (Philadelphia) to gain insight into the Performance Pricing concept as related to parking, plus the cost structure of any parking

garage. After this eye-opening presentation the committee became focused on improving 'peripheral' parking accommodations.

- The committee took a field trip to the area of Canning House Lane and returned to the City via the NJ Transit train tracks. The purpose was to evaluate this option for remote parking. The committee members felt there would need to be resolution to the track areas that are undermined before this could be considered as a pathway from any parking positioned at Canning House Lane.
- The City Purchasing Agent attended several meetings to review existing parking zones, hours of operation, capabilities of the single head meters and the parking kiosks, and comparative parking rates in neighboring communities.
- A sub-committee was formed to develop a free parking zone along Beach Avenue and to investigate shuttle availabilities for those parking in this area.
- The committee presented their initial recommendations to the City Council in November 2018, to the Business Improvement District in November 2018, discussed during a taping of the local radio show, and also presented during the Cape May City Town Hall meeting in December 2018.

The following recommendations were presented to City Council in December 2018:

- Increase hourly parking rates in the Red and Yellow parking zones to \$2.00 per hour. Extend Red parking zone to Jefferson Street. Also, meters on Beach Avenue east of Philadelphia Avenue to be in non-pay mode after 5 o'clock pm.
- Free Parking Zone on Beach Avenue east of Philadelphia Avenue to just west of Trenton Avenue after 5:00 pm each evening; this will include Reading Avenue. Include free shuttle to central areas.
- Replace existing parking meters on Beach Avenue with parking kiosks by 2020.
- Create and implement new Transportation Services Agreement.
- Improve conditions of the Bank Street Permit Parking Lot to maximize utilization (include extension of parking season).
- Limited Traffic Study in Business Areas by Expert consultant to focus on traffic flow.
- Paint proper parking spaces on residential streets (especially those closest to the central business district).
- Apply yellow paint consistently to No Parking areas to comply with State regulations around intersections, crosswalks, etc.
- Provide 'real-time' information about Parking on the City Website (free zones, meter costs, meter hours of operation, meter dates of operation, shuttle schedules, etc.).



The following focus topics for 2019 were presented to City Council in December 2018:

- Finalize structure of Free Parking Zone on Beach Avenue to include shuttles, advertising, and signage.
- Investigate additional remote parking possibilities.
- Determine best options for moving visitors around the town (trolley, jitney, Golf cart, etc.)
- Coordinate with Lafayette Street Park Advisory Committee to determine schedules for available parking at that location.
- Evaluate payment options for Welcome Center parking, when that area becomes available.
- Assist in development of messaging for parking information located on new City website.
- Continued focus on improvements implemented for the Bank Street permit parking lot.
- Coordinate and assist City officials in any of the above activities.

The Board endorses these recommendations and future planning. It is recommended that the City continually maintain the establishment of a traffic and parking advisory committee to further develop recommendations contained herein.

## 5.0 Housing Element & Fair Share Plan

The Housing Element is contained in Section V (pp. 84-90) of the 2003 Master Plan and was reexamined in 2009. The Municipal Land Use Law N.J.S.A 40:55D-28(b)(3) requires a municipal master plan to include a Housing Element. It is a component of the master plan designed to achieve the goal of providing affordable housing by demonstrating that the zoning provides for adequate capacity and opportunity to accommodate residential and employment growth. It includes a statement of the standards, objectives and principals including, but is not limited to, residential standards and proposals for the construction and improvement of housing. It takes into account the environmental conditions, intensity of development, and existing zoning of a community; and a housing element which includes an analysis of housing, demographic and employment characteristics, and an analysis of municipal lands appropriate for affordable housing. It also sets forth the municipal fair share obligation.

The City has prepared a Master Plan Housing Element (including a Fair Share Element) in accordance with the requirements set forth in the "Municipal Land Use Law" (N.J.S.A. 40:55D-28) ("MLUL"), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et. seq.), applicable Mount Laurel case law, applicable orders of the Court, and the Settlement Agreement between the City and Fair Share Housing Center ("FSHC"). The Supreme Court has invalidated the most recent version of the regulations adopted by the New Jersey Council on Affordable Housing ("COAH") on September 26, 2013 in Re: Adoption of N.J.A.C. 5:96 & 5:97 by NJ Council on Affordable Housing, 215 N.J. 578 (2013), this Affordable Housing Plan comports with COAH's rules at N.J.A.C. 5:91 et seq. and N.J.A.C. 5:93 et seq., and subsequent applicable laws and regulations such as amendments to the FHA. In accordance with the above, this Housing Element is designed to achieve the goal of accessibility to affordable housing to meet both present and prospective needs, with particular attention to creating a realistic opportunity for the production of low and moderate income housing.

In response to New Jersey Supreme Court's decision In Re: the Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), and the City's desire to avoid any potential builder's remedy law suites, the City filed a Declaratory Judgment action on July 8, 2015, along with a motion for temporary immunity, and sought approval of a Housing Element and Fair Share Plan. The Court subsequently granted the City's immunity motion, and that immunity against all Mount Laurel lawsuits is still in full force and effect.

Because of the current uncertainty as to the appropriate manner by which to calculate the City's affordable housing obligations, the City and FSHC agreed that a settlement would be in the best interest of low and moderate income households and the City. Under the supervision of the Special Court Master, the City and its professionals entered into negotiations with representatives of the FSHC to settle the City's Declaratory Judgment action globally. A settlement agreement was eventually agreed to, which was executed by FSHC on February 21, 2018 and the City on February 21, 2018 (hereinafter the "FSHC Settlement Agreement").

After a properly noticed Fairness Hearing was held April 20, 2018, the Court entered an Order on May 16, 2018, which approved the FSHC Settlement Agreement. The Housing Element and Fair Share Plan effectuated the settlement as approved by the Court and is included in its entirety in the Appendix.

## **6.0 Community Facilities and Recreation Element Reexamination**

The 2003 Master contains the Community Facilities and Recreation Element in Section VI (pp. 91-97) which was reexamined in 2009. The Goals and Objectives that are relative to this element were stated under the heading “Environmental Protection”. It is recommended that the following updates and revisions be included in Section VI of the Master Plan. This Element is revised and updated as follows:

### **6.0 Community Facilities and Recreation Element**

#### **6.1 Introduction**

Community facilities, open space, and recreation facility maintenance and development are priorities for Cape May. The City is physically and economically oriented towards its most important natural asset: the ocean. However, Cape May has other important recreation and cultural offerings, such as its Harbor, Cultural Center, and numerous parks. As existing recreation and open space offerings continue to be utilized and demanded by its population, the City is examining the utility of its existing facilities and determining the refurbishment, replacement, and addition of new facilities.

The City of Cape May faces an unusual challenge. Based on 2016 Census data, its year-round population is estimated at 3,500 people and yet it must provide a full range of municipal services to meet the needs of a peak summer population of approximately 46,000 persons. The City has accomplished this mission through aggressive use of grant funding which is facilitated by its designation as a “Center” in the State Plan; through a cooperative shared service agreement with the adjacent municipalities of West Cape May and Cape May Point; and through innovative approaches to difficult problems, such its construction of the first water desalination plant in the Northeastern United States to provide an adequate supply of drinking water.

During the 2003 Master Plan and the 2009 Master Plan Reexamination Report, special attention was paid to the status of the City’s community facilities importance to the City’s vitality, well being and economy. The purpose of this element is to take inventory of the City’s community assets that makes Cape May so special and ensure they are preserved. It is the goal of this Element to develop and maintain a coordinated plan to provide adequate community facilities and recreation throughout the City.

#### **6.2 Goals/Objectives**

This 2019 Reexamination Report has prioritized the planning of its community facilities and recreation assets recognizing the importance to the City’s character and economy. As indicated in this Reexamination, the City has the responsibility to address the seasonal visitor and part time

resident population surge and provide adequate resources. The following are the Community Facilities and Recreation goals and objectives for the City:

- Goal: Ensure the provision of an adequate range and availability of community services and recreation to accommodate existing and future City residents and visitors.
- Objectives:
  - a. Continue to provide public safety services, in cooperation with adjacent municipalities.
  - b. Continue to evaluate the needs for community facilities and recreation and plan and develop projects that adequately provide services and facilities.
  - c. Continue to upgrade and diversify the recreational uses and facilities offered by municipal parks.
  - d. The City should continue to maintain the existing private-public relationships and strive to investigate other relationship opportunities that may present themselves in the future.
  - e. Continue to develop and market convention hall for use not only as a convention and community center but provide comprehensive services for residents, part time residents and tourists, business and civic groups, musicians, theatre and community groups, and non-profit entities.
  - f. The City should attempt to ensure the Cape May City Elementary School property will be returned to the City should the school ever be closed. This site could be utilized as a potential City Hall, Community Center and/or a County Library site.
  - g. Facilitate resiliency concepts discussed in the Resiliency Element to be incorporated into public facilities and plan future projects to accommodate future sea level rise.
  - h. Continue to acquire open space, including private bathing beaches, to increase the amount of recreational space available for use by residents and visitors.
  - i. Create an open space and pedestrian network that connects community facilities, recreation and points of interest and encourages non-vehicular means of transportation.
  - j. Continue to upgrade and diversify the recreational uses and facilities offered by municipal parks.
  - k. Improve access and maintenance of beach areas and continue to construct accessible access compliant with ADA requirements. Promotion and education of beach safety remains a priority.
  - l. Preservation and Acquisition of environmentally sensitive lands. Preservation and acquisition of lands in east Cape May known as Sewell Point remains an objective. If

feasible, acquisition of the tract would ensure the area east of Pittsburgh Avenue would be retained as open space for passive environmental recreation.

- m. Provide adequate access to waterways in accordance with the City's Municipal Public Access Plan.
- n. Enhance the Promenade so it continues to be a major attraction for both pedestrians and bicyclists, while also maintaining and improving the integrity of the seawall so it may provide better protection from storm surge and coastal flooding. This project is of utmost importance to the City. The following project additional objectives are relevant to this element and the Community Facilities & Recreation Element, Resiliency Element, Conservation Element and Circulation Element and should be considered objectives of all:
  - 1. Encourage the extension, raising and widening of the Promenade to better accommodate both pedestrians and bicyclists, thus promoting the City's green energy and access initiatives.
  - 2. Improve the design of the Promenade to protect the coastline and the historic properties from future damage to sea level rise, storm surge and coastal flooding.
  - 3. Use a historic architectural theme that promotes a uniform look to all structures, street furniture and elements of the Promenade design.
  - 4. Improve dune vegetation to allow unobstructed views while promoting the best possible sand stabilization. Develop and execute a maintenance plan that continually monitors dunes for non-native growth.
  - 5. Improve public access to all restrooms along the Promenade and ensure all current and new facilities are ADA compliant.

### **6.3 City Government**

The City of Cape May changed to a Council/Manager form of government on July 1, 2004. A municipality operating under a Council/Manager plan is governed by a municipal Council which is elected at large and chaired by the Mayor. The Council, in the Council/Manager plan, exercises the legislative power of the municipality. The Mayor, in the Council/Manager plan, is a member of the Council. The Mayor presides over the Council and has a vote, but no administrative authority. In addition to the Mayor, there are four (4) other members of Council. The Council appoints the Municipal Clerk, the Municipal Attorney, the Tax Assessor, the Tax Collector, the Treasurer, the Municipal Court Judge, and such other Boards and Commissions as may be provided by the Administrative Code.

The City Manager exercises all the executive power of the municipality. It is the duty of the Manager to see that all laws and ordinances, in effect in the municipality, are observed. The Manager appoints all other officers and employees of the municipality, and all other employees if no other method of appointment is provided in the code, or by general law. The annual budget, of a

municipality operating under the Council/Manager plan, is prepared by the Manager, with the assistance of the Treasurer. It is presented to the Council, in January, who then modifies it as it sees fit, prior to adoption.

#### **6.4 City Hall & Police Department**

The City Government principally operates out of its City Hall, an older building located at 643 Washington Street (Block 1059, Lot 11) that was originally constructed in 1915 as the local high school. The building is a "key contributing" historic structure. As such, the building's design is inefficient for use as a modern government office building and it does not have adequate space to house all City functions. The site also does not meet current standards with regards to providing sufficient off-street parking. Police headquarters and most City administrative offices are located in City Hall. The former high school auditorium serves as a meeting room for City Council, the Planning and Zoning Boards, and other official municipal meetings, but its balcony separates sections of City



Hall's second floor. It must be used as a passageway between various second floor offices. The Patrol Division and Detective Division of the Police Department are housed in a leased portion of the West Cape May Municipal Building.

Nonetheless, the current City Hall has the advantage of being centrally located at the edge of the downtown area. Further, it is located near a concentration of other public facilities, including the Fire Department building at Washington and Franklin Streets, the Colonial House, and the former Franklin Street School. A City-owned parking lot connects these facilities. The City is currently developing a plan to relocate the Police headquarters to a new facility shared with the Fire Department. An immediate solution to the administrative needs of the City is not proposed here, but the City should remain alert to opportunities for future options.

The 2009 Reexamination included a recommendation to evaluate the potential redevelopment of this entire complex of public buildings in the half-block bounded by Lafayette, Franklin and Washington Streets. Other structures within the area included the headquarters of the Cape May Historical Society and two properties not now owned by the City: Blue Rose Inn and the Macedonia Baptist Church. Alternative sites for a new City Hall were explored by the City and it was determined that they were not feasible at this time due to prohibitive acquisition costs and environmental constraints. In 2018, the City followed the 2009 Reexamination recommendation and requested that the Planning Board perform a study of the Redevelopment area that contained all properties in this Block. Concern was expressed by the community and the redevelopment area was not implemented.

### 6.5 Franklin Street School

Block 1059 Lot 3 is owned by the City of Cape May and is the former Franklin Street School located at 717 Franklin Street. The site has a lot area of 0.32 acres. The existing two-story building was constructed in 1927 and is currently utilized by the City. When the school was in operation, the elementary school was located in the front, and the rear housed the gymnasium for the Cape May Integrated High School. The building was rehabilitated with funds from the Garden State Historic Preservation Trust.



Franklin Street Civic Center (in rear of Franklin Street School building)

Currently, the gymnasium section in the rear of the building, known as the Franklin Street Civic Center, is utilized for City sponsored recreational activities including a kids play activity and fitness classes. The interior of the front section of the building is in poor shape and the electricity to this section has been turned off. The front section of the building is not up to current Code standards and is uninhabitable. The City's Center for Community Arts currently leases the building. The site does not meet current standards with regards to providing sufficient off-street parking. Future use of this building is being evaluated and planned by the City. Optimizing the use of this building for community use should be a priority of the City.

### 6.6 Fire Department Station & Museum

The City's Fire Department station and Office of Emergency Management is located on Block 1059, Lots 4, 5 and 6 at the corner of Franklin and Washington Streets. The fire station occupies the existing two story building which was constructed in 1973. The Fire Department building contains a public meeting room, equipment storage, bunk area (male only), office spaces including Emergency Management office space. Additional floor space that could be utilized for uses such as meeting area, training area, female bunk area office area has been cited as immediate needs. The small building on Lot 5 is the location of the City's Fire Museum. The three lots, Lots 4, 5 and 6, have a total lot area of 0.7842 acres. The site does not meet current standards with regards to providing sufficient off-street parking.



Expansion of the Fire Department building was recommended in the 2009 Reexamination. Based on the year of construction, the Fire Station and Office of Emergency Management appear to be obsolescent for current use. The City has indicated a desire to modernize the facility. Further study was authorized by the City and

has resulted in the recommendation of the replacement of the current building with a new modern public service building that would contain the Police and Fire Departments as well as the Office of Emergency Management.



City Council has adopted Resolution NO.178-08-2017 establishing a Public Safety Building Advisory Committee with a goal to address the four essential public safety services - the Fire Department, the Rescue Squad, the Police Department and the Office of Emergency Management - being located in inadequate, outdated, crowded, hazardous, and in some cases, toxic quarters. This Resolution indicates it would also be advantageous to include office and/or meeting space for the Beach Patrol and Beach Safety Advisory Committee, especially during the off-season or when the City is conducting emergency preparedness or emergency management operations.

This Advisory Committee comprised of professional Fire, Police, Emergency and Administrative experts joined by relevant community stakeholders has and continues to provide useful insights, guidance and recommendations for the planning, feasibility, location, costs and funding of a new public safety facility. The objective is to plan and build a safe, secure Public Safety Building: in compliance with current Federal, State, and Local requirements; to support short term day-to-day operations for Police, Fire and Emergency with capacity and flexibility to support long-term emergency situation.

Based on the Committees End of Year 2018 Report to City Council, the following tasks remain:

- Estimating comprehensive needs and costs;
- Exploring alternative funding strategies and potential funding resources;
- Proposing key steps in the review and planning process, including soliciting public review and comment;
- Recommending alternative project management strategies;
- Developing a reasonable task and timetable for accomplishing the Committee's work and initiating the building project.
- File and Present a final report with findings to the City Council.

### 6.7 Greater Cape May Historic Society

The Greater Cape May Historic Society occupies the existing two-story building on Block 1059 Lot 9, known as 653 1/2 Washington Street. The key historic





"contributing" structure was constructed in 1775 and was originally situated on Lot 10 until it was relocated to Lot 9 in 1883 when the Blue Rose Inn was constructed on Lot 10.

## **6.8 Recreation**

The City's Recreation Department serves a number of users, both in the City and in surrounding communities, through fee-based programs. Discounts are offered to City residents, but all activities of the Recreation Department programs are self-sufficient and the department receives no budget from the City, though the City does provide for park maintenance and special events. The Recreation Department's year-round programs include youth sports, youth dance, adult softball leagues, youth soccer, aerobics, a swim team and an independent Little League program. Direct Users (individuals in unstructured programs) include those who avail themselves of open programs in the Elementary and Franklin School gymnasiums, and with swimming programs at the pool at the Elementary School and on the Coast Guard Base for children, families, and senior citizens.

An expanded program is offered to seasonal users. These activities are geared toward families and include a summer day camp and the children's playhouse. Special events, crafts festivals, and other attractions are conducted throughout the year. A "Concerts in the Park" series is held Wednesdays through Sundays at 8:00 PM in the Rotary Park on Lyle Lane behind the Washington Street Mall. Trips are also offered to local attractions such as the Cape May Nature Center, The Wetlands Institute, the Cape May Point State Park, and the Cape May County Zoo at Cape May Court House. Special events, including parades, craft shows, art shows, concerts, beach volleyball, a sand sculpture contest and movies on the beach are provided.

Because City-owned recreational land in Cape May is limited, the Department makes use of other nearby facilities. Athletic fields in Lower Township and at the Cape May Elementary School are used once school is out for summer recess. The swimming pool and fields at the Coast Guard Base are made available when they do not conflict with base activities. County softball fields and outings to the County Zoo are also utilized in the department's activities. There is no official relationship with the privately operated attractions such as the Cape May Environmental Center or the Cape May Bird Observatory.

The 2009 Reexamination indicated that there is a defined need to acquire lands and consolidate ownership of the areas bordered by St. John Street, Lafayette and the Cape May Elementary School to facilitate an upgrade in active recreation. The playground equipment and playing field equipment needed to be upgraded. These lands have either been acquired or are in agreement to be acquired after environmental cleanup has occurred. The Lafayette Street Park project was planned and Phase 1 improvements have been completed. This has included improvements consisting of a multipurpose field and playground. Planning and design of the future phases is ongoing and these improvements will be completed as the environmental cleanup is completed.

## **6.9 Public Private Partnerships**

Cape May has recognized the power of arts, history and culture in transforming the landscape of the community. The City has adopted a program of public-private partnerships that have infused a progressive growth of Cape May's annual economy into a ten and a half month economy as opposed to the average 12 week season typical in most seashore resort communities.

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This program facilitates the leasing of City-owned property on a long term basis for \$1.00 per year with non-profit organizations being responsible for the renovations, operations, and maintenance of the properties. This ensures that the City maintains a nurturing environment by providing the essential physical infrastructure so that fledgling, local, non-profit cultural, arts and historical organizations can flourish while benefiting the taxpayer by reducing costs associated with maintenance of the properties.

The City currently has nine (9) such agreements involving City-owned property and they are listed as follows:

- Emlen Physick Estate with Mid-Atlantic Center for the Arts & Humanities
- Washington Street Mall Information Booth with the Mid-Atlantic Center for the Arts & Humanities
- Franklin Street School with the Center for Community Arts
- The former Welcome Center with Cape May Stage
- The Nature Center with the New Jersey Audubon Society
- The Marine Research Facility with Rutgers University
- The Transportation Center/Welcome Center with the Chamber of Commerce of Greater Cape May
- Colonial House with the Greater Cape May Historical Society
- Cape Island Tennis Club with the Cape May Tennis Club, Inc

Through these public-private initiatives, tremendous opportunities have been presented and pursued to unify the business and residential segments of the City to achieve civic, social, cultural, arts, financial and tourism goals of the entire community. These partnerships have created employment opportunities that maintain the City's population base and solidify its economic viability. These non-profit organizations are staffed by a bank of volunteers who plan, develop and implement the vast array of programs, services and activities that are offered on a year round basis to residents and tourists alike. Without these partnerships, the comprehensive schedule of arts, history, cultural, social, environmental, educational, and recreational programs, services and activities could not be possibly funded and staffed by the City of Cape May without the dedication and commitment of these volunteers.

The City should maintain these private-public relationships and strive to investigate other opportunities that may present themselves in the future.

## 6.10 Convention Hall

The City of Cape May also recognizes the importance of the convention hall facility's role in providing comprehensive services not only for residents, part time residents and tourists, but also for business and civic groups, musicians, theatre and community groups, and non-profit entities. A consensus building approach was implemented to recognize the needs of the entire community and establish design criteria for replacing the 1965 structure, identified in the 2003 Master Plan and 2009 Reexamination as being in need of replacement.

A Public Question was voted on November 4<sup>th</sup>, 2008. The binding referendum was for the approval of the bond ordinance and permit financing for a new Convention Hall facility in the amount not to exceed \$10,500,000 with the final cost as well as the size, design, features, content and location of the convention hall facility to be determined based upon the input received at public forums. For this Question, 76% of the electorate voted and the question was passed with 66% of the total votes. City Council pledged an "open and transparent" process by holding five town meetings to allow public input on location, uses, design and construction as well as cost. Based upon input from the general public, it was decided that the proposed convention hall would house the same uses and

programs as the existing hall and will serve primarily as a community center.



The new Cape May Convention Hall located at 714 Beach Avenue was completed and opened on Memorial Day weekend in 2012. The 20,000 square foot facility is a multi-purpose Convention Hall on the panoramic Atlantic Ocean beachfront and provides traditional community center activities while also offering the opportunity for conferences, small conventions, and performing arts events with state-of-the-art technology. The Convention Hall building has a 8,800 square foot main hall that can accommodate over 900 people for lectures,

800 for performing arts events, 600 for banquets and receptions, and 450 for technology and training seminars. The Convention Hall hosts numerous events and activities throughout the year. Ranging from musical concerts, wedding and banquet receptions, seminars and conferences, exhibits, special events, trade shows, craft shows, and recreational activities such as roller skating. A listing of services and events is provided on the website: <http://www.discovercapemaynj.com>.

### 6.11 Convention Hall Annex

Located to the west of the Convention Hall, the building known as 708-710 Beach Avenue currently contains an information/beach tag office and the remainder has been leased for a restaurant known as "Mermaids". The Municipal Grounds Committee completed study of the building in 2018 and recommended that the City continue to own the building and make the structural improvements necessary for maintenance. A structural engineer prepared a report detailing its deficiencies. It is recommended that the restaurant be kept on a short term lease so that if in the future the building can be repurposed, it will be unencumbered. The City should continue to look for a new use or utilization of this building with the goal of ultimately replacing it with a new structure. Redevelopment of this property and others in the immediate area may be warranted with further study.



### 6.12 Beaches & Promenade

Cape May's greatest recreational asset is its beach strand, which attracts thousands of visitors to the community on a year-round basis. The exact acreage of the beach is difficult to determine, because it varies based upon both tidal conditions and erosion. Nonetheless, the City offers its visitors more than two and a half linear miles of a broad white sand beach along the Atlantic Ocean. This area is exclusive of those portions of the beach that are protected as part of the dune stabilization effort or for which access is restricted because it occurs within the limits of the U.S. Coast Guard base. The City has entered into a 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource.

Public Access to the beaches in the City of Cape May is provided by the municipality and consists of



a variety access points and facilities including the promenade, beach walkways, accessible entrances, bathroom facilities, lifeguarded beaches, lifeguard headquarters, showers, kayak and small boat launches. Cape May protects and ensures public access through ordinances, beach fees, beach management planning, community clean-ups, yearly inspection and maintenance programs, access easements, and conservation easements. Cape May also has prepared a Municipal Public Access Plan (MPAP) to ensure adequate public access locations are provided along tidal waterways and their shores.

The MPAP includes the following recommendations which are now incorporated as recommendations in this element:

1. All existing public access shall be maintained to the maximum extent practicable.

2. Maintain safe and adequate access locations for fishing, surfing, kayaking and other water related activities where safe, sensible and feasible.
3. Provide and maintain clear informative signage for access locations.
4. Provide additional accessible access improvements at existing access points.
5. Facilitate better access to Cape Island Creek by developing the proposed Lafayette Street Open Space project.
6. Facilitate improved access to Cape May Harbor by developing the proposed Harborview Park project.
7. Raise, widen and extend the Promenade to create better access by linking all beach access locations and amenities along the entire beach front.
8. Provide more beach amenities including convenience stations, showers, handicap ramps, etc.
9. Continue to develop better parking opportunities consistent with the Master Plan that facilitate public access.

Cape May is unique in that a Beach Promenade provides access and a raised walkway/bikeway that extends nearly two miles along Beach Avenue from the Cove (Second Avenue) eastward past Madison Avenue. The promenade is constructed over bulkheads and seawall shore protection. Maintaining, preserving and upgrading the asphalt promenade remain a priority. Lengthening of the asphalt promenade eastwardly over the existing seawall (which should be strengthened) is a priority. Widening and raising the existing seawall and entire promenade are also recommended goals that promote shore protection and resiliency, access and bicycle and pedestrian usage.

The City has established a Seawall/ Promenade Advisory Committee Created by Ordinance #254-11-2017. This Committee was established to study, advise and implement planning for seawall and promenade improvements. Goals and Objectives stated herein were a direct result of the Committees diligent work. The Committee has also completed the following:

- Consulted with Army Corps for the project at Beach and Wilmington.
- Discussed with Jeff Gilbert, Army Corps, the method used to determine the height of the Seawall at Wilmington and Beach Avenue and the status of our dunes.
- Multiple discussions with Adrian Leary, Army Corps, concerning the proposed design of the seawall at Wilmington and Beach Avenue.
- Discussions with residents on the east side of town to explain this project and allay fears that only in this small section will the height extend to 17 feet.

- Discussion Frank Storino, owner/operator of Pt Pleasant Arcade, about the design of their bathroom/showers on the beach.
- Discussion with Dale Foster, County Engineer, on county help/grant money for the seawall.
- Meeting with Scott Jett, City Clerk North Wildwood, and Ronald Simone concerning design, construction, and grant monies used for the North Wildwood Seawall.
- Coordinated with Environmental Commission to begin a dune maintenance program.
- Coordinated with Bike Committee alternative designs for bicyclist on the promenade and the west end.
- Participated with Rutala Associates in applying for a \$6,000,000 build grant in extending the Seawall/Promenade to Madison.
- Multiple discussions with the City Engineer concerning designs for extending beyond the Army Corps project.
- Meeting with Mike O'Neil, developer, and Chris McDuell, builder, concerning design of the Promenade inclusive of the Army Corps project.
- Contacted Stockton, Rowan, Rutgers, and Drexel for input on future design suggestions of the Seawall.
- Pending application for a student project for designs of our Seawall at Drexel.
- Discussed possibility of a Trek Modular system on the dunes for a bike path.
- Presented to the Planning Board new draft provisions for the Seawall/Promenade to be included in the Master Plan 4/24/2018 and 11/27/2018.
- Made presentation to City Council providing history and goals of the Promenade/Seawall Committee 5/1/2018.
- Met with Dave Schultz, architect DAS, and discussed design phases of the Army Corps project at Wilmington and Beach integrating it with extending the seawall.
- Spoke at City Council meeting in favor of Resolution #178-07-2018, the Army Corps project.

The Committee future goals include:

- Secure funds for the study by City Engineer Mott-McDonald to determine the appropriate height of the Seawall. Without this study no true cost/analysis can be determined. It will limit future grant applications and hinder the projected proper heights of new structures on the Promenade.
- Work with the City to establish a long term maintenance schedule for the dunes.

- Continue to contribute in the design phases integrating the project at Wilmington and Beach Avenue with expanding and extending the Seawall.
- Pursue possible test area of Bike Track system.
- Present updates to Council at Council meetings.

It is recommended that the Committee continue their advisory, study, planning and implementation work.

Cape May currently maintains numerous public access facilities. Along its beachfront with the Atlantic Ocean, the City is able to provide excellent access to the beach and ocean as most development is located north of Beach Avenue. Access points are provided at every street end and some access points are provided mid-block on larger blocks. Parking is provided by both metered and non-metered on street parking. Numerous bath house/rest room and lifeguard facilities are located along the beach strand. Permanent restrooms and changing facilities are located on Beach Avenue at Second, Broadway, Windsor, Gurney, Philadelphia, Trenton and Wilmington intersections. Open-air rinsing stations are provided all along the beachfront. Accessible improvements (ADA) have included grants for construction of new access ramps from the street to the beach promenade, extended ramps to the high-water mark at the beach and provided accessible showers, decks, and tables. A total of ten (10) beaches were targeted for accessible improvements.



The City maintains the beaches and associated facilities and relies on fees generated by beach badge sales. Adequate guarded beaches, trash/recycling, bathrooms, showers and access have been provided along Beach Avenue. Seasonal badge fees are established on an annual basis. In season, you must have a beach tag to use Cape May's beaches. Tags are required between the hours of 10:00 a.m. and 5:00 p.m., from Memorial Day in May through Labor Day in September. Beach tags are required for all beachgoers 12 and over.

Volleyball nets are available at Steger Beach (Beach Ave & Jackson St) and at 2nd Avenue Beach (2nd Avenue & Beach Ave). Jetty and surf fishing is permitted along the beachfront. However, no fishing within 500 feet of bathers is permitted. Surfing/kayak beaches are located between Howard & Stockton and at 3<sup>rd</sup> Avenue. Surf fishing is permitted providing there are no conflicts with bathing areas. Fishing from the beach is restricted so those fishermen are allowed no closer than 500' from bathing areas.

The Cape May Beach Patrol (CMBP) protects the beaches of Cape May, New Jersey from June through September from 10 AM to 5:30 PM daily (5:00 PM before July 1st), as well as providing limited after hours guards who respond to emergency calls. They are responsible for coordinating dozens of surf assists and rescues every year, as well as responding to medical emergencies and lost persons. The CMBP is a well-



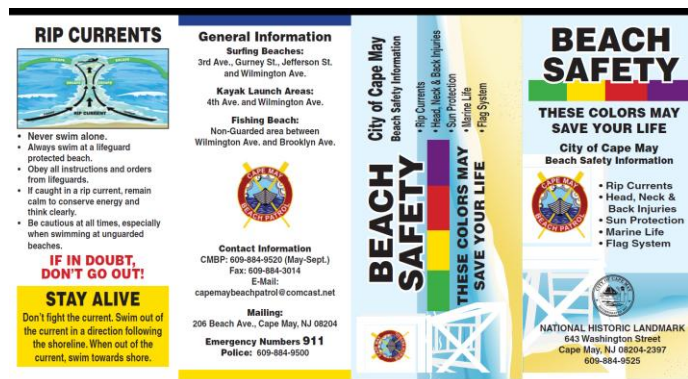
trained organization upholding a proud tradition of life-saving in South Jersey. The Beach Patrol Headquarters is located at 238 Beach Avenue.

The only restricted beach areas are the sensitive dune areas which are a necessary flood protection measure. A paved asphalt promenade also offers pedestrians exceptional views of the beach and ocean along portions of the beach front. Bicycles and rollerblades are permitted on the promenade from 4am to 10am. The City provides both free and metered on street parking throughout the beachfront and most areas of the City. All parking meters in the City are typically in effect beginning May 1 annually. Parking opportunities may be limited at peak times in season.

### 6.13 Beach Safety Planning & Education

Cape May's beaches are vital to both the environmental and physical protection of the City, as well as being one of its most valuable economic and recreational resources. Swimming at beaches has risks. Cape May has taken a proactive approach in safe guarding swimmers at its beaches by planning for beach safety and creating an educational program.

Along the ocean water's edge, Cape May has had some beach drop-off issues. The City of Cape May has a 50-year contract commitment from the Federal Government to maintain the entire City of Cape May beachfront at least until the year 2040. The beach restoration helps protect properties in the City from flooding due to coastal storms. According to the City of Cape May Beach Management Plan, the US Army Corps of Engineers is approximately 22 years into the construction phase of a 50-year beach nourishment program that includes all of Cape May City west of the Cape May Inlet. Initial nourishment of City beaches under the Corps program took place in 1993. Routine renourishment is scheduled approximately every 2 years. Some argue that the beach nourishment causes a steeper beach slope that results in wave crashes closer to shore which propels swimmers into the sand causing injury. The cause remains unclear. Regardless, Cape May continues to plan and better its beach safety program.



The City has tasked a Beach Safety Advisory Committee with this effort. The current City Administration and Advisory Committee has taken a number of steps to ensure that Cape May's beaches are safe, including:

- Communicating with Federal legislators and representatives and State officials to ask for renewed support in dealing with local beach management and safety issues.
- Urging immediate remedial action to alter the dangers of beach slope and related problems, so as to reduce or eliminate the danger of beach-related, swimming and surfing injuries;
- Marshaling local support for beach safety, beach management and beach replenishment initiatives;



- Encouraging the designation of Cape May as the site of a demonstration project for the US Army Corps of Engineers and the NJ Department of Environmental Protection to study beach safety issues; and
- Cooperating with Cape Regional Medical Center and other local entities to work for increased beach safety.

The Committee meets monthly and members consist of a City Council representative, business community representatives, life guards and public safety representatives, residents, school representatives, local medical facility representatives and consultants. The Committee works with local hospitals to develop a database of accident statistics to aid in planning. The City has developed an information and education program that consists of a safety signage at beach entry points, a Beach Safety Flier, a series of Safety Videos available on YouTube and linked to the City website and City Lifeguard website. The Committee's plans upcoming plans include:

- Evaluation of Beach Signage and City Promenade signage.
- Initiate process of implementing PA system – Phase 2.
- Beach Taggers Training.
- Continuing Education Programs for participating schools.
- Initiate a Demonstration Project with Elected Officials (Congressman-Elect Van Drew).
- Initiate project with Lower Township Regional School Environmental students for a beach profile monitoring program (Southern Maine Sea Grant).
- Initiate project with Lower Township Regional School (Video/Communications) to produce a short informational video for hotels and other venues for their guests on beach safety.

Along the ocean water's edge we strongly support and endorse solving the beach drop-off issue and protecting the littoral beach line. The City should continue to utilize the Beach Safety Advisory Committee as an advisory, educational and implementation committee.

#### **6.14 Public Parks**

The public parks in Cape May are an important element of the City's character and beauty. Cape May contains numerous beautiful parks available for public use and recreation. The following contains an inventory of the larger improved parks.

##### ***Lafayette Street Park***

Lafayette Street Park is an active recreational park located next to the Cape May Elementary School. Park areas are owned by the School District, JCPL and The City.

Board of Education lands include: Block 1061, Lot 54 land fronting on Lafayette Street (24.87 ac.); Lot 55 School Site (3.429 ac.); Lot 56 vacant land rear of school (4.28 ac.); Lot 38 vacant land rear of dog park (3.31 ac.); Lot 22 west of rail line at rear (1.15 ac.).

City of Cape May lands include: Block 1061, Lot 37.02 adjoining north side of rail line; Lot 42 fronts on St. John Street; Lot 44 fronts on St. John - bungalow to be demolished; Lot 47 fronts on St. John - newer 2 story residential dwelling; Lot 51 Wise Recreation Site; Lot 52 Green Acres acquisition site; Lot 53 Blue Acres flag lot acquisition site.

JCPL lands include: Block 1061, Lots 43, 48, 49 & 50 all fronting on St. Johns Street.

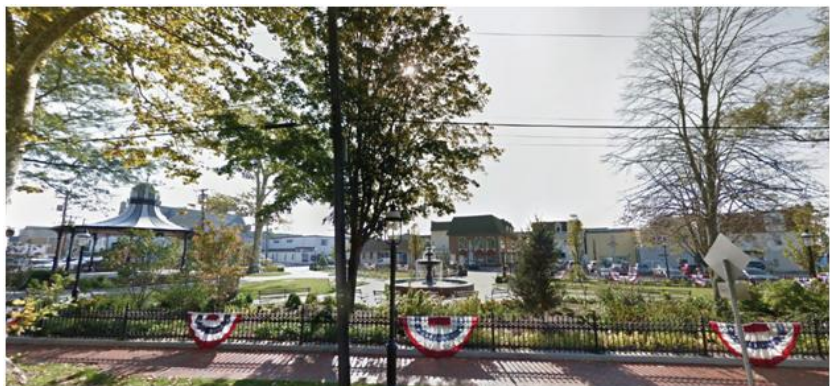
Phase 1 improvements were recently completed and include a grassed multipurpose athletic field, play areas and walking paths connected to the school facility. Conceptual planning for the remaining phases include a parking area for 80 parking spaces, a relocated baseball/ softball field with home plate facing Lafayette Street, added multipurpose open park green space, a bike path. An elevated boardwalk walk path is also planned at the rear of the park that will allow passive interaction with the marsh and wetlands of Cape Island Creek. Other recreation improvements include two basketball courts, two tennis courts, pickle ball courts, a bocce ball area, restrooms, multi-use green space and replacement of the existing dog park with a new dog park area separated into space for small and large dogs. The remaining phases of the park construction are estimated at \$5 million. A county Open Space grant is still in place for \$1.77 million and a Green Acres loan remains available, but the City will continue to seek other grant opportunities. The City has established a Lafayette Street Park Advisory Committee and has had open public meetings to continue planning and design of the remaining phases of the park.

### ***City of Cape May Dog Park***

The Dog Park is located at 705 Lafayette Street. Improvements include a double gated entry, fenced enclosure, gazebo, benches and watering hose. This park provides a space for dogs to exercise while pet owners relax and socialize. Passes to the Cape May Dog Park are available for purchase at City Hall.

### ***Cape May Rotary Park***

The Rotary Park is located at 400 Lafayette Street. The park was recently upgraded and improvements include a bandstand for occasional events, fountain, benches and green space directly adjacent to the Washington Mall. Wrought iron fences, gas lamps, landscaping and tree canopy add to the parks sense of place.



### ***Emlen Physick Estate/Madison Avenue Park***

The largest single tract of City-owned recreational land is approximately 9.5 acres of contiguous land that extends east of Madison Avenue, generally between Washington Street and Michigan Avenue. This site contains the historic and architecturally significant Emlen Physick Estate located

at 1048 Washington Street, which has been leased to the Mid-Atlantic Center for the Arts. In addition to conducting tours of the Physick Estate, the Mid-Atlantic Center conducts a number of other year-round tourist-based activities, including its operation of the Cape May Lighthouse (which is located outside of the City limits). A portion of this 9.5-acre site is also leased to a private tennis club. Active City-managed recreational use is limited to approximately three acres, which is developed as Kiwanis Park. This Madison Avenue park is 9.5 acres in size and features a tot lot and an attractive sitting area with a Gazebo and small pond. Fishing is permitted at the pond.

**Harborview Park**

Cape May Harborview Park is located at the intersection of Harbor Lane and Texas Avenue along the Harborfront. Improvements include a waterfront boardwalk, three gazebos, benches, green space and landscaping, and improved parking for 11 vehicles.



View to the Harbor

Graphic by Robin Irizarry  
Professors Stuart Appel, FASLA & Bess Yates, ASLA

HARBORVIEW PARK  
Cape May, NJ

Temple University  
May 5, 2010



Cape May Harbor is an underutilized gem and it is recommended to promote the harbor where feasible. Past planning efforts have recommended the park be upgraded and improvements could include a fishing pier, educational and rain gardens, and an elevated boardwalk viewing area. It is recommended that the City plan and implement improvements for this park that best promote the underutilized gem that is the Harbor.

**Fisherman's Memorial**

The Fisherman's Memorial Park is located at the intersection of Harbor Cove Lane and Missouri Avenue along the Harborfront. Improvements include a memorial statue, benches, walkways, parking for five vehicles and access to the Harbor. The Memorial was dedicated to fishermen lost at sea and includes a statue of a woman and two children looking out to sea. The names of fishermen lost at sea are engraved on a granite wall nearby. The public has utilized this area for launching kayaks and paddleboards into the Harbor.



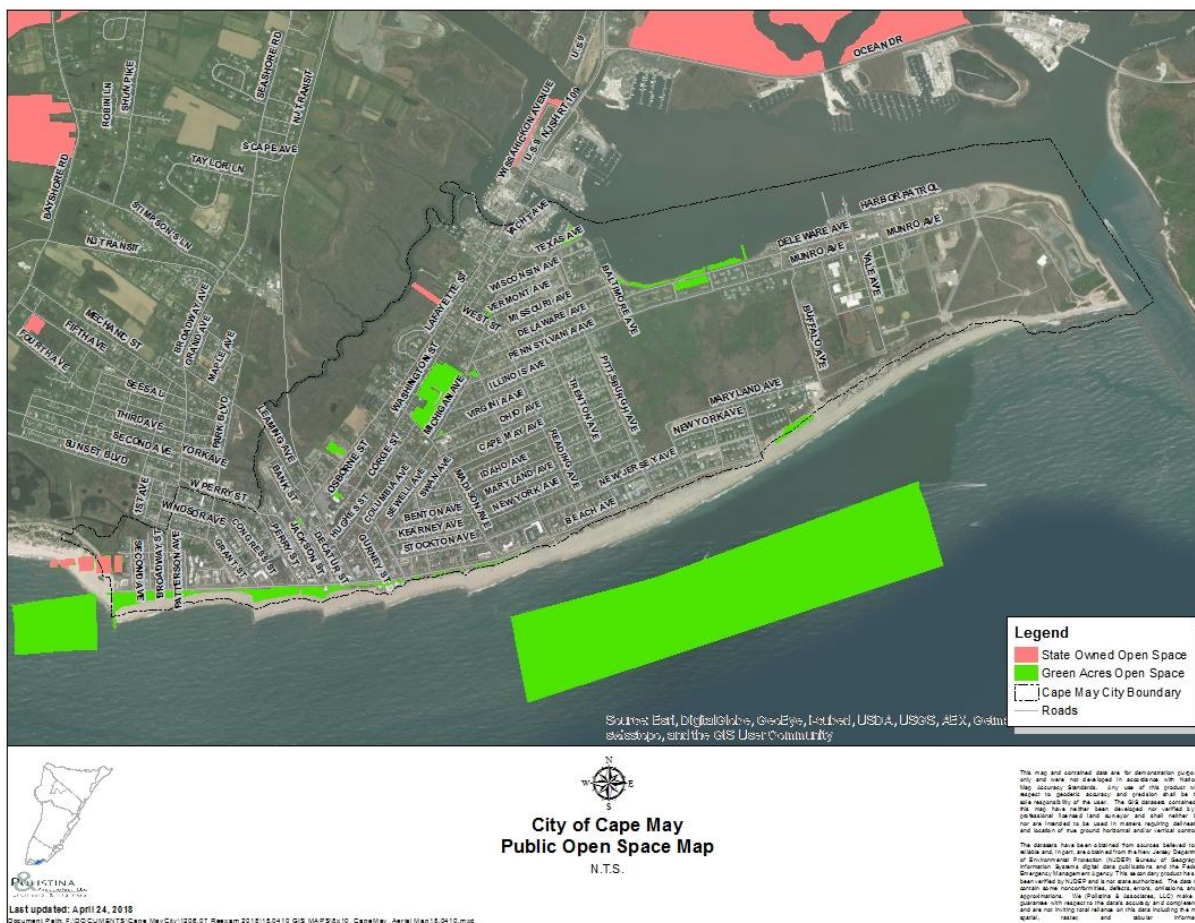
**6.15 Open Space Inventory**

Open space serves many purposes, from animal habitat to public recreation to the mitigation of stormwater flooding and stormwater recharge of aquifers. The City currently lists the following open space properties on the Recreation and Open Space Inventory (ROSI) on file with Green Acres:

- Beach Front
- Colonial House Park
- Fisherman's Memorial

- Harborfront Tract
- Harry Lozour Park
- Indiana & Missouri Mini Park
- Lafayette Street Park/Playground
- Massachusetts Avenue Mini Park
- Median Strip Cape May Ave
- Open Space Median Strip
- Pennsylvania & Michigan M
- Physick Estate
- Physick Estate Park
- Rotary Park
- Wm. Moore Tennis Center

The following is the current Map of Public Open Space based on NJDEP Mapping Data:



Map 6.1: Public Open Space Map

There are several City parks in locations throughout the City, some of which perform natural floodplain functions. In addition, the City's 2.2 miles of uninterrupted beach front are replenished regularly and exhibit a complete dune system and provide both passive and active recreation.

Undeveloped tracts in the City that perform open space functions can be found along Cape Island Creek and the Harborfront/East Cape May area. It is recommended that additional park and open space areas be targeted for acquisition whenever possible.

## **6.16 Recommendations**

To better plan for community facilities and recreation, the following recommendations are hereby incorporated into this element as follows:

### **6.16.1 Franklin Street School**

Plan and develop the future use of the Franklin School. The City should plan and develop the future use to best suit and service the needs of the community. Future uses including but not limited to a library, senior citizens center, etc should be evaluated.

### **6.16.2 Public Safety Building**

As indicated in the 2009 Reexamination, the existing Police, Fire and Emergency facilities are outdated. Further study for a new Fire/Police/Emergency Management Facility has been authorized by City Council. The City should continue to plan and develop a new modern facility to meet the needs of the residents of the City now and in the future.

### **6.16.3 City Hall**

With the future relocation of the Police Department out of City Hall and into a new facility, the City should evaluate and plan for usage of the vacated space to meet the needs of the City. The City should also comprehensively plan for redevelopment of the City Hall, Franklin Street School and Public Safety Building area as changes have been recommended for each.

### **6.16.4 Lafayette Street Park**

The 2009 Reexamination set an objective to acquire lands and consolidate ownership of the areas bordered by St. John Street, Lafayette and the Cape May Elementary School to facilitate an upgrade in active recreation as the playground equipment and playing field equipment needed upgrading. The Lafayette Street Park project is underway and Phase 1 improvements have been completed. This has included improvements consisting of a multipurpose field, walkways and playground areas. The City has recognized this rare opportunity to address both the active and passive recreational needs of the community. The City should continue planning and design of the future phases and seek funding and grants to construct these improvements. The park is not totally accessible to visitors when the school is in session. Improved accessibility during School hours should be developed. Future planning should incorporate greater ADA accessibility in this and all other parks.

### **6.16.5 The Harbor**

Cape May Harborview Park, The Fisherman's Memorial and open space lands abutting the Cape May Harbor all present an opportunity to provide access and active and passive recreation opportunities to the Harbor. The community has identified the Harbor as an underutilized gem and it is recommended to promote the harbor where feasible. It is recommended that the City plan, acquire lands and implement improvements for these parks and lands. It is recommended that these planning efforts and development incorporate a sensitivity to this areas fragile environmental. Environmentally Sensitive Shore Protection such as living shorelines, etc. should be incorporated. Harbor access and use should be promoted and branded through recreational and ecotourism Uses including birding, fishing, surfing, paddle boarding and sailing.

### **6.16.6 Convention Hall Annex**

The City should continue to look for a new use or utilization of this building with the goal of ultimately replacing it with a new structure. Redevelopment of this property and area may be warranted with further study.

### **6.16.7 Self Inventory**

Cape May should continue to perform an inventory of facilities and program to determine public needs. This would allow the City and various Departments to optimize the utilization of existing facilities and target future opportunities to address unmet needs. The Municipal Grounds Committee established by City Council should be continued in an advisory role to aid in planning an implementation of community facility recommendations.

### **6.16.8 Private/Public Partnerships**

Cape May should continue to support the existing Private/Public Partnerships and look for future opportunities of creating new partnerships.

### **6.16.9 Shared Services**

Cape May should continue to support the existing Shared Services Agreements between stakeholders and municipalities and look for future opportunities of creating new agreements to provide recreation and community services while lessening costs to taxpayers.

### **6.16.10 Review of Public Projects**

The City, when it plans an alteration, demolition, construction or change in appearance to any City-owned property or park should consult with its supporting Boards and Commissions for expertise and recommendations. The Planning Board, Historic Preservation Commission, Environmental Commission and others can provide insight and ensure that the goals and objectives of the Master

Plan are met. It is recommended that the City rely on the expertise and guidance of these important Boards and Commissions.

#### **6.16.11 Open Space & Recreation Acquisition**

The City should strive to acquire buildings suitable for recreation or community use and open space lands where feasible to increase the amount of community and recreational space available for use by residents and visitors alike. This includes wetland areas to promote environmental protection and public education. Acquisition of the environmentally sensitive lands in east Cape May known as Sewell Point is recommended and would ensure the area east of Pittsburgh Avenue would be retained as open space for passive environmental recreation.

#### **6.16.12 Municipal Public Access Plan**

The City has adopted a Municipal Public Access Plan (MPAP) that has not been fully approved by the NJDEP. Continuing regulatory changes have been cited as the reason for the plan not being adopted. The City should finalize the plan with the NJDEP and ensure that the plan is implemented. The following MPAP recommendations are incorporated herein:

- Maintain all existing access points and signage shall be maintained and preserved. As noted in the Community Needs Assessment, addressing community needs for public access is a priority of this plan. Access to the Atlantic Ocean and beaches, Cape May Harbor and Cape Island Creek for entertainment and enjoyment plays a great role in giving Cape May its distinctive sense of place.
- Maintain Cape May's beachfront and access to it. The City must continue to maintain its ongoing 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource. Safety of the community is also an essential public necessity. Beach maintenance will be made in accordance with approved plan to protect the public and ensure protection of endangered species. Environmentally sensitive areas such as dunes should not be compromised and public access should be provided only in appropriate locations.
- Support the preservation and viability of existing private access areas in Cape May. It is not the intent of this plan to address all community needs such as access for boating. Private businesses and clubs/organizations within the City and in neighboring communities provide ample marinas, boating ramps, dockage or other boating improvements.
- Cape May Harbor and Canal: Routine dredging of the Cape May Harbor and Canal is critical to the recreational boating, marine and commercial fishing industries in Cape May and surrounding communities. The City shall support any effort to address this issue.
- Beach Promenade: Maintain and preserve the asphalt promenade. Lengthening of the asphalt promenade eastwardly over the existing seawall is a priority.



Widening and raising the existing seawall and entire promenade are also recommended goals that promote shore protection and resiliency, access and bicycle and pedestrian usage.

- Maintain and improve existing public access points. Because Cape May already has exceptional access planning and implementation in place, the City must strive to maintain and improve existing access wherever possible. The exceptional access points offered along its 2.5 mile beach strand shall be maintained and improved where possible. The City has already made accessible improvements at many beach access points and should continue to seek grants and make improvements to provide additional accessible showers, decks, and tables where possible.
- Physical Access to Cape May Harbor at Harborview Park. As detailed in the Temple University study dated May 5, 2010, Harborview Park maintains a visual waterfront link to Cape May Harbor. Implementing the conceptual physical improvements that include a fishing pier would provide physical interactive access opportunities.
- Physical and Visual Access at Cape Island Creek at the Lafayette Street Open Space Project. Very little access to Cape Island Creek exists along the Lafayette Street corridor. The proposed Lafayette Street Open Space is a park project proposed next to the Cape May Elementary School (See Appendix). Park improvements include recreation athletic fields, landscaping, dog park, picnic areas and a walking path along the wetlands that will provide access to the Cape Island Creek. Coordination with State agencies is necessary to further develop the potential public access at Cape Island Creek associated with the Lafayette Street Open Space project.
- Additional accessible beach access and comfort improvements shall remain a priority.
- Additional parking improvements nearest the beach shall remain a priority.

### 6.16.13 Walkable Bikeable Community

The City has an opportunity to develop a walkable bikeable community consistent with the recommendations found in the Traffic and Parking Element. Not only does this opportunity provide transportation, it provides recreation throughout the City. It is recommended that the recommendations of the Bicycle and Pedestrian Safety Plan are implemented to complete a Cape Island-wide bicycle network. It is also recommended that the sea wall and promenade recommendations indicated in the Resiliency Element are incorporated. Access to beach recreation and walkability would be enhanced by extending the promenade. This plan would provide safer access to the school, community facilities, the beaches and Washington Street Mall and link community and recreation assets.





#### **6.16.14 Promenade Upgrade & Redesign**

It is recommended that the City adopt the suggestions of the Seawall/Promenade Advisory Committee regarding maximizing the appearance and functionality of the Promenade in ways that significantly enhance the charm, beauty and nostalgia of a Victorian Seaside Resort. This includes both extending, raising and widening the Promenade, using a historical architectural theme that promotes a uniform look to all structures and elements of the Promenade.

#### **6.16.15 Funding**

The City should continue to actively seek funding from Federal, State and regulatory sources to implement the above referenced priorities and recommendations.

## 7.0 Historic Preservation Element Reexamination

The Historic Preservation Element is contained in Section VII (pp. 98-100) of the 2003 Master Plan and was reexamined in 2009. It is recommended that the following updates and revisions be included in Section VII of the Master Plan. This Element is revised and updated as follows:

### 7.0 Historic Preservation Element

#### 7.1 Introduction

The City offers a rare inventory of architectural styles spanning approximately 250 years of development as a summer resort destination which includes a mix of architecture from the eighteenth, nineteenth and twentieth centuries. Preservation efforts combined with the offering of cultural and historical activities and events, have increased visitation and contributed to the economic prosperity of the City of Cape May. The restoration and conversion of many historic homes to Bed and Breakfast inns, guesthouses, restaurants and shops have contributed to this success. The Cape May Historic District is exceptional because of its mix of distinctive architectural building and streetscape character as a whole.

Cape May's architectural heritage was recognized with its designation as a National Historic Landmark District in 1976. A National Historic Landmark designation applies to buildings, sites and districts that meet the Secretary of the Interior's standards for such designation. Cape May is the only city in the Country to have the entire city designated as a National Historic Landmark. It is also listed on both the National and State of New Jersey Registers of Historic Places. City Council also recognized its importance by designating a local Historic District in the Cape May Zoning Ordinance and established the Cape May Historic Preservation Commission, with a mission to conduct surveys of buildings and sites within the Historic District, recommend the designation of Historic Districts, buildings and sites and set design standards for exterior alterations, new construction and demolition. Furthermore, the New Jersey Historic Preservation Office designated Cape May as a Certified Local Government (CLG), opening the door for City Government to benefit from grants from the Historic Preservation Fund federal grants program. In New Jersey, Cape May is the only city having the landmark designation, while there are many cities with the CLG status.



During the 2003 Master Plan and the 2009 Master Plan Reexamination Report, special attention was paid to the status of the City's historic preservation efforts because of its importance to the City's vitality and economy. The Historic Preservation Commission (HPC) should be recognized for its contributions to the economic wellbeing of Cape May, of which much of its economy is based on its historic landscape.

Historic research was updated and included in the 2003 Master Plan and included in the Historic Preservation

Element. The earlier effort in 2003 involved review of the existing regulations, meetings with officials of the Historic Preservation Commission (HPC), and discussions of the City's efforts with the National Park Service.

The purpose of this element is to take inventory of the City's historical assets that makes Cape May's historical status so special and ensure they are preserved. It is the goal of this Element to develop and maintain a coordinated plan to preserve the historical assets and neighborhoods throughout the City.

## 7.2 **Goals/Objectives**

This 2019 Reexamination Report has prioritized the protection and preservation of its historic assets recognizing the importance to the City's character and economy. As indicated in this Reexamination, the City has a unique advantage over other shore communities in that its extensive historic resources create a sense of place no other town in our region can offer. This coupled with the City's environmental assets provides the City with a unique branding and marketing advantage. The City's primary focus is now on the provision of preservation and maintenance of these assets for all City residents and visitors.

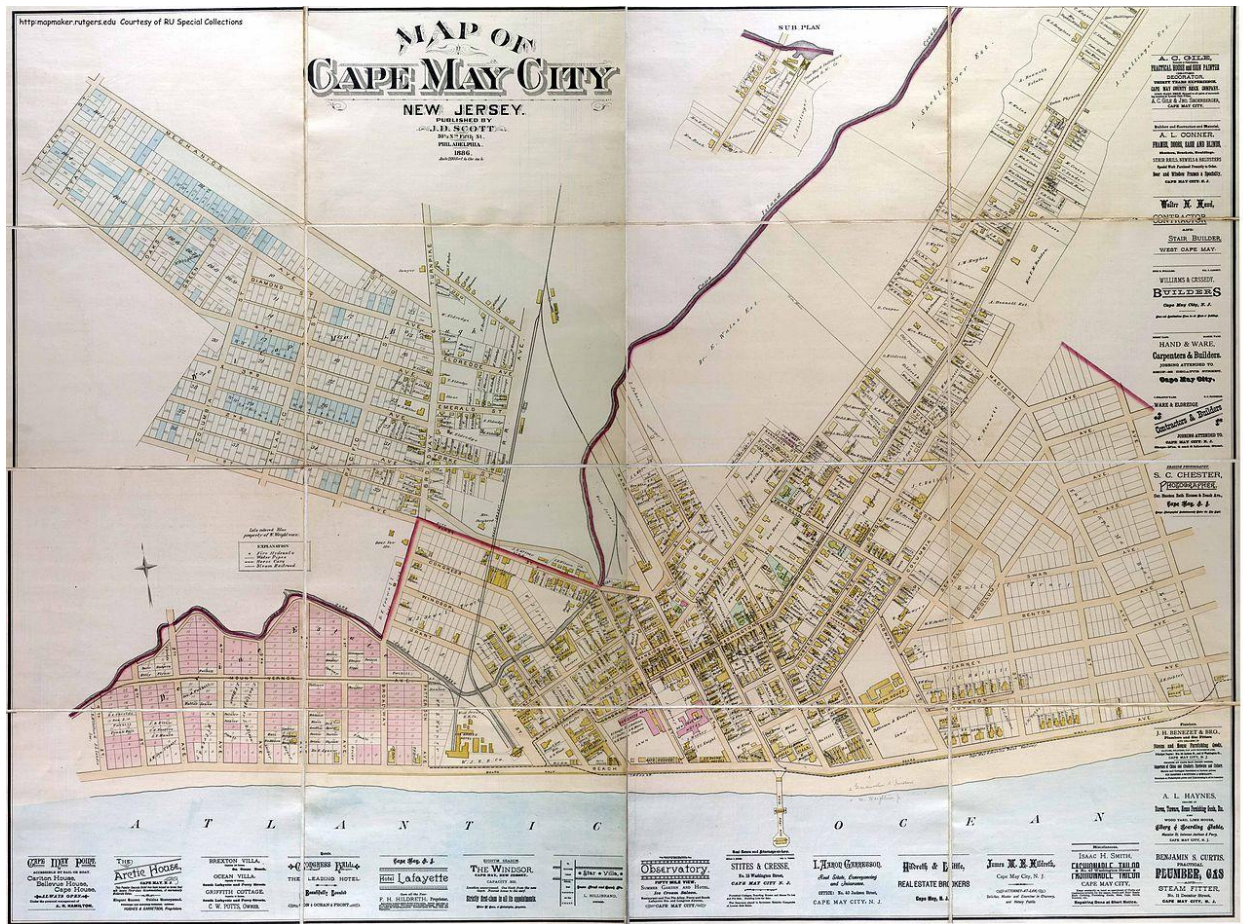
The following are the goals and objectives for historic preservation in the City:

- Goal: Maintain the City's Historic Landmark status by preserving the integrity of the historic district and the individually rated historic properties. In this context, the Secretary of Interior 2017 definition of Preservation is embraced: *"Preservation is defined as the act or process of applying measures necessary to sustain the existing form, integrity, and materials, of an historic property. Work, including preliminary measures to protect and stabilize the property, generally focuses upon the ongoing maintenance and repair of historic materials and features rather than extensive replacement and new construction. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a preservation project. However, new exterior additions are not within the scope of this treatment. The Standards for Preservation require retention of the greatest amount of historic fabric along with the building's historic form."*

Additions and modifications to the non-rated properties in the historic district will be consistent with the streetscape and the integrity of the historic district, reflecting both the National Park Service and the New Jersey State Historic Preservation Office (SHPO) standards.

- Objectives:
  - a. Identify, record and maintain a system for survey and inventory of all buildings, sites, places, landmarks and structures of historical or architectural significance based on the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (Standards and Guidelines for Identification) and to aid the public in understanding their worth, methods of preservation, techniques of gathering documentation and related matters.

- b. The HPC should continue to make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements. The Commission should also continue to advise the Planning Board and Zoning Board of Adjustment on applications for development and provide information to the Planning Board indicating the location and significance of historic sites and districts and by identifying the standards used to assess worthiness for historic site or district identification.
- c. The HPC should continue to provide written reports pursuant to N.J.S.A. 40:55D-111 on the application of the Zoning Ordinance provisions concerning historic preservation.
- d. The City and HPC should carry out such other advisory, educational and informational functions as will promote historic preservation in the City.
- e. Provide and maintain uniform design standards and criteria for the regulation of historic sites and districts for use by the Historic Preservation Commission. All projects requiring a certificate of appropriateness and all applications for development in historic districts or on historic sites shall be governed by the principles of the Secretary of the Interior's Standards for Rehabilitation, the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings, and the Cape May Design Guidelines for the historic district which are adopted as an appendix to this section and which are incorporated herein by reference.
- f. Facilitate resiliency concepts discussed in the Resiliency Element to be incorporated into historic preservation and plan future projects to accommodate future sea level rise.
- g. Branding of Cape May should be developed and include its unique assets and include its historic resources.
- h. Develop the Historic Preservation Commission's role in choosing "street furniture" standards and encourage businesses to retain the historic character of the streetscape by using period appropriate lights, benches and similar items.
- i. Develop and promote a historic plaque purchase program.
- j. Coordinate the efforts of the Historic Preservation Commission, the Planning Board, the Zoning Board and Council.
- k. Continue to implement the 1991 Preservation Plan.



Map 7.1 Source: Wikipedia 1886 Map of Cape May

### 7.3 Historic Preservation Commission

The Cape May City Historic Commission (HPC) is a seven member commission of the City of Cape May, established under the Municipal Land Use Law of New Jersey and set forth in the City Code Section 525-35. Members of the HPC are appointed by the Mayor. The HPC is charged with working with and advising the City Council, The Planning Board, the Zoning Board of Adjustment and the Construction/Zoning Official. The HPC's responsibilities include considering the appropriateness of new development, external modifications to existing structures and any demolition within the Historic District. The ordinance requires that the HPC's reports on these issues are made directly to the Construction Official who is then bound by the Commission's decision. This chosen option is what is referred as a "strong commission." It also conducts surveys of buildings and sites within the Historic Landmark District and recommends the designation of Historic Districts, buildings and sites to the Cape May City Planning Board and City Council.



The Commission also serves as an advisory commission to the Planning Board and Zoning Board of Adjustment. All applications for development in historic districts or on historic sites designated on

the Zoning Map or identified in any component element of the Master Plan are referred to the HPC for review in accordance with the requirements of Section 525-33 through 525-45. On all matters referred to the Commission which require approval by the Planning Board or Zoning Board of Adjustment, the decision of the Commission is a recommendation only. In reviewing applications for development, the Commission may comment on any of the zoning and land use considerations which are relevant to the application. Similarly, the Planning Board and the Zoning Board of Adjustment does not approve exterior building elevations when approving an application for development, unless such approval is contingent on subsequent approval of the exterior design by the Historic Preservation Commission.

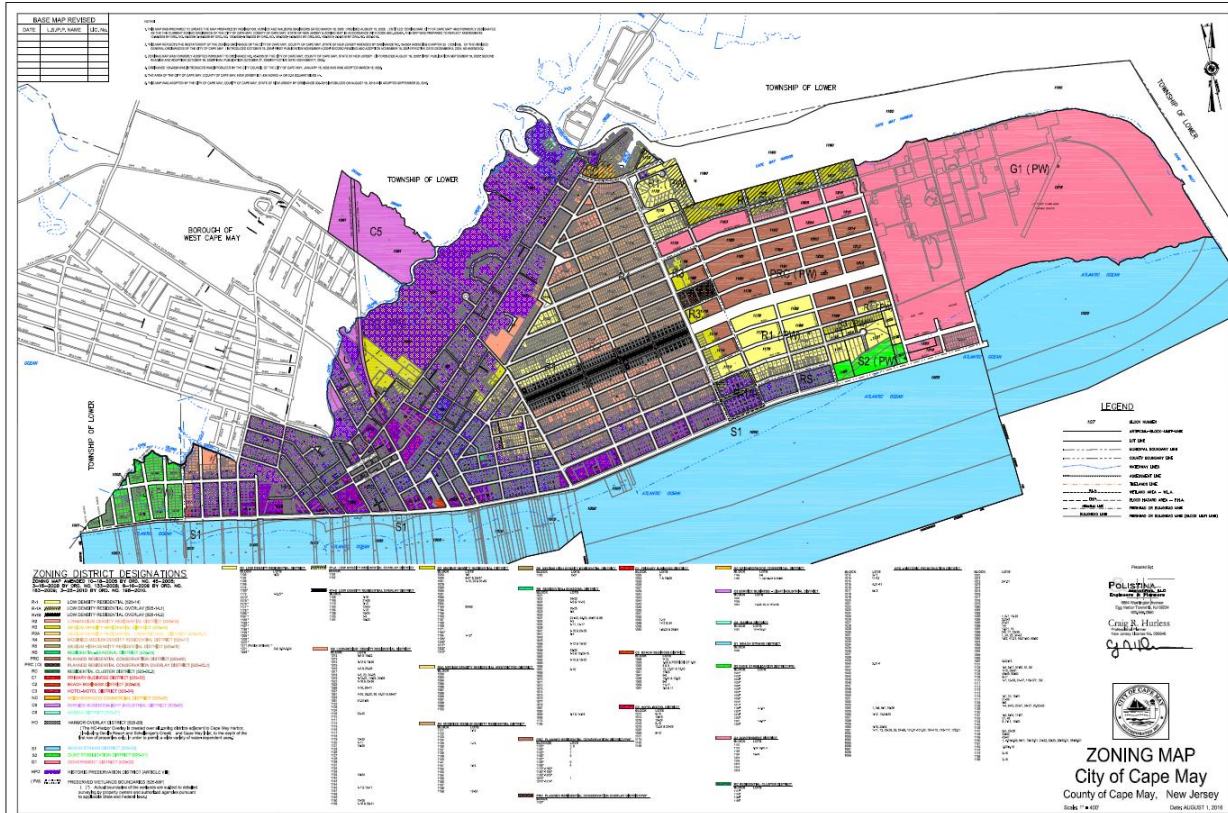
Recently, City Council adopted Ordinance 367-2019 which amended Code Section 525-35 and established a "Council Liaison" to the HPC. The Council Liaison serves as Council's contact with the HPC. Other functions include facilitating the exchange of information between the HPC and City Council as well as fostering a productive relationship among City Council, the HPC and the community.

#### **7.4 Historic Inventory**

This Historic Preservation Plan Element reexamination includes mapping of the historic district areas. This historic district mapping provided in Map 7.2 and Map 7.3 shows the location of such in relation to zoning districts and important roadways, zoning districts and flood hazard areas.



Map 7.2: Historic District Map



Map 7.3: Zoning Map City of Cape May

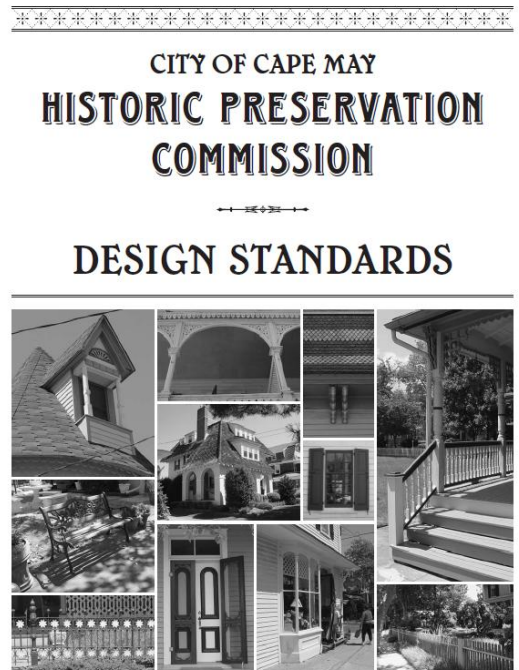
The HPC is responsible for maintaining a survey and inventory of historic sites for the designation of historic sites and districts worthy of protection and preservation in accordance with §525-36. The criterion for evaluating and designating historic districts and sites is guided by the National Register Criteria. The Commission or any interested party may recommend designation of historic sites or districts that have integrity of location, design, setting, materials, workmanship and association and that meet the required criteria. Since, 2007 a total of 1,421 properties have been surveyed. This activity is now fully funded by the Federal Government and administered by NJ State Historic Preservation Office (NJSHPO).

Historic district nominations include a building-by-building inventory of all properties within the district. Upon review and approval of the proposed site or historic district by the HPC, the Commission forwards the proposed site or district nomination to the Planning Board for consideration. Upon review and approval of the proposed site or district by the Planning Board, the site or district is sent to the City Council for adoption to amend and supplement this chapter. The Cape May Historic District is set forth on the Historic Preservation Map dated July 11, 2006, prepared by the firm of Remington, Vernick & Walberg, Engineers, which is incorporated herein by reference and is delineated and described in the Master Plan.



**7.5 HPC Design Standards**

Standards are adopted by the Historic Preservation Commission but do not take effect until approved by ordinance of City Council. The award winning Cape May Historic Preservation Design Standards were originally adopted in 2002. These design standards have been developed to provide resource information and direction to property owners and residents of Cape May who want to proceed with work that will be subject to review by the Historic Preservation Commission. This publication provides an inventory of the architectural styles, lists their significant features prevalent in Cape May, and provides standards for appropriate and inappropriate treatments for the more common exterior rehabilitation projects. The standards provide the framework on which property owners should base the design of any proposed work, and are used by the HPC to determine if the proposed design is appropriate.



The standards consist of window standards, exterior sheathing standards, fence standards, streetscape standards, roof standards, door standards, porch standards, solar panel standards, windmill/wind turbine standards, broadband television antenna standards, and design standards for all new construction and rehabilitation projects in the historic district and for all rehabilitation projects that affect historic sites outside of the historic district. These standards require continuous review and updated as products available today were not contemplated when the Standards were adopted. In 2017 these Standards were updated to include:

- Solar Energy Panel Installation
- Windmill/Wind Turbine Installation
- Satellite, Broadband, and Television Antenna Installation
- Installing Replacement Windows at a Historic Sites

A copy of the standards is available in the offices of the Construction Official and the City Clerk. A flow chart for both Construction Permit and Development Review for Planning and Zoning Board has been incorporated into the standards as an aid to applicants. When an owner is contemplating exterior renovations to a property, he or she may consult the City Construction Office in City Hall for advice regarding an application. At that time, the applicable guidelines will be given to the owner. Manufacturer information for specific restoration or renovation projects is also available in the Construction Office. The owner may also request a meeting with a member of the HPC for informal guidance on a project.

## **7.6      Recommendations**

To better plan for historic preservation, the following recommendations are hereby incorporated into this element as follows:

### **7.6.1      Mapping**

The Cape May Historic District Map is an important tool for property owners and the City to use for information, education and for the management of historic streetscapes. The Historic Preservation Commission will continue to utilize this important tool in its considerations and submit appropriate updates and changes as necessary. It is also recommended that the Map be provided on the City website to aid in education.

### **7.6.2      Appropriate Historic District Streetscape**

It is recommended that individual property owners, and businesses, be required to retain the historic character of the historic district streetscape by obtaining period appropriate (1850-1940) lights, benches, and similar items, and prohibiting inappropriate lighted signage.

### **7.6.3      Coordination of Historic Preservation Efforts**

The Planning and Zoning Boards, HPC and Council have made significant strides to coordinate their roles in the development review and planning process. Continuing to coordinate the efforts of the Historic Preservation Commission, Planning Board, Zoning Board, and City Council through education and liaison is recommended. All planning efforts should be coordinated and consistent with the goals, objectives and recommendations contained in this Reexamination. Consistency with the application and review of standards should be an objective.

### **7.6.4      Historic Inventory**

As a National Historic Landmark City, Cape May must have a complete and current inventory of all properties. The criterion for evaluating and designating historic districts and sites is guided by the National Register Criteria. This multi-year project should be continued. Funding by the Federal Government through New Jersey SHPO should be pursued annually. The HPC should exercise their expertise to ensure this project continues in a high quality, cost efficient manner.

### **7.6.5      Review of Public Projects**

The Zoning Ordinance Sec. 525-37H sets forth the requirement of obtaining certificates of appropriateness for government actions. The City, when it plans an alteration, demolition, construction or change in appearance to any City-owned property in any historic district or on any historic site, is required to submit such plans to the Historic Preservation Commission and shall receive an advisory report on the appropriateness of those plans before undertaking the work. It is recommended that the City rely on the expertise and guidance of the HPC regarding any advisory reports issued.

### **7.6.6 Treatment of Historic Properties & Incorporation of New Standards**

Enhancing the energy efficiency of historic buildings is important as new technologies and products are developed. The City Council with the recommendations of the HPC, recently approved a new ordinance, which reflects the 2017, “The Secretary of Interiors Standards for the Treatment of Historic Properties” with standards for passive energy systems including wind and solar energy installations and satellite/broadband equipment. To that end, it is often possible to install these features, such as solar panels, provided they are installed in a sensitive manner. The HPC should continue to evaluate and incorporate new technologies with sensitivity to appropriate preservation of historic properties. Cape May should take a leadership role by reviewing and incorporating new technologies and materials where consistent with the goals and objectives of the Master Plan and not necessarily be bound by outside jurisdictional standards. It is recommended that the Cape May Historic Preservation Design Standards be continually reviewed and updated to incorporate appropriate product developments available today were not contemplated when the Standards were adopted. Consultation with the City, HPC, NJSHPD or other appropriate jurisdictional agencies or stakeholders may be necessary. It is also recommended that a liaison between the HPC and the Environmental/Energy Commission be implemented. The liaisons role will include providing input on the new construction to foster energy efficiency and more thoughtful construction in the City.

### **7.6.7 Historic Preservation Education & Branding**

The City should educate and promote a better understanding with regard to the public and other governmental entities regarding the importance of the HPC in the planning and regulatory process and the economic well-being of the City. The Design Standards are now available online. Any future updates/additions to the standards should be made available online. The current and approved mapping of historic properties and districts should also be made available online for existing and prospective property owners. The individual property surveys are being completed in a high quality fashion and provide an invaluable resource. While required as a National Landmark City and is an important management tool for the Historic Preservation Commission, these surveys provide valuable insight to the richness of Cape May’s valuable historic wood frame structures. To make them readily available to all users (HPC, property owners, architects, realtors, students, and scholars) the City and HPC should make these available online. Enhanced branding of the City’s valuable historic assets should also be incorporated along with branding of other assets discussed in this Reexam.

### **7.6.8 Historic Preservation Mapping Revision**

During the creation of the latest Historic District mapping, the HPC has indicated that the Historic District Boundaries south of Beach Avenue (between Beach Avenue and the Atlantic Ocean) were omitted. It is recommended that the Historic District map be amended to reintroduce this area back into the Historic District. Updated mapping will be presented to the City and the Planning Board for approval.

### **7.6.9 Historic Preservation Resiliency Planning**

The City recently prepared a Coastal Vulnerability Assessment that is detailed in the Resiliency Element. As part of this assessment, recommendations for Minimizing Flood Risks in the Historic District were developed due to the impending high flood risks within the City's historic district. Several options for minimizing flood risk and damage to historic structures were recommended, though not all are appropriate or even an option for every structure and district. For example, Elevating structures is a common approach to reducing the risk of flood damage. However, elevating an historic structure could permanently impair or destroy its historic integrity, as well as the visual setting of adjoining structures. The decision to elevate historic structures depends upon many issues, particularly the type, scale and location/setting of the structure, and the same characteristics, as well as the need for elevation of historic structures within a visual proximity. The recommendations related to historic preservation contained in the Resiliency Element should be incorporated herein by reference.

## 8.0 Recycling and Solid Waste Element Reexamination

The 2003 Master contains the Recycling and Solid Waste Element in Section VIII (pp. 102-103) which was reexamined in 2009. The Goals and Objectives that are relative to this element are stated under the heading “Environmental Protection”. This Element is revised and updated as follows:

### 8.0 Recycling & Solid Waste Element

#### 8.1 Introduction

The City of Cape May ("City") offers the community extensive municipal services for residents, business owners and visitors alike. Cape May, like all New Jersey municipalities, is required to participate in a mandatory recycling program. Cape May County MUA (CMCMUA) has transitioned to single stream recycling in April of 2013 which has included the City's participation. Cape May participates in the Cape May County Municipal Utilities Authority Regional Recycling Program and the goals of that Plan, as well as the goals of the New Jersey Source Separation and Recycling Act, are hereby incorporated by reference.

This 2019 Reexamination Report has prioritized recycling and solid waste collection needs from the perspective of efficiency and increasing participation. As indicated in this Reexamination, the City's permanent population is no longer growing and development is mostly infill of already developed areas. However, the City's summertime population must also be addressed. The City's primary focus is now on maintaining its existing infrastructure and services for existing development and redevelopment.

#### 8.2 Goals/Objectives

It is a goal to ensure that adequate services are provided to accommodate existing and future City residents and visitors. The following shall be recycling and solid waste collection goals and objectives:

- Goal: To ensure a comprehensive and efficient solid waste and recycling program is provided for the City of Cape May to safeguard the future health and welfare of residents and visitors.
- Objectives:
  - a. Encourage greater overall recycling efficiency and promote greater resident, business and tourist participation in recycling. Implementing additional recycling equipment, more frequent pickups, single stream recycling, visitor drop-off provisions, and institution of publicity programs should be considered to increase the recycling rate.

- b. The City should strive to achieve the New Jersey Statewide Mandatory Source Separation and Recycling Act's established goal of 50% reduction of Municipal Solid Waste and 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments.
- c. Provide services in a manner which minimizes risks of materials from entering and adversely impacting the environment.
- d. Foster new programs and participation in recycling as well as support existing programs that are certified Sustainable Jersey efforts.

### **8.3 Recycling & Solid Waste Inventory & Procedures**

The Cape May City Department of Public Works consists of the following Departments; Administrative, Buildings & Grounds Department, Streets & Roads Department, Traffic Maintenance Department, and Recycling Department. The responsibilities of the Department of Public Works consist of the following areas; grounds and facilities maintenance; the mechanical and automotive maintenance; municipal & street infrastructure repair & maintenance including stormwater management; sewer utility operation and maintenance.

The City of Cape May Public Works Department is also responsible for the care and maintenance of streets, public buildings, lands, parks, playgrounds, beaches, a pedestrian walking mall, a promenade and boardwalk, and all similar items related to the physical plant and infrastructure within our jurisdiction. The City is responsible for the trash and recycling collection for the public areas of Cape May, including the mall, promenade and public parks and beaches. In season, from April to September, the City is responsible for several hundred trash and recycling containers and empties them on a daily basis. Off-season these containers are emptied four times a week.

The City of Cape May contracts to collect recyclables from both residential and commercial properties, at curbside. The City is divided into five zones, with collection in each zone one day of the week.

The City also maintains a drop-off station known as the Central Recycling Station at the Public Works Facility at 830 Canning House Lane where residents and owners of commercial properties may bring their recyclable materials. This facility is open daily during the week in season, and has reduced hours out of season. Recyclables are transported from the Public Works Facility to the County's regional processing facility for recycling.

### **8.4 Recycling Materials Accepted**

The City and Cape May County MUA has transitioned to single stream recycling in April of 2013. Single stream recycling is a program that means people no longer need to keep bottles and cans separate from paper and cardboard; all materials can be combined in the same container. Single stream recycling allow municipalities to reduce staff, energy and maintenance costs and increase overall participation due to conveniences associated with this program. This program enabled the CCMUA to expand the list of recyclable materials that can be recycled.

In addition, the City's Central Recycling Station accepts paper products, glass food and beverage containers, plastic bottles and jugs, brush and tree parts, leaves, grass clippings, yard waste, white goods, light iron materials, electronic waste, batteries, fluorescent light bulbs and rigid plastic. Currently glass, metal, and eligible plastic containers can be commingled in a recycling container. Paper and cardboard must be packaged separately in a paper bag or cardboard box and placed in a reusable container marked for recycling. Leaves and grass clippings are collected seasonally between April 15th and December 31st. Leaves and grass clippings are recyclable and are to be placed in reusable marked containers or compostable paper bags. The Public Works Department encourages residents to compost their own leaves and grass clippings and will provide information upon request.

The City has obtained a chipper, commercial shredder and leaf vacuum that has helped the City increase recycling rates. Shredding is available by appointment. Additional recycling collection has been implemented for items including but not limited to boat shrink wrap, electronics and rigid plastics.

### **8.5 Recycling & Solid Waste Ordinances**

The City of Cape May has adopted and enforced ordinances for both solid waste and recycling. Section 434 Disposal of Garbage, Trash & Refuse regulates solid waste disposal and recycling. Specific regulations are included for disposal, construction sites, recyclable material types, compliance with regulations, collection procedures, commercial requirements, residential requirements, Central Recycling requirements, violations and penalties. The stated purpose of the recycling ordinance is as follows:

*The New Jersey Mandatory Source Separation and Recycling Act mandates the separation, collection and disposition of designated recyclable materials. The City recognizes that the cost of disposing of solid waste is increasing while available landfill facilities are decreasing. The reduction of the amount of solid waste and conservation of recyclable materials are important public concerns because of the growing problem of solid waste disposal and its dramatic impact on the environment. Additionally, reduction of the amount of solid waste generated and an increase in source separation and recycling of solid waste materials will extend the life of existing landfills. The collection of used materials, for the purpose of recycling, from residences, businesses, and institutions in the City of Cape May will serve the general public interest from a financial and environmental perspective. It is the intention and desire, therefore, of the City to provide a mechanism for the proper collection, removal and disposition of all solid waste and recyclable materials, and to promote and encourage the fullest possible citizen participation in this program.*

### **8.6 New Jersey Statewide Mandatory Source Separation and Recycling Act**

The success of the recycling program is critical in reducing both the cost and volume of solid waste that must be disposed of. It is therefore of concern to all citizens. The New Jersey Statewide Mandatory Source Separation and Recycling Act mandates the separation, collection and disposition of Designated Recyclable Materials and establishes a goal of 50% reduction of Municipal Solid Waste and 60% reduction of all solid waste through source separation and recycling by residential, commercial and institutional establishments.

Cape May County MUA transitioned to single stream recycling in 2013. Since the single stream recycling program was implemented, participation has generally increased and increased source separation and recycling has occurred. Table I indicates participation rates calculated for the last eleven years:

**Table 8.1  
New Jersey Statewide Mandatory Source Separation and Recycling Act Target Goals:  
Cape May City 2007-2017**

<b>Target Goals:</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>
<b>50% Reduction of Municipal Solid Waste (%):</b>	34.84	39.23	37.65	38.36	33.16	25.07	30.57	35.94	31.95	34.30	44.73
<b>60% Reduction of All Solid Waste Through Source Separation &amp; Recycling (%):</b>	61.04	50.62	45.78	66.51	55.21	22.74	31.48	49.80	26.80	52.38	59.88

*Source: Cape May County MUA*

Cape May City has achieved a Municipal Solid Waste Reduction rate of 44.73% in 2017 which is just below the 50% target goal. Cape May City has almost met the 60% Source Separation Target in 2017 by achieving a 59.88% rate of total solid waste diverted. The City should continue their efforts to meet these goals.

**8.7 Development Review**

Cape May City has had in place a site plan review that involves precautions to ensure sustainability in development to address solid waste disposal and recycling. For new developments of multifamily residential units or commercial, institutional or industrial properties, any application to the Planning Board or the Zoning Board of Adjustment of the City of Cape May, for subdivision or site plan approval for the construction of multifamily dwellings of three or more units, single-family developments of three or more units, or any commercial, institutional or industrial development of 1,000 square feet or more must include a recycling plan.

The recycling plan shall contain, at a minimum, the following: (1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and (2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Municipal Recycling Coordinator.

Prior to the issuance of a certificate of occupancy by the City of Cape May for any development approved by the Planning Board or Zoning Board of Adjustment, the owner thereof must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recycling materials.



## **8.8 Recommendations**

The City of Cape May believes that it has a high recycling rate, but it recognizes that the commitment to recycling of many residents and businesses may not be matched by seasonal visitors who may not bother to separate out the recyclable material. Contamination of recyclables and underreporting of recycling generated by the City continues to remain a problem in achieving the desired goals. To better plan to achieve the goals and objectives stated in this element, the following recommendations are hereby incorporated as follows:

### **8.8.1 Implementation & Education**

The City should continue to evaluate and where warranted, implement additional recycling equipment, procedures such as more frequent pickups, single stream recycling, visitor drop-off provisions, and institute publicity programs to increase the recycling rate. Recognizing that recycling costs have been tied to market conditions (i.e. Chinese withdraw from recycling America's plastics), the City and County should continue to monitor these impacts and plan so that recycling remains a viable and economically feasible option. It is also recommended that all rental properties must contain a recycle container and information on recycling be posted in each property as part of the requirements for receiving a mercantile license. Rental agents should also be required to provide recycle information in all rental packets.

### **8.8.2 Sustainable Jersey**

Sustainable Jersey is a certification program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term. The City has received Sustainable Jersey Silver Certification and is an active participant in this continued planning effort which is led by the established a Green Team. The City needs to continue participation in this program and incorporate these sustainability concepts into the planning of its solid waste and recycling efforts.

### **8.8.3 Implementation & Education**

The City should explore the feasibility of a one vendor contract for garbage collection that would mirror the City's recycling procedure, which establishes five recycling zones with a once per week, Monday to Friday pick up schedule. Currently, there are at least five private garbage collection companies picking up trash, resulting in multiple trucks within the City, often on the same days and often picking up garbage from multiple homes on the same street. A system similar to our recycling process would result in less emissions pollution; less noise and odor pollution; less traffic congestion; and less wear and tear on City roadways.

### **8.8.4 Promotion of Prescription Drug Take-back Program**

Since 2013, Cape May Police have hosted at least two collection days per year to keep Prescription Drugs out of the waterways. The Department followed the protocol of the National Prescription Drug Take-Back Initiative. The events are advertised on the homepage of the Cape May City website that links to a site with information on why it is important to safely dispose of Prescription Drugs

and flyers in both English and Spanish. In terms of number of clients served and individual prescriptions collected, that information is not collected as it is supposed to be an anonymous type of collection, so people aren't afraid to dispose of the drugs they have. The prescription drug collection program is run in conjunction with the U.S. Department of Justice - DEA who actually collects and destroys the drugs.

#### **8.8.5 Promotion of Community Paper Shredding**

Cape May City has acquired a high capacity document shredder that can shred a bank box of records in approximately ten minutes. The City Public Works Department informs the public in its recycling advertisements that this service is available to local businesses and residents by appointment. This program has been well received by the public. The advertising appears in local newspapers and on the City Website. The size of the materials they received ranged from residents with a shopping bag full to businesses with truck loads of records. It has been estimated that an estimated two (2) tons of material has been recycled on an annual basis. Continued promotion and expansion of this program are recommended.

#### **8.8.6 Education and Enforcement of Construction & Demolition Recycling Ordinance**

A new recycling ordinance was adopted by City Council in August of 2012. The Ordinance requires that for all activities that require municipal approval, such as construction, demolition or public event permits, a designated Recyclable Materials Plan shall be filed along with all other required permit conditions. The Plan is fairly simple and well described in the ordinance. The Plan shall include information on the anticipated amount of debris to be generated and recycled and provisions for the recovery of all designated recyclable materials generated during construction, renovation and demolition activities, as well as public events. Those applicants who do not comply with the pre-construction requirement will not be issued a building or demolition removal permit. The applicant is required to submit information at the conclusion of their project documenting the actual amount of waste disposed and recycled. Greater education and enforcement of these requirements is recommended.

#### **8.8.7 Promotion of Backyard Recycling**

Cape May City encourages backyard composting in Chapter 434-10 of the City Code. The Code notes that residents may choose to compost leaves, grass clippings and yard waste generated on their premises and that information on backyard composting may be obtained by calling the City's Department of Public Works. The Cape May City Nature Center is operated by New Jersey Audubon as one of Cape May's unique partners. The Center maintains a container demonstration garden and a three bin compost station that is used and explained at workshops and programs. Throughout the summer workshops are held at the Nature Center and the composting process is explained to those with specific interest. Support and expansion of these programs is recommended. Development of relationships with the City's stakeholders such as the Nature Center should be developed.

**8.8.8 Development Review**

Cape May City should continue to review land use applications and require adequate provisions for recycling and solid waste storage and disposal. All applications should be required to provide a plan to address waste generated and ensure that waste and recyclables do not enter the ocean or the environment.

## 9.0 Conservation Element

The 2003 Master Plan and subsequent 2009 Reexamination did not contain a specific element for conservation. Although there is not an element for this portion of the plan, Goals and Objectives that are relative to this element are stated on Page 22. It is recommended that a new specific Conservation Element be implemented at this time as follows:

### 9.0 Conservation Element

#### 9.1 Introduction

This Element will describe existing conditions and issues affecting the City of Cape May, provide goals, objectives and recommendations for conservation, determine stakeholders and reference other plans involving conservation.

The vast majority of land not developed in Cape May is environmentally constrained by floodplain, wetlands or both. These environmentally sensitive lands, and the wildlife habitats that they support, are very much a part of what makes Cape May an attractive area to live and vacation and are also important for environmental tourism, such as birding. Where much of these lands are unable to be developed due to State development regulations, Cape May should strive to acquire lands that are potentially developable in environmentally sensitive areas to preserve these lands from development and enable those to be used for passive recreation areas.

#### 9.2 Goals/Objectives

This 2019 Reexamination Report has prioritized the protection and preservation of its environmental assets recognizing the importance to the City's character and economy. As indicated in this Reexamination, the City has a unique advantage over other shore communities in that its beach, harbor and environmental resources create a sense of place no other town in our region can offer. This coupled with the City's historic and cultural assets provides the City with a unique branding and marketing advantage. The City's primary focus is now on the preservation of these assets for all City residents and visitors.

The following are the goals and objectives for conservation in the City:

- Goal: To protect the quality of the City of Cape May's natural and manmade environment in order to preserve the balance of its ecological systems and safeguard the future health and welfare of residents and visitors.
- Objectives:
  - a. Conserve and protect environmentally sensitive resources including natural, scenic and historic areas in the City by requiring that new land uses be subject to performance standards designed to minimize potential adverse impacts.

- b.* Minimize negative effects of land use upon the City's built environment through evaluation and implementation of performance standards for environmentally sensitive lands.
- c.* Encourage the preservation of open space and environmentally sensitive lands in order to protect the environmental integrity of unique resources.
- d.* Pursue the acquisition of wetlands and open space by the City and a consortium of public and private environmental groups.
- e.* Provide controlled access to wetland areas to promote environmental protection and public education.
- f.* Acquire environmentally sensitive lands in East Cape May known as "Sewell Point". Acquisition of the tract would ensure the area east of Pittsburgh Avenue would be retained as open space for passive environmental recreation.
- g.* Strive to maximize the City's energy conservation and energy efficiency to aid the State of New Jersey in achieving its energy goals stated in the State Energy Master Plan consistent with historic preservation standards.
- h.* Foster conservation partnerships and develop nature branding for the City.

### **9.3 Overview of Conservation Planning Efforts**

In addition to the planning efforts noted in this Master Plan Reexamination 2019, Cape May has participated in various planning efforts over the past decade that have been used to update and further develop this element. This element has been developed to incorporate information and implement recommendations contained in these cumulative plans into a single document to guide future efforts.

#### **Environmental Resource Inventory for the City of Cape May**

In September 2017, the Cape May Environmental Commission with the aid of the Association of Environmental Commissions (ANJEC), the Cape May City Green Team, and Cape May City Council completed the update of the Environmental Resource Inventory (ERI). This inventory update addresses and provides the following:

- Cape May City Master Plan Recommendations
- Data Base of Open Space (ROSI)
- Wildlife Inventories, Threatened & Endangered Species
- Water Resources including Potable, Wetlands, Estuaries, CAFRA, Ocean, Harbor and Stormwater
- Vegetation & Landscape including Dune grass, NJ And Plant List for Wildlife, Shade Tree, Xeriscaping, Water Conservation Garden

- Open Space, Sewell Point Tract
- Chemical Contamination & Hazardous Waste
- Energy Conservation

The ERI and the September 2017 Update is hereby incorporated in this element by reference and is the basis for this updated element.

#### **9.4 Environmental Commission**

The City of Cape May's Environmental Commission function is to study and make recommendations concerning open space preservation, water resources management, air pollution control, solid waste management, noise control, soil and landscape protection, environmental appearance, marine resources and protection of flora and fauna. The Commission also maintains and updates the Environmental Resource Inventory for the City. The Commission also conducts research into the use and possible use of the open land areas of the City. The Commission also serves an advisory role to the Planning Board and Zoning Board and reviews land use applications in that capacity.

The Cape May Environmental Commission has advocated a proactive policy regarding wetlands. They have suggested acquisition of all environmentally sensitive wetlands within the City Limits, specifically targeting the protection of the East Cape May wetlands areas. Consideration of wetland buffers has also been recommended, recognizing that State and Federal guidelines govern within these areas. Cape May continues to rely on state regulations governing wetlands for establishment of appropriate wetland buffers.

The Cape May Environmental Commission has drafted a document titled "Cape May City's Energy Master Plan 2019" for consideration of adoption. This plan establishes goals and recommendations for Cape May to promote itself as a more carbon neutral champion. This plan is adopted as an Appendix to this element and should be the basis for further planning and development of the Energy Master Plan.

The Environmental Commission should be commended for their hard work and conservation efforts. The City should continue to support their efforts.

#### **9.5 Location & Features**

Cape May City is a community located at the southern tip of the Cape May Peninsula in Cape May County. The City encompasses more than 2.5 square miles of land and is one of the oldest vacation communities in the country. The City is uniquely positioned along the Atlantic Ocean, as most communities run north-south along the Atlantic Ocean; the City runs east-west along the ocean. The City also abuts the Cape May Harbor and Cape Island Creek. Its location at the Cape has brought it prosperity, and the City has long reaped the benefits of tourism, beach and ecological resources and historical landmarks.

Located on the northern end of Cape May is the Cape May Inlet. The inlet is a deep inlet protected by rock groins that allows boats to safely travel to and from the Atlantic Ocean through Cape May

Harbor. Located five miles east of Cape May Point off the Atlantic Ocean, which is near Cape May Channel, the inlet allows access to Cape May Harbor and Jarvis Sound. Jarvis Sound leads north along the New Jersey Intracoastal Waterway toward Wildwood. Cape May Harbor leads south to meet up with the Cape May Canal, which eventually connects into Delaware Bay. Cape May Harbor is also the location of southern terminus of the New Jersey Intracoastal Waterway.

Cape May is designated in the New Jersey State Development and Redevelopment Plan as an Environmentally Sensitive Planning Area (PA5), which is apparent on Map 2 – Natural Features. The vast majority of undeveloped land in Cape May is environmentally constrained by floodplain, wetlands or both. These environmentally sensitive lands, and the wildlife habitats that they support, are very much a part of what makes Cape May an attractive area to live and vacation. These resources form the basis for the City's flourishing eco-tourism. Figure 1 shows an aerial photograph of the City and its relationship to surrounding water bodies:



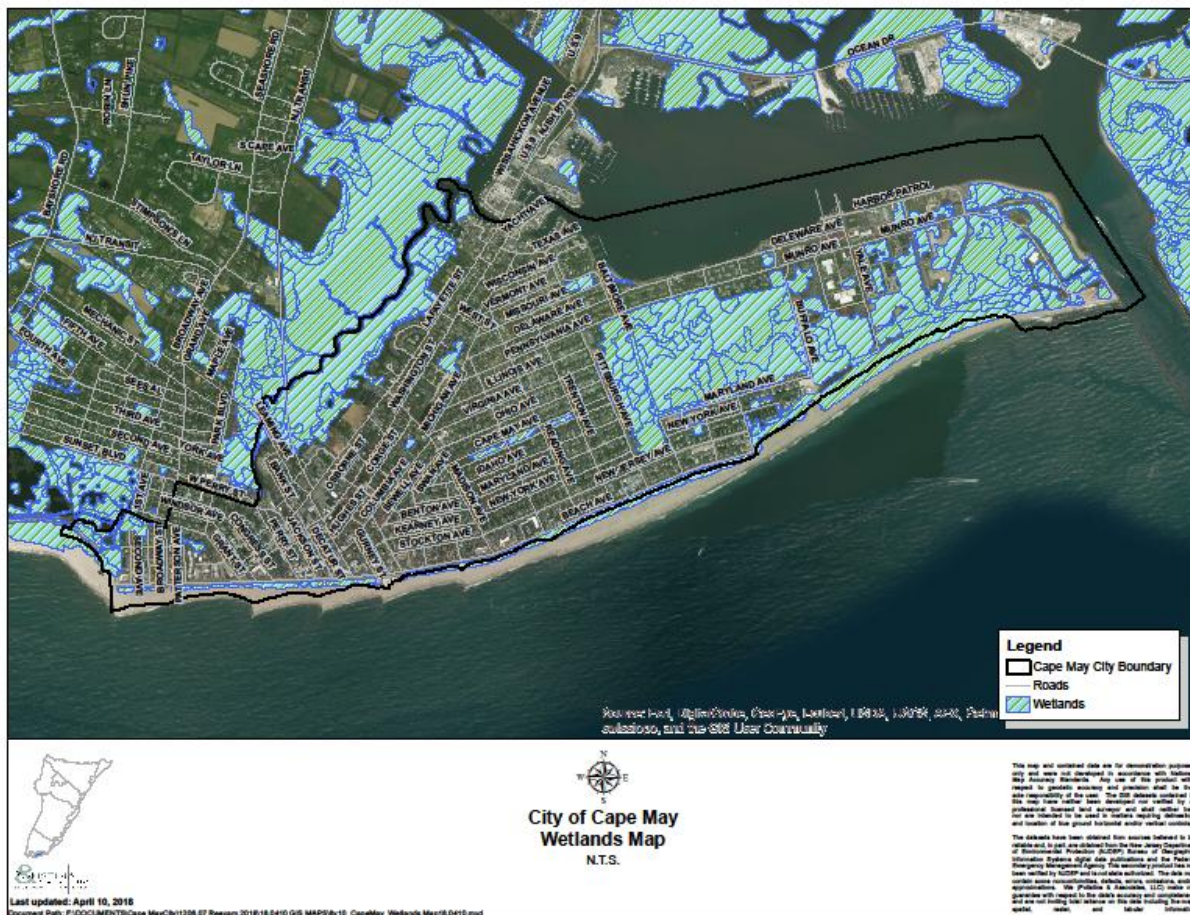
### 9.6 Wetlands

Wetlands are incredibly important biologically diverse ecosystems that not only store water and help to control runoff and flooding, they support numerous wildlife habitats, including threatened

or endangered species. Numerous species of plants and animals spend their entire lives in wetlands or others use them as feeding, nesting or nursery grounds or stop in them to rest during migration.

Wetlands help to maintain water quality. Marsh vegetation can remove excess sediments and nutrients from the environment. Wetlands help to control floods and reduce erosion during storms. Coastal wetlands are a valuable resource that provides valuable open space for recreation while at the same time protecting the shoreline from the destructive power of storm waves.

Cape May City's location on the coastal plain in proximity to several water bodies and its relatively low elevation put the City's development in proximity to important sensitive wetland areas. Map 9.2 shows an aerial photograph of the City and its areas of wetlands:



Map 9.2: City of Cape May Wetlands Map

Cape May is an integral part of the Atlantic Flyway. Millions of birds migrate each fall to warmer climates and stop, rest and feed in Cape May to fortify themselves before continuing the journey southward. This presents a unique opportunity to observe numerous species each autumn and again in the spring, and many tourists come to the area to observe the migrating birds. The wetland habitats that support these birds are not only important environmentally, but economically as the migrating birds draw numerous tourists to the area. Bird watching has flourished as an ecotourism element that has helped Cape May become a 12 month tourist destination.



These wetlands also areas provide refuge to many of our well-known marine species including flounder, blue claw crabs, horseshoe crabs, striped bass, weakfish, tautog, minnows and clams. Adults enter through the canal from Delaware Bay and through the Inlet from the Atlantic Ocean. They reproduce in the shallow grassy areas in our back bays and creeks. The salt marshes provide the juveniles with food, shelter and protection. The wetlands areas, buffers and adjacent open space provide an important role in protecting the quality of these ecosystems. Areas like this are important to continue the populations of these species and to our commercial and recreational fisheries. These wetland areas within the City have been designated and mapped as a critical wildlife area for migrating shorebirds by the NJDEP, Non-Game and Endangered Species Division.

There are three major areas of wetlands depicted on the wetlands map: Cape May Harbor/East Cape May; Cape Island Creek; and Cape May Meadows.

#### Cape May Harbor/East Cape May

East Cape May is located east of Pittsburgh Avenue with the area bound on each side by Cape May Harbor and the Atlantic Ocean. This area, as well as area west of Pittsburgh Avenue was formerly coastal tidal marsh. Cape May Harbor is a man-made harbor that was dredged between 1903-1908. The dredged material was used as fill for the surrounding areas including the area we now call Village Green. As much as Cape May is known for its beaches and historic architecture, it is also a world-renown wildlife viewing destination due to its location on a migratory flyway. The harbor and adjacent wetlands and open space provide habitat as well as a rest stop for the wildlife during their migration making the harbor an invaluable natural resource. The harbor provides a valuable eco-tourism location with boating, kayak and paddleboard access. The Coast Guard Base, Harborview Park and the Fisherman's Memorial Park front on this waterway. Although there is development and many activities going on in and around the harbor, a diversity of micro-habitats and associated wildlife still inhabit this area.

A large scale development was proposed along the Harborfront in the late 1980's. A group named "Save Cape May Harbor" petitioned to save this portion from development. In 1992 this area was purchased with Green Acres funding by the City of Cape May. This same group established "The Nature Center of Cape May" under the direction of the Cape May City Environmental Commission and operates presently with leadership from New Jersey Audubon Society.

There is great concern regarding the potential development of the wetlands in East Cape May. This is the last concentration of undeveloped land in Cape May. It contains over 90% wetlands and rivals Higbee Beach in terms of ecological significance. Much of this land is zoned residential and only the state's wetland protection policies have so far prevented development. A large residential subdivision plan has been filed but it has been in litigation with the State over the extent of the wetlands for a number of years. This 79 acre tract known as "Sewell Point" is a prime example of lands suitable for acquisition and preservation. The City should continue in its attempt to acquire this land, which would assure its permanent protection.

#### Cape Island Creek

Cape island Creek is a brackish salt water tributary that flows into Schellenger's Creek and ultimately Cape May Harbor. It parallels Lafayette Street on its northwesterly side and is bound by Lower Township on the side opposite. The creek runs to a County operated control structure at West Perry Street. The area south of the control structure was formerly flowed by the creek. Cape

Island Creek historically flowed through this area and has since been replaced by a county storm system that flows into existing Cape Island Creek. This creek in this area was piped below surface when this area was filled for development. This wetland area abuts the land acquired for the Lafayette Street Park project.

South Cape May is located on the point of Cape May and is a low-lying area consisting of mostly wetlands, bound by the West Cape May border, Beach Drive, and West Perry Street.

### Cape May Meadows

In April 2011, the Cape May area received the 2010 Coastal America Partnership Award for restoring the Lower Cape May Meadows. This 350 acre beach and wetlands area between Cape May and Cape May Point is a key freshwater ecosystem for migratory birds. For decades it suffered from coastal erosion that caused saltwater to degrade the wetlands. Studies began in 1987 to determine how to restore the degraded wetlands and replenish the beaches to prevent saltwater damage. Several beach replenishments have occurred since 2004. The Army Corp, NJDEP, US Fish and Wildlife Service, and the Nature Conservancy all actively participated in this enhancement.

## **9.7 Wetlands Zoning**

The Zoning Ordinance and Zoning Map both contain specific zoning for wetlands. Section 525-58F contains PW Preserved wetlands. The following intent was adopted:

- (1) Intent. It is the purpose and intent of this subsection to recognize the fact that substantial portions of certain vacant lands within the City contain wetlands that are preserved and protected by state and federal laws. This recognition is important so that municipal officials and personnel as well as property owners and citizens generally are aware that preserved wetlands do exist in the City. It is the specific intent of the City that all persons will take appropriate action to assist in the preservation and protection of wetlands.*
- (2) Boundaries of wetlands. Actual boundaries of preserved wetlands are subject to detailed surveying by property owners and authorized agencies pursuant to applicable state and federal laws. Boundary lines shown on the City of Cape May Zoning Map established by § 525-6 are graphic representations intended to indicate the approximate location of preserved wetlands, but shall not be relied on as precise delineations. Districts in which preserved wetlands are located shall be identified with a "PW" designation on the Zoning Map.*

Specific areas abutting wetlands have been zoned as PW Preserved Wetlands. This zoning designation is in addition to the underlying zone. It is in recognition that wetlands are in proximity to the area. No specific zoning standards are required.

Contained in the ERI, the Environmental Commission has requested that the Planning Board investigate the use of extensive buffer requirements consistent with NJDEP CAFRA's Coastal Zone Management policies and other wetlands regulations in the PW designated zones with the City limits. These buffers could extend up to 300 feet. The precise extent needs to be evaluated. Wetlands zoning has also been recommended in the Resiliency Element to aid in FEMA CRS planning. Benefits would include possibly reducing the City's reduced flood hazard insurance rates.

## **9.8 Atlantic Ocean Beaches**

Cape May's beaches are vital to both the environmental and physical protection of the City, as well as being one of its most valuable economic resources. Beach nourishment, dune stabilization and maintenance are essential in protection of the City from coastal flooding and shall remain a priority activity.

Cape May recognizes the fragility of the beach and dunes and should continue the beach replenishment projects in cooperation with the U.S. Army Corps of Engineers. The City of Cape May has a 50-year contract commitment from the Federal Government to maintain the entire City of Cape May beachfront at least until the year 2040. The beach restoration helps protect properties in the City from flooding due to coastal storms. According to the City of Cape May Beach Management Plan, the US Army Corps of Engineers is approximately 22 years into the construction phase of a 50-year beach nourishment program that includes all of Cape May City west of the Cape May Inlet. Initial nourishment of City beaches under the Corps program took place in 1993. Routine renourishment is scheduled approximately every 2 years. This activity has been effective in ensuring beach and dune protection measures are in place to protect the City from flooding. Responsibility of this program shall remain with City Council to ensure compliance with the City of Cape May Beach Management Plan and continuation of the program provided by the US Army Corps of Engineers. Along the ocean water's edge we strongly support and endorse solving the beach drop-off issue and protecting the littoral beach line.

Dune enhancement with dune grass plantings and dune fence maintenance should be completed on an annual basis. Volunteer groups such as schools, civic groups, etc. with the public works department have been involved in performing this work in the past. Dune grass plantings should consider species with thickness over height to preserve views.

Seawalls consisting of bulkheads and groins identified above run on the ocean side (south) of Beach Avenue. Construction is both concrete and stone combination, concrete, and wood. The seawall and dunes near the intersection of Beach Avenue and Wilmington Avenue are periodically breached and the ocean waters flow downhill along Beach Avenue and flood the historic district and Frog Hollow neighborhood. The breach is primarily due to two reasons: first, the alignment of Beach Avenue in this area juts out towards the ocean, creating a narrow beach that increases the exposure of the dunes. In addition, the sea wall in this constrained area is relatively short and the waves can easily overtop the wall. Replacement of the timber seawall with a continuous higher reinforced concrete wall is recommended.

## **9.9 Conservation Partnerships**

Cape May has recognized the power of arts, history, environment and culture in transforming the landscape of the community. The City has adopted a program of public-private partnerships that have infused a progressive growth of Cape May's annual economy into a twelve month economy as opposed to the average 12 week season typical in most seashore resort communities. This program facilitates the leasing of City-owned property on a long term basis for \$1.00 per year with non-profit organizations being responsible for the renovations, operations, and maintenance of the properties. This ensures that the City maintains a nurturing environment by providing the essential physical infrastructure so that local, non-profit cultural, environmental, arts and historical organizations can flourish while benefiting the taxpayer by reducing costs associated with

maintenance of the properties. Currently, the City has such agreements involving City-owned property with the following environmental related organizations:

- The Nature Center with the New Jersey Audubon Society
- The Marine Research Facility with Rutgers University

#### The Nature Center of Cape May

The Nature Center of Cape May with the New Jersey Audubon Society is a environmental education center located on Cape May Harbor. The Nature Center's website indicates its mission focuses in providing quality environmental education experiences, encouraging stewardship of the harbor area and other natural areas, and promoting volunteerism as a rewarding means of community involvement and service. The Nature Center of Cape May was founded in 1992, with the twin goals of creating a responsible stewardship program for open space surrounding Cape May Harbor and providing environmental education for people of all ages.

The Nature Center was adopted by the New Jersey Audubon Society in 1995. The Center is located at 1600 Delaware Avenue adjacent to the shores of the Cape May Harbor. Its facilities includes a welcome center, a three-story observation tower, indoor observation lounge, three classrooms, exhibit aquaria, a small gift shop, and multiple themed display gardens. The harbor and adjacent area provide natural classrooms that are used in the center's programs as well as opportunities for kayaking and paddle boarding. The Center has indicated a need to expand and renovate its facilities and the City should support these efforts.

#### The Marine Research Facility with Rutgers University

The Center is located at 1636 Delaware Avenue adjacent to the shores of the Cape May Harbor and the Nature Center. The Marine Research Facility with Rutgers University provides national and international leadership in marine science and is New Jersey's focal point for education, research, and service in estuarine, coastal, and ocean environments. The building next to the Nature Center is leased by Rutgers University offices for their oyster research project. Projects have included utilizing Cape May Harbor to develop a breed of disease-resistant oyster.

As a partner and stakeholder that shares the same goals and objectives as the City, the City and Center should continue to foster and develop their relationships by supporting each other. These partners also share the same interests in preserving environmentally sensitive lands in this area and these relationships should be important in developing environmentally sensitive shore protection and passive access along the Harborfront. These stakeholders should be involved in any future planning.

### **9.10 Water Conservation**

Cape May City has demonstrated an aggressive approach in implementing solutions and water conservation techniques to deal with problems associated with potable water.

The City adopted a water conservation ordinance Code Section 510-43 that contains restrictions for all persons and properties using water supplied by the City of Cape May Water Utility. These include requirements for outdoor watering of lawns, plants and gardens, outdoor washing by hose,

requiring rain sensors on automatic irrigation or sprinkler systems, and allowing drinking water only on request in restaurants. The City should continue to update the water conservation ordinance and visibly enforce it.

The City obtains its water from Wells 3, 4 and 5 drilled into the Cohansey Aquifer. Wells 6, 7 and 8 are drilled into the Atlantic City 800-foot Sands. Salt water intrusion into the groundwater aquifers continues to remain a problem associated with Cape May City as well as other seashore communities. The City solved its potable water salinity problem in 1998, when the reverse osmosis desalination plant was completed. Cape May continues to supply other adjacent communities dealing with aquifer salt water intrusion problems with potable water. The City continues to assess the desalination plant's physical and operational conditions to sustain the efficiency and cost effectiveness of the facility and has also proposed improvements and new wells to better service the plant located at 833 Canning House Lane. Cape May should continue its leadership role in dealing with this problem and strive to deal with problems associated with the desalination process, including energy costs and brine discharges. It is recommended that the City continue to monitor the desalination plant's NJDEP approved "permitted discharges into Cape Island Creek to maintain conformance and eliminate potential adverse impacts. It is also recommended that the City implement alternative energy sources to help reduce costs associated with the desalination plant.

Water conservation is such a mission in Cape May City that City staff has a water conservation message on their business cards, a unique way to encourage this effort. In 2014, Cape May installed water meters with encoded registers and radio frequency automatic meter reading and leak detection for approximately 4,000 accounts. This initiative has ensured more timely identification of unknown leaks and thus conserved water, especially in seasonally occupied homes. The City should continue to promote water conservation and efficiency measures including implementation of water efficient toilets, showers, faucets, and irrigation. Encouraging and implementing water conservation practices such as implementing rain sensitive irrigation controls, drip irrigation, rain barrel harvesting systems and drought tolerant planting selection are essential to recharging the aquifer. Finally, as repairs/replacement is required to municipal facilities, the City plans to follow the recommendations of the Local Government Energy Audit.

The City has and maintains a Water Conservation Demonstration Garden at Madison and Cape May Avenues to help to educate the community on the importance of water conservation and to illustrate xeriscaping for responsible water use. These efforts should continue. The ongoing Garden project hosts a variety of low-water use and wildlife-friendly plants. A brochure is available throughout the community that describes the type of trees, shrubs flowers and grasses used in the garden. These



should be incorporated into the zoning ordinance. A Low Water Gardening Coloring Book was also created and should continue to be printed and distributed in the Elementary School. An informative brochure titled "Use Water Wisely" has been produced by the CMC Environmental Commission and the Southern Cape Regional Water Advisory Commission. These Water Conservation Reminders and materials should continue to be posted on the City website and sent out in tax/utility mailings.

### **9.11 Energy Conservation**

Cape May City has adopted practices that promote alternative energy sources and should continue its role as a "green community". The use of alternative energy sources including solar power, geothermal power, and wind power could provide long term energy cost savings and open grant opportunities for the City. Recently in 2017, new standards for passive solar and wind energy systems were adopted. Cape May should continue to evaluate new energy technologies and develop and implement these with sensitivity towards treatment in the historic district.

The City should advocate the use of passive energy for municipal projects. The City has a green building program for high performance buildings that should be followed. Solar energy projects within the City have been developed and include solar projects at the Convention Hall, Lifeguard headquarters, the Nature Center and the Public Works Department. The City has also installed solar parking kiosks throughout the community. Municipal owned sites such as City Hall, Public Safety Building, Transportation Center, water tower, Cape May Stage, Firehouse, Franklin Street School, Mid-Atlantic Center for Arts, tennis club, Nature Center and any other municipal projects should be considered for solar or other alternative energy source.

Wind Power has played a significant role in Cape May County since 1706 and should also be considered for use in Cape May City today. Cape May City's location near the seashore may make it an ideal site for wind turbines and the City should look for project opportunities and consider further study where warranted. In May 2014, the City installed a wind turbine for clean energy and educational purposes at the Cape May Elementary School as a result of a competitive Sustainable Jersey Wal-Mart Grant. This project exemplifies the type of project suitable for Cape May. Furthermore, wave energy, geothermal energy, and other alternative energy options should be considered where viable.

Since 1948, the City and the United States Coast Guard have progressively forged a cooperative and viable working relationship that has yielded numerous shared services and community programs which neither party could have operated or financed solely. A classic example of this relationship was the Coast Guard's support during the City's installation of a water desalination plant from 1995 to 1998. The Coast Guard provided technical assistance during the planning stages and lobbying support during the permit and funding phases of the project. This project not only addressed the City needs but addressed the Coast Guard base's needs as they currently are the largest bulk water user. Another example of these cooperative efforts was the support from City Council of the Coast Guard Wind Turbine project that was proposed.

Using the City's prior relationships with the Coast Guard as an example, the City should also forge a relationship with the Coast Guard to take advantage of shared technical assistance and resources to address both parties' future renewable energy projects. The relationship may provide opportunities for shared renewable energy initiatives in the future.

As private development of wind energy system projects becomes more prevalent, Cape May should

address this type of development within its zoning regulations. The existing local zoning regulations do not address wind power improvements. Zoning should be adopted that includes standards for appropriate locations within the City, size and setbacks, appearance, and provisions to address abandonment.

The City should take an active role in incorporating energy efficiencies and strategies to reduce energy use and costs. The City should encourage and promote the use of energy efficient light bulbs in all municipal buildings. Electric low speed vehicles should be considered for the municipal vehicle fleet. Green Building Codes should be considered for all new and renovations to municipal buildings. The City was approved through the LGEA Program to conduct an audit of all City Buildings. The audit was completed by Dome Tech Inc. and included four municipal buildings and a number of buildings that are owned by the City but maintained by various non-profits. Energy beneficence upgrades were made in all the municipal buildings as documented in File 2. The City applied for ARRA funds to implement the audits and lighting and HVAC improvements have been installed using this grant and the Direct Install Program. Almost \$100,000 worth of energy efficiency improvements were installed in the four municipal buildings in Cape May City. The total energy savings resulting from the Direct Install and Block Grant funds was estimated at an annual energy savings of \$27,600. The City has registered all of its buildings for third party energy to reduce cost and further implement the audit. Energy audits should be continued.

Deconstruction practices should also be considered for municipal projects. Deconstruction is the practice of disassembling a structure that allows for re-use and/or recycling components of a building. This process reclaims a substantial amount of materials and minimizes waste.

Cape May City is intimately involved with Energy Education and Outreach and is leading by example. With solar projects on two public buildings and the erection of a wind turbine at Cape May Elementary School in May 2014, alternative energy projects are visible and encouraged. The Cape May City website "Green Initiatives" page links to teacher resources including "The Solar Learning Lab" and "WindWise Curriculum", renewable energy education programs geared for grades 5-12. Additionally, Cape May City has a web sub-site, [www.CapeMayCity.com/Sustainability](http://www.CapeMayCity.com/Sustainability), dedicated completely to the City's commitment to sustainability where residents, visitors, and the general public can learn about the great strides the City has made and continues to make to encourage green living. Outreach through the web is one of the greatest ways the City can reach the most people with the information about the importance of living and governing sustainably, especially in this special town that is blessed with so many fragile natural resources. On this site is the town's green building and environmentally preferable purchasing policies; information about the use of alternative energy; the Convention Hall built to Silver LEED standards; how to get around town gas-free; municipal energy efficiency improvements; and other important information about energy conservation. A wide variety of Energy Star and NJ Clean Energy Program brochures are available throughout the City and on the website.

## **9.12 Current Conservation Activities**

### ***Master Plan***

Cape May City has a long history of meaningful open space planning. The 2003 Master Plan, 2009 Reexam and this 2019 Reexam represent a continuation of the City's planning efforts. This Plan sets the goal to preserve and enhance the City's open space system and upgrade recreational land use to protect Cape May's environmental resources and meet the needs of residents and visitors. As the primary planning policy document for the community, this master plan has been prepared to

identify areas in the community that will likely be impacted by future flood hazards, and offer measures for mitigation and adaptation strategies to protect the community's assets and properties which include conservation and preservation of natural resources and open space that serve as protective flood mitigation measures (e.g. wetlands). Planning policies for mitigation and adaptation strategies to protect properties from future flooding, including sea level rise and extreme storm events have also been provided and cross-referenced to all relevant elements of the municipal master plan.

### ***Open Space Preservation***

The City established an Open Space Fund in 2002 that can be used to fiscally support conservation hazard mitigation projects. Municipally owned open space in other area has been increased by the acquisition and development of the current Lafayette Street Park site. The City of Cape May has adopted a zoning ordinance which provides regulations for preserving open space. Acquisition of open space preservation continues.

### ***Beachfill Project***

The City of Cape May has a 50-year contract commitment from the Federal Government to maintain the entire City of Cape May beachfront at least until the year 2040. The beach restoration helps protect properties in the City from flooding due to coastal storms. According to the City of Cape May Beach Management Plan, the US Army Corps of Engineers is approximately 22 years into the construction phase of a 50-year beach nourishment program that includes all of Cape May City west of the Cape May Inlet. Initial nourishment of City beaches under the Corps program took place in 1993. Routine renourishment is scheduled approximately every 2 years. This activity has been effective in ensuring beach and dune protection measures are in place to protect the City from flooding. Responsibility of this program shall remain with City Council to ensure compliance with the City of Cape May Beach Management Plan and continuation of the program provided by the US Army Corps of Engineers.

### ***Beach Management Plan***

The City's Beach Management Plan was developed in 2008 to provide a framework for cooperation among the City of Cape May (City) the New Jersey Division of Fish and Wildlife's (NJDFW) Endangered and Nongame Species Program (ENSP), and the United States Fish and Wildlife Service's (USFWS) New Jersey Field Office (NJFO) in the stewardship of federally and State-listed endangered and threatened beach-nesting birds and flora (listed species) occurring on the City's beaches. Information related to natural hazard risk reduction is discussed including dune management activities. The Public Works Department continuously manages the beach according to the plan, delineating areas for the protection of birds, their nests, and certain precious plant species.

### ***Habitat Conservation Ordinance***

Cape May City recognizes the importance of protecting existing vegetation and replacing vegetation that is removed when land is developed. Cape May's landscaping ordinance requires up to 60% of a lot be left in vegetation and tree replacement for larger trees that are removed. The Habitat Conservation Ordinance was adopted by the City Council of the City of Cape May by Ordinance No. 600; amended in its entirety 12-2-2004 by Ordinance No. 10-2004 (Ch. XXXII of the 1997 Revised General Ordinances). These regulations can be found on the City's web site and regulate vegetation and tree replacement. In addition to requiring the replacement of removed trees, the applicant is required to replace any trees located within the footprint of the proposed structure. Applicants are required to plant replacement tree and bush species classified by the Backyard Habitat for Birds, a



Guide for Landowners and Communities in New Jersey, published by the New Jersey Audubon Society.

### ***Certified Wildlife Community Habitat***

New Jersey Audubon, through efforts of staff and volunteers at the Nature Center of Cape May and Cape May Bird Observatory embarked on a multi-year project to get Cape Island certified through the National Wildlife Federation as a designated Community Wildlife Habitat. In 2017, the City and three other Cape Island municipalities were awarded the designation of a Certified Wildlife Community Habitat for the Cape Island Community Habitat. Cape Island has become New Jersey's 3<sup>rd</sup> community in New Jersey to attain this designation. Cape May, Cape May Point, West Cape May and Lower Twp have now together pledged a commitment towards incorporating wildlife-friendly landscaping measures. A community wildlife habitat certification recognizes the importance of maintaining and creating habitat to support the millions of birds, butterflies, dragonflies, frogs, toads and turtles that depend on our backyards for cover, food and water. Through this designation, we hope to increase efforts to manage acreage "south of the canal" for wildlife as well as bring attention to the critical nature of preserving and stewarding all land in this globally-recognized region of New Jersey. The Community Wildlife Habitat program also opens the door for discussions about sustainable gardening practices designed to increase native plantings, conserve water and eliminate pesticide use. It provides a platform for our communities to address important issues like creating corridors for wildlife, managing stormwater pollution, drought, pollinator decline, and invasive species.

### ***Shade Tree Commission***

The City has worked diligently to maintain and preserve trees in the community and has tasked the Shade Tree Commission with this effort. Protecting trees within the City has many benefits for the environment as well as for the health and safety of residents. Trees help to prevent flooding and improve water quality. They also contribute to climate control and reduce soil erosion and sedimentation. Indiscriminate, uncontrolled and excessive destruction, removal, and cutting of trees upon lots and tracts of land within the City can cause increased drainage control costs, increased soil erosion and sedimentation, decreased fertility of the soil, degradation of water resources, and decreased groundwater recharge.

### ***Community Forestry Management Plan***

The City participates in Tree City USA and has also adopted a Community Forestry Management Plan authored by the Shade Tree Commission with the intent of increasing the community's understanding of the urban forest and increasing the public's appreciation of trees on public and private land that benefit the entire community. The plan is continually updated as required and addresses management of trees in the City. Cape May City and the Shade Tree Commission have worked in conjunction with Atlantic City Electric in a project to carefully prune all trees away from power lines with the assistance of a City arborist. Every tree anywhere near power lines was inventoried and documented in a database and pruning techniques were selected by the arborist for each individual tree that needed to be carefully pruned away from power lines.

### ***Green Grounds and Maintenance***

In 2011, the Environmentally Preferable Purchasing Policy was adopted by resolution of City Council. This Policy includes guidance for Grounds and Maintenance that include including all landscape renovations shall employ sustainable landscape management techniques for design, construction, and maintenance whenever & where possible. These techniques include integrated pest management, grass recycling, drip irrigation, composting, and use of natural mulch. Low water plants are recommended when possible. Products manufactured with recycled content and

permeable substitutes for walkways are recommended. This policy can be viewed on the City's web site.

### ***Green Team***

The Green Team was established to plan, develop and promote in the City. This Team has taken on many new initiatives including the installation of a wind turbine at the Cape May Elementary School, development of a School Safety Plan, Energy Education and Outreach, and planned a Energy Efficiency Workshop for Businesses. These efforts have led to Sustainable Jersey certification in 2012. Since being established the Cape May City Green Team has worked to document past actions and to develop new actions to achieve recertification. The Green Team also participates in Harbor Fest, conducted a very aggressive Pledge Campaign, worked to achieve Wildlife Certification, and participated in development of the Vision Plan. In order to make a direct impact on the citizens of Cape May City about the importance of sustainability, the Green Team and Cape May City decided to host a Green Festival with vendors, exhibitors, and entertainment all focused on living green and protecting the environment. The theme of the event was "Cape May City - Home of the World Series of Birding" which in itself points out the importance of protecting the local environment for the birds. The event highlighted achievements in sustainability of local government, county organizations, and even awarded individual citizens and businesses of Cape May City that were exceptional in their efforts to be "green". Partners included Green Team members, New Jersey Watershed Ambassador Program, Cape May Nature Center, local churches, and City officials and employees.

### ***Green Building Practices***

City Council adopted the resolution endorsing the adoption of green building practices for civic, commercial and residential building on May 17, 2011. A new "Green Initiatives" tab to the homepage of the City's website has also been added. Cape May City promotes and provides informational brochures on a variety of Energy Star programs. These informational materials are available at City Hall where the construction office is located.

### ***Community Education and Outreach***

The City created a website as a product of its Tourism Utility, [www.discovercapemaynj.com](http://www.discovercapemaynj.com). This resource connects residents and visitors with all of the events available in Cape May City from scheduled events at Convention Hall to Kayaking Tours provided through the Nature Center. The website promotes sustainability prominently with a Sustainability Tab in the About Us section. The City also maintains its commitment to the Nature Center as an educational partner and helps to ensure the original twin goals of creating a responsible stewardship program for open space surrounding Cape May Harbor and providing environmental education for people of all ages continue today. The City also published and distributed a comprehensive guide to Cape May City which contains a great variety of important information for residents and visitors including information about: trolley use to promote less reliance on cars; what and how to recycle; the central recycling station; pedestrian and bicycle safety; specific beach usage; ADA access; recreation areas and facilities; wellness programs; and a full calendar of events from all partner organizations. This brochure was mailed to all residents, is available at City buildings and around town, and is online.

## **9.13 Open Space**

Open space serves many purposes, from animal habitat to public recreation to the mitigation of stormwater flooding and stormwater recharge of aquifers. The City currently lists the following open space properties on the Recreation and Open Space Inventory (ROSI) on file with Green Acres:

- Beach Front
- Colonial House Park
- Fisherman's Memorial
- Harborfront Tract
- Harry Lozour Park
- Indiana & Missouri Mini Park
- Lafayette Street Park/Playground
- Massachusetts Avenue Mini Park
- Median Strip Cape May Ave
- Open Space Median Strip
- Pennsylvania & Michigan M
- Physick Estate
- Physick Estate Park
- Rotary Park
- Wm. Moore Tennis Center

There are several City parks in locations throughout the City, some of which perform natural floodplain functions. In addition, the City's 2.2 miles of uninterrupted beach front are replenished regularly and exhibit a complete dune system. Undeveloped tracts in the City that perform open space and natural floodplain functions can be found along Cape Island Creek and the Harborfront/East Cape May area. It is recommended that these areas be targeted for acquisition whenever possible.

#### **9.14 Recommendations**

1. Preservation and Acquisition. Environmental sensitive lands, floodplains, and wetlands acquisition and/or preservation are recommended wherever possible. The vast majority of land not developed in Cape May is environmentally constrained by floodplain, wetlands or both. These environmentally sensitive lands, and the wildlife habitats that they support, are very much a part of what makes Cape May an attractive area to live and vacation and are also important for environmental tourism, such as birding. Where much of these lands are unable to be developed due to State development regulations, Cape May should strive to acquire lands that are developable in environmentally sensitive areas to preserve these lands from development and enable those to be used for passive recreation areas. Acquisition of all environmentally sensitive wetlands within the City limits is recommended when and where feasible.
2. Water Conservation Efforts. The City has adopted a Water Conservation Ordinance. City should continue to develop it and visibly enforce it. Efforts to help to educate the community on the importance of water conservation and to illustrate xeriscaping for responsible water use should continue. The low water garden on Cape May Avenue should also be expanded to reduce labor and mowing of grassed area while creating more suitable bird and butterfly habitat. Converting a large portion of Cape May Avenue grassed area into a wildflower area (like Garden State Parkway wildflower areas) should also be considered.

3. Energy Conservation Efforts. It is recommended that the City endorses increasing alternative energy sources within the City limits, both solar power and wind power as suggested for particular areas.
4. Landscaping. The use of low-water use and wildlife-friendly plants should be promoted. These specific types of trees, shrubs flowers and grasses should be incorporated into the zoning ordinance and be posted on the City website.
5. Green Infrastructure. The City should consider encouraging and permitting green infrastructure to reduce the amount of impervious surface as indicated in the resiliency element. It is recommended that the City consider requiring: Swales on properties to slow storm water runoff ; Rain barrels to capture roof runoff, which would otherwise enter into the storm-drain system; Rain gardens, on both public and private properties, to increase water infiltration into the soils and recharging ground water. The City should investigate other green infrastructure options as well. Rutgers University's Water Resources Program (<http://www.water.rutgers.edu/>) may offer free consultation for green infrastructure projects. Another useful reference is the Homeowner's Stormwater Handbook (<http://s3.amazonaws.com/delawareestuary/pdf/stormwater-guide.pdf>) developed by the Partnership for the Delaware Estuary.
6. Cape May Harbor & Other Areas. Develop/Promote Harbor Access and Uses as well as other passive recreation areas. Take advantage of nature branding to include and promote recreational and ecotourism uses such as fishing, birding, surfing, paddle boarding, sailing, etc. It is recommended to promote, preserve and protect the environmental assets and encourage habitat enhancement. Environmentally sensitive shore protection and access are needed that both facilitate access and enhance habitats. The City should continue to explore the design, development and funding of living shorelines along the Harbor area.
7. Nature Center Facilities. Foster and develop the current relationship with the Nature Center and New Jersey Audubon. The City and New Jersey Audubon have established a Facilities Task Force that has a vision to recognize and develop Cape May City as a year round environmental, conservation and unique natural locale via engaging educational programs and ecotourism activities. The Facilities Task Force is an established collaborative effort between the City and the New Jersey Audubon Society to transform the Nature Center and specifically the Charlotte Todd Education Hall into a robust, full service environmental learning center and community service resource. Tasks include: evaluation of the present facility and planning for future wants and needs; assessment of building feasibility; development of marketing, branding and promotion strategies; and developing funding strategies and an action plan. These efforts should be continued to be supported.
8. Nature Branding. Foster and develop the current relationship with the Nature Center and New Jersey Audubon. The Branding Task Force is a collaborative effort of the New Jersey Audubon and the City with the mission to develop and implement marketing strategies and promotional events focused on establishing the City, and by extension Cape Island, as a birding mecca and ecotourism and experience-based-education destination. Tasks include: developing a promotable nature brand for the City and Cape Island; promote nature branding to commercial stakeholders and public entities; feature the spectacular seasonal nature migrations including birds, butterflies, marine mammals, horseshoe crabs and other natural phenomena; develop sources of efficient focused marketing channels and funding. These efforts should be continued to be supported.

9. PW Preserved Wetlands. The importance of this specialized open space serves a wide range of vital functions. Wetlands store water and help to control runoff and flooding. Wetlands provide wildlife habitat and micro-climate control such as air and water purification. They also contribute to protecting significant vegetation and trees. It is recommended that wetland buffer requirements be investigated and developed so that appropriate buffers can be implemented on presently PW designated zones with the City limits. These buffers could extend up to 300 feet; however, the precise extent needs to be studied. This buffer width requirement would be outlined in a new zoning ordinance.
10. Ocean Waters Management: We are concerned that our ocean waters maintain a quality for the marine environment and a swimmable condition for both residents and visitors. It is recommended that the City promotes and requires that the public beaches be litter free. It is also recommended that an ever present enforcement element is provided along the beaches to ascertain that contamination of the ocean's waters will not be from non-source point pollution contributions.
11. Energy Conservation and Stewardship. Support of recommendations contained in the parking and circulation element is also recommended. Alternative transportation modes such as park and walk or biking as often as possible should be promoted within the City limits thus protecting our air quality and burning less fossil fuel. Support for the bike trail is also consistent with the goals and objectives of this element. It is also recommended that should the 100 acres of Sewell Point open space be acquired and protected, part of this area should be designated as birding trails. Further the City may wish to consider, in the future, creating a solar collecting area as a part of a sustainable investment in renewable energy resources. The DEP is beginning to present and encourage green and clean energy. They have mapped out a plan as to how New Jersey can shape opportunities for solar energy within communities.
12. Energy Master Plan. Cape May proposes to be a leader in facilitating the use of solar, wind and other alternative energy systems and promoting itself as a carbon neutral champion and seeks to plan for the use of alternative energy sources. "Cape May City's Energy Master Plan 2019" prepared by the City's Environmental Commission establishes goals and recommendations for Cape May to promote itself as a more carbon neutral champion. This plan is adopted as an appendix to this element and should be the basis for further planning and development of the Energy Master Plan. The Energy Master Plan 2019 is adopted with the following change: "Immediate Actions." indicated on Page 3 shall be replaced with "Further Considerations." The City should authorize and further develop a more detailed and comprehensive Cape May City Energy Master Plan.
13. Green Space Conservation. All public parks and private gardens should increase the number of native plants for the protection of birds, butterflies and honey bees, thus maintaining the life cycle of these species. The Environmental Commission should be consulted when public green space plantings need to be designed. The Commission can advise what native plantings are most suitable and will survive best in the desired location. Additionally, our City has the responsibility to maintain these spaces so they continue to benefit the community.

14. Cape Island Creek. There should be no removal of any vegetation along the entire length of Cape Island Creek. These wetlands plants provide protection for endangered and aquatic species. The boundaries of Cape Island Creek need to be kept intact.
15. Green Building. Our municipality is also committed to tackling Climate Change and seeks to assure an annual budgetary commitment to invest in the installation of solar panels on municipal buildings, including the newly endorsed, "Public Safety Building." As responsible stakeholders, the City of Cape May remains committed to adhering to the City's "Green Building" Ordinance. Powering the City with renewable systems is a great fit for Cape May's enormous supplies of wave power, sunlight and strong winds and should be encouraged.
16. Public Works Facility. The Public Works Facility at Canning House Lane has been identified as a potential site for the installation of wind turbines. The City may benefit by providing energy for the public works facility, desalination plant and possibly other consumers and should proceed with establishing an alternative energy generator at this site.
17. Resiliency & Sustainability. Sustainable Jersey has legitimized renewable energy in Cape May. Thus, private homeowners can commit to and reap the benefits of "Smart Energy". Choices can be made to coincide with Cape May City's Resiliency Element of the Master Plan. Citizens are encouraged to plan for challenges of rising sea levels. Individual homeowners are encouraged to add eco-friendly solar collectors to help prevent and abate climate changes. New energy technologies are an extremely important element to fulfilling Cape May's commitment to lessening its dependence on fossil fuels.
18. Education. Other local efforts, which add to quality of life for all, have been introduced by the Environmental Commission in 2018, encourage the community to ban or avoid plastic grocery bags, straws, bottles, cups and styrofoam food containers, etc. The Commission has vigorously organized educational efforts to create awareness about the devastating global effects from plastics entering all oceans. From birds, to fish, to humans, plastics of all varieties are entering the food chain. Education promoting bio-based products in lieu of chemicals, herbicides, pesticides and fertilizers should also be promoted. Our campaign will continue, as some solutions are presented and met both in the City and the State of New Jersey. These efforts should be supported.
19. East Cape May - Sewell Point. A 79 acre tract known as "Sewell Point" is a prime example of lands suitable for preservation. There is great concern regarding the potential development of these wetlands in East Cape May. A large residential subdivision plan has been in litigation with the State over the wetlands limitations for a number of years. The City should continue in its attempt to assure its permanent protection. Acquisition is recommended if feasible.
20. Land Use Application Review. The Planning and Zoning Boards through land use application review shall ensure regulations are enforced and the Environmental Commission and Shade Tree Commission should be consulted for their expertise and recommendations. The City recognizes the importance of protecting natural resources. Current regulations preserve soils and existing vegetation and require the replacement of vegetation that is removed when land is developed. Cape May has a landscaping ordinance that requires up to 60% of a lot be left in vegetation and tree replacement for larger trees

that are removed. Participation by the Environmental Commission and Shade Tree Commission in land development reviews has ensured compliance with the regulations and should continue.

21. Beach Management. Cape May's beaches are vital to both the environmental and physical protection of the City, as well as being one of its most valuable economic resources. Beach nourishment, dune stabilization and maintenance are essential in protection of the City from coastal flooding and shall remain a priority activity. Cape May recognizes the fragility of the beach and dunes and should continue the beach replenishment projects in cooperation with the U.S. Army Corps of Engineers. As the beaches are the first line of protection from flooding and waves from storms approaching from the sea, continual preservation and enhancement of the beach and dunes is recommended. Projected sea level rise and coastal dynamics should also be incorporated into beach management plans.
22. Beach Seawall/Promenade. Seawalls consisting of bulkheads and groins identified above run on the ocean side (south) of Beach Avenue. Replacement of the timber seawall with a higher continuous reinforced concrete wall is recommended. Elevating the low or missing section of the seawall would help reduce the flooding if the dune breaches. It also could provide the foundation for an extension of the promenade which would provide enhanced recreation, pedestrian access, and bicycle access. Extending, widening and raising the promenade is recommended for the entire beachfront.
23. Dune Protection. Dune trampling has occurred in several beachfront areas. It is recommended that the following Building Ecological Solutions to Community Coastal Hazards (BESSHC) Recommendation be incorporated for dune protection:
  - Install dune fencing more aggressively with the aim of limiting the number of pedestrians choosing to cross the dune and improve the chance that dune vegetation thrives, which will help to trap additional sand and minimize erosion.
  - Install signage with both a warning and education about the importance of the dune.
  - Target residents and seasonal visitors of this beach area for education and outreach regarding the importance of this dune to Cape May City. There is an opportunity here to teach residents and visitors about the importance of dunes and dune vegetation. This may result in better maintenance of the dunes at beach access points and better retention of sand. One way to do this would be collaborating with local surf shops, fishing shops, and realtors and providing informational material for them to distribute to those who might use the area.
  - Heavily plant the dune with native dune grasses, forbs, and shrubs. Community involvement in a planting project at the location would make this more effective by helping to build interest in preserving the plantings and the dune. Coordination with the USACOE would be needed during beach replenishment projects so that sand does not bury the plants during replenishment activities.
  - Replace cut-through footpaths with elevated dune walkovers wherever possible to reduce dune erosion and vulnerabilities to storm surge.

- Conserve, restore, and protect native dune vegetation. Consider ways to restore, create, and strengthen dune complexes that incorporate native, dune-building vegetation and plugs gaps in existing dune formations. Detailed guidance is provided on dune design, plant selection, and planting methods in the NJ Sea Grant Dune Manual *Dune It Right*. Promote the use of native dune vegetation in local landscaping.
- Construct a second walkway with a viewing platform at the foot of Wilmington Ave. The walkway would roughly parallel the exiting walkway, but would provide a more direct path to the beach and a platform for viewing the surf.

24. Harborfront Beaches along Delaware Avenue. Delaware Avenue is an important access road to the Coast Guard Station, but incurs repeated flooding and erosion. Although the road has been repaired and riprap placed along the shoreline, the flooding and erosion problems have, and will continue to, persist and intensify and this solution is not environmentally sensitive. It is recommended that the following Building Ecological Solutions to Community Coastal Hazards (BESSHC) Recommendation be incorporated: The City should consider a living shoreline in this area backed with a vegetated berm. The berm is necessitated by the desire to limit flooding of the roadway. The berm could contain a structural core constructed of rocks, geo-tubes, gabions, or even a bulkhead. A living shoreline should be constructed in front of the berm. The living shoreline would be both aesthetically pleasing as well as ecologically beneficial. As part of a living shoreline, an offshore sill or breakwater could also be needed.

25. Living Shorelines. The wetlands along the Harbor and Cape Island Creek provide protection to the infrastructure and homes in the City. As erosion and sea level rise continue, these wetlands are being displaced. Steps should be taken to stabilize these wetlands through living shorelines, which will not only reduce erosion and increase resiliency but will also qualify for Community Rating System credits. Living shorelines are a shoreline stabilization practice



that address erosion and attenuate wave energy using a hybrid approach of strategically placed plants, stone, sand fill and other structural or organic materials. Living shorelines typically have other co-benefits such as the protection of flora and fauna habitats, flood mitigation, improved water quality and attractive, natural appearances. These practices are an alternative to the traditional hard or “gray” infrastructure (e.g. bulkheads, revetment walls, etc.), which are especially vulnerable to sea level rise and extreme flood events. The Harborfront and Lafayette Street Park may also be a good opportunities to install a living shoreline to minimize trail erosion and the impacts of flooding and erosion at the toe of the slope of the hills and neighboring properties.



26. Funding Sources. Project completion is often limited by the City's available funding. The City should strive to continually seek out grants and funding sources. Application for applicable state and federal grants should occur on an annual basis to fund structural projects.

## 10.0 Resiliency Element

### 10.0 RESILIENCY ELEMENT

#### 10.1 Introduction

In the aftermath of Superstorm Sandy and with other natural disasters occurring at an increasing frequency, resiliency has emerged as an integral aspect of sound planning principles. According to the Oxford English Dictionary, “resiliency” can refer to ability to rebound, the nature of being elastic, or the capacity to recover. As a framework for community planning, resiliency looks to ensure that communities do not merely recover, but are in a stronger position than before to withstand additional hazards and ensure community safety and quality of life for posterity. In recognizing the importance of resiliency, the New Jersey State Legislature now requires municipal land use elements to strategize for storm resiliency and address risks and hazards such as sea level rise and flooding.



This Resiliency Element is a new element of the Master Plan which will describe existing conditions and vulnerabilities affecting the City of Cape May, provide strategies and recommendations for municipal resilience, determine additional stakeholders and other plans involving resilience, and describe an Action Plan for implementing resiliency measures.

Cape May is vulnerable to hazards that are both man-made and natural. Its location at the Cape has brought it prosperity, and the City has long reaped the benefits of tourism, beach and ecological resources and historical landmarks. However, those characteristics are a double-edged sword: The City's location renders it vulnerable to natural hazards that affect coastal communities, such as flooding and shifts in coastal geomorphology.

The challenges that the City is facing are long-term and not entirely within the control of the municipality. However, these issues gained new urgency following the landfall of Superstorm Sandy in 2012. Superstorm Sandy caused significant damage to both coastal and inland communities in New York, New Jersey, and nearby states. Cape May was lucky in that Superstorm Sandy struck to the north causing considerable damage to other municipalities from flooding, storm surge, and wind. Lessons learned from this storm are important to planning Cape May's future resiliency.

#### 10.2 Overview of Resiliency Planning Efforts

In addition to the planning efforts noted in this Master Plan Reexamination 2018, Cape May has participated in various resiliency planning reports over the past decade that have been used to

develop this element. This element has been developed to implement these cumulative plans into a document to guide future efforts.

### **Shore Protection Master Plan**

In 1981, the State of New Jersey's Department of Environmental Protection (NJDEP) – Division of Coastal Resources released the New Jersey Shore Protection Master Plan. The Master Plan was created to “reduce the negative impacts of and conflicts between shoreline erosion management and coastal development, reduce hazard losses, and satisfy shore user demands in an equitable way”. The Plan was notable for its use of a “reach” approach for engineering plans, whereby shoreline protection plans are consistent across areas where similar coastal processes are occurring. Previously, communities had used a piecemeal approach for shoreline protection, whereby communities completed projects independent of each other. The Master Plan divided New Jersey's shoreline from Raritan Bay to the Delaware River into 16 different shoreline reaches. The communities from Cape May Inlet to Cape May Point (Reach 14) were considered an individual reach, thus paving the way for coordination of shoreline protection activities between Cape May City, Coast Guard Receiving Area, Township of Lower, and Cape May Point.

### **City of Cape May Floodplain Management Plan, September 10, 2009**

In 2009, the City planned and developed its first Floodplain Management Plan. During the planning process, all possible flood management activities that were considered were reviewed and details why they were or were not recommended were provided. Specific projects were determined to address the goals developed in the plan. The action plan included flood-related recommendations for activities discussed in previous planning phases. An action plan was prepared to identify the recommendations, their priority, their time line for completion, benefits, costs and name whom will be responsible to perform the action. This floodplain management plan did not identify expensive or massive structural flood control projects and only recommended activities that the community can be assured will be implemented through its own resources and funding.

### **Cape May Coastal Vulnerability Assessment Report, December 2016**

The Municipal Coastal Vulnerability Assessment (CVA) was developed by the New Jersey Resilient Coastal Communities Initiative (RCCI), a post-Sandy project funded by the National Oceanic and Atmospheric Administration (NOAA), and managed by the NJ Department of Environmental Protection's Office of Coastal and Land Use Planning. The CVA is both a process and tool to help communities make incisive and sound decisions on near and long-term coastal management, reconstruction, and resiliency measures. The CVA categorizes the degree to which a community's assets (e.g. built, natural, social, etc.) will be impacted by projected sea level rise and storm events, and analyzes the consequences those vulnerabilities pose to the community. By accounting for vulnerability and consequence factors associated with future flood events, local officials will be better informed to make critical decisions regarding land use planning, mitigation, adaption measures, and public investments. The CVA The tool was created in response to the need for municipalities to be better prepared for the increasing rate of sea level rise and extreme storm events.

### **Hurriplan - Resilient Building Design for Coastal Communities, May 2015**

The City of Cape May hosted a two-day performance-level course which provides planning and design professionals with the knowledge and training necessary to design hurricane resilient

commercial and institutional buildings. The FEMA sponsored course was done by the National Disaster Preparedness Training Center at the University of Hawaii. Through lectures and active learning components, existing regulations and beyond-code design guidelines were discussed. The culmination of the course includes the creation of a site plan and building design of a community safe room in Cape May's hurricane-prone community. The course was targeted for a broad cross section of professionals involved in emergency management, planners, building and zoning officials, mitigation specialists, developers, engineers, land owners, architects, building managers and owners. Cape May as well as other municipalities was well represented. Course topics included: Introduction to Hurricane Science; Design Strategies Against Wind, Water and Debris; Infrastructure Failure; Current and Suggested Zoning and Building Codes; FEMA Guidelines, Best Practices and Lessons Learned.

### **Cape May County Multi-Jurisdictional All Hazards Mitigation Plan, May 2016**

In response to the requirements of the Disaster Mitigation Act of 2000 (DMA 2000), Cape May County and its inclusive municipalities developed a Multi Jurisdictional Hazard Mitigation Plan (HMP), which is an update of the 2010 Cape May County Multi-Jurisdictional All Hazards Mitigation Plan. DMA 2000 amends the Stafford Act and is designed to improve planning for, response to, and recovery from, disasters by requiring State and local entities to implement pre-disaster mitigation planning and develop HMPs. The Federal Emergency Management Agency (FEMA) has issued guidelines for HMPs. The New Jersey Office of Emergency Management (NJOEM) also supports plan development for jurisdictions in New Jersey. Specifically, DMA 2000 requires that States, with support from local governmental agencies, update HMPs on a five year basis to prepare for and reduce the potential impacts of natural hazards. The Plan is intended to facilitate cooperation between state and local authorities, prompting them to work together. This enhanced planning will better enable local and State governments to articulate accurate needs for mitigation, resulting in faster allocation of funding and more effective risk reduction projects.

The HMP contains a county and municipal jurisdictional community annex for each municipality, assesses potential risks, provides mitigation strategies contains procedures for maintaining the plan, and contains a jurisdiction-specific annex for each participating jurisdiction and Cape May County containing their hazards of concern, hazard risk ranking, capability assessments, mitigation actions, action prioritization specific only to Cape May County or that jurisdiction, progress on 2010 mitigation actions, and an overview of 2010 plan integration into local planning processes.

### **FEMA Flood Risk Report, Cape May County Coastal Area Report, August 3, 2016**

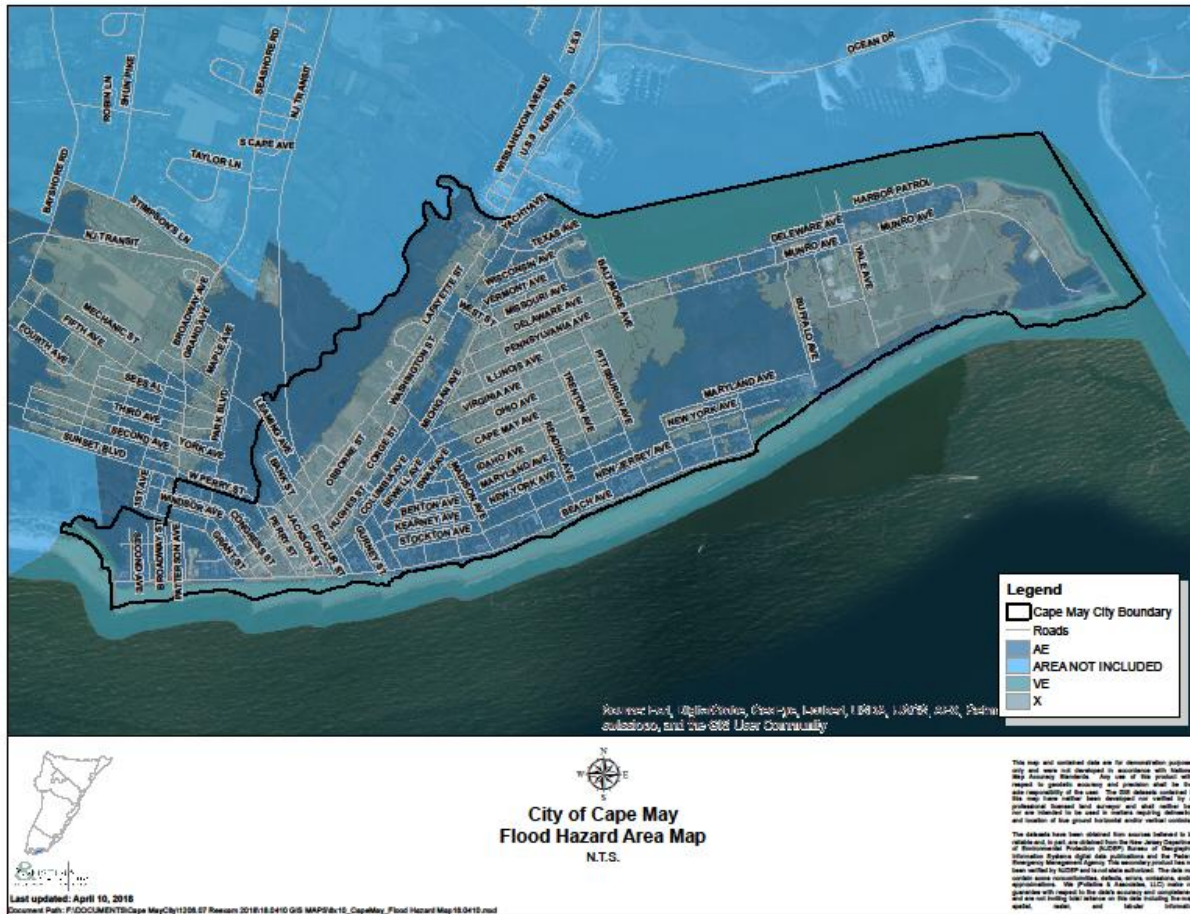
The Department of Homeland Security (DHS), Federal Emergency Management Agency's (FEMA) Risk Mapping, Assessment, and Planning (Risk MAP) program provides states, tribes, and local communities with flood risk information and tools that they can use to increase their resilience to flooding and better protect their citizens. By pairing accurate floodplain maps with risk assessment tools and planning and outreach support, Risk MAP has transformed traditional flood mapping efforts into an integrated process of identifying, assessing, communicating, planning for, and mitigating flood-related risks. This Flood Risk Report (FRR) provides non-regulatory information to aid the City to better understand their flood risk, take steps to mitigate those risks, and communicate those risks to their citizens and local businesses. This FRR was prepared specifically for Cape May County municipalities including the City of Cape May.

**Building Ecological Solutions to Community Coastal Hazards, September 2017 (BESCCH)**

The NJDEP Office of Coastal and Land Use Planning offered assistance to Cape May City through the “Building Ecological Solutions to Community Coastal Hazards” program. Funding for this project was provided by the Department of the Interior through a grant from the National Fish and Wildlife Foundation’s Hurricane Sandy Coastal Resiliency Competitive Grant Program. The program was developed to advance ecologically based strategies to mitigate the impacts of coastal and tidally influenced flood hazards. Recommendations were developed for the sites and issues presented in December 2016.

**10.3 Existing Conditions and Vulnerability**

Cape May City is a small peninsula community located at the southern tip of the Cape May Peninsula in Cape May County. The city encompasses more than 2.5 square miles of land and is one of the oldest vacation communities in the country. The city is uniquely positioned along the Atlantic Ocean, as most communities run north-south along the Atlantic Ocean, the City runs east-west along the ocean, making it more susceptible to direct ocean impacts that are traveling north. The City also has back bay type flooding exposure from its location along the Cape May Harbor and Cape Island Creek. Cape May City has a year-round population of 3,500 residents, with a higher seasonal population of approximately 47,000. Approximately half the population is 45 or older, and a median family income lower than the state average.



Map 10.1: Flood Hazard Area Map

Cape May County has a history of natural and non-natural hazard events as detailed in this plan. A summary of historical events is provided in each of the hazard profiles and includes a chronology of events that have affected the County and its municipalities. For the purpose of this plan update, events that have occurred in the City and County from 2010 to present were summarized to indicate the range and impact of hazard events in the community. Information regarding specific damages is included, if available, based on reference material or local sources. This information is presented in the table below:

Date(s) of Event	Event Type	FEMA Declaration # (If Applicable)	County Designated?	Summary of Damages/Losses
November 12-13, 2009	Severe Storms and Flooding associated with Tropical Depression Ida and a Nor'Easter	DR-1867	Yes	Flooding – Elmira Street
February 5-6, 2010	Severe Winter Storm and Snowstorm (blizzard)	DR-1889	Yes	Snow Plow operation for a 48 hour period. Police assistance for Fire/ EMT over 100 Calls during same period.
February 9-10, 2010	Winter Storm / Blizzard	No	N/A	Snow Plow operations performed over a 72 hour period. Police and Fire/ EMS responded to calls over the same period of the storm.
December 26-27, 2010	Severe Winter Storm and Snowstorm	DR-1954	Yes	Snow removal Operations over a 48 hour period Assisted EMS with transport to local hospital.
August 27-28, 2011	Hurricane Irene	DR-4021	Yes	Heavy winds & rain causing severe beach erosion of 141,478 cu.yds., and 6,760 LF of Dune fence, street flooding, Police & Fire assisted with Evacuation of residents, Police Communication System Loss, P.W. Crews removed sand, debris, fallen trees, from streets during storm.
October 28, 2012	Hurricane Sandy	DR-4086	Yes	Severe Beach Erosion, Loss 14,000 LF. Dune fence loss, , Police & Fire assisted with Evacuation of residents, Street flooding, Road Closures, Tidal Surges, Power Outages, P.W. Crews cleared roads of sand and debris during and after storm
October 1-4, 2015	Hurricane Joaquin	No	N/A	Severe Beach Erosion, Street Flooding-Elmira, Bank, Venice Streets, Yacht Ave. during storm. Trees down, Drainage issues, Queen Street Outfall Pipe and Cradle Damage

Table 10.1: Impact of Hazard Events

- According to FEMA, between 2009 and 2015, Cape May County was included in three declarations associated with hurricanes and tropical storms.
  - November 11-15, 2009 – FEMA-DR-1867 – Severe Storms and Flooding Associated with Tropical Storm Ida and a Nor'Easter
  - August 26-September 5, 2011 – FEMA-DR-4021 – Hurricane Irene
  - October 26-November 8, 2011 – FEMA-DR-4086 – Hurricane Sandy
- According to FEMA, between 2009 and 2015, Cape May County was included in two declarations associated with Nor'Easters.
  - November 11-15, 2009 – FEMA-DR-1867 – Severe Storms and Flooding Associated with Tropical Storm Ida and a Nor'Easter
  - October 29, 2011 – FEMA-DR-4048 – Severe Weather (snowstorm/Nor'Easter)
- According to FEMA, between 2009 and 2015, Cape May County was included in three declarations associated with severe weather events.
  - November 11-15, 2009 – FEMA-DR-1867 – Severe Storms and Flooding Associated with Tropical Depression Ida and a Nor'Easter
  - March 12-April 15, 2010 – FEMA-DR-1897 - Severe Storms and Flooding
  - October 29, 2011 – FEMA-DR-4048 – Severe Weather

- New Jersey has experienced 147 tornadoes between 1950 and 2014, with nine of those occurring in Cape May County. However, there have been no confirmed tornadoes in the County since 2003.
- NOAA's NCDC storm events database indicates that Cape May County was impacted by approximately 237 severe weather events between 2009 and 2015 causing a total of over \$214.4 million in property damages.

### **Future Flooding**

Cape May City must plan for a new set of challenges as sea level continues to rise and the intensity and frequency of storms and precipitation increase. Figure 1 shows past and future trends in monthly mean sea level rise using data from the Cape May tide gauge station in Cape May, NJ. Additional data and maps regarding future flood projections, precipitation and climate change are available at Climate Central (<http://www.climatecentral.org>); NJAdapt (<http://www.njadapt.org>); and the NJ Climate Adaptation Alliance (<http://njadapt.rutgers.edu/>)

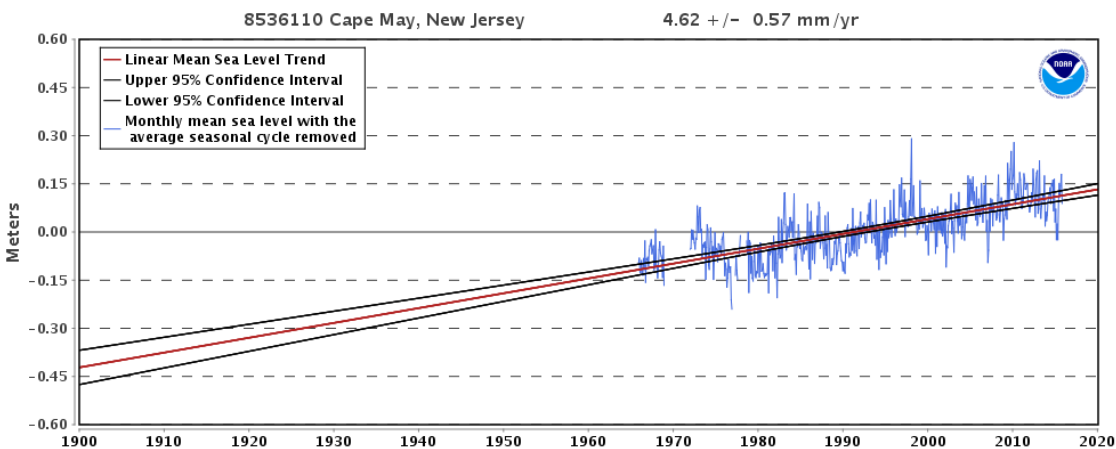
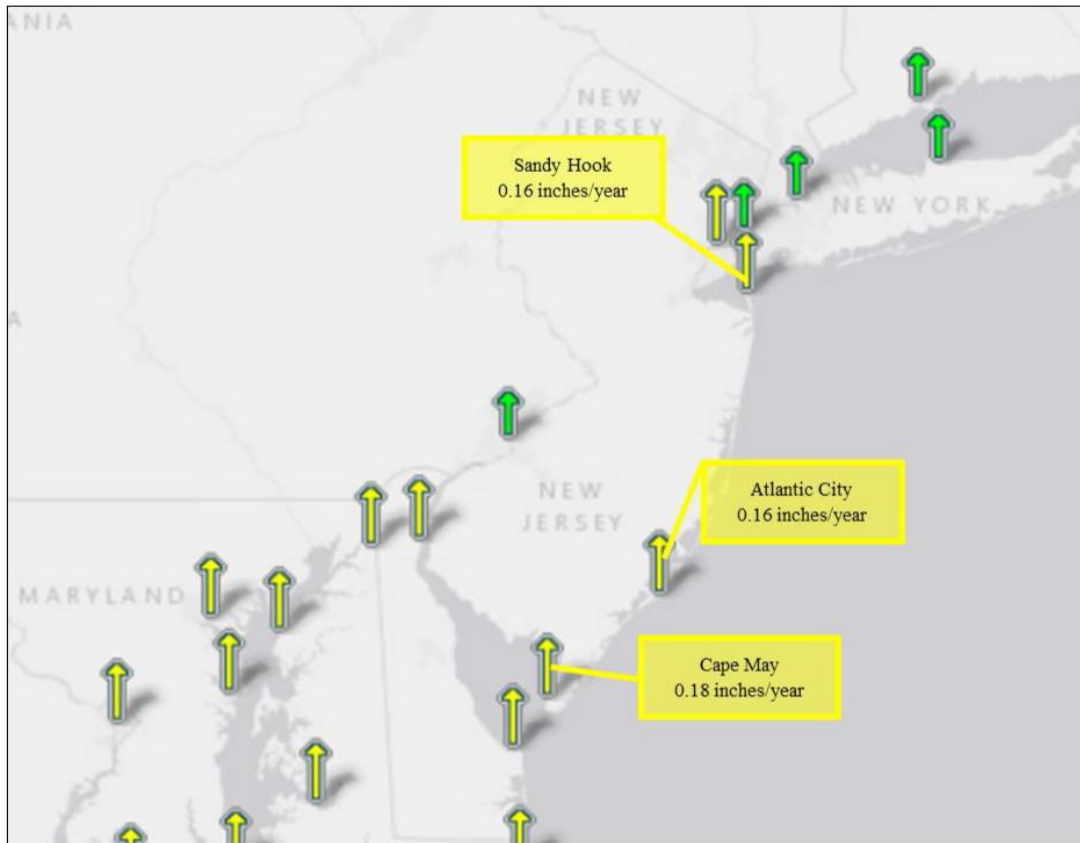


Figure 10.1: Mean Sea Level Trend at Cape May, NJ (Source: NOAA, 2015)

NOAA 2016 (See Map 10.2) mean sea level trends in New Jersey information shows mean sea level trends for Cape May increasing at a rate of 0.18 inches per year.





Source: NOAA 2016

Map 10.2 - Mean Sea Level Trends in New Jersey

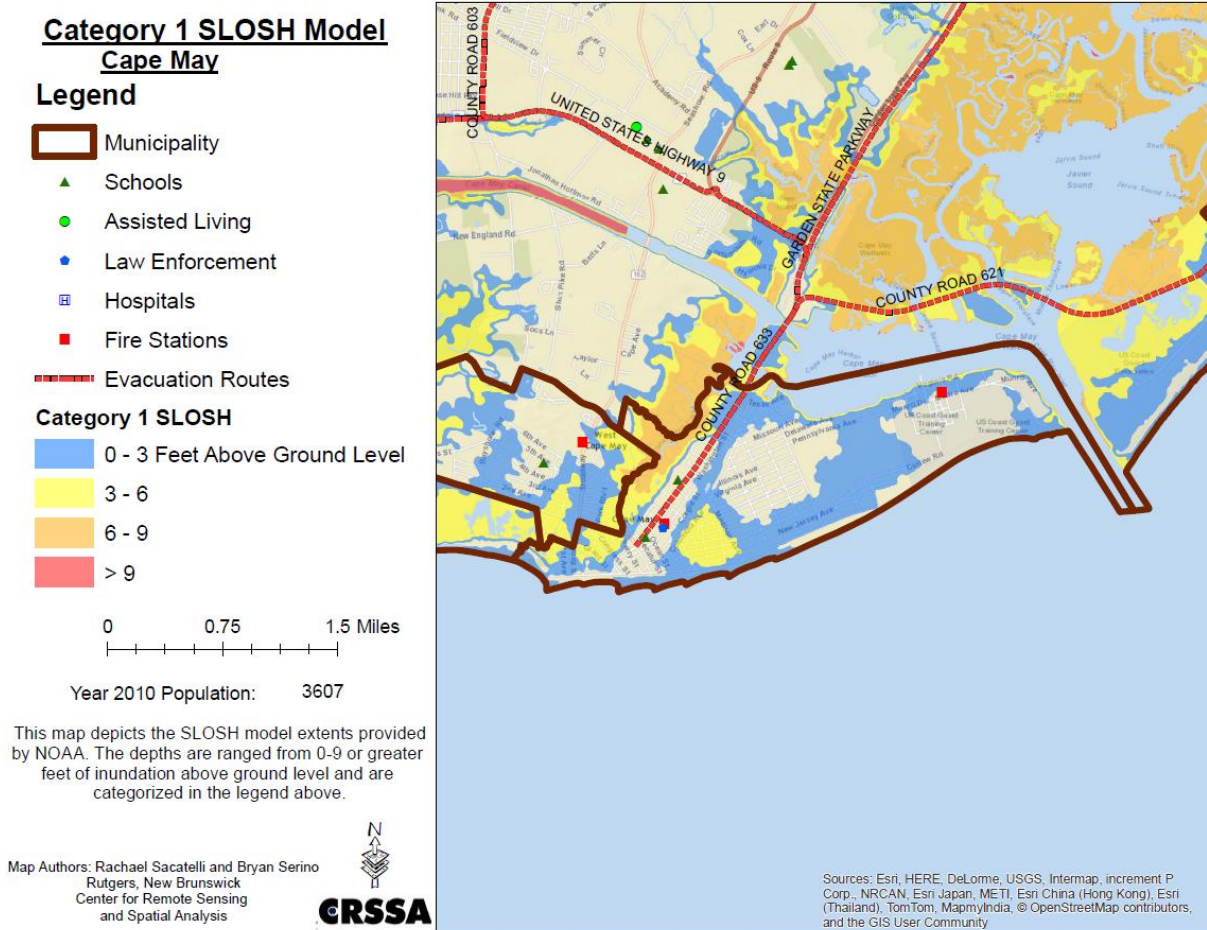
### **Cape May Coastal Vulnerability Assessment Report, December 2016**

The Municipal Coastal Vulnerability Assessment (CVA) was developed as a process and tool to help communities make incisive and sound decisions on near and long-term coastal management, reconstruction, and resiliency measures. The CVA categorized the degree to which a community's assets (e.g. built, natural, social, etc.) will be impacted by projected sea level rise and storm events, and analyzes the consequences those vulnerabilities pose to the community.

During development of the CVA, The City identified 57 assets to be included in the vulnerability and consequences assessment, but only those assets shown to be impacted by sea level rise and/or a Category 1 Hurricane in 2050 were included in the assessment. A total of 44 assets were identified under four broad categories of potential community assets: Critical Facilities & Infrastructure Systems, Community Resources & Amenities, Natural Assets & Ecosystems, and Districts, Neighborhoods, & Population Clusters. While the majority of assets were assessed individually, some of them were assessed as part of "systems" to ensure the functionality and consequence if one component or asset failed. For example, Cape May City includes a historic district, which comprises approximately half the city and a quarter of the assessed value of all the property within the city. Substantial loss or damage to the district will have major impacts and consequences for the city.

CVA assessment is based upon two flood hazards scenarios - 2050 projected sea level rise and 2050 hurricane category 1 storm surge - both scenarios developed and provided by the NJ Department of Environmental Protection. Sea level rise projection is based upon a 2013 study by New Jersey

climate scientists and uses the 2050 mid-range projections in that study, or 1.3 feet of sea level rise. The sea level rise maps show the cumulative layers of the projections and the mean higher high water mark, determined by NOAA calculations. The storm surge maps were developed using NOAA’s SLOSH (Sea, Lake, and Overland Surge from Hurricanes) model, combined with the sea level rise projections. The approximate depth of water is based on LiDAR data.



Map 10.3: Storm Surge Maps

The community assets were assessed for their vulnerability (exposure and sensitivity) to the above two hazard scenarios, and then for the consequences to the community if the asset was damaged or destroyed. The complete set of data on vulnerability and consequences are included in the CVA Matrix (Appendix A), and summarized in Table 1 below (for a full list of consequences, refer to the Appendix A Matrix.) Since sea level rise is more likely to occur than a Category 1 hurricane, the city should particularly focus its attention on the assets with high consequences in the sea level rise column. There are also other considerations for interpreting the data in the Matrix and Table 1. The flood hazard maps are based upon the latest technology and most readily available data, both of which will continue to be updated as new data is generated and technology advances. Additionally, there may be existing topographical features or mitigation measures in place that the assessment did not pick up, which could lower the vulnerability rating of an asset. For these reasons, the matrix should be used for general planning purposes and not for specific site planning or design, unless site conditions are field verified. More considerations on the use of the data and recommendations are offered in Section V.

#### 10.4 National Flood Insurance Program

Cape May has participated in the National Flood Insurance Program (NFIP) since 1971. Cape May has Class 6 status and qualifies for a 20% discount on policies. The City has also adopted the most recent advisory flood map created by FEMA. See Figure 3.1 below for more information:

**Table 10.2 - Cape May Community Insurance Overview**

Insurance Overview as of 12/31/2017	
<b>Number of Policies:</b>	2,655
<b>Total Premiums:</b>	\$2,556,397
<b>Insurance in Force:</b>	\$684,667,400
<b>Total Number of Closed Paid Losses:</b>	1,102
<b>\$ Amount of Closed Paid Losses:</b>	\$10,080,661
<b>Total of Minus Rated Policies</b>	273
<b>A Zone Minus Rated Policies</b>	271
<b>V Zone Minus Rated Policies</b>	2
<b>Number of Substantial Damage Losses Paid</b>	52

(Source: fema.gov/cis/insurance)

As of December 31, 2017 there are 2,655 policies in force, insuring over \$684.7 million of property with total annual insurance premiums of over \$2.56 million. Since 1978, 1,102 claims have been paid totaling \$10.0 million.

#### 10.5 Current Flood Damage Protection Activities

##### Elevation Certificates

The City of Cape May's Office of Construction/Zoning requires FEMA Elevation Certificates prior to the issuance of a Certificate of Occupancy for all new construction and re-construction, and maintains these documents in each construction permit file. Elevation Certificates are maintained in that office which is available for public inspection. Also, a computer log of all Elevation Certificates on file is kept and updated through the Community Rating System Flood Elevation Certificate Software program. A revised elevation certificate form is available which requires photos of the property. Elevation Certificates are also required at the start of all new construction for the flood elevation height for installation of all plumbing and heating equipment. This activity has been effective and shall remain as an activity to ensure compliance with regulations and codes. The Construction office and CRS Coordinator is responsible for this activity and funding is addressed as permitted by building permit fees.

##### Map Determination

The City of Cape May Construction Office staff provides verbal and written map determinations for anyone requesting verification of the location of a parcel of property within the flood hazard areas. A separate log is kept for all inquiries. The community panel number of the Flood Insurance Rate Map (FIRM) is also given to the public for insurance information. This activity has been utilized by the public and is important to promote education and assist interested parties in obtaining flood insurance. The Construction office and CRS Coordinator is responsible for this activity.

**Outreach Projects**

The City of Cape May distributes information with the annual tax/utility bills regarding flood hazard areas, flood warning systems, flood safety, flood insurance protection measures, flood plain requirements and drainage system maintenance. This includes the availability of additional information and publications located at the city library and construction office. The emergency management coordinator and CRS coordinator meet once a month to discuss public awareness measures in regard to on-going projects and public notification of evacuation procedures in the event of flooding. The City of Cape May along with the County of Cape May has an approved evacuation route in case of a hurricane or flooding. This activity has been utilized by the public and shall remain as an activity to promote education. It is recommended to expand this program consistent with other recommendations contained in this document to maximize information available to the public. The Construction Office and CRS Coordinator are responsible for this educational activity.

**Flood Protection Library**

The City of Cape May library has established a collection of books and publications which are available for the public. Items include the Flood Insurance Rate Map (FIRM) for the City of Cape May and information about flood insurance, coastal construction, hurricane safety, and flood hazard mitigation. Many residents and prospective property owners have used this service. The City of Cape May continues to make these publications available to the public both in the library and construction office. The property owners have found this information helpful both for new construction and substantial renovations. The Construction Office and CRS Coordinator are responsible for this educational activity.

**Flood Protection Assistance**

The City of Cape May's Construction Office provides property owners with guidance and assistance for elevations on file. The Construction Official and Building Inspector also perform inspections on site and the Construction Office provides property owners with guidance. Annual notification to all property owners provides up to date flood information, and has been very successful in educating the public. Citizens have become more aware of flood proofing procedures through outreach mailings and information from the Construction Department.

**Open Space Preservation**

The area of the regulatory flood plain in the City of Cape May is 3,246.75 acres with 324.55 acres located in the V-Zone and 2,922.20 acres on the A-Zone. The V-Zone includes all beach and dune area along the Atlantic Ocean. Municipally owned open space in other area has been increased by the acquisition and development of the current Lafayette Street Park site. The City of Cape May has adopted a zoning ordinance which provides regulations for preserving open space. Acquisition of open space preservation continues.

**Stormwater Management**

The City of Cape May, through the Soil Erosion Control Act, CHP.251 PL1975, reviews the development applications and regulates storm water management. Residential Site Improvement Standards (RSIS) are also applied. The City of Cape May has a storm water management ordinance in effect. Developing properties must submit a storm water plan that is reviewed by the Planning & Zoning Board Engineer and other jurisdictional agencies. The Planning Board and Zoning Board remain responsible for compliance with all regulations during the application review and approval process.

**Stormwater Pumping Facilities**

Stormwater pump systems have been constructed to alleviate flooding in the beachfront and Frog Hollow area. Pump stations are located at Benton Avenue, Venice Avenue (City operated) and Madison Avenue and Grant Street (County operated). Continued maintenance is required. These systems are pump systems requiring electrical power. In the event of power loss, backup power generators should be maintained to ensure continued pumping.

**Drainage System Maintenance**

The City of Cape May's Public Works Department maintains storm drains twice a year in the spring and the fall. Additionally, the City of Cape May will make the public aware of regulations that prohibit dumping into storm drains. Construction sites are also regulated by State regulations administered by Cape Atlantic Soil District. All storm drains were marked with tags to make the public aware of the importance on not dumping debris into the drains. Storm drains are cleaned more often than twice a year, when needed. A log is kept to document the storm drainage system cleaning. Drains are cleared of debris such as leaves. Cape Atlantic Soil regulates the construction sites by state regulations. Certificates of Occupancy cannot be obtained without compliance.

**Higher Regulatory Standards**

The City of Cape May has complied with the Flood Plain Management Ordinance for elevation requirements and has adopted standards that exceed the minimum requirements. The City looks to evaluate and develop higher standards as recommended in this reexamination.

**Flood Plain Management**

The City of Cape May has amended the Flood Plain Management Ordinance to comply with current regulations. Current development in these areas is not prohibited but must conform to the current regulations. The current Flood Plain Management Ordinance is in effect and has been amended over the years to comply with all current regulations.

The repetitive loss areas in the City of Cape May are located within areas that are regulated by the New Jersey Department of Environmental Protection. The City of Cape May's Flood Plain Management Ordinance contains additional development constraints for these areas. Development in the repetitive loss areas are subject to the following terms of the ordinance:

- a) All new construction in the City must comply with the base flood elevation of 10.5 feet; and

- b) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
- c) All heating and air-conditioning must be located above the base flood elevations and freeboard requirements; and
- d) New residential construction and commercial construction or substantial improvements shall have the lowest floor elevated to or above the base flood elevation+2 feet of freeboard.

The City of Cape May's Flood Plain Ordinance also provides methods of reducing flood losses. The following methods are used:

- a) Restrict or prohibit uses, which are dangerous to health, safety and property due to water or erosion or in flood heights or velocities;
- b) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- d) Control filling, grading, dredging and other development which may increase flood damage; and
- e) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

Enforcement of the Flood Plain Management Ordinance remains the responsibility of the Construction Official, Planning Board and Zoning Board as jurisdictionally appropriate. The City looks to evaluate and develop higher standards as recommended in this reexamination.

### **Beachfill Project**

The City of Cape May has a 50-year contract commitment from the Federal Government to maintain the entire City of Cape May beachfront at least until the year 2040. The beach restoration helps protect properties in the city from flooding due to coastal storms. According to the City of Cape May Beach Management Plan, the US Army Corps of Engineers is approximately 22 years into the construction phase of a 50-year beach nourishment program that includes all of Cape May City west of the Cape May Inlet. Initial nourishment of City beaches under the Corps program took place in 1993. Routine renourishment is scheduled approximately every 2 years. This activity has been effective in ensuring beach and dune protection measures are in place to protect the City from flooding. Responsibility of this program shall remain with City Council to ensure compliance with the City of Cape May Beach Management Plan and continuation of the program provided by the US Army Corps of Engineers.

### **Warning Systems**

Five flood warning sirens are located at Wilmington and New Jersey Avenues, Texas Avenue, Reading and New York Avenues, Benton Avenue stormwater pumping facility, and Grant and North

Streets. These provide an early warning to alert residents of forecasted flooding. The City also implemented a "reverse 911" emergency communication system for use in potential hazard situations. A loudspeaker system has been installed along the beachfront to notify beach and promenade users of emergency situations.

### **Emergency Management**

The Emergency management coordinator and team consisting of elected officials, community groups, police, fire, public works, media, environmental groups, and hospital staff have quarterly meetings, along with Cape May County Emergency management teams to plan and discuss procedures for emergency evacuations. Drills are also performed each year. Emergency Management Coordinators from the City of Cape May, along with the County of Cape May have meetings with citizens and public officials to be ready to implement the plan in place for evacuation. The City's OEM Coordinator is responsible for this activity.

### **10.6 Community Rating System**

The NFIP Community Rating System (CRS) is a voluntary incentive program that recognizes and encourages community floodplain management activities that exceed the minimum NFIP requirements. The City of Cape May entered the CRS program in 1994 and is currently rated a Class 6 community.

Under the CRS, there is an incentive for communities to do more than just regulate construction of new buildings to minimum national standards. Communities earn credit by engaging in 18 activities organized under four categories: Public Information, Mapping and Regulations, Flood Damage Reduction, and Flood Preparedness. CRS class designation is determined by how many credits a community earns through these activities. CRS classes range from a Class 9 (requiring 500-999 CRS credits) to a Class 1 (requiring 4,500 or more CRS credits).

Under the CRS, flood insurance premiums are adjusted to reflect community activities that reduce flood damage to existing buildings, manage development in areas not mapped by the NFIP, protect new buildings beyond the minimum NFIP protection level, help insurance agents obtain flood data, and help people obtain flood insurance.

As a result of the CRS program, flood insurance premium rates are discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS:

- a. Reduce flood losses;
- b. Facilitate accurate insurance ratings; and
- c. Promote the awareness of flood insurance.

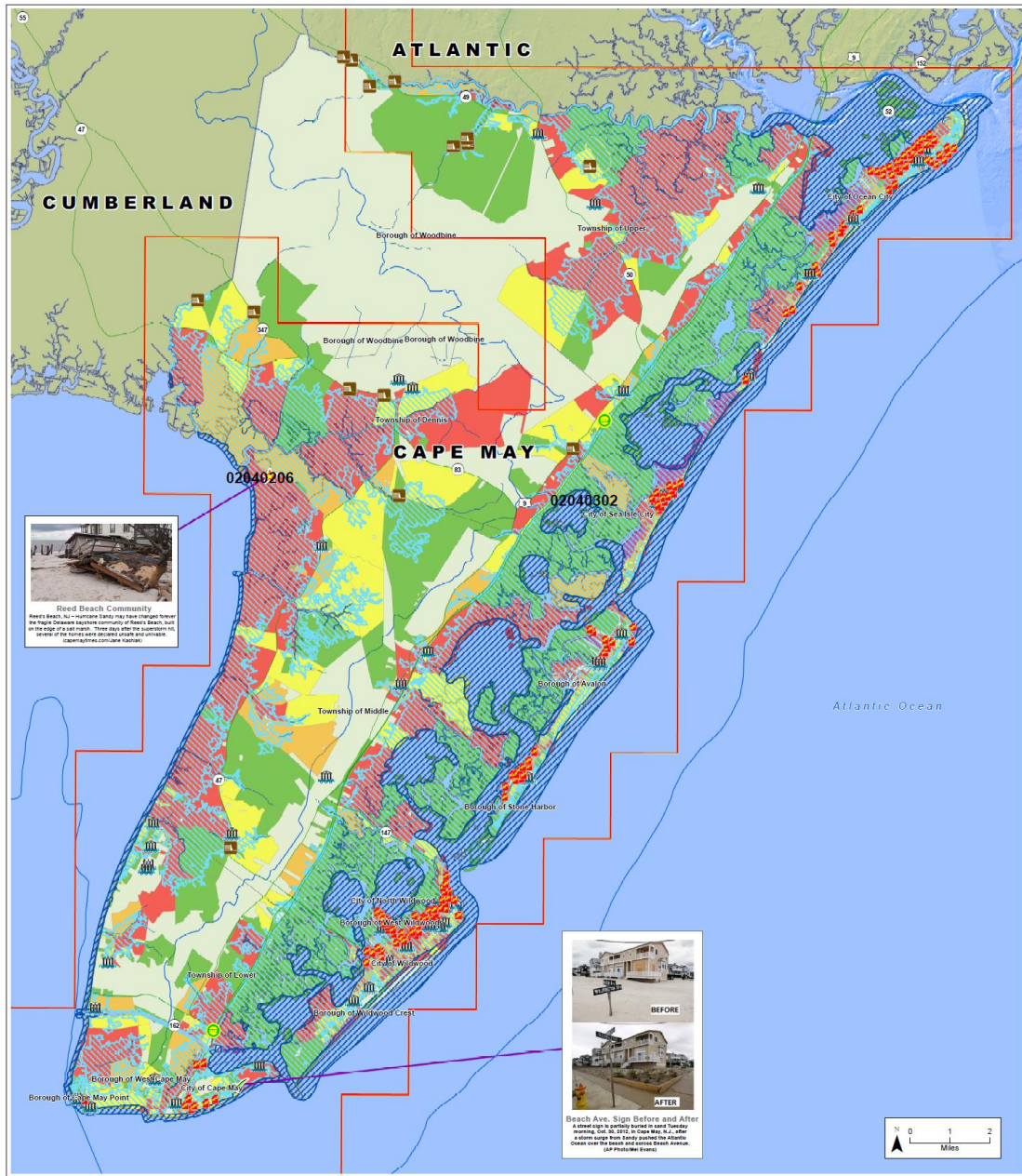
As of June 2017, nationwide there are 1,444 communities receiving flood insurance premium discounts based on their implementation of local mitigation, outreach, and educational activities that go well beyond minimum NFIP requirements. Cape May has a Class 6 certification and receives a 20% discount on premiums. While premium discounts are one of the benefits of participation in CRS, it is more important for communities carrying out these activities to save lives and reduce property damage.

The City has been proactive in incorporating resiliency techniques. The City of Cape May's floodplain regulations exceed the minimum State and FEMA requirements. The City has incorporated a 2' foot Freeboard requirement which exceeds the States 1' foot Freeboard requirement. The City has other local ordinances and plans and programs that support floodplain management such as the beach management program, beach vegetation management program, landscape management, Municipal Master Plan, State Planning Commission Plan Endorsement, and the Sustainable Jersey Getting to Resilience (GTR) Plan. The Flood Damage Prevention Ordinance (FDPO) identifies the Building Subcode Official as the NFIP Floodplain Administrator. The floodplain administrator and his staff assume responsibilities for floodplain administration including, permit review, inspections, damage assessments, record keeping, GIS and education and outreach. Education and outreach activities include annual seminars and community outreach programs.

The City is currently in good standing with the NFIP and it is recommended that the City strives to maintain compliance with program requirements. It is also recommended that the City strive to achieve a Class 3 or 4 certification through the Community Rating System. It is recommended that additional resiliency techniques be investigated and implemented to achieve the highest rating possible and minimize potential risks. The FEMA Cape May Coastal Project Area risk map identifies risks for Cape May and has been provided for reference:



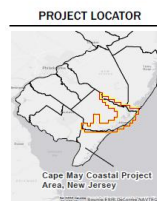
### Flood Risk Map: Cape May Coastal Project Area, New Jersey



**MAP SYMBOLOGY**

Base Data	Flood Data	Flood Risk (1% chance) (Total Estimated Loss, \$)	Areas of Mitigation Interest
Major Road	Rivers and Streams	Very Low (\$0 - \$100K)	Accredited Levees
Watershed Boundary	Restudy Area	Low (\$100K - \$500K)	Non-Accredited Levees
Municipality	Coastal Surge Influenced Area (AE Zone)	Medium (\$500K - \$1M)	Dams
County	Coastal Surge Influenced Area* (VE Zone)	High (\$1M - \$10M)	Coastal Structures
State Boundary		Very High (\$10M+)	Stream Flow Constrictions
			Past Claims Hot Spot
			Key Emergency Routes
			Overlapped During Frequent Flooding Events
			AI-Risk Essential Facilities
			Individual Assistance (IA) & Public Assistance (PA) Data
			Significant Land Use Changes (within the past 5 years and looking forward 5 years)
			Areas of Significant Riverine or Coastal Erosion
			Non-Levee Embankments
			Other Flood Risk Areas
			Areas of Mitigation Success
			Other

\* Erosion often occurs along beaches during storms, especially severe storms that stay offshore for long durations and involves "battering" of the shoreline from high winds and waves. As the beach erodes, vulnerable properties are placed at even greater risk to coastal flooding from other storm surge, high tides, and wave action. Note: All legend symbols may not be displayed on the map.



**Risk Mapping, Assessment, and Planning (Risk MAP)**

FRM FLOOD RISK MAP  
Cape May Coastal Project Area  
New Jersey, USA

**FEMA**  
Portions of HUC8 02040302 & 02040206

For more information or data used for this non-regulatory map, please contact the Cape May County Flood Database and Flood Risk Report.

RELEASE DATE: 8/3/2016

Map 10.4 Flood Risk Map, Source: FEMA Risk Map 8/3/2016

## 10.7 Repetitive Loss Analysis

The Community Rating System requires a Repetitive Loss (RL) analysis to help the City to target neighborhoods that have witnessed significant losses to ensure that their needs are addressed.

A repetitive loss (RL) property is any insurable building for which two or more claims of more than \$1,000 were paid by the NFIP within any rolling 10-year period since 1978. An RL property may or may not be currently insured by the NFIP. Currently there are over 122,000 RL properties nationwide.

The National Flood Insurance Fund is very concerned with RL properties since they strain the insurance fund's resources. In fact, the RL properties are the biggest draw on the fund. The Federal Emergency Management Agency (FEMA) has paid almost \$3.5 billion in claims for RL properties. RL properties not only increase the NFIP's annual losses and the need for borrowing, but they drain funds needed to prepare for catastrophic events. Community leaders and residents are also concerned with the RL problem because residents' lives are disrupted and may be threatened by the continual flooding.

Over the years, there have been several efforts aimed at addressing repetitive losses. Federal, state and local flood-control and stormwater management projects have been aimed at reducing the risks. The FEMA post-disaster Hazard Mitigation Grant Program (HMGP) projects have mitigated nearly 3,000 RL properties. In 1994, the National Flood Insurance Reform Act authorized the Flood Mitigation Assistance (FMA) Program and a new insurance coverage called Increased Cost of Compliance, or "ICC." This coverage has been added to policies purchased or renewed since June 1, 1997.

Policyholders whose home or business is damaged by a flood may be required to meet certain building requirements set by the community to reduce future flood damage before repairing or rebuilding. ICC provides for the payment of claims up to \$30,000 toward the costs to comply with state or community floodplain management laws or ordinances after a flood event in which the structure has been declared substantially damaged in accordance with the locally enforceable regulation.

ICC can complement other resources by providing a portion of the non-federal cost share for mitigation grants. Policyholders can assign the ICC claims payment over to the community so that ICC claims can be efficiently combined with mitigation grant funds for acquisition, relocation, or similar beneficial projects. This coverage is aimed at enforcement of substantially damaged properties. It underscores the regulatory requirement that substantially damaged properties be eliminated or modified to reduce their risk. ICC claims are adjusted separately from flood damage claims. Policyholders can only file an ICC claim if their community determines that a flood has substantially damaged their home or business. This determination is made when they apply for a building permit to begin repairing their home or business.

The National Flood Insurance Reform Act of 2004 also recognized repetitive loss as a significant problem and defined severe repetitive loss as: "a single family property (consisting of 1 to 4 residences) that is covered under flood insurance by the NFIP and has incurred flood-related damage for which 4 or more separate claims payments have been paid under flood insurance coverage, with the amount of each claim payment exceeding \$5,000 and with cumulative amount of

such claims payments exceeding \$20,000; or for which at least 2 separate claims payments have been made with the cumulative amount of such claims exceeding the reported value of the property.”

There are currently approximately 6,000 properties nationwide meeting the definition of a severe repetitive loss. In addition, the 2004 Act authorized a pilot program to mitigate severe repetitive loss properties. The administration of the pilot program is in the final planning stages. In the past five years, almost 28,000 properties nationwide have been bought out or elevated, several thousand of which were repetitive loss properties.

Some repetitive loss properties are not located in a flood zone. Historically, approximately 25 percent of claims paid under the NFIP are paid to properties insured outside of the Special Flood Hazard Area (SFHA). Since 1978 the NFIP has paid over \$2.8 billion in claims outside of the SFHA. This is due to a variety of reasons. Usually the area in question was not studied at the time the Flood Insurance Rate Map (FIRM) was prepared because the watershed is small or flooding in the area is caused by storm water. Major new floodplain mapping projects are underway for New Jersey and are expected to go into effect in 2017. FEMA uses many factors to establish flood study priorities. Repetitive loss experience is one such factor, especially where claims have been paid outside of the mapped regulatory floodplain. Another issue is localized flooding due primarily to no or insufficient local drainage systems. Most of the time these areas are outside of the community’s regulatory floodplain and thus are not subject to the zoning regulations and building standards that are in place in higher-risk areas.

Based on the City’s Floodplain Management Plan, the City of Cape May has 4 distinct areas generally affected by flooding and contains the City’s cluster of repetitive loss properties. These are shown on the following Repetitive Loss Analysis Map:



Map 10.5: Repetitive Loss Analysis Map

## **Repetitive Loss Areas**

### 1. ***Beachfront Properties (Area 1)***

Properties located along the beachfront are in close proximity to Beach Avenue which runs along the entire developed beachfront of the City. These properties consist of both residences and businesses. Properties in this area are susceptible to flooding caused by high tides, coastal storms including northeasters and hurricanes and accumulated rainfall runoff coupled with events that do not allow for positive discharges. Repetitive loss properties along the beachfront and Beach Avenue generally suffer first floor and basement flooding. A major factor in these repetitive losses is that most of these properties have structures that were built prior to establishment of



Portion of Cape May Seawall in Area 1.

a base flood elevation requirement which is in effect currently. Typical elevations in this area range from 9' – 12' above sea level. Flooding has occurred to depths of 1'-2' or greater. Businesses that have been identified as repetitive loss sites include la Mer Motor Inn, The Grand Hotel, The Capri Hotel, and The Montreal Hotel.

### 2. ***Frog Hollow (Area 2)***

Frog Hollow is a developed area in a low-lying area west of Madison Avenue. Development in this area is comprised of single family and duplex type homes. Frog Hollow repetitive loss properties generally suffer first floor and basement flooding from runoff associated with storms and/or coupled with events that prevent positive discharges (i.e. high tides, storm surges, etc.). A major factor in these repetitive losses is that most of these properties have structures that were built prior to establishment of a base flood elevation requirement. Frog Hollow is an area of development in the City with the lowest overall elevation and relies on City and County storm pump stations for runoff discharges. Depth of flooding ranges from 1' – 3'.

### 3. ***South Cape May (Area 3)***

South Cape May is located on the point of Cape May and is a low-lying area consisting of mostly wetlands, bound by the West Cape May border, Beach Drive, and West Perry Street. Cape Island Creek historically flowed through this area and has since been replaced by a county storm system that flows into existing Cape Island Creek. This area has experienced repetitive losses because many of the properties in this area were also built before a base flood elevation was established. Properties in this area are also susceptible to flooding caused by high tides, coastal storms including northeasters and hurricanes and accumulated rainfall runoff coupled with events that do not allow for positive discharges. Typical elevations in this area range from 9' – 12' above sea level. Flooding has occurred to depths of 1'-2' or greater.

4. ***Harbor District (Area 4)***

The properties in the Harbor District were built before a base flood elevation was established so this area also experienced repetitive losses. This area abuts the Cape May Harbor, Devil's Reach and Schellenger Creek. High tides during coastal storms and the lack of elevation contributes to the cause of floods. Yacht Avenue right-of-way and surrounding properties is frequently flooded during these events. Depth of water exceeds 1-2' over roadways during flood events.



Devil's Reach in the Harbor District

The City maintains a list of properties that have been flood damaged and makes Substantial Damage estimates. This list indicates property owners interested in mitigation. The City was extremely fortunate in that only one residential structure was damaged during Hurricane Sandy.

### **10.8 Hazard Mitigation Planning**

The City of Cape May is currently participates in the Cape May County Hazard Mitigation planning efforts. As part of that effort, Cape May City has a city specific section detailing flood and hazard vulnerability in the Hazard Mitigation Plan Update – Cape May County, New Jersey, May 2016. For a community to succeed in reducing long-term risk, hazard mitigation must be integrated into the day-today local government operations. As part of this planning effort, each community was surveyed to obtain a better understanding of their community's progress in plan integration. In addition, the community identified specific integration activities that will be incorporated into municipal procedures.

As part of the City's Integration of Hazard Mitigation into Existing and Future Planning Mechanisms, the following planning efforts were listed:

- **Open Space:** The City has incorporated an Open Space plan as an element in its Master Plan.
- **Beach Management Plan:** The City's Beach Management Plan was developed in 2008 to provide a framework for cooperation among the City of Cape May (City) the New Jersey Division of Fish and Wildlife's (NJDFW) Endangered and Nongame Species Program (ENSP), and the United States Fish and Wildlife Service's (USFWS) New Jersey Field Office (NJFO) in the stewardship of federally and State-listed endangered and threatened beach-nesting birds and flora (listed species) occurring on the City's beaches. Information related to natural hazard risk reduction is discussed including dune management activities.
- **Floodplain Management Plan:** The City's Floodplain Management Plan, adopted in 2009 and updated most recently in 2012, was prepared to create a comprehensive strategy for

implementing technically feasible flood mitigation activities for the City. The objectives of the floodplain management plan were developed to:

- Provide a comprehensive review of possible activities and mitigation measures so that the most appropriate solutions are used to address the hazards identified.
  - Ensure that the recommended activities meet the goals and objectives of the community, do not create conflicts with other activities, and are coordinated with all to reduce the costs of implementing individual activities.
  - Create easily accessible information to educate residents about the hazards, loss reduction measures, and the natural and beneficial functions of floodplains.
  - Build public and political support for projects that prevent new problems, reduce losses, and protect the natural and beneficial functions of floodplains.
  - Build a constituency that desires to see the plan's recommendations implemented.
  - The plan notes that the plan is to be coordinated with the hazard mitigation plan and that continued revisions to the plan may be necessary to provide consistency between the two documents.
- **Continuity of Operations:** This information is contained as a component to the City of Cape May OEM Plan which is on file in City Hall and is available for review.
  - **Comprehensive Emergency Management Plan:** This information is contained as a component to the City of Cape May OEM Plan which is on file in City Hall and is available for review.
  - **Post-Disaster Recovery Plan:** Hazard Mitigation is addressed as an element of this plan.
  - **Regulatory and Enforcement (Ordinances)**
    - The City zoning and subdivision regulations consider natural hazard risk. The Planning Board and Zoning Board of Appeals have multiple sources of information available to assist in their decision-making process including the zoning code, MLUL, Floodplain Ordinance, Mater Plan and FEMA rules and regulations. The City has also adopted special land use controls designed to limit further encroachments in beach and dune areas. Developers in the City are required to take additional actions to mitigate natural hazard risk at developments including following the City Flood Damage Assessment Ordinance.
    - The City's NFIP Flood Damage Prevention ordinance exceeds the minimum Federal and State NFIP regulatory requirements. The City has a 2' foot Freeboard requirement which exceeds the States 1' foot Freeboard requirement.

- **Land Use Planning:** The City has a municipal planner responsible for preparing documents that address natural hazard risk reduction. The Planning and Zoning Board review applications to determine compliance with natural risk reduction related documents. The City's Environmental Commission also has functions related to managing natural hazard risk.
- **Stormwater Management:** Stormwater Management functions in the community are performed by the Department of Public Works Superintendent.
- **Floodplain Management:** Building Subcode Official and Floodplain Manager, performs the NFIP Floodplain Management functions.
- **Technical Resources:** The City has staff and contracts with firms for Benefit-Cost analysis needs, Substantial Damage estimates, and grant application preparation. City staff receives training and education in support of natural hazard risk reduction; however, staff would benefit from additional training in shelter-in-place and evacuation procedures.
- **Other Programs:**
  - The City, in partnership with Atlantic City Electric, has vegetation management programs in place.
  - The City has a 50-year contract commitment from the Federal Government to maintain the entire City of Cape May beachfront at least until the year 2040.
  - The Emergency management coordinator and team have quarterly meetings to plan and discuss procedures for emergency evacuations. Drills are performed each year.
  - The City has a Shade Tree Commission charged with the regulation, planting and care of shade and ornamental trees and shrubbery including the removal of trees or parts thereof that are dangerous to public safety.
  - The City has a green building program for high performance buildings that may provide opportunities to coordinate with hazard mitigation efforts.
- **Administration:** The OEM Director, Fire Chief, Police Chief and Beach Patrol Captain all have job descriptions that specifically include identifying and/or implementing efforts to reduce natural hazard risk. Staff participates in associations and organizations the support natural hazard risk reduction capabilities.
- **Operating Budget:** The City's operating budget contains line items for mitigation projects/activities.
- **Capital Improvements Budget:** The City's capital improvements budget contains mitigation-related projects.



- **Grants:** The City has received grant funding for several projects including grants for back-up generators, an outdoor public announcement system, and purchase and relocation of vulnerable structures.
- **Other Funds:** The City has an Open Space Fund that can be used to fiscally support hazard mitigation projects.
- **Education and Outreach:** Citizens are informed on natural hazards through community outreach meetings presented by FEMA, NJDEP, NJ SeaGrant, and Stevens Institute of Technology, Richard Stockton University, and National Flood Insurance Program. Enhancements that would promote further public outreach education include opportunities for one-on-one consultation for property owners and government officials with federal and state hazard mitigation professionals and presentations and exhibits by private sector vendors of products that will mitigate damages from storm and natural hazard events.

The plan also discusses the City's past mitigations actions, hazard mitigation initiatives, and prioritization progress made since the 2010 Hazard Mitigation Plan was adopted.

- USACE/NJDEP Oceanfront Beach Replenishment was completed in 2011, 2012, 2014 & 2016.
- Ten (10) Oceanfront Outfall Pipes & Cradles were repaired, replaced and extended with more durable materials in 2015-2015.
- Installed Emergency Public Address System on 2.3 Miles of oceanfront in 2013-2016.
- Purchased low lying commercial and residential properties in flood prone area on Lafayette Street for open space in 2013. The site is now proposed as part of the Lafayette Street Park project.
- Installed generator on Wells #5 & #6 for City Water System in 2015.

### **10.9 Post Disaster Planning**

In the event of a disaster, post-disaster mitigation strategies have been provided in the Floodplain Management Plan and Cape May County Hazard Mitigation Plan Update. Cape May City is most susceptible to flood type disasters generated by hurricanes or like storms. It can be expected that all four critical areas identified in this report will have severe flooding. Most severe damage would likely be at properties closest to the beachfront due to storm surge and damage from velocity driven wave action once the dune and sea wall protection is breeched. Storm surge damage would likely occur along the harbor area. Flooding from storm surge breeching and rainfall runoff would occur at low lying areas including Frog Hollow as high tides and storm surge would prevent positive discharge of runoff. Damage from other possible hazards including costal storms, and blizzards is anticipated to have similar damage characteristics to hurricanes.

If substantially damaged, there are no alternate areas which buildings or infrastructure could be relocated or areas from which rebuilding could be eliminated as all these areas are centrally located within the City, provide areas essential for flood defense and are critical to the City in general.

Should severe damage be incurred, re-establishment of adequate flood control measures should be a priority. Reconstruction of structures should occur thereafter. As many of the City's building were built prior to flood elevation requirements, it is anticipated that these would be most substantially damaged. Rebuilding should occur at current code standards if substantially damaged.

Responsibilities for post-disaster mitigation procedures including public information, code enforcement, planning, and other efforts that encourage, mandate, and/or fund loss reduction activities shall be in accordance with the responsible parties identifies in this plan for the various projects.

## **10.10 Critical Infrastructure**

### **CVA - Vulnerability and Consequences of Community Assets**

The 2016 CVA process was a step-by-step approach for conducting a comprehensive vulnerability assessment of coastal flooding hazards. It identified critical infrastructure and the vulnerability of community assets to a series of future flood hazard scenarios, and the associated consequences to the community. The CVA examined how flooding will affect the functional capacity of buildings, services, infrastructure, businesses, ecological systems, and residents. The three key steps of the CVA are described below:

1. ***Identify and map community assets and selected coastal flood hazard scenario(s).*** Community assets were identified among four major categories - Critical Facilities & Infrastructure Systems, Community Resources & Amenities, Natural Resources & Ecosystems, and Districts, Neighborhoods, & Population Clusters – and plotted using GIS. Flood hazard scenarios were selected and are also mapped. Communities are encouraged to use both future sea level rise (daily high tide) and storm surge levels for at least 2050, and, preferably, 2030 and 2100, if available.
2. ***Evaluate the vulnerability of community assets.*** Vulnerability is the predisposition of a community asset to be adversely affected by a hazard. Vulnerability is measured by the anticipated degree of *exposure* and *sensitivity*. *Exposure* is the extent to which community assets may be flooded, measured by magnitude and depth. The magnitude of exposure incorporates the frequency of occurrence (e.g. for high tide, the occurrence would be daily), and the depth of floodwater during the occurrence. *Sensitivity* is measured by the extent in which the flooding will impact the following features of the asset:
  - Durability of the structure or asset (materials, elevated structure, flood mitigation measures, etc.)
  - The ability of an asset to continue to provide its key benefits and operations in the aftermath of a storm event
  - The ability to move quickly from harm's way.

Each asset was assigned a vulnerability rating based on the adverse impacts due to exposure and sensitivity to each hazard. A Vulnerability Rating Key provides guidance in the assignment of these ratings (See Table 10.3 in Appendix).

3. ***Evaluate the overall consequences to the community.*** Consequence is the degree of impact on the entire community if an asset will be lost or damaged, or if the assets function is impaired. The degree of impact is measured over eight topic areas that can potentially impact the community. The topic areas include: property damage, population displacement, delivery of services, typical operations / daily life, environment, emergency response, hazardous materials, and municipal budget. The Consequences Rating Key (See Appendix D in CVA) provides guidelines for identifying and rating consequences.

CVA Considerations: *Incorporate the results of the Coastal Vulnerability Assessment into the municipal master plan with short-term and long-term strategies for protecting and adapting the community assets and vulnerable areas.*

As the primary planning policy document for the community, this master plan has been prepared to identify areas in the community that will likely be impacted by future flood hazards, and offer measures for mitigation and adaptation strategies to protect the community's assets and properties. Maps of projected sea level rise and future storm events have been included in this element and relate to both the land use plan and conservation plan elements of this municipal master plan. Natural resources and open space that serve as protective flood mitigation measures (e.g. wetlands), and provide recommendations for maintenance and management have been identified. Planning policies for mitigation and adaptation strategies to protect properties from future flooding, including sea level rise and extreme storm events have also been provided.

CVA Considerations: *Cross-reference the Coastal Vulnerability Assessment in relevant sections of the municipal master plan, floodplain management plan, emergency operations plan and all hazards mitigation plan.*

Community flood risks are influenced largely by land use and development patterns that are grounded in local master planning policies. Hazard mitigation plans also provide strategies to reduce these risks, but as stand-alone documents often do not relate to the master plan policies. The same is true for flood mitigation plans and emergency plans. This disconnect can result in conflicting policies and undermine the progress in mitigation and adaptation. This element has been prepared to integrate flood risks and hazard mitigation planning into all master plan elements to ensure a coordinated, complementary approach to mitigation, and to prevent potential conflicts from competing goals and interests.

In addition, the wetlands along the Harbor and Cape Island Creek provides protection to the infrastructure and homes in the City. As erosion and sea level rise continue, these wetlands are being displaced. Steps should be taken to stabilize these wetlands through living shorelines, which will not only reduce erosion and increase resiliency but will also qualify for Community Rating System credits.

There are three types of living shorelines:

- Natural or nonstructural living shorelines use strictly natural vegetation, such as biologs.
- Hybrid living shorelines incorporate the use the natural vegetation or biodegradable organic materials along with low-profile jetties or groins.
- Structural living shorelines involve the use of hard structures such as breakwaters.

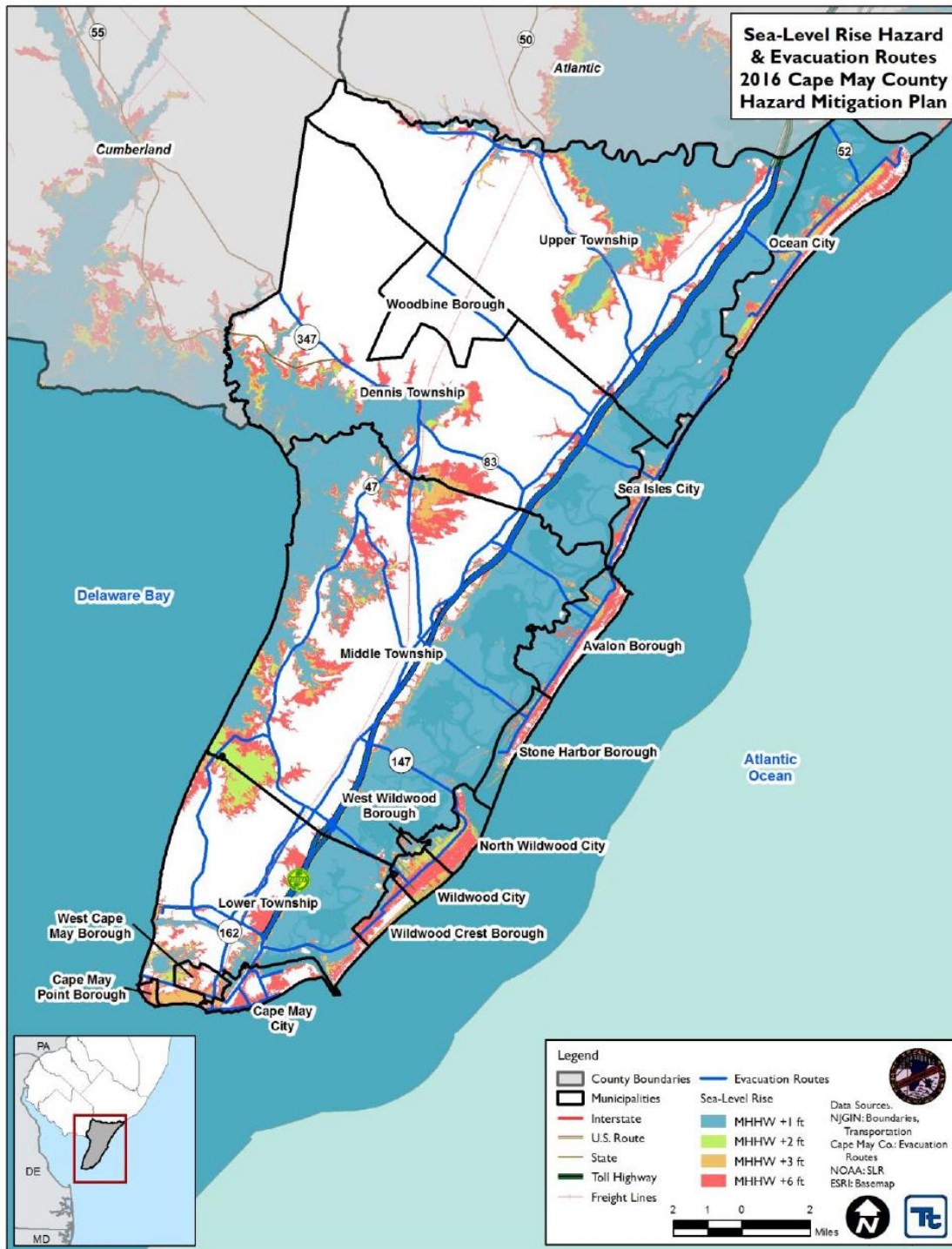
The type of living shoreline utilized along the shore is dependent upon the characteristics of the site, such as wave action and the strength of the current.

**Figure 10.2 – Living Shore Lines**



The map produced by Cape May County on the following page illustrates flood prone roadways in the City. Storm surges from storms like Superstorm Sandy can cover much of the City's land area, including roadways not identified as flooding problems here. The map shows streets that are at heightened risk from flooding from tides and more common precipitation events.

Map 10.6 – Flood Prone Roadways in Cape May County



Source: Cape May County; NOAA 2012

Source: Hazard Mitigation Plan Update - Cape May County, NJ May 2016

### **10.11 Utilities**

Cape May's density of structures requires a dense utility network to provide services such as water, heat, sewer services, stormwater conveyance, and electricity. All developed portions of the City are serviced by these utilities, which are controlled and owned by both private companies and public entities.

The City of Cape May provides water and sewer service to properties within the City, while the Cape May County Municipal Utilities Authority (CMCMUA) handles sewage treatment at the Cape May Regional WTF located at 545 Sunset Boulevard, Cape May Point. The City's energy services are provided by Atlantic City Electric and gas services are provided by South Jersey Gas. The transmission and distribution facilities of South Jersey Gas and Atlantic City Electric share easements and rights-of-way.

#### **Potable Water**

Cape May's water supply is sourced from the Atlantic City 800-foot Sands and the Kirkwood-Cohansey Aquifer, which stretches along the Atlantic Coastal Plain of New Jersey from southern Monmouth County southwest across the Pine Barrens to Cape May County and Cumberland County. The New Jersey Geological Survey (NJGS) identifies induced leakage (whereby surface water leaks into the aquifer) and saltwater intrusion as possible issues affecting areas in the aquifer region. Though the NJGS identifies this as "not a major issue" for most the aquifer area, saltwater intrusion has been a problem near areas of tidal surface water such as Cape May.

During the period from 1995 to 1998, City Council planned and financed the installation of a reverse osmosis, two million gallons per day, water desalination plant accompanied by two new wells drilled into the brackish 800 foot Atlantic City sands aquifer. The City completed the Reverse Osmosis (RO) Water treatment Facility in 1998. This facility moved Cape May's status from a water dependent utility to an independent, regional water supplier. The facility which has since been upgraded to five source wells, provides potable water used daily on a year round basis in Cape May City, the Boroughs of Cape May Point and West Cape May, and the U.S. Coast Guard Base.

Cape May's water supply system is vulnerable to coastal flooding. All of the City's wells are located in the Special Flood Hazard Area. The City should consider elevating or flood-proofing any new water infrastructure in the City and remain cognizant of the effects of sea level rise upon underground water infrastructure.

#### **Natural Gas**

South Jersey Gas maintains the natural gas distribution network and pipelines that run through the City. These critical facilities are underground and traverse the waterways and roadways within and surrounding Cape May. South Jersey Gas is continuing work on projects that will affect energy reliability and resiliency in coastal South Jersey, such as the South Jersey Gas Pipeline Reliability Project, which will re-power the Beesley's Point power plant in Upper Township.

#### **Electricity**

Atlantic City Electric continues to upgrade its facilities, and plans to spend \$108 million on distribution-line hardening and \$35 million on storm response as part of its PowerAhead grid resiliency program. These improvements will improve the reliability of electric service in Cape May

County and prevent future service disruptions due to storms. While burying electrical transmission lines is desirable for protection from wind damage and aesthetics, transmission lines are more vulnerable to flooding when buried.

### **Stormwater Management**

Impervious surfaces are defined as roads, parking lots, rooftops, driveways, sidewalks, and compacted soils. These surfaces do not allow stormwater to infiltrate the ground, instead causing runoff to enter local water bodies, flood in or around homes and businesses, or enter and burden the local sewer system. These storm systems are maintained by the City within all municipal roadways and by Cape May County on County Routes.

### **10.12 Open Space**

Open space serves many purposes, from animal habitat to public recreation to the mitigation of stormwater flooding and stormwater recharge of aquifers. The City currently lists the following open space properties on the Recreation and Open Space Inventory (ROSI) on file with Green Acres:

- Beach Front
- Colonial House Park
- Fisherman's Memorial
- Harborfront Tract
- Harry Lozour Park
- Indiana & Missouri Mini Park
- Lafayette Street Park/Playground
- Massachusetts Avenue Mini Park
- Median Strip Cape May Ave
- Open Space Median Strip
- Pennsylvania & Michigan M
- Physick Estate
- Physick Estate Park
- Rotary Park
- Wm. Moore Tennis Center

There are several City parks in locations throughout the City, some of which perform natural floodplain functions. In addition, the City's 2.2 miles of uninterrupted beach front are replenished regularly and exhibit a complete dune system. Undeveloped tracts in the City that perform open space and natural floodplain functions can be found along Cape Island Creek and the Harborfront/East Cape May area. It is recommended that these areas be targeted for acquisition whenever possible.

**10.13 Recommendations**

1. The City should continue to actively pursue funding on behalf of its residents to elevate buildings at least two and up to three feet above the Base Flood Elevation. This would include public structures, infrastructure and water wells that are in flood-prone areas.
2. The City should strive for a Class 4 designation in the NFIP Community Rating System. This will result in a 30 percent discount on flood insurance and will qualify the City for special grants for home elevation and mitigation. This can be accomplished by:
  - a. Actively participating in the regional Public Participation Information program and updating the City's web site with information on flood mitigation and preparedness. Encourage Flood Insurance participation within the city through education and efforts to reduce flood insurance costs through the CRS process.
  - b. Implementing living shoreline projects to enhance back bay/Harbor protection.
  - c. Continuing to develop/update the Repetitive Loss Mitigation Plan.
  - d. Sending annual mailings to FEMA-designated floodplain properties to inform property owners of the flood hazard. The cover letter clearly states that the recipient's property is subject to flooding and is located in the floodplain. The mailing also includes information on flood safety, flood warning and preparedness, flood insurance requirements, property protection measures, grants for structure elevation and other useful information.
  - e. Mailing an annual outreach geared specifically to realtors, lenders, and insurers to inform them of the local flood hazard, of flood insurance requirements and that the City provides free technical and flood proofing assistance.
  - f. Continuing to provide technical assistance to residents for map information and flood-protection assistance. These services are provided as a public service to the inquirer and are documented in a log for the CRS. The CRS encourages the community to publicize the availability of these flood hazard awareness services.
  - g. Developing and documenting programs that reduce potential damages in areas that are flood prone. While most of the points in the CRS are given for acquisition and relocation of flood-prone properties, mitigation practices, such as flood proofing or retrofitting a flood-prone building, are equally beneficial to reducing flood damages to the community. Extra credit is provided for addressing repetitive loss problems and individual properties. Credit also is awarded in this category for regularly maintaining the community's drainage systems, enforcing stream dumping regulations, and inspecting waterways after a storm.
  - h. Maintaining the early warning system and enhancing its flood response plan. Informing residents of emergency and safety measures is also credited.
  - i. Adopting a Watershed Management Plan which is a prerequisite for a Class 4 designation.



- j. Prohibit the use of fill to elevate buildings in regulatory flood plain including not approving conditional letters or letters of Map Revisions.
  - k. Increase freeboard requirement to BFE +3 feet (from current BFE +2 feet). Maximum building height requirements should be adjusted accordingly by raising the reference elevation from which building height is measured.
  - l. It is also recommended to establish a minimum first floor height for the entire town in non flood zones and along those lines extending SFHA regulations to Non-SFHA properties. Currently, the zoning regulations set this at elevation at 10.5 (1929 NGVD). This elevation should be updated to the equivalent minimum of Elevation 9.2 (1988 NAVD) and adjusted to based on any freeboard modifications.
  - m. Adopt a less than 50% threshold for making a structure comply with current regulations if the building is substantially improved or substantially damaged.
  - n. Prohibit new municipal critical facilities from the 500 yr. flood plain (essentially only allow them in the X-zone) or require new critical facilities be protected to at least one foot above 500-yr flood level.
  - o. Adopt regulations requiring that the owner of a building sign a non-conversion agreement for enclosed space below the minimum freeboard requirement for new construction that is filed with the deed and other property records and incorporate one of the following requirements: If City will inspect at least once a year (90 pts); If the City is granted the right to inspect the enclosure area at any time (60pts); If the agreement does not mention inspections (30pts). The City may opt to enforce the enclosure limits only where the lowest floor is more than 4 feet high.
  - p. It is recommended to require new streets in the floodplain to be constructed at or above BFE to provide access for emergency vehicles.
  - q. Continuing to map areas not shown on the Flood Insurance Rate Map, preserving open space and enforcing higher regulatory standards.
  - r. Creating a separate zone for Wetlands that restricted uses within to open space only may create should be considered. These zones could be drawn along NJDEP approximated GIS wetland boundaries with the provision that the lines are approximate and would rely on site specific wetland delineations approved by state or federal jurisdictional requirements.
3. The City should perform an infrastructure audit of the City's water and sewer services to determine which facilities are most vulnerable to storm damage and equipment failure. Critical facilities should be elevated, and water/sewer and other utilities with recurring damage should be mapped to indicate areas of potential failure.
  4. The City should continue to be actively involved in the development of the New Jersey Coastal Storm Risk Management Study to ensure that issues that are important to the sustainability of the City are identified and analyzed and that implementable solutions are recommended and funded. It is anticipated that the implementation of back bay / harbor

- improvements could be funded by the Army Corps of Engineers in a similar manner to beach replenishment programs.
5. The City should continue to work with the county, the state, and adjoining municipalities to develop a plan to facilitate better emergency access/egress from the City. This route is a major accessway into and out of the City and access should be enhanced and maintained.
  6. The City should consider encouraging and permitting green infrastructure to reduce the amount of impervious surface.
  7. The City should continue to explore the design, development and funding of living shorelines along the Harbor area.
  8. Preservation of Environmental Sensitive Lands / Floodplain/Wetlands is recommended wherever possible. The vast majority of land not developed in Cape May is environmentally constrained by floodplain, wetlands or both. These environmentally sensitive lands, and the wildlife habitats that they support, are very much a part of what makes Cape May an attractive area to live and vacation and are also important for environmental tourism, such as birding. Where much of these lands are unable to be developed due to State development regulations, Cape May should strive to acquire lands that are developable in environmentally sensitive areas to preserve these lands from development and enable those to be used for passive recreation areas.
  9. A 79 acre tract known as "Sewell Point" is a prime example of lands suitable for preservation. There is great concern regarding the potential development of these wetlands in East Cape May. A large residential subdivision plan has been in litigation with the State over the wetlands limitations for a number of years. The City should continue in its attempt to assure its permanent protection. Acquisition is recommended if feasible.
  10. The Planning and Zoning Boards through application review shall ensure regulations are enforced and the Environmental Commission should be consulted for their expertise and recommendations.
  11. The Planning and Zoning Boards through application review shall continue to require and enforce current local and state regulated stormwater regulations on all development within the City. Variances and waivers from standards should only be granted where warranted.
  12. Monitoring of effectiveness of current regulatory and preventive standards and program and evaluation of current programs and standards should be reviewed by the Floodplain Committee and the City's CRS Coordinator and should occur on an annual basis.
  13. Beach nourishment, dune stabilization and maintenance are essential in protection of the City from coastal flooding and shall remain a priority activity. Dune enhancement with dune grass plantings and dune fence maintenance should be completed on an annual basis. Volunteer groups such as schools, civic groups, etc. with the public works department have been involved in performing this work in the past. Dune grass plantings should consider species with thickness over height to preserve views.
  14. Beach Bulkheads are located parallel to the shore line along Beach Avenue (Typical at Jackson Street and Gurney Street beaches) are essential to resiliency.

15. Nine stone groins that range in length from 150' to 786' installed along the shoreline that serve as a seawall to block erosion and flooding are located at the following beach street ends: Howard Street, Jefferson Street, Queen Street, Madison Avenue, Between Madison and Philadelphia Avenues, Philadelphia Avenue, Reading Avenue, Between Reading and Trenton Avenues and Trenton Avenue. Continued maintenance, repair or more permanent replacement should occur on an as-needed basis.
16. Seawalls consisting of bulkheads and groins identified above run on the ocean side (south) of Beach Avenue. Construction is both concrete and stone combination, concrete, and wood. Structural evaluation of existing seawall and evaluation to provide a more comprehensive seawall to protect the entire beachfront should be completed. Construction or supplementation of seawall should be made based on study recommendations. The portion of the seawall that extends from Madison Avenue to Wilmington and New Jersey Avenues is of specific concern and should be surveyed, repaired and elevated. The seawall located between Baltimore Avenue to Wilmington Avenue is frequently breached by astronomical high tides and minor weather events causing street flooding and filling of storm system with sand. The secondary timber seawall that extends midblock from Madison Avenue and Philadelphia Avenue to Wilmington Avenue is in disrepair and exhibits major structural failure. Replacement of the timber seawall with a continuous reinforced concrete wall is recommended. Extension of the promenade may be also possible to both reinforce the improvements and provide pedestrian and bicycle improvements. Extension, elevation and widening of the promenade and seawalls are recommended.
17. Several roadways are subject to flooding due to existing low elevation. These include Yacht Avenue and Elmira Street. When street paving improvements are proposed, design should include raising street elevations where possible and improving stormwater collection systems.
18. Stormwater Pumping facilities have been constructed to alleviate flooding in the beachfront and Frog Hollow area. Pump stations are located at Benton Avenue, Venice Avenue (City operated) and Madison Avenue and Grant Street (County operated). Continued maintenance is required. These systems are pump systems requiring electrical power. In the event of power loss, backup power generators should be maintained to ensure continued pumping.
19. Stormwater Outfall pipes are located at the following street ends along the beach:
  - Wilmington Avenue (48" County)
  - Baltimore Avenue (48" County)
  - Brooklyn Avenue (36" County)
  - Pittsburgh Avenue (48" County)
  - Trenton Avenue (48" County)
  - Reading Avenue (48" County)
  - Philadelphia Avenue (30" County)
  - Madison Avenue (30" County Pumping Facility Outfall)
  - Queen Street (Twin 30", 16" City pumping Facility Outfall)
  - Grant Street (36" County Pumping Facility)

Outfalls are subject to erosion and damage from the surf and are maintenance intensive. Maintenance should be continued on an ongoing basis. Possible elimination or reduction in number of outfalls should be studied and completed if feasible.

20. Project completion is often limited by the City's available funding. Application for applicable state and federal grants should occur on an annual basis to fund structural projects.
21. It is recommended to perform repetitive loss surveys and analysis to derive specific flood prevention measures for structures subject to repetitive flooding.
22. Ensure the Warning System is maintained and provides an early warning to alert residents of forecasted flooding.
23. It is recommended that coordination with State & County & adjoining municipalities to provide safe and efficient evacuation shall be continued. Updates to this plan should also be submitted to Cape May County to coordinate activities with Cape May County's responsibility to prepare and update the County's Hazard Mitigation Plan. Revisions to this plan may be appropriate in the future to provide consistency with the county Hazard Mitigation Plan.
24. The City should work with the Army Corps to evaluate the bulkheads along the Harbor, Devil's and Devil's Reach to determine the optimum height and then work to implement these improvements. Since some structures are cantilevered over the bulkhead, these improvements may need to be coordinated with the elevation of the existing structures.
25. Implement Building Ecological Solutions to Community Coastal Hazards (BESSHC) Recommendations:

#### **Oceanfront at Wilmington Avenue**

##### ***Background***

The seawall and dunes near the intersection of Beach Avenue and Wilmington Avenue are periodically breached and the ocean waters flow downhill along Beach Avenue and flood the historic district and Frog Hollow neighborhood. The breach is primarily due to two reasons: first, the alignment of Beach Avenue in this area juts out towards the ocean, creating a narrow beach that increases the exposure of the dunes. In addition, the sea wall in this constrained area is relatively short and the waves can easily overtop the wall.

The city has been working with the US Army Corps of Engineers to help address the problem through periodical beach replenishments. However, any sand that is placed in front of the seawall, or covering it, is quickly eroded, because the narrow beach cannot efficiently supply sediment to the dune or protect the dune toe from wave action. It appears by the straight nature of the shoreline that the beach is not eroding at an excessively high rate in this area, but rather that the angle of the seawall (and the development behind it) is encroaching on the beach.

A pumping station had been installed in the Frog Hollow neighborhood, but the volume of water from the breached dune and sea wall normally exceeds the pumping capacity of the system. The dunes have also been periodically planted to increase stability; however, the

vegetation is trampled by beach visitors. This occurs despite the signs prohibiting access and an elevated public walkway nearby.

While a continuous beach nourishment and dune enhancement program may help reduce the overtopping and erosion of this dune, widening this section of the coast to accommodate the angle in the seawall without the use of structures will be difficult. Nature will want to straighten the coastline, so creating a bump out in the shoreline will only be a temporary solution.

***The following recommendations should be considered:***

- Raise the seawall - Elevating the low or missing section of the seawall would help reduce the flooding if the dune breaches. It also could provide the foundation for an extension of the promenade which would provide enhanced recreation, pedestrian access, and bicycle access.
- Build a groin - An effectively designed groin might widen the beach in front of the problem area. As discussed above, the dune at the site is unstable due to the narrow beach fronting it and the beach is narrow because the seawall angles seaward. A groin would cause a local reorientation of the shoreline. A modification of the existing outfall pipe at this location may be as effective as a groin.
- Extend dune into roadway.

Increase the width of the beach and dune by building a dune into the roadway (Beach and Wilmington Avenues). This would involve terminating both roads at the driveways of the residences nearest the corner. This may or may not necessitate relocating the existing seawall or building a new seawall to serve as a structural core to the dune. This would provide the space required to connect the more stable dunes to the east and west of the site, and a wider beach to sustain it. Information that would be useful when considering the above options:

- Elevation of the sea wall at this location.
- An analysis of the historical data on the performance of past beach nourishment projects to determine if they have made difference at this location.
- An evaluation of the wave climate. The natural forces at this location may not be adequately ameliorated by the hybrid seawall and dune. Should structural solutions be pursued, a detailed physical modeling study should be performed to optimize the design.
- Prevent dune trampling by pedestrian traffic. The recommendations below will limit the number of pedestrians choosing to cross the dune and improve the chance that dune vegetation thrives, which will help to trap additional sand and minimize erosion. These recommendations include:
  - Install dune fencing more aggressively with the aim of preventing anyone from taking a route other than the wooden walkway.
  - Install signage with both a warning and education about the importance of the dune.

- Target residents and seasonal visitors of this beach area for education and outreach regarding the importance of this dune to Cape May City. There is an opportunity here to teach residents and visitors about the importance of dunes and dune vegetation. This may result in better maintenance of the dunes at beach access points and better retention of sand. One way to do this would be collaborating with local surf shops, fishing shops, and realtors and providing informational material for them to distribute to those who might use the area.
- Heavily plant the dune with native dune grasses, forbs, and shrubs. Community involvement in a planting project at the location would make this more effective by helping to build interest in preserving the plantings and the dune. Coordination with the USACE would be needed during beach replenishment projects so that sand does not bury the plants during replenishment activities.
- Construct a second walkway with a viewing platform at the foot of Wilmington Ave. The walkway would roughly parallel the exiting walkway, but would provide a more direct path to the beach and a platform for viewing the surf.

26. **Building Ecological Solutions to Community Coastal Hazards (BESSHC) Recommendations: Harborfront beaches along Delaware Avenue**

***Background***

Delaware Avenue is an important access road to the Coast Guard Station, but incurs repeated flooding and erosion. Although the road has been repaired and riprap placed along the shoreline, the flooding and erosion problems have, and will continue to, persist and intensify. The City is considering a project that includes living shorelines along the water's edge. This hybrid shoreline design could be constructed by the USACE in partnership with either the State or the City, although details have yet to be worked out.

***The following recommendations should be considered:***

Build a vegetated berm with a living shoreline. The city may want to consider a living shoreline in this area backed with a vegetated berm. The berm is necessitated by the desire to limit flooding of the roadway. The berm could contain a structural core constructed of rocks, geo-tubes, gabions, or even a bulkhead. Consider constructing a living shoreline in front of the berm. The living shoreline would be both aesthetically pleasing as well as ecologically beneficial. As part of a living shoreline, it is likely that an offshore sill or breakwater would be needed. A sill or breakwater can be constructed of a variety of materials, however, rock is most common. For this option, the site analyses described in the NJ Living Shorelines Engineering Design Guidelines (<http://www.nj.gov/dep/cmp/docs/living-shorelines-engineering-guidelines-final.pdf>) should be conducted.

27. **BESSHC Recommendations: Cape Island Creek / Perry Street area**

***Background***

Cape Island Creek is routed underground through pipes between West Perry Street and Broadway. The creek is controlled by sluice gates, a pumping station, and a piping system. Flooding occurs on the streets where the creek should flow aboveground. This is a result of

inadequate conveyance piping infrastructure and collection systems which are at low elevations and back up during more severe storm and flood events

***The following recommendations should be considered:***

***Daylight (uncover) the creek***

The predicted effects of climate change are likely to exacerbate the flooding problem, disrupting the community on a more frequent basis. We encourage the City to work with the county to ensure the existing gate is functioning and that a well-vetted operational plan is in place. In addition, the city should take a long-term view of this issue and the affected neighborhood and consider options that might include participating in a buy-out program that would enable the stream to be daylighted and allow for more flood storage.

***Increase storm water infiltration***

Because the stream and storm water share the same pipes, storm-water-reduction practices and green infrastructure could help mitigate the problems in the near term. While more information is needed to understand the issue, we recommend the City consider:

- Swales on properties to slow storm water runoff
- Rain barrels to capture roof runoff, which would otherwise enter into the storm-drain system.
- Rain gardens, on both public and private properties, to increase water infiltration into the soils and recharging ground water.

The City should investigate other green infrastructure options as well. Rutgers University's Water Resources Program (<http://www.water.rutgers.edu/>) may offer free consultation for green infrastructure projects. Another useful reference is the Homeowner's Stormwater Handbook (<http://s3.amazonaws.com/delawareestuary/pdf/stormwater-guide.pdf>) developed by the Partnership for the Delaware Estuary.

Information that would be useful when considering the preceding recommendations:

- A detailed hydrologic study of the drainage infrastructure system, which should include a flow study of the Cape Island Creek to understand the flow rate into and out of the sluice gates, the average amount of rain going into the system, and the options to reduce impervious ground cover in the area.
- Verification that all existing pipes are obstruction free and that all drainage structures (culverts, sluice gates, etc.) are operating as intended.

28. BESSHC Recommendations: **Other Ecological Recommendations for Coastal Resiliency**

Below are more general ecological recommendations for coastal resiliency that the City may want to consider in all future projects. A comprehensive list of these best practices may be found in the document entitled Building Ecological Solutions to Coastal Community Hazards - A Guide for New Jersey Coastal Communities, which is a product of this NFWF-funded project.

**Beachfront Areas**

- Incorporate sea level rise and coastal dynamics into beach management plans.

- Survey beach and dune complexes to identify points of vulnerability, such as:
  - Sediment depletion
  - Gaps in dunes
  - Low dunes
  - Footpaths cutting through dunes
  - Absence of vegetation
- Replace cut-through footpaths with elevated dune walkovers wherever possible to reduce dune erosion and vulnerabilities to storm surge.
- Conserve, restore, and protect native dune vegetation. Consider ways to restore, create, and strengthen dune complexes that incorporate native, dune-building vegetation and plugs gaps in existing dune formations. Detailed guidance is provided on dune design, plant selection, and planting methods in the NJ Sea Grant Dune Manual *Dune It Right*. Promote the use of native dune vegetation in local landscaping.
- Use native dune vegetation as protective hedgerows around properties to capture sand and storm deposits.
- Establish and enforce local ordinances that protect dunes, including native dune plants and beach-dwelling wildlife.
- Participate in coastal community networks to share lessons from beach and dune management
- Provide educational signage and outdoor learning opportunities to advance understanding of beach and dune benefits

### **Harborfront & Creek Areas**

Instead of stabilizing shorelines with rigid armoring such as bulkheads, coastal communities should consider and prioritize “living shorelines” practices.

Living shorelines are a broad suite of erosion control practices that, unlike rigid armoring, are designed to prevent erosion by absorbing wave energy while still maintaining some of the natural processes and ecological integrity of the shore zone. Certain types of living shorelines have been shown to survive a Category 1 hurricane better than bulkheads. Some of the design considerations include fetch, boat wakes, near shore gradient, substrate consistency, tide range, and sun exposure. Both materials and configurations vary widely based on site conditions, but can include coconut-fiber logs, rock sills and breakwaters, sandy fill, plants, and shellfish. Engineering and ecological expertise are necessary to plan and execute this technology. Stevens Institute has developed useful Living Shorelines Engineering Guidelines. NOAA has developed Guidance for Considering the Use of Living Shorelines. Partnership for the Delaware Estuary has developed a host of resources, including practitioner’s guidance for living shorelines using shellfish and other site-appropriate biological materials. In addition, VIMS has online teaching modules about living shorelines.

### **Other Flood Prone Areas**

- Consider moving, elevating or removing property and infrastructure in hazard-prone areas
- Support community buy-out programs in these hazard prone areas
- Reduce impervious surfaces to decrease stormwater runoff and flooding



- Encourage use of Low Impact Development (LID) strategies in municipalities
- Promote rain barrels and cisterns
- Promote the use of green roofs
- Increase native tree canopy
- Inventory, inspect and test storm water basins
- Improve function of existing storm water basins

### **Coastal Vulnerability (CVA) Recommendations**

This section offers suggestions and recommendations that were developed as part of the CVA long term planning process that the City should implement as recommendations in this element. These considerations are integral to risk reduction and adaptation planning and implementation.

29. CVA Considerations: *Continued coordinated community outreach and education on flood risks.* In order for Cape May City to better prepare for the future impacts of sea level rise and hurricane events, it is important to have an engaged and informed community. The results of planning efforts should be shared with the community either at a public meeting or workshop, but at a minimum by posting it on the municipal website. The city should also consider special outreach to residents, business owners, and property owners in the most vulnerable areas of Cape May City. Continued education of these stakeholders about future flood vulnerabilities and working together to find solutions will protect Cape May City at large and keep the fabric of the neighborhoods intact and the businesses operating.
30. CVA Considerations: *Share the results of the Coastal Vulnerability Assessment with owners and managers of vulnerable and at-risk non-residential properties and work together to develop mitigation and adaptation strategies.* Many of Cape May City's at-risk assets are owned and managed by private businesses and industries, and public and quasi-public entities. These property owners may be aware of additional risks and vulnerabilities that were not identified in this CVA, or perhaps have already launched efforts to prepare for future risk reduction. Cape May City is encouraged to reach out to these property owners to discuss the results of this report and future steps that may be taken individually and collectively to protect the properties from future flood hazards. Suggestions:
  - Consider convening a workshop or meeting with at-risk non-residential property owners and operators to discuss opportunities to collaborate on adaptation strategies to minimize risks and potential damage to future flood hazards.
  - When working with flood-risk private industries in development proposals, redevelopment or other activities, promote the importance of emergency management planning site remediation and the safe storage of toxic materials.
31. CVA Considerations: *Consider wetland education and outreach campaign on the importance of Cape May City's Cape Island Creek wetland complex.* Wetlands serve an important role in flood hazard mitigation. These systems dampen wave height and energy, decreasing the destructive power of a storm surge entering Cape Island Creek. Community education and outreach will raise awareness of the benefits these systems provide to the community both daily and during a storm event. An education and outreach campaign could include brochures for the boating community or citizen scientist wetland assessment program with a local non-profit. In addition, the municipality may benefit from a more in-depth

assessment of the community wetland health, consider consulting with wetland ecologist from academia or the non-profit community.

Resources:

Paddle for the Edge, Barnegat Bay Partnership <http://bbp.ocean.edu/pages/380.asp>

Wetlands- Frequently asked questions, municipality of Anchorage

<http://www.muni.org/Departments/OCPD/Planning/Physical/EnvPlanning/Pages/WetlandFAQs.aspx>

32. CVA Considerations: *Consider the use of living shorelines to protect community assets against shoreline erosion.* Living shorelines are a shoreline stabilization practice that address erosion and attenuate wave energy using a hybrid approach of strategically placed plants, stone, sand fill and other structural or organic materials. Living shorelines typically have other co-benefits such as the protection of flora and fauna habitats, flood mitigation, improved water quality and attractive, natural appearances. These practices are an alternative to the traditional hard or “gray” infrastructure (e.g. bulkheads, revetment walls, etc.), which are especially vulnerable to sea level rise and extreme flood events. The Harborfront and Lafayette Street Park may be a good opportunities to install a living shoreline to minimize trail erosion and the impacts of flooding and erosion at the toe of the slope of the hills and neighboring properties.

Resource:

The Nature Conservancy *Coastal Restoration Explorer Mapping tool.*

33. CVA Considerations: *Consider revising the municipal stormwater management and sewer plans to reflect the results of the CVA.* The municipal stormwater management plan provides strategies for addressing current and future stormwater-related impacts that result from land use development, and strives to minimize flooding and protect community’s water quantity & quality, groundwater recharge and aquatic habitats. Stormwater management strategies include recommended performance and design standards that are incorporated into ordinances, as well as management and maintenance requirements. Increases in the variability of weather patterns and the frequency of extreme weather events occurring in New Jersey are putting stress on municipal stormwater infrastructure systems. Cape May City’s stormwater infrastructure, including culverts, retention and detention ponds, inlets, catch basins, and stormwater pipes are all vulnerable to increases in flow of which they were not designed to handle. The City should consider updating the municipal stormwater management plan to include the potential impacts of climate change and promote design and infrastructure projects that are more resilient to climate change. In addition the City may want to review its stormwater management policies and maintenance plans for municipally-owned facilities to assess for potential climate change impacts and whether changes are desirable to make these systems more resilient.

Resource

The City of Ottawa Wet Weather Infrastructure Management Plan

The City of Ottawa *Adaptive Approaches in Stormwater Management*

34. CVA Considerations: *Recommendations for Minimizing Flood Risks in the Historic District.* Due to the impending high flood risks within the city’s historic district and potential consequences identified in the CVA report, steps should be taken now to minimize future risks. There are several options for minimizing flood risk and damage to historic structures,

though not all are appropriate or even an option for every structure and district. We offer the following suggestions for the city to consider:

- A. As a first step towards evaluating flood adaptation and mitigation options, the city should compile the following set of maps and documentation:
  - i. Past flooding extent, and depth, should be documented and mapped for the historic district, including Hurricane Sandy and other large storm events. Data collection methods should include anecdotal information from property owners, as well as a variety of mapping sources.
  - ii. The CVA maps of all flood hazard scenarios.
  - iii. The historic district map with contributing structures outlined, and preferably, a distinction between residential and commercial structures.
  
- B. Using the above maps and accompanying documentation from historical flooding events, the city should consider the following options to help protect the historic structures from future flood damage:
  - i. The flood maps of the historic district may reveal that only certain sections of the historic district are vulnerable to severe flooding, e.g. deep waters, frequent inundation, etc. These areas should be identified and taken into consideration when considering the adaptation and mitigation options below.
  - ii. Elevating structures is a common approach to reducing the risk of flood damage. However, elevating an historic structure could permanently impair or destroy its historic integrity, as well as the visual setting of adjoining structures. The decision to elevate historic structures depends upon many issues, particularly the type, scale and location/setting of the structure, and the same characteristics, as well as the need for elevation, of historic structures within a visual proximity. For example, structures on large lots with a deep setback can generally accommodate higher elevations because they have room to provide alternative access and the elevated first floor elevation has less impact on the streetscape, though it doesn't escape from it entirely. If elevation is chosen for an historic district, all structures should be elevated and the elevated heights should result in the same proportional heights among the structures as originally constructed.



Elevating a structure a foot or less may have little to no impact on the visual and historic integrity of the structure, given the correct use of construction materials, landscaping and standards recommended by the Secretary of the Interior's Guidelines for Rehabilitating Historic Structures. However, as the elevated height of the structure increases, the design of the front access and the foundation becomes

critically more important, and challenging. See the “Elevation Design Guidelines for Historic Homes in the Mississippi Gulf Coast Region” for more guidance and sample photographs. The document may be accessed here:  
[http://www.nj.gov/dep/hpo/hrrcn\\_sandy\\_pdf%20files/mississippi.pdf](http://www.nj.gov/dep/hpo/hrrcn_sandy_pdf%20files/mississippi.pdf).

iii. Depending upon the magnitude and spatial extent of predicted flooding in the district, the installation of a permanent flood control system may minimize flood risks in portions of the district. The system may include levees, flood pumps, sea walls, or other similar structures. While this would be a costly project, the costs of losing historic structures and potentially the entire district to flooding is far too great not to consider the option. The city should consult an engineer and floodplain manager to evaluate this option further.

iv. For commercial historic structures, the interior can be raised, leaving the outside of the structure untouched. The design concept is to elevate the first floor level, or simply abandon the original first floor level and install wet flood proofing or flood damage-resistant materials inside. This option was implemented by Darlington, Wisconsin for its downtown district. The details of this retrofit can be accessed here:  
[http://emergencymanagement.wi.gov/mitigation/docs/Stories/Darlington\\_Downtown\\_Retrofit\\_WEM.pdf](http://emergencymanagement.wi.gov/mitigation/docs/Stories/Darlington_Downtown_Retrofit_WEM.pdf).

- C. Depending upon the spatial extent and depth of predicted flooding, the city may have the option of constructing a permanent flood protection system to reduce flood risks to portions or the entire district. The system may include levees, sea walls, pump stations and other similar mitigation features. While such as project may be costly, the costs of losing historic structures and the integrity of the historic district are too great to not consider the option.
- D. The city is encouraged to include recommended flood control measures into its hazard mitigation plan. The flood control measures can include both planning studies and construction projects to reduce flood risks in the district. Note that the municipal appendix to the plan can be updated at any time and does not have to wait until the next five-year plan.
- E. Once Cape May has agreed upon a plan to minimize flood risks in the historic district, the city should revisit its flood plain regulations to assure that the relief provided to historic structures, as authorized by the NFIP regulations, accurately reflects the city's plan.
- F. The city may also want to consult with these and other resources on this subject\*:
- Integrating Historic Property and Cultural Resource Considerations into Hazard Mitigation Planning
  - State and Local Mitigation Planning How-To Guide, FEMA 386-6 / May 2005
  - [https://www.fema.gov/pdf/fima/386-6\\_Book.pdf](https://www.fema.gov/pdf/fima/386-6_Book.pdf)
  - Information Booklet No. 82, Treatment of Flood-Damaged Older and Historic Buildings,
  - National Trust for Historic Preservation. 1993
  - <https://www.ncptt.nps.gov/wp-content/uploads/NTHP-Information-Booklet-82-Flood-Damage-and-Older->

- Homes.pdf
- Looking to the Future: Alternatives for Reducing Flood-Related Damage in Historic Communities, 2002, Milton, PA.
- <http://www.phmc.pa.gov/Preservation/About/Documents/Looking-Future-Milton-study-2002.pdf>
- City of Annapolis – Weather It Together: Revising Floodplain Regulations for the Increased Protection of Historic Structures from Flooding, Jennifer Sparenberg, CFM, Maryland Historical Trust, April 30, 2016
- <http://www.annapolis.gov/docs/default-source/planning-and-zoning-documents/revising-floodplainregulations-for-the-increased-protection-of-historic.pdf?sfvrsn=0>
- National Flood Insurance Program (NFIP), Floodplain Management Bulletin, Historic Structures
- FEMA P-467-2, May 2008
- [http://www.nj.gov/dep/hpo/Index\\_HomePage\\_images\\_links/FEMA/FEMA%20historic\\_structures.pdf](http://www.nj.gov/dep/hpo/Index_HomePage_images_links/FEMA/FEMA%20historic_structures.pdf)
- *Disaster Planning for Historic Properties Initiative*. This is a current project administered by the Pennsylvania State Historic Preservation Office and funded by the National Park Service to develop strategies to protect local historic assets during, and in the aftermath of, future natural and man-made disasters, and integrating those strategies into FEMA-approved Hazard Mitigation Plans. For more information, contact the PA Historic Preservation office at 717-783-8946.

### 35. **Adaptation: A Long-Term Planning Process**

Planning for the predicted increase in the frequency and severity of flood hazards is a complex and challenging task. Adaptation to these flood hazards requires a longer planning timeframe for which most municipalities are not accustomed. Incremental steps are key to ensuring progress and minimizing public investments on projects that may be compromised by flooding in the near to distant future. Vulnerability assessments are an important first step in planning for these future hazards. The above recommendations provide key steps immediately following the vulnerability assessment to further identify and confirm vulnerabilities and consequences, and to begin thinking about adaptation. This section frames a strategic approach to identifying, assessing, and implementing long-term solutions to reducing flood risks. The process will need to be repeated periodically to respond to new data, changes in the physical environment and the long-term horizon.

*Identify plans, studies and activities that are needed prior to identifying adaptation strategies*  
The City should re-convene the CVA committee or any other local flood management committee that includes a similar representation of multiple disciplines, e.g. municipal engineer, floodplain manager, planner, public works official, governing body representative, planning board representative, conservation planner, floodplain manager and emergency management official. This group should determine if there are data gaps or ambiguities in the CVA that need to be addressed to get a complete picture of vulnerability. For example, the community may want to field-verify certain sites or assets to determine if topography or adaptation measures may exacerbate or attenuate the projected flood impacts. If studies or plans are deemed necessary, the committee should identify who might take the lead. Also, the vulnerability and consequence ratings in this assessment should be compared with

other current mitigation and planning documents to determine if there are any conflicts that should be addressed. Finally, the committee should determine which of the CVA recommendations will be implemented, if not all, and who should take the lead.

#### *Identify adaptation strategies*

Given that the CVA's purpose is to identify vulnerabilities, not pose solutions, the critical next step is to identify and evaluate potential solutions. Using the vulnerability assessment of community assets and other pertinent data and reports (e.g. the hazard mitigation plan, beach nourishment program, flood management reports) identify the broadest range of possible solutions to reduce flood risks. Depending upon the magnitude of the vulnerabilities and consequences, the community may need to consult with coastal engineers outside of the community to fully realize the range of adaptation measures. NJDEP and other agencies and organizations may be available to provide workshops or host consultation meetings. This process of identifying adaptation strategies could take several months or more to fully understand the options available to the community.

The City should also determine whether a regional approach to an adaptation project is appropriate, and, if so, arrange for multi-jurisdictional meetings. The county or NJDEP Office of Coastal and Land Use Planning may be able to assist in scheduling or facilitating these meetings. Once the broad list of adaptation options is created, the committee should select the most desirable projects and strategies to pursue, along with associated timeframes, funding options and project/task leads. The community may also want to conduct a cost-benefit analysis to prioritize adaptation strategies. Most adaptation projects will need to be reviewed the NJ Department of Environmental Protection to ensure they meet permitting requirements. Projects that cannot be approved or funded at this time should be noted and discussed in future iterations of this process.

#### *Engage the Community*

Host community meetings to discuss and solicit feedback on the recommended adaptation strategies while also educating the participants about flood risk.

#### *Develop an implementation strategy*

Adaptation strategies should be integrated into the local hazards mitigation plan, capital improvement plan, master plan and ordinances to coordinate all related land use and adaptation policies and projects in the community. Key individuals and municipal departments should be assigned to lead and/or implement each of the adaptation strategies, along with proposed timeframes and funding options.

#### *Schedule annual meetings*

Unfortunately, there may not currently be sufficient resources and assistance available to address all of the community's identified vulnerabilities. Federal and State programs for coastal resiliency are still evolving, and grants, technical assistance, best practices and models, will inevitable become available. The committee should flag the issues for which solutions cannot be found and revisit them in the next adaptation planning process. Key staff should be charged with signing up for state and federal email lists that share grant and program information. The committee should continue to meet at least once a year, even after all current options for making progress have been exhausted, to consider if new programs or solutions have become available.

### **10.14 Potential Funding Sources**

The City should seek funding opportunities for adaptation planning and mitigation projects. Many federal and state funding opportunities are available and the City should be vigilant for new programs and to match future projects with any available funding resources. Below is a short list of potential grant programs (some may have expired but are listed should the program be implemented again):

#### **National Flood Insurance Program – Increased Cost of Compliance Coverage**

Increased Cost of Compliance Coverage (ICC) funding is not a loan and does not have to be repaid. It is managed by the National Flood Insurance Program (NFIP) and is available to property owners who carry new and renewed standard flood insurance policies. It helps homeowners meet the costs of repairing or rebuilding their property to comply with building requirements of their community and reduce future flood damage. The maximum amount a homeowner can receive is \$30,000 and is based on a proof of loss, a detailed repair estimate and a substantial damage declaration from the community. ICC funding can be used to pay for:

- The elevation of a home above the flood elevation level adopted by the community
- The relocation of a home out of harm's way
- The demolition and removal of a damaged home

Eligibility requirements include:

- Location in a flood plain
- Property has suffered substantial damage from a flood
- Property has had repeated damage by floods

A single-family dwelling is available for a maximum combined amount of \$250,000 from both the ICC and flood insurance.

#### **Blue Acres Buyout Program (BAB)**

The New Jersey Department of Environmental Protection uses Community Development Block Grant Disaster Recovery (CDBG-DR) funds for the Superstorm Sandy Blue Acres Program to purchase properties from willing sellers at the pre-storm value in areas that repeatedly sustain significant flood loss. The goal of the Blue Acres Program, which has historically served as part of NJDEP's Green Acres Program that purchases flood-prone properties, is to dramatically reduce the risk of future catastrophic flood damage and to help families move out of harm's way. Once acquired by the State, these homes will be demolished and the land will be permanently preserved as open space, accessible to the public, for recreation or conservation. The preserved land will serve as natural buffers against future storms and floods.

#### **NJDEP Flood Resilience Planning Grants**

Municipalities in the nine counties most impacted by Superstorm Sandy can form teams to compete for \$200,000 resilience-planning grants to address coastal and river-related flooding, Department of Environmental Protection Acting Commissioner Catherine R. McCabe announced today. The grant competition is part of Resilient NJ, a new program administered through the NJDEP's Office of Coastal and Land Use Planning, to identify and implement innovative regional solutions to address

coastal and river-related flooding. The U.S. Department of Housing and Urban Development is providing the grant funding as part of its National Disaster Resilience Competition, which works to make communities more flood resilient after major natural disasters. Resilient NJ is open to all municipalities in the nine Sandy-impacted counties as identified by HUD: Atlantic, Bergen, Cape May, Essex, Hudson, Middlesex, Monmouth, Ocean and Union.

### **NJEDA Neighborhood and Community Revitalization Program**

Using Community Development Block Grant Disaster Recovery (CDBG-DR) loans, the New Jersey Economic Development Authority (NJEDA) administers the Neighborhood and Community Revitalization program, which supports the long-term recovery of municipalities by funding economic revitalization projects. The program will assist in public facilities improvements, provide loans, loan guarantees and technical assistance to small businesses; and provide assistance towards façade and code-related improvements. Eligible grantees include redevelopment agencies, municipalities, businesses, and non-profit organizations.

### **New Jersey Energy Resiliency Bank Program**

Using Community Development Block Grant Disaster Recovery (CDBG-DR) funds, the New Jersey Economic Development Authority (NJEDA) administers the New Jersey Energy Resilience Bank Program, which builds energy resilience by providing technical and financial support, including grants and low-interest loans, to critical facilities for energy resilience projects or enhancements to existing energy infrastructure.

### **NJDEP Flood Risk Reduction Program (FHRRP)**

Using Community Development Block Grant Disaster Recovery (CDBG-DR) funds, the New Jersey Department of Environmental Protection (NJDEP) will support Army Corps' efforts to implement flood risk reduction measures with an easement acquisition program. NJDEP will also use funds for competitive grants to local government entities for eligible flood hazard risk reduction and resiliency infrastructure measure improvements or projects.

### **NJDEP Shore Protection Grants & Loans**

The NJDEP's Shore Protection Fund was established to protect public and private property and infrastructure from coastal storm damage, erosion and shoreline migration, and sea-level rise. Projects include beach replenishment and construction and maintenance of bulkheads, jetties, and seawalls. Recent legislation has set the annual appropriation at \$25,000,000 for eligible municipalities & counties. Priority is given to funding necessary to match federal appropriations to the US Army Corps of Engineers (USACE) for congressionally supported shore protection projects. Eligible projects must be associated with the protection, stabilization, restoration or maintenance of the shore, including monitoring studies and land acquisition, and must be consistent with the current New Jersey Shore Protection Master Plan and Coastal Zone Management Program. Project areas must be affected by normal tidal cycles and be located on public or private property which has legal, perpetual easements assigned to the state for public access and use. Projects are prioritized, based on: Need to maintain or repair an existing state shore protection feature or structure; Relative potential storm damage risk to public and private property and infrastructure; this priority consideration includes the direct exposure to coastal storms and the relative values of the at-risk property and infrastructure; Public access and use enhancements provided by the project.



**Non-Federal Cost Share Match Program**

Using Community Development Block Grant Disaster Recovery (CDBG-DR) funds, the Non-Federal Cost Share Match program gives the New Jersey Department of Transportation (NJDOT) funding to cover the non-federal match portion of post-storm transportation and infrastructure repair and resiliency. The New Jersey Department of Environmental Protection (NJDEP) will use CDBG-DR funds to cover the 20 percent required non-federal match for the EPA program to complete the repair and restoration of wastewater treatment systems and water supply systems, as well as increasing the resiliency and durability of these systems to help mitigate future risk and loss. The FEMA Match program provides critical funding support to eligible applicants that lack resources to provide some, or all, of the FEMA required match for FEMA Public Assistance Projects. CDBG-DR funds will be used to provide some, or all, of the match requirement under FEMA's Public Assistance.

**Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program**

The RREM program was offered through the State of New Jersey and provided up to \$150,000 for eligible homeowners to repair, elevate or rebuild their primary residences in the affected communities. About 7,660 homeowners in New Jersey were awarded funds through the State's RREM program to raise their homes and to become compliant with new base flood elevation standards. This could be a viable funding source providing funds are again made available through this program.

**Low Moderate Homeowners Rebuilding Program (LMI)**

The LMI Homeowner Rebuild program provides Community Development Block Grant Disaster Recovery (CDBG-DR) grant awards of up to \$150,000 to eligible LMI homeowners for activities necessary to restore their storm-damaged primary residence, including reconstruction, rehabilitation, elevation and/or other mitigation activities. The program also provides reimbursement for eligible expenses incurred by the homeowners prior to the implementation of this program.

**Small Business Grants (SBG)**

The Small Business Grants (SBG) program is administered by the New Jersey Economic Development Authority (NJEDA) using Community Development Block Grant Disaster Recovery (CDBG-DR) funds to provide eligible small businesses and nonprofits, as well as businesses looking to expand within storm-impacted communities, grants and forgivable loans of up to \$50,000 per impacted location. CDBG-DR funds can be used for eligible impact-related expenses include building repairs, equipment and inventory purchases, rent or mortgage payments, salary expenses, and utility costs for which they may need assistance.

**NJDCA Planning Grants**

The Department of Community Affairs (DCA) has the role of planning and administrating the Community Development Block Grant Disaster Recovery (CDBG-DR) funds across all programs. Additionally, the DCA Office of Local Planning Services (LPS) provides municipalities with sound planning strategies to ensure long term recovery and increase resiliency against future storms

using Community Development Block Grant Disaster Recovery (CDBG-DR) funds. LPS has a staff of licensed professional planners who work with municipalities to assist their efforts to effect changes.

### **FEMA Hazard Mitigation Grant Program (HMGP)**

HMGP is only offered during a presidentially declared disaster. This reimbursement program provides up to \$30,000 to assist homeowners with the elevation of their primary single-family residences in line with the Flood Insurance Risk Maps in affected communities. The HMGP provides grants to states and local governments to implement long-term hazard mitigation measures after a major disaster declaration. The purpose of the HMGP is to reduce the loss of life and property due to natural disasters and to enable mitigation measures to be implemented during the immediate recovery from a disaster. The HMGP is authorized under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

### **FEMA Flood Mitigation Assistance (FMA) Program**

The Flood Mitigation Assistance (FMA) program was created as part of the National Flood Insurance Reform Act (NFIRA) of 1994 (42 U.S.C. 4101) with the goal of reducing or eliminating claims under the National Flood Insurance Program (NFIP). FEMA provides FMA funds to help states and communities implement measures that reduce or eliminate the long-term risk of flood damage to buildings, manufactured homes and other structures insured under NFIP. Eligible properties must maintain flood insurance for the life of the structure. To receive an increased federal cost share, properties must be a severe repetitive-loss property or a repetitive-loss property.

Cost-share availability under the FMA program depends on the type of properties included in the grant. For example, severe repetitive-loss properties may receive up to 100 percent federal funding and repetitive-loss properties may receive up to 90 percent.

- In the case of mitigation activities to severe repetitive-loss structures:
  - FEMA may contribute up to 100 percent federal funding of all eligible costs, if the activities are technically feasible and cost-effective; or
  - FEMA may contribute an amount equaling the expected savings to the NFIP from expected avoided damages through acquisition or relocation activities, if the activities will eliminate future payments from the NFIP for severe repetitive-loss structures through an acquisition or relocation activity.
- In the case of mitigation activities to repetitive-loss structures, FEMA may contribute up to 90 percent federal funding of all eligible costs.
- In the case of all other mitigation activities, FEMA may contribute up to 75 percent federal funding of all eligible costs.

Structures with varying cost-share requirements can be submitted in one application. Applicants must provide documentation in the project application showing how the final cost share was derived. FEMA will identify applications for further review based on several criteria, including but not limited to: savings to the NFIP, applicant rank and property status (e.g., repetitive-loss property, severe repetitive-loss property). FEMA also may identify an application for further review out of rank order based on considerations such as program priorities, available funds, and other factors.

**FEMA Severe Repetitive Loss (SRL) Grants**

The SRL grant program was authorized by the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, which amended the National Flood Insurance Act of 1968 to provide funding to reduce or eliminate the long-term risk of flood damage to severe repetitive-loss structures insured under the National Flood Insurance Program. Proposed projects must be cost effective with a benefit-cost ratio greater than 1.0. The homeowner's application must include an elevation certificate and signed, detailed contractor's estimate.

**FEMA Pre-Disaster Mitigation (PDM) Grants**

The PDM program used to provide funds to states, territories, Indian tribal governments, communities and universities for hazard-mitigation planning and the implementation of mitigation projects prior to a disaster event. This program should be restored. Funding these plans and projects reduces overall risks to the population and structures, while also reducing reliance on funding from actual disaster declarations. PDM grants are to be awarded on a competitive basis and without reference to state allocations, quotas or other formula-based allocation of funds.

**FEMA Repetitive Flood Claims (RFC) Grants**

The RFC grant program was authorized by the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004, which amended the National Flood Insurance Act of 1968. RFC provides funding to reduce or eliminate the long-term risk of flood damage to structures insured under the National Flood Insurance Program (NFIP) that have had one or more claim payments for flood damages.

**Historic Preservation Funding**

Municipalities that have RREM recipients who have homes that are considered historic will be receiving funding from the state for historic presentation. The state has put aside \$3,000 to \$6,000 per property to mitigate any adverse impacts of the RREM Program on potential historic structures. These mitigation funds will be used to complete projects in the communities that document the historic significance of these properties or provide for public interpretation. The specific scope of these mitigation treatments will be developed through additional consultation between the DCA, NJDEP and Historic Preservation Office (NJSHPO).

It appears that the Programmatic Agreement covers how to complete Section 106 (SHPO review) for impacted properties. It is suggested that this funding be used for:

- Updated historic property inventories;
- Documentation of any structures if slated for demolition;
- Public interpretation plans of historic structures and their fragility; and
- Mapping of historic areas, both current and historical.

**United States Army Corps of Engineers (USACE)**

The USACE provides assistance under the Continuing Authorities Program (CAP). The USACE will evaluate various projects to determine if there is a Federal Interest. If a Federal interest exists, the

USACE will complete engineering and construction with a non-Federal sponsor who agrees to cost share the feasibility study and construction.

## 11.0 Utility Service Element

### 11.0 Utility Service Element

#### 11.1 Introduction

The City of Cape May ("City") offers the community extensive municipal facilities that serve residents and visitors alike. Community facilities, open space and recreation facilities take advantage of the City's natural assets, being both situated at the ocean and harbor front. Prior master plans and reexaminations referenced utility service goals and objectives in the Community Facilities and Recreation Element. The Planning Board desired a more comprehensive and detailed plan of utility service within the City and has developed this new element.

This 2019 Reexamination Report has prioritized utility and infrastructure needs from the perspective of resiliency planning. As indicated in this Reexamination, the City's permanent population is no longer growing and development is mostly infill of already developed areas. The City's primary focus is now on maintaining its existing infrastructure and utilities in good repair for existing development and redevelopment and ensuring they will not be compromised during storm events.

##### 11.1.1 Superstorm Sandy & Planning for Resiliency

While Superstorm Sandy narrowly missed the City, lessons can be learned from other communities more affected. The storm brought renewed attention to flooding problems in the City and the need for resiliency planning for utility infrastructure. Nuisance flooding has long been an issue in New Jersey coastal communities and is forecasted to increase in frequency and severity due to climate change and sea level rise. Several City neighborhoods have frequently experienced nuisance flooding over the past several decades.

In recognizing the vulnerabilities of the City's utilities and infrastructure (including its roads, sewers, bulkheads, and stormwater conveyance), the siting and design of new facilities should take sea level rise, coastal flooding, and erosion into account. Existing facilities should be hardened against hazards to the greatest possible extent, such as through the elevation of critical equipment and flood proofing of buildings. Forthcoming roadway projects, such as the raising of roadbeds and the installation of drainage systems, should consider potential impacts on neighboring properties and allow for permeable surfaces to the maximum practicable extent.

The purpose of this element is to take inventory of the City's utility infrastructure that provides service for all that live and visit the City, assess adequacies and address vulnerabilities. It is the goal of this Utility Service Element to develop and maintain a coordinated utility service system within a local and regional planning context to provide for properly located and adequately protected, resilient utility infrastructure.

This Utility Service Plan Element includes mapping of public facilities and other critical infrastructure. This mapping provided shows the location of such infrastructure in relation to important roadways and flood hazard areas. This element outlines the need for and general placement and location of infrastructure elements that are considered necessary and essential to

support the existing and projected development of the City. The utility service element specifically addresses potable water, wastewater collection and treatment, and stormwater management.

## 11.2 Goals/Objectives

It is a goal to ensure the provision and maintenance of an adequate range and availability of infrastructure to accommodate existing and future City residents and visitors. A goal of this utility element is to advance resiliency planning and through such planning identify aspects of the City's infrastructure improvements which are vulnerable to damage resulting from future storm events, and provide for the development and prioritization of strategies aimed at mitigation of future storm damage. This element also provides for Utility Service Resiliency planning as indicated in Section 10.5 and 10.7 of the Resiliency Element and Table 10.3 located in the Appendix.

- Goal: To ensure the provision and maintenance of an adequate range and availability of infrastructure to accommodate existing and future City residents and visitors.
- Objectives: The following are objectives for all future utility service projects:
  - a. Continue to provide all land uses with adequate service of water, sewerage, storm drainage and other utility systems.
  - b. Continue to provide water supply from the desalination plant while encouraging continued water conservation efforts.
  - c. Incorporate resiliency planning into the future design and upgrades of all infrastructure.
  - d. Encourage and require recharge of stormwater runoff into the ground through creative engineering design and land use regulations.
  - e. Plan for new development and public utility infrastructure to minimize risk from natural hazards.
  - f. Promote public awareness of hazard mitigation and resiliency issues specifically as they relate to utility service.
  - g. Focus public agencies on community utility vulnerabilities to hazards such as flooding.
  - h. Encourage future capital projects to be located outside flood hazard areas where possible.
  - i. Encourage renovations and modifications that are hardened and resilient to flood- and storm-related impacts.
  - j. Encourage municipal efforts and initiatives in FEMA's Community Rating System (CRS).
  - k. Encourage regional solutions to flood- and storm-related impacts.

- l. Plan future projects to accommodate future sea level rise.

### 11.3 Utility Service Inventory

#### 11.3.1 Municipal Utilities

The Cape May City Department of Public Works consists of the following Departments; Administrative, Buildings & Grounds Department, Streets & Roads Department, Traffic Maintenance Department, and Recycling Department. The responsibilities of the Department of Public Works consist of the following areas; grounds and facilities maintenance; the mechanical and automotive maintenance; municipal & street infrastructure repair & maintenance including stormwater management; sewer collection system operation and maintenance. The City of Cape May Department of Public Works is situated at 833 Canning House Lane shown below:



Source: Google Maps 2018

The City of Cape May Public Works Department is also responsible for the care and maintenance of streets, public buildings, lands, parks, playgrounds, beaches, a pedestrian walking mall, a promenade and boardwalk, , and all similar items related to the physical plant and infrastructure within our jurisdiction. As stated on the City website, a significant function and responsibility of the Public Works Department is the planning, organizing and directing of the many tasks to meet the needs of numerous groups and organizations. Because the front-line tasks that they perform have an uninterrupted and direct influence upon the condition of our community, the Department's responsibilities encompass ensuring that the City's tourist economy, which is dependent on seasonal amenities enjoys good health and that our treasure of Historic Victorian structures remain preserved.

The Cape May Water & Sewer Department is responsible for operating and/or maintaining the following sewer and potable water inventory/responsibilities:

1. Water Production
  - a. Six Water Production Wells
  - b. One 2-MGD BWRO Water Treatment Plant
  - c. Four Emergency Back-up Generators and Automatic Transfer Switches
2. Water Storage for Public Demand and Fire Protection
  - a. One 1MG Stand Pipe (830 Canninghouse lane)
  - b. One .75MG Elevated Tank (Columbia and Madison)
3. Water Distribution System
  - a. 254 Fire Hydrants
  - b. 1475 Water Line Isolation Valves
  - c. +/- 25 Miles of Water Pipe
  - d. 4300 Water Service Lines (from the Corp. Stop to the Curb Stop)
4. NJDEP Operating, Allocation and Monitoring Compliance
  - a. Licensed Operator
  - b. T-2
  - c. W-3
  - d. C-2 (Winter) C-3 (Summer)
    - i. Maintenance of Operation & Maintenance Manual, Emergency Response Plan, including an up to date Vulnerability Assessment.
    - ii. Monitoring for 800+ chemical constituents that may be present in water.
    - iii. Review and Reporting of all Chemical Test results on weekly, monthly, quarterly, annual basis. Some (radionuclides) are reported every 6-years.
    - iv. Monthly, Quarterly reports on water usage and monitoring.
5. Water Metering and Billing
  - a. 4300 Automated Water Meters
  - b. 4300 Transmitter/Radio Units
  - c. One Tower Gate Base Unit
  - d. Maintenance of the License to Operate Sensus as a System Software
  - e. Receiving and interpreting the 4300 Meter readings quarterly
  - f. Transferring the 4300 Meter readings to Edmunds
  - g. Producing Water and Sewer bills and delivering them to rate payers
  - h. Receiving and posting payments (with the help of the "Billing Office")
  - i. Handle late accounts
6. Sanitary Sewer Collection System
  - a. Approximately 25 miles of sewer mains
  - b. Sewer Laterals to +/- 4000 homes

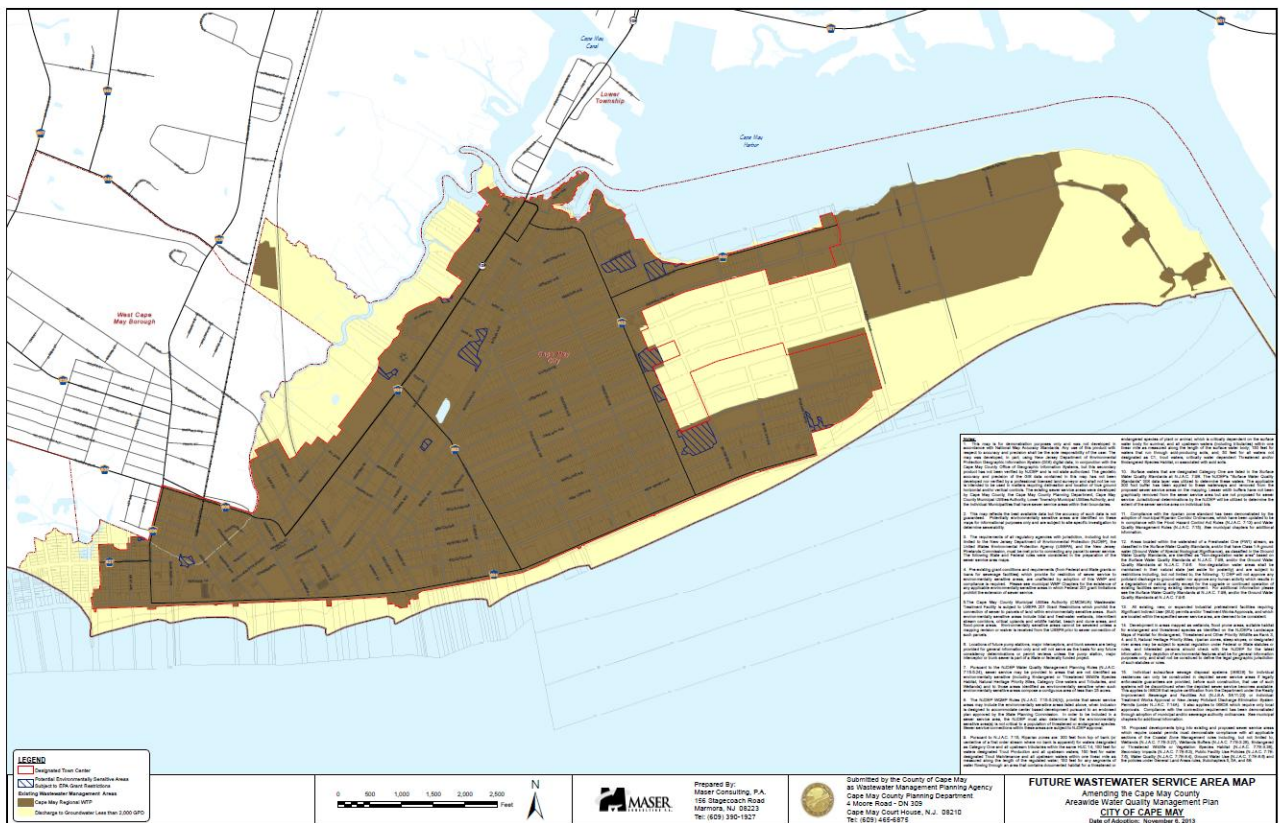
### **11.3.2 Sanitary Sewer**

The NJDEP's Water Quality Management Planning program originates from the Federal Water Pollution Control Act, commonly referred to as the Clean Water Act (33 U.S.C 1251 et seq.). Sections 201, 208 and 303 of the Clean Water Act provided a framework for water quality planning in the State.



One of the tools the NJDEP utilizes to assure that both current decision making and future planning adequately take into account protection of water quality and quantity is the Water Quality Management (WQM) Planning rule, N.J.A.C. 7:15. The Department develops and administers this rule pursuant to the NJ Water Quality Planning Act and as required by Sections 303(e) and 208 of the Federal Clean Water Act. Accordingly, the WQM Planning rules prescribe water quality management policies, procedures and standards.

The County of Cape May is the Designated Planning Agency responsible for preparation and adoption of the County Wastewater Management Plan. The current Sewer Service Area map was adopted by the NJDEP on November 6, 2013 and is shown below. The NJDEP adopted the Future Wastewater Service Areas Map for Cape May County on November 6, 2013.



Map 11.1: Future Maintenance Service Area Map

The County of Cape May is in the process of adopting an updated plan using build out methodology to project future wastewater treatment demand for future sewer service areas within the City of Cape May. This build out analysis has been prepared as part of the Cape May County Wastewater Management Plan (CMCWMP) dated February 11, 2019 and is summarized as follows:

The NJDEP Water Quality Management Planning Rule (N.J.A.C. 7:15-1.15) defines urban municipalities as those municipalities where 90 percent of the municipality’s land area appears as “Urban” as designated in the NJDEP 2007 Land Use/Land Cover geographical information systems (GIS) database. The City of Cape May does not qualify as an urbanized municipality. Municipalities

that are not defined as urbanized must estimate build-out future wastewater flows from existing development that is not currently connected and future development based on flow projections.

For future sewer service, the MBR has been prepared in order to assess the amount of remaining developable lands within the City of Cape May and to assess the amount of potential development, if these lands were fully developed to their maximum potential. Utilizing GIS map technology, the amount of developable land has been assessed based on lot area and bulk requirements as compared to the minimum requirements of each individual zone district utilizing development assumptions. The results of the MBR are meant to estimate and illustrate the wastewater demand impacts that the zoning would have if the City were to become fully built-out. The MBR boundaries are also being used to update the new Sewer Service Area Map (2018).

### **Buildout Analysis of Future Sewer Service Area**

The MBR Buildout Analysis shows the residential dwelling units (DU) and non-residential floor area (SF) potential development for each zone, which is calculated as the sum of the approved or potential new development. Based on the limited vacant lands available for infill development in Cape May, the analysis estimates net future development and redevelopment up to 172 new residential dwellings units and 59,618 square feet of new non-residential space based on the current zoning, not including existing development.

Zone	New Development		Approved Development		Total	
	(DU)	(SF)	(DU)	(SF)	(DU)	(SF)
C-1 Primary Business	0	0	3	0	3.0	0
C-6 Marina	0	0	37	0	37.0	0
NC Neighborhood Commercial	0	59,618	0	0	0	59,618
R-1 Low-Density Residential	21.0	0	14	0	35	0
R-2 Low/Medium-Density Residential	10.0	0	2	0	12	0
R-3 Medium-Density Residential	33.4	0	22	0	55.4	0
R-5 Medium/High-Density Residential	19.8	0	0	0	19.8	0
R-S Residential-Seasonal	9.0	0	1	0	9.0	0
<b>TOTAL</b>	<b>93.2</b>	<b>59,618</b>	<b>79</b>	<b>0</b>	<b>172.2</b>	<b>59,618</b>

Source: Municipal Buildout Report for City of Cape May (November 6, 2018) Table 3-3

### **Wastewater Demand Analysis for Future Sewer Service Area**

The MBR Wastewater Demand Analysis summarizes the estimated wastewater flows by multiplying the results in the buildout analysis by the NJDEP projected flows of 300 gallons per day (GPD) per residential unit and 0.100 GPD per square foot of non-residential floor area. The analysis estimates an increase of 0.058 MGD for net future development and redevelopment.

Zone	Net Future Residential		Net Future Non-Residential		Total
	(DU)	(GPD)	(DU)	(GPD)	
C-1 Primary Business	3	900	0	0	900
C-6 Marina	37	11,100	0	0	11,100
NC Neighborhood Commercial	0	0	59,618	5,962	5,962
R-1 Low-Density Residential	35	10,500	0	0	10,500
R-2 Low/Medium-Density Residential	12	3,600	0	0	3,600
R-3 Medium-Density Residential	55.4	16,620	0	0	16,620
R-5 Medium/High-Density Residential	19.8	5,940	0	0	5,940
R-S Residential-Seasonal	10	3,000	0	0	3,000
<b>TOTAL</b>	<b>172.2</b>	<b>51,660</b>	<b>59,618</b>	<b>5,961.8</b>	<b>57,622</b>

Source: Municipal Buildout Report for City of Cape May (November 6, 2018) Table 3-4

### **Permanent and Seasonal Residential Population Growth Projections**

Built-out resort communities, such as Cape May City, typically experience redevelopment of older single-family dwellings with new larger homes. In order to account for the anticipated increase in wastewater demand resulting from residential redevelopment, seasonal population projections are utilized in accordance with the following methodology:

- Future permanent and seasonal residential population is projected utilizing the methodology and base data from the seasonal municipal demographic projections prepared by the South Jersey Transportation Planning Organization (“SJTPO”) for their 2040 Regional Transportation Plan. However, as the SJTPO projections were prepared to estimate future traffic conditions, it was necessary to modify some of the assumptions of the SJTPO projections in order to better reflect wastewater conditions.
- The 1990, 2000, and 2010 US Censuses were utilized to establish the historic trends and provide a baseline for existing permanent populations. Since the Census does not provide data on seasonal variations in population, the 2010 summer residential populations are estimated using reductions in the household vacancy rate from the yearly average to 75% occupancy of vacant units on summer weekdays and 93% (the state average) on weekends and multiplying those values by an average seasonal household size of 3.7 persons per dwelling unit. The average daily occupied summer population is calculated by averaging the summer weekday and weekend values.

- Future seasonal residential population projections are estimated by SJTPO by multiplying the household ratios described above against permanent population projections. The SJTPO projections for Cape May County were utilized for 2020, 2030 and 2040. The County population projections were then distributed to each municipality in accordance with the municipality-to-county ratio in 2010.
- Residential population projections are assigned a wastewater multiplier of 75 GPD per person, in accordance with NJDEP projected flow criteria for permanent residents (N.J.A.C. 7:14A - 23.3).

The following Table from the MBR provides an analysis of the seasonal population growth and resulting wastewater flow projections for the next 20 years. Summer residential population is expected to increase by 550 residents (4.02 percent) for by 2040. This results in an increase in wastewater demand of 41,250 GPD.

	2020	2030	2040	20-Year Growth (2020 to 2040)	% Change (2020 to 2040)
<b>Population</b>	13,683	14,041	14,233	550	4.02%
x Multiplier (GPD)	75	75	75		
= Flow (GPD)	1,026,225	1,053,075	1,067,475	41,250	

Source: Municipal Buildout Report for City of Cape May (November 6, 2018) Table 3-5

The MBR Wastewater Flow Projections shown below calculates the sum total of the existing wastewater flows and the projected increased flow from future development and redevelopment. Cape May City has existing flow of 1.655 MGD, which is projected to increase to 1.754 MGD at full buildout.

	Flow (GPD)
Existing <sup>(1)</sup> Note: <sup>(1)</sup> Existing flow is equal to the historic peak 3-month average for the last 10 years (2008-2017)	1.655
Future Development/Redevelopment	0.058
Seasonal Residential Population Growth	0.041
Existing not connected	0
<b>Total</b>	<b>1.754</b>

Source: Municipal Buildout Report for City of Cape May (November 6, 2018) Table 3-5

**Capacity Analysis**

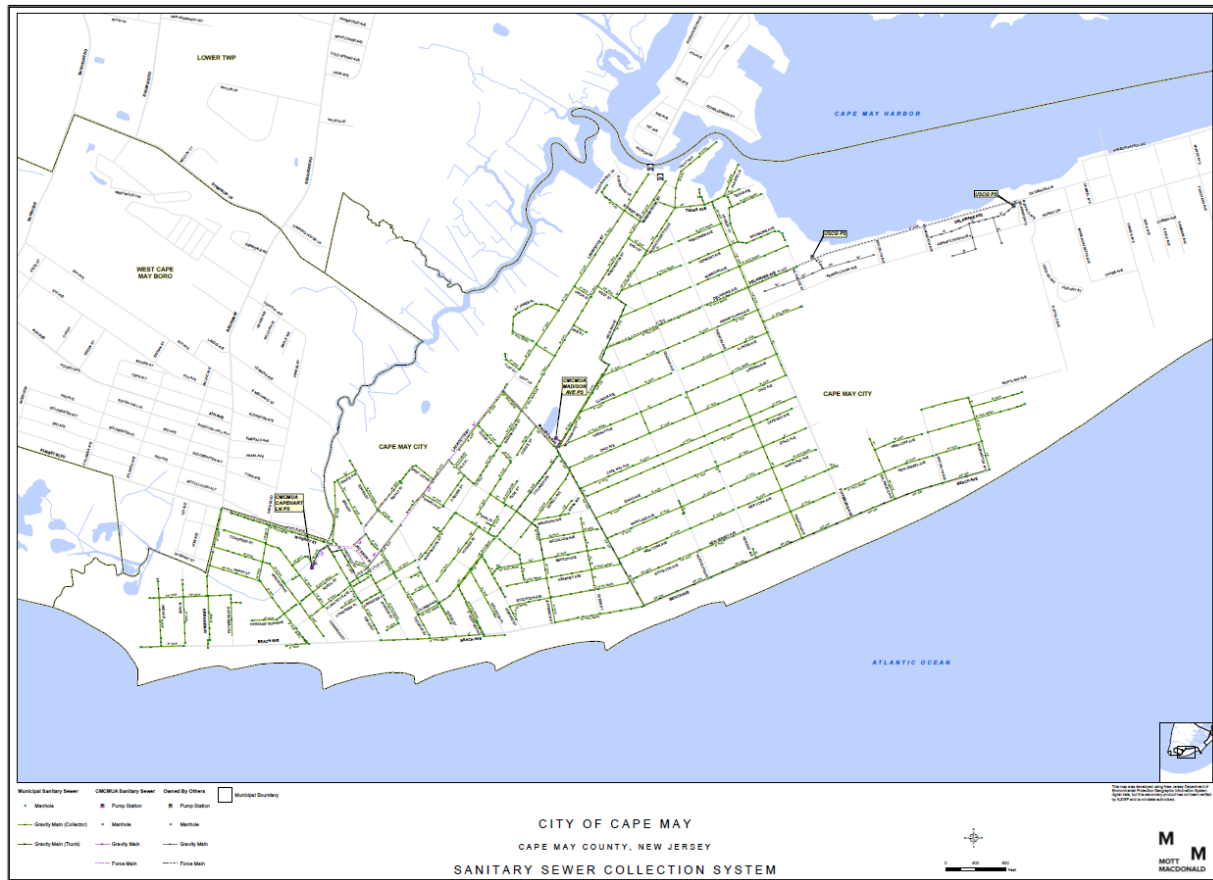
In accordance with N.J.A.C. 7:15-4.5(b)2, the wastewater demand projections for the service area must be compared against the total wastewater capacity of the treatment plant. Since Cape May City is serviced by the Cape May Regional Wastewater Treatment Plant and the CMCMUA no longer provides capacity allocations to each municipality, it is necessary to complete all of the buildout analyses for each municipality within the regional treatment plant service area in order to

determine whether there are any capacity deficiencies. The wastewater treatment plant capacity analysis will be provided in the subsequent Wastewater Management Plan chapter.

If there is a deficit in wastewater capacity, the municipalities within the regional service area will need to identify and evaluate strategies for addressing such deficiencies, which may include management approaches (such as modifications to the municipal zoning or sewer service area boundaries) and infrastructure improvements (such as increase treatment plan capacity).

**Municipal Collection System**

The City owns and operates its own sanitary sewer collection system. The system is typically a gravity sewer system located within County and municipal right-of-ways that provide collection for both commercial and residential uses. The City has maintained mapping of the system titled "City of Cape May, Cape May County, NJ Sanitary Sewer Collection System" prepared by Mott Macdonald Associates. This gravity systems discharge into two (2) CMCMUA operated sanitary sewer pumping stations located at Capehart Lane, and Madison Avenue. Two (2) additional USCG pump stations are located on Delaware Avenue. The infrastructure locations are shown below:



Map 11.2: City of Cape May, Cape May County, NJ Sanitary Sewer Collection System

These systems provide regional collection and pumping to a primary treatment and discharge location. Ultimately all these City sewer systems discharge along Sunset Boulevard into the Cape May County Utilities Authority (CMCMUA) pumping station known as Cape May Regional

Wastewater Treatment Facility located at 545 Sunset Boulevard, Cape May Point, NJ. This facility treats wastewater from Cape May City, Cape May Point and West Cape May.

When sanitary sewer main pipes run too deep in the ground, pump stations located at low areas within the City are needed to lift the wastewater back up to street level, and continue to convey it through the gravity sloped systems. Thus, all pump station locations are susceptible to flooding as they are located in the lowest areas of the City. It should be noted that the pumping stations are also susceptible to power outages and therefore require backup generators to maintain operation during such events.

### **11.3.3 Potable Water**

#### **Water Infrastructure**

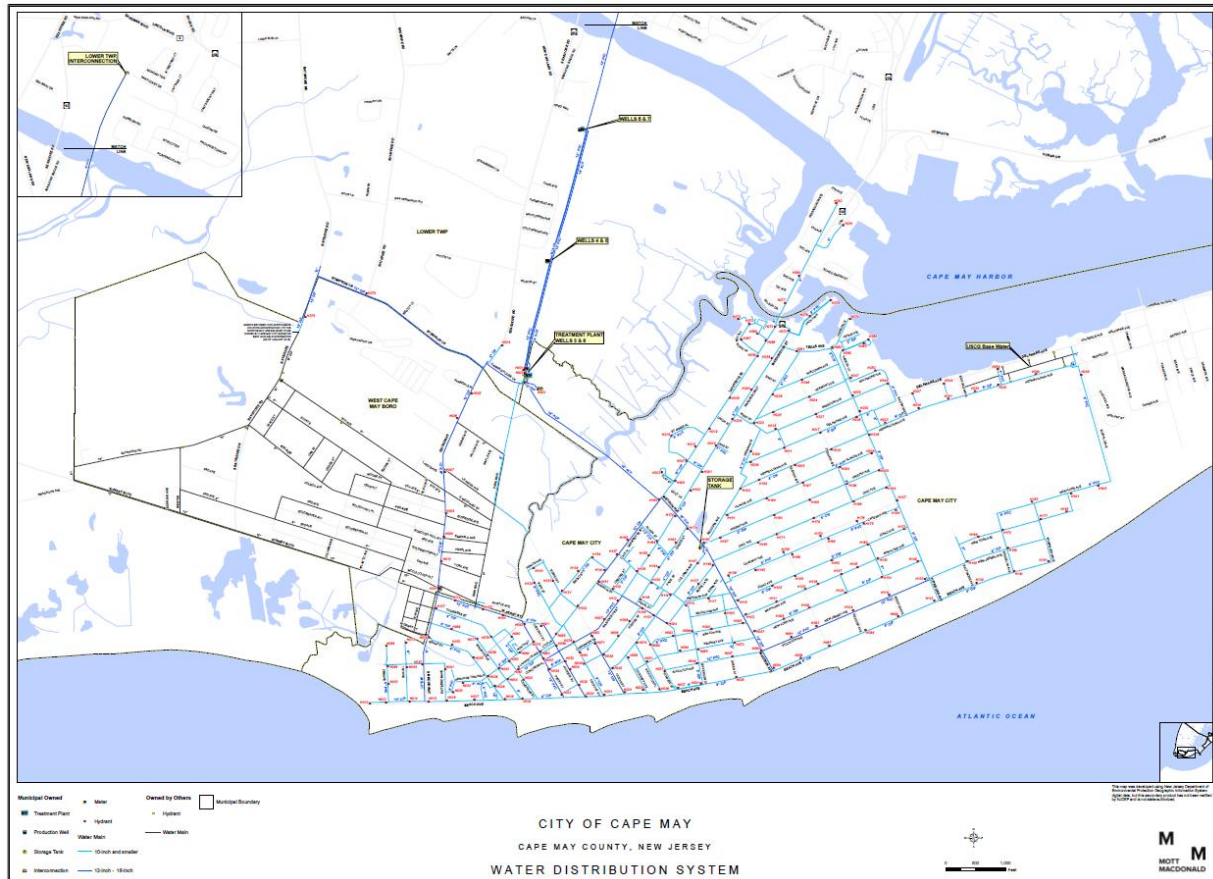
The City obtains its water from Wells 3, 4 and 5 drilled into the Cohansey Aquifer. Wells 6, 7 and 8 are drilled into the Atlantic City 800-foot Sands. Due to the proximity of the Atlantic Ocean and saltwater intrusion from aquifer drawdown from demand, Cape May has had to address this issue with the completion of the Reverse Osmosis (RO) Water treatment Facility. The treatment of removing salt from our water wells to produce potable drinking water to our customers and surrounding neighbors has been a very successful endeavor. The City was the first facility in our State and surrounding region to do this for our residents and approximately 4,000 customers.

The desalination plant is of utmost importance in providing for a City that needs an average of 1.4 million gallons per day, with demands of 2.8 million gallons on a peak summer day. Opened in September of 1998, it was the first to open in New Jersey, and is currently one of only two in the state. The City continues to assess the desalination plant's physical and operational conditions to sustain the efficiency and cost effectiveness of the facility and has also proposed improvements and new wells to better service the plant located at 833 Canning House Lane.

The City will soon lose the use of Well 5, drilled into the Cohansey Aquifer. Well #5 already exceeds the URL for Sodium, and has exceeded that limit for approximately 3-years now. It is only a matter of time before the City is required by the NJDEP to find an alternate water supply. Rather than simply maintaining existing infrastructure, the City must begin planning to expand capacity in the RO Plant or in another RO facility to be constructed very near the existing plant. The existing plant is now more than 20 years old and has already exceeded its estimated usable life. Soon, it will need a major renovation.

The City completed the restoration of the 700,000 gallon Madison Avenue Water Tank and the repair and painting of the 1 million gallon Standpipe at the Public Works/Water and Sewer Utility Complex on Canning House Lane. Both the Water Tank and Standpipe should be serviceable for at least another 50 years with periodic maintenance performed.

Cape May's potable water piping system is located within municipal and county right-of-ways and services all developed areas. The mapping of infrastructure is shown below:



Map 11.3: Water Distribution System

To provide a modernized system, Cape May has installed water meters with encoded registers and radio frequency automatic meter reading and leak detection for approximately 4,000 accounts. This initiative has ensured more timely identification of unknown leaks and thus conserved water, especially in seasonally occupied homes. The City of Cape May has also replaced the master water meters at two locations to measure flow in and out of West Cape May with state of-the-art master meters which also measure low flow below 40 gallons per minute. Replacement of aging leaky pipes is also a priority. Evaluation of a leak survey to provide an infrastructure replacement plan is also recommended.

It should be noted that the well pumps are susceptible to power outages and therefore require backup generators to maintain operation during such events. Resiliency has been considered such that each Water Supply Well currently has an on-site backup generator, installed above the 100 Year Flood Plain. Further, in considering resiliency, the City has just completed drilling Well #8 in a preliminary step toward expansion of the RO Plant capacity, knowing that we will have to abandon Well #5 in the very near future or, at least greatly reduce our dependence on that well and use it as an emergency back-up water supply. Also, Cape May has installed an emergency interconnect with Lower Township MUA, in case any of our water supply sources might fail. Future upgrades and new projects should be designed and incorporate resiliency planning.

**11.3.4 Stormwater**

Under the Municipal Land Use Law Section 40:55D-93, every municipality shall prepare a stormwater management plan and a stormwater control ordinance to implement the plan. The City is a MS4 Regulated Community. The City has stormwater management plan that identifies projects, actions or initiatives to mitigate stormwater flooding. The City has adopted the Stormwater Management Plan (Code Chapter 437) in 2005 in accordance with requirements contained in N.J.A.C. 7:8. As required by the Municipal Land Use Law, the Stormwater Management Plan shall be reexamined at each Master Plan reexamination.

The stormwater system is typically a gravity sewer system located within County and municipal right-of-ways that provide collection for both commercial and residential uses. The City has maintained mapping of the system titled "City of Cape May, Cape May County, New Jersey Stormwater Collection System" prepared by Mott MacDonald Associates, shown below:



Map 11.4: Stormwater Collection System

These systems typically discharge through ocean outfalls, bulkhead locations or to regional stormwater pump stations. There is one (1) City owned and operated stormwater sewer pumping stations located at Benton Avenue which collects and pumps stormwater to the Queen Street ocean outfall. There is one County owned and operated stormwater sewer pumping station located at Grant Street and another at the intersection of Madison and Beach Avenue which collects and pumps stormwater to the County Owned /Operated Madison Street ocean outfall. All other systems are gravity systems. The systems flow to the following county owned and operated ocean outfall



locations: Patterson Avenue; Grant Street; Jackson Street; Philadelphia Avenue; Reading Avenue; Trenton Avenue; Pittsburgh Avenue; Baltimore Avenue; Brooklyn Avenue. One municipal outfall is located at Ocean Street. Along the Cape May Harbor, three (3) county owned/operated outfalls are located along Delaware Avenue; one (1) privately maintained outfall is located at Harbor Cove; one (1) City and one (1) County owned outfalls are located at the intersection of Texas Avenue and Pittsburgh Avenue. Along Cape Island Creek, one (1) municipal outfall is located at Bank Street; one (1) municipal outfall is located at St. James Place; one (1) state owned and operated outfall is located at Lafayette Street bridge. One municipal outfall is located at First Avenue.

These systems are greatly influenced by tidal elevations. During excessive high tides or tidal flooding, stormwater is trapped and cannot flow through the system until the tidal stage is lower than the discharge point. Bulkhead elevations also play a role in holding back floodwaters so that the stormwater systems are not inundated. The City is extremely vulnerable to back bay flooding due to the height or condition of and or lack of bulkheads and relatively low roadway elevations. It should be noted that the stormwater pumps are susceptible to power outages and therefore require backup generators to maintain operation during such events. Any infrastructure improvements designed to increase the rate and volume with which flood waters can be evacuated and/or abated should be explored.

### **Municipal Coastal Vulnerability Assessment**

As illustrated in City of Cape May Municipal Coastal Vulnerability Assessment, December 2016 (CVA) Prepared by Sustainable Jersey, it is well known that flooding is typically found in the following areas during routine storm events:

- Yacht Avenue Neighborhood
- "Frog Hollow" (Benton Avenue Area)
- Beach Avenue
- Cape Island Creek Area & Neighborhoods

The CVA was developed as both a process and tool to help communities make incisive and sound decisions on near and long-term coastal management, reconstruction, and resiliency measures. The CVA categorizes the degree to which a community's assets will be impacted by projected sea level rise and storm events, and analyzes the consequences those vulnerabilities pose to the community. By accounting for vulnerability and consequence factors associated with future flood events, local officials will be better informed to make critical decisions regarding land use planning, mitigation, adaption measures, and public investments.

Cape May City identified 57 assets to be included in the vulnerability and consequences assessment, but only those assets shown to be impacted by sea level rise and/or a Category 1 Hurricane in 2050 (a total of 44 assets) were included in the assessment. The assets were identified under four broad categories of potential community assets: Critical Facilities & Infrastructure Systems, Community Resources & Amenities, Natural Assets & Ecosystems, and Districts, Neighborhoods, & Population Clusters.

These areas and assets should be the focal point of future resiliency projects and funding to mitigate projected worsening flooding and storm events.

## **11.4 Recommendations**

In planning for the City's future, it is essential to project the impacts of future events. Based on mapping contained in the Reexamination, Category one storm surge is likely to inundate portions of the road network in the City, including the main evacuation routes. These roadways also contain most of the City's water, sanitary sewer and stormwater sewer infrastructure. As more of the developed areas are projected to be impacted with three feet of sea level rise, so too is the transportation network, including current roadways. Critical infrastructure includes potable water infrastructure, stormwater and wastewater pump houses and equipment. When in the flood hazard area, pump houses and equipment should be elevated above flood elevation or upgraded to mobile enclosures where vulnerable infrastructure could be moved out of harm's way in the case of a storm and returned to the site after.

To better plan for maintenance of the utility infrastructure and design future improvements, the following recommendations are hereby incorporated into this element as follows:

### **11.4.1 Stormwater & Sewer Infrastructure Mapping**

The current infrastructure maps are a valuable planning asset. These maps should be updated to reflect most current conditions to aid in designing future improvements. Future critical facilities should be elevated, and any utility mains with recurring damage should be mapped to indicate areas of potential failure.

### **11.4.2 Long Term Stormwater Planning**

The predicted effects of climate change are likely to exacerbate the flooding problem, disrupting the community on a more frequent basis. The City should continue to work with the county and state agencies to ensure that a well-vetted operational plan is in place. In addition, the City should take a long-term view of this issue and the affected neighborhoods and consider options that might include participating in a buy-out program for the Cape Island Creek area that would enable the stream to be day lighted and allow for more flood storage. (CVA Recommendations)

### **11.4.3 Green Infrastructure & Impervious Surface Reduction**

The City is impacted by flood water and stormwater runoff issues due to the proximity to the back bay and ocean as well as the generally low topography. Traditionally, modern America has relied on gray infrastructure which incorporates traditional pipes and sewers to mitigate stormwater



issues. Green infrastructure comprises stormwater management strategies that enable stormwater to soak into soils near where they fall, or be captured for a beneficial re-use such as irrigation or groundwater recharge. Keeping runoff out of the storm sewer system improves water quality and minimizes localized flooding. Rainwater running off of sidewalks, parking lots, rooftops and lawns carries pollutants like motor oil, trash, fertilizer, pesticides and animal waste into

local bodies of water, making bays and beaches unsuitable for recreation.

Source: <https://gitoolkit.njfuture.org/#What-is-Green-Infrastructure>

Alternatively, Green Infrastructure uses elements such as green roofs, rain harvesting systems, stormwater planter boxes, bio-swales, rain gardens and increased green spaces and conversion of non-pervious areas to landscape or more pervious areas. The City's zoning ordinance should be refined to include green infrastructure requirements. Reducing the amount of permitted impervious surfaces, especially in flood inundated zoning districts. Eliminating non-pervious areas within the City's right-of-ways including curb strips that have been paved over with concrete and re-establishing landscaping would both beautify the City and facilitate faster evacuation and percolation of storm and flood waters. Municipal projects could also incorporate green infrastructure strategies. Reduce impervious concrete patio, sidewalk and driveway construction for new construction. The zoning ordinance should be amended to encourage construction for a pervious surface. A 50% credit towards lot coverage calculation for commercial uses could be included to facilitate pervious material construction.

#### **11.4.4 Green Infrastructure Goals & Objectives**

New Jersey Green Infrastructure Municipal Toolkit Master Plan: Goals and Objectives Model Language created for New Jersey Future should be adopted. The following goals may appear in your master plan as general goals, or may be listed separately under section(s) related to environmental protection, stormwater management, land use, water quality, streetscape and/or flood control:

- Promote no adverse impact on the quality of surface waters before, during, and after land development processes. In redevelopment or rehabilitation projects, promote improvement over existing conditions related stormwater runoff volume, water quality and groundwater recharge.
- Improve stormwater management systems by using green infrastructure techniques such as natural, low-impact design elements and green infrastructure installations such as rain gardens, green roofs, permeable pavement, vegetated swales, tree trenches and constructed wetlands.
- Encourage an interconnected green infrastructure network in order to provide environmental, social, recreational, psychological, public health, and economic benefits.
- Promote the incorporation of green infrastructure planning and implementation strategies in new construction as well as redevelopment or rehabilitation of existing sites.
- Strengthen and direct development towards existing neighborhoods, communities and infrastructure.
- Give priority to infill and redevelopment for both private and public purposes.
- Encourage new development to incorporate green building practices (e.g., solar oriented, energy and water-efficient design of buildings, low impact site design).
- Maintain tree canopy to increase the beneficial effects such as a reduced carbon

- footprint, reduced ambient temperature, stormwater management benefits and increased aesthetic appeal to a municipality, as well as improved quality of life.
- Encourage the use of native and other drought tolerant species for landscaping to conserve water, reduce pollution, and attract birds and pollinators. Prohibit the use of invasive species, which can rapidly colonize open areas, causing harm to ecosystems and eliminating the natural benefits of the native species.
  - Protect riparian corridors with sufficient riparian buffers.
  - Reduce excessive stormwater runoff by reducing impervious cover and increasing vegetation. Require new residential construction to incorporate green storm water initiatives such as rain barrels, cisterns, etc.
  - Encourage practices that require reduced watering and reduced chemical, pesticide and herbicide use. The City should only be using safe bio-based products for care of all municipal parks and properties.
  - Incorporate sustainable infrastructure into existing and future community facilities including roads, parks and other public property, and utilities in order to increase efficiency, realize cost savings, and lessen maintenance issues and costs.

#### **11.4.5 Consider revising the municipal stormwater management and sewer plans to reflect the results of the CVA**

The municipal stormwater management plan provides strategies for addressing current and future stormwater-related impacts that result from land use development, and strives to minimize flooding and protect community's water quantity & quality, groundwater recharge and aquatic habitats. Stormwater management strategies include recommended performance and design standards that are incorporated into ordinances, as well as management and maintenance requirements. Increases in the variability of weather patterns and the frequency of extreme weather events occurring in New Jersey are putting stress on municipal stormwater infrastructure systems. Cape May City's stormwater infrastructure, including culverts, retention and detention ponds, inlets, catch basins, and stormwater pipes are all vulnerable to increases in flow of which they were not designed to handle. The City should consider updating the municipal stormwater management plan to include the potential impacts of climate change and promote design and infrastructure projects that are more resilient to climate change. In addition the City may want to review its stormwater management policies and maintenance plans for municipally-owned facilities to assess for potential climate change impacts and whether changes are desirable to make these systems more resilient.

##### Resource

- The City of Ottawa [Wet Weather Infrastructure Management Plan](#)
- The City of Ottawa. [Adaptive Approaches in Stormwater Management](#)

**11.4.6 Bulkhead Mapping**

A comprehensive detailed mapping of all private and public bulkheads should be completed. Elevations, type and condition as well as gaps or absence of bulkheads should be indicated. This information should be used to develop a plan for implementation of a uniform bulkhead protection plan. The City should work with the Army Corps to evaluate the bulkheads and determine the optimum height and then work to implement these improvements. Since some structures are cantilevered over the bulkhead, these improvements may need to be coordinated with the elevation of the existing structures.

**11.4.7 Water & Sewer Infrastructure Resiliency Measures**

An alternative source of electricity insures that critical facilities, wells and sanitation/stormwater pumps continue to function in the event of power failure. All critical water supply sources, and our one Sanitary Sewer Lift Station have Back-up generators installed, on-site, above the 100 Year Flood Plain. It is recommended that any new equipment or projects be sited, elevated and protected so that they are not in harm's way from flooding or storm related hazards.

**11.4.8 Utility Pipe Evaluation**

The City's utility piping should be video-inspected to locate blockages and areas of deterioration. Based on the inspection results, an improvement plan and timeline should be prepared for repair or replacement.

**11.4.9 Installation and Maintenance of Outfalls**

Maintenance at all outfalls should be achieved to prevent back-ups in storm drainage systems during periods of minor to moderate flooding. It is also recommended that a maintenance plan of outfall devices be provided. Maintenance of stormwater measures as well as other utility infrastructure should be evaluated as a candidate for shared services with the County.

**11.4.10 Potable Water Infrastructure Hardening**

Analysis of all potable water well and pumping infrastructure should be made to mitigate any future impacts from flooding or storm related impacts.

**11.4.11 Continue Water Conservation Efforts**

Water conservation is such a mission in Cape May City that the City staff has a water conservation message on their business cards, a unique way to encourage this effort. The City has adopted a Water Conservation Ordinance. City should continue to develop it and visibly enforce it. The City has and maintains a Water Conservation Demonstration Garden at Madison and Cape May Avenues to help to educate the community on the importance of water conservation and to illustrate xeriscaping for responsible water use. These efforts should continue. The ongoing Garden project hosts a variety of low-water use and wildlife-friendly plants. A brochure is available throughout the

community that describes the type of trees, shrubs flowers and grasses used in the garden. These should be incorporated into the zoning ordinance. A Low Water Gardening Coloring Book was also created and should continue to be printed and distributed in the Elementary School. An informative brochure titled "Use Water Wisely" has been produced by the CMC Environmental Commission and the Southern Cape Regional Water Advisory Commission. These Water Conservation Reminders and materials should continue to be posted on the City website and sent out in tax/utility mailings.

#### **11.4.12 Inspection of City Owned Facilities**

The Water/Sewer Department already has an O & M Manual, including a Vulnerability Assessment (VA), and an ERP (Emergency Response Plan) each of which is inspected and approved annually by the Southern Enforcement Bureau of the NJDEP. Annual analysis of City-owned facilities should be undertaken to determine hardening and resiliency measures to mitigate the damage from future storm events. The City should continue infrastructure audits of the City's stormwater, water and sewer services to determine which facilities are most vulnerable to storm damage and equipment failure. Critical facilities should be elevated, and water mains with recurring damage should be mapped to indicate areas of potential failure. Consider revising the municipal stormwater management and sewer plans to reflect the results of the CVA (resilient, plan for sea level rise).

#### **11.4.13 Best Practices Preparation**

Consideration should be given to the preparation of Best Practices to reduce likelihood of utility service interruptions during major natural or man-made events. Best Practice Measures would supplant existing building code requirements and would address issues such as backup power generation; the limiting of heating and cooling losses through windows, walls and roofs; and common access to potable water in multi-family structures.

#### **11.4.14 Capital Improvement Plan**

A long range 5 or 10 year Capital Improvement Plan should be developed as a means to achieve the resiliency improvements identified in this as well as other elements. A multi-year priority and spending plan would assist in guiding the City in planning and financing these initiatives in a manner that will minimize impacts to the taxpayer and allow for prioritization of projects.

#### **11.4.15 Funding Opportunities**

While the following is offered as examples of the types of funding available to the City and its property owners to address the needs of the community, it should by no means be considered an exhaustive inventory of such funding. Additional programs may exist from a variety of sources. Additionally, over the course of time, new programs may be offered and existing programs eliminated or modified.

- Additional opportunities through the NJDCA Post Sandy Planning Grant program.
- Hazard Mitigation Grants (HMG) – offers homeowners up to \$30,000 to raise their homes (offered only for a Presidential-declared disaster).

- NFIP Increased Cost of Compliance ("ICC") Coverage – grants available to eligible properties for owners who carry new and renewed standard flood insurance policies as a means to assist homeowners meet the costs of repairing or rebuilding properties in compliance with new, post-Sandy building requirements and thereby reduce future flood damage. Such funding is available for the elevation of a home above the flood elevation level adopted by the City, the relocation of a home out of harm's way and the demolition and removal of a damaged home.
- Flood Mitigation Assistance ("FMA") – offered annually from FEMA.
- Pre-Disaster Mitigation ("PDM") Grants – offered annually from FEMA for hazard-mitigation planning and the implementation of mitigation projects prior to a disaster.
- Severe Repetitive Loss ("SRL") Grants – provide funding to reduce or eliminate the long-term risk of flood damage to severe repetitive loss structures insured under the National Flood Insurance Program.
- Repetitive Flood Claims ("RFC") Grants – provide funding to reduce or eliminate the long-term risk of flood damage to structures insured under the National Flood Insurance Program that have had one or more claim payments for flood damages.
- Blue Acres, NJDEP – provides funding to purchase properties (including structures) that have been damaged by, or may be prone to incurring damage caused by, storms or storm-related flooding, or that may buffer or protect other lands from such damage.
- U.S. Army Corps of Engineers – provides funding and engineering support for beach renourishment as well coastal protection elements such as bulkheads, stormwater management systems and certain mitigation projects.

#### **11.4.16 Partnerships**

Certain grant funding is awarded to non-profits, state government and colleges. The City should consider networking with the following organizations, among others, for potential future collaboration:

- NJDEP, Office of Natural Resource Restoration
- Rutgers University
- The Richard Stockton College of New Jersey
- Atlantic Cape Community College
- New Jersey Audubon Society
- New Jersey Conservation Foundation
- The American Littoral Society

#### **11.4.17 Sustainable Jersey**

Sustainable Jersey is a certification program for municipalities in New Jersey that want to go green, save money, and take steps to sustain their quality of life over the long term. Cape May City is registered for Sustainable Jersey Silver Certification and is in progress to reach Gold Certification. The City needs to continue participation in this program and incorporate these sustainability concepts into the planning and maintenance of the City's utility infrastructure.



# **Appendix 1**

## **Vulnerability Rating Key**

**Table 10.3 Vulnerability Rating Key**

Asset Name	Asset Category	Sea Level Rise	CAT1 Hurricane	Consequences	Sea Level Rise	CAT1 Hurricane
<b>Beach Avenue</b>	Critical Facilities & Infrastructure Systems	NA	1.5-5	The roadway serves the beach district of the city. When the roadway is impassable it eliminates potential evacuation for seasonal visitors, ingress and egress for emergency services, and access to small businesses.	NA	High
<b>Beachfront/ Boardwalk/ Promenade Business District</b>	Districts, Neighborhoods & Population Clusters	NA	1.5-5	The area contains the largest tourist attraction and destination, the beach, for the city. Substantial damage throughout the district will have major economic and financial implications for the city.	NA	High
<b>Benton Avenue Pump Station</b>	Critical Facilities & Infrastructure Systems	NA	5-6	Failure of the pump station results in increased flooding to nearby streets and neighborhoods. The pump will be unable to pump storm water out of the area which may increase the time flood water spends within the city, increasing potential damage.	NA	High
<b>Broadway</b>	Critical Facilities & Infrastructure Systems	NA	1.5-4.2	The roadway leads to one of only three ways in and out of Cape May City. When the roadway is impassable it eliminates potential evacuation routes, ingress and egress for emergency services, and affects recovery operations. The inundation would also limit access into and out of a large residential area.	NA	High
<b>Cape Bank</b>	Community Resources & Amenities	NA	0-0.5	None	NA	Insignificant
<b>Cape Island Creek</b>	Natural Assets & Ecosystems	0-4	1-10	The wetlands provide flood storage, slow waters, and a place for sediment to deposit. These flood hazard mitigation properties will be lost if converted to mudflats or open waters, leading to exacerbated flooding and flood damage throughout Cape May City.	High	High
<b>Cape Island Creek Sluice Gate</b>	Critical Facilities & Infrastructure Systems	0-1.5	6-8	Daily inundation during high tide will make the streets impassable and may inundate a few homes. Without major infrastructure improvements the area will become impassable and uninhabitable.	Moderate	High
<b>Cape May City Housing Authority</b>	Districts, Neighborhoods, & Population Clusters	NA	0-5	The housing development offers assistance for low income families and any damage will result in the needs for repair and displacement of the families living the housing.		
<b>Cape May City Madison Avenue Water Tank</b>	Critical Facilities & Infrastructure Systems	NA	3.5-4.5	Damage to some of the communication equipment found at the base of the water tower may result in the loss of some of the areas communication network. There are other towers nearby.	NA	Low
<b>Cape May City Public Works, Water, and Sewer Complex</b>	Critical Facilities & Infrastructure Systems	NA	0-1.5	None	NA	Insignificant

Asset Name	Asset Category	Sea Level Rise	CAT1 Hurricane	Consequences	Sea Level Rise	CAT1 Hurricane
<b>Cape May Convention Hall</b>	Community Resources & Amenities	NA	0-3	Any damage to the building may require repairs that could temporarily keep the convention hall closed. A temporary closure of the hall may result in a financial loss to the city.	NA	Low
<b>Cape May County Library</b>	Community Resources & Amenities	NA	0-2.5	None	NA	Insignificant
<b>Elmira Street Bridge</b>	Critical Facilities & Infrastructure Systems	NA	4.5-6	The bridge is one of only three ways in and out of Cape May City. When the bridge is impassable it eliminates potential evacuation routes, ingress and egress for emergency services.	NA	High
<b>Frog Hollow Neighborhood</b>	Districts, Neighborhoods & Population Clusters	0-1.5	3.5-7	Increasing high tide inundation throughout the neighborhood will result in the increased operations of pump stations which could become overwhelmed and fail.	Moderate	High
<b>Grant Street &amp; Beach Avenue Pump Station</b>	Critical Facilities & Infrastructure Systems	NA	1	Failure of the pump station results in increased flooding to nearby streets and neighborhoods. The pump will be unable to pump storm water out of the area which may increase the time flood water spends within the city, increasing potential damage.	NA	High
<b>Haborfront Beaches</b>	Natural Assets & Ecosystems	0-4	0-10	Continuously eroding beaches and dunes will require ever increasing replenishment and maintenance, although the Army Corps project may help mitigate these impacts.	High	High
<b>Harborview Bulkhead</b>	Critical Facilities & Infrastructure Systems	NA	2.5-6	Inundation may require the clean-up and removal of debris from the storm event. Storm surge may damage or destroy the lighting and pavilion structure located in the park.	NA	Low
<b>Harborview Park</b>	Natural Assets & Ecosystems	NA	2.5-6	The city would need to repair and/or replace the pavilion, lighting, and landscaping resulting in a small financial burden to the city.	NA	Low
<b>Historic District &amp; Homes</b>	Districts, Neighborhoods & Population Clusters	0-4	1-10	Substantial damage to even a quarter of the historic structures can have major impacts on the city. A quarter of the value of all properties within the city is based on the historic designation of the city and its properties.	Low	High
<b>Kiwanis Park</b>	Natural Assets & Ecosystems	NA	3-6	The flooding from stormwater infrastructure failure will flood Madison Avenue potentially making the roadway impassable. Minor damage to the tennis courts would be a financial burden for repair for the Cape May Tennis Club.	NA	Low
<b>Lafayette Street</b>	Critical Facilities & Infrastructure Systems	NA	0-4	The roadway leads to one of only three ways in and out of Cape May City. When the roadway is impassable it eliminates potential evacuation routes, ingress and egress for emergency services, and affects recovery operations.	NA	High
<b>Lafayette Street Park</b>	Natural Assets & Ecosystems	NA	0-2	None	NA	Insignificant

Asset Name	Asset Category	Sea Level Rise	CAT1 Hurricane	Consequences	Sea Level Rise	CAT1 Hurricane
<b>Madison &amp; Beach Avenue Pump Station</b>	Critical Facilities & Infrastructure Systems	NA	0.5-4	Failure of the pump station results in increased flooding to nearby streets and neighborhoods. The pump will be unable to pump storm water out of the area which may increase the time flood water spends within the city, increasing potential damage.	NA	High
<b>Madison &amp; Michigan Avenues Pump Station</b>	Critical Facilities & Infrastructure Systems	NA	3.5-4.5	None	NA	Insignificant
<b>Madison Avenue</b>	Critical Facilities & Infrastructure Systems	NA	0.5-4.5	The roadway serves a large residential neighborhood. When the roadway is impassable it eliminates potential evacuation, ingress and egress for emergency services, and access to individual homes.	NA	High
<b>Nature Center of Cape May</b>	Natural Assets & Ecosystems	NA	2-4	None	NA	Insignificant
<b>Ocean Front Beaches &amp; Dunes</b>	Natural Assets & Ecosystems	0-3	0-10	Continuously eroding beaches and dunes will require ever increasing replenishment and maintenance, and the current Army Corps contract may not be able to meet the requirements of keeping the beach and dune intact to its current profile.	High	High
<b>Ocean Street</b>	Critical Facilities & Infrastructure Systems	NA	0-4.3	The roadway serves a large residential neighborhood. When the roadway is impassable it eliminates potential evacuation, ingress and egress for emergency services, and access to individual homes.	NA	High
<b>Patterson &amp; Beach Avenues Pump Station</b>	Critical Facilities & Infrastructure Systems	NA	2	Failure of the pump station results in increased flooding to nearby streets and neighborhoods. The pump will be unable to pump storm water out of the area which may increase the time flood water spends within the city, increasing potential damage.	NA	High
<b>Pittsburgh Avenue</b>	Critical Facilities & Infrastructure Systems	NA	0-4	The roadway leads to one of only three ways in and out of Cape May City. When the roadway is impassable it eliminates potential evacuation routes, ingress and egress for emergency services, and affects recovery operations. The inundation would also limit access into and out of a large residential area.	NA	High
<b>PNC Bank</b>	Community Resources & Amenities	NA	0-2	None	NA	Insignificant
<b>Riggins Service Station</b>	Community Resources & Amenities	NA	2.5-4	The gas station is the only service station within the city. Its loss or damage will inconvenience local residents, however other service stations are located nearby in other communities.	NA	Low
<b>Rock Jetty Seawall</b>	Critical Facilities & Infrastructure Systems	NA	1.5-5	The rock jetty can only hold back a certain storm surge height, and if waves exceed the height, the area behind the rock jetty will flood.	NA	Low

Asset Name	Asset Category	Sea Level Rise	CAT1 Hurricane	Consequences	Sea Level Rise	CAT1 Hurricane
<b>Rutgers University Aquaculture and Fisheries Center</b>	Natural Assets & Ecosystems	NA	0-2	None	NA	Insignificant
<b>Schellengers Landing Bridge</b>	Critical Facilities & Infrastructure Systems	NA	0-3	The bridge is one of only three ways in and out of Cape May City. When the bridge is impassable it eliminates potential evacuation routes, ingress and egress for emergency services, and affects recovery operations.	NA	High
<b>Sewell Point Tract</b>	Districts, Neighborhoods, & Population Clusters	NA	0-5	None	NA	Insignificant
<b>Swain's ACE Hardware</b>	Community Resources & Amenities	NA	2-4.5	The community, residents and emergency personnel, relies heavily on the hardware store during and after storm events. The store is the only nearby business with access to supplies and equipment necessary for immediate repair and recovery operations.	NA	High
<b>Texas Avenue</b>	Critical Facilities & Infrastructure Systems	NA	2-4.5	The roadway leads to one of only three ways in and out of Cape May City. When the roadway is impassable it eliminates potential evacuation routes, ingress and egress for emergency services, and affects recovery operations.	NA	High
<b>Texas Avenue &amp; Schellengers Landing Business District</b>	Districts, Neighborhoods, & Population Clusters	0-2	1.5-6	The area is one of only three ways in and out of Cape May City. When the area is impassable it eliminates potential evacuation routes, ingress and egress for emergency services, and affects recovery operations.	Insignificant	High
<b>U.S. Post Office</b>	Community Resources & Amenities	NA	0-2	None	NA	Insignificant
<b>United States Coast Guard Training Center Cape May</b>	Critical Facilities & Infrastructure Systems	NA	0-3	Minimal damage to the piers and boats may delay the search and rescue and recovery abilities of the Coast Guard to respond to a major storm event.	NA	Low
<b>Washington Street</b>	Critical Facilities & Infrastructure Systems	NA	0-5	Increasing high tides due to sea level rise may lead to increased undermining of the roadway, requiring more frequent repair and increasing maintenance costs. The roadway leads to one of only three ways in and out of Cape May City.	Moderate	High
<b>WAWA Market</b>	Community Resources & Amenities	NA	0-4	Minor damage may result in a temporary closure of the WAWA which would inconvenience residents and emergency personnel working on recovery.	NA	Low
<b>Wilmington Avenue Pump Station</b>	Critical Facilities & Infrastructure Systems	NA	0-2	Failure of the pump station results in increased flooding to nearby streets and neighborhoods. The pump will be unable to pump storm water out of the area which may increase the time flood water spends within the city, increasing potential damage.	NA	High

# **Appendix 2**

## **Housing Element & Fair Share Plan**

# City of Cape May

Cape May County, New Jersey



## HOUSING ELEMENT & FAIR SHARE PLAN

AUGUST 21, 2018

Adopted after a public hearing by Resolution by the  
City of Cape May Planning Board on \_\_\_\_\_

Endorsed by Resolution by the Council of the City of Cape May on \_\_\_\_\_

**HOUSING ELEMENT & FAIR SHARE PLAN - AUGUST 21, 2018**  
**City of Cape May**  
**643 Washington Street**  
**Cape May, NJ 08204**

***MAYOR***

Clarence F. Lear III

***COUNCIL MEMBERS***

Shaine P. Meier, Deputy Mayor  
Roger Furlin  
Beatrice Gauvry-Pessagno  
Patricia Gray Hendricks

***PLANNING BOARD MEMBERS***

William Bezaire, Chairperson  
Harley Shuler, Vice Chairperson  
Clarence F. Lear III, Mayor  
Joseph Picard  
Patricia Gray Hendricks  
Robert Elwell  
Linda Wolf  
Jerome Inderwies, Jr.  
Michael Jones  
John Macciocchi  
Scott Maslow

**Planning Board Staff:**

Ms. Tricia Oliver.....Board Assistant

**Planning Board Professionals:**

Mr. Craig R. Hurless, PE, PP..... Board Engineer  
Mr. Richard King, Attorney.....Board Attorney

Prepared By:



6684 Washington Avenue  
Egg Harbor Township, NJ 08234  
Phone 609.646.2950

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Craig R. Hurless, PP

New Jersey Professional Planner License No. 005646

The original of this document was signed and sealed in accordance with NJAC 13:41-1.3.b



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## EXECUTIVE SUMMARY

The City has prepared a Master Plan Housing Element (including a Fair Share Element) in accordance with the requirements set forth in the "Municipal Land Use Law" (N.J.S.A. 40:55D-28) ("MLUL"), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et. seq.), applicable Mount Laurel case law, applicable orders of the Court, and the Settlement Agreement between the City and Fair Share Housing Center ("FSHC"). The Supreme Court has invalidated the most recent version of the regulations adopted by the New Jersey Council on Affordable Housing ("COAH") on September 26, 2013 in Re: Adoption of N.J.A.C. 5:96 & 5:97 by NJ Council on Affordable Housing, 215 N.J. 578 (2013), this Affordable Housing Plan comports with COAH's rules at N.J.A.C. 5:91 et seq. and N.J.A.C. 5:93 et seq., and subsequent applicable laws and regulations such as amendments to the FHA. In accordance with the above, this Housing Element is designed to achieve the goal of accessibility to affordable housing to meet both present and prospective needs, with particular attention to creating a realistic opportunity for the production of low and moderate income housing.

In response to New Jersey Supreme Court's decision In Re: the Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), and the City's desire to avoid any potential builder's remedy law suites, the City filed a Declaratory Judgment action on July 8, 2015, along with a motion for temporary immunity, and sought approval of a Housing Element and Fair Share Plan. The Court subsequently granted the City's immunity motion, and that immunity against all Mount Laurel lawsuits is still in full force and effect.

Because of the current uncertainty as to the appropriate manner by which to calculate the City's affordable housing obligations, the City and FSHC agreed that a settlement would be in the best interest of low and moderate income households and the City. Under the supervision of the Special Court Master, the City and its professionals entered into negotiations with representatives of the FSHC to settle the City's Declaratory Judgment action globally. A settlement agreement was eventually agreed to, which was executed by FSHC on **February 21, 2018** and the City on **February 21, 2018** (hereinafter the "FSHC Settlement Agreement").

After a properly noticed Fairness Hearing was held **April 20, 2018**, the Court entered an Order on **May 16, 2018**, which approved the FSHC Settlement Agreement. This Housing Element and Fair Share Plan effectuates the settlement as approved by the Court. A Compliance Hearing was held on April 2, 2018.

# I. Introduction

Every municipality in New Jersey has a constitutional obligation to provide a "realistic opportunity" to create its "fair share" of affordable housing. This obligation was established as a result of the Mount Laurel decisions decided by the Supreme Court of New Jersey and the adoption of the Fair Housing Act of 1985. In accordance with the Municipal Land Use Law, a municipality may not adopt a zoning ordinance unless it has adopted a Housing Element. (N.J.S.A. 40:55D-1 et. seq.). A Fair Share Plan addressing how the municipality will provide for affordable housing is an essential component of the Housing Element. Pursuant to N.J.S.A. 52:27D-310 the Housing Element is required to include the following:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development, and probable residential development trends;
- An analysis of the municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share of low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share of low and moderate income housing; and
- A consideration of the lands most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

COAH's regulations at N.J.A.C. 5:93-5.1 require the City's Housing Element to "include the municipality's strategy for addressing its present and prospective housing needs," and the following information and documentation must be submitted with the Housing Element and Fair Share Plan:

- The minimum requirements of the Fair Housing Act, N.J.S.A. 52:27D-310 (listed above);

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the six years subsequent to the adoption of the housing element, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- An analysis of the municipality's demographic characteristics, including, but not limited to, household size, income level and age;
- An analysis of the probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low and moderate income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate income housing;
- A consideration of the lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing;
- A map of all sites designated by the municipality for the production of low and moderate income housing and a listing of each site that includes its owner, acreage, lot and block;
- The location and capacities of existing and proposed water and sewer lines and facilities relevant to the designated sites;
- Copies of necessary applications for amendments to, or consistency determinations regarding, applicable area wide water quality management plans (including wastewater management plans).
- A copy of the most recently adopted municipal master plan and where required, the immediately preceding, adopted master plan;
- For each designated site, a copy of the New Jersey Freshwater Wetlands maps where available. When such maps are not available, municipalities shall provide appropriate copies of the National Wetlands Inventory maps provided by the U.S. Fish and Wildlife Service;
- A copy of appropriate United States Geological Survey Topographic Quadrangles for designated sites; and

- Any other documentation pertaining to the review of the municipal housing element as may be required by the Council.

Pursuant to N.J.A.C. 5:93-5.15(c), if a municipality intends to collect development fees, it shall prepare a plan to spend development fees that includes the following:

- A projection of revenues anticipated from imposing fees on development, based on historic development activity;
- A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- A description of the anticipated use of all development fees;
- A schedule for the creation or rehabilitation of housing units;
- If the municipality envisions being responsible for public sector or non-profit construction of housing, a pro-forma statement of the anticipated costs and revenues associated with the development; and
- The manner through which the municipality will address any expected or unexpected shortfall if the anticipated.

Through this Housing Element and Fair Share Plan, the City promotes provision of a variety of housing types over a range of affordability, encourages the ongoing maintenance of the City's existing housing stock, and formally acknowledges the constitutional obligation to provide a realistic opportunity for the provision of housing affordable to families of low and moderate income. This document also serves then as a basis for the implementation of land use regulation by the City of Cape May to enable satisfaction of the aforementioned affordable housing constitutional obligation.

## II. Housing Element

Affordable housing is defined under N.J.'s Fair Housing Act as a dwelling, either for sale or rent that is within the financial means of households of low or moderate income as income is measured within each housing region. The City of Cape May is in COAH's Region 6, which includes Atlantic, Cape May, Cumberland and Salem counties. Moderate-income households are those earning between 50% and 80% of the regional median income. Low-income households are those with annual incomes that are between 30% and 50% of the regional median income. As required by the amended FHA (Roberts bill), COAH has also included a very low-income category, which is defined as households earning 30% or less of the regional median income.

Through the Uniform Housing Affordability Controls (hereinafter "UHAC") at N.J.A.C. 5:80-26.3(d) and (e), COAH requires that the maximum rent for a qualified unit be affordable to households that earn no more than 60% of the median income for the region. The average rent must be affordable to households earning no more than 52% of the median income. The maximum sale prices for affordable units must be affordable to households that earn no more than 70% of the median income. The average sale price must be affordable to a household that earns no more than 55% of the median income.

The regional median income is defined by COAH using the federal Department of Housing and Urban Development ("HUD") income limits on an annual basis. In the spring of each year HUD releases updated regional income limits which COAH reallocates to its regions. It is from these income limits that the rents and sale prices for affordable units are derived. These figures are updated annually and are available from COAH.

### **Introduction**

The City has prepared a Master Plan Housing Element (including a Fair Share Element) in accordance with the requirements set forth in the "Municipal Land Use Law" (N.J.S.A. 40:55D-28) ("MLUL"), the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.) ("FHA"), the Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1 et. seq.), applicable Mount Laurel case law, applicable orders of the Court, and the Settlement Agreement between the City and Fair Share Housing Center ("FSHC"). In accordance with the above, this Housing Element is designed to achieve the goal of accessibility to affordable housing to meet both present and prospective needs, with particular attention to creating a realistic opportunity for the production of low and moderate income housing.

In response to New Jersey Supreme Court's decision In Re: the Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), and the City's desire to avoid any potential builder's remedy law suits, the City filed a Declaratory Judgment action on July 8, 2015, along with a motion for temporary immunity, and sought approval of a Housing Element and Fair Share Plan. The Court subsequently granted the City's

immunity motion, and that immunity against all Mount Laurel lawsuits is still in full force and effect.

Because of the current uncertainty as to the appropriate manner by which to calculate the City's affordable housing obligations, the City and FSHC agreed that a settlement would be in the best interest of low and moderate income households and the City. Under the supervision of the Special Court Master, the City and its professionals entered into negotiations with representatives of the FSHC to settle the City's Declaratory Judgment action globally. A settlement agreement was eventually agreed to, which was executed by FSHC on **February 21, 2018** and the City on **February 21, 2018** (hereinafter the "FSHC Settlement Agreement"). See attached Appendix A.

After a properly noticed Fairness Hearing was held **April 20, 2018**, the Court entered an Order on **May 16, 2018**, which approved the FSHC Settlement Agreement. See attached Appendix B. This Housing Element and Fair Share Plan effectuates the settlement as approved by the Court. A Compliance Hearing was currently scheduled for on April 2, 2018.

Pursuant to both the FHA and the MLUL, municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to describe the specific, intended methods that a municipality plans to use in order to meet its low and moderate income housing needs. Further, the housing element is meant to demonstrate the existing zoning or planned zoning changes that will allow for the provision of adequate capacity to accommodate household and employment growth projections, to achieve the goal of access to affordable housing for present and future populations.

### **Demographic Analysis**

As indicated above, the MLUL requires an analysis of housing and demographic data as part of any Housing Element. The 2010 Census and the US Census population estimates is the most recent available comprehensive database of this type of information for the municipality.

### **Population**

According to the 2000 Census, the City of Cape May lost 634 persons in its population between 1990 and 2000, more than a 13% decline. The 2010 Census and 2016 American Community Survey (ACS) reflect information that confirms that this trend continues. Population declined by an additional 427 persons from 2000 to 2010 and 78 persons from 2010 to 2016. As shown in Table I, population in Cape May County declined by 2.16%. It should be noted that a 20-40% regional decline in population is shown by other seashore municipalities including Avalon Borough, North Wildwood City, Ocean City, Sea Isle City, Stone Harbor, and Wildwood Crest Borough. These declines reflect the trend of seashore communities transitioning to more second home units. Cape May has been more resilient to this regional trend and has been shown to be a more stable residential community.

**Table I**  
**Population in Cape May County Municipalities**

Municipality	2016	2010	2000	1990	2010 to 2016 % Change
Avalon Borough	1,421	1,334	2,143	1,809	6.52%
Cape May City	3,529	3,607	4,034	4,668	-2.16%
Cape May Point Borough	214	291	241	248	-26.46%
Dennis Township	6,342	6,467	6,492	5,574	-1.93%
Lower Township	22,272	22,866	22,945	20,820	-2.60%
Middle Township	18,778	18,911	16,405	14,771	-0.70%
North Wildwood City	3,943	4,041	4,935	5,107	-2.43%
Ocean City	11,430	11,701	15,378	15,512	-2.32%
Sea Isle City	1,905	2,114	2,835	2,692	-9.89%
Stone Harbor Borough	925	866	1,128	1,025	6.81%
Upper Township	12,098	12,373	12,115	10,681	-2.22%
West Cape May Borough	955	1,024	1,095	1,026	-6.74%
West Wildwood Borough	500	603	448	453	-17.08%
Wildwood City	5,192	5,325	5,436	4,484	-2.50%
Wildwood Crest Borough	3,210	3,270	3,980	3,631	-1.83%
Woodbine	2,690	2,472	2,716	2,678	8.82%
<b>Cape May County Total</b>	<b>95,404</b>	<b>97,265</b>	<b>102,326</b>	<b>95,089</b>	<b>-1.91%</b>

Source: 2016 ACS 5-Year Population Estimates  
2010 Census Data

Cape May's decline in population is a continuation of a trend that began in the 1980's. The 1970 population of 4,392 grew more than 10% in 1980 to 4,853. Between 1980 and 1990, however, the population declined nearly 4% to 4,668. The 2000 population of 4,034 brought the population to more than 8% below the 1970 population. The 2016 population of 3,529 is a further reduction of 12.52%. Census population estimates for July 1, 2017 indicate a population of 3,480. Projecting the 2017 estimate at current rates indicates a population estimate of 3,429 by 2020.

The following table indicates that the number of certificates of occupancy for residential units that have been issued from 2000 through 2017 is 231. It is clear that the rate of new housing growth in the City has slowed over an eight year period (2008-2016) with 84 units as compared to 2000-2007 with 138 units.

**Table II**  
**Cape May City**  
**Certificates of Occupancy (C.O.) for Residential Construction: 2000-2016**

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Total
<b>C.O.</b>	15	16	19	35	16	22	15	9	12	11	4	7	10	8	7	13	12	231

Source: New Jersey Department of Community Affairs, Division of Codes & Standards



### *Density and Distribution of Population*

Cape May's population has declined since 1990. This decline followed decades of population growth in the City, when the population increased by 461 residents 10.5 percent of its 1970 population. Between 2000 and 2010, the City lost 427 residents, or 10.6 percent of its 2000 population. The city lost an additional 78 persons from 2010 to 2016. It is expected that Cape May's year-round population will continue to decline. Table III, demonstrates the change in population since 1970.

**Table III**  
**Population Change by Decade**

	Population	# Change	% Change
1970	4,392		
1980	4,853	461	10.5%
1990	4,668	-185	-3.8%
2000	4,034	-634	-13.6%
2010	3,607	-427	-10.6%
2020	3,429	-178	-4.9%

*Source: New Jersey State Data Center, US Census Data*

The decline in population reflects the increasing number of residential properties that are used as second homes. These declines do not reflect any lessening of Cape May's viability. To the contrary, real estate in Cape May remains desirable and vacancy rates are low. Few new homes are being built due to the unavailability of vacant land. However, the redevelopment of existing residential lots remains strong.

The census data reflects residency on Census Day (April 1, 2010) and the owner's census data has been recorded at the location of the primary residence. In the 2000 census, 51.4 % of Cape May's homes were designated for seasonal use. This was an increase of 968 seasonal homes since 1990, when seasonal homes accounted for 27.7% of the housing stock. The 2010 data reflects this continued trend. Total housing was 4,155 units with 2,320 of the units or 55.8% indicated as vacant or seasonal.

Density is a measure of the distribution of population over a given area. Cape May's relatively small land area, intensity of buildings, and compactness of development have contributed to Cape May's status as the 6th densest community in Cape May County behind Wildwood, Wildwood Crest, North Wildwood, West Wildwood and Ocean City. Even with the decrease in population in the City since 1990, Cape May has remained in the middle of the densest resort communities in the county. This decrease in density can be attributed to the increasing number of households living in the City on a seasonal basis. Cape May's middling density is also a product of undeveloped tracts in East Cape May and the preserved open space in its existing parks.

Despite Cape May's median density, density itself is not necessarily a measure of quality of life. Scarcity of land resources and high real estate values has led to development at greater densities in coastal communities across New Jersey. As a whole, the densities of coastal communities in

Cape May County are several factors larger than the density of the county aggregate. This is due to the relatively low densities of mainland Cape May County communities as a whole as well as the preservation of large inland tracts of land from development, such as the Cape May County Airport and Belleplain Wildlife Refuge, Cape May National Wildlife Refuge, Beaver Swamp Fish & Wildlife Refuge. Table IV displays density figures for municipalities in Cape May County:

**Table IV**  
**Density of Cape May County - 2000 to 2016**

	Land Area (square miles)	Total Population			Persons per Square Mile		
		2000	2010	2016	2000	2010	2016
New Jersey	7,416.9	8,414,350	8,791,894	8,915,456	1,134.5	1,185.4	1,202
Cape May County	256.5	102,326	97,265	95,404	398.9	379.2	371.9
"Resort Communities"							
Avalon	4.6	2,143	1,334	1,421	465.9	290.0	308.9
<b>Cape May City</b>	<b>2.3</b>	<b>4,034</b>	<b>3,607</b>	<b>3,529</b>	<b>1,753.9</b>	<b>1,568.3</b>	<b>1,534.3</b>
Cape May Point	0.4	241	291	214	602.5	727.5	535
North Wildwood	1.7	4,935	4,041	3,943	2,902.9	2,377.1	2,319.4
Ocean City	7	15,378	11,701	11,430	2,196.9	1,671.6	1,632.9
Sea Isle City	2.3	2,835	2,114	1,905	1,232.6	919.1	828.3
Stone Harbor	1.6	1,128	866	925	705.0	541.3	578.1
West Cape May	1.2	1,095	1,024	955	912.5	853.3	795.8
West Wildwood	0.3	448	603	500	1,493.3	2,010.0	1,666.7
Wildwood	1.3	5,436	5,325	5,192	4,181.5	4,096.2	3,993.8
Wildwood Crest	1.1	3,980	3,270	3,210	3,618.2	2,972.7	2,918.2
"Mainland Communities"							
Dennis Township	62.1	6,492	6,467	6,342	104.5	104.1	102.1
Lower Township	27.4	22,945	22,866	22,272	837.4	834.5	812.8
Middle Township	70.4	16,405	18,911	18,778	233.0	268.6	266.7
Upper Township	65	12,115	12,373	12,098	186.4	190.4	186.1
Woodbine	7.8	2,716	2,472	2,690	348.2	316.9	344.9
"Resort Communities"	23.8	41,653	34,176	32,269	1,750.1	1,436.0	1,355.8
"Mainland Communities"	232.7	60,673	63,089	62,180	260.7	271.1	267.2

Source: 2016 ACS 5-Year Estimates  
2010 US Census

In terms of distribution of population across the City's land area, the portions of the City bound by Lafayette Street, Texas Avenue, Pittsburgh Avenue and New Jersey Avenue are the densest and tend to be occupied on a more year-round basis, according to the 2010 Census. The residential blocks nearest the City's ocean and harbor shoreline are inhabited on a more seasonal basis.

It has been observed that a number of the new seasonal homeowners are purchasing homes in anticipation of future use as a retirement home. Once a proportion of current seasonal homeowners actually do retire in Cape May, they will be listed as permanent residents. This helps lessen the trends of declining population and increased seasonal homeownership that were found in the last census. It should be noted that 32.5% of Cape May City residents are age 65 or older, as compared with 23.8% of the total County population.

Future population projections through 2040 were available from the South Jersey Transportation Planning Organization "Regional Transportation Plan 2040" July 2012. This plan notes that Cape May County had one of the lowest growth rates in the country in the 2000 – 2010 decade with an actual decline from 102,326 to 97,265. Using local input and past trends, this Plan used Moody's forecast with the expectation that the current decline would be reversed but growth would be minimal. In its May 2011 Ocean City Metro Report (Cape May County is designated as the Ocean City Micropolitan Statistical Area), Moody's Analytics stated that: *Location amid densely populated urban areas will serve as a long-term driver for tourism, but leisure/hospitality will muster a pace of growth that is below the national average. OCE will benefit from an influx of retirees, supporting growth in healthcare. However, low industrial diversity and high relative business costs will restrict growth. OCE will be a below-average performer over the long-run.*

**Table V**  
**Cape May County Population Projections 1990-2040**

Municipality	1990	2000	%	2010	2020	%	2030	2040	%
Avalon Borough	1,809	2,143	1.85	1,334	1,208	-0.94	1,220	1,233	0.10
<b>Cape May City</b>	<b>4,668</b>	<b>4,034</b>	<b>-1.36</b>	<b>3,607</b>	<b>3,512</b>	<b>-0.26</b>	<b>3,547</b>	<b>3,584</b>	<b>0.10</b>
Cape May Point	248	241	-0.28	291	322	1.05	347	351	0.46
Dennis Township	5,574	6,492	1.65	6,467	6,461	-0.01	6,525	6,594	0.10
Lower Township	20,820	22,945	1.02	22,866	22,846	-0.01	23,075	23,317	0.10
Middle Township	14,771	16,405	1.11	18,911	21,872	1.57	23,175	23,419	0.35
North Wildwood City	5,017	4,935	-0.16	4,041	3,858	-0.45	3,897	3,937	0.10
Ocean City	15,512	15,378	-0.09	11,701	11,002	-0.60	11,112	11,228	0.10
Sea Isle City	2,692	2,835	0.53	2,114	1,980	-0.64	1,999	2,020	0.10
Stone Harbor	1,025	1,128	1.00	866	816	-0.58	824	833	0.10
Upper Township	10,681	12,115	1.34	12,373	13,237	0.70	13,589	13,732	0.19
West Cape May	10,126	1,095	0.67	1,024	1,007	-0.16	1,017	1,028	0.10
West Wildwood	453	448	-0.11	603	709	1.75	765	773	0.46
Wildwood City	4,484	5,436	2.12	5,325	5,298	-0.05	5,351	5,407	0.10
Wildwood Crest	3,631	3,980	0.96	3,270	3,124	-0.45	3,155	3,189	0.10
Woodbine	2,678	2,716	0.14	2,472	2,416	-0.22	2,441	2,466	0.10
<b>Cape May County</b>	<b>95,809</b>	<b>102,326</b>	<b>0.76</b>	<b>97,265</b>	<b>99,928</b>	<b>0.27</b>	<b>102,012</b>	<b>103,083</b>	<b>0.16</b>

Source: South Jersey Transportation Planning Organization "Regional Transportation Plan 2040" July 2012

These long range projections factored in an assumption that the current decline would be reversed but growth would be minimal. Based on most recent Census data, it appears the current decline has slowed but has not reversed itself. The SJTO projection of population trend reversal appears premature and it is unclear if and when the reversal will occur. Whether this assumption will prove true can be argued and ultimately the future trends will be dictated by current and future demographic and economic factors.

It is widely known that Cape May County as well as the City of Cape May populations greatly increases during the summer. Cape May County has provided estimates of summer population in 2016. It has been estimated that Cape May City's summer population swells to 46,324 persons. This is 13.2 times the City's population estimate of 3,500 for 2016.

**Table VI**  
**Cape May County Summer Population Estimate - 2016**

Type	Cape May City	Cape May County
Dwelling Units, 2015*	4,246	99,382
Dwelling Units x 5 Residents/DU	21,230	496,910
Hotel/Motel Units	3,255	18,733
Hotel/Motel Units x 2.5 residents/unit	8,138	46,876
Campsites	-	14,724
Campsites x 3.75 Campers/Site	-	55,215
Group Quarters	4000	14,091
Marina Slips	228	4,660
Marina Slips x 2 persons/slip	456	9,320
Day Trippers	12,500	145,000
<b>Total Population</b>	<b>46,324</b>	<b>767,412</b>

\*Dwelling unit numbers from 2016 NJDCA building permits and 2015 ACS

\*\*Camp Site Numbers from 2016 County Health Dept.

\*\*\*Marina counts from 2010 "Boaters Guide to Cape May County"

\*\*\*\*Day-Trippers: Annual figure from Longwoods International 2005 Survey

### *Age of Population*

The Census breaks the population down by age cohorts. Table VI: 2016 Age Cohorts shows the break-down for the City of Cape May and Cape May County. Generally, in comparison to the County as a whole, Cape May has an older population. The City population age 65+ is 32.5% of the total. The County population 65+ is 23.8%. In addition, children under the age of 19 make up 20.5% of the County's population as compared with 21.8% of the City's population.

**Table VII  
2016 Age Cohorts**

<b>Age</b>	<b>Population Cape May City</b>	<b>% of Population</b>	<b>Population Cape May County</b>	<b>% of Population</b>
Under 5	142	4.0	4,533	4.8
5 to 9	52	1.5	4,825	5.1
10 to 14	51	1.4	4,558	4.8
15 to 19	525	14.9	5,490	5.8
20 to 24	446	12.6	5,732	6.0
25 to 34	381	10.8	9,369	9.8
35 to 44	81	2.3	9,186	9.6
45 to 54	226	6.4	13,347	14.0
55 to 59	158	4.5	7,263	7.6
60 to 64	318	9.0	8,325	8.7
65 to 74	598	16.9	12,823	13.4
75 to 84	340	9.6	7,077	7.4
85 +	211	6.0	2,876	3.0
<b>Total</b>	<b>3,529</b>	<b>100</b>	<b>95,404</b>	<b>100</b>

Source: 2016 ACS 5-Year Estimates

The median age for Cape May County was 48.4 in 2016 which increased from 46.4 years in 2010 and increased from 42.3 years in 2000. The median age for the City of Cape May has declined from 50.2 years in 2010 to 48.8 years in 2016.

Non-family households make up 44.2% of the households in Cape May City. This is lower than the County rate of 35.5% and slightly lower than the State average 30.7%. The average household size in Cape May City is 1.84 persons/dwelling unit, while the County average is 2.31 and the State average is 2.68, making the average household in Cape May City smaller than that of the County and State.

*Education:*

Within Cape May City's adult population, 92.9% have received a high school diploma and 43.5% received a bachelor's degree or higher making the City slightly better educated than the rest of Cape May County. When compared to the County, 90.1% of the adult population has received a high school diploma and 30.5% of the adult population has received a bachelor's degree or higher.

## Housing

### *Age of Housing:*

Table VIII depicts the number of new housing units constructed between 2000 and 2016 for the City, County and State.

**Table VIII**  
**Cape May City, Cape May County and New Jersey**  
**Housing Units: 2000, 2010 & 2016**

Jurisdiction	Housing Units 2000	Housing Units 2010	Housing Units 2016	Increase	% Increase from 1990-2010
Cape May City	4,064	4,155	4,259	195	4.80%
Cape May County	91,047	98,309	98,900	7,853	8.62%
New Jersey	3,310,275	3,553,562	3,586,442	276,167	8.34%

*Source: 2010 Census Data  
2000 Census Data*

As of 2016, approximately 76.3% of the City's current housing stock was constructed prior to 1980, with 23.5% constructed prior to 1940. The City therefore has what can be considered an older housing stock, reflective of the recent population growth in the Township. The age of housing stock can be used as a gauge of the overall condition of housing in the community.

According to the New Jersey Department of Labor, Residential Building Permits Issued, 128 new building permits were issued in Cape May from 2009-2017. From January 2018 to May 2018, there were seven residential building permits issued.

### *Housing Tenure:*

Cape May has increased its 2010 housing units to 4,155 to according to the 2010 Census. This represents a 2.2% increase over the 4,064 housing units identified in the 2000 Census. Of these units 1,457, or 35.1%, are occupied units, 2,320 housing units (55.8%) are for seasonal use. The remaining units are considered vacant. In comparison, of the 2000 units 1,821, or 45%, are occupied units, 2,089 housing units (51.4%) are for seasonal use. Comparing these figures with the 1990 Census, there were 4,052 housing units, 1,868 of which were occupied (46%) and 1,121 (27.7%) were considered for seasonal use. This data confirms the continuing trend of losing full time residential units to second homes and rental units.

**Table IX**  
**Cape May County Total & Occupied Housing Units 2000 & 2010**

Municipality	Total Units			Occupied Units			% Occupied	
	2000	2010	% Change	2000	2010	% Change	2000	2010
Avalon Borough	5,281	5,434	2.9	1,045	692	-33.8	20%	13%
Cape May City	4,064	4,155	2.2	1,821	1,457	-20.0	45%	35%
Cape May Point	501	619	23.6	133	164	23.3	27%	26%
Dennis Township	2,327	2,672	14.8	2,159	2,370	9.8	93%	89%
Lower Township	13,924	14,507	4.2	9,328	9,579	2.7	67%	66%
Middle Township	7,510	9,296	23.8	6,009	7,256	20.8	80%	78%
North Wildwood City	7,411	8,840	19.3	2,309	2,047	-11.3	31%	23%
Ocean City	20,298	20,871	2.8	7,464	5,890	-21.1	37%	28%
Sea Isle City	6,622	6,900	4.2	1,370	1,041	-24.0	21%	15%
Stone Harbor	3,428	3,247	-5.3	596	441	-26.0	17%	14%
Upper Township	5,472	6,341	15.9	4,266	4,566	7.0	78%	72%
West Cape May	1,004	1,043	3.9	507	493	-2.8	50%	47%
West Wildwood	775	893	15.2	202	276	36.6	26%	31%
Wildwood City	6,488	6,843	5.5	2,333	2,251	-3.5	36%	33%
Wildwood Crest	4,862	5,569	14.5	1,833	1,532	-16.4	38%	28%
Woodbine	1,080	1,079	-0.1	773	757	-2.1	72%	70%
<b>Cape May County</b>	<b>91,047</b>	<b>98,309</b>	<b>8.0</b>	<b>42,148</b>	<b>40,812</b>	<b>-3.2</b>	<b>46%</b>	<b>41.5%</b>

Source: Census 2010, Redistricting Data File H1, February 2011; Census 2000, General Demographic Profiles, US Census Bureau, 2001

The percentage of occupied units decreased from 2000 to 2010 and increased from 2010 to 2016. The 2016 Census data indicates that 1,404 housing units (33%) in the City were occupied and 2,855 units (67%) were vacant. A total of 967 units (68.9%) of the occupied units are owner occupied with the additional 437 units (31.1%) occupied by renters. The City has a high vacancy rate due to seasonal / recreation use shown in Table X.

**Table X**  
**Cape May City**  
**Housing Tenure: 2016**

<b>Cape May City</b>	<b>2000 Units</b>	<b>2000 % of Total</b>	<b>2010 Units</b>	<b>2010 % of Total</b>	<b>2016 Units</b>	<b>2016 % of Total</b>
Total Housing Units	4,064	100%	4,155	100%	4,259	100%
Occupied Housing Units						
-Owner Occupied	1,034	56.8%	791	54.3%	967	68.9%
-Renter Occupied	787	43.2%	666	45.7%	437	31.1%
-Total	1,821	100%	1,457	100%	1,404	100%
Vacant Housing Units	2,243	100%	2,698	100%	2,855	100%
Seasonal, Recreational Use	2,089	93.1%	2,320	86%	N/A	N/A
Rental Vacancy Rate	85	3.8%	283	10.5%	N/A	N/A

Source: 2010 Census Data  
2000 Census Data

### *Physical Character of the City Housing Stock*

Although not as impacted as other Cape May County seashore towns, Cape May is experiencing a transition from a year-round community to a seasonal community. This is most apparent in data examining the amount of seasonal homes in the City. This Census data reveals the overall City and County trend of loss of occupied units. From 2000 to 2010 occupied units fell 20% to 1,457 and fell another 3.6% from 2010 to 2016. This follows a State and regional seashore community trend that reflects the growing portion of seasonal units. Avalon, Ocean City, Sea Isle City, and Stone Harbor were communities that also had losses of 20% or more. Full time residents are being lost to this trend. Cape May has slowed this trend and has not been impacted to the extent of other coastal communities in Cape May.

In Table XI, selected housing data from the City's Division of Construction Code Enforcement shows low building activity during the Great Recession. Beginning in 2007, construction activity decreased significantly until 2012, when the economy began to rebound.



**Table XI**  
**Cape May Building Permits: 2007-2017**

Year	New Building	Addition	Alter.	Demo	C/O Issued	Units Lost	Units Gain	Change
2007	21	27	521	15	51	13	9	-4
2008	15	35	560	9	60	29	12	-17
2009	4	23	563	6	55	13	6	-7
2010	14	24	516	14	31	4	4	0
2011	12	22	487	9	35	10	10	0
2012	12	30	432	6	34	4	12	+8
2013	26	37	299	9	27	4	12	+8
2014	35	50	448	15	16	1	7	+6
2015	34	32	517	14	34	6	13	+7
2016	27	48	633	21	35	0	15	+15
2017	20	52	576	8	34	7	14	+7
<b>TOTAL</b>	<b>220</b>	<b>380</b>	<b>5552</b>	<b>126</b>	<b>412</b>	<b>91</b>	<b>114</b>	<b>+23</b>

Source: City of Cape May Building Permit Data

New structures built within Cape May over the past decade have tended to be detached and some attached single-family housing units. In some cases, new development has been conversion projects replacing bed and breakfast uses with single family rental type uses. In other cases, existing homes were demolished to make way for new, flood elevation-compliant homes. There is insufficient land for major increases in building units. This trend should continue for some time into the future as flood insurance rates continue to escalate. Overall, new units did not translate to more full time residents as the secondary home trend outweighed any gains.

Table XII provides an inventory of the age of the housing stock in Cape May City

**Table XII**  
**Cape May City**  
**Inventory of Housing Age: 2016**

Year(s) Constructed	Percent of Total
2014 or later	0%
2010 to 2013	1.4%
2000 to 2009	4.0%
1980 to 1999	18.4%
1960 to 1979	32.9%
1940 to 1959	19.9%
1939 or earlier	23.5%

Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

For 2017, Cape May County had a foreclosure rate of 1 in 1074 units. Cape May City area which is based on the 08204 zip code and includes portions of Lower Township had a foreclosure rate of 1 in 1012 units. The foreclosure issues within the City do not appear to be significant or deleterious to the overall housing stock.

The average household size in Cape May is 1.95 persons per household, compared with 2000 and 1990 when average household size was 2.02 and 2.13 persons per household respectively. This follows a national trend to smaller household size. Cape May County has an average household size of 2.32 persons per household which has remained relatively consistent over the last decade.

In 2016, the median value of the owner occupied units in Cape May City was \$557,200. The median home value has decreased since the release of the 2010 Census, which was \$700,000. Cape May City's average median home value is greater than that of Cape May County as well as New Jersey.

**Table XIII**  
**Cape May City, Cape May County and New Jersey**  
**Median Home Values: 2010 & 2016**

<b>Median Home Value</b>	<b>2010</b>	<b>2016</b>	<b>Percent Decrease</b>
Cape May City	\$700,000	\$557,200	-20.4%
Cape May County	\$337,300	\$296,100	-12.21%
New Jersey	\$357,000	\$316,400	-11.37%

*Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates  
2010 Census Data  
2000 Census Data*

Online real estate website Zillow indicates provides 2017 data for comparison. The median home value in Cape May is \$581,600. Cape May home values have gone up 10.9% over the past year and Zillow predicts they will rise 3.9% within the next year. The median list price per square foot in Cape May is \$445, which is higher than the Ocean City Metro average of \$273. The median price of homes currently listed in Cape May is \$795,000. It should be noted that this data is for all units and does not provide owner occupied units data.

As noted in Table XIV the majority of owner occupied units are valued at more than \$300,000. Of the 967 owner-occupied units reported in the 2012-2016 American Community Survey, 90% were valued at more than \$300,000.

**Table XIV**  
**Cape May City**  
**Home Value of Specified Owner Occupied Units: 2016**

Value of Specified Owner Occupied Units	Number of Units	Percent of Total
Less than \$50,000	9	0.9%
\$50,000- \$99,999	0	0%
\$100,000- \$149,999	10	1%
\$150,000- \$199,999	0	0%
\$200,000- \$299,999	78	8.1%
\$300,000- \$499,999	333	34.4%
\$500,000- \$999,999	370	38.3%
Over \$1,000,000	167	17.3%

*Source: US Census Bureau  
2012-2016 American Community Survey 5-Year Estimates  
2010 Census Data*

As noted in Table XV the majority of the gross rents charged were less than \$1,500 per month. Of the 357 rental units reported in the 2012-2016 American Community Survey, 94.9% of the units were rented at less than \$1,500.

**Table XV**  
**Cape May City**  
**Gross Rent of Specified Renter Occupied Units: 2016**

Value of Occupied Rental Specified Units	Number of Units	Percent of Total
Less than \$500.00	33	9.2%
\$500.00-\$999.00	286	80.1%
\$1,000.00-\$1,499.00	20	5.6%
\$1,500.00-\$1,999.00	8	2.2%
\$2,000.00-\$2,499.00	10	2.8%
\$2,500.00-\$2,999.00	0	0%
\$3,000 or more	0	0%
No cash rent	80	--

*Source: US Census Bureau  
2012-2016 American Community Survey 5-Year Estimates  
2010 Census Data*

The median gross rent in Cape May City was \$837.00 in 2016. The median rent is lower than that of the Atlantic County and New Jersey averages.

**Table XVI**  
**Cape May City, Cape May County and New Jersey**  
**Median Rents: 2010 & 2016**

Median Rent	2010	2016	% Change
Cape May City	\$788.00	\$837.00	6.2%
Cape May County	\$973.00	\$1,045.00	7.4%
New Jersey	\$1,092.00	\$1,213.00	11.1%

Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates  
2010 Census Data

Single family detached homes remain the dominant housing structure in the City, representing 41.7% of total housing units. In addition single family attached homes account for 26.9% of the housing structures in the City.

**Table XVII**  
**Cape May City**  
**Types of Dwelling Units: 2016**

Type of Unit	Number of Units	Percent of Total
1- Unit; detached	1,774	41.7%
1- Unit; attached	1,145	26.9%
2 Units	123	2.9%
3 or 4 Units	398	9.3%
5 to 9 Units	225	5.3%
10 to 19 Units	173	4.1%
20 or more Units	421	9.9%
Mobile Homes	0	0%
Boat, RV, Van, etc.	0	0%
<b>Total</b>	<b>4,259</b>	<b>100%</b>

Source: US Census Bureau  
2012-2016 American Community Survey 5-Year Estimates

Table XVIII provides Census data regarding the condition of housing and whether units are overcrowded:

**Table XVIII**  
**Cape May City**  
**Condition of Housing: 2016**

Characteristic	Number of Units
Overcrowded (> 1 person per room)	0
Total Units lacking complete plumbing	0
Total Units lacking complete kitchen	0

Source: US Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

## **Employment & Labor**

### *Analysis of Existing Employment:*

The 2016 American Community Survey data indicates that the civilian labor force (16 years and older) for Cape May City and Cape May County in 2016 were 1,115 and 47,194 respectfully. The Cape May City labor force represents 2.36% of the County civilian labor force. In 2016, the percent of the persons age 16 and over in the civilian labor force in Cape May City was 34%. This average is lower than the County average of 58.6%. The City had a lower unemployment rate than the County, rates were 1.9% and 5.4% respectfully.

The Census data distribution of occupational positions in Cape May City generally reflects that of Cape May County and the State.

**Table XIX**  
**Cape May City and Cape May County**  
**Civilian Labor Force Characteristics: 2016**

	<b>Cape May City</b>		<b>Cape May County</b>	
	Number of Persons	Percent of Total	Number of Persons	Percent of Total
Labor Force	1,115	34%	47,194	58.6%
Employed	1,051	32%	42,837	53.2%
Unemployed	64	1.9%	4,357	5.4%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

**Table XX**  
**Cape May City, Cape May County and New Jersey**  
**Occupation Distribution: 2016**

<b>Occupation</b>	<b>Cape May City</b>	<b>Cape May County</b>	<b>New Jersey</b>
Management, business, science and arts occupations	39.3%	34.5%	41.2%
Service Occupations	15.1%	22.5%	16.7%
Sales and Office Occupations	28.5%	24.6%	24.4%
Natural resources, construction and maintenance occupations	9.0%	11.0%	7.2%
Production, transportation and material moving occupations	8.0%	7.4%	10.5%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

In 2016, the median income in Cape May City was \$54,907. However, there is a wide range of income levels, as 33.9% of the population make over \$100,000 and 18.9% make under \$25,000. The distribution of household income is indicated in Table XXI.

**Table XXI**  
**Cape May City**  
**Household Income: 2016**

Household Income	Number	Percent
Less than \$10,000	91	6.5%
\$10,000- \$14,999	49	3.5%
\$15,000- \$24,999	125	8.9%
\$25,000- \$34,999	196	14.0%
\$35,000-\$49,999	204	14.5%
\$50,000- \$74,999	149	10.6%
\$75,000- \$99,999	115	8.2%
\$100,000- \$149,999	279	19.9%
\$150,000- \$199,999	91	6.5%
\$200,000 or more	105	7.5%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

*Analysis of Future Employment:*

As mentioned in the 'Analysis of Existing Employment' section, data from the 2016 American Community Survey data indicates a civilian labor force (those in the population above the age of 16) of 1,115, of which 1,051 were employed. Classifications of workers by occupation distribution can be referenced in Table XXII which lists occupation by industry of workers in the City.

**Table XXII**  
**Cape May City**  
**Employment Classification: 2016**

Industry	Number of Employees	% of Total Employed
Agriculture, forestry, fishing, hunting and mining	4	0.4%
Construction	34	3.2%
Manufacturing	50	4.8%
Wholesale Trade	0	0.0%
Retail Trade	181	17.2%
Transportation, warehousing and utilities	58	5.5%
Information	10	1.0%
Finance, Insurance, Real Estate and Rental/ Leasing	81	7.7%
Professional, scientific, management, administrative and waste management services	94	8.9%
Educational services, health care and social assistance	152	14.5%
Arts entertainment, recreation, accommodation and food services	188	17.9%
Other services except public administration	141	13.4%
Public Administration	58	5.5%

*Source: US Census, 2012-2016 American Community Survey 5-Year Estimates*

### **Income**

According to the 2012-2016 American Community Survey, the 2016 median household income for Cape May County was \$59,338. This is more than the median household income for the City, \$54,907. Approximately 5.6% of the families in Cape May were considered to be below the poverty line in 2016.

**Table XXIII**  
**Median Household Income 2016**

Municipality (Geographic Area)	Median Income (2016 Dollars)		Per capita Income (2016 Dollars)	Income in 2016 below poverty level % of Families
	Households	Families		
Avalon Borough	82,678	109,643	71,818	1.5
Belleplaine, CDP	79,583	93,882	29,309	0.0
Burleigh, CDP	39,583	41,625	24,683	14.2
Cape May City	54,907	99,250	43,427	5.6
Cape May Courthouse, CDP	60,181	79,936	33,205	7.1
Cape May Point Borough	48,438	78,750	39,121	1.7
Dennis Township	65,545	75,909	28,201	10.6
Diamond Beach, CDP	-	-	46,994	0.0
Erma, CDP	75,515	87,897	34,176	2.3
Lower Township	56,241	68,432	29,170	6.0
Middle Township	60,829	75,126	32,618	8.7
N. Cape May, CDP	54,728	83,697	29,216	2.7
North Wildwood City	43,516	63,205	29,833	7.6
Ocean City	63,108	78,935	31,903	7.5
Rio Grande, CDP	51,045	63,229	29,460	19.9
Sea Isle City	70,333	121,036	51,660	4.0
Stone Harbor Borough	95,250	101,597	71,178	4.5
Strathmere CDP	212,188	215,972	70,662	0.0
Upper Township	79,672	92,171	37,057	2.7
Villas CDP	45,361	54,617	26,106	10.7
West Cape May Borough	58,438	77,083	36,246	10.6
West Wildwood Borough	47,411	56,875	29,336	5.3
Whitesboro, CDP	41,713	50,655	19,174	8.0
Wildwood City	28,271	28,894	27,274	26.3
Wildwood Crest Borough	58,897	66,758	35,966	2.8
Woodbine	38,092	52,750	17,907	22.3

Source: US Census Bureau, 2012-2016 American Community Survey 5 Year Estimates

### *Units Affordable to Low and Moderate Income Households*

Cape May City is in COAH's Region 6, which encompasses Atlantic, Cape May, Cumberland and Salem counties. The median household income in Cape May City in 2016 was \$54,907.



**Table XXIV**  
**Council on Affordable Housing**  
**2017 Regional Income Limits**

	1 Person	1.5 Person	2 Person	3 Person	4 Person	4.5 Person	5 Person	6 Person	7 Person	8 Person
<b>Median</b>	\$51,085	\$54,734	\$58,383	\$65,681	\$72,979	\$75,898	\$78,817	\$84,655	\$90,494	\$96,332
<b>Moderate</b>	\$40,868	\$43,787	\$46,706	\$52,545	\$58,383	\$60,718	\$63,054	\$67,724	\$72,395	\$77,066
<b>Low</b>	\$25,543	\$27,367	\$29,192	\$32,840	\$36,489	\$37,949	\$39,409	\$42,328	\$45,247	\$48,166
<b>Very Low</b>	\$15,326	\$16,420	\$17,515	\$19,704	\$21,894	\$22,769	\$23,645	\$25,397	\$27,148	\$28,900

*Source: Council on Affordable Housing*

Based on the qualifying formula in N.J.A.C. 5:80-26, the monthly cost of shelter which includes mortgage (principal and interest), taxes, insurance and homeowners or condominium association fees, may not exceed twenty-eight percent (28%) of gross monthly household income based on a five percent (5%) down payment. In addition, moderate-income sales units must be available for at least three different prices and low-income sales units available for at least two different prices. The maximum sales prices must now be affordable to households earning no more than seventy-percent (70%) of median income. The sales prices must average fifty-five percent (55%) of median income.

Under UHAC regulations, rents including utilities may not exceed thirty-percent (30%) of gross monthly income. The average rent must now be affordable to households earning fifty-two percent (52%) of median income. The maximum rents must be affordable to households earning no more than sixty-percent (60%) of median income. In averaging fifty-two percent (52%), one rent may be established for a low-income unit and one rent for a moderate-income unit for each bedroom distribution. The utility allowance must be consistent with the utility allowance approved by HUD and utilized in New Jersey. In addition thirteen percent (13%) of all restricted rental units must be affordable to households earning no more than thirty-percent (30%) of median income.

Based upon the average household size of 1.95 in Cape May City in 2016 and the regional limits, the median income in Region 6 for Cape May City in 2017 is \$58,383. At a minimum, 93 owner occupied units and 339 renter occupied units could be considered affordable to two person very low, low and moderate income households as indicated in Table XXV. Of the 93 owner occupied units, 30 units could be considered affordable to two person low income and some moderate income and 63 units could be considered affordable to a two person moderate income. Of the 339 renter occupied units, 33 units could be considered affordable to two person very low income and low income, 286 units could be considered affordable to a two person low income and moderate income and 20 units could be considered affordable to a two person moderate income. Based upon these numbers approximately 10.14% of the 4,259 units in the City in 2016 are potentially affordable. Of these, approximately 33 units representing approximately 0.77% could be affordable to very low and low income households with the remaining 399 units representing approximately 9.37% could be affordable to low income and moderate income households. Although these figures are estimates and assumptions regarding household size have been made, it appears that the City has significant numbers of affordable units, some of which are naturally affordable, and some of which can be counted as affordable housing credits.

**Table XXV**  
**Cape May City**  
**Estimate of 2016 Housing Units Affordable to Low & Moderate Income Households**  
**Information for Median Income, Mortgage and Rental Information**

<b>Income Level</b>	<b>Annual Income</b>	
Median Household Income	\$54,907	
Moderate Income	\$29,192 - \$46,706	
Low Income	\$17,515 - \$29,192	
Very Low Income	<\$17,515	
<b>Income Level</b>	<b>Affordable Monthly Rent</b>	<b>Affordable Monthly Mortgage</b>
Moderate Income	\$729.80 - \$1,167.65	\$681.15 - \$1,089.81
Low Income	\$437.88 - \$729.80	\$408.68 - \$681.15
Very Low Income	<\$437.88	<\$408.68
<b>Mortgage Status and Selected Owner Costs</b>	<b>Number of Units</b>	<b>Affordability</b>
<b>Owner Occupied Units with a Mortgage</b>		
Less than \$500.00	0	
\$500.00-\$999.00	30	Some Low Income & Some Moderate Income
\$1,000.00-\$1,499.00	63	Some Moderate Income
\$1,500.00-\$1,999.00	118	Not Affordable
\$2,000.00-\$2,499.00	74	Not Affordable
\$2,500.00-\$2,999.00	47	Not Affordable
\$3,000.00 or more	113	Not Affordable
Not Mortgaged	522	
<b>Renter Occupied Housing Units</b>		<b>Affordability</b>
Less than \$500.00	33	Some Low Income & Some Very Low Income
\$500.00-\$999.00	286	Some Low Income & Some Moderate Income
\$1,000.00-\$1,499.00	20	Some Moderate Income
\$1,500.00-\$1,999.00	8	Not Affordable
\$2,000.00-\$2,499.00	10	Not Affordable
\$2,500.00-\$2,999.00	0	Not Affordable
\$3,000.00 or more	0	Not Affordable
No Rent Paid	80	

Source: 2010 Census Data  
2012-2016 American Community Survey 5-Year Estimates

### **III. Fair Share Plan**

In 1975, in the case Southern Burlington County NAACP v. Township of Mt. Laurel (Hereinafter "Mt. Laurel I"), the New Jersey Supreme Court ruled that developing municipalities have a constitutional obligation to provide for the construction of low and moderate income housing. The court's 1983 Mt. Laurel II decision expanded the obligation in ruling that all municipalities share in this constitutional obligation to provide a realistic means for addressing a fair share of the regional present and prospective need for housing affordable to low and moderate income families provided that any portion of the municipality is located in a "growth area" as set forth in the SDGP.

Every municipality in New Jersey has a constitutional obligation to provide a "realistic opportunity" to create its "fair share" of affordable housing. This obligation was established as a result of the Mount Laurel decisions decided by the Supreme Court of New Jersey and the adoption of the Fair Housing Act of 1985. In accordance with the Municipal Land Use Law, a municipality may not adopt a zoning ordinance unless it has adopted a Housing Element. (N.J.S.A. 40:55D-1 et. seq.). A Fair Share Plan addressing how the municipality will provide for affordable housing is an essential component of the Housing Element.

As such, through a municipality's zoning and land use regulations, it is to be realistically possible, through provision of a variety of housing choices, for all categories of people within Housing Region 6 (including Salem, Cumberland, Cape May and Atlantic counties) to live if they so choose in the City of Cape May.

#### **Consideration of Lands Appropriate for Affordable Housing**

In general, sites that are most appropriate for affordable housing are those that have the necessary infrastructure and are not encumbered by environmental constraints.

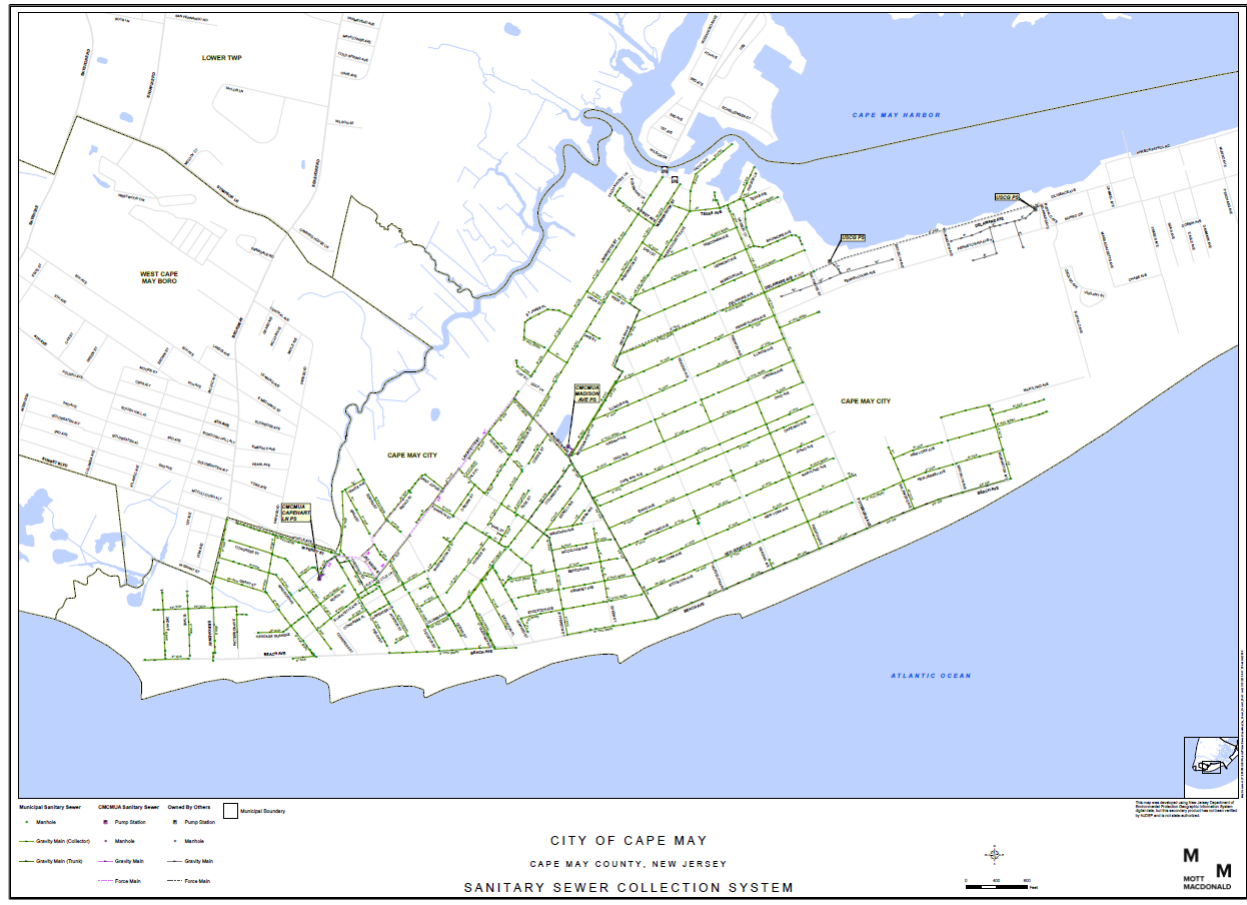
Consistent with smart growth principles, the City has chosen to intersperse affordable housing throughout existing residential neighborhoods and in proximity to transportation corridors and walkable and bikeable areas. These areas provide the greatest number of employment opportunities and community services.

The City has analyzed whether inclusionary zoning and the development of affordable housing sites would serve the municipality to address its fair share obligation. As discussed below, the City has determined that a combination of these types of developments would be appropriate to satisfy the City's fair share obligation.

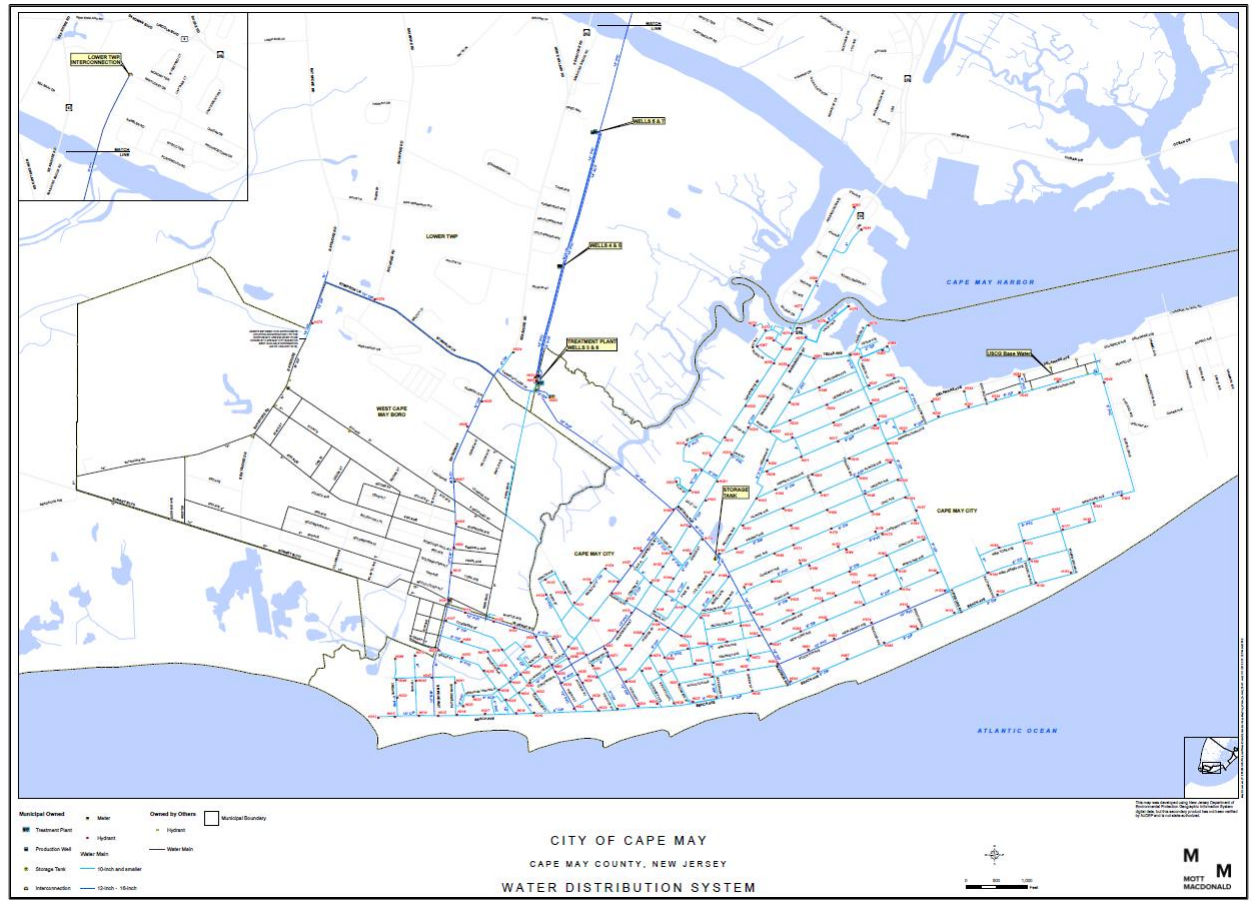
#### **Availability of Existing and Proposed Infrastructure**

The City has infrastructure capacity to address its fair share obligation. The majority of the developed portions of the City are served by public water and public sewer. Undeveloped areas are within close proximity to existing infrastructure and located within sewer service areas. Additional water and sewer capacities are available for any projected development. Existing infrastructure is depicted in the sewer and water maps indicated below:

**Figure 1:  
City of Cape May Sewer Collection System**



**Figure 2:  
City of Cape May Water Distribution System**



**Affordable Housing Obligation**

As per the terms of the FSHC Settlement Agreement, Cape May City and FSHC agree that Cape May’s affordable housing obligations are as follows:

Rehabilitation Share (per Kinsey Report <sup>1</sup> )	4
Prior Round Obligation (pursuant to N.J.A.C. 5:93)	58
Third Round (1999-2025) Prospective Need (per Kinsey Report, as adjusted through this Agreement)	212

<sup>1</sup> David N. Kinsey, PhD, PP, FAICP, NEW JERSEY LOW AND MODERATE INCOME HOUSING OBLIGATIONS FOR 1999-2025 CALCULATED USING THE NJ COAH PRIOR ROUND (1987-1999) METHODOLOGY, July 2016 and April 2017.

**A. Rehabilitation Share**

Cape May City has a Rehabilitation Share of 4 units.

**B. Prior Round Obligation (1987-1999)**

Cape May City has a Prior Round Obligation of 58 units.

**C. Third Round (1999-2025) Prospective Need Obligation**

Cape May City has a Third Round (1999-2025) Prospective Need Obligation of 212 units.

**Affordable Housing Caps & Requirements**

As per the terms of the FSHC Settlement Agreement, Cape May City will address the following:

- A. This plan requires that 13% of all units referenced in this Agreement, excepting those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very low income units, with half of the very low income units being available to families.
- B. The City shall meet its Third Round Prospective Need in accordance with the following standards:
  - a. Third Round bonuses will be applied in accordance with N.J.A.C. 5:93-5.15(d).
  - b. This plan will ensure that at least fifty percent (50%) of the units addressing the City's Third Round Prospective Need will be affordable to a combination of very-low-income and low-income households, while the remaining affordable units will be affordable to moderate-income households.
  - c. This plan will ensure that a minimum of twenty-five percent of the City's Third Round Prospective Need will be met through rental units, including at least half in rental units available to families.
  - d. This plan will ensure that at least half of the units addressing the City's Third Round Prospective Need will be available to families.
  - e. This plan complies with COAH's Round 2 age-restricted cap of twenty-five percent (25%).

### **III. Affordable Housing Plan**

#### **Addressing the Rehabilitation Obligation:**

The housing strategy outlined herein addresses the City's 4-unit Rehabilitation Share obligation, 53 Prior Round Obligation and 212 Third Round (1999-2025) Prospective Need obligation. Below are the mechanisms the City has put in place to address the affordable housing obligations.

The purpose of a rehabilitation program is to rehabilitate substandard housing units occupied by low and moderate income households. A substandard housing unit is defined as a unit with health and safety violations that require the repair or replacement of a major system. A major system includes a roof, plumbing, heat, electricity, sanitary plumbing and/or a load bearing structural system. Upon rehabilitation, housing deficiencies are corrected and the unit is brought up to New Jersey Uniform Construction Code standards.

Based on the Settlement Agreement between the City of Cape May and the Fair Share Housing Center, a rehabilitation component of four (4) units was agreed upon by both parties. The City plans to satisfy this obligation as follows:

- A. The City's efforts to meet its present need include the City's recent approval of rehabilitation of Victorian Towers, an existing age-restricted affordable housing complex. This is sufficient to satisfy the City's present need obligation of four (4) units. The City also further represents that it has supported the rehabilitation of the existing public housing in the City operated by the Cape May Housing Authority in accordance with the terms of its earlier Third Round substantive certification from COAH and will not take any municipal action during the term of this Agreement that would lead to the loss of existing public housing within the City.

#### **Addressing the Prior Round Obligation:**

The City has a Prior Round prospective need of fifty-eight (58) units. The Borough was granted a Prior Round judgment of compliance and repose which found that its RDP is 0. This leaves a remaining 58-unit unmet need.

#### **Addressing the Third Round (1999-2025) Prospective Need Obligation**

The City has a realistic development potential (RDP) of 12 units. The RDP is based on a vacant land analysis, which finds no parcels generating an RDP other than approved subdivisions on the Osprey Landing, Pella, and Somers tracts, which generate a combined 12 unit RDP. That RDP will be satisfied through its accessory apartment program codified at § 59-80 and § 59-81 of the City Code. A limit of 10 accessory apartments were permitted by the previous ordinance. The



City, by Ordinance #359-2018, amended the code to allow up to 12 accessory apartments and require that of the 12 there will be six low-income units of which two will be deed restricted for very low income households, with funding levels of \$20,000 for a moderate income unit, \$25,000 for a low income unit, and \$30,000 for a very low income unit, with those amounts subject to review at the midpoint review to evaluate whether these amounts have been sufficient to incentivize accessory apartments. The City shall provide information on adequate and stable funding pursuant to N.J.A.C. 5:93-5.5 for the accessory apartment program as part of its Housing Element and Fair Share Plan to be adopted in accordance with the Settlement Agreement. The City finalized the form of the updated Ordinance through collaboration with FSHC, the Special Master, and representatives of the City..

The RDP of 12, subtracted from the Third Round obligation of 212 units, in addition to the Prior Round unmet need of 58 units, results in an unmet need of 258 units, which shall be addressed through the following mechanisms:

- A. The City modified its existing inclusionary overlay zoning ordinance on six specified areas, as detailed in COAH's September 25, 2009 grant of substantive certification to the City and adopted in City Code § 59-43(e), by permitting the currently permitted density bonuses as stated in §59-43(e) with a 15 percent set-aside for rental housing and a 20 percent set-aside for for-sale housing and eliminating the payment-in-lieu option and replace it with a requirement for either on-site or off-site provision of the required units of affordable housing. The City finalized the form of the Ordinance amendments (Ordinance #359-2018) through collaboration with FSHC, the Special Master, and representatives of the City..
- B. The City recently approved, as part of the ordinances adopted in response to Cape May's previous substantive certification, a 13-unit development including 2 on-site affordable units (which may be provided off-site at the discretion of the City in accordance with City Code §59-43 and/or any modifications to such Code that may be applicable to this development) and a payment in lieu of construction for the fractional remaining requirement, at Block 1172, Lot 1.
- C. The Parties acknowledge the pendency of litigation regarding the Sewell Point Tract, which is comprised of numerous parcels in the City. This Tract was included as a portion of the City's 2009 substantive certification by COAH, but since then the settlement referenced in that certification has not resulted in development and further litigation has commenced. As an additional mechanism to meet unmet need, the City will require that 20 percent of any residential units developed on the Sewell Point Tract be affordable in compliance with the terms of this Agreement.
- D. The City updated its existing city-wide inclusionary zoning ordinance at § 59-43 of City Code requiring a mandatory affordable housing set aside for all new residential developments of five (5) units or more and providing a density bonus for such development, so as to remove references to growth share and maintain a requirement for either on-site or off-site provision of the required units of affordable housing with payment-in-lieu provisions only utilized to fulfill fractional unit obligations. The City

finalized the form of the Ordinance amendments (Ordinance #359-2018) through collaboration with FSHC, the Special Master, and representatives of the City.

### **Very Low Income Requirement**

The City amended its affordable housing ordinance to require 13% of all restricted rental units, excepting those units that were constructed or granted preliminary or final site plan approval prior to July 1, 2008, to be very-low-income units, with half of the very-low-income units being available to families. The City will comply with those requirements by providing two very-low-income accessory apartment as specified herein and by requiring that very-low-income units constitute 13 percent of affordable units developed on any site in the City via inclusionary zoning and/or overlay zoning requirements.

### **Affordable Housing Trust Fund**

The City of Cape May has adopted an affordable housing trust fund ordinance in accordance with COAH rules for the purposes of funding affordable housing activities. At the present time the fund is anticipated to assist with the municipally sponsored projects. The City has adopted a Spending Plan which is being updated.

### **Cost Generation**

The City of Cape May will provide for expediting the review of development applications containing affordable housing. Such expedition may consist of, but is not limited to, scheduling of pre-application conferences and special monthly public hearings for projects involving affordable housing. Furthermore, development applications containing affordable housing shall be reviewed for consistency with the Land Development Ordinance and Residential Site Improvement Standards (N.J.A.C. 5:21-1 et seq.) The City shall comply with COAH's requirements for unnecessary cost generating requirements under N.J.A.C. 5:93-10.

### **Monitoring**

The City of Cape May shall complete COAH's annual monitoring reports for the City's Affordable Housing Trust Fund and of the affordable housing units and programs.

### **Fair Share Ordinance and Affirmative Marketing**

The City of Cape May has prepared and adopted an Affirmative Marketing and Fair Share Ordinance in accordance with COAH's substantive rules, N.J.A.C. 5:93-9, and the UHAC at N.J.A.C. 5:80-26. The City's Fair Share Ordinance governs the administration of affordable units in the City as well as regulating the occupancy of such units. The Fair Share Ordinance

covers the phasing of affordable units, the low / moderate income split, bedroom distribution, occupancy standards, affordability controls, establishing rents and sale prices, affirmative marketing, income qualification and the like. The Fair Share Ordinance will be updated to provide that at least 50% of the units in new developments are affordable to very-low income and low-income households with the remainder of the units affordable to moderate-income households.

The affirmative marketing plan is designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to the affordable units located in the City. Additionally, the affirmative marketing plan is intended to target those potentially eligible persons who are least likely to apply for affordable units and who reside in Housing Region #6, consisting of Atlantic, Cape May, Cumberland and Salem counties. The costs of advertising and affirmative marketing of the affordable units (including the contract with the Administrative Agent) shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the City.

The affirmative marketing plan includes regulations for qualification of income eligibility, prove and rent restrictions, bedroom distribution, affordability control periods, and unit marketing in accordance with N.J.A.C. 5:80-26. All newly created affordable units will comply with the thirty-year affordability control required by the UHAC, N.J.A.C. 5:80-26-5 and 5:80-26-11. This plan must be adhered to by all private, non-profit or municipal developers of affordable housing units and must cover the period of deed restriction or affordability controls on each affordable unit. The costs of implementing the affirmative marketing plan (i.e., the costs of advertising the availability of affordable units, contract with the Administrative Agent, etc.) are the responsibilities of the developers of the affordable units.

## **Conclusion**

The City will be able to satisfy its Rehabilitation, Prior Round and Third Round Prospective Need affordable housing obligations with the various methods that have been proposed by 2025 providing for a realistic opportunity for the production of very low, low and moderate income units within the City.

# **Appendix 3**

Cape May City's Energy Master Plan 2019

## Cape May City's Energy Masterplan 2019

As Cape May City proposes to promote itself as a more carbon neutral champion, the City's Energy Action Masterplan creates positive responses to aggressively implementing and managing goals set forth by Federal, State and Municipal Land Use laws.

The Fourth National Climate Assessment, 1600 pages of findings, briefly states, "The impacts of climate change are intensifying across the country...how much they intensify will depend on actions taken to reduce global greenhouse gas emissions." The report was released on November 23, 2018. It was produced by 13 federal agents and many world scientists.

The 2019 Energy Master Plan of the State of New Jersey has as its Main Goal: Reduce projected energy use by 20% by 2020 and meet 20% of the State's electricity needs with Class 1 renewable energy sources by 2020. The combination of energy efficiency, conservation and renewable energy resources, should allow New Jersey to meet any future increase in demand without increasing its reliance on non-renewable resources.

### The Municipal Land Use Law, Chapter 291, Laws of New Jersey 1975

Page 1, Purposes of the Act: n. To Promote utilization of renewable energy resources.

Page 4, Inherently beneficial use means a use which is universally considered of value to the community...such as solar or photovoltaic energy, or a wind structure, Pages 78 and 79 outline municipal ordinances relative to small wind energy systems.

Page 34 (16) A green building and environmental sustainability plan element, shall encourage and promote renewable energy systems...

Energy touches the lives of every New Jersey resident, every day.

In Cape May City, the priorities that we aggressively protect have been given positive recognition by: The Sustainable Jersey Program, a program which seeks to engage public participation in green initiatives. Cape May City has achieved the highly regarded Silver Certification Award four times: 2011, 2012, 2014 and 2017. Highlighting these achievements come from efforts of dedicated citizens, business owners, the Green Team members, and The Environmental Commission.

As responsible stakeholders, the City of Cape May remains committed to adhering to the City's "Green Building Resolution," 13-05-2011.

Eligible improvements offer both environmental and economic benefits by stimulating job creation. Positive leadership seeks opportunity from complex circumstances. Growing Cape May's Green Economy is important. And, according to the Bureau of Labor Statistics, the top growing job classification over the next ten years will be solar photovoltaic installers. These positions are expected to at least double by 2026. Wind turbine service technicians came in number 2, with those jobs projected to grow by more than 96%.

Trending up and down the Eastern United States is the resolve by many cities to use renewable energy for heating and cooling, electricity and transportation, as they see the escalation of traditional energy costs.. These cities are prime examples and moreover, they also celebrate their place on the National Register of Historic Places: 1. Burlington, Vermont, 2. Concord, New Hampshire, 3. Boston,

Massachusetts, 4. Philadelphia, Pennsylvania, 5. Alexandria, Virginia, 6. Hillsborough, North Carolina,, 7. Columbia, South Carolina, 8. St. Petersburg, Florida—this city has proposed an ordinance to Require Solar Panels on New Homes and Major Roof Repairs—just as South Miami and the State of California have done.

Energy Independence and saving tax dollars prompted a project to build Jersey-Atlantic Wind Farm in Atlantic City, N.J. and has operated since 2005. Moreover, Ocean Gate, N.J. near Tom’s River was the first municipality to install Wind Turbines. The energy powers their water treatment plant and municipal office building. Also, West Cape, New Jersey, created an Ordinance #421-09, establishing Small Wind Energy Systems and Solar Energy Systems. This blueprint proposal is on file with Cape May City’s Environmental Commission. Without wind power, Cape May pioneers might never have survived.

The future of wind turbines is interesting. Vortex Bladeless turbines are being created by a Spanish tech group and is targeting the residential market. The blades are vertical, slender and cylindrical in shape. The company looks at 2020 for commercialization. Climate change mitigation also looks to electric vehicles as part of the solution. The New Jersey Department of Environmental Protection will provide grants up to \$6000 per charger to offset the cost to purchase and install electric vehicle charging stations. The program is designed to allow residents, businesses and government agencies to purchase and drive electric vehicles. Electric power tour buses reduce Carbon dioxide, as do hybrid-electric buses. The U.S. Coast Guard base in Cape May is purchasing 15 electric vehicles, a valuable assist to the energy goals.

And, of interest here is that Tokyo will build eco-friendly, “solar roads,” ahead of the 2020 Olympics. Solar panels are installed beneath the surface of the roads. The panels are covered with a special resin to enhance durability. Solar roads have been introduced on motorways in France and on cycling roads in The Netherlands.

While Cape May’s streets were designed for horses, not cars, thus, cycling might present an attractive alternative to avoiding traffic congestion. More information will be forthcoming as the Bike Committee provides additional information, and the bike trails selected. Moreover, the City’s Seawall/Promenade Advisory Committee is recommending enhancement of the Promenade, making it longer and wider. Accommodations for those bicycles will be created.

Furthermore, Cape May’s role in becoming a more climate-friendly community also extends to helping reduce the risks of rising seas and storm intensity. The city’s Seawall/Promenade Advisory Committee’s efforts bring the city solutions for challenging high tides and chronic flooding. Among the necessary plans are a combination of hard infrastructure projects such as bulkheads and seawalls. The U.S. Army Corps of Engineers is fully supporting the Committee’s recommendations, and in close contact on proposed funding. Support is given for the: Build Transportation Grant.

Keeping Cape May “High and Dry,” also requires immediate and long-term solutions to protecting the Wetlands, identified as, The Sewell Tract. This freshwater priority area is home to many threatened and endangered species. The US. Fish and Wildlife Service has declared the area, “Priority Wetlands,” in the State of New Jersey. Ultimately, the area acts as a natural sponge along the coast of raising sea waters. Cape May City again passed another resolution of support for the Preservation of the Sewell Tract during the summer of 2018.

In Conclusion  
The Energy Masterplan for the City for Cape May Recommends:  
Immediate Actions. —

1. Authorizing a Sustainable Projects Manager to organize citywide actions. Please see list of Grant Opportunities.
2. Plan for quarterly sustainable educational seminars for all employees, elected officials, city boards and commissions, and committees. \*See New Jersey's Green College-Rutgers-Stockton – and a longer list of meaningful contacts to follow, including: The Associations of New Jersey Environmental Commissions.
3. Expand the City's Brand — “Cape May” shining like a diamond in the sun. Place solar panels on all city buildings, recommend solar on all new construction. Add the Environmental Commission to the approval list for all solar panels.
4. Place turbines at Canning House Lane to offset costs of the reverse osmosis plant.
5. Enforce no-idle rules for tour buses and delivery trucks. Collect fees.
6. Establish a sister city relationship with Copenhagen – Coastal Cities highlight their historical attractiveness while utilizing climate policy to meet energy challenges and sea level changes.

In conclusion – debates are over concerning the consequences of no actions to embrace a greener community. To aide Cape May's quest to become more carbon neutral – this list of grants and funding will assist.

City of Cape May Environmental Commission  
January 7, 2019