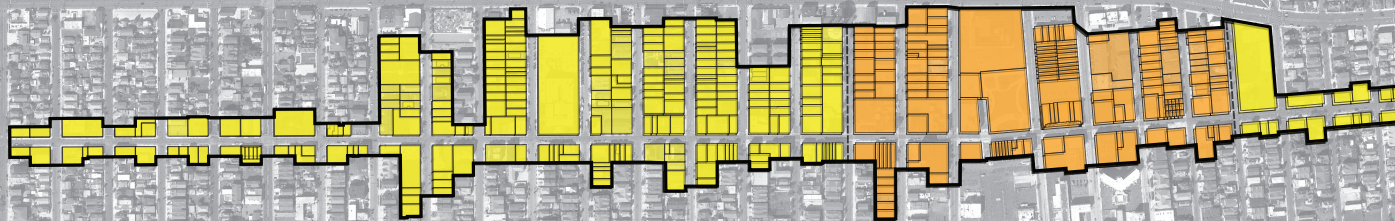


CITY OF WILDWOOD | CAPE MAY COUNTY

PACIFIC AVENUE REDEVELOPMENT PLAN

ESTABLISHING THE PACIFIC AVENUE REDEVELOPMENT ZONE (PARZ)



AMENDED: DECEMBER 14, 2022

ADOPTED: OCTOBER 20, 2021



PREPARED BY:

Clarke Caton Hintz



CITY OF WILDWOOD | CAPE MAY COUNTY

PACIFIC AVENUE REDEVELOPMENT PLAN

ESTABLISHING THE PACIFIC AVE REDEVELOPMENT ZONE (PARZ)

Adopted by the Wildwood Board of Commissioners on **October 20, 2021** for the area designated as an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A: 12-1, et. seq., The New Jersey Local Redevelopment and Housing Law.

The Wildwood Board of Commissioners wishes to recognize and express their appreciation to the Cape May County Board of Commissioners for selecting Wildwood as the "pilot municipality" for its newly formed Municipal Redevelopment Initiative. The County's financial and technical support along with its active engagement and participation in the redevelopment planning process served as an invaluable contribution to the formation this plan and the probability of its success.

Prepared for the City of Wildwood by:

Clarke Caton Hintz

Architecture

Planning

Landscape Architecture



Michael F. Gulligan, ASLA, AICP
NJPP License #5153

CITY OF WILDWOOD | CAPE MAY COUNTY

PACIFIC AVENUE REDEVELOPMENT PLAN

ESTABLISHING THE PACIFIC AVE REDEVELOPMENT ZONE (PARZ)

BOARD OF COMMISSIONERS

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Krista Fitzsimons, Deputy Mayor

Steve Mikulski

Susan Maxwell, *Confidential Assistant to the Board of Commissioners*

Carl Groon, City Administrator

Louis DiLollis, City Solicitor

PLANNING/ZONING BOARD OF ADJUSTMENT

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Scott Schmidt, Vice-Chair, Cl. IV

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Jason Hesely, Cl. II

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Brian Evans, Alternate #2

Georges Clark, Alternate #3

Pasquale Arcuri, Alternate #4

Rob Belasco, Board Solicitor

Gregory Valesi, PE, Board Engineer

Kate Dunn, Board Secretary

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1.0 | INTRODUCTION

The Pacific Avenue Redevelopment Plan, which establishes the Pacific Avenue Redevelopment Zone (PARZ), provides new regulations to guide the transformation of a significant portion of the Pacific Avenue corridor, Wildwood's traditional downtown. It is located within the City of Wildwood Rehabilitation Area established by the Wildwood Board of Commissioners on November 13, 2013 pursuant to Resolution No. 377-11-13. The Pacific Avenue Redevelopment Plan encompasses the blocks and lots identified in Appendix A. These properties represent a small portion of the city-wide rehabilitation area, which is targeted with specific approaches intended to incentivize reinvestment and rejuvenation of Wildwood's downtown.

The Pacific Avenue corridor extends over 1.3 miles (7,000 feet) between Cresse Avenue at the southern border with Wildwood Crest and 26th Avenue at the northern boundary with North Wildwood. As a mixed-use complement to the Boardwalk, Pacific Avenue has traditionally served as Wildwood's downtown, with restaurants, bars, entertainment, retail, lodging and residential uses that are independent of the beachfront resort and amusement culture.

Pacific Avenue enjoys strong accessibility from the major thoroughfares that is amplified through a grid of numerous local east-west streets intersecting

Pacific Avenue along its entire length, providing a rich connectivity between the neighborhoods and the corridor. This network of thoroughfares provides robust access to the corridor from within and outside of Wildwood City.

This plan is organized around two sub-zones within the PARZ in order to better calibrate the regulations to effectuate the planned uses, intensity and spatial character for each. These are the Downtown Center and the Neighborhood Renewal sub-zones. Regulations and standards herein are designed to reflect the City's vision for the character of each sub-zone. Together, these are intended to promote a cohesive array of land uses and design approaches while setting the stage for private investment that, ultimately, results in a highly desirable urban form and public street environment.

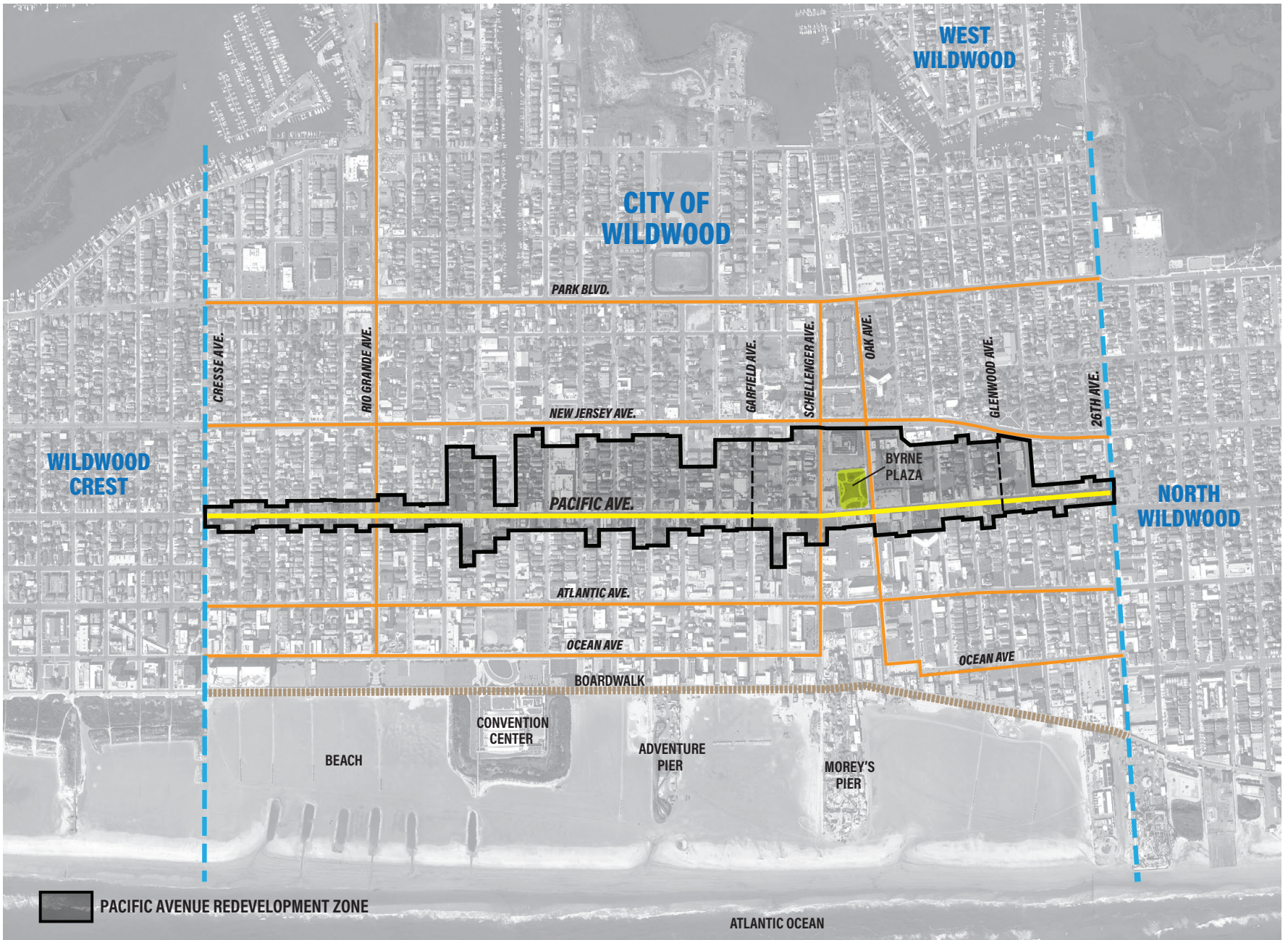
2.0 | REDEVELOPMENT PLAN PROCESS

The Board of Commissioner's first directed the Planning / Zoning Board to conduct the necessary investigation to determine whether or not the City of Wildwood, or any part or parts thereof, meets the statutory criteria for an Area of Need of Rehabilitation pursuant to the Local Redevelopment Housing Law, N.J.S.A. 40A:12A-14 (Resolution No. 342-9-12, dated September 25, 2013). The Planning / Zoning Board held a public hearing on the findings of the investigation and recommended adoption of the

City of Wildwood, in its entirety, as an "Area in Need of Rehabilitation" to the Board of Commissioners on November 4, 2013. Pursuant to Resolution No. 342A-13, the Planning / Zoning Board found that the statutory criteria for an area in need of rehabilitation under N.J.S.A. 40A-12A-14 was met for the entirety of the City of Wildwood. The Board of Commissioners accepted the Planning / Zoning Board's recommendation and designed the City, in its entirety, as a rehabilitation area on November 13, 2013 pursuant to Resolution No. 377-11-13.

The Pacific Avenue Redevelopment Plan has been prepared pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq. or "LRHL"). As required under the statute, the plan includes the following components:

- Redevelopment Goals and Objectives;
- Proposed Land Uses and Design Concepts;
- Identification of property that may be acquired;
- Provisions for the relocation, as necessary, of residents;
- Redevelopment Regulations and Standards; and
- Relationship of the Redevelopment Plan to Other Plans.



LOCATION MAP



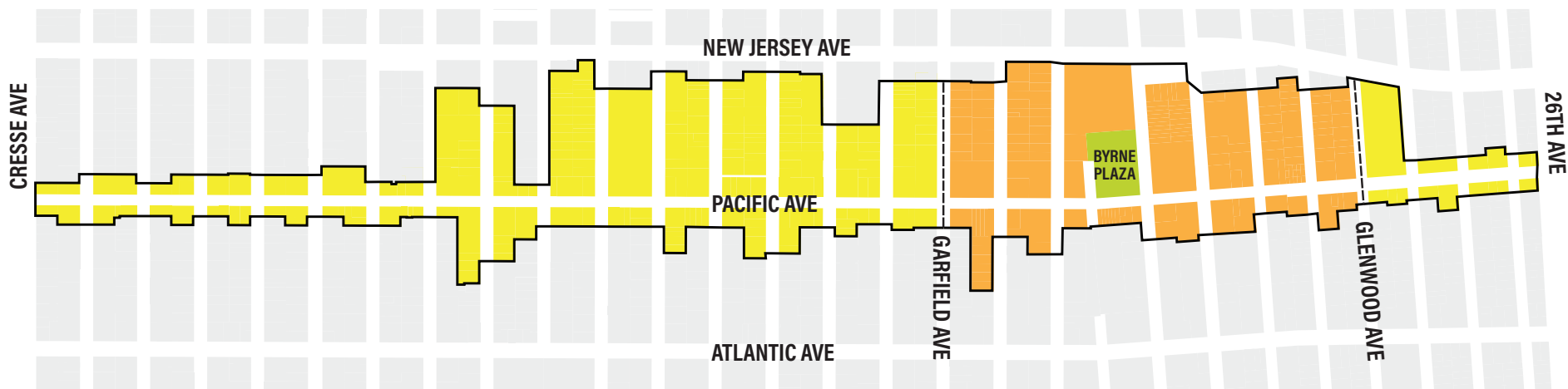
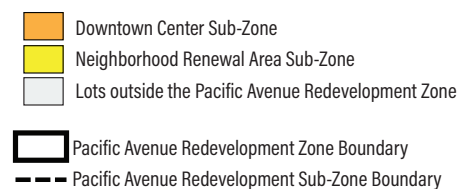
3.0 | REDEVELOPMENT PLAN GOALS AND OBJECTIVES

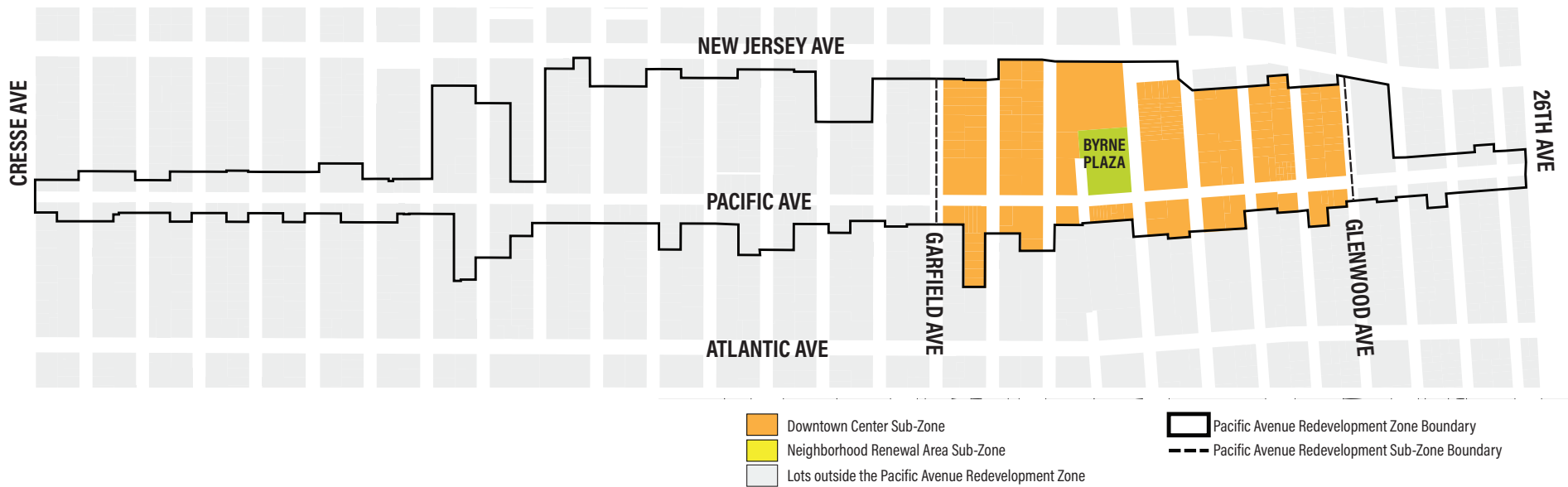
The Pacific Avenue Redevelopment Plan provides a framework of regulations to implement a vision for the renewal of Wildwood's traditional downtown through new development that will concentrate and strengthen the traditional commercial hub while reinvigorating the residential neighborhoods that envelop the center. The overall objective of the standards is to predictably modulate the form of new buildings, encourage architecture that is well-suited to contemporary and anticipated market and provide for land uses that fit Wildwood's culture and future. This plan provides thoughtful community design guidance for new development to implement the overall objectives for the corridor in terms of character and scale. Furthermore, this plan seeks to accommodate adaptation to future anticipated increases in flooding due to sea level rise.

The regulations contained herein are intended to remove barriers to redevelopment within the existing land development code. These include:

- Eliminating infeasible density requirements
- Eliminating minimum dwelling unit sizes
- Increasing building and lot coverages
- Increasing effective building heights
- Linking building heights to base flood elevation, rather than ground elevation
- Reducing multifamily residential and eliminating nonresidential off-street parking standards
- Eliminating requirements for ground-floor commercial uses where appropriate
- Reducing unnecessary costs of development

These goals and objectives are organized around the delineation of two planned sub-zones: the Downtown Center and Neighborhood Renewal areas.



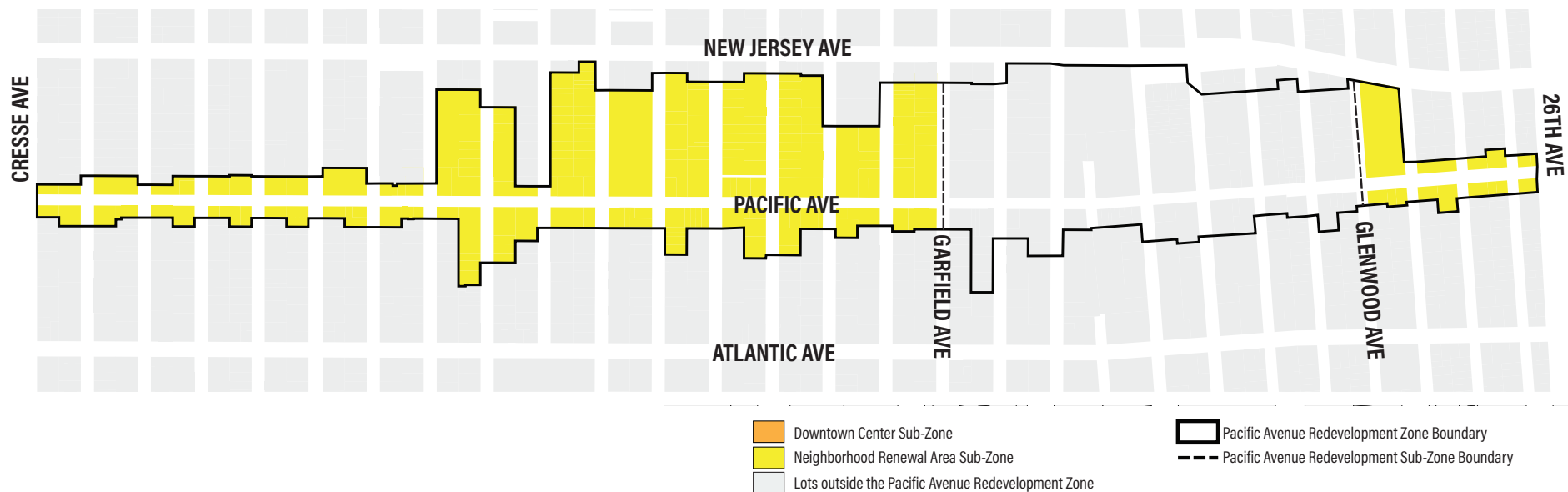


DOWNTOWN CENTER

The Downtown Center represents the hub of the downtown Wildwood. This district contains the largest properties in the study area, including some of the largest and sturdiest existing buildings. Byrne Plaza is located at the core of the Downtown Center, a large, highly-programmed, public open space that is a venue for myriad public events and festivals, including farmers' market, performances, fitness activities and outdoor movies. Redevelopment of this important district should include a concentration of commercial uses, along with higher density multifamily residential uses, to strengthen and restore the Downtown as a prominent place within the City. Higher density development should, directly, frame Pacific Avenue to reinforce its hierarchy in the overall City fabric, with lower density development in the abutting residential neighborhoods. Building design and placement should contribute towards an inviting, walkable

street function and character that compliments the use of Pacific Avenue as a public place. Ultimately, the Downtown Center should contain combinations of new commercial, public and residential uses that contribute to the renewal of the Downtown.

1. Promote transformative commercial and multi-family residential redevelopment through more flexible design and streamlined zoning requirements; and
2. Remove restrictive zoning requirements related to commercial use requirements and minimum dwelling unit sizes; and
3. Continue to allow, but not require, mixed-use development; and
4. Encourage adaptive reuse of existing buildings to create viable uses; and
5. Reinforce and strengthen the identity of the Downtown through unified design guidance; and
6. Encourage high-quality architectural and urban design; and
7. Adopt guidelines to promote a pedestrian-friendly street frontage along Pacific Avenue, relating to access and activation of frontages; and
8. Restrict vehicular access to sites to streets other than Pacific Avenue; and
9. Integrate elements to support and encourage alternative modes to automobile transportation.



NEIGHBORHOOD RENEWAL AREA

The overall objective for the Neighborhood Renewal Area is to reinforce the residential neighborhoods through new residential prototypes that contribute to desirable, pedestrian-oriented street character. Furthermore, this district is intended to promote multifamily residential redevelopment directly fronting on Pacific Avenue. Redevelopment of these areas should:

1. Promote new residential development that contributes to a desirable visual and spatial street character; and
2. Provide incentives for multifamily residential development on Pacific Avenue – fronting lots, but restrict vehicular access to streets other than Pacific Avenue; and
3. Incentivize the removal of incompatible non-residential uses; and
4. Reduce the overall amount of commercial space to better align with the market; and
5. Encourage high-quality architecture and urban design; and
6. Maintain appropriate relationship between buildings and streets, both vertically and horizontally; and
7. Maintain and enhance the experience of pedestrians along all streets; and
8. Reduce the negative impacts of off-street parking on the character of streets; and
9. Minimize impervious surfaces and maximize the potential for plant material; and
10. Accommodate current and future base flood elevations through zoning regulations to ensure that architecture and building design continues to provide for marketable properties that contribute to a desirable urban character; and
11. Unify architectural precedents and contemporary designs through common spatial requirements to create an identifiable neighborhood character; and
12. Encourage adaptive reuse of existing buildings; and
13. Integrate elements to support and encourage alternative modes to automobile transportation.

4.0 | PERMITTED LAND USES, REGULATIONS AND DESIGN STANDARDS

The following regulations and design standards shall govern all development within the lands encompassed by the Pacific Avenue Redevelopment Zone (PARZ). The standards herein, which include permitted land uses, spatial regulations and design standards, shall supersede those existing regulations and standards within the underlying zone districts. To the extent a land use standard in the underlying zoning is not addressed in the regulations herein, then such standard in the underlying zoning shall apply. The PARZ supersedes portions of the following zone districts: R3 High Density Residential, RM Residential Multifamily, GC General Commercial, PO Professional Office and T/E Tourist and Entertainment.

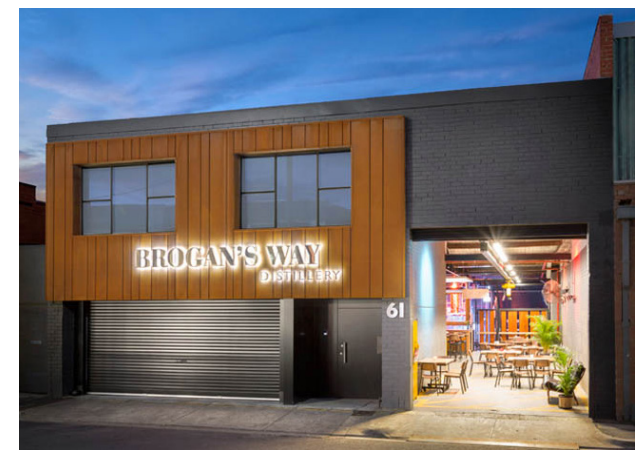


4.1 - PERMITTED USES

The following are permitted uses in the Pacific Avenue Redevelopment Zone. Any use not included herein may be permitted by the Planning Board provided that said use is approved by the Project Review Committee (PRC) and that any conditions recommended by the PRC tied to such an approval/project/application are memorialized as a condition of any Planning Board approval.

Downtown Center: Principal Uses

- Amphitheaters
- Art Gallery
- Art Studio
- Artisan Studio (including retail sales)
- Banks
- Brew Pub
- Café
- Craft Distillery (shall include Tasting Room)
- Health + Sports clubs and gymnasiums
- Hotels and Motels
- Indoor and Outdoor recreation
- Limited Brewery (shall include Tasting Room)
- Live/Work Artist Studio
- Live/Work Craft or Artisan Studio
- Multifamily Residential Apartment Dwellings (including “stacked” townhouses)
- Townhouses
- Museums
- Off-Street Parking (including Structured Parking)
- Open Space and Recreation
- Parks and Open Space
- Performance and Instructional Studios
- Professional and Medical Office
- Recreational Equipment Rental





- Restaurants and Bars, (including take-out and fast food)
 - Retail Goods
 - Retail services
 - Theaters
 - Vehicle Sales or Rentals limited to golf carts, scooters, bikes
 - Any combination of permitted principal uses
- Fences and walls (as regulated herein and per §17-602 of Wildwood City Code as of the date of this plan)
 - Home occupations
 - Maintenance and storage
 - Off-street parking and loading
 - Open Space, recreation and landscape amenities
 - Property management office
 - Renewable energy facilities
 - Signs (as regulated herein and per §17-605 of Wildwood City Code as of the date of this plan)
 - Site furnishings
 - Storm water management facilities and other utilities
 - Telecommunications antennae (attached)
 - Other customary uses which are clearly incidental and subordinate to a permitted principal use

Neighborhood Renewal Area: Principal Uses

Existing land uses within the areas designated as "Neighborhood Renewal" are predominantly residential, with intervening nonresidential uses and residential uses that do not interact with the public streets in a manner that supports a desirable street character. The following residential uses are permitted (along with new regulations) in order to create a more vibrant residential district:

- Multifamily residential apartments
- Single-family detached residences
- Single-family semi-detached residences
- Townhouses

Downtown Center: Accessory Uses

- Outdoor seating associated with a cafe, restaurant, bar, brew pub, craft distillery or limited brewery
- Outdoor space for performance, art, instructional studios, theater, gyms, health clubs and assembly uses

Downtown Center and Neighborhood Renewal Area: Accessory Uses

- Common rooms/areas, including for meetings, recreation, laundry and storage
- Electric Vehicle charging stations

Downtown Center: Prohibited Uses

- Boat sales
- Drive-through facility as a component of any use
- Freestanding signs
- Vehicle sales, except for golf carts, scooters, bikes

4.2 - BULK AND DESIGN REGULATIONS

The section on the following pages contains the standards regulating the bulk and design of the permitted uses and building prototypes within the Pacific Avenue Redevelopment Zone. These standards are organized on the following pages, according to each of the residential and mixed-use building prototypes. Exceptions are permitted without a plan amendment.



SINGLE-FAMILY DETACHED (INCLUDING “CAMELBACK” CONFIGURATION) AND SEMI-DETACHED RESIDENCE STANDARDS

Bulk Regulations			
	Single-Family Detached Residence	Single-Family Detached Residence: “Camelback” configuration	Semi-Detached Residence ⁽¹⁾
Min. Tract Size	n/a	n/a	5400 SF
Min. Lot Size	2700 SF	2700 SF	2700 SF PER DU
Min. Lot Width and Frontage	30 FT	30 FT	30 FT
Min. Lot Depth	90 FT	90 FT	90 FT
Min. Front Yard	10 FT	10 FT	10 FT
Max. Front Yard	20 FT	15 FT	20 FT
Min. Rear Yard	15 FT	15 FT	15 FT
Min. Side Yard	5 FT	4 FT	5 FT exterior; 0 FT at common lot line
Max. Permitted Building Height	Lots with a width less than 40 FT: 2.5 stories and BFE ⁽²⁾ + 30 FT; Lots with a width of 40 FT or greater: 2.5 stories and BFE ⁽²⁾ + 35 FT	2.5 stories and BFE ⁽²⁾ + 32 FT	2.5 stories and BFE ⁽²⁾ + 37 FT
Max. Building Coverage	55%	55%	55%
Max. Lot Coverage	70%	70%	70%

(1) Assumes each unit on a separate lot. Two units may be located on a single lot of 5400 SF

(2) BFE = Base Flood Elevation

Pacific Avenue Location: Where single-family detached or semi-detached dwellings are developed on the Pacific Avenue frontage the following requirements shall apply:

1. Dwellings shall be located on a lot existing at the time of the adoption of this plan. Subdivision or merging of lots in order to develop a single-family detached or semi-detached home is prohibited;
2. Dwellings shall have primary façade facing Pacific Avenue;
3. No driveway of direct vehicular access is permitted from Pacific Avenue

First Floor Front Porch Required: Each dwelling unit shall have a first floor porch on the primary access street that provides a transition between the ground elevation and the first floor elevation of a home. Porches shall comply with the following requirements:

1. Minimum depth of eight (8) feet;
2. Shall be open/unenclosed on three (3) sides;
3. Shall have a roof;
4. Shall have a width that is no less than 1/3 of the width of the building façade.
5. Shall not have another porch, or portion of the building “stacked” above it.

Front Stairs Required: Each dwelling unit shall have stairs that connect the first floor front porch to the front yard on the primary access street. Front stairs may project up to four (4) feet into the minimum required front yard setback.

Building Projections: Bays, balconies and eaves may project beyond the façade up to 18 inches but shall not extend into the public street right-of-way.

Off-Street Parking/Driveways

1. Driveways serving single-family detached dwellings shall not exceed a width of 10 feet.
2. Driveways serving semi-detached single-family dwellings shall be combined to form a single driveway with an overall width not exceeding 18 feet (see diagram).
3. Off-street parking that is located within the building envelope shall be enclosed with elements and materials common to the architecture of the building, including a door at the point of vehicular access.

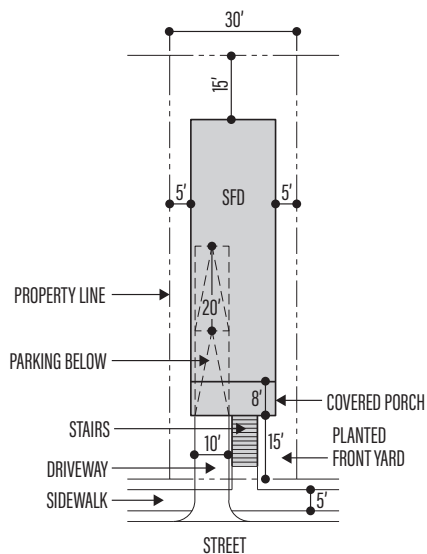
HVAC: All HVAC equipment shall be located in a rear yard or on a roof. If located on the roof, equipment shall be screened from the primary street through integration within architectural elements of the building. Such equipment shall not be visible from the primary street.

Front Yard Landscape Design:

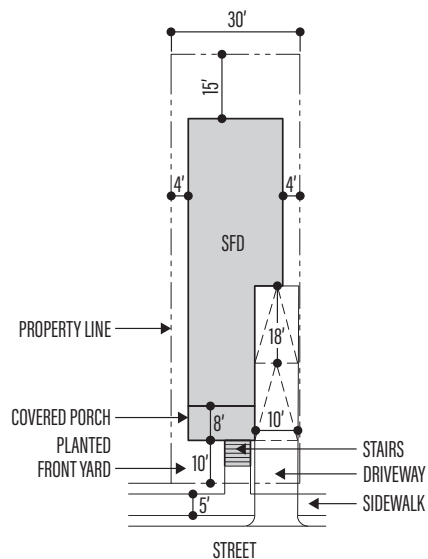
1. Front yards shall remain unpaved, except for driveway access and walkways necessary for access to the building entrance.
2. All portions of the front yard not paved for vehicular or pedestrian access shall be planted with a suitable turf grass or vegetative ground cover.
3. This requirement does not prohibit the planting of ornamental plants in addition to lawn or ground cover, including shrubs and trees, in the front yard.
4. Stone, mulch or other inert materials do not constitute a vegetative ground cover.
5. One (1) street shade tree shall be planted for each dwelling unit along the primary street frontage.



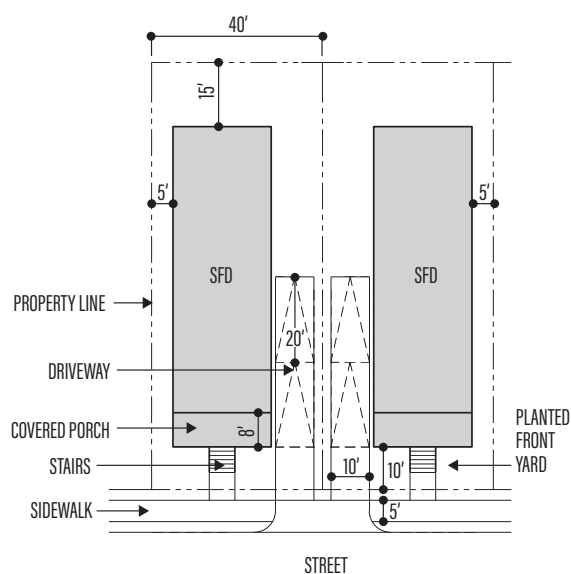
ILLUSTRATIVE STANDARDS: SINGLE-FAMILY DETACHED (INCLUDING "CAMELBACK" CONFIGURATION) AND SEMI-DETACHED RESIDENCES



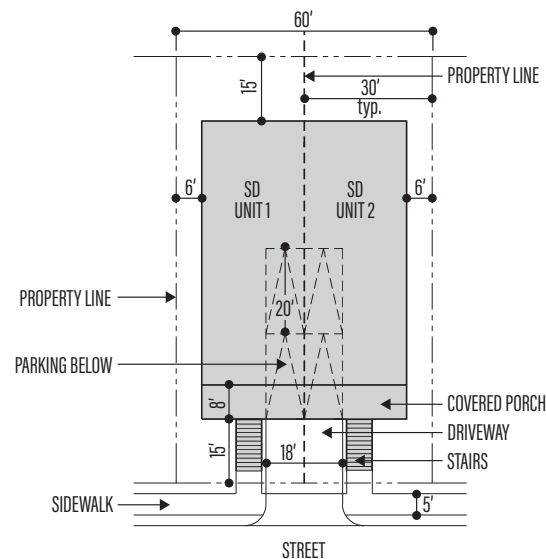
SINGLE-FAMILY DETACHED HOME - 30' LOT



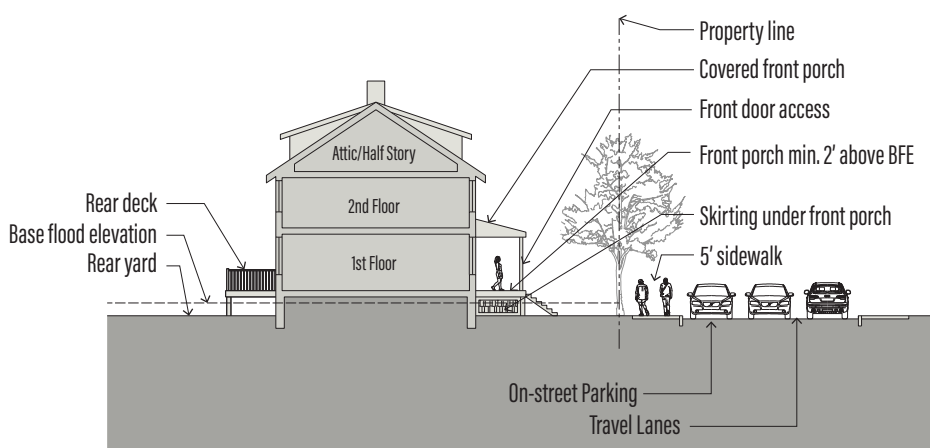
CAMELBACK SINGLE-FAMILY DETACHED HOME - 30' LOT



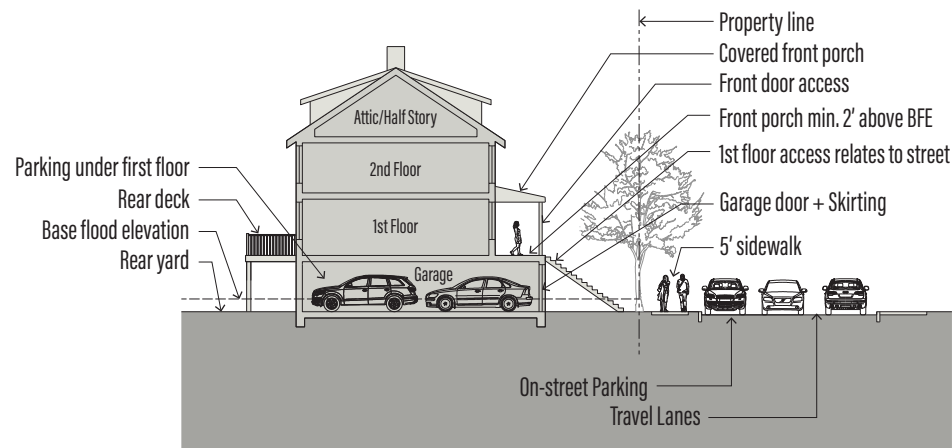
SINGLE-FAMILY DETACHED HOME - 40' LOT



SEMI-DETACHED HOME - 60' LOT



PREFERRED RESIDENTIAL SECTION (NO PARKING UNDER BUILDING)



RESIDENTIAL SECTION (PARKING UNDER BUILDING)

TOWNHOUSE RESIDENCE STANDARDS

Bulk Regulations	
	Townhouse Residence
Min. Tract Size	8000 SF
Min. Lot Size	n/a
Min. Lot Width and Frontage	100 FT (TRACT)
Min. Lot Depth	80 FT (TRACT)
Min. Front Yard	10 FT (PRIMARY STREET FRONTAGE)
Min. Front Yard	5 FT (SECONDARY STREET FRONTAGE)
Min. Rear Yard	15 FT
Min. Side Yard	5 FT
Max. Permitted Building Height	3 stories and BFE + 39 FT (1)
Max. Building Coverage	65%
Max. Lot Coverage	80%

(1) Parking areas and other uses accessory to residential uses provided at street level within the building envelope shall not constitute a story.



First Floor Front Porch Required: First Floor Front Porch Required: Each townhouse dwelling unit shall have a first floor porch on the primary access street that provides a transition between the ground elevation and the first floor elevation of the home. Porches shall comply with the following requirements:

1. Minimum depth of six (6) feet;
2. Shall be open on at least two (2) sides;
3. Shall have a roof;
4. Shall have a width that is no less than 1/3 of the width of the townhouse unit façade.

Front Stairs Required: Each townhouse dwelling unit shall have stairs that connect the first floor front porch to the front yard on the primary access street. Front stairs may project up to four (4) feet into the minimum required front yard setback.

Building Projections: Bays, balconies and eaves may project beyond the façade up to three (3) feet but shall not extend into the public street right-of-way.

Roof Deck: Roof decks for the use of residents are permitted subject to the following requirements:

1. Area shall be limited to 50% of a dwelling unit's roof area;
2. No pole-mounted lighting is permitted
3. Shall be set back at least five (5) feet from the edge of the roof.

Off-Street Parking:

1. Off-street parking for townhouses shall be accessed via a common driveway/entrance.
2. Common driveways/parking lot entrances shall not exceed a width of 18 feet where not

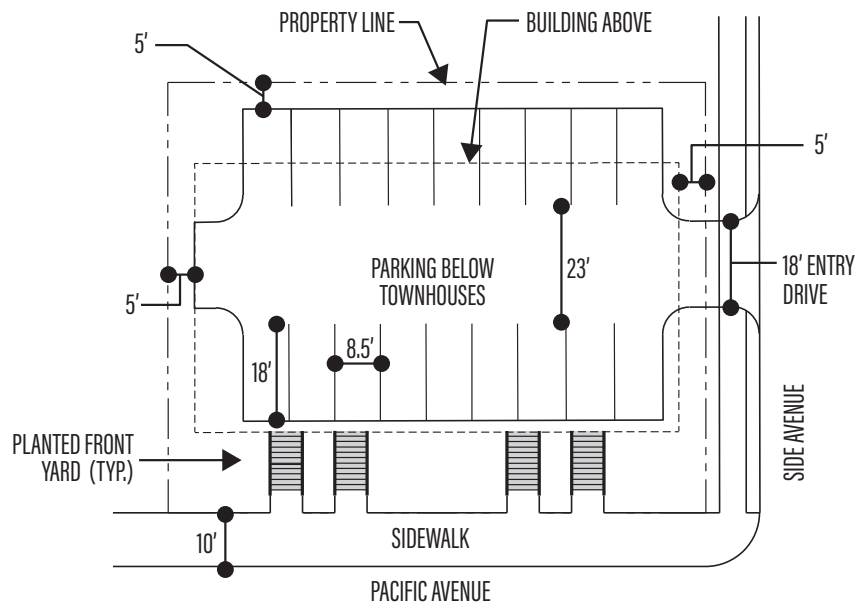
adjacent to parking spaces or required for vehicle maneuvering.

3. Access to off-street parking shall not be permitted from Pacific Avenue.
4. Off-street parking that is located within the building envelope shall be enclosed with elements and materials common to the architecture of the building, including a door at the point of vehicular access. The design of building materials and elements may be modified to provide sufficient ventilation such that mechanical ventilation is not necessary. Parking shall be fully screened from all street frontages.
5. Where off-street parking is not adjacent to a street frontage and is adjacent to a one- or two-family residential use, a masonry wall having a minimum height of five (5) feet shall be provided sufficient to provide a visual screen. The wall may be located within six (6) inches of the property line.
6. Electric vehicle charging stations are strongly encouraged.
7. Bicycle parking shall be provided at a rate of two (2) spaces per dwelling unit within a common, roofed, weather-protected location that is readily accessible by residents on the ground floor.

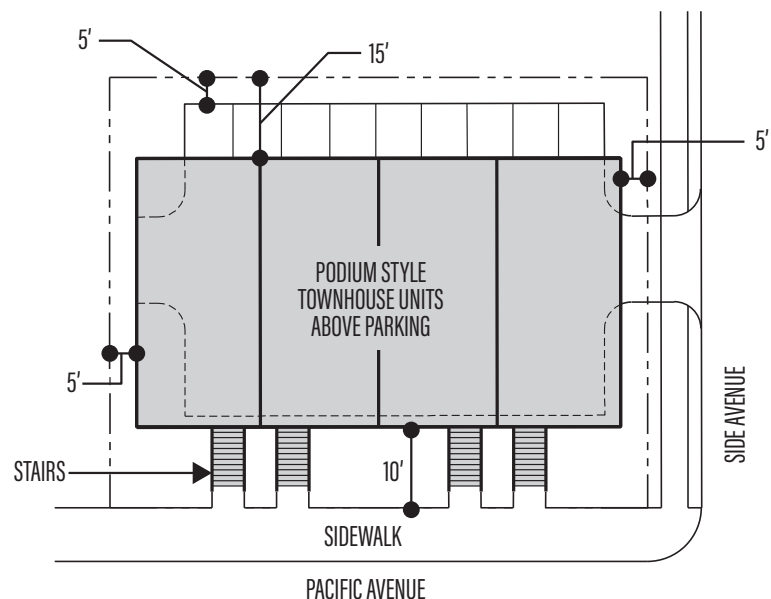
HVAC: All HVAC equipment shall be fully screened from adjacent streets and adjacent properties either with a masonry wall with a height of five (5) feet or by locating said equipment on a roof. If located on the roof, equipment shall be screened from the primary street through integration within architectural elements of the building. Such equipment shall not be visible from the primary street.



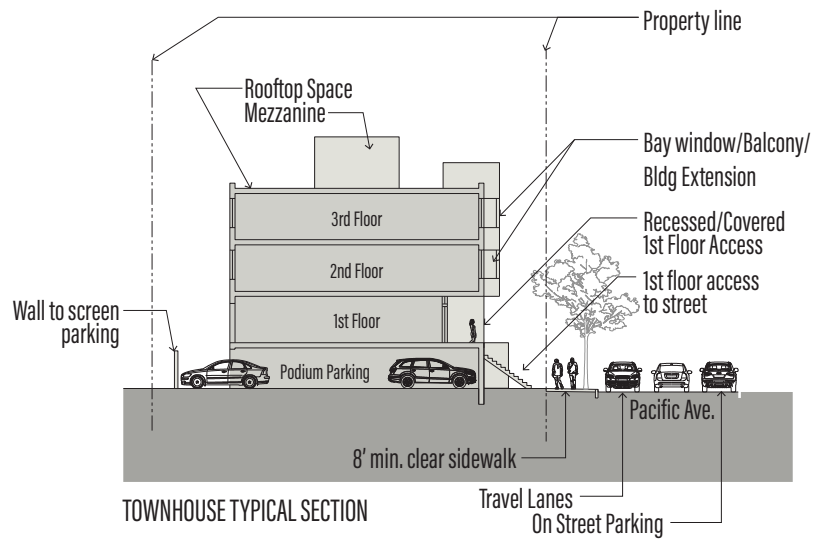
ILLUSTRATIVE STANDARDS: TOWNHOUSE RESIDENCES



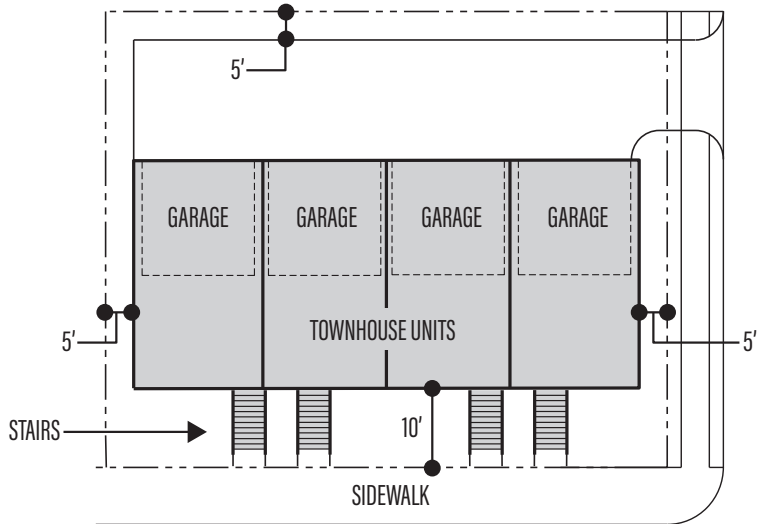
GROUND LEVEL TOWNHOUSE PLAN (PODIUM STYLE BUILDING)



TOWNHOUSE BUILDING PLAN (PODIUM STYLE BUILDING)



TOWNHOUSE TYPICAL SECTION



REAR LOADED TOWNHOUSE BUILDING PLAN

MULTIFAMILY APARTMENT / MIXED-USE / COMMERCIAL STANDARDS

Bulk Regulations: Neighborhood Renewal	
	Multifamily Residential Apartments
Min. Lot Size	8000 SF
Min. Lot Width and Frontage	100 FT
Min. Lot Depth	80 FT
Min. Front Yard	5 FT; 10 FT above BFE + 30 FT
Min. Rear Yard	10 FT
Min. Side Yard	10 FT
Min. Required Building Height	2 stories (1) (2)
Max. Permitted Building Height	3 stories and BFE + 39 FT; (1) (2)
Max. Building Coverage	80%
Max. Lot Coverage	80%



Bulk Regulations: Downtown Center		
	Multifamily Residential Apartments	Mixed-Use and Commercial Buildings
Min. Lot Size	8000 SF	8000 SF
Min. Lot Width and Frontage	80 FT	80 FT
Min. Lot Depth	80 FT	80 FT
Min. Front Yard	5 FT from Top of Curb to BFE+30 FT; 15 FT above BFE+30 FT.	8 FT from Top of Curb to BFE+30 FT; 18' FT above BFE+30 FT.
Min. Rear Yard	10 FT	10 FT
Min. Side Yard	10 FT	10 FT
Min. Required Building Height	2 stories (1) (2)	2 stories (1) (2) (3)
Max. Permitted Building Height	4 stories and BFE + 55 FT (1) (2)	5 stories and BFE + 65 FT (1) (2)
Max. Building Coverage	80%	80%
Max. Lot Coverage	80%	80%

Notes:

(1) Parking areas and other uses accessory to residential uses provided at street level within the building envelope shall not constitute a story.

(2) Rooftop Mezzanine: Mezzanine for the purpose of providing access to a roof for residents or for utilities shall not count as a story.

(3) Non-residential uses at street level shall constitute a story.

Architecture and design of buildings shall be subject to the approval of the Project Review Committee (PRC). The following are specific standards to guide such review.

Street Level Uses for Multi-Family Residential Buildings:

Buildings should have a street level floor on the Pacific Avenue frontage that is located at or near the elevation of the public sidewalk. This portion of the building should contain active residential space or accessory uses necessary for the operation of the building or the common convenience of the residents. Such uses may include, but are not limited to, a lobby, mailroom, exercise common space and café. The following requirements apply:

1. If used to house common elements of the residential use, the street level floor shall be permitted to project forward beyond the upper floors of the building, but shall be located no closer than one (1) foot to the street line.
2. The primary building access shall be located at street level floor portion of the building.
3. The roof of the street level floor may be developed as a terrace or roof deck for the use of residents;
4. Utility and non-active spaces should not be located at street level along the Pacific Avenue frontage.

Street Level Uses for Mixed-Use and Commercial Buildings:

Buildings shall have a street level building floor on the Pacific Avenue frontage that is located at or near the elevation of the public sidewalk. This portion of the



building shall contain, predominantly, nonresidential space designed to optimize the building's interaction with the street frontage to promote viability of those nonresidential uses therein.

1. A maximum of 20% of the length of the street level frontage on Pacific Avenue may be occupied by residential uses that are a component of upper floor residences.
2. The primary building access for a residential use shall be located at street level floor portion of the building.
3. The roof of the ground floor may be developed as a terrace or roof deck for the use of building residents or as part of a commercial use, such as a restaurant or bar.
4. Ground floor parking or garage areas shall be properly screened and blocked from public view.

Facades: Building facades represent the most visible and tangible interface between private uses and the public street realm. The manner in which buildings engage the street and facilitate interactivity is critical to the creation and stewardship of the character of the Pacific Avenue district. Minimum standards to regulate façade design are key to the goals and objectives of this redevelopment plan. The facades of buildings shall be designed to comply with the following requirements:

1. Façades shall be designed to have unified compositions of architectural elements through materials, finishes, changes in height, changes in

building planes or other methods.

2. Street-facing façades shall have a vertical break in the plane of the façade no less than every 30 feet of façade length. Such a break shall be offset from the previous plane by no less than two (2) feet.
3. Street-facing façades shall articulate horizontal breaks between floors through material changes, changes in the façade plane or other methods.
4. Building corners, entrances and other key building functions shall be emphasized through architectural elements, materials, finishes, changes in height, changes in building planes or other methods within a unified architecture. Up to 10 feet in additional building height may be permitted for such emphasis, subject to design review.
5. Building entrances shall be clearly articulated within the façade and shall express a hierarchy between a primary entrance and secondary entrance(s).
6. The material composition of street level façades that enclose nonresidential uses or common accessory uses to multifamily residential uses shall consist of a minimum of 70% clear glass. This is to promote visibility of business and other activities to contribute to the vibrancy of the street.
7. Residential floors shall have a fenestration that consists of a minimum of 30% windows to façade

(30% voids to solids).

8. Building Projections: Bays, balconies and eaves on floors above the first or ground floor may project beyond the façade up to five (5) feet but shall not extend into the public street right-of-way more than two (2) feet.
9. Awnings on ground floor facades may project up to four (4) feet into a public street right-of-way provided they are not less than nine (9) feet above the sidewalk. Transparent or internally-illuminated awnings are prohibited. Vinyl awnings are prohibited

Balconies and Roof Decks: Balconies and roof decks represent a desirable amenity for residents and patrons of restaurants and bars. Such amenities provide the opportunity to enjoy the sun and breezes of Wildwood and have a particular value in multifamily residential developments that do not have dedicated open space on the ground. The following standards apply:

1. Upper floor balconies may project no more than five (5) feet from the upper building façade, but shall not be located closer than five (5) feet to a property line.
2. Balconies shall have a roof.
3. Roof decks are required and shall have an area of no less than 25% of the total roof area, but shall not exceed 50%.
4. Roof decks shall be set back from the façade no less than five (5) feet.

5. No pole-mounted lighting is permitted.
6. Green roof elements are strongly encouraged.

Rooftop Mezzanine/Access: Rooftop mezzanines are permitted above the top floor to provide access to the roof (such as to a roof deck) or as part of the building systems, subject to the following requirements:

1. Shall not exceed 25% of the total area of the primary roof;
2. Shall not exceed a height of 10 feet;
3. Shall not contain sleeping quarters.

Café's and Outdoor Seating: Outdoor seating is permitted for permitted uses along the street frontage, subject to the following requirements:

1. May extend into the public street right-of-way, subject to the permission of the City.
2. A minimum clear sidewalk width of 10 feet shall be maintained. In delineating the 10 - foot clear zone, the two feet closest to the curb shall not be counted to account for utility poles and other street elements that restrict pedestrian flow.
3. Shall be delineated from the public by metal fence, planters or similar elements.
4. Shall have no more than two (2) entrances to the café seating area.
5. Shall provide bicycle parking at a minimum rate of 1 per 5 seats.

Signs: Signs shall be designed to be integrated within the architecture of buildings, in terms of façade elements, materials, color and scale.

Signs shall be permitted pursuant to §17-609 of the Wildwood City Code (as of the date of this plan) except as modified as follows:

Downtown Center

1. Wall Signs
 - a. Shall not be mounted higher than the highest point of the street level building floor.
 - b. Shall not project more than three (3) feet beyond the building façade.
2. Window Signs
 - a. Shall not exceed 10% of the total window area of the window within which it is displayed.
3. The following signs are prohibited:
 - a. Animated, Flashing and Illusionary Signs
 - b. Freestanding Signs
 - c. Monument Signs

Neighborhood Renewal Area

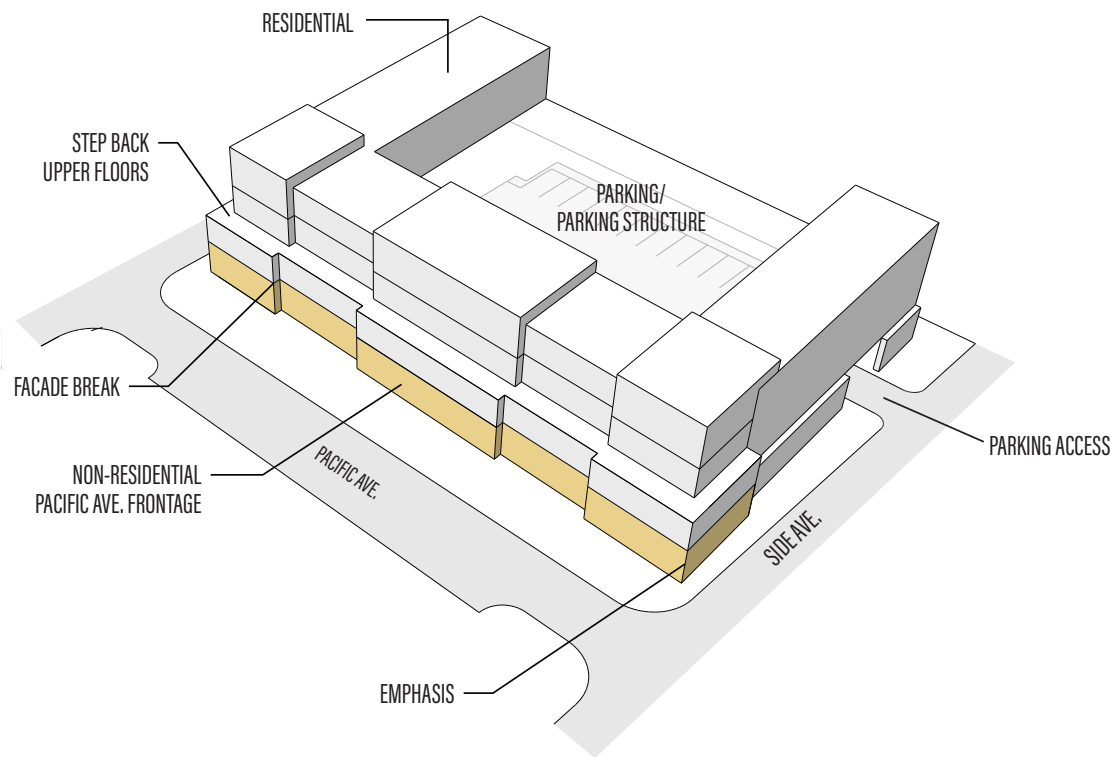
1. Building identification signs shall not exceed 5% of the area of the first floor facade
2. The following signs are prohibited:
 - A-Frame and Portable Signs
 - Animated, Flashing and Illusionary Signs
 - Commercial Parking Lot signs
 - Freestanding Signs
 - Monument Signs
 - Projecting Signs
 - Wall Signs
 - Window Signs

Off-Street Parking: Off-street parking, while necessary, can erode the urban fabric when it supplants active uses or appears too prominently at the expense of high-quality architecture. The following standards are intended to mitigate undesirable aspects of off-street parking:

1. Off-street parking shall be accessed via a common driveway/entrance.
2. Common driveways/parking lot entrances shall not exceed a width of 18 feet where not adjacent to parking spaces or required for vehicle maneuvering.
3. Access to off-street parking shall not be permitted from Pacific Avenue.
4. Off-street parking that is located within the building envelope shall be enclosed with elements and materials common to the architecture of the building, including a door at the point of vehicular access. The design of building materials and elements may be modified to provide sufficient ventilation such that mechanical ventilation is not necessary. Parking shall be fully screened from all street frontages.
5. Where off-street parking is not enclosed within a building, is not adjacent to a street frontage and is adjacent to a one- or two-family residential use, a masonry wall having a minimum height of five (5) feet shall be provided sufficient to provide a visual screen. The wall may be located within six (6) inches of the property line.
6. Electric vehicle charging stations are strongly encouraged.

7. Bicycle parking shall be provided at a rate of two (2) spaces per dwelling unit within a common, roofed, weather-protected location that is readily accessible by residents on the ground floor.
8. Light fixtures on structured parking areas shall not exceed a mounting height of 12 feet. All fixtures shall be:
 - a. Light emitting diode (LED)
 - b. Full-cutoff
 - c. Color temperature not exceeding 3,000 degrees k.

Transformers/Meters/HVAC: All equipment shall be fully screened from adjacent streets and adjacent properties either with a masonry wall with a height of five (5) feet or by locating said equipment in a room or on a roof. If located on the roof, equipment shall be screened from the primary street through integration within architectural elements of the building.

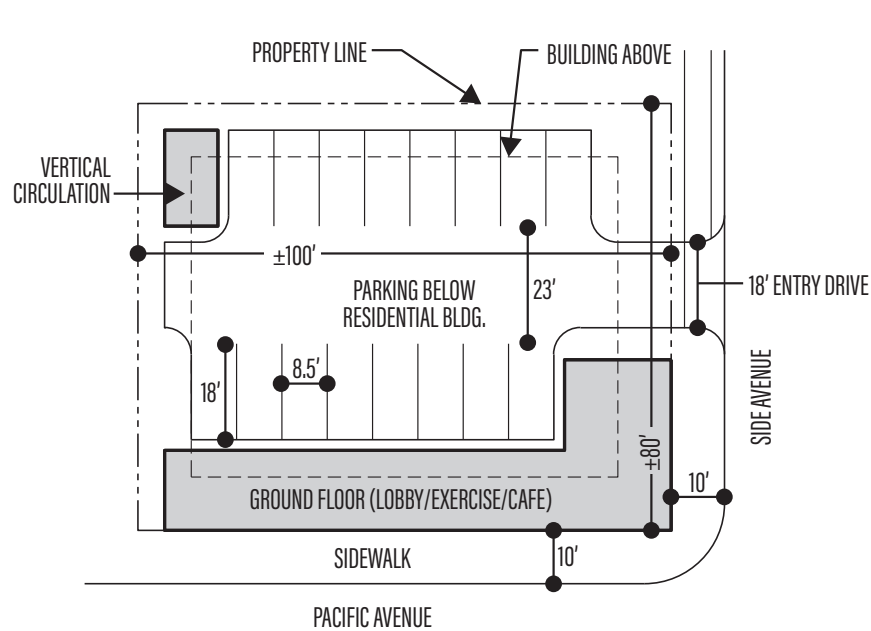


PREFERRED MULTI-FAMILY / MIXED-USE WRAPPED PARKING STRUCTURE BUILDING

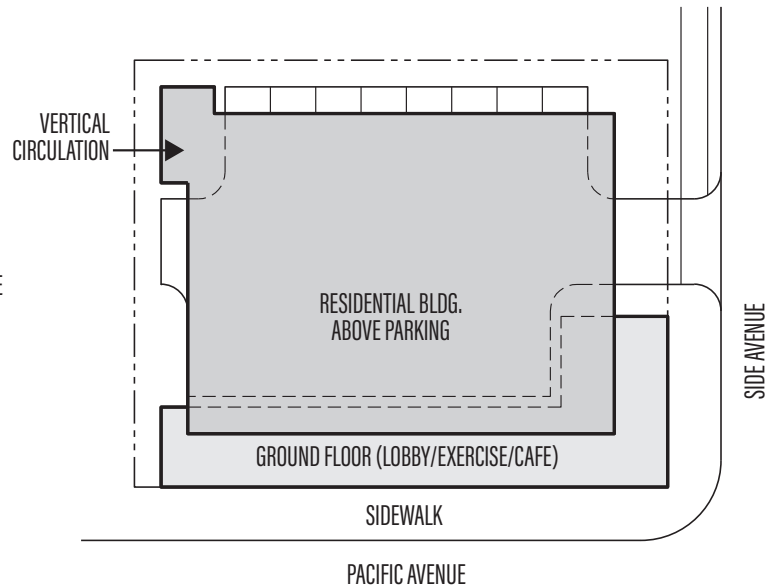
(*STRUCTURED PARKING NOT REQUIRED)



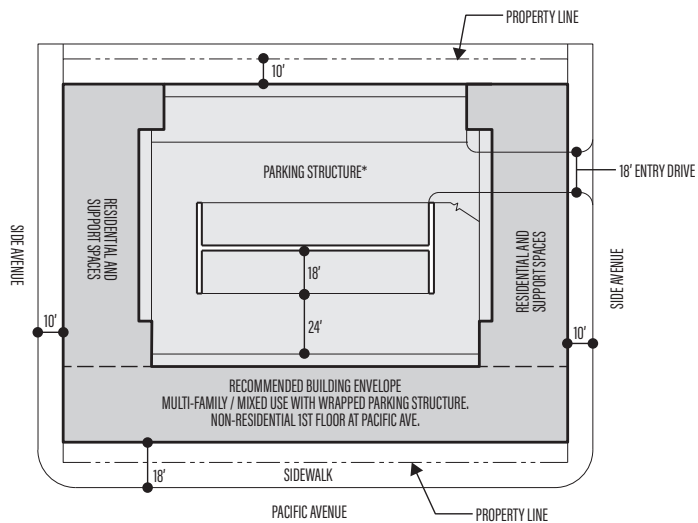
ILLUSTRATIVE STANDARDS: MULTIFAMILY APARTMENT / MIXED USE / COMMERCIAL



GROUND LEVEL PLAN

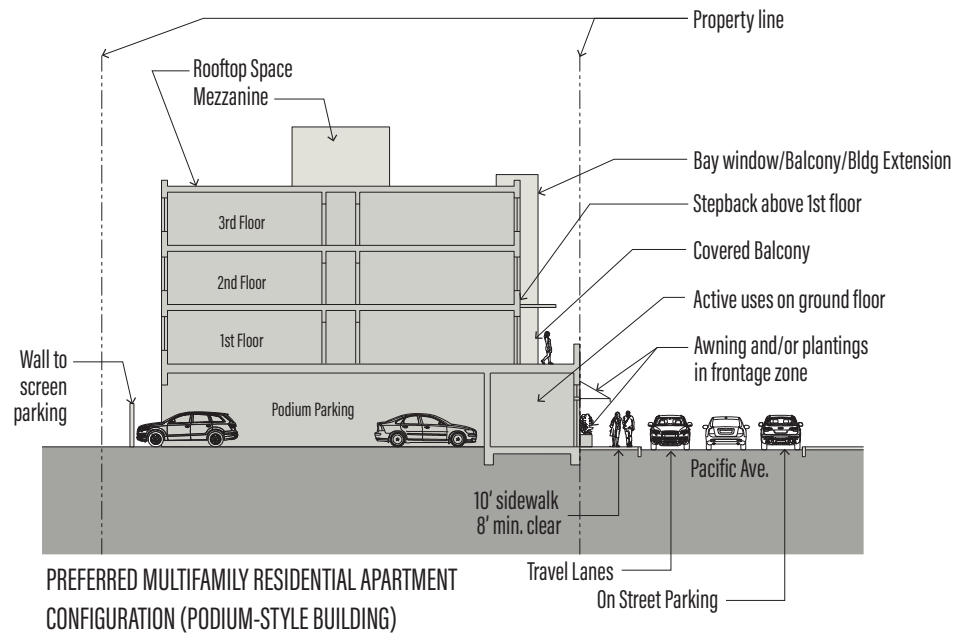


PODIUM-STYLE BUILDING PLAN



PREFERRED MULTI-FAMILY / MIXED-USE BUILDING PLAN

(*STRUCTURED PARKING NOT REQUIRED)



PREFERRED MULTIFAMILY RESIDENTIAL APARTMENT CONFIGURATION (PODIUM-STYLE BUILDING)

4.3 - ADAPTIVE REUSE STANDARDS

Adaptive reuse of existing buildings is encouraged to maintain the remaining durable fabric of Wildwood's downtown. Reuse of existing buildings shall be subject to the applicable standards for residential and mixed-use development herein. Adaptive reuse of buildings should use the United States' Secretary of Interior Standards for Rehabilitation as guidance, in addition to the following:

1. Minimal changes should be made to a building's distinctive materials, features, spaces and spatial relationships with respect to the public streets.
2. The desirable character of a property should be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property should be avoided.
3. Changes to a building should not create a false sense of historical development, such as adding conjectural features or elements from other properties,
4. Distinctive materials, features, finishes and construction techniques or examples of craftsmanship that characterize a property should be preserved.
5. Deteriorated features should be repaired rather than replaced where possible. New additions, exterior alterations or related new construction should not destroy desirable materials, features and spatial relationships that characterize the

property. New work should be differentiated from the old and be compatible with the existing materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

6. New additions and adjacent or related new construction should be undertaken in such a manner that, if removed in the future, the essential form and integrity of the building may persist.
7. Adaptively reused buildings shall be regulated according to the relevant applicable standards for their particular use(s) (e.g. multifamily, mixed-use) in terms of bulk and other design standards.
8. Adaptively reused buildings shall have no off-street parking requirement for any existing floor area that is maintained regardless of a change in use.



4.4 - OFF-STREET PARKING

Residential: Parking for residential uses are subject to the New Jersey Residential Site Improvement Standards (RSIS NJAC 5:21-1.1 et seq.). This plan seeks to minimize the creation of off-street parking to that which is minimally necessary for particular uses. Therefore, the following guidance should be used in the consideration of exceptions to the RSIS within the PARZ:

1. One-Bedroom Apartment Dwelling: 1.0 spaces per dwelling unit
2. Two-Bedroom Apartment Dwelling: 1.5 spaces per dwelling unit
3. Three-Bedroom Apartment Dwelling: 2.0 spaces per dwelling unit
4. Townhouse Dwelling: 2.0 spaces per dwelling unit

Non-Residential Uses: No minimum off-street parking is required for non-residential uses.

Stacked parking: Stacked parking is permitted where assigning of spaces would assign both spaces to the same dwelling unit.



4.5 - MANDATORY AFFORDABLE HOUSING SET-ASIDE IN THE PACIFIC AVENUE REDEVELOPMENT ZONE

1. Affordable housing means very low-, low- and moderate-income housing as defined by the Uniform Housing Affordability Controls (“UHAC”), N.J.A.C. 5:80-26.1 et seq. with one exception. Pursuant to the 2008 amendments to the New Jersey Fair Housing Act, P.L. 2008, c. 46 (codified as N.J.S.A. 52:27D-329.1), municipalities must provide very low-income units equal to 13% of all affordable units approved and constructed after July 17, 2008 and with certified households earning no more than 30% of the regional median income rather than UHAC’s standard requiring 10% of the affordable housing units to be affordable to households earning 35% of the regional median income.
2. Within the Pacific Avenue Redevelopment Zone, a presumptive set-aside of affordable housing shall apply to any multifamily residential or townhouse development, including the residential portion of any mixed-use project, that results in ten (10) or more dwelling units.
3. This requirement shall not apply to residential expansions, additions, renovations, replacement, single-family detached, single-family semidetached, or any other type of residential development that does not result in ten (10) or more dwellings units.
4. The presumptive apportionment of low- and moderate- income units shall be a minimum of ten percent (10%) of the total number of dwelling units regardless of whether said dwelling units are offered for sale or offered for rent. Any fractional unit requirement shall be rounded up to the next whole number.
5. Any property subdivided or developed in such a manner that has the effect of preventing the development of low- and moderate- income dwellings in accordance with this section shall be considered null and void. The approving authority may impose reasonable conditions to ensure compliance with the mandatory set aside requirements set forth above.
6. However, the City acknowledges that the affordable housing laws in New Jersey require developers to secure a “reasonable,” “adequate,” or “sufficient” profit from projects with affordable housing set-asides. See Toll Bros., Inc. v. Tp. of W. Windsor, 173 NJ at 562 (“the incentive for instituting such litigation would be the opportunity to develop an inclusionary zoning site at a **reasonable profit**”); Mount Laurel II, 92 N.J. at 267 n. 29 (A “program should be devised in such a way as to assure an **adequate profit** for developers”); Allen-Deane Corp. v. Bedminster Tp., 205 N.J.Super. at 115 (Law Div. 1985) (“A review of projects’ feasibility relates to whether the rezoning and other affirmative measures will provide a builder with a **sufficient profit** to make the projects a likelihood.”); Urban League of Essex County v Mahwah Tp., 207 N.J.Super. at 211-212 (Law Div. 1984) (“If the [density] bonus is too low or the set-aside is too high, lower income housing will not result.”)
7. Wildwood also understands that redevelopment sites often present developers with significant, sometimes unexpected, additional costs associated with environmental remediation issues, parcel assemblage, relocation of current residents, and myriad other cost-generating features. See, e.g. Dock St. Seafood, Inc. v. City of Wildwood, 425 N.J.Super. 590, 591(App. Div. 2 012).
8. Accordingly, at its sole discretion, the City may decrease, or waive, the presumptive affordable housing set aside in cases where the governing body, in consultation with the redeveloper, relevant staff, and its professionals, reasonably concludes that the combination of the aforementioned redevelopment costs and the construction of affordable housing would render the project economically unfeasible. The City may also, at its sole discretion, use monies from its Affordable Housing Trust Fund or other resources to provide financial subsidies necessary for the developer to provide affordable housing, on or offsite, and to secure a reasonable, adequate, or sufficient profit. Pursuant to Sections 302(h) and 311(d) of the New Jersey Fair Housing Act, the City shall not be required to expend taxpayer funds to assure the economic feasibility of any project within the Pacific Avenue Redevelopment Zone. N.J.S.A. 52:27D-302(h) and 311(d).
9. The construction of affordable housing does not create any entitlement for a property owner or applicant for a zoning amendment, exception,



variance, or adoption of a redevelopment plan or amended redevelopment plan or for approval of any particular proposed project.

10. To assist Wildwood City in further complying with its constitutional obligations pursuant to the “Mount Laurel Doctrine,” the affordable housing units developed in this Zone shall comply with all relevant laws including, but not limited to, the New Jersey FHA, relevant regulations adopted by the New Jersey Council on Affordable Housing, relevant case law, UHAC, and the requirements set forth in Chapter 26 of the City of Wildwood’s municipal code.
11. A plan(s) showing the unity type, bedroom count, and distribution of the affordable dwelling units shall be submitted to the Project Review Committee for review and prior to a certification of consistency with the redevelopment plan by the Atlantic County Improvement Authority (ACIA). Where possible, the affordable housing units shall be disbursed among the market rate units. If the redeveloper seeks to provide affordable housing units offsite, it must also present a proposed site plan and any other relevant information to the Project Review Committee and, prior to the issuance of the initial building permit, must demonstrate at least an equitable interest in the proposed offsite parcel(s).

5.0 | APPLICABILITY OF THE REDEVELOPMENT PLAN AND ITS RELATIONSHIP TO THE LAND DEVELOPMENT ORDINANCE

This Redevelopment Plan and the Pacific Avenue Redevelopment Zone (PARZ) shall constitute a new zone, such that it provides for uses and design regulations to guide redevelopment in such a manner as to support the specific objectives for the Downtown Center and the Neighborhood Renewal areas. The PARZ supersedes the existing zoning provisions of Wildwood’s Land Development Ordinance for the underlying zones. Where the regulations and standards of the redevelopment plan are silent, the standards of the Land Development Ordinance shall continue to apply to the redevelopment area as permitted by N.J.S.A. 40A:12A-7a(2) except when inconsistent with the standards herein.

Redevelopment, and any plan approved by the Planning / Zoning Board depicting said redevelopment, shall be consistent with the use regulations and design and performance standards included herein. Within this Redevelopment Plan whereas “shall” is mandatory and “should” is permissive. The zoning map of the City of Wildwood has been amended in accordance with N.J.S.A. 40A:12A-7.c to reflect this new classification (see map in Appendix A).

6.0 | RELATIONSHIP TO PLANNING OBJECTIVES

Pacific Avenue Redevelopment: A Vision for the Renewal of Wildwood’s Downtown (2021)

This report was adopted as a sub-element of the Land Use Plan Element of the Wildwood City Master Plan on May 3, 2021 in order to provide a basis for future land use and zoning within the Pacific Avenue corridor. The effort was led by the Atlantic County Improvement Authority (ACIA) in partnership with the City of Wildwood, Cape May County and the South Jersey Economic Development District (SJEDD). The Wildwood Redevelopment Advisory Committee (WRAC) provided day-to-day guidance throughout the project.

This master plan amendment was the product of an extensive stakeholder engagement process including myriad interests seeking positive transformation and reinvestment within the Pacific Avenue corridor. It includes analyses of existing conditions, real estate market, vacancies, land use, lot sizes and flood characteristics. Through the process goals and objectives were articulated that speak to the preference for concentrating commercial uses within a relatively dense and dynamic downtown core while strengthening the abutting residential neighborhoods. The report envisions new development with that is designed to require new private development to closely engage the public street frontage to create a highly desirable street character through the regulation of building forms. The Pacific Avenue Redevelopment Plan flows directly from the vision,

goals and objectives expressed in this master plan amendment and represents a step in the implementation thereof.

City of Wildwood 2017 General Reexamination of the 2007 Comprehensive Master Plan Update

The 2017 General Reexamination Report, adopted January 15, 2018, finds that many of the Principals and Objectives adopted in the 2007 Master Plan remain valid while others have either been achieved or are no longer priorities. The report focused heavily on economic growth and revitalization, as well as preservation of critical lands. This plan is also consistent with the Redevelopment Plan.

The 2017 Reexamination Report reaffirms the goals and objectives of the 2007 "Comprehensive Master Plan Update. The following is a list of principles identified in the 2007 Master Plan Update that are applicable to this Redevelopment Plan:

- §5.4.1A The Municipal Land Use Law grants municipalities the power to control the physical development of the lands within their corporate boundaries and provides fifteen (15) guiding purposes to be achieved by their land use/development regulations.
- §5.4.1C Wildwood recognizes that the revitalization of the Wildwoods and its tourist economy is largely tied to the success of the Wildwoods Convention Center.
- §5.4.2A Wildwood recognizes that its land development patterns often juxtapose incompatible land uses. Specifically, certain commercial and (light) industrial uses are

located in residential neighborhoods and residential units exist in commercial sections of the City.

- §5.4.2B Maximize use of the State Plan's designation of the Wildwoods as a Regional Center within what is termed a PA-5B (Environmentally Sensitive – Barrier Island) Planning Area and a Smart Growth Area in order to support growth and (re)development.
- §5.4.3A Wildwood recognizes the need to stabilize and protect its residential neighborhoods and to undertake efforts to insure decent, safe and sanitary housing for all its residents.
- §5.4.4D Wildwood recognizes that its inventory of parking spaces is inadequate to satisfy the demand generated by its tourist economy.
- §5.4.7A Wildwood recognizes the need to balance its desires to promote economic development with its need to preserve its environmental resources (principally the bathing beaches, the Atlantic Ocean, the marine tidal marshes and the back bay areas). As a seaside resort, Wildwood recognizes that its economic health is inextricably tied to the health of these resources.
- §5.4.8A Wildwood recognizes that tourism, including environmentally-based tourism, is the life-blood of the local economy and that the City's tourism infrastructure must be updated to compete with other, more modern, destination resorts.
- §5.4.8B Wildwood recognizes that adequate amenities, including, but not limited to,

accommodations, restaurants, entertainment facilities and shopping opportunities are crucial if the convention Center is to succeed in fostering economic activity beyond its four walls, both during the Season and in the shoulder and winter months.

- §5.4.8C Wildwood recognizes that the success of the Convention Center, and the City's tourist economy in general, is impacted by the availability of convenient visitor parking.
- §5.4.8D Wildwood recognizes that its tourist-related and other offerings continue to be constrained by a seasonal economy and that the growing sophistication of the vacationing public and the type and style of tourism attractors demanded by these vacationers require a level of investment which may not be financeable under a four-month pro-forma. These issues must be addressed if the Wildwoods are to compete with other destinations and communities featuring a well-rounded visitor experience.
- §5.4.8E Wildwood recognizes that its tax base continues to erode and that the needs presented by the tourist industry far exceed the ability of the local tax base to respond.
- §5.4.8G Wildwood recognizes the need to revitalize its physical appearance as a component to restoring its image and maximizing its economy.
- §5.4.8H Employ unique design elements which will create a "brand" identity for Wildwood.



While the 2017 Reexamination of the Master Plan does not explicitly mention the redevelopment of Pacific Avenue; it does identify a number of recommendations for the Pacific Avenue corridor. Furthermore, the Pacific Avenue Redevelopment Plan supports several of the goals of the Master Plan and directly supports the City's vision that "...recogniz[es] that there is a need to balance economic development with the preservation of the City's neighborhoods and its environmental resources." The orientation of Wildwood's overall goals for the City align with the Redevelopment Plans's objectives to encourage economic development and downtown revitalization while reinforcing the residential neighborhoods through new residential prototypes that contribute to desirable, pedestrian-oriented street character.

Revising the Wildwood Business Improvement District

In 2016, Triad Associates prepared a strategic plan for 2016-2017 for the Wildwood Business Improvement District entitled, "Revising the Wildwood Business Improvement District". The purpose of the plan was to provide the Business Improvement District (BID) with a map and list of the existing businesses within the BID as well as a gap analysis to determine the uses with the greatest potential to guide business recruitment efforts. The purpose was expanded to include a Strengths Weakness Opportunities and Threats (SWOT) analysis, as well as a list of recommendations to achieve the goal of reenergizing the Pacific Avenue Corridor. The Pacific Avenue Redevelopment Plan is consistent with the recommendations identified within the 2016 Revising the Wildwoods Business Improvement District strategic plan.

Principal Uses	R-3	R-M	GC	PO	T/E
Single-family detached dwelling units	X	X			
Two-family stacked (multistory) dwelling units	X	X			
Single-family semidetached (duplex) dwelling units	X	X			
Three-four family semidetached ("tri" or "quad") dwelling units	X	X			
Townhouses	X	X			
Municipal buildings and uses	X	X	X	X	X
Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residents for persons with head injuries and all other entities which may in the future be set forth in N.J.S.A. 40:55D-66.1 and N.J.S.A. 40:55D-66.2	X	X			
Public parks, playgrounds and conservation areas	X	X	X	X	X
Neighborhood and regionally oriented rental activities			X	X	X
Neighborhood and regionally oriented service activities			X	X	X
Banks, including drive-through facilities			X	X	X
Offices and office buildings, including professional offices			X	X	X
Restaurants (dining or takeout/drive-through)			X	X	X
Bars and taverns			X		X
Theaters and bowling alleys			X		X
Public or private enclosed recreation facilities, including fitness center and/or health club, with customary associated retail.			X		
Lodges and clubs			X	X	X
Residential dwelling units above ground-floor permitted uses.			X	X	X
Places of worship				X	
Public purpose use				X	
Amphitheaters, museums (cultural or popular) and skating rinks					X
Hotels and motels, including ancillary and accessory uses					X
Specialty, novelty, tourist and seashore-related retail					X
Bicycle, beach accessory and water sport sales and rental					X
Active and passive recreation facilities					X

City of Wildwood Land Development Ordinance

This plan, and the new Pacific Avenue Redevelopment Zone (PARZ), encompasses portions of five (5) existing zoning districts: R-3 High-Density Residential Zone, R-M High Density Residential Zone, GC General Commercial Zone, PO Professional Office Zone, and T/E Tourist Entertainment Zone. The existing zoning districts permit the principal uses shown in the table.

The permitted uses within the PARZ are consistent with the existing permitted uses.

Workforce Housing Overlay Zone

A portion of the Pacific Avenue Redevelopment Area is located within the Workforce Housing Overlay Zone. The purpose of the Workforce Housing Overlay Zone is to provide for lands within the City of Wildwood which may be necessary and appropriate for development of low- and moderate-income housing. In addition to the uses permitted by the underlying zoning, the Workforce Housing Overlay Zone permits residential dwelling units above ground-floor permitted uses to a maximum building height of the lower of 59 feet or five stories from TOC, conditioned upon such uses having a minimum unit size of 800 square feet. The ordinance requires a 10% affordable housing set-aside for any residential units approved and developed under the provisions of the Workforce Housing Overlay Zone.

Urban Enterprise Zone

The properties within the Pacific Avenue corridor that front on Pacific Avenue have been identified as an urban enterprise zone. The Urban Enterprise Zone program's charter is to foster an economic climate

that revitalizes designated urban communities and stimulates their growth by encouraging business to develop and create private sector jobs through public and private investment. The Redevelopment Plan continues to support the City's urban enterprise zone.

Cape May County 2005 Comprehensive Plan

The following policies are identified in the Cape May County Comprehensive Plan, dated February 15, 2005, which are consistent with, and relevant to, this Redevelopment Plan:

- In assisting with the formulation of County Economic Development Policies, the Planning Board shall weigh all factors in making a determination on any specific project proposal. A proper balance between the need for a project (jobs, income, etc.) must be addressed with regard to that project's impact on the environment, its location (available transportation, utilities, etc.), and the overall County infrastructure and resort nature.
- Development proposals submitted to the County will, where appropriate, be reviewed for energy efficiency and conservation. ... In other areas, emphasis will be placed on encouraging municipal adoption and enforcement of energy related development ordinances.
- Preserve the resort character of our County by promoting sound land use policies that discourage sprawl and encourage the preservation of farms and open spaces.
- Site design, with open space, controlled density, and proper public facilities as an integral part of any development, should be required.

- The resort economy is the lifeblood of Cape May County. While the development of other facets of the County's economic base are important and should not be neglected, the County's resort economy should come first in major planning considerations. The major investment in land and buildings is significant and must be coupled with the importance of the County as a regional resource for recreation.
- Promoting limited growth and balancing such growth against our natural resources and sensitive areas is part and parcel of maintaining the resort economy and preserving the quality of life.
- Channel population growth and economic expansion away from areas with significant environmental or ecological vulnerability or which are otherwise unsuitable for development or hazardous to potential occupants.
- Channel growth to areas with greater capacity for development.

The 2020-2025 Southern New Jersey Comprehensive Economic Development Strategy (CEDS)

The Southern New Jersey Comprehensive Economic Development Strategy, dated March 4, 2021, was prepared by the Southern Jersey Economic Development District in collaboration with its district members and stakeholders. The South Jersey Economic Development District encompasses a four-county region in southern New Jersey, including the counties of Atlantic, Cape May, Cumberland and Salem. The plan establishes the District's strategic approach to its economic development goals and



objectives. Of particular relevance to the Pacific Avenue Redevelopment Plan are the following, which are consistent with those of this plan:

- Expanding regional markets to enhance economic diversification.
- Fostering redevelopment opportunities.
- Improving transportation.
- Enhancing quality of life.
- Increasing economic and natural resiliency.

State 2001 Development and Redevelopment Plan

The State Development and Redevelopment Plan was adopted by the State Planning Commission on March 1, 2001. The plan is organized around eight policy goals for New Jersey's communities. The following goals are aligned with those of the Pacific Avenue Redevelopment Plan:

- Goal 1 – Revitalize the State's Cities and Towns
- Goal 2 – Conserve the State's Natural Resources and Systems
- Goal 3 – Promote Beneficial Economic Growth, Development and Renewal for all Residents of New Jersey
- Goal 4 – Protect the Environment, Prevent and Clean Up Pollution
- Goal 6 – Provide Adequate Housing at a Reasonable Cost
- Goal 8 – Ensure Sound Integrated Planning and Implementation Statewide

This Redevelopment Plan directly supports these State Plan Policy Goals. The plan seeks to encourage economic development and downtown revitalization while reinforcing the residential neighborhoods through new residential prototypes that contribute to desirable, pedestrian-oriented street character; protect the environment and prevent pollution; and, provide comprehensive land uses consistent with local, regional and state land use policies.

7.0 | GENERAL PROVISIONS

Redevelopment Entity

The Atlantic County Improvement Authority (ACIA) shall act as the "Redevelopment Entity" pursuant to N.J.S.A. 40A-12A-4.c for purposes of implementing this Redevelopment Plan and carrying out redevelopment projects. In doing so, the ACIA shall have the powers set forth in N.J.S.A. 40A-12A-8 to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan, excepting the acquisition of any land or building which is necessary for the redevelopment project, pursuant to the provisions of the "Eminent Domain Act of 1971," P.L. 1971, c.361 (C.20:3-1 et seq.).

Redeveloper Selection

The ACIA shall select or designate a redeveloper(s) for projects within the redevelopment area for those projects that seek favorable tax treatment or acquisition of public property and for which a redevelopment agreement is required. The ACIA shall select or designate such a redeveloper based on the entity's experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of the Redevelopment Plan, and additional criteria that demonstrate the redeveloper's ability to implement the goals and objective of the plan.

Redevelopers that do not seek a payment in lieu of taxes ("PILOT") or acquisition of public property are not required to be selected or designated by the ACIA and may develop according to the standards contained herein.

Redeveloper Agreement

The ACIA shall enter into an agreement with a selected or designated redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9 and is seeking favorable tax treatment or acquisition of public property. Any development or construction within the redevelopment area shall be undertaken in accordance with the contractual agreement between the ACIA and the designated redeveloper. When a redevelopment agreement is required, the agreement shall be in full force and effect prior to the issuance of any zoning or construction permits.

Redevelopers that do not seek favorable tax treatment or acquisition of public property are not required to enter into a redevelopment agreement with the ACIA. However, such redevelopers are not exempted from entering into a developer agreement with the City of Wildwood, should such an agreement be required as a condition of any development approval.

Effect of Agreement

The execution of the agreement shall convey the right to develop property in accordance with the terms of the agreement and the Redevelopment Plan, among other rights that may be granted by the ACIA or the Board of Commissioners. In addition, the execution of the agreement shall establish the period of time as such rights to develop under the terms and conditions of the Redevelopment Plan shall be granted. Nothing herein shall prevent the ACIA and redeveloper from mutually agreeing to an amendment of the Redevelopment Agreement as it affects the redeveloper's property from time to time or at any time.

Expiration

The Redevelopment Plan shall remain in full force and effect for twenty (20) years.

Staff Employment

The ACIA may employ or contract for and fix compensation of such experts and other staff and services as it may deem necessary, including, but not limited to, architecture, economics, engineering, environmental, landscape architecture, legal, real estate, planning, and transportation consulting services. The ACIA, however, shall not authorize expenditures which exceed, exclusive of gifts, grants or escrow accounts, the amounts appropriated for its use.

Acquisition of Property

Property may be acquired by the ACIA within the redevelopment area for the purposes of carrying out the objectives of the plan. However, no property is planned to be acquired by through eminent domain as part of this Redevelopment Plan.

Relocation Provisions

No relocation requiring assistance is envisioned in this plan and, therefore, no Workable Relocation Assistance Program (WRAP) is necessary. The area subject to the Pacific Avenue Redevelopment Plan does not currently include affordable housing units as defined under N.J.S.A. 52:27D-304 and therefore no replacement units are required pursuant to N.J.S.A. 40A:12A-7a (6).

Site Remediation

A redeveloper shall be responsible for any site remediation, as may be necessary, to restore their site to either residential standards or nonresidential standards, as the case may be, pursuant to the New Jersey Department of Environmental Protection regulations.

Outside Agency Approvals

A redeveloper shall be responsible to obtain any and all necessary outside agency approvals, including but not limited to, New Jersey Department of Environmental Protection approval, Cape May County Planning Board and Cape Atlantic Soil Conservation District approval.

Public Improvements

The construction or extension of any public utilities required shall be installed at the full expense of a redeveloper consistent with the design policies and standards that are contained within this Plan. A redeveloper is expected to install necessary public improvements on the property they control, as well as abutting rights-of-way. There should be no expectation of financial assistance in the form of contributions towards the construction of off-site and/or off-tract improvements necessitated by the future development. No recapture of off-site improvement expenses from future development should be anticipated. However, nothing contained herein shall be construed to preclude the ability of the ACIA or redeveloper from obtaining any governmental programs, grants, loans, or other financial support or incentives for public infrastructure improvements or other construction, or from the ACIA to consider a recapture provision in the redevelopment agreement.



8.0 | DEVELOPMENT PLAN REVIEW AND APPROVAL

Approval by the City of Wildwood Planning / Zoning Board is required prior to redevelopment pursuant to the requirements of this plan according to the following process and requirements. For projects that would not require a variance, site plan or subdivision approval pursuant to the New Jersey Municipal Land Use Law (NJS 40: 55D-1 et seq.), the Project Review Committee shall determine if the project is consistent with the Plan, which determination shall be issued to the Planning / Zoning Board via letter from ACIA. The Planning / Zoning Board shall issue a resolution to confirm that the project is consistent with the Plan prior to any zoning or construction permits being issued.

Escrow Fee

A redeveloper seeking input on a conceptual plan or approval of a project in the Redevelopment Area shall establish an escrow account with the ACIA from which any consultants necessary for the review of the redevelopment project, such as those advising the ACIA, shall be paid. Such escrow account shall be in accordance with N.J.S.A. 40:55D-53.2. The ACIA shall adopt a fee schedule by resolution and may amend it from time to time as circumstances warrant.

Consistency with Redevelopment Plan

Project Review Committee (PRC): A Project Review Committee shall be established by Cape May County and the City of Wildwood, who shall determine the membership thereof. The PRC may attend pre-application meetings with developers and make recommendations with respect to all aspects of

projects, including but not limited to tax abatement, consistency with the redevelopment plan, property acquisitions and public improvements.

PRC Consistency Determination Meeting: A redeveloper shall submit a concept plan (also known as an informal plan) to ACIA and shall meet with the PRC for a “Consistency Determination Meeting” to insure that the requirements of the Redevelopment Plan are considered and addressed as part of their project. The submitted documents should include a current property survey plus architectural, site/civil, engineering and landscape design plans for review by the PRC sufficient to provide the basis for review and comments. The concept plan shall be compared with the design standards in this redevelopment plan as the basis of the review. The PRC shall provide the redeveloper with written comments in response. Multiple PRC meetings may be necessary in order for a project to be deemed consistent. The redeveloper may request an informal meeting with the PRC to review their concept plan prior to the PRC Consistency Determination Meeting.

Consistency Determination: Upon the conclusion of the PRC Consistency Determination Meeting with the redeveloper, the ACIA, on behalf of the PRC, shall issue a report summarizing the determination of the PRC as to whether the proposed project is consistent with the Redevelopment Plan. No applications may be submitted to the Planning / Zoning Board without a consistency determination from the PRC. The report may include any recommended conditions of approval of the project. The report shall be transmitted

to the Wildwood Planning / Zoning Board and the redeveloper.

Public Hearing & Notice: After receipt of the determination of consistency by the PRC and prior to submission to the Wildwood Planning/Zoning Board, certification of consistency of a redevelopment project with the redevelopment plan, by the ACIA, shall be undertaken at a hearing of the ACIA that is open to the public. The certification of consistency shall be in the form of a resolution, which shall be transmitted to the redeveloper, the Wildwood Planning/Zoning Board, the City of Wildwood Commission and Cape May County Planning Board. A redeveloper shall be responsible to provide notice of such a hearing to the public in the official newspaper of the ACIA at least ten days prior to said hearing.

Agreement Prior to Planning/Zoning Board:

For those projects that require a redevelopment agreement, prior to submission to the Planning/Zoning Board, the ACIA shall articulate a Redevelopment Agreement with the redeveloper in a tentative, written form. Subsequent to approval of a plan by the Board, and prior to the issuance of any zoning or construction permits, the Redevelopment Agreement shall be finalized and executed subject to any conditions of a Planning/Zoning Board approval and any other relevant outside agencies, such as Cape May County.

Cost of Review: Redevelopers shall pay the cost associated with review and hearings, including costs of any consultants. Costs of consultants to the ACIA associated with this review shall be billed at typical

industry standards and shall be reasonable, with hourly rates of the professional(s) so retained by the ACIA available in advance for the redeveloper to be on notice of same.

Application for Development

Upon certification of consistency of a project with the redevelopment plan by the ACIA, an application for development may be submitted to the City of Wildwood Planning/Zoning Board in such form, and accompanied by such maps, documents, and materials, as are prescribed in Chapter 17 Land Development of Wildwood's City Code.

Planning / Zoning Board Review and Approval

1. Site plan or subdivision review shall be conducted by the City of Wildwood Planning / Zoning Board pursuant to the New Jersey Municipal Land Use Law N.J.S.A. 40:55D-1 et seq.
2. Projects that would not otherwise require site plan or subdivision approval pursuant to N.J.S.A. 40:55D-1 et seq. shall be required to seek approval/certification as to their conformance with the Pacific Avenue Redevelopment Plan by the City of Wildwood Planning / Zoning Board prior to issuance of any zoning or construction permits.
3. Exceptions to the regulations and standards of the Pacific Avenue Redevelopment Plan may only be granted by the City of Wildwood Planning / Zoning Board, where appropriate.
4. Relief may not be granted by the Planning / Zoning Board to permit a use that is not specifically permitted (Section 4.1) an increase in building height that exceeds the maximum building height by 10 feet or 10% (section 4.2, building height) or any other relief that would be analogous to "d" variances pursuant to the MLUL at N.J.S.A. 40:55D-70.d. Any such deviations shall require an amendment to the Redevelopment Plan.
5. Exceptions may be granted by the Planning / Zoning Board from standards contained in the Section 4.2, herein, or within Chapter 17 Land Development. Consideration of exceptions from Section 4.2 should be considered by the approving authority in the same manner as a "c" variance, pursuant to requirements and criteria required in the at N.J.S.A. 40:55D-70.c of the New Jersey Municipal Land Use Law.
6. Consideration of exceptions from Chapter 17 Land Development that would be equivalent to design exceptions, shall be undertaken pursuant to requirements found in the MLUL at N.J.S.A. 40:55D-51.
7. Consideration of plan submission waivers shall be undertaken pursuant to the MLUL at NJSA 40:55D – 10.3.
8. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirement set forth in N.J.S.A. 40:55D-12a&b
9. Any development approved by the Planning / Zoning Board prior to the enactment of this plan pursuant to the Land Development Ordinance shall not require an additional, separate approval by the Planning / Zoning Board.
10. Interim Uses. Interim uses may be established by the ACIA provided that such uses will not have an adverse effect upon existing or contemplated development during the interim period. This shall include any signage necessary for project identification during construction, sales, rent-up and/or operation.

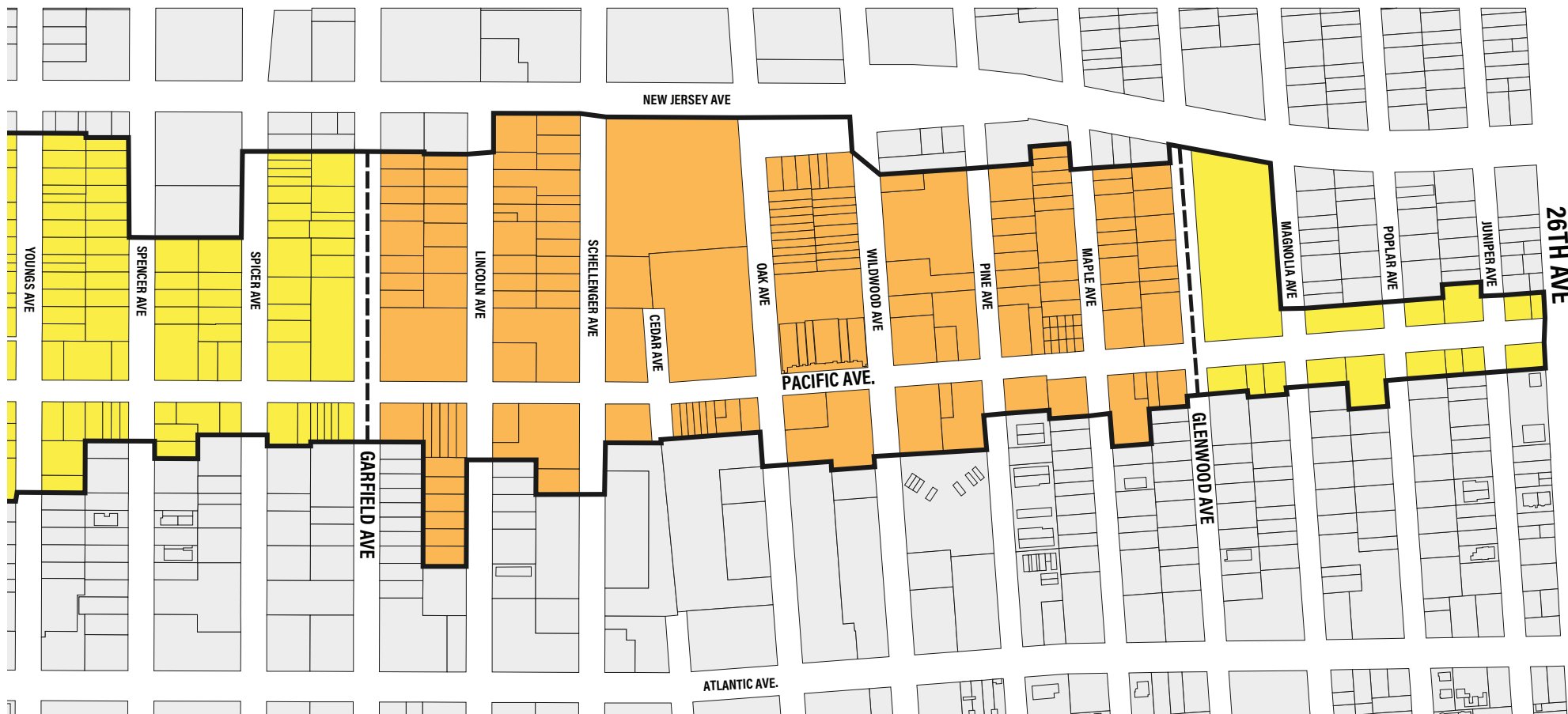


Effects of Approval

The effects of any Planning / Zoning Board approval shall be consistent with the rights granted by Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) except to the extent they may be modified by an agreement with a redeveloper.

APPENDIX | A - PACIFIC AVENUE REDEVELOPMENT ZONE





APPENDIX | B - ORDINANCE 1209-21

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CITY OF WILDWOOD
CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 1209-21

AN ORDINANCE OF THE CITY OF WILDWOOD ADOPTING A REDEVELOPMENT PLAN FOR THE PACIFIC AVENUE REDEVELOPMENT AREA

WHEREAS, there exists, has existed and persists in the City of Wildwood (the "City"), conditions of deterioration in housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development which result from forces which are amenable to correction and amelioration by concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort; and

WHEREAS, the City has endeavored to pursue a redevelopment effort to address conditions within the City that are detrimental to the health, safety, welfare and morals of the City due to a pattern of vacancy, physical deterioration of properties and general economic decline; and

WHEREAS, the New Jersey Legislature has provided a mechanism for municipalities to address such conditions by enacting the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq. ("LRHL")), which law provides municipalities with certain tools and powers necessary to address such conditions in order to prevent further deterioration and promote the overall development of the community; and

WHEREAS, specifically, Section 14 of the LRHL permits a municipality to declare an area to be "In Need of Rehabilitation" if its governing body determines that such area exhibits certain specified conditions; and

WHEREAS, by way of Resolution No. 342-9-13, the Board of Commissioners of the City of Wildwood directed the Wildwood Planning Board (the "Planning Board") to conduct the necessary investigations and to undertake the steps necessary to determine whether or not the City of Wildwood, or any part of parts thereof, met the statutory criteria for an Area in Need of Rehabilitation pursuant to the LRHL; and

WHEREAS, by way of Resolution No. 342A-13, the Planning Board found and recommended, in part, that: (A) a significant portion of the City qualifies under the criteria established by the LRHL for Rehabilitation Area designation; (B) the overall conditions and requirements of the community warrant a finding of Need for Rehabilitation for the entire municipality; (C) the City, in its entirety, be formally designated as an "Area in Need of Rehabilitation" in accordance with the LRHL; and

WHEREAS, by way of Resolution No. 377-11-13, the Board of Commissioners accepted the finding and recommendations of the Planning Board that the City, in its entirety, qualifies under the LRHL as an "Area in Need of Rehabilitation" and designated the City, in its entirety, as an "Area in Need of Rehabilitation" pursuant to the LRHL; and

WHEREAS, by way of the Cape May County Municipal Redevelopment Initiative (the "Redevelopment Initiative"), the City and the County of Cape May (the "County") have entered into a cooperative agreement (the "Agreement") which is designed to provide to the City the resources and tools to address the conditions and encourage redevelopment along a certain portion of Pacific Avenue (the "Pacific Avenue Redevelopment Area") as depicted on the map attached hereto as EXHIBIT A; and

WHEREAS, the City and County are jointly employing the Atlantic County Improvement Authority as the designated Redevelopment Entity for the purpose of planning and implementation of redevelopment plans for the Pacific Avenue Redevelopment Area; and

WHEREAS, on May 3, 2021, the Planning Board reviewed a document entitled "Pacific Avenue Redevelopment: A Vision for the Renewal of Wildwood's Downtown," dated April 19, 2021 prepared by Clarke, Caton Hintz, outlining the preliminary findings and proposed goals and objectives associated with the redevelopment of the Pacific Avenue Corridor which the Board found appropriate to incorporate and make a part of the Land Use Element of the City's most recent Master Plan re-examination report and memorialized same via Resolution No. 2021-005; and

WHEREAS, on behalf of the County and the City, Clarke Caton Hintz prepared the Redevelopment Plan for the Pacific Avenue Redevelopment Area (the "Redevelopment Plan"); and

WHEREAS, pursuant to the LRHL, the Planning Board must review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Commissioners in accordance with the provisions of N.J.S.A. 40A:12A-7(e) of the LRHL; and

WHEREAS, on July 14, 2021 the Commissioners adopted a resolution directing the Planning Board to review the Redevelopment Plan and transmit its recommendations relating to the Redevelopment Plan to the Commissioners in accordance with the LRHL; and

WHEREAS, the Commissioners have determined to adopt the Redevelopment Plan (in the form attached hereto as EXHIBIT B), to ensure the success of redevelopment within the Pacific Avenue Redevelopment Area in conformity with the City's redevelopment objectives; and

WHEREAS, subject to receipt of the Planning Board's recommendations concerning the Redevelopment Plan, the Commissioners believe that the adoption of the Redevelopment Plan is in the best interests of the City and the development of the Pacific Avenue Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Wildwood, County of Cape May, State of New Jersey as follows:

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1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Pursuant to N.J.S.A. 40A:12A-7(e), the Commissioners hereby refer the Redevelopment Plan, as described on EXHIBIT B attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned Redevelopment Plan and submit same to the Commissioners within 45 days after referral, as required by the LRHL.
3. Consistent with the Planning Board's recommendations, the Commissioners hereby adopt the Redevelopment Plan, pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.
4. The zoning ordinances of the City are hereby amended to adopt the standards and regulations contained in the Redevelopment Plan and the Redevelopment Plan regulations shall supersede the City zoning in the Pacific Avenue Redevelopment Zone.
5. In case any one or more of the provisions of this Ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Redevelopment Plan and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.
6. This Ordinance shall take effect upon final adoption and publication thereof according to law.


Krista Fitzsimons, Commissioner


Steve Mikulski, Commissioner


Peter Byron, Mayor

Attest: 
Christopher H. Wood, City Clerk

The above ordinance was introduced and passed first reading on August 25, 2021.

Second Reading/Public Hearing on the above ordinance was held on October 13, 2021.

The above ordinance passed second reading on October 20, 2021.


Christopher H. Wood, City Clerk

CERTIFIED TO BE A TRUE COPY:


CITY CLERK

DATE: 11/24/21

APPENDIX | C - ORDINANCE 1241-22

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CITY OF WILDWOOD CAPE MAY COUNTY, NEW JERSEY

ORDINANCE NO. 1241-22

AN ORDINANCE OF THE CITY OF WILDWOOD ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE PACIFIC AVENUE REDEVELOPMENT AREA PURSUANT TO N.J.S.A. 40A:12A et seq.

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment or areas in need of rehabilitation, as such terms are defined in the LRHL; and

WHEREAS, by way of the Cape May County Municipal Redevelopment Initiative (the "Redevelopment Initiative"), the City and the County of Cape May (the "County") have entered into a cooperative agreement (the "Agreement") which is designed to provide to the City the resources and tools to address the conditions and encourage redevelopment along a certain portion of Pacific Avenue (the "Pacific Avenue Redevelopment Area"); and

WHEREAS, the City and County are jointly employing the Atlantic County Improvement Authority as the designated Redevelopment Entity for the purpose of planning and implementation of redevelopment plans for the Pacific Avenue Redevelopment Area; and

WHEREAS, pursuant N.J.S.A. 40A:12A-6 of the LRHL, the City of Wildwood Board of Commissioners adopted Resolution 179-4-21 authorizing and directing the City of Wildwood Planning Board to conduct a preliminary investigation to determine whether a specific area located in the City, commonly known as the "Pacific Avenue Redevelopment Area", comprising a total of 315 properties spanning 56 blocks along the Pacific Avenue from Cresce Avenue in the south to 26th Avenue in the north (the "Study Area"), qualifies as an area in need of redevelopment and meets the statutory criteria outlined within the Redevelopment Law to be designated accordingly; and

WHEREAS, On May 3, 2021, the Planning Board passed Resolution No. 2021-005 in which the Board reviewed the "Pacific Avenue Redevelopment: A Vision for the Renewal of Wildwood's Downtown" dated April 19, 2021, prepared by Clarke Caton Hintz, outlining preliminary findings and proposed goals associated with redevelopment; the Board found that same was consistent with the City's Master Plan and voted unanimously to amend the Land Use Element of the City's most recent Master Plan reexamination report to incorporate those findings and proposed goals; and

WHEREAS, On August 25, 2021, the Board of Commissioners introduced the first reading of Ordinance No. 1209-21 (the "Redevelopment Ordinance") which would adopt the Pacific Avenue Redevelopment Plan (the "Redevelopment Plan") and referred the matter to the Planning Board for its review and recommendation; and

WHEREAS, on September 13, 2021, the Planning Board reviewed the Redevelopment Plan and found the Plan to be consistent with the City's Mater Plan; the Board unanimously agreed to recommend that the Board of Commissioners formally adopt same; and

WHEREAS, on October 13, 2021, the Board of Commissioners held a public meeting on the Redevelopment Ordinance wherein a second reading occurred; the Ordinance was not passed at this meeting, but it was placed on the future agenda for consideration; and

WHEREAS, on October 20, 2021, the Board of Commissioners held a Special Meeting wherein the Board adopted the Redevelopment Ordinance which effectively amended the City's zoning ordinance to incorporate the standards and regulations contained within the Redevelopment Plan; and

WHEREAS, the City seeks to amend the Redevelopment Plan to provide for updated design standards.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Wildwood, County of Cape May, State of New Jersey as follows:

- I. The Pacific Avenue Redevelopment Plan is hereby amended as follows:
 - a. Section 3.0, Page 5, entitled "Neighborhood Renewal Area", Item #13 shall strike the word "Avenue" at the end.
 - b. Section 4.1, entitled "Permitted Uses", page 6, introductory paragraph shall be amended to state: "The following are permitted uses in the Pacific Avenue Redevelopment Zone. Any use not included herein may be permitted by the Planning Board provided that said use is approved by the Project Review Committee (PRC) and that any conditions recommended by the PRC tied to such an approval/project/application are memorialized as a condition of any Planning Board approval."
 - c. Section 4.1, Page 7, "Neighborhood Renewal Area: Principal Uses" shall strike the language after "multifamily residential apartments" and language after "townhouses."
 - d. Section 4.1, Page 7, "Downtown Center: Prohibited Uses" shall strike the 4th bullet point stating "Residential uses fronting on Pacific Avenue located on the first floor/ground floor/street level exceeding 20% of a building's Pacific Avenue frontage."
 - f. Section 4.2, Page 13, "Street Level Use Alternative" shall be deleted in its entirety and restated: "Ground floor parking or garage areas shall be property screened and blocked from public view."
 - g. Section 4.2, Page 14, "Off Street Parking", Item #5 beginning with "Automated signals..." shall be eliminated.
 - h. Section 4.5, Page 18, "Mandatory Affordable Housing Set-Aside in the Pacific Avenue Redevelopment Zone" shall be deleted in its entirety and restated as follows:
 1. Affordable housing means very low-, low- and moderate-income housing as defined by the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq. with one exception. Pursuant to the 2008

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amendments to the New Jersey Fair Housing Act, P.L. 2008, c. 46 (codified as N.J.S.A. 52:27D-329.1), municipalities must provide very low-income units equal to 13% of all affordable units approved and constructed after July 17, 2008 and with certified households earning no more than 30% of the regional median income rather than UHAC's standard requiring 10% of the affordable housing units to be affordable to households earning 35% of the regional median income.

2. Within the Pacific Avenue Redevelopment Zone, a presumptive set-aside of affordable housing shall apply to any multifamily residential or townhouse development, including the residential portion of any mixed-use project, that results in ten (10) or more dwelling units.

3. This requirement shall not apply to residential expansions, additions, renovations, replacement, single-family detached, single-family semidetached, or any other type of residential development that does not result in ten (10) or more dwellings units.

4. The presumptive apportionment of low- and moderate- income units shall be a minimum of ten percent (10%) of the total number of dwelling units regardless of whether said dwelling units are offered for sale or offered for rent. Any fractional unit requirement shall be rounded up to the next whole number.

5. Any property subdivided or developed in such a manner that has the effect of preventing the development of low- and moderate- income dwellings in accordance with this section shall be considered null and void. The approving authority may impose reasonable conditions to ensure compliance with the mandatory set aside requirements set forth above.

6. However, the City acknowledges that the affordable housing laws in New Jersey require developers to secure a "reasonable," "adequate," or "sufficient" profit from projects with affordable housing set-asides. See *Toll Bros., Inc. v. Tp. of W. Windsor*, 173 N.J. at 562 ("the incentive for instituting such litigation would be the opportunity to develop an inclusionary zoning site at a reasonable profit."); *Mount Laurel II*, 92 N.J. at 267 n. 29 (A "program should be devised in such a way as to assure an adequate profit for developers."); *Allan-Deane Corp. v. Bedminster Tp.*, 205 N.J.Super. at 115 (Law Div. 1985) ("A review of projects' feasibility relates to whether the rezoning and other affirmative measures will provide a builder with a sufficient profit to make the projects a likelihood."); *Urban League of Essex County v. Mahwah Tp.*, 207 N.J.Super. at 211-212 (Law Div. 1984) ("If the [density] bonus is too low or the set-aside too high, lower income housing will not result.)

7. Wildwood also understands that redevelopment sites often present developers with significant, sometimes unexpected, additional costs associated with environmental remediation issues, parcel assemblage, relocation of current residents, and myriad other cost-generating features. See, e.g. *Dock St. Seafood, Inc. v. City of Wildwood*, 425 N.J.Super. 590, 591 (App. Div. 2012).

8. Accordingly, at its sole discretion, the City may decrease, or waive, the presumptive affordable housing set aside in cases where the governing body, in consultation with the redeveloper, relevant staff, and its professionals, reasonably concludes that the combination of the aforementioned redevelopment costs and the construction of affordable housing would render the project economically unfeasible. The City may also, at its sole discretion, use monies from its Affordable Housing Trust Fund or other resources to provide financial subsidies necessary for the developer to provide affordable housing, on or offsite, and to secure a reasonable, adequate, or sufficient profit. Pursuant to Sections 302(h) and 311(d) of the New Jersey Fair Housing Act, the City shall not be required to expend taxpayer funds to assure the economic feasibility of any project within the Pacific Avenue Redevelopment Zone. N.J.S.A. 52:27D-302(h) and 311(d).

9. The construction of affordable housing does not create any entitlement for a property owner or applicant for a zoning amendment, exception, variance, or adoption of a redevelopment plan or amended redevelopment plan or for approval of any particular proposed project.

10. To assist Wildwood City in further complying with its constitutional obligations pursuant to the "Mount Laurel Doctrine," the affordable housing units developed in this Zone shall comply with all relevant laws including, but not limited to, the New Jersey FHA, relevant regulations adopted by the New Jersey Council on Affordable Housing, relevant case law, UHAC, and the requirements set forth in Chapter 26 of the City of Wildwood's municipal code.

11. A plan(s) showing the unit type, bedroom count, and distribution of the affordable dwelling units shall be submitted to the Project Review Committee for review and prior to a certification of consistency with the redevelopment plan by the Atlantic County Improvement Authority (ACIA). Where possible, the affordable housing units shall be disbursed among the market rate units. If the redeveloper seeks to provide affordable housing units offsite, it must also present a proposed site plan and any other relevant information to the Project Review Committee and, prior to the issuance of the initial building permit, must demonstrate at least an equitable interest in the proposed offsite parcel(s).

i. Section 5.0, Page 19, entitled "Applicability of the Redevelopment Plan and its Relationship to the Land Development Ordinance", second paragraph, last sentence shall be amended to state that: "The zoning map of the City of Wildwood has been amended in accordance with N.J.S.A. 40A:12A-7c to reflect this new classification (see map in Appendix A)."

j. Section 6.0, Page 19, entitled "Relationship to Planning Objectives", "South Jersey Development District" shall be amended the "South Jersey Economic Development District (SJEDD)."

k. Section 7.0, Page 23, "Redeveloper Selection", second paragraph shall be amended to state: "Redevelopers that do not seek a payment in lieu of taxes ("PILOT") or acquisition of public property are not required to be selected or designated by the ACIA and may develop according to the standards contained herein."

l. Section 7.0, Page 23, "Redeveloper Agreement", last sentence of first paragraph shall be amended to state: "When a redevelopment agreement is required, the agreement shall be in full force and effect prior to the issuance of any zoning or construction permits."

m. Section 8.0, Page 25, "Development Plan Review and Approval", first paragraph shall be amended to state: "Approval by the City of Wildwood Planning/Zoning Board is required prior to redevelopment pursuant to the requirement of this plan according to the following process and requirements. For projects that would not require a variance, site plan or subdivision approval pursuant to the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Project Review Committee shall determine if the project is consistent with the Plan, which determination shall be issued to the Planning/Zoning

Board via letter from ACIA. The Planning/Zoning Board shall issue a resolution to confirm that the project is consistent with the Plan prior to any zoning or construction permits being issued."

n. Section 8.0, Page 25, "Pre-Application Conference, Concept Plan," shall be combined and amended to state: "PRC Consistency Determination Meeting: A redeveloper shall submit a concept plan (also known as an informal plan) to ACIA and shall meet with the PRC for a "consistency determination meeting" to insure that the requirements of the Redevelopment Plan are considered and addressed as part of their project. The submitted documents should include a current property survey plus architectural, site/civil, engineering and landscape design plans for review by the PRC sufficient to provide the basis for review and comments. The concept plan shall be compared with the design standards in this redevelopment plan as the basis of the review. The PRC shall provide the redeveloper with written comments in response. Multiple PRC meetings may be necessary in order for a project to be deemed consistent. The redeveloper may request an informal meeting with the PRC to review their concept plan prior to the PRC consistency determination meeting."

o. Section 8.0, Page 25, "Consistency Determination" shall be amended to state: "Upon the conclusion of the PRC Consistency Determination meeting with the redeveloper, the ACIA, on behalf of the PRC, shall issue a report summarizing the determination of the PRC as to whether the proposed project is consistent with the Redevelopment Plan. No applications may be submitted to the Planning/Zoning Board without a consistency determination from the PRC. The report may include any recommended conditions for approval of the project. The report shall be transmitted to the Wildwood Planning/Zoning Board and the redeveloper."

2. All other provisions of the Pacific Avenue Redevelopment Plan shall remain unchanged.

3. Pursuant to N.J.S.A. 40A:12A-7(e), the Commissioners hereby refer the Redevelopment Plan, as described on EXHIBIT B attached hereto, to the Planning Board for review and recommendation. The Planning Board shall prepare a report regarding its recommendations as to the aforementioned Redevelopment Plan and submit same to the Commissioners within 45 days after referral, as required by the LRHL.

4. The Board of Commissioners of the City of Wildwood notes that the power of eminent domain is not, made part of this amendment.

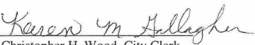
5. In case any one or more of the provisions of this Ordinance or the Redevelopment Plan shall, for any reason, be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Ordinance or the Redevelopment Plan and this Ordinance shall be construed and enforced as if such illegal or invalid provision had not been contained herein.

6. This Ordinance shall take effect upon final adoption and publication thereof according to law.

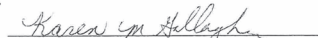

Krista Fitzsimons, Commissioner


Steven E. Mikulski, Commissioner


Peter J. Byron, Mayor

Attest: 
Christopher H. Wood, City Clerk
or
Karen M. Gallagher, Deputy City Clerk

The above ordinance was introduced and passed first reading on October 12, 2022.
Second Reading/Public Hearing on the above ordinance was held on December 14, 2022.
The above ordinance passed second reading on December 14, 2022.


Christopher H. Wood, City Clerk
or
Karen M. Gallagher, Deputy City Clerk

SCAN ME



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