

Ordinance 09-26

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXV, ZONING AND LAND DEVELOPMENT (CONSERVATION ZONE) OF THE REVISED ORDINANCES OF THE CITY OF OCEAN CITY

BE IT ORDAINED by the Mayor and Council of the City of Ocean City, County of Cape May, State of New Jersey, as follows:

SECTION 1.

Section 25-201 ESTABLISHMENT OF ZONING DISTRICTS, of the Revised General Ordinances of the City of Ocean City is amended as follows:

25-201.3 Conservation Districts

BD, Beach and Dune Zone

C, Conservation Zone

SECTION 2.

Section 25-206 CONSERVATION DISTRICT REGULATIONS of the Revised General Ordinances of the City of Ocean City is amended as follows:

25-206 CONSERVATION and BEACH AND DUNE DISTRICT REGULATIONS.

25-206.1 C, Conservation Zone

25-206.1.1 Purpose

It is the intention of the City to create a conservation zone to prevent and eliminate conditions which, in the event of flood and storm, threaten the public health, safety and welfare and which lead to damage to, or loss of, property; and to promote recreational opportunities and public access along the bay front of the coastal area. This zone corresponds to Chapter 20, Tidal Flood Plain, of the City of Ocean City General Code, Ordinance 1093.

The conservation zone includes all areas as shown on the Ocean City Zoning Map, which prior to this ordinance, were not zoned. The Conservation Zone includes all islands in the bay as well as lands undevelopable due to environmental regulations.

25-206.1.2 Permitted Uses

The following uses are permitted within the Conservation zone, subject to applicable State and/or Federal regulation:

- a. Open space, fish and wildlife preserve, hunting, fishing, boating and marine agriculture.
- b. Necessary governmental facilities for the public health, safety and welfare.
- c. Piers, docks, facilities for the docking, anchoring, mooring, launching, storing, sale, rental and servicing of boats.
- d. Municipal structures and uses that promote recreational opportunities and public access to the bay and wetlands areas.
- e. Dredge material containment facilities.

25-206.1.3 Conditional Uses.

Not applicable in this zone.

25-206.1.4 Prohibited Uses.

No land or building shall be used for any purpose not permitted in this section. No alterations of the natural characteristic of any lands through diking, ditching, filling or similar activities shall be permitted.

25-206.1.5 Permitted Accessory Uses.

Not applicable in this zone.

25-206.1.6 Building Height.

Not applicable in this zone.

25-206.1.7 Lot Area.

Not applicable in this zone.

25-206.1.8 Lot Width.
Not applicable in this zone.

25-206.1.9 Front Yard.
Not applicable in this zone.

25-206.1.10 Rear Yard.
Not applicable in this zone.

25-206.1.11 Side Yards.
Not applicable in this zone.

25-206.1.12 Floor Area.
Not applicable in this zone.

25-206.1.13 Lot Coverage.
Not applicable in this zone.

25-206.1.14 Off-Street Parking.
No parking shall be permitted in the conservation zone. All parking shall be off-site.

25-206.1.15 Signs.
No signs shall be permitted in the conservation zone except for municipal direction, safety or related type signs.

25-206.1.15 Dwelling Unit Density.
Not applicable in this zone.

SECTION 3

All ordinances or portions thereof inconsistent with this Ordinance are repealed to the extent of such inconsistency.

SECTION 4

If any portion of this Ordinance is declared to be invalid by a Court of competent jurisdiction, it shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect.

SECTION 5

This Ordinance shall take effect in the time and manner prescribed by law.

Salvatore Perillo, Mayor

M. Susan Sheppard, Council President

The above Ordinance was passed by the Council of Ocean City, New Jersey, at a meeting of said Council held on the **23rd** day of **July, 2009, and was taken** up for a second reading and final passage at a meeting of said Council held on the **27th** day of **August, 2009**, in Council Chambers, City Hall, Ocean City, New Jersey, at seven o'clock in the evening. **Map can be viewed in the City Clerk's Office.**

Linda P. MacIntyre, City Clerk