

Chapter 400

Zoning Districts, Zoning Map, and Zoning District Regulations

401 ZONING DISTRICTS

For the purpose of this Ordinance, the City of Wildwood is hereby divided into the following Zoning Districts:

RESIDENTIAL ZONING DISTRICTS	COMMERCIAL ZONING DISTRICTS
R-1 Low Density Residential R-2 Moderate Density Residential R-3 High Density Residential RM Residential Multi-Family WR Waterfront Residential WR-1 Waterfront Residential 1	GC General Commercial H/M Hotel-Motel H/M -1 Hotel-Motel LI Light Industrial MC-R Marine Commercial-Residential MC-T Marine Commercial-Tourist PO Professional Office
SPECIALTY ZONING DISTRICTS	OVERLAY DISTRICTS
B Beach BA Boardwalk Amusement BA-1 Boardwalk Amusement 1 P Pier REC Recreation T/E Tourist-Entertainment C Conservation	BSRA Bayside Redevelopment Area Inclusionary Housing Overlay Workforce Housing Overlay

402 OVERLAY DISTRICTS

In addition to the permitted uses within each of the designated Zoning Districts, the following Zones permit additional uses as Zoning Overlays:

- A. Inclusionary Housing Overlay
- B. Workforce Housing Overlay

403 ZONING MAP

The boundaries of the zoning districts are hereby established as shown on the “Zoning Map, City of Wildwood, Cape May County, New Jersey” dated May 9th, 2018, which is hereby adopted and made a part of this Ordinance. An official copy of said map, indicating the latest amendments, shall be kept up to date in the office of the City Clerk and the Land Use Office for the use and benefit of the public. The Zoning Map shall be the official reference as

to the current zoning classification of any land within the boundaries of the City of Wildwood. The Boundaries of the Zoning Districts established herein are depicted on Exhibit 400 of this Land Development Ordinance, entitled "Zoning Districts, City of Wildwood, Cape May County, New Jersey" dated May 9th, 2018.

404 ADDITIONAL MAPS

The following maps are included herein and made part hereof for the purpose of administering this Ordinance.

- *Flood Insurance Rate Map for Cape May County, New Jersey (All Jurisdictions)*" as shown on Index and panel(s) 34009C0302F, 34009C0306F, whose effective date is October 5, 2017.
- *Wetlands, NJDEP 2012 Land Use/Land Cover Update, Cape May Watershed Management Area WMA-16.*

The information contained on these Additional Maps notwithstanding, the Planning Board or Zoning Board of Adjustment, as applicable, may consider other sources of information, such as those contained in the 2007 Master Plan, the 2017 Master Plan Reexamination, and those presented by an Applicant if such information more accurately defines the location and extent of any critical area affecting any lot or tract at the time of variance, subdivision or site plan review and approval.

405 INTERPRETATION

- A. Zoning district boundary lines are drawn and are intended, to the maximum extent possible, to follow the center lines of streets, highways, street lines, or highway right-of-way lines, waterways, or railroad rights-of-way, or such lines extended as they existed at the effective date of this Ordinance.
- B. Where a zoning district boundary line bisects a block, such lines are drawn and thus are intended to follow the closest parcel property (lot) line as depicted on Exhibit 400 to this Land Development Ordinance, except for the Conservation (C) zoning district whereby all afterward zoning boundary lines shall reflect Mean Low Water elevation.
- C. The zoning map has been drawn to scale, with dimensions in feet. Measurements for lot area, lot frontage, lot width, lot depth, setbacks

and other appropriate regulations are to be measured from (at) the respective property (lot) line.

- D. The exact location of any disputed zoning district boundary line shall be determined by the Zoning Board of Adjustment.
- E. The designations, standards, controls and regulations contained in this Ordinance are intended to apply to every lot, structure and use within each zoning district in the City of Wildwood.
- F. Where a zoning district boundary line divides a single, individual lot, other than by following a street, land uses shall be limited to those uses permitted in each respective zoning district. Where a use is permitted in one zoning district but not the adjoining zoning district, such use shall not be permitted in the adjoining zoning district unless a variance is granted by the Zoning Board of Adjustment under N.J.S.A. 40:55D-70.
- G. Zoning district boundary lines begin at grade and extend vertically in both directions.

406 SUPPLEMENTAL ZONING DISTRICT REGULATIONS, ESTABLISHMENT

District regulations regarding parking and signage as set forth in this Chapter are supplemented by additional regulations and standards, and are hereby adopted by reference and declared to be a part of this Chapter. Said regulations and standards can be found in Chapter 600.

407 CONSISTENCY WITH NEW JERSEY COASTAL ZONE MANAGEMENT RULES AND COASTAL AREA FACILITIES REVIEW ACT (CAFRA)

All zones as set forth in this Section as shown on the Zoning Map and delineated on the Schedules of District Regulations are endeavored to be consistent with the provisions of the New Jersey Coastal Area Facilities Review Act (NJSA 13:19-1 et. seq.), construed herein to include the Coastal Zone Management Rules and other pertinent environmental regulations promulgated by the NJDEP, as currently adopted at the time of publication.

408 GENERAL DISTRICT REGULATIONS FOR ALL ZONES

- A. **Use regulations.** No use or occupancy of any building, structure or land shall hereafter be changed to a different use or occupancy and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered unless in conformity with all of the regulations herein specified for the district in which it is located, except as hereinafter provided.
- B. **Principal buildings and uses per lot.** No more than one principal building, dwelling, or use shall be located on one lot, unless otherwise specifically permitted by the district regulations within this Section.
- C. **Bulk area regulations.** No building or other structure shall hereafter be erected or altered to exceed the height, to accommodate or house a greater number of families or persons, to occupy a greater percentage of lot area, or to have a narrower or smaller rear yard, front yard, side yards or other open spaces than are herein required, or in any other matter contrary to the provisions of this Ordinance, except as hereinafter provided. Within each district the regulations set by this Ordinance shall be minimum regulations and shall apply uniformly to each class or kind of structure or land.
- D. Where a new lot is formed from part of an existing lot, such new lot shall be created in conformance with the standards and regulations of this Ordinance and the zoning district in which the newly created lot is located. No subdivision of any parcel shall be made which creates a nonconforming lot unless variance relief for such nonconformity is issued by the City's Planning Board or Zoning Board of Adjustment in accordance with N.J.S.A. 40:55D-70, as appropriate.
- E. Where a new lot is formed from part of an existing lot, whether the existing lot is vacant or occupied by an existing building or structure at time of subdivision, such subdivision shall not diminish conformance of the original lot, or the buildings or structures thereon, with the standards and regulations of this Ordinance and the zoning district in which the original lot is located unless variance relief for such nonconformity is issued by the City's Planning Board or Zoning Board of Adjustment in accordance with N.J.S.A. 40:55D-70, as appropriate.
- F. Uses and/or structural types not expressly permitted by this Ordinance shall be prohibited.

- G. Every principal building to be constructed shall be built upon a lot having frontage on an improved public street. Development of lots that do not have frontage on an improved public street shall require the developer to provide access and improvements in conformance with the standards of the City of Wildwood. Such improvements shall be ensured by the Developer posting a sufficient performance guaranty pursuant Section 902 of this Ordinance. Where a building lot has frontage upon a street which is shown on the Master Plan, Official Map of the City of Wildwood, or the Official Map Cape May County and, that street is proposed for right-of-way widening, the required front yard shall be measured from the proposed right-of-way lines.
- H. This Ordinance shall not, by any of its provisions or by any regulation adopted in accordance therewith, discriminate between children who are members of families by reason of their relationship by blood, marriage or adoption, and foster children placed with such families in a dwelling by the Division of Youth & Family Services in the Department of Institutions and Agencies or a duly incorporated child care agency and children placed pursuant to law in single family dwellings known as "Group Homes."
- I. This zoning Ordinance governing the use of land by or for schools shall not, by any of its provisions or by any regulation adopted in accordance therewith, discriminate between public and private nonprofit day schools of elementary or high school grade accredited by the State Department of Education.
- J. Regardless of any particular Zoning District, the use of any conforming or pre-existing, nonconforming place of worship to conduct and operate accessory charitable activities associated with religious exercise shall be deemed a permitted use. Such accessory charitable activities shall include, but not be limited to, food pantries, food banks, soup kitchens, counseling, support group meetings, and like and similar activities.

409 NONCONFORMING LOTS

- A. Whenever the owner of a lot existing at the time of adoption of this chapter has dedicated or conveyed land to the City in order to meet the minimum street width requirements of the Official Map or Master Plan of the City, the Construction Official and Zoning Official shall issue construction and occupancy permits for lots whose depth and/or areas are rendered substandard only because of such dedication and where the owner has no other adjacent lands to provide the minimum requirements.

B. Any existing lot on which a building or structure is located and which lot does not meet the minimum lot size, or a structure which violates any yard requirements, may have additions to the principal building and/or construction of an accessory building without an appeal for variance relief, provided:

1. The existing use(s) on the lot are conforming to the permitted use(s) stipulated in this Ordinance for the lot in question;
2. The total permitted building coverage is not exceeded;
3. The accessory building and/or addition does not violate any other requirements of this Ordinance such as, but not limited to, height, setback and parking and does not increase any existing nonconformity; and
4. The lot is not reduced in size.

C. Should two or more lots, combination of lots or portions of lots with continuous frontage in single ownership not meet the requirements established herein for lot width & frontage in the zoning district in which such lots are located, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or sold in a manner which diminishes conformance with the standards and regulations of this Ordinance and the zoning district in which the lots are located.

D. **Lot of Record.** In any zoning district in which single-family dwellings are permitted by this Ordinance, single-family structures as well as normal and customary accessory buildings and structures may be developed on any single isolated, nonconforming Lot of Record as shown on the 2008 City of Wildwood Tax Map without prior approval by the Planning Board, provided:

1. Such lot must be in separate ownership and not of contiguous frontage with other lots in the same ownership.
2. Such lot contains a minimum of 2,700 square feet.
3. Such lot contains a minimum lot width of 30 feet.

4. The development proposed for such lot conforms to the building coverage and impervious lot coverage limitations of the zoning district in which it is located.
 5. The proposed detached single-family dwelling on the lot has side yard setbacks totaling a minimum of 10 feet (6 feet for a corner lot having one side yard). However, no setback shall be less than 4 feet.
 6. The proposed detached single-family dwelling on the lot has front and rear yard setbacks of not less than 10 feet.
 7. The development proposed for such lot conforms to the parking requirements of Section 608 of this Ordinance.
- E. Any proposed development of a nonconforming lot which does not meet the parameters listed this section of the Ordinance shall require variance relief and/or Planning Board approval.

410 NONCONFORMING USES AND STRUCTURES

- A. Any pre-existing, nonconforming use or structure existing at the time of the passage of this Ordinance may be continued upon the lot or in the structure so occupied, and any such structure may be repaired in the event of partial destruction thereof.
- B. Repairs and maintenance work required to keep a structure in sound condition may be made to a nonconforming structure or a conforming structure containing a nonconforming use, including renovation which may require structural alterations, even to the point of reconstruction. However, no structure containing a nonconforming use shall be enlarged or extended in any manner.
- C. A nonconforming use shall be considered abandoned if such nonconforming use is 1) intentionally ceased, discontinued, or terminated by the owner; and 2) some overt act or failure to act on the part of the owner is clearly demonstrable.
- D. No structure containing a nonconforming use shall be enlarged, extended, or constructed in any manner, nor shall be relocated to a different portion of the lot it occupies without an appeal for variance relief.

- E. No nonconforming structure shall be modified or relocated in such a manner so as to increase the degree of nonconformity with any use or building regulation without an appeal for variance relief. Within this context, the Zoning Official may permit the relocation of a nonconforming building to another location on the same lot if such relocation results in a reduction in the degree of nonconformity for the subject building.
- F. Except where title to contiguous lots is held by the same owner, any existing building or structure located on an existing lot which does not meet the applicable minimum lot size requirement of this chapter, or any existing structure which violates any yard requirement of this Ordinance, shall be permitted to construct additions to the principal building and/or construct accessory buildings without an appeal for variance relief, provided:
 - 1. The existing use(s) on the lot are conforming to the permitted use(s) stipulated in this Ordinance for the lot in question;
 - 2. The total permitted building and lot coverages and floor/area ratio stipulated in this Ordinance for the permitted use(s) are not exceeded; and
 - 3. The accessory building and/or addition to the principal building does not violate any requirements of this Ordinance such as, but not limited to, height, yard setbacks and parking.
- G. Any nonconforming use or structure which is partially damaged from fire, storm, or other casualty may be repaired and restored to its preexisting condition. Such repair or restoration may include improvements required by current building codes. Such repair or restoration may not be enlarged beyond its pre-existing condition without an appeal for variance relief.
- H. Any nonconforming use or structure which has been changed to a conforming use or structure shall not be changed back again into a nonconforming use or structure.
- I. The total destruction of a nonconforming use or structure, whether by design or accident, terminates the use, and no nonconforming use shall be resumed or permitted thereafter without an appeal for variance relief.

411 **GENERAL BUILDING REGULATIONS**

- A. No structure, portion of a structure, or group of structures shall be issued a building permit unless a Land Use Approval is received from the Zoning Official, Planning Board, or Zoning Board of Adjustment in accordance with this Ordinance. However, nothing shall prohibit the staging or phasing of construction for a proposed project.
- B. All building walls visible from a public right-of-way, residential district or residential use, commercial district or commercial use, beach or waterway shall be suitably finished in an aesthetic manner and shall not, regardless of the material employed, include unpainted or unfinished facing.
- C. Foundation walls shall be treated with latticework, brickwork, organic or manufactured stone, or stucco to a height of two feet (2') from finished grade. Above that two feet (2') from finished grade, foundations shall be finished with the same materials as the balance of the subject elevation.
- D. Exposed chimneys shall be clad with brick, organic or manufactured stone, stucco or other appropriate material.
- E. Other than for foundation walls, the use of Exterior Insulation Finish Systems (EIFS), smooth-faced concrete block (CMU), stucco or stucco-like products (Dryvit or similar) is discouraged unless such materials are appropriately treated to provide architectural interest. Barnboard (T-111) and pre-fabricated steel panels are prohibited.
- F. To avoid monolithic building facades, no building or any portion of a building shall have a continuous, uninterrupted horizontal run along any right-of-way of more than 50' on a single plane without a change in fenestration or architectural elements. Similarly, no building or any portion of a building shall have a continuous, uninterrupted horizontal run perpendicular to any public right-of-way of more than 25' on a single plane without a change in fenestration or architectural elements.

Such change in plane shall be for not less than 25' in length along any right-of-way and not less than 12' in length where perpendicular to any public right-of-way. Such requirement shall apply from grade to 35' in height from top of curb. Above 35', facades shall exhibit

such architectural treatment as may be appropriate to achieve design harmony and continuity for the building.

- G. Mechanical equipment, air-conditioning/HVAC compressor units, and emergency electrical generators may be erected or stored outside of the principal building, subject to the following conditions:
1. All such equipment shall be suitably screened from view by using fencing or landscaping from parking areas, public rights-of-way and adjacent residential uses when viewed from ground level.
 2. No mechanical equipment, air-conditioning/HVAC compressor units, or emergency electrical generators are permitted in a front yard of any principal structure or lot.
 3. No mechanical equipment, air-conditioning/HVAC compressor units, or emergency electrical generators are permitted in the front 50% of a structure when located in a side yard setback.
 4. Temporary (i.e., removable) window air-conditioning units and temporary ductless air-conditioning/HVAC compressor units that do not project more than one foot beyond the existing structure are permitted when incorporated into an existing building by way of renovation.
 5. The above provisions notwithstanding, no mechanical equipment, air-conditioning/HVAC compressor units, or emergency electrical generators shall be located closer than four (4') feet to any property line.
 6. Replacement of in-kind units, without any increase in footprint size, located in the setback area prior to the adoption of this section are exempt from the above regulations.
 7. Any new mechanical equipment, air-conditioning/HVAC compressor units, or emergency generators must comply with the City of Wildwood's Flood Damage Prevention Ordinance.
- H. In any district, the entire lot, except for areas utilized for buildings, parking, loading, access aisles, pedestrian walkways, driveways, recreation areas, or service areas shall be seeded, sodded, or

planted with ground cover and suitably landscaped to include trees, shrubs, edging materials, stones, and rocks or gravel in accordance with an overall landscape plan consistent with the natural surroundings. Plant materials shall be maintained in good condition year-round, throughout the life of any use on said lot. All stones, rocks or gravel shall be placed over filter fabric, and any use of plastic or other impermeable material as a weed barrier is prohibited. Landscaping stones shall only be permitted if they are enclosed by four by four (4" x 4") railroad ties, or other comparable and suitable materials to prevent the stones from spilling onto the sidewalk, curb, driveway and gutter area.

- I. The following shall apply to all uses in all zones except single-family and two-family dwellings:
 1. Solid waste and recyclables must be housed within the confines of a roofed structure and kept out of sight of the public and customers when not being loaded or collected. There must be provision for protection against odor and leakage as well.
 2. Accessibility for collection by the City or private hauler must be maintained.
 3. Wash-down facilities must comply with Chapter 20 of the Code of the City of Wildwood.
 4. Approval by the Construction Official's office is required of the plans and specifications for solid waste enclosures.

- J. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.

- K. Off-street parking pads may be located in side yards or the rear yard of single-family dwellings. Rear yard parking is strongly encouraged for all other residential structural types. The purpose of this condition

is to reduce the amount of curb cuts and resulting loss of on-street parking.

- L. At grade parking below a principal structure is permitted in all residential zoning districts. Such parking areas shall be either within an attached garage or walkout enclosure, or if the structure is elevated on pilings, shall be suitably screened with lattice, landscaping, or break-away walls. It is the intent of this provision to avoid the appearance of housing on stilts.
- M. Detached single-family dwelling units shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- N. Unless otherwise indicated, on-site parking for non-residential structures and uses shall be on the side or the rear of the building. If to the rear, rear yards shall be of sufficient size to accommodate required parking and drive aisles.

A five (5') foot landscaped buffer shall be installed along the side or rear property line, as applicable, if the adjacent property contains a residential use.

- O. Open porches and stairs providing access to the first floor only of residential uses shall be permitted to extend into the front yard setback area, provided that a four foot (4') unobstructed setback is maintained from the property line. Stairs and stair towers to second floor units may not encroach into any setback and must be enclosed. This provision shall apply only to pre-existing structures. All new construction must comply with the front yard setback requirements for the zoning district in which the property is located.
- P. In residential zoning districts only, where a pre-existing, nonconforming principal structure is located on a lot, the Zoning Official, at his discretion and so long as the other requirements of this Ordinance are met, may permit the reduction in the existing side yard setback requirement to allow the construction of a deck or small addition less than 400 square feet in size to be built in line with the

existing principal structure, provided that the minimum side yard setback distance shall be no less than four feet (4") in any instance.

This provision shall apply only to pre-existing structures. All new construction must comply with the side yard setback requirements for the zoning district in which the property is located.

- Q. In all residential zoning districts, a conforming residential use may have a bump out, jog, or projection in a side yard wall, provided the following provisions are met:
1. No bump out, jog, or projection shall be greater than 24".
 2. A four (4') minimum setback must be maintained to any property line.
 3. The proposed wall where the bump out, jog, or projection is to be located must be a minimum of 30' in length.
 4. The total length of the projections in a given wall shall not exceed 15% of the length of the wall.
- R. Sight triangle areas shall be required at intersections and driveways entering public streets, in addition to the specified right-of-way widths, in which no grading, planting or structure shall be erected or maintained more than 30 inches above the street center line, except for utility poles, street signs, fire hydrants and light standards. The "sight triangle" is defined as that area outside of the curb line and the straight line connecting sight points, one located on each curb line or driveway center line at a distance of 25 feet or one foot for each mile of allowed street speed limit, whichever is greater, or 15 feet along the center line of a driveway. Sight triangle easements shall be required for any new development and such easement dedication shall be expressed on the plat or plan as follows: "Sight triangle easement deeded for purposes provided for and expressed in the Land Development Ordinance of the City of Wildwood."
- S. Where buildings on separate lots are attached and thus built to the interior side property lines, no side yard setback on said interior side property line shall be required.
- T. No dwelling unit shall be constructed on any lot in the City of Wildwood that does not provide a minimum of 2,000 s.f.

- U. No residential dwelling unit above a non-residential, ground floor permitted use shall contain less than 1,500 s.f. of living space.
- V. All applications to the City's Planning Board or Zoning Board of Adjustment, as applicable, shall conform to a checklist or checklists prepared by the City for such purpose in accordance with the provisions of N.J.S.A. 40:55D-10.3 and attached hereto to this Ordinance. Said checklist or checklists, as appropriate, specify submission requirements for applications to the respective Board for approval of major or minor subdivision(s), major or minor site plan(s) and zoning variance(s) consistent with the requirements of the *Municipal Land Use Law and Rules and Regulations of NJDEP Coastal Zone Management program*.
- W. In order to provide the City's Public Safety Departments and Tax Offices with the most accurate information regarding approvals in Wildwood, all such checklists shall include a requirement that each applicant shall, as a condition of approval, submit to the City's Planning Office (for distribution to the appropriate City agency) an electronic version of the approved plans for each approved application. Said requirement may be waived by the applicable Board upon petition by the applicant, provided applicant submits appropriate justification for such waiver.
- X. The following structures may be erected above the heights prescribed by this chapter, but in no case shall the height of any of these appurtenances exceed a height equal to 20% more than the maximum height permitted for the particular use in the district:
1. Mechanical rooms, mechanical penthouses, and other roof structures for the housing of stairways, tanks, ventilating fans, air-conditioning equipment or similar equipment required to operate and maintain the building;
 2. Skylights, spires, cupolas, flagpoles, chimneys or similar structures;
 3. Safety enclosures and handrails of rooftop deck areas, sundecks, and other recreational purposes.
- Y. Regardless of any particular zoning district, child care centers for which, upon completion, a license is required from the Department of Human Services pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.), shall be a permitted use in all nonresidential districts of a

municipality, in accordance with NJSA 40:55D-66.6. The floor area occupied in any building or structure as a child care center shall be excluded in calculating:

1. Any parking requirement otherwise applicable to that number of units or amount of floor space, as appropriate, under State or local laws or regulations adopted thereunder; and,
 2. The permitted density allowable for that building or structure under any applicable zoning ordinance.
- Z. Regardless of any particular zoning district, any child care program approved by a local board of education and operated by the board or by an approved sponsor in a public school, before or after regular school hours, pursuant to N.J.S.18A:20-34, shall be deemed a permitted use in all residential and nonresidential districts of a municipality and shall be exempt from local zoning restrictions, in accordance with NJSA 40:55D-66.7(a).

412 RESIDENTIAL ZONING DISTRICTS

A. Purpose

To provide for housing in a variety of structural types and densities in order to promote cohesive and healthy residential neighborhoods addressing the needs of all Wildwood residents.

1. Family day care homes shall be a permitted use in all residential districts of a municipality. The requirements for family day care homes shall be the same as for single family dwelling units located within such residential districts. Any deed restriction that would prohibit the use of a single family dwelling unit as a family day care home shall not be enforceable unless that restriction is necessary for the preservation of the health, safety, and welfare of the other residents in the neighborhood, in accordance with NJSA 40:55D66.5.
2. Regardless of any particular zoning district, any child care program approved by a local board of education and operated by the board or by an approved sponsor in a public school, before or after regular school hours, pursuant to N.J.S.18A:20-34, shall be deemed a permitted use in all residential and nonresidential districts of a municipality and shall be exempt from local zoning restrictions, in accordance with NJSA 40:55D-66.7(a).
3. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences for persons with head injuries shall be a permitted use in all residential districts of a municipality, and the requirements therefore shall be the same as for single family dwelling units located within such districts in accordance with NJSA 40:55D-66.1.

B. Low Density Residential (R-1)

1. Purpose

The Low Density Residential (R-1) Zoning District was crafted to provide for low density, single-family residential development in single-family detached and single-family semi-detached (duplex) dwelling units on 3,600 s.f. lots per dwelling unit.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. Single-family semi-detached (duplex) dwelling units.
- c. Public playgrounds, public conservation areas, public parks, public open space and public purpose uses.
- d. Municipal buildings and uses.
- e. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences 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. The requirements for those residences shall be the same as for single-family residences within this zone.
- f. Vending machines and public telephones are expressly prohibited.

3. Conditional Uses

- a. Public and private day schools of elementary and/or high school grade licensed by the State of New Jersey, subject to site plan approval by the Planning Board and the bulk standards found in section 412D(5).

4. Accessory Buildings and Uses

- a. Private residential swimming pools in side and rear yards only (subject to the provisions of Section 509). Single-family detached

and single-family semi-detached (duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.

- b. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
- c. Off-street parking and private garages attendant to permitted uses, subject to the provisions of Section 608.
- d. Parking of trailered/blocked boats and campers/motorhomes in side and rear yards only. Such boats or campers/motorhomes shall be owned by the resident of the subject lot. Further, such boats or campers/motorhomes shall not be used for temporary or permanent living quarters.
- e. Home occupations, subject to the definitions and requirements of section 201 herein.
- f. Accessory apartment units within detached single-family dwellings, subject to Section 503 and the bulk requirements below and herein.
- g. Signs.
- h. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of Section 511.
- i. Satellite Dish antenna attendant to permitted uses, subject to the provisions of Section 510.

5. Building Regulations

		Single-Family Detached	Single-Family Semi-Detached (Duplex)
a. Principal Buildings			
Minimum Lot Area		3,600 s.f.	7,200 s.f.
Minimum Lot Frontage & Lot Width		40'	80'
Minimum Lot Depth		90'	90'
Minimum Side Yard Setbacks		6' & 10'	15' each
Minimum Front Yard Setback		10'	10'
Minimum Rear Yard Setback		15'	15'
Maximum Principal Building Coverage		45%	45%
Maximum Lot Coverage		70%	70%
Maximum Building Height		The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC
Maximum Density	(du/ac)	12.10	12.10
	(sf/du)	3,600	3,600
b. Accessory Structures			
Minimum Distance to Side Property Line		4'	4'
Minimum Distance to Rear Property Line		4'	4'
Maximum Total Footprint for all Accessory Structures ¹		450 s.f.	550 s.f.

¹ However, the total footprint of all Storage Sheds shall cumulatively not exceed 150 s.f.

Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	8'	8'

6. Off-street Parking Requirements

Each individual use shall provide parking spaces according to the following minimum provisions:

- a. Single-family dwelling units and single-family semi-detached (duplex) units shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- c. Parking requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- d. See § 608, Off-street parking, loading areas and driveways, for additional standards.

7. Signs

- a. Information and direction signs as defined in § 609A(5).

- b. Sign requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- c. See § 609 for additional standards.

C. Moderate Density Residential (R-2)

1. Purpose

The Moderate Density Residential (R-2) Zoning District was crafted to provide for moderate density, single-family and low-level multi-family residential development in single-family detached, single-family semi-detached (duplex), 2-family stacked (multi-story) and 3-4 family semi-detached ('tri' or 'quad') dwelling units.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. Single-family semi-detached (duplex) dwelling units.
- c. 2-family stacked (multi-story) dwelling units.
- d. 3-4 family semi-detached ('tri' or 'quad') dwelling units.
- e. Public playgrounds, public conservation areas, public parks, public open space and public purpose uses.
- f. Municipal buildings and uses.
- g. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences 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. The requirements for those residences shall be the same as for single-family residences within this zone.
- h. Vending machines and public telephones are expressly prohibited.

3. Conditional Uses

- a. Public and private day schools of elementary and/or high school grade licensed by the State of New Jersey.
- b. Lodges and clubs.
- c. Places of Worship.

4. Accessory Buildings and Uses

- a. Private residential swimming pools in side and rear yards only, subject to the provisions of section 509. Single-family detached and single-family semi-detached (duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.
- b. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
- c. Parking of trailered/blocked boats and campers/motorhomes in side and rear yards. Such boats or campers/motorhomes shall be owned by the resident of the subject lot. Further, such boats or campers/motorhomes shall not be used for temporary or permanent living quarters.
- d. Off-street parking and private garages attendant to permitted uses, subject to the provisions section 608.
- e. Home occupations, subject to the definitions and requirements of section 201 herein.
- f. Accessory apartment units within detached single-family dwellings, subject to Section 503 and the bulk requirements below and herein.
- g. Signs.
- h. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- i. Satellite dish antenna attendant to permitted uses, subject to the provisions of Section 510.

5. Building Regulations

	Single-Family Detached	2-Family Stacked (Multi-Story)	Single-Family SemiDetached (Duplex)	3-4 Family SemiDetached ('Tri' or 'Quad')
a. Principal Buildings				
Minimum Lot Area	4,000 s.f.	6,000 s.f.	6,000 s.f.	8,000 s.f.

Minimum Lot Frontage & Lot Width		40'	60'	60'	80'
Minimum Lot Depth ²		90'	90'	90'	90'
Minimum Side Yard Setbacks		6' & 10'	15' each	6' each	10' each
Minimum Front Yard Setback		10'	10'	10'	10'
Minimum Rear Yard Setback		15'	15'	15'	15'
Maximum Principal Building Coverage		45%	40%	60%	60%
Maximum Lot Coverage		70%	70%	70%	75%
Maximum Building Height		The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC
Maximum Density	(du/ac)	10.89	14.52	14.52	21.78
	(sf/du)	4,000	3,000	3,000	2,000
b. Accessory Structures					
Minimum Distance to Side Property Line		4'	4'	4'	4'
Minimum Distance to Rear Property Line		4'	4'	4'	4'
Maximum Total Footprint for all Accessory Structures		450 s.f.	550 s.f.	550 s.f.	600 s.f.
Maximum Height		The lower of 1 story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings		8'	8'	8'	8'
c. Conditional Uses					
		Public & Private Schools	Lodges & Clubs	Places of Worship	

²For lots that adjoin either Tacony Road or Dock Street the minimum lot depth shall be 80 feet.

Minimum Lot Area	10,000 s.f.	10,000 s.f.	10,000 s.f.
Minimum Lot Frontage & Lot Width	75'	75'	75'
Minimum Lot Depth	100'	100'	100'
Minimum Side Yard Setbacks	20' each	20' each'	20' each
Minimum Lot Front Yard Setback	20'	20'	20'
Minimum Rear Yard Setback	30'	30'	30'
Maximum Principal Building Coverage	35%	35%	35%
Maximum Lot Coverage	80%	80%	80%
Maximum Building Height	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC
d. Accessory Structures for Conditional Uses			
	Public & Private Schools	Lodges & Clubs	Places of Worship
Minimum Distance to Side Property Line	20'	20'	20'
Minimum Distance to Rear Property Line	20'	20'	20'
Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	20'	20'	20'

6. Off-street Parking Requirements

Each individual use shall provide parking spaces according to the following minimum provisions:

- a. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- c. Parking requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- d. See § 608 for additional standards.

7. Signs

- a. Information and direction signs as defined in § 609A(5).
- b. Sign requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- c. See § 609 for additional standards.

D. High Density Residential (R-3)

1. Purpose

The High Density Residential (R-3) Zoning District was crafted to provide for a variety of housing types at densities beyond traditional single-family neighborhood development.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. 2-family stacked (multi-story) dwelling units.
- c. Single-family semi-detached (duplex) dwelling units.
- d. 3-4 family semi-detached ('tri' or 'quad') dwelling units.
- e. Townhouses.
- f. Municipal buildings and uses.
- g. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences 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. The requirements for those residences shall be the same as for single-family residences within this zone.
- h. Public parks, playgrounds and conservation areas.
- i. Vending machines and public telephones are expressly prohibited.

3. Conditional Uses

- a. Public and private day schools of elementary and/or high school grade licensed by the State of New Jersey.
- b. Lodges and clubs.
- c. Bed & Breakfasts.

d. Places of Worship.

4. Accessory Buildings and Uses

- a. Private residential swimming pools in side and rear yards only (subject to the provisions of section 509). Single-family detached and single-family semi-detached (duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.
- b. Home occupations, subject to the definitions and requirements of section 201 herein.
- c. Accessory apartment units within detached single-family dwellings, subject to section 503 and the bulk requirements below and herein.
- d. Off-street parking and private garages attendant to permitted uses, subject to the provisions of section 608.
- e. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
- f. Parking of trailered/blocked boats and campers/motorhomes in side and rear yards. Such boats or campers/motorhomes shall be owned by the resident of the subject lot. Further, such boats or campers/motorhomes shall not be used for temporary or permanent living quarters.
- g. Signs.
- h. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- i. Satellite Dish antenna attendant to permitted uses, subject to the provisions of section 510.

5. Building Regulations

	Single Family Detached	2-Family Stacked (Multi-Story)	Single Family Semi-Detached (Duplex)	3-4 Family Semi-Detached ('Tri' or 'Quad')	Townhouse³
--	-------------------------------	---------------------------------------	---	---	------------------------------

³ Since Townhouse structures consist of individual tax lots, bulk and coverage requirements shall be measured on a total project basis.

a. Principal Buildings						
Minimum Lot Frontage & Lot Width	40'	40'	60'	80'	24' interior units, 36' end units	
Minimum Lot Depth	90'	90'	90'	90'	90'	
Minimum Side Yard Setbacks	6' & 10'	6' each	6' each	14' each	0' interior units, 12' end units	
Minimum Front Yard Setback	10'	10'	10'	10'	10'	
Minimum Rear Yard Setback	15'	15'	15'	15'	30'	
Maximum Principal Building Coverage	45%	45%	50%	45%	40%	
Maximum Lot Coverage	70%	70%	70%	70%	70%	
Maximum Building Height	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	
Maximum Density	(du/ac)	12.10	24.20	16.13	24.20	17.93
	(sf/du)	3,600	3,600	5,400	7,200	2,160 s.f. interior units, 3,240 s.f. end units
b. Accessory Structures						
Minimum Distance to Side Property Line	4'	4'	4'	4'	4'	
Minimum Distance to Rear Property Line	4'	4'	4'	4'	4'	

Maximum Total Footprint for all Accessory Structures ⁴	450 s.f.	550 s.f.	550 s.f.	600 s.f.	150 s.f./du
Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	8'	8'	8'	8'	8'

	Public & Private Schools	Lodges & Clubs	Places of Worship	Bed & Breakfasts
c. Conditional Uses				
Minimum Lot Area	10,000 s.f.	10,000 s.f.	10,000 s.f.	10,000 s.f.
Minimum Lot Frontage & Lot Width	75'	75'	75'	75'
Minimum Lot Depth	100'	100'	100'	100'
Minimum Side Yard Setbacks	20' each	20' each	20' each	20' each
Minimum Front Yard Setback	20'	20'	20'	20'
Minimum Rear Yard Setback	30'	30'	30'	30'
Maximum Principal Building Coverage	35%	35%	35%	35%
Maximum Lot Coverage	80%	80%	80%	80%
Maximum Building Height	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC
	Public & Private Schools	Lodges & Clubs	Places of Worship	Bed & Breakfasts

⁴ However, the total footprint of all Storage Sheds shall cumulatively not exceed 150 s.f.

d. Accessory Structures for Conditional Uses				
Minimum Distance to Side Property Line	Due to the unique configuration of existing schools, the disposition of accessory structures shall be at the discretion of the Zoning Official, but shall be in line with the prevailing front yard setback on the street.	4'	4'	4'
Minimum Distance to Rear Property Line		4'	4'	4'
Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	N/A	8'	8'	8'

6. Off-street Parking Requirements

Each individual use shall provide parking spaces according to the following minimum provisions:

- a. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.

- c. Parking requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- d. See § 608, Off-street parking, loading areas and driveways, for additional standards.

7. Signs

- a. Information and direction signs as defined in § 609A(5).
- b. Sign requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- c. See § 609 for additional standards.

E. Residential Multi-Family (RM)

1. Purpose

The Residential Multi-Family (RM) Zoning District was crafted to provide for high-density, apartment and condominium-style residential development in the City. The 2007 Comprehensive Master Plan Update establishes a vision of the City of Wildwood to reestablish its former pre-eminence as a seaside resort, taking advantage of its location, and building on the existing compact urban form. In order to achieve the City's vision and create a denser, compact urban core, permitted uses as well as new conditional use high-rise, multi-family residential buildings must be built higher, varying those heights and intensities according to the requirements of individual zoning districts and to allow for mid-rise heights that create an orderly transition between higher buildings in the Hotel Motel 1 (H/M1) and Tourist Entertainment (T/E) Zones. This ordinance is designed to create a higher, denser urban core with adjacent zones of transitional heights and uses to buffer and maintain Wildwood's neighborhoods and commercial areas. Higher density development in this zone will provide transitional heights that will buffer adjacent zones outside of the urban core. Implementation of the development standards of the Residential Multi-Family (RM) Zone will help to achieve the City's vision and plan to create an urban core that serves the needs of residents and visiting tourists supplementing the resort year-round economy, adjacent Convention Center facility, and City commercial enterprises.

The Residential Multi-Family (RM) Zone will assist in the creation of a higher, denser urban core by fostering needed residences and tourism infrastructure, and by establishing transitional heights and uses to buffer and maintain Wildwoods' neighborhoods and commercial areas.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. 2-family stacked (multi-story) dwelling units.
- c. Single-family semi-detached (duplex) dwelling units.
- d. 3-4 family semi-detached ('tri' or 'quad') dwelling units.
- e. Townhouses.

- f. Municipal buildings and uses.
- g. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences 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. The requirements for those residences shall be the same as for single-family residences within this zone.
- h. Public parks, playgrounds and conservation areas.
- i. Vending machines and public telephones are expressly prohibited.

3. Conditional Uses

- a. Subject to Planning and or Zoning Board approval as a Conditional Use standard, building height for any high-rise, multi-family residential buildings, including management offices, structure proposed under these Residential Multi-Family (RM) regulations may increase from the 59' (6 story) maximum provided for herein to a maximum of 130' (13 stories), and further provided that the project:
 - 1. Maximizes the use of environmentally-friendly LEED⁵ building systems and technologies as well as the use of "Green" building practices for buildings and mechanical systems.
 - 2. Institutes a "Lights Out" program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above the height of 60' between 11:00 p.m. and daylight in accordance with Section 702.
 - 3. Any high-rise residential building located in the RM zone containing 50 or more dwelling units shall develop an Emergency Management Operations Plan and submit said plan to City of Wildwood Office of Emergency Management and public safety officials (namely police and fire officials) for review.

⁵ "Leadership in Energy & Environmental Design"

4. All Conditional Uses in this Residential ~ Multi-family (RM) Zone shall be subject to design standards of NJDEP Coastal Zone Management rules including but not limited to, High rise Structure Rule NJAC 7:7E-7.14, Scenic Resources & Design Rule (NJAC 7:7E-8.12 and Buffers & Compatibility of Uses Rule (NJAC 7:7E-8.13), as currently adopted, shall be incorporated into the plans and design of projects, particularly in regards to building and site design requirements.
 - b. Lodges and clubs.
 - c. Bed & breakfasts.
 - d. Public and private day schools of elementary and/or high school grade licensed by the State of New Jersey.
 - e. Places of worship.
 - f. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of section 507.
4. Accessory Buildings and Uses
 - a. Private residential swimming pools in side and rear yards only, subject to the provisions of section 509. Single-family detached and single-family semi-detached (duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.
 - b. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
 - c. Off-street parking and private garages attendant to permitted uses, subject to the provisions of section 608.
 - d. Parking of trailered/blocked boats and campers/motorhomes in side and rear yards. Such boats or campers/motorhomes shall be owned by the resident of the subject lot. Further, such boats or campers/motorhomes shall not be used for temporary or permanent living quarters.
 - e. Home occupations, subject to the definitions and requirements of section 201 herein.

- f. Signs.
- g. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- h. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- i. Accessory apartment units within detached single-family dwellings, subject to Section 503 and the bulk requirements below and herein.

5. Building Regulations

		Single Family Detached	2-Family Stacked (Multi- Story)	Single Family Semi- Detached (Duplex)	3-4 Family Semi- Detached (‘Tri’ or ‘Quad’)	Townhouse
a. Principal Buildings						
Minimum Lot Area		3,600 s.f.	3,600 s.f.	5,400 s.f.	7,200 s.f.	2,160 s.f. interior units, 3,240 s.f. end units
Minimum Lot Frontage & Lot Width		40’	40’	60’	80’	24’ interior units, 36’ end units
Minimum Lot Depth		90’	90’	90’	90’	90’
Minimum Side Yard Setbacks		6’ & 10’	6’ each	6’ each	14’ each	0’ interior units, 12’ end units
Minimum Front Yard Setback		10’	10’	10’	10’	10’
Minimum Rear Yard Setback		15’	15’	15’	15’	30’
Maximum Principal Building Coverage		45%	45%	50%	45%	40%
Maximum Lot Coverage		70%	70%	70%	70%	70%
Maximum Building Height		The lower of 35’ or 3 Stories from TOC	The lower of 35’ or 3 Stories from TOC	The lower of 35’ or 3 Stories from TOC	The lower of 35’ or 3 Stories from TOC	The lower of 35’ or 3 Stories from TOC
Maximum Density	(du/ac)	12.10	24.2 0	16.13	24.20	17.93
	(sf/du)	3,600	1,80 0	2,700	1,800	2,160 s.f. interior units, 3,240 s.f. end units
b. Accessory Structures						
Minimum Distance to Side Property Line		4’	4’	4’	4’	4’
Minimum Distance to Rear Property Line		4’	4’	4’	4’	4’

Maximum Total Footprint for all Accessory Structures ⁶	450 s.f.	550 s.f.	550 s.f.	600 s.f.	150 s.f.
Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8'	The lower of 1 Story or 16' from TOC Storage Sheds: 8'	The lower of 1 Story or 16' from TOC Storage Sheds: 8'	The lower of 1 Story or 16' from TOC Storage Sheds: 8'	The lower of 1 Story or 16' from TOC Storage Sheds: 8'
Minimum Distance to Other Buildings	8'	8'	8'	8'	8

c. Conditional Uses					
	Public & Private Schools	Lodges & Clubs	Places of Worship	Bed & Breakfasts	High-Rise, Multi-Family Residential Buildings
Minimum Lot Area	10,000 s.f.	10,000 s.f.	10,000 s.f.	10,000 s.f.	10,000 s.f.
Minimum Lot Frontage & Lot Width	75'	75'	75'	75'	75'
Minimum Lot Depth	100'	100'	100'	100'	100'
Minimum Side Yard Setbacks	20' each	20' each	20' each	20' each	20'
Minimum Front Yard Setback	20'	20'	20'	20'	20'
Minimum Rear Yard Setback	30'	30'	30'	30'	30'
Maximum Principal Building Coverage	35%	35%	35%	35%	35%
Maximum Lot Coverage	80%	80%	80%	80%	80%
Maximum Density	Minimum 1,500 s.f./du above ground floor Permitted Use	Minimum 1,500 s.f./du above ground floor Permitted Use	Minimum 1,500 s.f./du above ground floor Permitted Use	Minimum 1,500 s.f./du above ground floor Permitted Use	0' to Maximum Building Height: FAR = 10

⁶ However, the total footprint(s) of all Storage Sheds shall cumulatively not exceed 150 s.f./du

Maximum Building Height	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC	The lower of 59' or 6 stories from TOC, Building height may extend to the lower of 130' or 13 stories from TOC provided that all required parking is developed as structured parking.
d. Accessory Structures for Conditional Uses					
Minimum Distance to	20'	20'	20'	20'	20'
	Public & Private Schools	Lodges & Clubs	Places of Worship	Bed & Breakfasts	High-Rise, Multi-Family Residential Buildings
Side Property Line					
Minimum Distance to Rear Property Line	20'	20'	20'	20'	20'
Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	20'	20'	20'	20'	20'

6. Off-street Parking Requirements

Each individual use shall provide parking spaces according to the following minimum provisions:

- a. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- c. Parking requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- d. See § 608, Off-street parking, loading areas and driveways, for additional standards.

7. Signs

- a. Dwelling units: information and direction signs as defined in § 609A(5).
- b. Sign requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- c. See § 609 for additional standards.

F. Waterfront Residential (WR)

1. Purpose

The Waterfront Residential (WR) Zoning District was crafted to provide for the small lot sizes and unique development constraints in the Pine Avenue / Lake Avenue section of the City.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. 2 family stacked (multi-story) dwelling units.
- c. Single-family semi-detached (duplex) dwelling units.
- d. Municipal buildings and uses.
- e. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences 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. The requirements for those residences shall be the same as for single-family residences within this zone.
- f. Public parks, playgrounds and conservation areas.
- g. Vending machines and public telephones are expressly prohibited.

3. Conditional Uses

None.

4. Accessory Buildings and Uses

- a. Private residential swimming pools in side and rear yards only, subject to the provisions of section 509. Single-family detached and single-family semi-detached (duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.
- b. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.

- c. Parking of trailered/blocked boats and campers/motorhomes in side and rear yards only. Such boats or campers/motorhomes shall be owned by the resident of the subject lot. Further, such boats or campers/motorhomes shall not be used for temporary or permanent living quarters.
- d. Off-street parking and private garages attendant to permitted uses (subject to the provisions of Section 608).
- e. Home occupations, subject to the definitions and requirements of section 201.
- f. Signs.
- h. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- i. Satellite Dish antenna attendant to permitted uses, subject to the provisions of section 510.
- j. Accessory apartment units within detached single-family dwellings, subject to section 503 and the bulk requirements below and herein.

5. Building Regulations

a. Principal Buildings	
Maximum Building Height	35' or 3 Stories (whichever is less) from TOC
Minimum Lot Area	No Minimum Established All lots shall extend from the Lake Avenue property line to the seaward property line along the bay (Post Creek Basin), and shall conform to Minimum Lot Frontage and Minimum Lot Width standards as provided for herein.
Minimum Lot Frontage & Lot Width	Single-Family: 60' 2 Family Stacked (Multi-Story): 80' Single-Family Semi-Detached (Duplex): 120'
Minimum Lot Depth	No Minimum Established: All lots shall extend from the Lake Avenue property line to the seaward property line along the bay (Post Creek Basin).
Minimum Side Yard Setbacks	Single-Family Detached: 14' & 10' 2 Family Stacked (Multi-Story): 15' each Single-Family Semi-Detached (Duplex): 20' each
Minimum Front Yard Setback	10'
Minimum Rear Yard Setback ⁷	10' from rear property line or the bulkhead line, whichever is most landward.
Maximum Principal Building Coverage	45%
Maximum Lot Coverage	70%
Maximum Density	(du/ac) Single-Family Detached: 9.08 2 Family Stacked Multi-Story: 13.61 Single-Family Semi-Detached Duplex: 9.08
	(sf/du) Single-Family Detached: 4,800 2 Family Stacked (Multi-Story): 3,200 Single-Family Semi-Detached (Duplex): 4,800

b. Accessory Structures	
Minimum Distance to Side Property Line	4'
Minimum Distance to Rear Property Line	5'
Maximum Total Footprint for all Accessory Structures	Single-Family Detached: 450 s.f. 2 Family Stacked (Multi-Story): 550 s.f. Single-Family Semi-Detached (Duplex): 550 s.f. The above notwithstanding, the total cumulative footprint of all Storage Sheds shall not exceed 150 s.f./du

⁷ Where bulkhead line is not uniform across the length of the parcel, distance from bulkhead line shall be established from the longest continuous run parallel to the right-of-way. If such a measurement is not applicable to the circumstance, setback shall be established as the average distance of the bulkhead from the right-of-way.

Maximum Height	1 Story or 16' from TOC (whichever is less) Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	Eight feet (8')

6. Off-street Parking Requirements

Each individual use shall provide parking spaces according to the following minimum provisions:

- a. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- c. Parking requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- d. See § 608, Off-street parking, loading areas and driveways, for additional standards.

7. Signs

- a. Dwelling units: information and direction signs as defined in § 609A(5).
- b. Sign requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- c. See § 609 for additional standards.

G. Waterfront Residential 1 (WR-1)

1. Purpose

The Waterfront Residential (WR-1) Zoning District was crafted to provide for the small lot sizes and unique development constraints on the north side of Otten's Harbor.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. 2-family stacked (multi-story) dwelling units.
- c. Single-family semi-detached (duplex) dwelling units.
- d. Municipal buildings and uses.
- e. Community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill and community residences 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. The requirements for those residences shall be the same as for single-family residences within this zone.
- f. Public parks, playgrounds and conservation areas.
- g. Governmentally sponsored permanent and non-permanent public access pedestrian walkways or Boardwalks, fishing and/or scenic overlook piers, exercise trails, floating docks for seasonal boat docking, etc. to provide access to the waters of Otten's Harbor, as scenic overlooks and other educationally-oriented structures, as authorized by City Commission.
- h. Floating homes or "live-aboard" vessels are expressly prohibited.
- i. Permanent mooring or mooring of boats by anchoring in the waters of Otten's Harbor beyond 10 days is expressly prohibited.
- j. Seaplane landings, heliports and helistops are expressly prohibited.
- k. Vending machines and public telephones are expressly prohibited.

3. Conditional Uses

None.

4. Accessory Buildings and Uses

- a. Private residential swimming pools in side and rear yards only, subject to the provisions of section 509. Single-family detached and single-family semi-detached (duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.
- b. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
- c. Parking of trailered/blocked boats and campers/motorhomes in side and rear yards only. Such boats or campers/motorhomes shall be owned by the resident of the subject lot. Further, such boats or campers/motorhomes shall not be used for temporary or permanent living quarters.
- d. Off-street parking and private garages attendant to permitted uses, subject to the provisions of section 608.
- e. Home occupations, subject to the definitions and requirements of section 201 herein.
- f. Signs.
- g. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- h. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- i. Accessory apartment units within detached single-family dwellings, subject to section 503.

5. Building Regulations

	Single-Family Detached	2-Family Stacked (Multi-Story)	Single-Family Semi-Detached (Duplex)
--	-------------------------------	---------------------------------------	---

a. Principal Buildings				
Minimum Lot Area		No Minimum Established	No Minimum Established	No Minimum Established
Minimum Lot Frontage & Lot Width		60'	80'	120'
Minimum Lot Depth		No Minimum Established	No Minimum Established	No Minimum Established
Minimum Side Yard Setbacks		14' & 10'	15' each	20' each
Minimum Front Yard Setback		0'	0'	0'
Minimum Rear Yard Setback ⁸		10' from rear property (lot) line or the bulkhead line, whichever is most landward.	10' from rear property (lot) line or the bulkhead line, whichever is most landward.	10' from rear property (lot) line or the bulkhead line, whichever is most landward.
Maximum Principal Building Coverage		40%	40%	40%
		Single-Family Detached	2-Family Stacked (Multi-Story)	Single-Family Semi-Detached (Duplex)
Maximum Lot Coverage		50%	50%	50%
Maximum Building Height		The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC
Maximum Density	(du/ac)	11.50	17.29	11.52
	(sf/du)	3,780	2,520	3,780
b. Accessory Structures				
Minimum Distance to Side Property Line		4'	4'	4'
Minimum Distance to Rear Property Line		5'	5'	5'
Maximum Total Footprint for all Accessory Structures ⁹		450 s.f.	550 s.f.	550 s.f.
Maximum Height		The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC

⁸ Where bulkhead line is not uniform across the length of the parcel, distance from bulkhead line shall be established from the longest continuous run parallel to the right-of-way. If such a measurement is not applicable to the circumstance, setback shall be established as the average distance of the bulkhead from the right-of-way.

⁹ However, the total footprint(s) of all Storage Sheds shall cumulatively not exceed 150 s.f./du

Minimum Distance to Other Buildings	8'	8'	8'
-------------------------------------	----	----	----

6. Off-street Parking Requirements

Each individual use shall provide parking spaces according to the following minimum provisions:

- a. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- c. Parking requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- d. See § 608, Off-street parking, loading areas and driveways, for additional standards.

7. Signs

- a. Dwelling units: information and direction signs as defined in § 609A(5).
- b. Sign requirements for home occupations, municipal uses, and conditional uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- c. See § 609 for additional standards.

413 COMMERCIAL ZONING DISTRICTS

A. Purpose

To provide appropriate locations for a variety of neighborhood and regionally oriented commercial facilities in order to supply goods and services to address the needs of the residents of the City of Wildwood and the Greater Wildwood Area.

To provide for appropriate locations for expanded seasonal and non-seasonal convention and tourism-related commercial offerings in order to advance the economic vitality of the City of Wildwood while protecting the City's residential neighborhoods.

1. Excluding the construction of hotels, motels, combined retail, dining, and entertainment (R.D.E.) facilities and high rise multi-family residential buildings, residential dwellings units above ground floor permitted uses shall only be allowed to reach a height equal to that limit as set forth in the building regulations for that zone.
2. Unless otherwise indicated, all uses in commercial zoning districts must be freestanding or combined with other permitted uses within a single building or within multiple buildings on a single lot, provided that each such use occupies a minimum gross floor area of 400 s.f.
3. Should more than one use be proposed on one development parcel and one of such uses is a conditional use and the other one or more uses is a permitted use, then in such event the conditional use standards set forth in Section 500 shall apply in the event there is any conflict with the base district regulations.
4. For projects which include the construction of a minimum of 25 residential or transient residential dwellings units or warrants 50 or more parking spaces, the following additional items must be submitted as part of the Completeness Review:
 - a. Traffic Impact Study with additional narrative demonstrating compliance with CAFRA rule NJAC 7:7E-8.11 and 8.14.
 - b. Sun/Shadow Diagrams.
 - c. Leadership in Energy & Environmental Design Checklist for New Construction & Major Development wherein an application must attain a minimum of 26 LEED points

utilizing the latest version of US Green Building Council's "LEED-NC Green Building Rating System for New Construction & Major Renovations."

5. Building setbacks shall not apply to canopies at the entrances to commercial buildings. A canopy is defined here as structure that provides shade or other shelter from the elements. The canopies shall be permitted to extend into the public right-of-way to a point no more than two (2) feet from the face of the curb and shall allow for free flow of pedestrian traffic on the public sidewalk.
6. Any high-rise residential building containing 50 or more dwelling units shall develop an Emergency Operations Management plan and submit said plan to City of Wildwood Office of Emergency Management and public safety officials (namely police and fire officials).
7. Child care centers for which, upon completion, a license is required from the Department of Human Services pursuant to P.L.1983, c.492 (C.30:5B-1 et seq.), shall be a permitted use in all nonresidential districts of a municipality, in accordance with NJSA 40:55D-66.
8. Any child care program approved by a local board of education and operated by the board or by an approved sponsor in a public school, before or after regular school hours, pursuant to N.J.S.18A:20-34, shall be deemed a permitted use in all residential and nonresidential districts of a municipality and shall be exempt from local zoning restrictions, in accordance with NJSA 40:55D-66.7(a).

B. General Commercial (GC)

1. Purpose

The General Commercial (GC) Zoning District was crafted to provide appropriate locations for a variety of neighborhood and regionally oriented commercial facilities in order to supply goods and services to address the needs of the residents of the City of Wildwood and the Greater Wildwood Area; and to provide for appropriate locations for expanded seasonal and non-seasonal convention and tourism-related commercial offerings in order to advance the economic vitality of the City of Wildwood while protecting the City's residential neighborhoods.

2. Permitted Uses

- a. Neighborhood and regionally oriented retail activities.
- b. Neighborhood and regionally oriented service activities.
- c. Banks, including drive-through facilities.
- d. Offices and office buildings, including professional offices.
- e. Restaurants (dining or take-out/drive-through), bars and taverns¹⁰.
- f. Theaters and bowling alleys.
- g. Public parks, playgrounds and conservation areas.
- h. Automobile sales through dealers (Rio Grande, Park and New Jersey Avenue frontage only).
- i. Boat sales (Rio Grande, Park and New Jersey Avenue frontage only).
- j. Public or private enclosed recreation facilities, including fitness center and/or health club, with customary associated retail. A small café for the benefit of facility users is permitted as an accessory use.

¹⁰ Subject to the provisions of City Code: Chapter 5.7.

- k. Lodges and clubs.
- l. Municipal buildings and uses.
- m. Residential dwelling Units above ground-floor permitted uses (a through k) herein above, limited to the lower of 35' or 3 stories from TOC in height. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.

3. Conditional Uses

All conditional uses are required to obtain Conditional Use Approval from the Planning Board, unless specifically stated otherwise herein. The review by the Planning Board of a conditional use shall include any required site plan review pursuant to this Ordinance.

Individual standards for each specific conditional use listed below are found in section 501 and are specifically incorporated herein. Should any proposed conditional use fail to meet any of the standards stipulated, then a use variance shall be required.

- a. Residential dwelling units above ground-floor permitted uses may increase the maximum building height to the lower of 59' or 5 stories from TOC, provided:
 - 1. The property is located within that portion of the General Commercial (GC) Zone east of New Jersey Avenue.
 - 2. The minimum lot size is 10,000 s.f.
- b. Automotive service stations and garages.
- c. Car washes
- d. Seasonal Christmas Tree Sales, provided:
 - 1. Annual sale of Christmas trees is permitted between December 1st and December 25th in any given calendar year.
 - 2. Conditional Use Approval and site plan review by the Planning Board is not required. Instead, the Zoning Official shall require and review a site plan for the temporary use.

Should the use meet the conditions set forth here and in section 501H be met, then a zoning permit shall be issued. The fee for such temporary use permit shall be the same as the fee for a Change of Use permit.

4. Accessory Buildings and Uses

- a. Off-street parking attendant to permitted and conditional uses, subject to the provisions of section 608.
- b. Private garages for the storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
- c. Signs.
- d. Public swimming pools, subject to the provisions of Section 509.
- e. Outdoor display of merchandise attendant to a permitted use, provided:
 3. All such displayed items are permitted under the mercantile license for the host establishment.
 4. Such displays do not extend more than three feet (3') from the host building.
 5. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 6. All display racks are removed (taken indoors) during non-business hours.¹¹
- f. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- g. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.

¹¹ Commercial coin operated vending machines are not subject to this regulation.

5. Building Regulations

a. Principal Buildings	
Minimum Lot Area	7,200 s.f.
Minimum Lot Frontage & Lot Width	80'
Minimum Lot Depth	90'
Minimum Side Yard Setbacks	0' & 29' (Driveways), 17' each (Circular Drives)
Minimum Front Yard Setback	No Minimum Established Subject to approval by the Zoning Officer, setback shall conform to the prevailing setbacks for the existing structures on the street frontage at time of application. Where no prevailing setback exists, 0' setback shall be established.
Minimum Rear Yard Setback	15'
Maximum Principal Building Coverage	General: 50%, Pacific Avenue: 80%
Maximum Lot Coverage	80%
Maximum Building Height	The lower of 35' or 3 Stories from TOC
Maximum Density	1,500 s.f. / du above ground floor Permitted Use
b. Accessory Structures	
Minimum Distance to Side Property Line	4'
Minimum Distance to Rear Property Line	4'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	The lower of 1 Story or 16' from TOC
Minimum Distance to Other Buildings	8'

6. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Off-site parking accessory to a permitted use shall be permitted within the General Commercial Zone, subject to site plan approval by the Planning Board.
- c. Any permitted use in the General Commercial Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 1. No access shall be permitted to the parking area from within the residential zone.
 2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- d. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- e. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- f. In recognition of the existing, fully built-out nature of the lots along Pacific Avenue, the lack of existing off-street parking spaces in this area, and the resultant difficulty and inability of applicants to acquire

additional lands for such parking, off-street parking requirements for Permitted Uses desiring to occupy existing structures fronting Pacific Avenue in the General Commercial Zone shall require only those off-street parking spaces existing at the effective date of this Ordinance.

This provision shall not apply to new structures, which instead must conform to the requirements herein.

- g. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

7. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 - 4. Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 - 1. The sign area does not exceed 100sf.
 - 2. The height for any sign such sign does not exceed 32'.
 - 3. Pole mountings shall not be installed closer than one foot (1') from any property line.
 - 4. The outboard edge of such signs may extend over the property line up to four feet (4'), provided the bottom edge of any such sign is a minimum of ten feet (10') from grade.

5. A base area 50% of the size of any such sign must be appropriately landscaped.
 6. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.
- c. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.
- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way in commercial zones, provided:
1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:
 - 1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 - 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 - 3. Such canopies must be anchored to the host building.
 - 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 - 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 - 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 - 1. No window sign shall not exceed 25% of the total window area.
 - 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- h. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Dwelling units: information and direction signs as defined in § 609A(5).

- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- l. See section 609 for additional standards.

C. Hotel/Motel (H/M)

1. Purpose

The 2007 Comprehensive Master Plan Update confirmed the need for the Wildwoods to update their offerings and to expand their lodging, restaurant, entertainment (nightlife), retail to address the need for more and more-varied offerings in new or renovated structures for the Wildwoods to satisfy the needs of an increasingly sophisticated vacationing public and compete with other destinations featuring modern Resort Hotels with high concept public spaces, themed restaurants and other amenities. The H/M Zoning District supports the City's economic base and foster economic growth by providing sufficient land in appropriate locations within the City of Wildwood to expand the City's tourist-dependent economy from its current seasonal focus to a year-round basis and to support the Convention Center ~ both as an attraction and economic generator for the region. The H/M Zoning Districts strives to create an urban core and the development of higher structures is critical component to realize the vision of creating year-round tourism destination resort.

The Hotel/Motel (H/M) Zone, in conjunction with the Tourism Entertainment (T/E) Zone, make up the heart of Wildwood's resort economy. Development of higher, modern tourism infrastructure here is critical to the future of the City of Wildwood, not only to maintain the resort economy, but also to create the higher, denser urban core envisioned in the 2007 Comprehensive Master Plan Update, and of creating a year-round destination and associated resort facilities. New development at the building heights prescribed in the HM Zone is critical to achieving the City's vision.

2. Permitted Uses

- a. Hotels and motels, including customary ancillary and accessory uses, provided:
 1. Temporary lodging is offered in the form of hotel/motel rooms rented to the general public on a daily or weekly basis but not more than thirty (30) days, and not intended to be occupied or used for any primary residential purpose, either temporary or permanent.

2. A front desk area is maintained to serve guests and the public.
 3. Maid service and other room amenities, including linens and towel service, in a quality manner expected from the traveling public is provided.
 4. A manager and/or desk staff meeting the requirements of State lodging laws and State swimming pool regulations are employed to provide these services.
 5. Any proposed new development maximizes the use of environmentally-friendly LEED ¹² building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 6. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- b. Combined Resort, Dining, and Entertainment Facilities, provided that:
1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 2. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- c. Restaurants (dining or take-out/drive-through), bars and taverns¹³.
- d. Specialty, novelty, tourist and seashore-related retail.
- e. Bicycle, beach accessory and water sport sales and rental.

¹² “Leadership in Energy & Environmental Design”

¹³ Subject to the provisions of City Code: Chapter 5.7.

- f. Public parks, playgrounds and conservation areas.
- g. Municipal buildings and uses.
- h. Residential Dwelling Units above ground-floor permitted uses a. through e. herein. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.

3. Conditional Uses

- a. Subject to Planning Board approval as a Conditional Use standard, building height for any hotel, motel, or combined resort, dining, and entertainment structure proposed under these Hotel/Motel Zone (H/M) regulations may increase from the 67' (6 stories) from TOC without structured parking to a maximum of 250' (25 stories) from TOC with structured parking.
- b. Freestanding commercial parking lots, subject to the conditional use standards contained in section 501B(5) and the design standards found in section 608.
- c. Parking garages, either commercial or attendant to a permitted use.
- d. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of Section 507.

4. Accessory Buildings and Uses

- a. Off-street parking attendant to permitted and conditional uses, subject to the regulations listed in section 413C(7) below and the design standards found in section 608.
- b. Public swimming pools, subject to the provisions of section 509.
- c. Private garages for storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
- d. Signs.

- e. Outdoor display of merchandise attendant to a permitted use, provided:
 - 1. All such displayed items are permitted under the mercantile license for the host establishment.
 - 2. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 - 3. Such displays do not extend more than three feet (3') from the host building.
 - 4. All display racks are removed (taken indoors) during nonbusiness hours.
- f. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- g. Windmills and energy conservation devices in side and rear yards only subject to the provisions of section 511.

5. Building Regulations

	General	Hotels, Motels & Combined R.D.E. Facilities
a. Principal Buildings		
Minimum Lot Area	7,200 s.f.	<=12 stories from TOC 12,000 s.f. >=12 stories from TOC 12,000 s.f. x proposed building height/128'
Minimum Lot Frontage & Lot Width	80'	No Minimum Established
Minimum Lot Depth	90'	No Minimum Established
Minimum Side Yard Setbacks	0' & 29' (Driveways) 17' each (Circular Drives)	20' (each)
Minimum Front Yard Setback	0' on North/South streets, such as Ocean Ave. and all streets parallel to	0' on North/South streets, such as Ocean Ave. and all streets parallel to Ocean Ave.
	General	Hotels, Motels & Combined R.D.E. Resort Facilities
	Ocean Ave. 10' on East/West streets, such as Rio Grande Ave. and all streets parallel to Rio Grande Ave.	10' on East/West streets, such as Rio Grande Ave. and all streets parallel to Rio Grande Ave.
Minimum Rear Yard Setback	15'	20'
Maximum Principal Building Coverage	50%	75%
Maximum Lot Coverage	80%	80%
Maximum Building Height	The lower of 35' or 3 Stories from TOC	The lower of 67' or 6 Stories from TOC without structured parking
Maximum Density	Minimum 1,500 s.f./du above ground floor Permitted Use	FAR=10

b. Conditional Use		
	Parking Garages	Hotels, Motels, & Combined R.D.E. Facilities
Maximum Building Height	The lower of 60' or 6 stories from TOC	Building height may extend to the lower of 250' or 25 Stories from TOC, provided that all required parking is developed as structured parking.
Maximum Density	N/A	FAR=10
c. Accessory Structures		
Minimum Distance to Side Property Line	5'	5'
Minimum Distance to Rear Property Line	5'	5'
Maximum Total Footprint for all Accessory Structures	N/A	N/A
Maximum Height	The lower of 1 Story or 16' from grade from TOC	The lower of 1 Story or 16' from grade from TOC
Minimum Distance to Other Buildings	10'	10'

6. Additional Standards, Requirements, and Regulations

- a. All development in this Hotel/Motel (H/M) Zone shall be subject to design standards of NJDEP Coastal Zone Management rules including but not limited to, High-rise Structure Rule NJAC 7:7E-7.14, Scenic Resources & Design Rule (NJAC 7:7E-8.12 and Buffers & Compatibility of Uses Rule (NJAC 7:7E-8.13), as currently adopted, shall be incorporated into the plans and design of projects, particularly in regards to building and site design requirements.
- b. New high-rise development consisting of combined retail, dining, and entertainment facilities, multi-family dwelling units, hotels, motels, hotel/condominiums, and condominiums shall provide an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront where an open view currently exists, as per NJDEP Coastal Zone Management rules (N.J.A.C. 7:7E-8.12d).
- c. If any hotel, motel, is converted to an apartment building whereby one or more units are privately owned as a condominium or cooperative form of ownership, unless such building, regardless of

the form of ownership continues to operate primarily as a hotel or motel, it shall be presumed to be a change in use from hotel or motel use to multiple family residential use. If there is an elimination of common features of a hotel or motel such as a front desk, lobby, maid service and other hotel/motel features, or if any of the units are no longer available for short term occupancy but are instead being utilized by the same occupants for more than 30 days, it shall be considered prima facie evidence that the use has been changed from a hotel or motel to a multi-family residential use, in which case such conversion will not be permitted unless a use variance is granted by the Zoning Board.

- d. No newly constructed hotel or motel unit shall consist of less than 350 s.f.
- e. A permanent superintendent's or owner's quarters shall be permitted within a hotel or motel, and shall be included in the calculation of permitted density. Use and occupancy of such owner's quarters shall not be subject to the 30 day length of stay restriction and may be utilized on a permanent, year-round basis.

7. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Off-site parking accessory to a permitted use shall be permitted within the Hotel/Motel Zone, subject to site plan approval by the Planning Board.
- c. Any permitted use in the Hotel/Motel Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 - 1. No access shall be permitted to the parking area from within the residential zone.

2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- d. Parking garages shall be subject to the building regulations and bulk requirements for hotels, motels, and combined resort, dining, and entertainment facilities found in section 413C(5), except that the maximum building height for such structures shall be the lesser of 6 stories or 60'.
 - e. This Ordinance recognizes that while parking is critical to the success of the City's economic base, parking garages are typically utilitarian structures which often create dead zones which can be extremely detrimental to the vibrancy and aesthetics of a business or tourist district. To avoid blank, monolithic or otherwise distasteful first floor facades, parking structures shall have decorative wall treatments consistent with Section 411F herein. The scope, style and extent of such treatment shall be approved by the Planning Board at time of site plan review and conditional use approval.
 - f. Nothing herein shall prohibit two or more independent principal uses, whether owned by the same entity or not, from combining to construct a parking garage for the purposes outlined herein, provided that said structure is accessory to at least one of the aforementioned principal uses.

Similarly, nothing herein shall prohibit the owner/operator of a parking garage constructed for the purposes outlined herein to lease excess parking spaces to satisfy the parking requirements of a third party permitted use within Hotel/Motel Zone, Hotel/Motel (H/M1) Zone, or the Tourist Entertainment (TE) Zone.

- g. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- h. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- i. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

8. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 - 1 No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2 The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3 The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 - 4 Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 - 1. The sign area does not exceed 100sf.
 - 2. The height for any sign such sign does not exceed 32'.
 - 3. Pole mountings shall not be installed closer than one foot (1') from any property line.
 - 4. The outboard edge of such signs may extend over the property line up to four feet (4'), provided the bottom edge of any such sign is a minimum of ten feet (10') from grade.

5. A base area 50% of the size of any such sign must be appropriately landscaped.
 6. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.
- c. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.
- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way in commercial zones, provided:
1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:
 - 1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 - 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 - 3. Such canopies must be anchored to the host building.
 - 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 - 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 - 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 - 1. No window sign shall not exceed 25% of the total window area.
 - 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- h. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Information and direction signs as defined in § 609A(5).
- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.

- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- l. See section 609 for additional standards.

D. Hotel/Motel 1 (H/M-1)

1. Purpose

The Hotel/Motel (H/M-1) Zone was crafted out of the existing Hotel/Motel Zone to provide for the redevelopment and expansion of the City's hotel and motel inventory in appropriate locations, while protecting existing housing, providing for transitional heights to neighboring (low-rise) residential development and providing for new multi-family residential structures within the City. In order to achieve the City's vision and create a denser, compact urban core, new hotels, motels and resort facilities must be built higher, but varying those heights and intensities according to zones. This zoning district is designed to create a higher, denser urban core that will serve the tourism economic base while buffering adjacent zones of lower transitional heights and uses.

2. Permitted Uses

a. Hotels and motels, including customary ancillary and accessory uses, provided:

1. Temporary lodging is offered in the form of hotel/motel rooms rented to the general public on a daily or weekly basis but not more than thirty (30) days, and not intended to be occupied or used for any primary residential purpose, either temporary or permanent.
2. Temporary lodging is offered in the form of hotel/motel rooms rented to the general public on a daily or weekly basis but not more than thirty (30) days, and not intended to be occupied or used for any primary residential purpose, either temporary or permanent.
3. A front desk area is maintained to serve guests and the public.
4. Maid service and other room amenities, including linens and towel service, in a quality manner expected from the traveling public is provided.
5. A manager and/or desk staff meeting the requirements of State lodging laws and State swimming pool regulations are employed to provide these services.

6. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 7. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- b. Combined Retail, Dining, and Entertainment Facilities, provided that:
1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 2. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- c. Restaurants (dining or take-out/drive-through), bars and taverns¹⁴.
- d. Specialty, novelty, tourist and seashore-related retail.
- e. Bicycle, beach accessory and water sport sales and rental.
- f. Public parks, playgrounds and conservation areas.
- g. Municipal buildings and uses.
- h. Residential Dwelling Units above ground-floor Permitted Uses a. through e. herein. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.

3. Conditional Uses

¹⁴ Subject to the provisions of City Code: Chapter 5.7.

- a. Subject to Planning Board approval as a conditional use, building height for any hotel, motel, or combined resort, dining, and entertainment facility structure proposed under these Hotel/Motel-1 Zone regulations may increase from the 67' (6 stories) from TOC without structured parking to a maximum of 150' (15 stories) from TOC with structured parking.
- b. Freestanding commercial parking lots, subject to the conditional use standards contained in section 501B(5) and the design standards found in section 608.
- c. Parking garages, either commercial or attendant to a permitted use.
- d. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of section 507.

4. Accessory Buildings and Uses

- a. Off-street parking attendant to permitted and conditional uses, subject to the regulations listed in section 413C(7) and the design standards found in section 608.
- b. Public swimming pools, subject to the provisions of Section 509.
- c. Private garages for storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of Section 608.
- d. Signs.
- e. Outdoor display of merchandise attendant to a permitted use, provided:
 - 1. All such displayed items are permitted under the mercantile license for the host establishment.
 - 2. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.

3. Such displays do not extend more than three feet (3') from the host building.
 4. All display racks are removed (taken indoors) during nonbusiness hours.
- f. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
 - g. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

5. Building Regulations

	General	Hotels, Motels & Combined R.D.E. Resort Facilities
a. Principal Buildings		
Minimum Lot Area	7,200 s.f.	<=12 stories from TOC 12,000 s.f. >=12 stories from TOC 12,000 s.f. x (multiplied by) proposed building height/ (divided by) 128
Minimum Lot Frontage & Lot Width	80'	No Minimum Established
Minimum Lot Depth	90'	No Minimum Established
Minimum Side Yard Setbacks	0' & 29' (Driveways) 17' each (Circular Drives)	20' (each)
Minimum Front Yard Setback	0' on North/South streets, such as Ocean Ave. and all streets parallel to	0' on North/South streets, such as Ocean Ave. and all streets parallel to Ocean Ave.
	General	Hotels, Motels & Combined R.D.E. Resort Facilities
	Ocean Ave. 10' on East/West streets, such as Rio Grande Ave. and all streets parallel to Rio Grande Ave.	10' on East/West streets, such as Rio Grande Ave. and all streets parallel to Rio Grande Ave.
Minimum Rear Yard Setback	15'	20'
Maximum Principal Building Coverage	50%	75%
Maximum Lot Coverage	80%	80%
Maximum Building Height	The lower of 35' or 3 Stories from TOC	The lower of 67' or 6 Stories from TOC without structured parking
Maximum Density	Minimum 1,500 s.f./du above ground floor Permitted Use	FAR=10

b. Conditional Use		
	Parking Garages	Hotels, Motels, & Combined R.D.E. Facilities
Maximum Building Height	The lower of 60' or 6 stories from TOC	Building height may extend to the lower of 150' or 15 Stories from TOC, provided that all required parking is developed as structured parking.
Maximum Density	N/A	FAR=10
c. Accessory Structures		
Minimum Distance to Side Property Line	5'	5'
Minimum Distance to Rear Property Line	5'	5'
Maximum Total Footprint for all Accessory Structures	N/A	N/A
Maximum Height	The lower of 1 Story or 16' from grade from TOC	The lower of 1 Story or 16' from grade from TOC
Minimum Distance to Other Buildings	10'	10'

6. Additional Standards, Requirements, and Regulations

- a. All development in this Hotel/Motel 1 (H/M-1) Zone shall be subject to design standards of NJDEP Coastal Zone Management rules including but not limited to, High-rise Structure Rule NJAC 7:7E-7.14, Scenic Resources & Design Rule (NJAC 7:7E-8.12 and Buffers & Compatibility of Uses Rule (NJAC 7:7E-8.13), as currently adopted, shall be incorporated into the plans and design of projects, particularly in regards to building and site design requirements.
- b. New high-rise development consisting of combined resort, dining, and entertainment facilities, multi-family dwelling units, hotels, motels, hotel/condominiums, and condominiums shall provide an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront where an open view currently exists, as per NJDEP Coastal Zone Management rules (N.J.A.C. 7:7E-8.12d).
- c. If any hotel, motel, is converted to an apartment building whereby one or more units are privately owned as a condominium or cooperative form of ownership, unless such building, regardless of

the form of ownership continues to operate primarily as a hotel or motel, it shall be presumed to be a change in use from hotel or motel use to multiple family residential use. If there is an elimination of common features of a hotel or motel such as a front desk, lobby, maid service and other hotel/motel features, or if any of the units are no longer available for short term occupancy but are instead being utilized by the same occupants for more than 30 days, it shall be considered prima facie evidence that the use has been changed from a hotel or motel to a multi-family residential use, in which case such conversion will not be permitted unless a use variance is granted by the Planning Board.

- d. No newly constructed hotel or motel unit shall consist of less than 350 s.f.
- e. A permanent superintendent's or owner's quarters shall be permitted within a hotel or motel, and shall be included in the calculation of permitted density. Use and occupancy of such owner's quarters shall not be subject to the 30 day length of stay restriction and may be utilized on a permanent, year-round basis.

7. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Off-site parking accessory to a permitted use shall be permitted within the Hotel/Motel Zone, subject to site plan approval by the Planning Board.
- c. Any permitted use in the Hotel/Motel 1 (H/M-1) Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 - 1. No access shall be permitted to the parking area from within the residential zone.

2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- d. Parking garages shall be subject to the building regulations and bulk requirements for hotels, motels, and combined resort, dining, and entertainment facilities found in section 413C(5), except that the maximum building height for such structures shall be the lesser of 6 stories or 60'.
 - e. This Ordinance recognizes that while parking is critical to the success of the City's economic base, parking garages are typically utilitarian structures which often create dead zones which can be extremely detrimental to the vibrancy and aesthetics of a business or tourist district. To avoid blank, monolithic or otherwise distasteful first floor facades, parking structures shall have decorative wall treatments consistent with Section 411F herein. The scope, style and extent of such treatment shall be approved by the Planning Board at time of site plan review and conditional use approval.
 - f. Nothing herein shall prohibit two or more independent principal uses, whether owned by the same entity or not, from combining to construct a parking garage for the purposes outlined herein, provided that said structure is accessory to at least one of the aforementioned principal uses.

Similarly, nothing herein shall prohibit the owner/operator of a parking garage constructed for the purposes outlined herein to lease excess parking spaces to satisfy the parking requirements of a third party permitted use within Hotel/Motel Zone, Hotel/Motel (H/M-1) Zone, or the Tourist Entertainment Zone.

- g. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- h. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- i. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

8. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 - 4. Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 - 1. The sign area does not exceed 100sf.
 - 2. The height for any sign such sign does not exceed 32'.
 - 3. Pole mountings shall not be installed closer than one foot (1') from any property line.
 - 4. The outboard edge of such signs may extend over the property line up to four feet (4'), provided the bottom edge of any such sign is a minimum of ten feet (10') from grade.

5. A base area 50% of the size of any such sign must be appropriately landscaped.
 6. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.
- c. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.
- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way in commercial zones, provided:
1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:
 - 1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 - 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 - 3. Such canopies must be anchored to the host building.
 - 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 - 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 - 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 - 1. No window sign shall not exceed 25% of the total window area.
 - 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- h. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Information and direction signs as defined in § 609A(5).
- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.

- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- i. See section 609 for additional standards.

E. Light industrial (L/I)

1. Purpose

To provide for lands in specific locations within the City of Wildwood for necessary and appropriate activities designed to support the City's economic base which, by reason of a combination of hours, operations or materials, is not desirable in a residential neighborhood or a heavily traveled commercial zone.

2. Permitted Uses

- a. Light industrial manufacturing, processing, assembly or treatment of materials or products from previously prepared materials within a completely enclosed building wherein the activities conducted do not generate harmful or unpleasant odors or pollutants.
- b. Wholesale distribution centers.
- c. Warehouses and equipment storage facilities.
- d. Public parks, playgrounds and conservation areas.
- e. Tattoo parlors and body piercing salons.
- f. Heliports and helistops are expressly prohibited.
- g. Refineries or other processing of petroleum, tanks farms, transmission of bulk storage facilities for crude and/or refined petroleum products are expressly prohibited.
- h. Municipal buildings and uses.

3. Conditional Uses

- a. Subject to Site Plan approval by the Planning Board, exterior storage of merchandise, products, equipment or similar material.

Such outdoor storage areas shall be screened from view from any public right-of-way or adjacent residential property by a fence or wall, as well as by an appropriate combination of plant material in order to soften the appearance of the fence or wall from the public right-of-way or adjacent residential property. The sufficiency and

acceptability of the landscaping plan shall be determined by the Planning Board.

- b. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of section 507.

4. Accessory Buildings and Uses

- a. Off-street parking, subject to the provisions of section 608.
- b. Private garages for the storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
- c. Signs.
- d. Employee cafeterias as part of a principal building or as an accessory building constructed solely for said purpose.
- e. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.
- f. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.

5. Building Regulations

a. Principal Buildings	
Minimum Lot Area	12,000' s.f.
Minimum Lot Frontage & Lot Width	100'
Minimum Lot Depth	100'
Minimum Side Yard Setbacks	10' each
Minimum Front Yard Setback	10'
Minimum Rear Yard Setback	10'
Maximum Principal Building Coverage	50%
Maximum Lot Coverage	80%
Maximum Building Height	The lower of 35' or 3 Stories from TOC
b. Accessory Structures	
Minimum Distance to Side Property Line	4'
Minimum Distance to Rear Property Line	4'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	The lower of 1 Story or 16' from TOC
Minimum Distance to Other Buildings	15'

6. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Permitted uses shall provide off-street loading spaces/zones as follows:

1. One space for every 8,000 sf of floor area, measured as cumulative for all buildings and/or activities on the subject site.
 2. Each Loading Space shall be at least 15' x 30'.
 3. All off-street loading areas shall maintain adequate ingress and egress from the public right-of-way. All such areas shall be located at the side or rear of the facility. No loading shall take place from the street.
- c. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
 - d. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
 - e. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

7. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:

1. The sign area does not exceed 100sf.
 2. The height for any sign such sign does not exceed 32'.
 3. Pole mountings shall not be installed closer than one foot (1') from any property line.
 4. The outboard edge of such signs may extend over the property line up to four feet (4'), provided the bottom edge of any such sign is a minimum of ten feet (10') from grade.
 5. A base area 50% of the size of any such sign must be appropriately landscaped.
 6. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall permitted in accordance with these regulations.
- c. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- d. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
1. No window sign shall not exceed 25% of the total window area.
 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- e. Information and direction signs as defined in § 609A(5).
- f. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- g. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- h. See section 609 for additional standards.

F. Marine Commercial-Residential (MC-R)

1. Purpose

To support the City's economic base and foster economic growth by providing sufficient land in appropriate locations and appropriate mixed-use development on select sections of the City's waterfront in order to expand the City's tourist-dependent economy from its current seasonal focus to a year-round basis, provide for water oriented commercial uses as amenities to residential development and to support the Convention Center both as an attraction and economic generator for the region. The MC-R Zoning District had anticipated single-family development with water-oriented uses. Without the negative influences of the former commercial fishing operations, this section of the City is poised to be an attractive one of a kind, residential community. Given the relatively small development parcels present in the MC-R Zone and the parking requirement for residential and waterfront commercial development, this Ordinance recognizes that traditional surface parking lots are neither practicable nor the highest and best use for these lands. A structural design which places residential units above common, structured parking appears to be a more appropriate parking solution.

While not precluding single-family development currently permitted in the MC-R Zone, the 2007 Comprehensive Master Plan recommended the addition of townhouse and mid-rise, multi-family mixed-use development designed to support the water dependent and water oriented uses already permitted in this zone.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. 2 family stacked (duplex) dwelling units.
- c. Single-family semi-detached (duplex) dwelling units.
- d. Townhouse dwelling units.
- e. Owner-occupied residential dwelling units at planning board approved marinas, commercial fishing sites, and other water dependent and water oriented uses where boat slips are used for seasonal boat docking, as shown on a submitted site plan.

- f. Active or passive recreation facilities.
- g. Governmentally sponsored permanent and non-permanent public access pedestrian walkways or Boardwalks, fishing and/or scenic overlook piers, exercise trails, floating docks for seasonal boat docking, etc. to provide access to the waters of Otten's Harbor, as scenic overlooks and other educationally oriented structures, as authorized by City Commission.
- h. Municipal buildings and uses.

3. Prohibited Uses

- a. Floating homes or "live-aboard" vessels are expressly prohibited.
- b. Permanent mooring or mooring of boats by anchoring in the waters of Otten's Harbor beyond 10 days is expressly prohibited.
- c. Seaplane landings, heliports and helistops are expressly prohibited.
- d. Vending machines and public telephones are expressly prohibited.
- e. Wireless telecommunications towers, antennas, and facilities are expressly prohibited.

4. Conditional Uses

- a. Recreational marinas and related boat/marine repair facilities, including but not limited to offering rental boats and boat rental slips, meeting the standards contained in the NJDEP Rules on Coastal Zone Management, namely NJAC 7:7E-7.3, as currently adopted.
- b. Eco-tourism related fishing and boating facilities.
- c. Combined retail, dining, and entertainment facilities and multi-family dwelling units, provided that the project design includes the water dependent and water oriented uses permitted under Section 413(F)(2) herein and provides demonstrated compliance with NJDEP Rules on Coastal Development, provided:
 - 1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and

technologies as well as the use of “Green” building practices for buildings and mechanical systems.

2. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- d. Hotels and motels, hotel/condominiums, condominiums, including customary ancillary and accessory uses, provided that the project design includes the water dependent and water oriented uses permitted under Section 413(F)(2) herein and provides demonstrated compliance with NJDEP Rules on Coastal Zone Management, provided:
1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 2. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- e. Residentially-based water dependent uses, water oriented uses, and support services, where boat slips for seasonal boat docking are shown and approved on a submitted site plan.
- f. Waterfront restaurants (dining and take-out), bars and taverns.
- g. Seafood markets.
- h. Freestanding commercial parking lots, subject to the conditional use standards contained in section 501B(5) and the design standards found in section 608.
- i. Specialty, novelty, tourist and seashore related retail.
- j. Bicycle and water sport rental and sales.

- k. Public parks, playgrounds and conservation areas.
- l. Outdoor Patios, accessory to restaurants, bars and taverns, wherein food and beverage service is permitted. Such structures may have roofs and removable side panels to protect patrons from weather elements. Such uses shall conform to the conditional use standards found in section 501B(10) of the Tourist-Entertainment (T/E) Zone.

5. Accessory Buildings and Uses

- a. Showers, toilets, and boat storage (whether on boat trailers or rack storage) and similar amenities normal and customary to an active recreational marina.
- b. Private residential swimming pools in side and rear yards only, subject to the provisions of section 509. Single-Family Detached and Single-Family Semi-Detached (Duplex) dwelling units are exempt from submitting a site plan in conformance with this requirement.
- c. Outdoor display of merchandise attendant to a permitted use, provided:
 - 1. All such displayed items are permitted under the mercantile license for the host establishment.
 - 2. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 - 3. Such displays do not extend more than three feet (3') from the host building.
 - 4. All display racks are removed and taken indoors during nonbusiness hours.
- d. Off-street parking and private garages associated to permitted residential dwellings, subject to the provisions of section 608.
- e. Private garages for storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.

- f. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
- g. Seasonal boat docking at approved boat slips, as shown on the submitted site plan, attendant to Owner-occupied residential dwelling units. Nothing shall preclude Owner-occupied boat slips from being leased out to other private individuals for revenue purposes. However, no Floating homes or “live-aboard” vessels are permitted and no “extended stays” by boat owners utilizing their boat at seasonal boat slips for a period of greater than 10 days is permitted.
- h. Public swimming pools, subject to the provisions of section 509.
- i. Parking of trailered/blocked boats in side and rear yards only. Such boats shall be owned by the resident of the subject lot. Further, such boats shall not be used for temporary or permanent living quarters.
- j. Home occupations, subject to the definitions and requirements of section 201 herein.
- k. Signs.
- l. Accessory apartment units within detached single-family dwellings, subject to Section 503 and the bulk requirements below and herein.
- m. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- n. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

6. Building Regulations

		Single Family Detached	2-Family Stacked (Duplex)	Single Family Semi-Detached (Duplex)	Townhouse	
a. Principal Buildings						
Minimum Lot Area		6,000 s.f.	9,000 s.f.	12,000 s.f.	2,160 s.f. interior units, 3,240 s.f. end units	
Minimum Lot Frontage & Lot Width		60'	80'	120'	24' interior units, 36' end units	
Minimum Lot Depth		No Minimum Established	No Minimum Established	No Minimum Established	No Minimum Established	
Minimum Side Yard Setbacks		14' & 10'	15' each	20' each	0' interior units, 12' end units	
Minimum Front Yard Setback		10'	10'	10'	10'	
Minimum Rear Yard Setback		15'	15'	15'	30'	
Maximum Principal Building Coverage		50%	50%	50%	75%	
Maximum Lot Coverage		65%	65%	65%	80%	
Maximum Building Height		The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 35' or 3 Stories from TOC	The lower of 59' or 6 stories from TOC,	
Maximum Density	(du/ac)	7.26	9.68	7.26	17.93	
	(sf/du)	6,000	4,500	6,000	2,160 s.f. interior units, 3,240 s.f. end units	

b. Conditional Uses		
	Mid-Rise, Combined R.D.E. Facilities or Multi- Family Dwelling Units	Other Conditional Uses
Minimum Lot Area	12,000 sf	1,600 sf
Minimum Lot Frontage & Lot Width	200'	40'
Minimum Lot Depth	No Minimum Established. ³⁷	40'
Minimum Side Yard Setbacks	20' each	6'
Minimum Front Yard Setback ¹⁵	0'	10'
Minimum Rear Yard Setback ¹⁶	15' from bulkhead line, 10' from property line.	0'
Maximum Principal Building Coverage	80%	50%
Maximum Lot Coverage	80%	80%
Maximum Building Height	The lower of 59' or 6 stories from TOC without incorporated structured parking or the lower of 120' or 12 Stories from TOC with incorporated structured parking.	The lower of 35' or 3 Stories from TOC
Maximum Density	(du/ac)	Residential above ground floor Permitted Use: Minimum 1,500 sf/du
	(sf/du)	
c. Accessory Structures		

¹⁵ Setback established from right-of-way of Montgomery Avenue

¹⁶ See also Section 501B)(6)

	Single Family Detached	2-Family Stacked (Multi-Story)	Single Family Semi-Detached (Duplex)	Townhouse	Mid-Rise, Combined R.D.E. Resort Facilities and/or Multi-Family Dwelling Units
Minimum Distance to Side Property Line	4'	4'	4'	4'	5'
Minimum Distance to Rear Property Line	5'	5'	5'	5'	5'
Maximum Total Footprint for all Accessory Structures ¹⁷	450 s.f.	550 s.f.	550 s.f.	150 s.f./du	N/A
Maximum Height	The lower of 1 Story or 16' from TOC, Storage Sheds: 8 from TOC'	The lower of 1 Story or 16' from TOC, Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC, Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC, Storage Sheds: 8' from TOC	The lower of 1 Story or 16' from TOC, Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	8'	8'	8'	8'	10'

7. Additional Standards, Requirements, and Regulations

- a. All Conditional Uses in this Marine Commercial-Residential (MC-R) Zone shall be subject to design standards of all NJDEP Coastal Zone Management rules, as applicable, including but not limited to, High-rise Structure Rule NJAC 7:7E-7.14, Scenic Resources & Design Rule NJAC 7:7E-8.12, and Buffers & Compatibility of Uses Rule NJAC 7:7E-8.13. Such design standards, as currently adopted, shall be incorporated into the plans and design of projects, particularly in regards to building and site design requirements.
- b. New waterfront development consisting of mid-rise, combined retail, dining, and entertainment facilities, multi-family dwelling units, hotels and motels, hotel/condominiums, and condominiums higher than 15' in height measured from TOC⁴⁸ shall:

¹⁷ However, the total cumulative footprint of all Storage Sheds shall not exceed 150 s.f./du

1. Provide an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront where an open view currently exists.
 2. Be separated from the waterfront/water's edge by a distance equal to two (2) times the height of the structure.
- c. All waterfront development shall have demonstrated compliance with public access as required in NJDEP Coastal Zone Management rules NJAC 7:7E-8.11, as currently adopted, except for single-family detached, 2-family stacked (multi-story), single-family semi-detached (duplex) residential uses. To the maximum extent practicable, permanent perpendicular and linear access to the waterfront, including both visual and physical access, shall be provided. Access shall clearly be marked by signage, not to be restricted in any shape or form and maintained in perpetuity. In recognition of the importance of the rights protected by the Public Trust Doctrine and the importance of perpendicular access to make public enjoyment of waterfront areas a practical reality, New Jersey has enacted protections for those across and on whose land public access is provided. Under the New Jersey Landowner Liability Act, N.J.S.A. 2A:42A-2 et seq., landowners who make their properties available for public access and use are offered limited protection from the liability they would normally face under common law. This includes the owners (or lessees/occupants) of premises upon which public access has been required as a condition of a regulatory approval of, or by agreement with, the Department of Environmental Protection; and the owners (or lessees/occupants) of premises on which a conservation restriction is held by the State, a local unit (for example, a municipality), a charitable conservancy, or premises upon which public access is allowed pursuant to a public pathway or trail easement held by one of these entities. This is an important protection for private landowners that can help to enhance coastal public access throughout the State.

8. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance.

The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.

- b. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- c. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- d. Any permitted commercial use in the Marine Commercial-Residential (MC-R) Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 - 1. No access shall be permitted to the parking area from within the residential zone.
 - 2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 - 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.

- e. Off-site parking accessory to a permitted use shall be permitted within the Marine Commercial-Residential Zone, subject to site plan approval by the Planning Board.
- f. Parking garages and structures shall be subject to the following provisions:
 - 1. All parking garages and structures are subject to Planning Board review and approval. Additionally, parking structures constructed under the provisions of this section shall be considered Conditional Uses, and therefore shall be subject to conditional use regulations of NJSA 40:55D-70.
 - 2. Parking garages and structures shall be subject to the building regulations and bulk requirements for hotels, motels, and combined resort, dining, and entertainment facilities found in section 413C(5), except that the maximum building height for such structures shall be the lesser of 6 stories or 60'.
 - 3. This Ordinance recognizes that while parking is critical to the success of the City's economic base, parking garages are typically utilitarian structures which often create dead zones which can be extremely detrimental to the vibrancy and aesthetics of a business or tourist district. To avoid blank, monolithic or otherwise distasteful first floor facades, parking garages and structures shall have decorative wall treatments consistent with Section 411F herein. The scope, style and extent of such treatment shall be approved by the Planning Board at time of site plan review and conditional use approval.
 - 4. The design and construction of parking garages and structures must include appropriate screening of interior lighting and car headlights from the street and adjoining properties.
- g. Nothing herein shall prohibit two or more independent principal uses, whether owned by the same entity or not, from combining to construct a parking garage for the purposes outlined herein, provided that said structure is accessory to at least one of the aforementioned principal uses.

Similarly, nothing herein shall prohibit the owner/operator of a parking garage constructed for the purposes outlined herein to lease excess parking spaces to satisfy the parking requirements of a third party permitted use within Marine Commercial-Residential (MC-R) Zone.

- h. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- i. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

9. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 - 4. Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.
 - 5. Any combination of wall and free-standing signs on a property must not exceed 75 sf.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 - 1. The sign area does not exceed 20sf.
 - 2. The height for any sign such sign does not exceed 10 feet in height.

3. All such signs must be set back at least 8 feet from all property lines.
 4. A base area 50% of the size of any such sign must be appropriately landscaped.
 5. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.
 6. Any combination of wall and free-standing signs on a property must not exceed 75 sf.
- c. A-frame signs standing on the ground are permitted on the property of a commercial business or use only. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located. No A-frame signs are permitted on residential uses.
- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way on commercial buildings within the MC-R Zone, provided:
1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.

7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:
1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 3. Such canopies must be anchored to the host building.
 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to commercial building facades so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted at commercial uses and shall not be considered in computing the allowable signs provided:
1. No window sign shall not exceed 25% of the total window area.
 2. Window signs shall be professionally designed and no cardboard signs are permitted.

- h. One changeable sign at commercial uses, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- j. Dwelling units: information and direction signs as defined in § 609A(5).
- k. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- l. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- m. See section 609 for additional standards.

G. Marine Commercial-Tourist (MC-T)

1. Purpose

To preserve appropriate sections of the City's waterfront for water oriented, tourist-related uses and facilities, including uses and facilities related to eco-tourism, in order to ensure that sufficient lands are maintained for this critical component of the City's economy.

2. Permitted Uses

- a. Single-family detached dwelling units.
- b. 2-family stacked (multi-story) dwelling units.
- c. Single-family semi-detached (duplex) dwelling units.
- d. Recreational marinas and related boat/marine repair-oriented facilities, including but not limited to boat storage (whether on boat trailers or blocked storage) and similar amenities normal and customary to an active recreational marina, offering rental boats and boat rental slips, meeting the Standards contained in the NJDEP Rules on Coastal Zone Management, namely NJAC 7:7E7.3, as currently adopted.
- e. Eco-tourism related fishing and boating facilities.
- f. Tourist-related water-dependent / water-oriented uses and support services.
- g. Restaurants (dining and take-out/drive-through), bars and taverns.
- h. Seafood markets.
- i. Specialty, novelty, tourist and seashore-related retail.
- j. Bicycle, beach accessory and water sport rental and sales.
- k. Residential Dwelling Units above ground-floor permitted uses d. through j. herein. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.

- l. Governmentally sponsored permanent and non-permanent public access pedestrian walkways or Boardwalks, fishing and/or scenic overlook piers, exercise trails, floating docks for seasonal boat docking, etc. to provide access to the waters of Otten's Harbor, as scenic overlooks and other educationally-oriented structures, as authorized by City Commission.
- m. Municipal buildings and uses.

3. Prohibited Uses

- a. Floating homes or "live-aboard" vessels are expressly prohibited.
- b. Permanent mooring or mooring of boats by anchoring in the waters beyond 10 days is expressly prohibited.
- c. Seaplane landings, heliports and helistops are expressly prohibited.

4. Conditional Uses

- a. Owner-occupied residential dwelling units at planning board approved marinas, commercial fishing sites, and other water dependent and water oriented uses where boat slips are used for seasonal boat docking, as shown on a submitted site plan.
- b. Outdoor patios, accessory to restaurants, bars and taverns, wherein food and beverage service is permitted. Such structures may have roofs and removable side panels to protect patrons from weather elements. Such uses shall conform to the conditional use standards contained in Section 501(B)(10) of this Ordinance.
- c. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of Section 507.

5. Accessory Buildings and Uses

- a. Off-street parking and private garages associated to Permitted residential dwellings, subject to the provisions of section 608.
- b. Outdoor display of merchandise attendant to a permitted use, provided:

1. All such displayed items are permitted under the mercantile license for the host establishment.
 2. Such displays do not extend more than three feet (3') from the host building.
 3. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 4. All display racks are removed (taken indoors) during nonbusiness hours.¹⁸
- c. Private residential storage sheds for the storage of objects owned the residents of the property only. Such sheds shall be located in side and rear yards only.
 - d. Private garages for storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
 - e. Seasonal boat docking at approved boat slips, as shown on the submitted site plan, attendant to owner-occupied residential dwelling units. Nothing shall preclude owner-occupied boat slips from being leased out to other private individuals for revenue purposes. However, no floating homes or "live-aboard" vessels are permitted and no "extended stays" by boat owners utilizing their boat at seasonal boat slips for a period of greater than 10 days is permitted.
 - f. Home occupations, subject to the definitions and requirements of section 201 herein.
 - g. Signs.
 - h. Showers, toilets, and boat storage (whether on boat trailers or rack storage) and similar amenities normal and customary to an active recreational marina.
 - i. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.

¹⁸ Commercial coin operated vending machines are not subject to this regulation.

- j. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

6. Building Regulations

	Single-Family Detached	2-Family Stacked (Multi-Story)	Single-Family SemiDetached (Duplex)
a. Principal Buildings			
Minimum Lot Area	No Minimum Established	No Minimum Established	No Minimum Established
Minimum Lot Frontage & Width	60'	60'	60'
Minimum Lot Depth ¹⁹	No Minimum Established	No Minimum Established	No Minimum Established
Minimum Side Yard Setbacks	6' each	6' each	12' each
Minimum Front Yard Setback	0'	0'	0'
Minimum Rear Yard Setback ²⁰	10' from rear property (lot) line or the bulkhead line, whichever is most landward.	10' from rear property (lot) line or the bulkhead line, whichever is most landward.	10' from rear property (lot) line or the bulkhead line, whichever is most landward.
Maximum Principal Building Lot Coverage	40%	40%	40%
Maximum Lot Coverage	50%	50%	50%

¹⁹ Where bulkhead line is not uniform across the length of the parcel, distance from bulkhead line shall be established from the longest continuous run parallel to the right-of-way. If such a measurement is not applicable to the circumstance, setback shall be established as the average distance of the bulkhead from the right-of-way.

²⁰ NJDEP requires a minimum 15' setback from the bulkhead which in most cases serves as the rear yard setback.

Principal Buildings	
Other Permitted Uses:	
Minimum Lot Area	1,600 s.f.
Minimum Lot Frontage & Lot Width	40'
Minimum Lot Depth ⁵⁴	40'
Minimum Side Yard Setbacks	6'
Minimum Front Yard Setback	10'
Minimum Rear Yard Setback ⁵⁵	0'
Maximum Principal Building Coverage	50%
Maximum Lot Coverage	80%
Maximum Building Height	The lower of 35' or 3 Stories from TOC
Maximum Density	Residential above ground floor Permitted Use: Minimum 1,500 s.f. / du
b. Accessory Structures	
Minimum Distance to Side Property Line	4'
Minimum Distance to Rear Property Line	0'
Maximum Total Footprint for all Accessory Structures ²¹	Single Family Homes: 300 s.f. 2-Family Stacked & Single Family Semi-Detached Duplexes: 550 s.f Commercial Uses: N/A
Maximum Height	The lower of 1 Story or 16' from TOC
Minimum Distance to Other Buildings	8'

7. Additional Standards, Requirements, and Regulations

²¹ However, the total cumulative footprint of all Storage Sheds shall not exceed 150 s.f. per du

- a. Given the unique, irregular displacement of lots within the Marine Commercial-Tourist Zone, all development, including residential development, shall be subject to Site Plan Review and Approval.
- b. All waterfront development shall have demonstrated compliance with public access as required in NJDEP Coastal Zone Management rules (NJAC 7:7E-8.11) as currently adopted, except for single-family detached, 2-family stacked (multi-story), single-family semi-detached (duplex) residential uses. Permanent perpendicular and linear access to the waterfront to the maximum extent practicable, including both visual and physical access. Access shall be clearly marked by signage, not to be restricted in any shape or form and maintained in perpetuity. In recognition of the importance of the rights protected by the Public Trust Doctrine and the importance of perpendicular access to make public enjoyment of access rights a practical reality, the New Jersey has enacted protections for those across and on whose land public access is provided. Under the New Jersey Landowner Liability Act, N.J.S.A. 2A:42A-2 et seq., landowners who make their properties available for public access and use are offered limited protection from the liability they would normally face under common law. This includes the owners (or lessees/occupants) of premises upon which public access has been required as a condition of a regulatory approval of, or by agreement with, the Department of Environmental Protection; and the owners (or lessees/occupants) of premises on which a conservation restriction is held by the State, a local unit (for example, a municipality), a charitable conservancy, or premises upon which public access is allowed pursuant to a public pathway or trail easement held by one of these entities. This is an important protection for private landowners that can help to enhance coastal public access throughout the State.

8. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.

- b. Residential uses shall provide parking spaces in accordance with the standards established by the New Jersey Residential Site Improvement Standards (RSIS) (N.J.S.A. 5:21-1 et seq.). RSIS standards include parking requirements for residential uses based on unit (bedroom) size. If the applicant does not specify the number of bedrooms per dwelling unit, then each dwelling unit shall be subject to the RSIS parking space requirements for a four-bedroom dwelling unit.
- c. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited, except in the instance of residential units where two spaces are provided for a particular dwelling unit. Stacked parking is not permitted within an enclosed garage where vehicles must exit the site by backing out into the street. A car may be stacked in front of the garage if there is a minimum of 20 feet from the garage to the property line.
- d. Any permitted commercial use in the Marine Commercial-Residential (MC-R) Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 - 1. No access shall be permitted to the parking area from within the residential zone.
 - 2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 - 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- e. Off-site parking accessory to a permitted use shall be permitted within the Marine Commercial-Tourist Zone, subject to site plan approval by the Planning Board.

- f. Nothing herein shall prohibit two or more independent commercial principal uses, whether owned by the same entity or not, from combining to construct a parking garage for the purposes outlined herein, provided that said structure is accessory to at least one of the aforementioned principal uses.
- g. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- h. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

9. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 - 4. Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.
 - 5. Any combination of wall and free-standing signs on a property must not exceed 100 sf.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 - 1. The sign area does not exceed 100sf.
 - 2. The height for any sign such sign does not exceed 32 feet in height.

3. All such signs must be set back at least 8 feet from all property lines.
 4. A base area 50% of the size of any such sign must be appropriately landscaped.
 5. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.
 6. Any combination of wall and free-standing signs on a property must not exceed 100 sf.
- c. A-frame signs standing on the ground are permitted on the property of a commercial business or use only. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located. No A-frame signs are permitted on residential uses.
- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way on commercial buildings within the MC-R Zone, provided:
1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.

7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:
1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 3. Such canopies must be anchored to the host building.
 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to commercial building facades so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted at commercial uses and shall not be considered in computing the allowable signs provided:
1. No window sign shall not exceed 25% of the total window area.
 2. Window signs shall be professionally designed and no cardboard signs are permitted.

- h. One changeable sign at commercial uses, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Information and direction signs as defined in § 609A(5).
- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- l. See section 609 for additional standards.

H. Professional Office (PO)

1. Purpose

To provide for an intermediate commercial and office zone permitting more intensive uses than the former Neighborhood Commercial (NC) Zone but less intensive uses than the General Commercial (GC) Zone.

2. Permitted Uses

- a. Neighborhood and regionally oriented retail activities.
- b. Neighborhood and regionally oriented service activities.
- c. Banks, including drive-through facilities.
- d. Offices and office buildings, including professional offices.
- e. Restaurants (dining and take-out/drive-through).
- f. Places of Worship
- g. Lodges and Clubs.
- h. Public playgrounds, parks and conservation areas.
- i. Public purpose uses.
- j. Municipal buildings and uses.
- k. Residential Dwelling Units above ground-floor permitted uses a. through g. herein. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.

3. Conditional Uses

- a. Automobile sales through dealers (New Jersey Avenue frontage only), provided all parking requirements are satisfied on site.

4. Accessory Buildings and Uses

- a. Off-street parking attendant to permitted uses, subject to the provisions of section 608.

- b. Private garages for the storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
- c. Outdoor display of merchandise attendant to a permitted use, provided:
 - 1. Such displays do not extend more than three feet (3') from the host building.
 - 2. All such displayed items are permitted under the mercantile license for the host establishment.
 - 3. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 - 4. All display racks are removed (taken indoors) during nonbusiness hours.²²
- d. Signs.
- e. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- f. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

²² Commercial coin operated vending machines are not subject to this regulation.

5. Building Regulations

a. Principal Buildings	
Minimum Lot Area	6,400 s.f.
Minimum Lot Frontage & Lot Width	80'
Minimum Lot Depth	80'
Minimum Side Yard Setbacks	0' & 29' (Driveways), 17' each (Circular Drives)
Minimum Front Yard Setback	No Minimum Established Subject to approval by the Zoning Officer, the front setback shall conform to the prevailing setbacks for existing structures on the street frontage at time of application. Where no prevailing setback exists, 0' setback shall be established.
Minimum Rear Yard Setback	15'
Maximum Principal Building Coverage	General: 50%, Pacific Ave Lots: 80%
Maximum Lot Coverage	80%
Maximum Building Height	The lower of 35' or 3 Stories from TOC
Maximum Density	1,500 s.f. / du above ground floor Permitted Use
b. Conditional Uses	
Minimum Lot Size	Automobile sales: 10,000 s.f.
c. Accessory Structures	
Minimum Distance to Side Property Line	4'
Minimum Distance to Rear Property Line	4'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	The lower of 1 Story or 16' from TOC
Minimum Distance to Other Buildings	8'

6. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Off-site parking accessory to a permitted use shall be permitted within the Professional Office Zone, subject to site plan approval by the Planning Board.
- c. Any permitted use in the Professional Office Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 1. No access shall be permitted to the parking area from within the residential zone.
 2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- d. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- e. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- f. In recognition of the existing, fully built-out nature of the lots along Pacific Avenue, the lack of existing off-street parking spaces in this area, and the resultant difficulty and inability of applicants to acquire

additional lands for such parking, off-street parking requirements for Permitted Uses desiring to occupy existing structures fronting Pacific Avenue in the Professional Office Zone shall require only those off-street parking spaces existing at the effective date of this Ordinance.

This provision shall not apply to new structures, which instead must conform to the requirements herein.

- g. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

7. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 - 4. Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 - 1. The sign area does not exceed 100sf.
 - 2. The height for any sign such sign does not exceed 32'.
 - 3. Pole mountings shall not be installed closer than one foot (1') from any property line.
 - 4. The outboard edge of such signs may extend over the property line up to four feet (4'), provided the bottom edge of any such sign is a minimum of ten feet (10') from grade.

5. A base area 50% of the size of any such sign must be appropriately landscaped.
 6. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.
- c. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.
 - d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way in commercial zones, provided:
 1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:
 - 1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 - 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 - 3. Such canopies must be anchored to the host building.
 - 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 - 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 - 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 - 1. No window sign shall not exceed 25% of the total window area.
 - 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- h. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Information and direction signs as defined in § 609A(5).
- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.

- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- l. See section 609 for additional standards.

414 SPECIALTY ZONING DISTRICTS

A. Purpose

Specialty Zoning Districts have been established to recognize certain areas within the City of Wildwood which, for reasons of location, environmental sensitivity, economic potential and other qualities, require unique or distinct treatment.

All uses in Specialty Districts may be freestanding or combined with other permitted uses within a single building or within multiple buildings on a single lot, provided that each such use occupies a minimum net habitable floor area of 400 s.f.

B. Beach (B)

1. Purpose

As a seaside resort, Wildwood's economic health is inextricably tied to the beach and ocean. Recognizing the special nature and economic opportunities presented by these elements, the Beach Zone was created to allow for unique and imaginative development and uses while protecting and preserving these precious environmental resources.

The following regulations are adopted to reinforce the City's policies ensuring an unobstructed view from the boardwalk to the beach and ocean, to ensure continued use for the City's residents and visitors, and to ensure the vitality of the beach as a natural resource.

All uses and structures in the Beach Zone are subject to applicable Federal and State regulations.

2. Permitted Uses

- a. Open space, bathing beaches, and beach and water recreation.
- b. Seasonal recreation, entertainment, and athletic activities and events, including temporary facilities for the same.
- c. Seasonal recreation and tourist related concessions and other commercial activities, including temporary facilities for the same.
- d. Governmentally sponsored permanent and non-permanent public access pedestrian walkways, stairs, pathways, walkthroughs, and walkovers to protect dunes and to provide access on and along the beach and from the Boardwalk to the Ocean.
- e. Governmentally sponsored public safety and public use structures and buildings necessary for public safety, including first aid stations, lifeguard stations, comfort stations, ground level boardwalks, pavilions, lookout piers connected to the Boardwalk, and related facilities; uses and amenities designed to enhance and service the beach and Boardwalk provided such use are also authorized by City Commission.

- f. Shore protection structures & projects, both structural and nonstructural, including groins, jetties, seawalls, revetments, bulkheads, beach nourishment, and dune creation; related improvements, such as sand/snow fencing and plantings to stabilize dunes and activities as may be permitted by relevant governmental agencies having jurisdiction over this section of the City.
- g. Educational, recreational, and ecotourism structures and activities as may be permitted by relevant governmental agencies having jurisdiction over this section of the City; observation decks, overlooks, scenic/nature trails, environmental interpretation stations, play stations and structures, playgrounds, parks, and conservation areas, including ancillary uses normal and customary to such uses.
- h. Grading and maintenance of beach land in accordance with a Beach Maintenance Plan approved by the New Jersey Department of Environmental Protection and with an expressed written permit issued by the City's Public Works Department.
- i. Use of any vehicle on the beach shall be permitted only if a special permit has been issued by the City's Commissioners. The use of dune buggies, motorcycles, motorbikes, jeeps, and similar motor vehicles are prohibited in dunes.
- j. Parking of vehicles on the beach shall be permitted only in locations, at times, and for durations designated and approved by the Commissioners of the City of Wildwood. Any other parking of vehicles on the beach is expressly prohibited unless a special permit to that effect has been granted by the City's Commissioners.
- k. Municipal buildings and uses.

3. Building Regulations

a. Principal Buildings & Uses	
Minimum Lot Area	10,000 sf
Minimum Lot Frontage & Lot Width	40'
Minimum Lot Depth	250'
Minimum Side Yard Setbacks	6' each
Minimum Front Yard Setback	0'
Minimum Rear Yard Setback ²³	75'
Maximum Principal Building Coverage	N/A
Maximum Lot Coverage	N/A
Maximum Building Height	The lower of 12' or 1 Story from Base Flood Elevation
Maximum Density	N/A

- b. On the beach there may be placed small temporary structures such as beach tents and similar facilities used in conjunction with the permitted uses listed above. No such temporary structure shall be more than 150 sf in area or twelve (12) feet in height as measured from the Base Flood Elevation. All structures shall be constructed in a temporary fashion so that they may be easily removed.
- c. No utilities shall be connected to any beach-located temporary or permanent structure, unless such utility connection has been reviewed and approved by the NJDEP, and are specifically authorized by a CAFRA Permit or other appropriate instrument.
- d. Any small temporary structure shall be placed in such a manner so as not to interfere with access to the ocean from the Boardwalk or with access along the beach. Ropes, fences or other means may be used to facilitate the stanchioning of specific areas of the beach for approved activities.

²³ Measured from the Mean High Water Line, NJDEP Tidelands Limit Line or Riparian Claim Line, whichever is most westerly.

4. General Requirements

- a. Development within this zone is subject to the requirements of the NJDEP's Coastal Permit Program Rules, approved by the New Jersey Department of Environmental Protection through the Coastal Areas Facilities Review Act (CAFRA). Compliance with CAFRA, including the obtaining of CAFRA Permits when necessary, is required for all uses.
- b. All permanent structures and uses in the Beach Zone shall be considered conditional uses, and shall be subject to approval by the Planning Board or Zoning Board of Adjustment, as the case may be.

Permanent development east of the Boardwalk is specifically prohibited, except in cases where such development has been reviewed and approved by the NJDEP. A CAFRA permit, Letter of No Interest, or other documented evidence of NJDEP review must be submitted as part of any Planning Board or Zoning Board application.

- c. Seasonal, beach-related commercial activities may remain in place on the beach during the period of May 1st through October 31st.

Such activities and uses may remain in place for longer durations or at different times only if specifically permitted by the NJDEP and subject to approval by the City of Wildwood.

- d. All Beach Uses shall be subject to specific requirements for daily trash collection and removal, and may require the posting of a performance bond at the discretion of City Commission.
- e. The maximum hours of operation for uses on the Beach shall be 7:30 a.m. to 7:30 p.m., unless otherwise approved by the Planning Board or Zoning Board of Adjustment during Site Plan Review and Approval.
- f. Special Event Permits which exceed the hours of operation established herein may be issued by the Mayor or his designee. Such permits shall be reviewed by the Chief of Police, who may attach such conditions as may be appropriate to safeguard public safety. Duration of such Special Event Permits shall be at the sole discretion of the Mayor or his designee. All Special Event Permits shall include specific requirements for daily trash collection and removal.

5. Off-street Parking Requirements

None.

6. Signs

a. Exterior wall signs on temporary seasonal businesses shall be permitted a total of two (2) signs provided:

1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
2. The total sign area for each sign shall not exceed twenty-five (25%) percent of the face of the wall area on which such sign is mounted.

b. Temporary signs, such as feather flag signs, retractable wall hanging signs, or A-frame signs, provided they are placed within 5 feet of the subject use. All such signs must be removed and stored at the end of each day.

c. Information and direction signs as defined in § 609A(5).

d. See section 609 for additional standards.

C. Conservation Zone (C)

1. Purpose

As with the beach and ocean, Wildwood's economic health is inextricably tied to the City's back bay waterfront. Recognizing the special nature and economic opportunities presented by these elements, the Conservation Zone was created to compliment other bay area zoning districts while protecting and preserving these precious environmental resources.

The following regulations are adopted to reinforce the City's policy to ensure the continued unobstructed view of the marine tidal marsh and bay areas, to ensure continued use of these areas for the City's residents and visitors, and to ensure the vitality of the bay as a natural resource. Permanent development is expressly prohibited in the Conservation Zone except as specifically provided for herein.

All uses, development, and temporary structures in the Conservation Zone are subject to applicable federal & state regulations, and shall be subject to site plan review and approval.

2. District Boundaries

- a. The district boundaries are to be measured from the waterward shoreline at the mean low water elevation. Where designation of a boundary line on the Zoning District Map coincides with the location of a street, alley, waterway or right-of-way, etc., that point of coincidence shall be construed to be the boundary of such district.

3. Permitted Uses

- a. Temporary seasonal recreation, athletic activities, and events, including temporary facilities for the same.
- b. Seasonal passive recreation and tourist-related concessions and other commercial activities not involving permanent structures.
- c. Governmentally sponsored public access pedestrian walkways, boardwalks, fishing piers, scenic overlook piers, exercise trails, floating docks, and other similar structures that provide access along the marine tidal marshes as scenic overlooks and other educationally-oriented structures.
- d. Governmentally sponsored public safety structures, public use structures, and amenities designed to enhance, enjoy, and service the bay front areas, provided such use are also authorized by City Commission.
- e. Shore protection structures and activities.
- f. Public access open space, bathing beaches, and kayak launches.
- g. Grading and maintenance of bayfront lands in accordance with a Maintenance Plan approved by the New Jersey Department of Environmental Protection and with an expressed written permit issued by the City's Department of Public Works.
- h. Municipal buildings and uses.

4. Prohibited Uses

- a. Floating homes or “live-aboard” vessels are expressly prohibited.
- b. Permanent mooring or mooring of boats by anchoring in water beyond 10 days is expressly prohibited.
- c. Seaplane landings, heliports and helistops are expressly prohibited.
- d. Wireless telecommunications towers, antennas, and facilities are expressly prohibited.

5. General Requirements

- a. Development within this zone is subject to the requirements of the New Jersey Division of Coastal Resources: Coastal Permit Program Rules (N.J.A.C. 7:7-1 et seq.); otherwise approved by the NJDEP through the Coastal Areas Facilities Review Act (CAFRA) program through the issuance of a CAFRA permit, and to the conditions set forth herein.

- b. All seasonal bay-related commercial activities may remain in place during the period of May 1 through September 30, provided that no excavation, grading or filling of the shoreline is required for such activities.

Any other equipment or facilities not meeting the standards described above must be removed each day at the end of the hours of operation.

- c. All uses shall be subject to specific requirements for daily trash and litter collection and removal and may require the posting of a performance bond at the discretion of City Commission.
- d. The maximum hours of operation for uses shall be 7:30 a.m. to 7:30 p.m., unless otherwise approved by the Planning Board or Zoning Board of Adjustment during site plan review and approval.
- e. Special Event Permits which exceed the hours of operation established herein may be issued by the Mayor or his designee. Such Permits shall be reviewed by the Chief of Police, who may attach such conditions as may be appropriate to safeguard public safety. Duration of such Special Events Permits shall be at the sole discretion of the Mayor or his designee and the Chief of Police. All

Special Event Permits shall include specific requirements for daily trash and litter collection and removal.

- f. Except for Governmentally sponsored structures, no utilities shall be constructed or placed in the marine tidal marshes. Any water, sewer, natural gas, electricity or other service required by a use shall be self-contained in a temporary structure designed for such use. All equipment for such self-contained utilities shall comply with the Performance Standards of this Ordinance.

6. Off-Street Parking Requirements

- a. Permitted uses shall provide the number off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- c. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.

7. Signs

- a. Exterior wall signs on temporary seasonal businesses shall be permitted a total of two (2) signs provided:
 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 2. The total sign area for each sign shall not exceed twenty-five (25%) percent of the face of the wall area on which such sign is mounted.
- b. Temporary signs, such as feather flag signs, retractable wall hanging signs, or A-frame signs, provided they are placed within 5 feet of the subject use. All such signs must be removed and stored at the end of each day.

- c. Information and direction signs as defined in § 609A(5).
- d. See section 609 for additional standards.

D. Boardwalk Amusement (BA)

1. Purpose

The Wildwood Boardwalk is a unique structure which plays a fundamental role in the economic life of the City and the region. As the tourists' "Main Street" for Wildwood, it provides a setting for commercial uses and amusement attractions which are the economic lifeblood of the City. The 2007 Wildwood Master Plan establishes a vision of the City as re-establishing its former pre-eminence as a seaside resort, taking advantage of its location, and building on the existing compact urban form. Given changes in the tourism industry and the way Americans vacation, land development practices and economics in the City of Wildwood require the development of resort facilities that are higher and denser than found in the City at present. In order to achieve the City's vision and create a denser, compact urban core, new hotels, motels, and resort facilities must be built higher while varying those heights & intensities according to individual zoning districts and compatible uses. Additionally, in order to support the Wildwoods Convention Center and a more year-round economy, this ordinance provides the standards and guidelines that will foster the development of a denser, higher urban core. This ordinance is designed to achieve this goal by establishing adjacent zoning districts with transitional heights and uses to buffer and maintain Wildwood's commercial areas; by allowing more varied offerings in new or renovated structures that will satisfy the needs of an increasingly sophisticated vacationing public; and by allowing for imaginative uses that compete with other destinations featuring modern resort hotels with high concept public spaces, themed restaurants and other amenities.

The following regulations are designed to provide for the continued growth, development and redevelopment of the lands and buildings along the Boardwalk, and have been generated to ensure that the City's attractions are able to keep pace with the ever-changing marketplace.

2. Permitted Uses

- a. Traditional boardwalk amusements, including games, rides and arcades, provided that such facilities and uses are located and may be accessed directly from the Boardwalk.
- b. Theaters, amphitheaters, museums (cultural or popular), bowling alleys, miniature golf courses, and skating rinks.
- c. Restaurants (dining or take-out).
- d. Hotels and motels, including customary ancillary and accessory uses, provided:
 1. Temporary lodging is offered in the form of hotel/motel rooms rented to the general public on a daily or weekly basis but not more than thirty (30) days, and not intended to be occupied or used for any primary residential purpose, either temporary or permanent.
 2. A front desk area is maintained to serve guests and the public.
 3. Maid service and other room amenities, including linens and towel service, in a quality manner expected from the traveling public is provided.
 4. A manager and/or desk staff meeting the requirements of State lodging laws and State swimming pool regulations are employed to provide these services.
 5. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of "Green" building practices for buildings and mechanical systems.
 6. Any proposed new development institutes a "Lights Out" program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60' between 11:00 p.m. and daylight in accordance with Section 702.
- e. Combined Retail, Dining, and Entertainment Facilities, provided:

1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 2. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- f. Specialty, novelty, tourist and seashore related retail.
 - g. Active or passive recreation facilities.
 - h. Bicycle, beach accessory, and water sport sales and rental.
 - i. Retail, including gift shops, hobby shops, sundries and novelty shops.
 - j. Public parks, playgrounds and conservation areas.
 - k. Residential Dwelling Units above ground-floor Permitted Uses (a) through (i) herein. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.
 - l. Municipal buildings and uses.
3. Conditional Uses
- a. Mid-Rise Residential buildings, provided that the residential units therein are above the Boardwalk level, above street-frontage commercial space and not located within the Coastal High Hazard Area (V-Zone or the “VE” flood zone) as delineated on the most current FEMA FIRM map.
 - b. Bathhouses and changing areas, provided such facilities and uses are located and may be accessed directly from the Boardwalk.
 - c. Restaurants serving alcoholic beverages at tables, subject to the conditional use standards for such uses found in section 501B(8) of this Ordinance and the provisions of City Code Chapter 5.

4. Accessory Buildings and Uses

- a. In recognition of the extremely limited amount of land within the Boardwalk Amusement (BA) Zone and the value of such land in terms of monetary worth and contribution to the City's economic base, off-street parking attendant to a permitted use shall not be permitted within the Boardwalk Amusement Zone proper. However, permitted uses within the Boardwalk Amusement Zone shall be permitted to provide off-site parking as follows:
 1. Such parking may be on a surface lot or in an accessory parking garage.
 2. If in a parking structure, such structure shall be located, anywhere within the Hotel-Motel (H/M) Zone, Hotel-Motel (H/M1) Zone, or Tourist Entertainment (T/E) Zone, subject to site plan approval by the Planning Board.
- b. Enclosed storage facilities attendant to a permitted use.
- c. Automated Teller Machines (ATM) attendant to a permitted use.
- d. Private garages for the storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
- e. Public swimming pools, subject to the provisions of section 509.
- f. Home occupations, subject to the definitions and requirements of section 201 herein.
- g. Signs.
- h. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- i. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

5. Building Regulations

a. Principal Buildings	
Maximum Building Height	<p>Hotels, Motels & Combined R.D.E. Facilities: The lower of 59' or 6 Stories (whichever is less), from TOC. Above 25' or 2.5 stories from the surface of the Boardwalk, no building or portion of a building, other than overhangs and balconies projecting not more than 5', shall encroach upon the building envelope, as defined by a line beginning at a point 25' above the Boardwalk level (measured at the western Boardwalk property line) and extending at a 30° westward angle from the vertical plane until it intersects with the maximum building height in the BA Zone.</p> <p>All Other Uses: The lower of 25' or 2.5 stories (whichever is less), measured vertically from the surface of the Boardwalk.</p> <p>Where a single development project is located both within the BA Zone and the TE Zones, portions of buildings may rise to the maximum building height permitted in each respective zone.</p> <p>Amusement Rides: 125' from Boardwalk level.</p>
Minimum Lot Area	<p>Hotels, Motels & Combined R.D.E. Facilities: 8,000 sf All Other Uses: 4,000 sf</p>
Minimum Lot Frontage & Lot Width ²⁴	<p>Hotels, Motels & Combined R.D.E. Facilities: No Minimum Required. All lots shall conform to the Minimum Lot Area standards as provided for herein.</p> <p>All Other Uses: 40'</p>
Minimum Lot Depth	<p>Hotels, Motels & Combined R.D.E. Facilities: No Minimum Required. All lots shall conform to the Minimum Lot Area standards as provided for herein.</p> <p>All Other Uses: 90'</p> <p>All Uses shall be subject to the Beach Block Safety Buffer Zone requirements found in 411G(6).</p>

²⁴ For the purposes of these regulations, and regardless of actual building orientation, Front Yard shall be the Boardwalk and Side Yards shall be the east/west right-of-way or the lot line parallel thereto.

Minimum Side Yard Setbacks	<p>All Uses: Interior lots & the interior side of a lot abutting a right-of-way: 0'</p> <p>Street side lot lines abutting a right of way other than the Boardwalk: From 0' to 25' above Boardwalk level in height: 0' Between 25' to 35' above Boardwalk level in height: 10' From 35' up to the maximum building height: 20'</p> <p>In addition, development must be consistent with N.J.A.C. 7:7E-8.12: where development occurs on vacant land, an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront shall be required.</p>
Minimum Front Yard Setback ²⁵	<p>General: All Uses: from 0' to 25' above the surface of the Boardwalk: 0'</p> <p>Hotels, Motels & Combined R.D.E. Facilities above 25' from the surface of the Boardwalk: Consistent with N.J.A.C. 7:7E-8.12, new development higher than 15' in height (measured from the surface of the Boardwalk) shall be set back from the boardwalk a distance equal to two (2) times the height of the structure.</p>
Minimum Rear Yard Setback ²⁶	<p>All Uses: from 0' to 25' in height above the surface of the Boardwalk: 5'</p> <p>Hotels, Motels & Combined R.D.E. Resort Facilities: 0' to 32' in height: 5' 32' up to Maximum Building Height: an additional 10'</p>
Maximum Principal Building Coverage	80%
Maximum Lot Coverage	80%
Maximum Density	<p>Hotels, Motels & Combined R.D.E. Resort Facilities: FAR = 10 All Other Uses: Minimum of 1,500 sf/du above ground floor Permitted Use</p>
b. Accessory Structures	
Minimum Distance to Side Property Line	5'

²⁵ For the purposes of these regulations, and regardless of actual building orientation, Front Yard shall be the Boardwalk and Side Yards shall be the east/west right-of-way or the lot line parallel thereto.

²⁶ Subject to the provisions of the Beach Block Safety Buffer Zone

Minimum Distance to Rear Property Line	5'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	1 Story or 16' from TOC (whichever is less)
Minimum Distance to Other Buildings	10'

6. General Requirements

- a. No use or activity associated with a use shall encroach onto the Boardwalk or obstruct the free flow of pedestrian circulation on the Boardwalk.
- b. The perimeter of any Boardwalk section not enjoined or abutting a structure and remaining open shall be enclosed by fencing with a 4' high railing and with vertical spindles spaced not more than 5" apart, or with a decorative fence at least 4' in height.
- c. Where a single development project is located either solely within the Boardwalk Amusement (BA) Zone or within both the Boardwalk Amusement (BA) Zone and the Tourist Entertainment (TE) Zone, nothing herein shall be construed as to limit the number or percentage of hotel, motel or permitted residential units containing kitchen facilities.
- d. The NJDEP / CZM Scenic Resources & Design Rules (N.J.A.C. 7:7E-8.12) require an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront where an open view currently exists, and requires that new coastal development adjacent to a boardwalk and higher than 15' in height (measured from the boardwalk) be set back from the boardwalk a distance equal to two (2) times the height of the structure, with no maximum setback distance. The front and side yard setback requirements for the BA Zone have been modified to be in conformance with the CZM Scenic Resources & Design Rules.
- e. Whenever applicable, all uses in the Boardwalk Amusement (BA) Zone shall be subject to the design standards of the NJDEP Coastal Zone Management Rules including, but not limited to, High-rise Structure Rule (N.J.A.C. 7:7E-7.14), Scenic Resources & Design Rule (N.J.A.C. 7:7E-8.12), and Buffers & Compatibility of Uses Rule

(N.J.A.C. 7:7E8.13) as they are currently adopted. These rules and standards shall be incorporated into the plans and design of development projects, particularly in regards to building and site design requirements.

- f. Certain sections of the Wildwood Boardwalk and Boardwalk Amusement (BA) Zone may be interpreted to be located within the Coastal High Hazard Area (V-Zone) or the “VE” Flood zone as delineated on the most current FEMA Flood Insurance Rate Map (FIRM). Due diligence is necessary on behalf of an applicant for land development approvals to determine if a development site and the proposed development requires a CAFRA permit or is subject to NJDEP Coastal Zone Management rules. Due to beach accretion, an accurate survey showing the elevation at grade in relation to the Base Flood Elevation may be necessary.
- g. For projects which include the construction of 25 or more residential or transient residential dwellings units, or which includes 50 or more parking spaces, the following additional items must be submitted as part of a development application’s Completeness Review:
 - 1. Traffic Impact Study with additional narrative demonstrating compliance with CAFRA Rule NJAC 7:7E-8.11 and 8.14.
 - 2. Sun/Shadow Diagrams.
 - 3. Leadership in Energy & Environmental Design Checklist for New Construction & Major Development wherein an application must attain a minimum of 26 LEED points utilizing the latest version of US Green Building Council’s “LEED-NC Green Building Rating System for New Construction & Major Renovations.”
- h. The City of Wildwood, along with representatives of North Wildwood, has developed a publication titled *Design Guidelines for the Wildwoods Boardwalk*. Prepared under a grant from the New Jersey Department of Community Affairs, Office of Smart Growth, this effort analyzed both historic and current Boardwalk architecture and designs. A set of guidelines was developed illustrating architectural features to be encouraged for Boardwalk, as well as those features which should be discouraged.

These guidelines, on file with the City Clerk and the Boardwalk Special Improvement District Management Corporation, are adopted by the City of Wildwood, and are applicable to any new development or rehabilitation of existing structures within the Boardwalk Amusement (BA) Zone.

7. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Hotels, motels, and combined resort, dining, and entertainment facilities shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. For all other uses that front on the Boardwalk, no minimum parking requirement is established for new development in the Boardwalk Amusement (BA) Zone. The Planning Board may require such parking as is deemed appropriate at the time of site plan review & approval, or may waive any parking requirement, provided that sufficient justification is presented.
- c. In recognition of the existing, unique, and fully built-out nature of the lots along the Boardwalk and the resultant difficulty and inability of applicants to acquire additional lands for parking, the off-street parking requirements for permitted uses desiring to occupy existing structures fronting the Boardwalk in the Boardwalk Amusement (BA) Zone shall require only those off-street parking spaces existing at the effective date of this Ordinance.
- d. Any proposed parking structure shall be located anywhere within the Hotel-Motel (H/M) Zone, Hotel-Motel (H/M1) Zone, or Tourist Entertainment (T/E) Zone, subject to site plan approval by the Planning Board.
- e. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- f. Parking requirements for municipal uses and conditional uses shall be determined during site plan review by the Planning Board.

- g. See § 608, Off-street parking, loading areas and driveways, for additional design standards

8. Signs

- a. Exterior wall signs shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the Boardwalk shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. Where a building is designed for rear or side entrance, one (1) sign may be flat-mounted against said building at the subject entrance, with each such sign not to exceed an area equivalent to $\frac{1}{2}$ of the area of the sign on the front of the building.
 - 4. Signs may project and extend over the Boardwalk. In such case, the lowest portion of the sign shall not be less than nine (9') from the Boardwalk level, and the sign shall not extend greater than four (4') over the Boardwalk property line.
- b. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.
- c. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way, provided:
 - 1. Awning supports are not permitted in the public right-of-way.
 - 2. The vertical clearance from grade to the lowest portion of any structural member shall be nine (9') feet.
 - 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be eight (8') feet minimum.

4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16') feet of awning, and letters are limited to eight (8") inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- d. Canopies and marquee-style projections are permitted and encouraged, provided:
- 1 The outside edge of any canopy shall not extend more than four (4') feet into the public right-of-way.
 - 2 The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be nine (9') feet.
 - 3 Such canopies must be anchored to the host building.
 - 4 Canopy signs are limited to sixteen (16') linear feet, and letters are limited to eight (8") inches in height.
 - 5 No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 - 6 The free flow of pedestrian traffic on the sidewalk is unobstructed.
- e. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.

- f. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 - 1 No window sign shall not exceed 25% of the total window area.
 - 2 Window signs shall be professionally designed and no cardboard signs are permitted.
- g. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) s.f.
- h. Recommendations contained in the 2007 Comprehensive Master Plan included the elimination of poor quality, often hand-painted signs which create a poor image and blighting effect on the Boardwalk. To that end, all signs must be professionally designed and constructed. Homemade-type plywood, coroplast or cardboard signs or home-computer-generated-type signs are expressly prohibited.
- i. No vacant signs or sign boxes shall be permitted. Where vacancies occur, corresponding signage shall be immediately replaced with general development or other appropriate signage. Similarly, any sign which falls into a state of disrepair shall immediately be repaired or replaced.

This regulation shall not be construed to include intentional removal of sign faces in the off-season, which is a typical practice along the Wildwood Boardwalk. However, upon any such intentional removal, an aesthetically treated replacement panel shall be employed so as not to leave a visibly vacant sign box.

- j. These regulations are intended to be interpreted liberally to permit the type and scope of signage appropriate to a destination resort, and they are intended to serve as a guide within which developers and designers may create an imaginative signage package appropriate to the unique character of the Boardwalk.
- k. Dwelling units: information and direction signs as defined in § 609A(5).
- l. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.

m. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.

n. See section 609 for additional standards.

E. Boardwalk Amusement 1 (BA-1)

1. Purpose

The 2017 General Reexamination of the Master Plan recommended that a new zoning district be created for the blocks and lots bounded by the Boardwalk, Schellenger Avenue, Atlantic Avenue, and Oak Avenue. The fact that these lands are split by Cedar Avenue, thereby creating two deep, but narrow blocks and that they were traditionally split-zoned between two zoning districts were identified as factors that inhibited a unified, imaginative revitalization of this area of the Boardwalk.

Given the unique location and physical features of these lands, the goal in creating the Boardwalk Amusement 1 zone is to maximize the development potential and economic flexibility of these blocks. Permitted uses and bulk controls are intended to incorporate certain uses and controls currently in place for the Boardwalk Amusement (BA), Tourist Entertainment (TE), and Pier (P) zones, while establishing new uses and standards as may be appropriate.

2. Permitted Uses

- a. Traditional boardwalk amusements, including games, rides and arcades, provided that such facilities and uses are located and may be accessed directly from the Boardwalk.
- b. Theaters, amphitheaters, museums (cultural or popular), bowling alleys, miniature golf courses, and skating rinks.
- c. Restaurants (dining or take-out) and food service establishments serving alcohol at tables or bars, but no exterior signs encouraging or promoting the sale and/or consumption of alcoholic beverages shall be permitted.
- d. Hotels and motels, including customary ancillary and accessory uses, provided:
 1. Temporary lodging is offered in the form of hotel/motel rooms rented to the general public on a daily or weekly basis but not more than thirty (30) days, and not intended to be occupied or used for any primary residential purpose, either temporary or permanent.

2. A front desk area is maintained to serve guests and the public.
 3. Maid service and other room amenities, including linens and towel service, in a quality manner expected from the traveling public is provided.
 4. A manager and/or desk staff meeting the requirements of State lodging laws and State swimming pool regulations are employed to provide these services.
 5. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of "Green" building practices for buildings and mechanical systems.
 6. Any proposed new development institutes a "Lights Out" program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60' between 11:00 p.m. and daylight in accordance with Section 702.
- e. Combined Resort, Dining, and Entertainment Facilities, provided:
1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of "Green" building practices for buildings and mechanical systems.
 2. Any proposed new development institutes a "Lights Out" program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60' between 11:00 p.m. and daylight in accordance with Section 702.
- f. Specialty, novelty, tourist and seashore related retail.
- g. Active or passive recreation facilities.
- h. Bicycle, beach accessory, and water sport sales and rental.
- i. Retail, including gift shops, hobby shops, sundries and novelty shops.

- j. Public parks, playgrounds and conservation areas.
- k. Residential Dwelling Units above ground-floor Permitted Uses (a) through (i) herein. Such units must provide a minimum of 1,500 s.f. of living space per dwelling unit.
- l. Municipal buildings and uses.

3. Conditional Uses

- a. Mid-Rise Residential buildings, provided that the residential units therein are above the Boardwalk level, above street-frontage commercial space and not located within the Coastal High Hazard Area (V-Zone or the “VE” flood zone) as delineated on the most current FEMA FIRM map.
- b. Bathhouses and changing areas, provided such facilities and uses are located and may be accessed directly from the Boardwalk.
- c. Freestanding commercial parking lots, subject to the conditional use standards found in section 501B(5) of this Ordinance.
- d. Outdoor decks, patios and other similar appurtenances accessory to restaurants, bars and taverns, wherein food and beverage service is permitted. Such structures may have roofs and removable side panels to protect patrons from the elements. Such structures are subject to the conditional use standards found in section 501B(10) of this Ordinance.

4. Accessory Uses

- a. In recognition of the extremely limited amount of land within the Boardwalk Amusement 1 (BA-1) Zone and the value of such land in terms of monetary worth and contribution to the City’s economic base, off-street parking attendant to a permitted use shall not be permitted within the Boardwalk Amusement 1 (BA-1) Zone proper. However, permitted uses within the Boardwalk Amusement Zone shall be permitted to provide off-site parking as follows:
 - 1. Such parking may be on a surface lot or in an accessory parking garage.

2. If in a parking structure, such structure shall be located, anywhere within the Hotel-Motel (H/M) Zone, Hotel-Motel (H/M1) Zone, or Tourist Entertainment (T/E) Zone, subject to site plan approval by the Planning Board.
- b. Outdoor display of merchandise attendant to a permitted use, provided:
 1. All such displayed items are permitted under the mercantile license for the host establishment.
 2. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 3. Such displays do not extend more than three feet (3') from the host building.
 4. All display racks are removed and taken indoors during nonbusiness hours.
 - c. Enclosed storage facilities attendant to a permitted use.
 - d. Automated Teller Machines (ATM) attendant to a permitted use.
 - e. Such temporary or permanent mechanical equipment as may be normal and customary for the operation of any permitted use, limited to the deck of the Boardwalk.
 - f. Private garages for the storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of section 608.
 - g. Public swimming pools, subject to the provisions of section 509.
 - h. Home occupations, subject to the definitions and requirements of section 201 herein.
 - i. Signs.
 - j. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.

- k. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

5. Building Regulations

a. Principal Buildings	
Maximum Building Height	<p>Hotels, Motels & Combined R.D.E. Facilities: The lower of 59' or 6 Stories (whichever is less), from TOC. Above 25' or 2.5 stories from the surface of the Boardwalk, no building or portion of a building, other than overhangs and balconies projecting not more than 5', shall encroach upon the building envelope, as defined by a line beginning at a point 25' above the Boardwalk level (measured at the western Boardwalk property line) and extending at a 30° westward angle from the vertical plane until it intersects with the maximum building height in the BA-1 Zone.</p> <p>All Other Uses: The lower of 25' or 2.5 stories (whichever is less), measured vertically from the surface of the Boardwalk.</p> <p>Where a single development project is located within the BA-1 Zone, BA Zone and the TE Zone, portions of buildings may rise to the maximum building height permitted in each respective zone.</p> <p>Amusement Rides: 125' from Boardwalk level.</p>
Minimum Lot Area	<p>Hotels, Motels & Combined R.D.E. Facilities: 8,000 sf All Other Uses: 4,000 sf</p>
Minimum Lot Frontage & Lot Width ²⁷	<p>Hotels, Motels & Combined R.D.E. Facilities: No Minimum Required. All lots shall conform to the Minimum Lot Area standards as provided for herein.</p> <p>All Other Uses: 40'</p>
Minimum Lot Depth	<p>Hotels, Motels & Combined R.D.E. Facilities: No Minimum Required. All lots shall conform to the Minimum Lot Area standards as provided for herein.</p> <p>All Other Uses: 90'</p> <p>All Uses shall be subject to the Beach Block Safety Buffer Zone requirements found in 411G(6).</p>
Minimum Side Yard Setbacks	<p>All Uses: Interior lots & the interior side of a lot abutting a right-of-way: 0'</p> <p>Street side lot lines abutting a right of way other than the Boardwalk:</p> <p>From 0' to 25' above Boardwalk level in height: 0'</p> <p>Between 25' to 35' above Boardwalk level in height: 10'</p> <p>From 35' up to the maximum building height: 20'</p>

²⁷ For the purposes of these regulations, and regardless of actual building orientation, Front Yard shall be the Boardwalk and Side Yards shall be the east/west right-of-way or the lot line parallel thereto.

	In addition, development must be consistent with N.J.A.C. 7:7E-8.12: where development occurs on vacant land, an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront shall be required.
--	--

Minimum Front Yard Setback	<p>General: All Uses: from 0' to 25' above the surface of the Boardwalk: 0'</p> <p>Hotels, Motels & Combined R.D.E. Facilities above 25' from the surface of the Boardwalk: Consistent with N.J.A.C. 7:7E-8.12, new development higher than 15' in height (measured from the surface of the Boardwalk) shall be set back from the boardwalk a distance equal to two (2) times the height of the structure.</p>
Minimum Rear Yard Setback ²⁸	<p>All Uses: from 0' to 25' in height above the surface of the Boardwalk: 5'</p> <p>Hotels, Motels & Combined R.D.E. Resort Facilities: 0' to 32' in height: 5' 32' up to Maximum Building Height: an additional 10'</p>
Maximum Principal Building Coverage	80%
Maximum Lot Coverage	80%
Maximum Density	<p>Hotels, Motels & Combined R.D.E. Resort Facilities: FAR = 10 All Other Uses: Minimum of 1,500 sf/du above ground floor Permitted Use</p>

b. Accessory Structures	
Minimum Distance to Side Property Line	5'
Minimum Distance to Rear Property Line	5'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	1 Story or 16' from TOC (whichever is less)
Minimum Distance to Other Buildings	10'

²⁸ Subject to the provisions of the Beach Block Safety Buffer Zone

6. General Requirements

- a. No use or activity associated with a use shall encroach onto the Boardwalk or obstruct the free flow of pedestrian circulation on the Boardwalk.
- b. The perimeter of any Boardwalk section not enjoined or abutting a structure and remaining open shall be enclosed by fencing with a 4' high railing and with vertical spindles spaced not more than 5" apart, or with a decorative fence at least 4' in height.
- c. Site plan approval shall also be required for any new construction, expansion or structure over 1,000 square feet and/or the construction of an additional floor on an existing structure. In addition, any modifications and/or alterations of the uses upon a pier which would encompass more than 10% of the surface area of the wooden or concrete boardwalk shall require site plan approval.

Modifications or alterations of less than 10% of the surface area of the lot shall be reviewed and approved by the Zoning Officer to ensure compliance with this section. The total of all such modification and alteration requests shall not exceed 10% of the surface area of the wooden or concrete pier in any calendar year (January 1 to December 31) without approval from the Planning Board.

- d. All piers shall provide for individual restroom facilities, the location, size and design of which shall be considered at time of site plan review and subject to the Cape May County Board of Health.

Any modification to the existing pier deck footprint (other than routine maintenance), or any modification to a structure, whether temporary or permanent, located on a pier resulting in an increase of interior space (at deck level or above), whether or not resulting in an expansion of the total pier area or total internal space, shall include provisions for public restrooms, accessible from the Boardwalk, within 200' of the Boardwalk entrance to the subject pier.

In the event the subject pier has, at time of application for such modification, existing public restrooms which the Planning Board or Zoning Board of Adjustment determines to be in reasonable proximity to said Boardwalk entrance, then additional restrooms, sufficient in the opinion of the Cape May County Board of Health to service the additional volume of patrons expected to be generated by the

proposed modification, shall be placed within reasonable proximity to the area of modification.

- e. Where a single development project is located either solely within the Boardwalk Amusement 1 (BA-1) Zone or within both the Boardwalk Amusement 1 (BA-1) Zone and the Tourist Entertainment (TE) Zone, nothing herein shall be construed as to limit the number or percentage of hotel, motel or permitted residential units containing kitchen facilities.
- f. The NJDEP / CZM Scenic Resources & Design Rules (N.J.A.C. 7:7E-8.12) require an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront where an open view currently exists, and requires that new coastal development adjacent to a boardwalk and higher than 15' in height (measured from the boardwalk) be set back from the boardwalk a distance equal to two (2) times the height of the structure, with no maximum setback distance. The front and side yard setback requirements for the BA-1 Zone have been modified to be in conformance with the CZM Scenic Resources & Design Rules.
- g. Whenever applicable, all uses in the Boardwalk Amusement 1 (BA-1) Zone shall be subject to the design standards of the NJDEP Coastal Zone Management Rules including, but not limited to, High-rise Structure Rule (N.J.A.C. 7:7E-7.14), Scenic Resources & Design Rule (N.J.A.C. 7:7E-8.12), and Buffers & Compatibility of Uses Rule (N.J.A.C. 7:7E8.13) as they are currently adopted. These rules and standards shall be incorporated into the plans and design of development projects, particularly in regards to building and site design requirements.
- h. Certain sections of the Wildwood Boardwalk and Boardwalk Amusement 1 (BA-1) Zone may be interpreted to be located within the Coastal High Hazard Area (V-Zone) or the "VE" Flood zone as delineated on the most current FEMA Flood Insurance Rate Map (FIRM). Due diligence is necessary on behalf of an applicant for land development approvals to determine if a development site and the proposed development requires a CAFRA permit or is subject to NJDEP Coastal Zone Management rules. Due to beach accretion, an accurate survey showing the elevation at grade in relation to the Base Flood Elevation may be necessary.
- i. For projects which include the construction of 25 or more residential or transient residential dwellings units, or which includes 50 or more

parking spaces, the following additional items must be submitted as part of a development application's Completeness Review:

1. Traffic Impact Study with additional narrative demonstrating compliance with CAFRA Rule NJAC 7:7E-8.11 and 8.14.
 2. Sun/Shadow Diagrams.
 3. Leadership in Energy & Environmental Design Checklist for New Construction & Major Development wherein an application must attain a minimum of 26 LEED points utilizing the latest version of US Green Building Council's "LEED-NC Green Building Rating System for New Construction & Major Renovations."
- j. The City of Wildwood, along with representatives of North Wildwood, has developed a publication titled *Design Guidelines for the Wildwoods Boardwalk*. Prepared under a grant from the New Jersey Department of Community Affairs, Office of Smart Growth, this effort analyzed both historic and current Boardwalk architecture and designs. A set of guidelines was developed illustrating architectural features to be encouraged for Boardwalk, as well as those features which should be discouraged.

These guidelines, on file with the City Clerk and the Boardwalk Special Improvement District Management Corporation, are adopted by the City of Wildwood, and are applicable to any new development or rehabilitation of existing structures within the Boardwalk Amusement 1 (BA-1) Zone.

7. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Hotels, motels, and combined resort, dining, and entertainment facilities shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.

- b. For all other uses that front on the Boardwalk, no minimum parking requirement is established for new development in the Boardwalk Amusement 1 (BA-1) Zone. The Planning Board may require such parking as is deemed appropriate at the time of site plan review & approval, or may waive any parking requirement, provided that sufficient justification is presented.
- c. In recognition of the existing, unique, and fully built-out nature of the lots along the Boardwalk and the resultant difficulty and inability of applicants to acquire additional lands for parking, the off-street parking requirements for permitted uses desiring to occupy existing structures fronting the Boardwalk in the Boardwalk Amusement 1 (BA-1) Zone shall require only those off-street parking spaces existing at the effective date of this Ordinance.
- d. Any proposed parking structure shall be located anywhere within the Hotel-Motel (H/M) Zone, Hotel-Motel (H/M1) Zone, or Tourist Entertainment (T/E) Zone, subject to site plan approval by the Planning Board.
- e. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- f. Parking requirements for municipal uses and conditional uses shall be determined during site plan review by the Planning Board.
- g. See § 608, Off-street parking, loading areas and driveways, for additional design standards

8. Signs

- a. Exterior wall signs shall be permitted a total of two (2) signs provided:
 - 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 - 2. The total sign area for the sign located on the principal building façade facing the Boardwalk shall not exceed twenty-five (25%) percent of the face of the wall area.
 - 3. Where a building is designed for rear or side entrance, one (1) sign may be flat-mounted against said building at the subject entrance, with each such sign not to exceed an area

equivalent to $\frac{1}{2}$ of the area of the sign on the front of the building.

4. Signs may project and extend over the Boardwalk. In such case, the lowest portion of the sign shall not be less than nine (9') from the Boardwalk level, and the sign shall not extend greater than four (4') over the Boardwalk property line.
- b. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.
 - c. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way, provided:
 1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be nine (9') feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be eight (8') feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16') feet of awning, and letters are limited to eight (8") inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- d. Canopies and marquee-style projections are permitted and encouraged, provided:
 - 1. The outside edge of any canopy shall not extend more than four (4') feet into the public right-of-way.
 - 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be nine (9') feet.
 - 3. Such canopies must be anchored to the host building.
 - 4. Canopy signs are limited to sixteen (16') linear feet, and letters are limited to eight (8") inches in height.
 - 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 - 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- e. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- f. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 - 1. No window sign shall not exceed 25% of the total window area.
 - 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- g. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- h. Recommendations contained in the 2007 Comprehensive Master Plan included the elimination of poor quality, often hand-painted signs which create a poor image and blighting effect on the Boardwalk. To that end, all signs must be professionally designed and constructed. Homemade-type plywood, coroplast or cardboard signs or home-computer-generated-type signs are expressly prohibited.

- i. No vacant signs or sign boxes shall be permitted. Where vacancies occur, corresponding signage shall be immediately replaced with general development or other appropriate signage. Similarly, any sign which falls into a state of disrepair shall immediately be repaired or replaced.

This regulation shall not be construed to include intentional removal of sign faces in the off-season, which is a typical practice along the Wildwood Boardwalk. However, upon any such intentional removal, an aesthetically treated replacement panel shall be employed so as not to leave a visibly vacant sign box.

- j. These regulations are intended to be interpreted liberally to permit the type and scope of signage appropriate to a destination resort, and they are intended to serve as a guide within which developers and designers may create an imaginative signage package appropriate to the unique character of the Boardwalk.
- k. Information and direction signs as defined in § 609A(5).
- l. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- m. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- n. See section 609 for additional standards.

F. Pier (P)

1. Purpose

Amusement piers are unique structures which play a major role in the attractiveness of the City of Wildwood as an amusement center. They are thus inextricably tied to the economic life of the City.

The following regulations are designed to balance the City's historic policy of assuring, to the greatest possible extent, unobstructed views from the Boardwalk to the beach and ocean while providing for the continued development and redevelopment of the City's existing piers. Permitted uses and building controls encourage unique and imaginative uses in order to ensure that the City's attractions are able to keep pace with the needs of an ever-changing resort destination marketplace.

For the purposes of this zoning district, Piers are defined as elevated structures consisting of pilings and decking with or without other improvements, but not including residential uses, and projecting on either side of the Boardwalk, whether extending over the water or not extending over water. Additionally, this definition recognizes that piers may contain, as accessory structures to the primary elevated pier structure, at-grade components to support permitted uses in the Pier Zone. The following regulations apply to piers and to at-grade areas below piers.

Pier structures constructed along the bay for use as docks, marinas, fishing, scenic overlooks, or other passive recreation structures shall be governed by the permitted uses for the zoning district from which said pier extends, and shall not be construed as being part of the Pier Zone.

2. Permitted Uses

- a. Traditional Boardwalk Amusements, including games, rides and arcades.
- b. Combined retail, dining, and entertainment facilities, except for RDE facilities with specific residential uses, shall not be located:
 1. On piers east of the Boardwalk right-of-way.
 2. Within the "VE" flood zone as delineated on the most current FEMA FIRM map.

- c. Restaurants (dining or take-out).
- d. Theaters, amphitheaters, museums (cultural or popular), bowling alleys, miniature golf courses, and skating rinks.
- e. Specialty, novelty, tourist and seashore related retail.
- f. Active or passive recreation facilities.
- g. Bicycle, beach accessory and water sport sales and rental.
- h. Retail, including gift shops, hobby shops, sundries and novelty shops.
- i. Public parks, playgrounds and conservation areas.
- j. Automated Teller Machines (ATM) attendant to a permitted use.
- k. Municipal buildings and uses.

3. Prohibited Uses

- a. Commercial parking lots are expressly prohibited.
- b. Exterior storage or display of freestanding merchandise, products, accessory equipment or similar materials is expressly prohibited.

4. Conditional Uses

- a. Bathhouses and changing areas, provided such facilities and uses are located and may be accessed directly from the Boardwalk.
- b. Food service establishments serving alcoholic beverages at tables or bars, subject to the conditional use standards for such uses found in section 501B(8) and 501B(9) of this Ordinance; and the provisions of City Code Chapter 5.
- c. Outdoor decks, patios and other similar appurtenances accessory to restaurants, bars and taverns, wherein food and beverage service is permitted. Such structures may have roofs and removable side panels to protect patrons from the elements. Such structures are subject to the conditional use standards found in section 501B(10) of this Ordinance.

This requirement is intended to apply specifically to restaurants, bars and taverns seeking to provide outdoor seating that is serviced by the principal use. Traditional pedestrian congregation areas and rest areas on piers consisting of benches, tables, umbrellas, and the like are considered part and parcel of an amusement pier, and not subject to the requirements of this section.

5. Accessory Buildings and Uses

- a. Temporary or permanent storage facilities, including storage trailers, limited to the deck of the subject pier or the at-grade area directly below the deck of the subject pier. No such facility shall be located on the beach unless directly under a pier.
- b. Such temporary or permanent mechanical equipment as may be normal and customary for the operation of any permitted use, limited to the deck of the subject pier or the at-grade area directly below the deck of the subject pier.
- c. On-site parking for pier employees shall be permitted, provided such parking is limited to the at-grade area directly below the deck of the subject pier.
- d. Public swimming pools, subject to the provisions of section 509.
- e. Signs, including directional and information signage, subject to the definitions and requirements of section 609.
- f. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- g. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

6. Building Regulations

a. Principal Buildings	
Minimum Lot Area	Not to exceed the functional footprint of the Pier decking in existence as of July 19, 1993 by more than 25%, unless expansion includes an equivalent (sf) expansion of the public area of the pier deck. 100% of the increase (sf) of the pier decking shall be devoted to amusement, dining or recreational activities.

Minimum Lot Frontage & Lot Width	185' (Measured @ the Boardwalk), except where the pier extends into an adjoining municipality. In such case, the minimum frontage & width within the City of Wildwood shall be 50'.
Minimum Lot Depth	Any pier may expand ocean-ward to the limit approved by all applicable State and Federal agencies. However, no pier shall extend closer than 150' from the Mean High Water Line.
Minimum Side Yard Setbacks	Generally: 0' 5' on each side when a Pier is located within 75' of another Pier.
Minimum Front Yard Setback	N/A
Minimum Rear Yard Setback	N/A
Maximum Principal Building Coverage	N/A
Maximum Lot Coverage	N/A
Maximum Density	N/A
Maximum Building Height	35' or 2.5 stories (whichever is less), measured vertically from the surface deck of the Boardwalk. Amusement Rides: 125' from Boardwalk deck level

b. Accessory Structures	
Minimum Distance to Side Property Line	0'
Minimum Distance to Rear Property Line	0'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	1 Story or 16' from TOC or Boardwalk deck level (whichever is less) Storage Sheds: 8' from TOC or Boardwalk deck level (whichever is less)
Minimum Distance to Other Buildings	15'

7. General Requirements

- a. No use or activity associated with a use shall encroach onto the Boardwalk or obstruct the free flow of pedestrian circulation on the Boardwalk.
- b. The perimeter of any Boardwalk section or pier not enjoined or abutting a structure and remaining open shall be enclosed by fencing with a four foot (4') high railing with vertical spindles spaced not more than five inches (5") apart or a decorative fence at least four foot (4') in height.
- c. Site plan approval shall be required for any new construction, expansion or structure over 1,000 square feet and/or the construction of an additional floor on an existing structure. In addition, any modifications and/or alterations of the uses upon a pier which would encompass more than 10% of the surface area of the wooden or concrete pier shall require site plan approval.

Modifications and/or alterations of less than 10% of the surface area of the pier shall be reviewed and approved by the Zoning Officer to ensure compliance with this section. The total of all such modification and alteration requests shall not exceed 10% of the surface area of the wooden or concrete Pier in any calendar year (January 1 to December 31) without approval from the Planning Board.

- d. Construction and expansion of existing piers shall not exceed the footprint of the existing functional Pier decking in existence as of July 19, 1993 by more than 25%. In addition, 100% of the increase (square

footage) of the pier decking shall be devoted to amusement, dining or recreational activities.

- e. The expansion, extension, improvement or renovation of existing piers are subject to the requirements of the NJDEP, Coastal Permit Program Rules (N.J.A.C. 7:7-72(a)2), and must be approved by the NJDEP through the issuance of a CAFRA permit.
- f. All piers shall provide for individual restroom facilities, the location, size and design of which shall be considered at time of site plan review and subject to the Cape May County Board of Health.

Any modification to the existing pier deck footprint (other than routine maintenance), or any modification to a structure, whether temporary or permanent, located on a pier resulting in an increase of interior space (at deck level or above), whether or not resulting in an expansion of the total pier area or total internal space, shall include provisions for public restrooms, accessible from the Boardwalk, within 200' of the Boardwalk entrance to the subject pier.

In the event the subject pier has, at time of application for such modification, existing public restrooms which the Planning Board or Zoning Board of Adjustment determines to be in reasonable proximity to said Boardwalk entrance, then additional restrooms, sufficient in the opinion of the Cape May County Board of Health to service the additional volume of patrons expected to be generated by the proposed modification, shall be placed within reasonable proximity to the area of modification.

- g. All piers shall maintain an open space aisle, beginning at the Boardwalk entrance to the pier and continuing through the entire length of the pier to the easterly terminus of the pier, whether said easterly terminus contains a concrete water park or not. Such aisle open space aisle shall meet the following provisions:
 - 1. The aisle shall be not less than 20' in width; or
 - 2. If, at any point on the pier, said aisle splits into two (2) or more aisles, at least two (2) of the resultant aisles shall maintain individual widths of not less than 15'.
 - 3. All piers shall maintain sufficient emergency access to the beach on the north, south and east sides of the pier for emergency evacuation purposes. Each such access way

shall connect with at least one (1) open space aisle required above.

- h. If any pier is partially or wholly destroyed by fire, storm, or other casualty, the owners shall repair or rebuild said pier in accordance with the provisions below:
 - 1. Repair or reconstruction must commence within a period of 3 years from the date of destruction without site plan approval from the Planning Board, provided that the pier is being restored to its pre-damaged condition;
 - 2. The Planning Board may, upon application by the owners, permit an extension of time beyond 3 years to rebuild any such pier, within such further time as shall appear reasonable to the Planning Board upon consideration of the circumstances.
 - 3. During said 3 year period, or any extension thereof, no building permit shall be issued to the owner of said land for the construction of any structure other than that which is permitted herein.
 - 4. If, upon the expiration of said 3 year period, or any extension thereof, the owner or owners of said land have not filed for a building permit for said land, the Planning Board shall request that the Governing Body rezone said land to Beach (B) Zone.
- i. The City of Wildwood, along with representatives of North Wildwood, has developed a publication titled Design Guidelines for the Wildwoods Boardwalk. Prepared under a grant from the New Jersey Department of Community Affairs, Office of Smart Growth, this effort analyzed both historic and current Boardwalk architecture and designs. A set of guidelines were developed illustrating architectural features to be encouraged for Boardwalk, as well as those features which should be discouraged.

These guidelines, on file with the City Clerk and the Boardwalk Special Improvement District Management Corporation, are adopted by the City of Wildwood, and are applicable to any new development or rehabilitation of existing structures within the Pier (P) Zone.

8. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Piers shall provide on-site parking for employees in the amount of one space per 200 sf of area devoted to the subject pier's administrative office purposes, up to a maximum of 30 spaces. If at the time of adoption of this ordinance an existing pier does not meet this requirement, it shall be considered a pre-existing, nonconforming condition. No loss of existing parking spaces or increase in the amount of administrative office area shall be permitted without approval from the Planning Board.
- b. Combined resort, dining, and entertainment facilities shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- c. For all other uses located in the Pier (P) Zone, no minimum parking requirement is established for new development. The Planning Board may require such parking as is deemed appropriate at the time of site plan review & approval, or may waive any parking requirement, provided that sufficient justification is presented.
- d. In recognition of the existing, unique, and fully built-out nature of the lots along the Boardwalk and the resultant difficulty and inability of applicants to acquire additional lands for parking, the off-street parking requirements for permitted uses desiring to occupy existing structures in the Pier (P) Zone shall require only those off-street parking spaces existing at the effective date of this Ordinance.
- e. In recognition of the extremely limited amount of land within the Pier (P) Zone and the value of such land in terms of monetary worth and contribution to the City's economic base, off-street parking attendant to a permitted use shall not be permitted within the Pier (P) Zone proper. However, permitted uses within the Pier (P) Zone shall be permitted to provide off-site parking as follows:
 1. Such parking may be on a surface lot or in an accessory parking garage.

2. If on a surface lot, such use shall be limited to the Tourist-Entertainment (T/E) zoned block(s) located directly west of the Pier or a block directly adjacent to the block(s) located directly west of the Pier.
 3. If in a parking structure, such structure shall be located, anywhere within the Hotel-Motel (H/M) Zone, Hotel-Motel (H/M1) Zone, or Tourist Entertainment (T/E) Zone, subject to site plan approval by the Planning Board.
- f. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
 - g. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
 - h. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

9. Signs

- a. Exterior wall signs shall be permitted a total of two (2) signs provided:
 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 2. The total sign area for the sign located on the principal building façade facing the Boardwalk shall not exceed twenty-five (25%) percent of the face of the wall area.
 3. The total sign area for the other sign shall not exceed an area equivalent to $\frac{1}{2}$ of the area of the sign on the front of the building.
 4. Signs may project and extend over the Boardwalk. In such case, the lowest portion of the sign shall not be less than nine (9') from the Boardwalk level, and the sign shall not extend greater than four (4') over the Boardwalk property line.
- b. A-frame signs standing on the ground are permitted on the property or area devoted to the business being advertised. A-frame signs are

prohibited on the sidewalk, in the public right-of-way, or in any pedestrian aisle on a pier.

- c. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way, provided:
 1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be nine (9') feet.
 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be eight (8') feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16') feet of awning, and letters are limited to eight (8") inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk or in any pedestrian aisle is unobstructed.
- d. Canopies and marquee-style projections are permitted and encouraged, provided:
 1. The outside edge of any canopy shall not extend more than four (4') feet into the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be nine (9') feet.
 3. Such canopies must be anchored to the host building.

4. Canopy signs are limited to sixteen (16') linear feet, and letters are limited to eight (8") inches in height.
 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 6. The free flow of pedestrian traffic on the sidewalk or in any pedestrian aisle is unobstructed.
- e. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
 - f. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
 1. No window sign shall not exceed 25% of the total window area.
 2. Window signs shall be professionally designed and no cardboard signs are permitted.
 - g. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
 - h. Aside from the sign regulations for individual businesses located on a pier listed above, each individual pier is permitted signs advertising and identifying the name of the pier, provided:
 1. The number of such signs does not exceed four (4).
 2. The cumulative total area of the four (4) signs shall not exceed 400 square feet.
 3. All such signs shall not extend more than 40' in height above the deck of the subject pier.
 - i. Recommendations contained in the 2007 Comprehensive Master Plan included the elimination of poor quality, often hand-painted signs which create a poor image and blighting effect on the Boardwalk. To that end, all signs must be professionally designed

and constructed. Homemade-type plywood, coroplast or cardboard signs or home-computer-generated-type signs are expressly prohibited.

- j. No vacant signs or sign boxes shall be permitted. Where vacancies occur, corresponding signage shall be immediately replaced with general development or other appropriate signage. Similarly, any sign which falls into a state of disrepair shall immediately be repaired or replaced.

This regulation shall not be construed to include intentional removal of sign faces in the off-season, which is a typical practice along the Wildwood Boardwalk. However, upon any such intentional removal, an aesthetically treated replacement panel shall be employed so as not to leave a visibly vacant sign box.

- k. These regulations are intended to be interpreted liberally to permit the type and scope of signage appropriate to a destination resort, and they are intended to serve as a guide within which developers and designers may create an imaginative signage package appropriate to the unique character of the Boardwalk.
- l. Information and direction signs as defined in § 609A(5).
- m. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- n. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- o. See section 609 for additional standards.

G. Recreation (REC)

1. Purpose

To provide for diverse active and passive recreation activities for people of varied age-groups and abilities on property owned or controlled by the City of Wildwood.

2. Permitted Uses

- a. Public parks, playgrounds and conservation areas, athletic fields and public purpose buildings and uses.
- b. Municipal storage facilities attendant to recreational uses.
- c. Recreational uses for public and private elementary and high schools.
- d. Municipal buildings and uses.

3. Conditional Uses

- a. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of Section 507.
- b. Satellite Dish antenna attendant to permitted uses, subject to the provisions of Section 510.
- c. Windmills and energy conservation devices in side and rear yards only subject to the provisions of Section 511.

4. Building Regulations

a. Principal Buildings	
Minimum Lot Area	<p style="text-align: center;">No Minimum Established</p> <p>All development shall be subject to site plan review and approval. Lot requirements shall be appropriate for the development proposed and shall take into consideration appropriate setback, parking, landscaping, public space and ancillary uses.</p>
Minimum Lot Frontage & Lot Width	
Minimum Lot Depth	
Minimum Side Yard Setbacks	
Minimum Front Yard Setback	
Minimum Rear Yard Setback	
Maximum Principal Building Coverage	
Maximum Lot Coverage	
Maximum Building Height	The lower of 50' or 1 Story from TOC, except for bleachers, lighting or observation structures, which shall be of minimum height required to accomplish the desired function.
Maximum Density	N/A

5. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Off-site parking accessory to a permitted use shall be permitted within the Recreation (REC) Zone, subject to site plan approval by the Planning Board.
- c. Any permitted use in the Recreation (REC) Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:

1. No access shall be permitted to the parking area from within the residential zone.
2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- d. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- e. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- f. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

6. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.

4. Where uses occupy a single building, each individual use may have one (1) wall sign in accordance with these regulations.
 5. Any combination of wall and free-standing signs on a property must not exceed 75 s.f.
- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
1. The sign area does not exceed 20sf.
 2. The height for any sign such sign does not exceed 10 feet in height.
 3. All such signs must be set back at least 8 feet from all property lines.
 4. A base area 50% of the size of any such sign must be appropriately landscaped.
 5. Where more than one use occupies a site, a single pole or monument sign advertising multiple uses shall be permitted in accordance with these regulations.
 6. Any combination of wall and free-standing signs on a property must not exceed 75 sf.
- c. A-frame signs standing on the ground are permitted on the property. They are prohibited on the sidewalk or in the public right-of-way. No A-frame signs are permitted on residential uses.
- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way within the Recreation (REC) Zone, provided:
1. Awning supports are not permitted in the public right-of-way.
 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.

3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- e. Canopies located at the entrance to nonresidential buildings are permitted and encouraged, provided:
1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 3. Such canopies must be anchored to the host building.
 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- f. Temporary sign banners, such as those used to advertise special events, tournaments, and the like are permitted to be attached to building facades so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted at nonresidential uses and shall not be considered in computing the allowable signs provided:
 - 1. No window sign shall not exceed 25% of the total window area.
 - 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- h. One changeable sign at nonresidential uses, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Information and direction signs as defined in § 609A(5).
- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.
- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- l. See section 609 for additional standards.

H. Tourist/Entertainment (T/E)

1. Purpose

The Tourist-Entertainment (T/E) Zone, along with the Hotel-Motel (H/M) Zone, is the base of Wildwood's resort economy. Development of higher, more modern tourist infrastructure is critical to the future of Wildwood, not only to maintain the resort economy, but also to create both the higher, denser urban core envisioned in the 2007 Comprehensive Master Plan Update and a year-round destination with attractive resort facilities.

The Tourist-Entertainment (T/E) Zone is designed to provide for the widest possible variety of recreation venues, dining facilities, entertainment facilities, amusements, and attractions to be concentrated in appropriate sections of the City, and to ensure that Wildwood maintains the critical mass of tourist-oriented buildings and uses needed to keep pace with the ever-changing attractions marketplace.

The 2007 Comprehensive Master Plan Update confirmed the need for the Wildwoods to update and expand their lodging, restaurant, entertainment, and retail offerings and offer both more and more-varied facilities in newly developed or renovated structures. This is necessary in order to satisfy the needs of an increasingly sophisticated vacationing public and compete with other destinations that already feature modern resort hotels with high concept public spaces, themed restaurants and other amenities. Additionally, to support the Wildwoods Convention Center and a more year-round economy, this zone provides the standards and guidelines that will foster the development of a denser, higher urban core. New development of combined retail, dining and entertainment facilities at the building heights prescribed in this zone are critical to achieving the City's vision of a denser, more compact urban core.

2. Permitted Uses

- a. Restaurants (dining or take-out/drive-through), bars and taverns.
- b. Theaters, amphitheaters, museums (cultural or popular), bowling alleys and skating rinks.
- c. Hotels and motels, including customary ancillary and accessory uses, provided:
 1. Temporary lodging is offered in the form of hotel/motel rooms rented to the general public on a daily or weekly basis but not more than thirty (30) days, and not intended to be occupied or used for any primary residential purpose, either temporary or permanent.
 2. A front desk area is maintained to serve guests and the public.
 3. Maid service and other room amenities, including linens and towel service, in a quality manner expected from the traveling public is provided.
 4. A manager and/or desk staff meeting the requirements of State lodging laws and State swimming pool regulations are employed to provide these services.
 5. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of "Green" building practices for buildings and mechanical systems.
 6. Any proposed new development institutes a "Lights Out" program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60' between 11:00 p.m. and daylight in accordance with Section 702.
- d. Combined Retail, Dining, and Entertainment Facilities, provided that:
 1. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and

technologies as well as the use of “Green” building practices for buildings and mechanical systems.

2. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702

- e. Specialty, novelty, tourist and seashore related retail.
- f. Neighborhood and regionally-oriented retail activities.
- g. Neighborhood and regionally-oriented service activities.
- h. Banks, including drive-through facilities.
- i. Offices and office buildings, including professional offices.
- j. Bicycle, beach accessory and water sport sales and rental.
- k. Active or passive recreation facilities.
- l. Lodges and clubs.
- m. Public parks, playgrounds and conservation areas.
- n. Residential dwelling units above ground-floor permitted uses a. through l. herein. Such dwelling units shall provide a minimum 1,500 s.f. of living space per dwelling unit.
- o. Municipal buildings and uses.

3. Conditional Uses

- a. Subject to Planning Board approval, building height for any hotel, motel, or combined retail, dining, and entertainment facility proposed under these Tourist-Entertainment (T/E) Zone regulations may increase from the 67’ maximum provided for herein up to 250’ (25 stories), and further provided that the project:

1. Employs the same ratio of building height to lot area, setbacks and setback articulations required by said section.
 2. Any proposed new development maximizes the use of environmentally-friendly LEED building systems and technologies as well as the use of “Green” building practices for buildings and mechanical systems.
 3. Any proposed new development institutes a “Lights Out” program for energy efficiency and to reduce the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60’ between 11:00 p.m. and daylight in accordance with Section 702.
- b. High rise, multi-family residential buildings, subject to the principal building requirements for hotels, motels & combined retail, dining, and entertainment facilities in the Tourist-Entertainment (T/E) Zone.

Within a high-rise, multi-family residential building, the following shall be permitted uses provided that said uses are limited to the ground floor only:

1. Restaurants (dining or take-out/drive-through), bars and taverns.
 2. Specialty, novelty, tourist and seashore-related retail.
 3. Bicycle, beach accessory and water sport sales and rental.
 4. Neighborhood-oriented retail activities.
 5. Neighborhood-oriented service activities.
 6. Public or private enclosed recreation facilities, including fitness center or health club, with customary associated retail. A small café for the benefit of facility users is also permitted as an accessory use.
- c. Freestanding commercial parking lots, subject to the conditional use standards contained in section 501B(5).
- d. Outdoor decks, patios and other similar appurtenances accessory to restaurants, bars and taverns, wherein food and beverage service is

permitted. Such structures may have roofs and removable side panels to protect patrons from the elements. Such structures are subject to the conditional use standards found in section 501B(10) of this Ordinance.

- e. Wireless telecommunications towers, antennas, and facilities, subject to the provisions of Section 507.

4. Accessory Buildings and Uses

- a. Off-street parking attendant to permitted and conditional uses, subject to the regulations listed in section 414H(7) below and the design standards found in section 608.
- b. Enclosed storage facilities attendant to a permitted use.
- c. Outdoor display of merchandise attendant to a permitted use, provided:
 - 1. All such displayed items are permitted under the mercantile license for the host establishment.
 - 2. Such items are displayed on commercial racks appropriate for the particular items (not simply on tables placed outside the establishment) or in commercial coin operated vending machines.
 - 3. Such displays do not extend more than three feet (3') from the host building.
 - 4. All display racks are removed (taken indoors) during nonbusiness hours.
- d. Private garages for the storage of delivery trucks or other commercial vehicles attendant to a permitted use, subject to the provisions of Section 608.
- e. Public swimming pools, subject to the provisions of Section 509.
- f. Satellite dish antenna attendant to permitted uses, subject to the provisions of section 510.
- g. Windmills and energy conservation devices in side and rear yards only, subject to the provisions of section 511.

5. Building Regulations

	General	Hotels, Motels & Combined R.D.E. Resort Facilities
a. Principal Buildings		
Minimum Lot Area	7,200 sf	12 stories or less: 12,000 sf 12 stories or greater: 12,000 sf x (multiplied by) proposed building height/ (divided by) 128
Minimum Lot Frontage & Lot Width	80'	No Minimum Established
Minimum Lot Depth	90'	No Minimum Established
Minimum Side Yard Setbacks for Non-Beach Blocks	0' & 29' (Driveways), 17' each (Circular Drives)	20' each
Minimum Side Yard Setbacks for Beach Blocks	0' to 32' in height: 0' 32' to 107' in height: 10' starting at the 32' level 107' up to the maximum building height: 20' starting at the 107' level	0' to 32' in height: 0' 32' to 107' in height: 10' starting at the 32' level 107' up to the maximum building height: 20' starting at the 107' level
Minimum Front Yard Setback for Non-Beach Blocks	0' to 32' in height: No Minimum Established Subject to approval by the Zoning Officer, setback shall conform to the prevailing setbacks for existing structures on the street frontage at time of application. Where no prevailing setback exists, 0' setback shall be established. 32' to 107' in height: 10' starting at the 32' level	0' on North/South streets such as Ocean Ave and all streets parallel to Ocean Ave 10' on East/West streets such as Rio Grande Ave and all streets parallel to Rio Grande Ave

	<p>107' up to the maximum building height: 20' starting at the 107' level</p> <p>If building height exceeds 32' without the articulated setbacks: 15'</p>	
<p>Minimum Front Yard Setback for Beach Blocks</p>	<p>0' to 32' in height: 0'²⁹</p> <p>32' to 107' in height: 10' starting at the 32' level</p> <p>107' up to the maximum building height: 20' starting at the 107' level</p> <p>If building height exceeds 32' without the articulated setbacks: 15'</p>	<p>0' to 32' in height: 0'⁸⁹</p> <p>32' to 107' in height: 10' starting at the 32' level</p> <p>107' up to maximum building height: 20' starting at the 107' level</p> <p>If building height exceeds 32' without the articulated setbacks: 15'</p>
<p>Minimum Rear Yard Setback</p>	<p>15'</p>	<p>20'</p>
<p>Maximum Principal Building Coverage for Non-Beach Blocks</p>	<p>General: 50%, Pacific Avenue Properties Only: 80%</p>	<p>75%</p>
<p>Maximum Principal Building Coverage for Beach Blocks</p>	<p>80%</p>	<p>80%</p>
<p>Maximum Lot Coverage</p>	<p>80%</p>	<p>80%</p>

²⁹ For the purpose of this Section, Rear Property line shall be defined as that property line parallel to the Boardwalk but not fronting the Boardwalk.

<p>Maximum Building Height</p>	<p>The lower of 35' or 3 Stories from TOC</p>	<p>The lower of 67' or 6 stories from TOC</p> <p>Building heights may extend to the lower of 250' or 25 stories from TOC, subject to conditional use approval from the Planning Board</p>
<p>Maximum Density</p>	<p>Minimum 1,500 sf/du above ground floor Permitted Use</p>	<p>FAR = 10</p>

b. Accessory Structures	
Minimum Distance to Side Property Line	5'
Minimum Distance to Rear Property Line	5'
Maximum Total Footprint for all Accessory Structures	N/A
Maximum Height	1 Story or 16' from TOC (whichever is less)
Minimum Distance to Other Buildings	10'

6. Additional Standards, Requirements, and Regulations

- a. All development in this Tourist-Entertainment (T/E) Zone shall be subject to design standards of NJDEP Coastal Zone Management rules including but not limited to, High-rise Structure Rule NJAC 7:7E-7.14, Scenic Resources & Design Rule (NJAC 7:7E-8.12 and Buffers & Compatibility of Uses Rule (NJAC 7:7E-8.13), as currently adopted, shall be incorporated into the plans and design of projects, particularly in regards to building and site design requirements.
- b. New high-rise development consisting of combined resort, dining, and entertainment facilities, multi-family dwelling units, hotels, motels, hotel/condominiums, and condominiums shall provide an open view corridor perpendicular to the water's edge in the amount of 30% of the frontage along the waterfront where an open view currently exists.
- c. If any hotel, motel, is converted to an apartment building whereby one or more units are privately owned as a condominium or cooperative form of ownership, unless such building, regardless of the form of ownership continues to operate primarily as a hotel or motel, it shall be presumed to be a change in use from hotel or motel use to multiple family residential use. If there is an elimination of common features of a hotel or motel such as a front desk, lobby, maid service and other hotel/motel features, or if any of the units are no longer available for short term occupancy but are instead being utilized by the same occupants for more than 30 days, it shall be considered prima facie evidence that the use has been changed from a hotel or motel to a multi-family residential use, in which case such conversion will not be permitted unless a use variance is granted by the Planning Board.

- d. No newly constructed hotel or motel unit shall consist of less than 350 sf.
- e. A permanent superintendent's or owner's quarters shall be permitted within a hotel or motel, and shall be included in the calculation of permitted density. Use and occupancy of such owner's quarters shall not be subject to the 30 day length of stay restriction and may be utilized on a permanent, year-round basis.
- f. Where a single development project is located both within the Tourist-Entertainment (T/E) Zone and the Boardwalk Amusement (BA) Zone, the Hotel-Motel (H/M) Zone, or the Hotel-Motel 1 (H/M1) Zone, nothing herein shall be construed as to limit the number or percentage of units (be they hotel, motel, or permitted residential units) containing kitchen facilities or the ratio of units with kitchen facilities vs. units without kitchen facilities.
- g. For projects which include the construction of a minimum of 25 residential or transient residential dwellings units or warrants 50 or more parking spaces, the following additional items must be submitted as part of the Completeness Review:
 - 1. Traffic Impact Study with additional narrative demonstrating compliance with CAFRA Rule NJAC 7:7E-8.11 and 8.14.
 - 2. Sun/Shadow Diagrams.
 - 3. Leadership in Energy & Environmental Design Checklist for New Construction & Major Development wherein an application must attain a minimum of 26 LEED points utilizing the latest version of US Green Building Council's "LEED-NC Green Building Rating System for New Construction & Major Renovations."
- h. For projects which include the construction of 25 or more residential or transient residential dwellings units, or which includes 50 or more parking spaces, the following additional items must be submitted as part of a development application's Completeness Review:
 - 1. Traffic Impact Study with additional narrative demonstrating compliance with CAFRA Rule NJAC 7:7E-8.11 and 8.14.
 - 2. Sun/Shadow Diagrams.
 - 3. Leadership in Energy & Environmental Design Checklist for New Construction & Major Development wherein an application must attain a minimum of 26 LEED points utilizing the latest version of US Green Building Council's "LEED-NC Green Building Rating System for New Construction & Major Renovations."
- i. All applicable uses in this Tourist/Entertainment (T/E) Zone shall institute a "Lights Out" program for energy efficiency and to reduce

the incidence of migratory bird strikes by reducing decorative building lighting on upper stories above 60' between 11:00 p.m. and daylight in accordance with Section 702.

- j. Development on beach blocks presents unique public health and public safety concerns for properties which may be accessible only from the Boardwalk. For the purposes of this section, the term "Beach Block" shall mean any Tourist Entertainment (T/E) Zone lands situated between Ocean Avenue and the Boardwalk. To address these concerns a Beach Block Safety Buffer Zone is created, and the following special provisions shall apply to all properties located in beach blocks:

1. Within the context of the minimum building setbacks for all beach block parcels, there shall be created a Beach Block Safety Buffer Zone. Such zone shall extend no less than ten feet (10') from the rear property line of any parcel abutting the Boardwalk and five feet (5') from the rear property line of any parcel not abutting the Boardwalk. For the purposes of this section, rear property line shall be defined as that property line parallel to the Boardwalk but not fronting the Boardwalk.
2. Such buffer zone for each individual parcel shall be coordinated with the buffer zone for any contiguous parcels, so as to create a 10' wide, unobstructed pathway for the width of the subject block (i.e. from side street to side street).
3. Buffer zones shall be unobstructed from grade to sky, and shall be maintained and kept clear of all structures and activities, including accessory structures, storage of materials, and parking of vehicles. Similarly, buffer zones shall be maintained and kept clear of all debris, rubbish, weeds and tall grass.
4. Nothing herein shall be construed to establish a public right-of-way in the required yard areas.

7. Off-street Parking Requirements

Each individual use shall provide off-street parking spaces according to the following minimum provisions:

- a. Permitted uses shall provide the number of off-street parking spaces in accordance with the chart found in section 608B(2) of this Ordinance. The number of spaces listed shall be the minimum requirement. Where multiple uses occupy a single lot, the total number of required parking spaces shall be the cumulative of each individual use.
- b. Off-site parking accessory to a permitted use shall be permitted within the Tourist-Entertainment (T/E) Zone, subject to site plan approval by the Planning Board.
- c. Any permitted use in the Tourist-Entertainment (T/E) Zone may be permitted to extend its parking area into an adjacent residential zone if it complies with the following regulations:
 1. No access shall be permitted to the parking area from within the residential zone.
 2. Parking area may extend a maximum of one hundred twenty (120) feet into the residential zone.
 3. A buffer strip shall be provided between the parking area and the residential zone. The buffer strip shall consist of a ten-foot wide planted area and a screen fence of six (6) feet in height. Shrubs shall be planted five (5) feet on center and shall be five (5) feet in height at the time of planting. Evergreen trees shall be six (6) feet to eight (8) feet tall and deciduous trees shall have a minimum caliper of three and one-half (3 1/2) inches measured six (6) inches above the ground.
- d. Parking garages shall be subject to the building regulations and bulk requirements for hotels, motels, and combined resort, dining, and entertainment facilities found in section 410C(5), except that the maximum building height for such structures shall be the lesser of 6 stories or 60'.
- e. This Ordinance recognizes that while parking is critical to the success of the City's economic base, parking garages are typically utilitarian structures which often create dead zones which can be extremely detrimental to the vibrancy and aesthetics of a business or tourist district. To avoid blank, monolithic or otherwise distasteful first floor

facades, parking structures shall have decorative wall treatments consistent with Section 411I(9) herein. The scope, style and extent of such treatment shall be approved by the Planning Board at time of site plan review and conditional use approval.

- f. Nothing herein shall prohibit two or more independent principal uses, whether owned by the same entity or not, from combining to construct a parking garage for the purposes outlined herein, provided that said structure is accessory to at least one of the aforementioned principal uses.

Similarly, nothing herein shall prohibit the owner/operator of a parking garage constructed for the purposes outlined herein to lease excess parking spaces to satisfy the parking requirements of a third party permitted use within Hotel/Motel Zone, Hotel/Motel (H/M1) Zone, or the Tourist Entertainment Zone.

- g. In recognition of the existing, fully built-out nature of the lots along Pacific Avenue, the lack of existing off-street parking spaces in this area, and the resultant difficulty and inability of applicants to acquire additional lands for such parking, off-street parking requirements for permitted uses desiring to occupy existing structures fronting Pacific Avenue in the Tourist-Entertainment (T/E) Zone shall require only those off-street parking spaces existing at the effective date of this Ordinance.
- h. This provision shall not apply to new structures, which instead must conform to the requirements herein.
- i. Stacked parking, where motor vehicles are parked one in front of the other and require, when fully utilized, the moving of one vehicle to allow the removal of another, is prohibited.
- j. Parking requirements for municipal uses and conditional uses shall be determined in accordance with § 608 of this Ordinance or during site plan review by the Planning Board.
- k. See § 608, Off-street parking, loading areas and driveways, for additional design standards.

8. Signs

- a. Exterior wall signs on nonresidential establishments shall be permitted a total of two (2) signs provided:
 1. No single exterior wall of any one (1) establishment shall contain more than one (1) of the two (2) permitted signs.
 2. The total sign area for the sign located on the principal building façade facing the most heavily traveled right-of-way shall not exceed twenty-five (25%) percent of the face of the wall area.
 3. The total sign area for a sign located on another wall shall not exceed (5%) of the face of the wall area.
 4. Where multiple storefronts occupy a single building, each individual storefront may have one (1) wall sign in accordance with these regulations.

- b. Free-standing pole and monument signs shall be permitted a total of one (1) sign provided:
 1. The sign area does not exceed 100sf.
 2. The height for any sign such sign does not exceed 32'.
 3. Pole mountings shall not be installed closer than one foot (1') from any property line.
 2. The outboard edge of such signs may extend over the property line up to four feet (4'), provided the bottom edge of any such sign is a minimum of ten feet (10') from grade.
 3. A base area 50% of the size of any such sign must be appropriately landscaped.
 4. Where more than one storefront occupies a site, a single pole or monument sign advertising multiple businesses shall be permitted in accordance with these regulations.

- c. A-frame signs standing on the ground are permitted on the property of the business. They are prohibited on the sidewalk or in the public right-of-way, and they must be on the property that the business is located.

- d. Retractable awnings of canvas or similar durable material which are supported within the property lines shall be permitted, and shall be allowed to extend over a portion of the public right-of-way in commercial zones, provided:
 - 1. Awning supports are not permitted in the public right-of-way.
 - 2. The vertical clearance from grade to the lowest portion of any structural member shall be eight (8) feet.
 - 3. The vertical clearance from the public right-of-way to the lowest portion of any awning, including valances, shall be seven (7) feet minimum.
 - 4. No portion of the awning shall extend more than four (4) feet into the public right-of-way.
 - 5. Awnings shall be constructed and installed in such a manner that upon seasonal or permanent removal, no portion of the support structure shall be exposed.
 - 6. Awning signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 - 7. No awning shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of an awning.
 - 8. The free flow of pedestrian traffic on the sidewalk is unobstructed.

- e. Canopies located at the entrance to commercial buildings are permitted and encouraged, provided:

1. The outside edge of any canopy shall not be closer than two (2) feet from the face of the curb.
 2. The vertical clearance from grade to the lowest portion of any structural member or canopy sign shall be eight (8) feet.
 3. Such canopies must be anchored to the host building.
 4. Canopy signs are limited to sixteen (16) feet of awning, and letters are limited to eight (8) inches in height.
 5. No canopy shall contain any advertising material or signage, other than the name and/or logo of the host establishment. No signs, merchandise, banners, or flags shall be attached to the bottom of the canopy.
 6. The free flow of pedestrian traffic on the sidewalk is unobstructed.
- f. Temporary sign banners, such as "clearance," "sale," "end of year," etc., are permitted to be attached to the building facade so long as the banner is not posted for more than 10 calendar days.
- g. Interior window signs are permitted and shall not be considered in computing the allowable signs provided:
1. No window sign shall not exceed 25% of the total window area.
 2. Window signs shall be professionally designed and no cardboard signs are permitted.
- h. One changeable sign, such as a chalk board or glass case for restaurant menus, limited to four (4) sf.
- i. Information and direction signs as defined in § 609A(5).
- j. Sign requirements for municipal uses shall be determined in accordance with § 609 of this Ordinance or during site plan review by the Planning Board.

- k. Sign requirements for conditional uses shall be determined during site plan review and in accordance with the conditions for each use listed in section 501.
- l. See section 609 for additional standards.

415 ZONING OVERLAY DISTRICTS

A. Purpose

The following Overlay Zoning Districts provide for unique provisions required to advance specific municipal goals without disrupting the underlying zone plan of the City.

B. BSRA Bayside Redevelopment Area

1. Purpose

In 2002, the Governing Body undertook the statutory process to declare the City's former municipal landfill to be an Area In Need of Redevelopment under the *New Jersey Local Redevelopment and Housing Law*.³⁰

The Bayside Area was formally declared to be In Need of Redevelopment in July 2002, and a Redevelopment Plan,³¹ generally focusing on single-family development, was adopted in August of that year. That original plan was subsequently updated with the "Amended and Restated Bayside Area Redevelopment Plan" (Ordinance 1109-18) in June of 2018.

2. Bayside Area Redevelopment Plan

³⁰ N.J.S.A. 40A:12A-1 et. seq.

³¹ Bayside Area Redevelopment Plan. The Atlantic Group & Brown & Keener Urban Design (August 14, 2002).

**AMENDED AND RESTATED
BAYSIDE AREA REDEVELOPMENT PLAN
CITY OF WILDWOOD, CAPE MAY COUNTY**



Adopted by the Governing Body by Ordinance #1109-18 on June 13, 2018;

**AMENDED AND RESTATED
BAYSIDE AREA REDEVELOPMENT PLAN
CITY OF WILDWOOD, CAPE MAY COUNTY**

**Mayor Ernie Troiano, Jr.
Commissioner Anthony Leonetti
Commissioner Pete Byron**

Planning & Zoning Board

Michael Porch, Chairman
Joseph Sphuler
Daniel Dunn
Jason Hesley
Anthony Leonetti
Dorothy Gannon
Timothy Blute
Todd Kieninger
Carol Bannon
Denise Magilton

PREPARED BY:
City of Wildwood

TABLE OF CONTENTS

Introduction	Page 1
Goals and Objectives	Page 1
Properties in the Redevelopment/Rehabilitation Area	Page 3
Properties to be Acquired.....	Page 3
Redevelopment Plan Proposals	Page 3
Bayside Area Redevelopment District (BARD)	Page 4
Intent and Purpose	Page 4
Bulk Land Use and Standards	Page 5
Additional Requirements	Page 7
General Provisions	Page 8
Relocation	Page 9
Acquisition	Page 9
Relationship to Other Plans	Page 9
Affordable Housing	Page 10
Administration	Page 11
General	Page 11
Redeveloper Entity	Page 11
Redevelopment Agreement	Page 11
Time Limits	Page 11
Discrimination Ban	Page 11
Procedures for Amending the Plan.....	Page 12
Repeal and Severability Statements	Page 12
Conclusion	Page 12
Exhibit 1 – Parcels Comprising Bayside Area	Page 13
Exhibit 2 – Designation of Area in Need of Rehabilitation	Page 14
Exhibit 3 – Residential Area and Commercial Area and Road Network	Page 21

Introduction

On June 14, 202, the Board of Commissioners of the City of Wildwood (the “City”) adopted a resolution declaring the area that is commonly known as the “Bayside Area”, generally located between Susquehanna Avenue and the Bay (area commonly known as “Sunset Lake”), an “Area in need of Redevelopment” under the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (the “LRHL”). See **Exhibit 1**. The Bayside Area was the location of the City’s former landfill. It has remained vacant since approximately 1983. The Board of Commissioners subsequently adopted an ordinance numbered 572-02 on September 25, 2002 approving the “Bayside Area Redevelopment Plan” (the “2002 Redevelopment Plan”). On November 13, 2013, the Board of Commissioners adopted a resolution designating the entire City as an “area in need of rehabilitation” under the LRHL. See **Exhibit 2**. This Redevelopment Plan is intended to replace and supersede the 2002 Redevelopment Plan and create new superseding zoning regulations for the Redevelopment/Rehabilitation Area (as defined below).

The Redevelopment/Rehabilitation Area is located along the inter-coastal waterway. The Redevelopment/Rehabilitation Area consists of multiple lots totaling approximately 35.36 developable acres as set forth herein on Page 3 (under the heading “Properties in the Redevelopment/Rehabilitation Area”). When it is developed, the Redevelopment/Rehabilitation Area shall have approximately 2,900 linear feet of waterfront with public access, a public boardwalk, one or more restaurants, retail uses, and a mix of single family homes and duplexes (side by side twins). A number of the proposed dwellings shall be located along the waterfront. The existing zoning on the property is Bayside Redevelopment/Rehabilitation Area (BSRA) overlay district which was created after the adoption of the 2002 Redevelopment Plan. The purpose of this Redevelopment Plan is to replace and supersede the 2002 Redevelopment Plan and create a new superseding zoning district for the Redevelopment/Rehabilitation Area.

Goals and Objectives

The primary purpose of this Redevelopment Plan (the “Redevelopment Plan”) is to encourage the revitalization and redevelopment of the Redevelopment/Rehabilitation Area. The redevelopment of the Redevelopment/Rehabilitation Area shall include a mix of single family homes and duplexes (side by side twins), one or more restaurants, retail uses, a commercial marina, and public access to the waterfront including a new public boardwalk and bulkhead.

This Redevelopment Plan has a goal of providing a mix of medium density housing, a commercial marina and commercial development, and providing for a network of roads

that provide the greatest number of homes and commercial establishments with a view of the waterfront. The new streets and sidewalks shall be linked to the existing streets leading to public parks nearby and to the bay itself.

The City's objectives in redeveloping the Redevelopment/Rehabilitation Area, as set forth below, focus on improving the entire Wildwood community, attracting new investment to the City, and preserving the predominantly residential character of the Redevelopment/Rehabilitation Area while adding one or more restaurants, retail uses, and uses that maximize the potential of the waterfront. Future objectives include:

- A. Stabilize the Redevelopment/Rehabilitation Area by eliminating negative and/or blighting influences. Prevent the spread of such influences by the application of comprehensive and enforceable zoning controls.
- B. Maximize tax revenue, generate new tax ratables or otherwise provide for substantial financial return to the public sector by redeveloping and returning to active and productive use, the underdeveloped, underutilized and/or underproductive privately and municipally-owned lands which are not likely to be developed solely through the instrumentality of private capital.
- C. Stimulate private development and maximize the development potential of the Redevelopment/Rehabilitation Area by permitting flexibility in land use, project design, and building regulations while protecting, to the maximum extent practicable, surrounding land uses.
- D. Increase the value of residential properties throughout the City and stimulate reinvestment and home improvements outside of the Redevelopment/Rehabilitation Area.
- E. Provide permanent perpendicular and linear access to the waterfront to the maximum extent practicable, including both visual and physical access, as well as recreational opportunities to all City residents, including public walking and waterfront-related recreational access along the bayside waterfront.
- F. Promote the efficient and effective provision of necessary infrastructure and related services for the Redevelopment/Rehabilitation Area while addressing economic, regulatory, and permitting issues which may impede infrastructure improvements.
- G. Institute provisions to promote a planned, multi-use development in a mutually supportive environment consistent with applicable smart growth new urbanism principles.
- H. Utilize zoning and non-financial incentives and programs where appropriate to achieve these goals and objectives.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

- I. Ensure that all uses within the Redevelopment/Rehabilitation Area are compatible with the surrounding neighborhood and environment.
- J. To the extent reasonably practicable, work with a designated redeveloper to minimize disruption of the residential and business communities adjacent to the Redevelopment/Rehabilitation Area during and after construction.

Properties in the Redevelopment/Rehabilitation Area

The properties located within the Redevelopment/Rehabilitation Area subject to this Redevelopment Plan are as follows:

BLOCK	LOT
99	26, 27, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44 & 45
100	21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, &40
101	21, 22 & 23
110	1, 1.01, 1.02, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 42,43, 44, 45 & 46
111	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 & 40
112	1, 2, 3, 4, 5, 6, 7, 8, 9, 10.02, 11.02, 12.02, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 28.01, 28.02 & 28.03
121	2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29 & 30
122	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 26, 24, 25, 26, 27, 28, 28.1 & 28.2
131	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 & 30
141	1.01, 1.02, 1.05, 1.06, 1.07, 2.01, 2.02, 2.03, 3.01 & 3.02
142	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 & 30
150	1, 2, 19, 20, 21, 22, 23, 24, 29, 30, 31, 32.01, 32.02 36, 37, 38 &39
159	1, 2, 3, 4, 5, 6, 7.01, 7.02, 8, 9, 10, 11, 12, 13, 14 &15
Bay Area	The portion of the Bay identified on Exhibit 3

Properties to be Acquired

All of the properties located within the Redevelopment/Rehabilitation Area, whether owned by the City or by private parties, are to be acquired.

Redevelopment Plan Proposals

In order to effectuate the goals and objectives it is necessary to institute new use and bulk zoning controls applicable to the properties located within the Redevelopment/Rehabilitation Area as detailed herein. To that end, this Redevelopment Plan creates the Bayside Area Redevelopment District (the “**BARD**”).

This Redevelopment Plan has a goal of providing a multi-use planned development scheme including medium density housing (by permitting single-family dwellings as well as duplexes (side by side twins) within the area identified as the residential area on **Exhibit 3** (the “**Residential Area**”), restaurant and retail uses, a commercial marina, and public access to the waterfront within the area identified as the commercial area on **Exhibit 3** (the “**Commercial Area**”), and a network of roads that provide the greatest number of homes with a view of the waterfront.

Public access to the waterfront shall be provided at various points, including at the terminus of Niagara Avenue as well as in the area identified on **Exhibit 3** for marina, bar/restaurant, and commercial center. A new public boardwalk, bulkhead, and revetment wall are proposed to enhance the public’s access to the waterfront area. To further provide adequate access to the public boardwalk area and to encourage alternative forms of transportation, this Redevelopment Plan shall provide public access easements for pedestrian and bicycle access routes from West Spicer Avenue to the waterfront.

The proposed redevelopment of the Redevelopment/Rehabilitation Area shall address the existing facilities within the Redevelopment/Rehabilitation Area, including the recycling center and closed landfill, and shall ensure environmental and public health concerns are addressed prior to development pursuant to approvals that have been issued or are to be issued by the New Jersey Department of Environmental Protection (the “**NJDEP**”).

Bayside Area Redevelopment District (BARD)

Intent and Purpose

- A. The Zoning Map shall be amended to include a new Bayside Area Redevelopment District (BARD) zoning district for the Redevelopment/Rehabilitation Area. The BARD shall constitute a superseding zoning district within the Redevelopment/Rehabilitation Area as provided for in the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A7c).
- B. The BARD shall effectuate the goals and objectives of the Redevelopment Plan. The BARD creates superseding design and bulk standards for the Redevelopment/Rehabilitation Area.
- C. The plan is to provide a multi-use planned development scheme to include restaurant/retail space, a commercial marina, residential uses, and public access to the waterfront in order to entice new visitors, homeowners, and business owners to the Redevelopment/Rehabilitation Area and the City of Wildwood.
- D. The site development shall include a new bulkhead, revetment wall, docks, boardwalk, and other features designed to maximize the marine appeal of the Redevelopment/Rehabilitation Area.
- E. Any redevelopment shall address the existing facilities within the Redevelopment/Rehabilitation Area including the recycling center and closed landfill, and shall ensure environmental and public health concerns are addressed prior to development pursuant to permits or approvals that have been issued or are to be issued by the NJDEP.

Bulk Land Use and Standards

- A. The following land use and bulk standards shall apply to the applicable areas within the BARD as set forth on **Exhibit 3**.
 - 1. Principal Permitted Uses (Residential Area):
 - a. Detached single-family dwellings
 - b. Duplexes or side by side twins
 - 2. Principal Permitted Uses (Commercial Area):
 - a. Eating and drinking establishments, including restaurants with or without bars/alcoholic drink service and tavern
 - b. Retail uses

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

- c. Recreational uses, including parks, playgrounds, and ball fields.
 - d. Commercial marinas
 - e. Accessory parking lots for marina use located on separate lots or land parcels from the marina use
3. Permitted Accessory Uses (Residential Area):
- a. Parking Located on the same lot as a residential use
 - b. Attached or detached garages for residential uses
 - c. Attached or detached sheds for residential uses
 - d. Pedestrian walkways and bicycle paths, including boardwalks
 - e. Such other accessory uses as are usual and customary to a mixed-use site plan, such as, without limitation, signage, storm water management facilities, landscaping, site lighting, and related infrastructure.
4. Permitted Accessory Uses (Commercial Area):
- a. Attached or detached storage buildings for commercial uses, outdoor patio seating for restaurants, retail uses, and commercial marinas
 - b. Pedestrian walkways and bicycle paths, including boardwalks.
 - c. Boat slips/docks for residential and commercial uses
 - d. Such other accessory uses as are usual and customary to a mixed-use site plan, such as, without limitation, signage, storm water management facilities, landscaping, site lighting, and related infrastructure.
5. As set forth on **Exhibit 3**, West Spicer Avenue shall be extended to become the main thoroughfare throughout the Redevelopment/Rehabilitation Area. The minimum right of way width along West Spicer Avenue shall be 50 feet. Garfield Avenue shall also be extended with a minimum 50-foot right of way terminating in a cul-de-sac within the Redevelopment/Rehabilitation Area.
6. A minimum 10-foot wide timber boardwalk shall be provided along the properties adjacent to the waterfront and the proposed bulkhead.
7. All development within the Redevelopment/Rehabilitation Area shall be serviced with public, potable water and sanitary sewer, along with electric, natural gas, telephone and cable service; all utilities shall be placed underground.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

8. Storm drainage improvements, including pipes, inlets, and culverts, shall be located either within public rights-of-way, a dedicated lot or lots, or within easements located on privately-owned lands.
9. A public kayak launch shall be included in the Commercial Area.
10. Unless otherwise provided herein, all words and phrases used herein shall have the same definitions provided under Chapter XVII-Land Development.
11. The following bulk standards shall apply in the BARD:

Required Bulk Standards – Residential Area

	Detached Dwelling Lots	Duplex
Minimum Lot Area	4,000 sf.	3,000 sf.
Minimum Lot Frontage	40 ft.	60 ft.
Minimum Lot Width	40 ft.	60 ft.
Minimum Lot Depth	100 ft.	100 ft.
Front Yard Setback	10 ft.	10 ft.
Rear Yard Setback	15 ft.	15 ft.
Side Yard Setbacks	6 ft. and 10 ft.	0 ft. and 15 ft.
Max. Principal Building Coverage	45%	45%
Maximum Lot Coverage	70%	70%
Maximum Building Height ³²	40 ft. or 3.5 stories	40 ft. or 3.5 stories
Maximum Density		
Dwelling Unit/Acre	7	7
Square Feet/Acre	3,600 sf.	3,600 sf.
Maximum Accessory Buildings	1	1
Min. Dist. to Side Prop Line	4 ft.	4 ft.
Min. Dist. to Rear Prop Line	4 ft.	4 ft.

³² Building height shall be calculated as set forth in Section 201 of the Wildwood Land Development Ordinance.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

Required Bulk Standards – Commercial Area

Minimum Lot Area	10,000 sf.
Minimum Lot Frontage	40 ft.
Minimum Lot Width	40 ft.
Minimum Lot Depth	40 ft.
Front Yard Setback	10 ft.
Rear Yard Setback	0 ft. ³³
Side Yard Setbacks	6 ft.
Min. Buffer to Residential	10 ft.
Max. Principal Building Coverage	50%
Maximum Lot Coverage	80%
Maximum Building Height ³⁴	40 ft. or 3.5 stories
Required Parking Spaces:	
	Restaurant 1 per 4 seats
	Retail 1 per 250 sf.
	Marina 0.6 per boat slip
Required Off Street Loading:	
0-19,999 sf.	1
20,000-39,999 sf.	2

³³ From public walkway.

³⁴ Building height shall be calculated as set forth in Section 201 of the Wildwood Land Development Ordinance.

Additional Requirements

A. Sign Standards

1. Each entrance to the Commercial Area shall feature one master sign with independent panels for each commercial use or tenant.
2. A wall or building-mounted sign(s) is permitted for each commercial building at a total area equal to 10% of the total building façade.
3. No roof-mounted signs are permitted.
4. Any freestanding sign shall not exceed a total height of 15 feet.
5. Signs shall not come within 10 feet of any right-of-way or property line.
6. All signs must be professionally designed and constructed. Homemade-type plywood, coroplast, or cardboard signs or home-computer-generated-type signs are expressly prohibited.
7. All signs shall be illuminated in a way as to not provide overspill or create a nuisance for neighboring properties.

B. Landscaping

1. Commercially reasonable landscaping shall be provided throughout the front, side, and rear yards for both residential and commercial uses.
2. All plant species shall thrive in permeable soils; plants native to the area are encouraged. Plant materials used in the private yards and commercial development are encouraged to incorporate native species, including ground cover, perennials, ornamental grasses, shrubs, and trees. Salt and drought tolerant species native to the NJ Shore community are encouraged.
3. All areas not utilized for buildings, parking, loading, access aisles, driveways, or on pedestrian walkways shall be suitably landscaped and maintained in good condition.
4. Any plantings within sight triangles shall not exceed 36" in mature height.
5. Planting shall be used around building foundations to improve the overall aesthetics and enhance the building.

C. Parking

1. One parking stall shall be provided for every 4 seats for eating and drinking establishments, including restaurants, specialty food outlets, bars, and taverns. One parking stall shall be provided for every 250 square feet of retail space. 0.6 parking stalls shall be provided for every boat slip in a marina.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

2. Designated parking stalls complaint with ADA regulations shall be provided within the total parking stalls provided for the restaurant, marina, and retail uses. Loading and fire zones shall be provided as necessary for commercial uses.
3. For all commercial development, parking shall be permitted in the front, side and/or rear yards. For commercial development, parking shall be set back from a right-of-way a minimum of 10 feet. Parking area buffers shall be supplemented by additional plantings.
4. At least 40% of the parking lot surface for commercial development shall be crushed stone or shells to allow for reduced impervious coverage.
5. A maintenance plan shall be required for crushed stone or shell parking lots to maintain permeability.
6. All commercial parking stalls shall be a minimum of 9' wide by 18' long.
7. All required handicapped-accessible parking stalls shall meet Residential Site Improvement Standards (RSIS).
8. The inclusion of a public boat launch ramp with boat transport trailer parking shall be considered if practicable.

General Provisions

Any development that occurs within the Redevelopment/Rehabilitation Area shall comply with the following as required by N.J.S.A. 40A:12A1 et seq.:

- A. The City and any redeveloper shall comply with all statutes of the State of New Jersey governing development and redevelopment including but not limited to N.J.S.A. 40:55D1 et seq. and 40A:12A-1 et seq.
- B. The Planning Board is authorized, but not required, to grant reasonable bulk variances and exceptions for minor deviations from the Redevelopment Plan Standards. For purposes of this Redevelopment Plan, an exception for a minor deviation is akin to an approval which could be granted pursuant to N.J.S.A. 40:55D-70(c) or N.J.S.A. 40:55D51(a) or (b). An exception equivalent to an approval pursuant to N.J.S.A. 40:55D-70(d) shall require an amendment of the Redevelopment Board.
- C. The redeveloper shall be required to furnish escrows and performance guarantees as required by the City of Wildwood Planning & Zoning Board (N.J.S.A. 40:55D-53).

Relocation

In accordance with N.J.S.A. 40A:12A-7(a)(3) there is no need to provide for the temporary or permanent relocation of residents in the Redevelopment/Rehabilitation Area. No occupied residences are proposed to be acquired.

Acquisition

The Redevelopment/Rehabilitation Area is part privately-owned and any properties within the Redevelopment/Rehabilitation Area not already owned by the designated redeveloper may be acquired by the redeveloper through private transactions the City retains the right to utilize eminent domain for the properties included in the Bayside Area identified in **Exhibit 1** in accordance with the procedures outlined in N.J.S.A. 20:3-1 et seq.

Relationship to Other Plans

An important requirement of a Redevelopment Plan is consistency with the goals and objectives of already adopted plans for the area. This Redevelopment Plan is not proposing any new land uses that are substantially different from the underlying zoning for the Redevelopment/Rehabilitation Area or the Redevelopment/Rehabilitation Area overlay zoning that was provided under the 2002 Redevelopment Plan. The recognition that the existing zoning remains appropriate for the area but is not being realized enhances the fact that this Redevelopment Plan is consistent with local objectives (N.J.S.A. 40A:12A-7(a)(1)).

The Master Plan for the City of Wildwood was first prepared in 1971 with a latest Comprehensive Master Plan Updated adopted September 17, 2007. Other reexaminations were adopted in 1987, 1997, 2003, and 2004. In 2007, it was recognized that the 2002 Redevelopment Plan “shall require an amendment” for any economically viable redevelopment to occur. As required by N.J.S.A. 40A:12A-7(d), this Redevelopment Plan helps to achieve the Master Plan Goals and Objectives as most recently expressed in the 2007 Comprehensive Master Plan Update.

The Redevelopment/Rehabilitation Area is not physically contiguous to the adjacent municipalities of Wildwood Crest, North Wildwood, West Wildwood, Middle Township, and Lower Township and therefore the redevelopment does not impact or affect those communities. The redevelopment of this area is not inconsistent with the land uses or the

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

Master Plan of Wildwood Crest, North Wildwood, West Wildwood, Middle Township, and Lower Township (N.J.S.A. 40A:12-7(a)(5)(a)).

This Redevelopment Plan is consistent with the Cape May County Master Plan as it promotes marine development such as waterfront restaurants and tourist shopping facilities and promotes growth in areas where the necessary infrastructure is present and can be expanded.

This Redevelopment Plan is consistent with the State Development and Redevelopment Plan (the “**SDRP**”). The SDRP identifies Wildwood as part of the “Wildwoods Regional Center” located in an Environmentally Sensitive/Barrier Islands (PA5B) planning area. The intent of this designation is to ‘accommodate growth in centers, provide access to coastal resources for public use and enjoyment, and revitalize cities and towns’. Some of the policy objectives used to guide PA5B Regional centers that related to this Redevelopment Plan are:

- A. To promote redevelopment and development in areas with existing infrastructure, that maintains the character, density, and function of existing communities.
- B. Use redevelopment opportunities to maintain, expand, and link parks and open space to increase public access.
- C. Promote local and regional recreational opportunities, encourage tourism, and create meaningful public access along the oceanfront and bay front of all barrier island communities.
- D. Locating economic development opportunities within areas of existing infrastructure and avoiding adverse impacts to natural resources.

The Redevelopment Plan has no detrimental effect on the Master Plans of contiguous municipalities, the Master Plan of the County of Cape May, or the State Development and Redevelopment Plan.

Affordable Housing

The designated redeveloper shall comply with the City’s Affordable Housing Redeveloper Fee Ordinance 972-13.

There are no existing residential housing units in the project area. In accordance with the LRHL N.J.S.A. 40A:12-7(a)(6) & (7) there is no requirement to replace existing affordable housing units.

Administration

General

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this Redevelopment Plan by reference.

Any plans or plats approved by the City of Wildwood or its agencies and subsidiaries prior to the adoption of this Redevelopment Plan shall not be subject to the requirements of this Redevelopment Plan.

Redevelopment Entity

As permitted under N.J.S.A. 40A:12A-4, the Governing Body is hereby designated the entity (the “**Redevelopment Entity**”) to implement this Redevelopment Plan. When necessary for the implementation of this Plan, the City shall enter into a contract with a redeveloper for any construction or other work forming a part of this Redevelopment Plan (N.J.S.A. 40A:12A-4(c)). The redeveloper shall agree to retain interest in the project until the completion of construction and development of the specific project unless otherwise agreed in writing by the Governing Body. The redeveloper shall agree not to lease, sell, or transfer interest or any part thereof without prior written approval of the Governing Body as the Redevelopment Entity.

Redevelopment Agreement

The Planning Board shall not deem an application for site plan approval complete until a designated redeveloper has executed a redevelopment agreement with the City pursuant to the LHRL.

Time Limits

The redeveloper of a specific project within the development area shall begin the development of land and construction of improvements within a reasonable period of time to be determined in a contract between the City and a duly designated redeveloper (N.J.S.A. 40A:12A-8(f)).

Discrimination Ban

No covenant, lease conveyance, or other instrument shall be executed by the City or the redeveloper whereby land or structures with this redevelopment is restricted upon the basis of race creed, color, gender, marital status, age, disability, familial status, or national origin. The termination of this Redevelopment Plan shall in no way permit the land or

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

structures of the Redevelopment/Rehabilitation Area to be restricted on the basis of race, creed, color, gender, marital status, age, disability, familial status, or national origin.

Procedures for Amending the Plan

This Redevelopment Plan may be amended or revised from time to time in accordance with the requirements of law.

Repeal and Severability Statements

All ordinances or parts of ordinances inconsistent with this Redevelopment Plan are repealed to the extent of such inconsistency only. If any provision or regulation of this Redevelopment Plan should be judged invalid by a court of competent jurisdiction; such order or plan shall not affect the remaining portions of this Plan which shall remain in full force and effect.

Conclusion

This Redevelopment Plan for the Redevelopment/Rehabilitation Area is intended to create the necessary opportunities for the revitalization and restoration of this unique waterfront area in the City of Wildwood. The site is in need of creative financing and development techniques to encourage the appropriate mixed-use redevelopment as set forth in this Redevelopment plan. There exist limited opportunities to provide waterfront-related activities along the Bay in the City. This Redevelopment Plan shall provide an improved opportunity to encourage the revitalization of the bayside waterfront and, therefore, an improvement to the community and the City.

Exhibit 1 – Parcels Comprising Bayside Area

Address	Block/Lot
1. 4300 Niagara Avenue	99/26
2. 710 W Baker Ave	99/31,39
3. 4301 Niagara Ave	100/21
4. 626 W Baker Ave	100/25
5. 624 W Baker Ave	100/26
6. 600 W Baker Ave	100/30
7. 4301 Mediterranean Ave	101/21

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

8. 729 W Baker Ave	110/1, 1.01, 1.02
9. 701 W Baker Ave	110/19,20,21,22,23
10. 720 W Baker Ave	110/24
11. 710 W Baker Ave	110/38
12. 701 W Baker Ave	110/42,43,44,45,46
13. 601 W Baker Ave	111/1
14. 521 W Baker Ave	112/1
15. 506 W Roberts Ave	112/28.01
16. 4100 Mediterranean Ave	121, 13
17. 519 W Roberts Ave	122/1
18. 4100-06 Susquehanna Ave	122/28.02
19. 601 W Spencer Ave	122.01/ 1.01
20. 525 W Youngs Ave	131/1
21. 4000 Susquehanna Ave	131/10
22. 600 W Spicer Ave	141/1.01
23. 3901 Mediterranean Ave	142/1
24. 3900 Susquehanna Ave	142/10
25. 525 W Spicer Ave	150/1
26. 509 W Spicer Ave	150/19
27. 507 W Spicer Ave	150/23
28. 510 W Garfield Ave	150/29
29. 3800 Susquehanna Ave	150/31
25. 501 W Garfield Ave	159/1
26. 505 W Garfield Ave	159/2
27. 513 W Garfield Ave	159/7.01
28. 515 W Garfield Ave	159/7.02, 15
29. 500 W Lincoln Ave	159/8
30. 508 W Lincoln Ave	159/12
31. 512 W Lincoln Ave	159/14

***Excludes Parcels in area in need of rehabilitation**

Exhibit 2 – Designation of Area in Need of Rehabilitation

RESOLUTION: WILDWOOD PLANNING BOARD

ACCEPTING THE FINDINGS OF THE PRELIMINARY (REHABILITATION) INVESTIGATION THAT THE CITY OF WILDWOOD, IN ITS ENTIRETY, QUALIFIES AS AN "AREA IN NEED OF REHABILITATION" PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT & HOUSING LAW; AND RECOMMENDING SAME TO THE CITY COMMISSION

RESOLUTION NO. 342A-13

WHEREAS, there exists, has existed and persists in the City of Wildwood ("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 New Jersey Legislature has provided a mechanism for municipalities to address such conditions by enacting the Local Redevelopment & Housing Law, N.J.S.A. 40A:12A-1 et. seq., (the "Redevelopment Law"), 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, section 14 of the Redevelopment Law 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, section 14 of the Redevelopment Law further provides that, "[w]here warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality"; and

WHEREAS, it is expressly recognized that Rehabilitation Area designation does not confer on the City the power of eminent domain otherwise granted under the Redevelopment Law; and

WHEREAS, the first step in the Rehabilitation Area process is for the municipal Governing Body to direct the municipal Planning Board to undertake a "Preliminary Investigation" to determine if an area meets the Statutory Criteria under which it may be declared to be In Need of Rehabilitation pursuant to section 14 of the Redevelopment Law; and

WHEREAS, on September 25, 2013 via Resolution No. 342-9-13, the Governing Body of the City of Wildwood ("City Commission") directed the Wildwood Planning Board ("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 or parts thereof, meets the statutory criteria for an Area in Need of Rehabilitation finding and to submit its findings and

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

recommendations to the Governing Body in the form of a Resolution with supportive documentation; and

WHEREAS, on October 7 2013, the Planning Board accepted the directive of the City Commission and assigned the Preliminary Investigation to Remington, Vernick and Walberg Engineers, licensed Professional Planners in the State of New Jersey ("RV&W"); and

WHEREAS, RV&W conducted its analyses and submitted to the Planning Board a document entitled Report of Findings: Preliminary Rehabilitation Investigation, City of Wildwood, Cape May County, New Jersey (labeled "Submitted: October 18, 2013) (the "Report of Findings"); and

WHEREAS, the Report of Findings finds that the City of Wildwood, in certain constituent parts, exhibits conditions which qualify for Rehabilitation Area designation under section 14 of the Redevelopment Law. More specifically:

- More than half of the housing stock on 88 blocks within the City is at least 50 years old;
- Environmental contamination has discouraged improvements and investment in the Bayside Redevelopment Area;
- The majority of the water and sewer infrastructure servicing all or significant portions of 239 blocks within the City is at least 50 years old and is in need of repair or substantial maintenance;
- Conditions within the City have led State officials to designate a significant portion of Wildwood as an Urban Enterprise Zone; and
- Conditions within the City have led State officials to designate Wildwood as the 29th most distressed municipality in New Jersey.

and

WHEREAS, section 14 of the Redevelopment Law provides that, where warranted by consideration of the overall conditions and requirements of the community, a finding of Need for Rehabilitation may extend to an entire municipality; and

WHEREAS, the Report of Findings concludes that the conditions within the City of Wildwood combine to impact the vast majority of the municipality, and therefore warrant a finding of Need for Rehabilitation for the entirety of the municipality; and

WHEREAS, the Report of Findings recommends that the Wildwood Planning Board find and, upon such finding, recommend to the City Commission:

- A. that a significant portion of the City of Wildwood qualifies under the criteria established by N.J.S.A. 40A:12A-14 for Rehabilitation Area designation;

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

- B. that the overall conditions and requirements of the community warrant a finding of Need for Rehabilitation for the entire municipality;
- C. that the City of Wildwood, in its entirety, be formally designated as an "Area in Need of Rehabilitation" in accordance with N.J.S.A. 40A:12A-14; and
- D. that such action is fully consistent with the City's 2007 Comprehensive Master Plan Update.

and

WHEREAS, on November 4, 2013, the Planning Board conducted a public hearing, at which time it heard oral testimony regarding the Report of Findings by RV&W's Professional Planner and solicited for and heard comments from the public in attendance; and

WHEREAS, Planning Board members have had the opportunity to question RV&W's Professional Planner regarding the findings and recommendations contained in the Report of Findings; and

WHEREAS, the Planning Board has carefully weighed and considered the Report of Findings, oral testimony from RV&W and the comments from the public.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Wildwood, as follows:

1. All of the statements of the preamble are incorporated herein by this reference thereto as though the same were set forth at length.
2. Based on the analyses, findings and recommendations contained in the Report of Findings and presented at the November 4, 2013 public hearing on this matter, the Planning Board herewith finds and recommends:
 - A. that a significant portion of the City of Wildwood qualifies under the criteria established by N.J.S.A. 40A:12A-14 for Rehabilitation Area designation;
 - B. that the overall conditions and requirements of the community warrant a finding of Need for Rehabilitation for the entire municipality;
 - C. that the City of Wildwood, in its entirety, be formally designated as an "Area in Need of Rehabilitation" in accordance with N.J.S.A. 40A:12A-14; and
 - D. that such action is fully consistent with the City's 2007 Comprehensive Master Plan Update.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

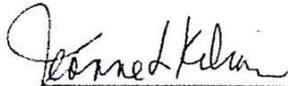
3. That the Planning Board herewith refers these findings and recommendations to the Wildwood City Commission with a recommendation that the City of Wildwood, in its entirety, be declared to be an Area In Need of Rehabilitation pursuant to section 14 of the New Jersey Local Redevelopment & Housing Law.

MOTION BY: T. Kieninger
SECONDED BY: T. Blute

YES

T. Blute
D. Dunn
E. Hargett
J. Hestey
T. Kieninger
A. Leonetti
M. Porch
J. Spuhler
C. Bannon

NO D. Gannon



Jeane Kilian, Secretary



Michael Porch, Chairman

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

ACCEPTING THE FINDINGS AND RECOMMENDATIONS OF THE WILDWOOD PLANNING BOARD THAT THE CITY OF WILDWOOD, IN ITS ENTIRETY, QUALIFIES UNDER THE NEW JERSEY LOCAL REDEVELOPMENT & HOUSING LAW AS AN "AREA IN NEED OF REHABILITATION"; AND DESIGNATING THE CITY, IN ITS ENTIRETY, AS AN AREA IN NEED OF REHABILITATION

WHEREAS, there exists, has existed and persists in the City of Wildwood ("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 New Jersey Legislature has provided a mechanism for municipalities to address such conditions by enacting the *Local Redevelopment & Housing Law* (N.J.S.A. 40A:12A-1 et seq. ~ "Redevelopment Law"), 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, section 14 of the *Redevelopment Law* 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, section 14 of the *Redevelopment Law* further provides that, "[w]here warranted by consideration of the overall conditions and requirements of the community, a finding of need for rehabilitation may extend to the entire area of a municipality"; and

WHEREAS, it is expressly recognized that Rehabilitation Area designation does not confer on the City the power of eminent domain otherwise granted under the *Redevelopment Law*; and

WHEREAS, the first step in the Rehabilitation Area process is for the municipal Governing Body to direct the municipal Planning Board to undertake a "Preliminary Investigation" to determine if an area meets the Statutory Criteria under which it may be declared to be In Need of Rehabilitation pursuant to section 14 of the *Redevelopment Law*; and

WHEREAS, on September 25, 2013 via Resolution No. 342-9-13, the Governing Body of the City of Wildwood ("City Commission") directed the Wildwood Planning Board ("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 or parts thereof, meets the statutory criteria for an Area in Need of Rehabilitation and to submit its findings and recommendations to the Governing Body in the form of a Resolution with supportive documentation; and

WHEREAS, on October 7 2013, the Planning Board accepted the directive of the City Commission and assigned the Preliminary Investigation to Remington, Vernick and Walberg Engineers, licensed Professional Planners in the State of New Jersey ("RV&W"); and

WHEREAS, RV&W conducted its analyses and submitted to the Planning Board a document entitled *Report of Findings: Preliminary Rehabilitation Investigation, City of Wildwood, Cape May County, New Jersey* (labeled "Submitted: October 18, 2013") ["Report of Findings"]; and

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

WHEREAS, said Report of Findings finds that the City of Wildwood, in certain constituent parts, exhibits conditions which qualify for Rehabilitation Area designation under section 14 of the *Redevelopment Law*. Specifically:

- o More than half of the housing stock on 88 blocks within the City is at least 50 years old;
- o Environmental contamination has discouraged improvements and investment in the Bayside Redevelopment Area;
- o The majority of the water and sewer infrastructure servicing all or significant portions of 239 blocks within the City is at least 50 years old and is in need of repair or substantial maintenance;
- o Conditions within the City have led State officials to designate a significant portion of Wildwood as an Urban Enterprise Zone; and
- o Conditions within the City have led State officials to designate Wildwood as the 29th most distressed municipality in New Jersey.

and

WHEREAS, section 14 of the *Redevelopment Law* provides that, where warranted by consideration of the overall conditions and requirements of the community, a finding of *Need for Rehabilitation* may extend to an entire municipality; and

WHEREAS, said Report of Findings concludes that the conditions within the City of Wildwood combine to impact the vast majority of the municipality, and therefore warrant a finding of *Need for Rehabilitation* for the entirety of the municipality; and

WHEREAS, the Report of Findings recommends that the Wildwood Planning Board find, and upon such finding recommend to the City Commission:

- A. that a significant portion of the City of Wildwood qualifies under the criteria established by N.J.S.A. 40A:12A-14 for *Rehabilitation Area* designation;
- B. that the overall conditions and requirements of the community warrant a finding of *Need for Rehabilitation* for the entire municipality;
- C. that the City of Wildwood, in its entirety, be formally designated as an "Area in Need of Rehabilitation" in accordance with N.J.S.A. 40A:12A-14; and
- D. that such action is fully consistent with the City's 2007 Comprehensive Master Plan Update.

and

WHEREAS, on November 4, 2013, the Planning Board conducted a public hearing, at which time it heard oral testimony regarding the Report of Findings by RV&W's Professional Planner and solicited for comments from the public in attendance; at which time no member of the public elected to comment; and

WHEREAS, Planning Board members had the opportunity to question RV&W's Professional Planner regarding the findings and recommendations contained in the Report of Findings; and

WHEREAS, the Planning Board, after carefully weighing and considering the Report of Findings and oral testimony from RV&W, and having solicited for and receiving no comments from the public, adopted a Resolution finding:

- A. that a significant portion of the City of Wildwood qualifies under the criteria established by N.J.S.A. 40A:12A-14 for *Rehabilitation Area* designation;
- B. that the overall conditions and requirements of the community warrant a finding of *Need for Rehabilitation* for the entire municipality; and
- C. that such action is fully consistent with the City's 2007 Comprehensive Master Plan Update.

and

WHEREAS, the Planning Board's Resolution referred these findings to the Wildwood City Commission with a recommendation that the City of Wildwood, in its entirety, be declared to be

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

an *Area In Need of Rehabilitation* pursuant to section 14 of the New Jersey *Local Redevelopment & Housing Law*; and

WHEREAS, the members of the Wildwood City Commission have carefully weighed and considered the Report of Findings and Resolution of the Planning Board, and has had the opportunity to question RV&W's Professional Planner regarding the findings and recommendations contained in the Report of Findings.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Wildwood, that based on the analyses, findings and recommendations contained in the Report of Findings and the Resolution and recommendation of the Wildwood Planning Board:

- A. a significant portion of the City of Wildwood qualifies under the criteria established by N.J.S.A. 40A:12A-14 for *Rehabilitation Area* designation;
- B. the overall conditions and requirements of the community warrant a finding of *Need for Rehabilitation* for the entire municipality; and
- C. Based on the foregoing, the City of Wildwood, in its entirety, is herewith formally designated as an "Area in Need of Rehabilitation" in accordance with N.J.S.A. 40A:12A-14.


Peter Byron, Commissioner


Anthony Leonetti, Commissioner


Emie Troiano, Jr., Mayor

Resolution No. 377-11-13

Offered by: Leonetti

Seconded by: Byron

I, Christopher H. Wood, City Clerk for the City of Wildwood, do hereby certify that the foregoing Resolution was adopted at the Regular Meeting of the Wildwood Board of Commissioners, held the 13th day of November, 2013 and in witness whereof I have hereunder set my hand and official seal on this date written.

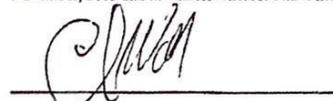
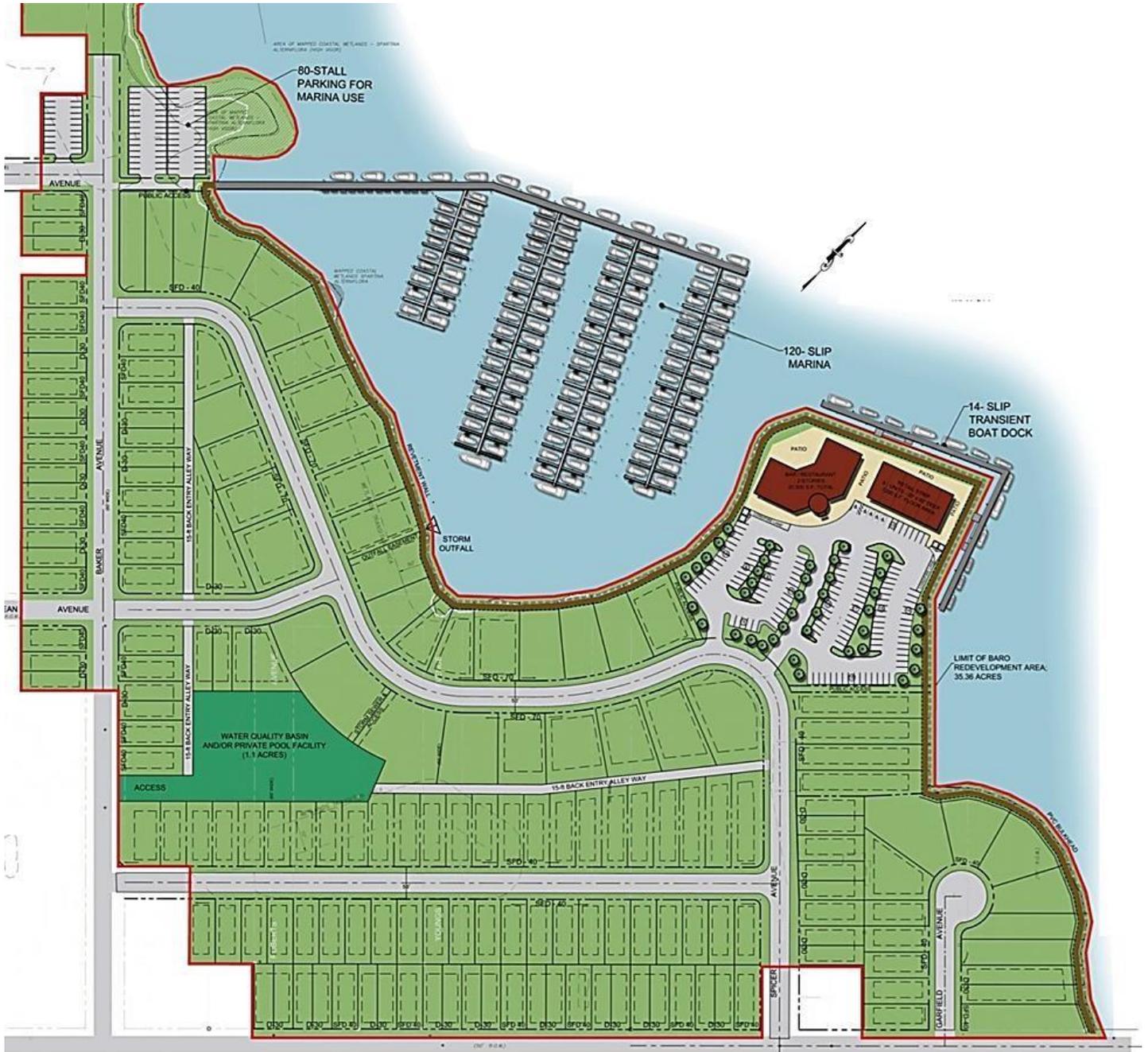

CHRISTOPHER H. WOOD, CITY CLERK

Exhibit 3 – Residential Area and Commercial Area and Road Network



SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

C. Inclusionary Housing Overlay

1. Purpose

To provide for lands within the City of Wildwood which may be necessary and appropriate for development of low and moderate income housing.

The Inclusionary Housing Overlay Zone is highlighted in yellow on Exhibit 400 “Zoning Map, City of Wildwood, Cape May County, New Jersey” dated March 28th, 2018.

The following blocks and lots encompass the Inclusionary Housing Overlay:

BLOCK	LOT	ADDITIONAL LOTS
1.01	1.00	
1.01	2.00	
101.00	24.00	L25
101.00	26.00	
101.00	27.00	
101.00	28.00	
101.00	29.00	
101.00	30.00	31
101.00	32.00	
101.00	33.00	L34-36
101.00	37.00	
101.00	38.00	L39
101.00	40.00	
101.02	5.00	
101.03	6.00	
102.00	21.00	L22,23,24
102.00	25.00	
102.00	26.00	
102.00	27.00	L28
102.00	29.00	
102.00	30.00	
102.00	31.00	
102.00	32.00	
102.00	33.00	

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
102.00	34.00	L35
102.00	36.00	
102.00	37.00	
102.00	38.00	
102.00	39.00	
102.00	40.00	
103.00	14.01	L15.01,16.01
103.00	14.02	L15.02,16.02
103.00	14.03	L15.03,16.03
103.00	14.04	L15.04,16.04
103.00	17.00	L18,19
103.00	20.00	
103.00	21.00	
103.00	22.00	23
104.00	1.01	L2.03
104.00	1.02	L2.01
104.00	2.02	L3.01
104.00	4.01	L3.02
104.00	4.02	L5.01
104.00	5.02	
104.00	6.01	L7.01
104.00	6.02	L7.02,7.03
104.00	7.04	L8.01
104.00	8.02	L9.01
104.00	9.02	L10
105.01	1.01	
105.01	1.02	L2.02,3.02,6.01
105.01	2.01	L3.01
105.01	3.03	L4.01
105.01	3.04	L4.02,5.02,19,20.01
105.01	4.03	
105.01	5.01	
105.01	6.02	L7.01
105.01	7.02	L8.01
105.01	8.02	L9.01
105.01	9.02	L10.01
105.01	10.02	
105.01	11.00	
105.01	20.02	L21
105.01	22.01	
105.01	22.02	L23,24.01

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
105.01	24.02	L25
112.00	10.02	10.01,11.01
112.00	11.02	L12.01
112.00	12.02	
112.00	13.01	
112.00	13.02	L14.01,15.01
112.00	13.03	L14.02,15.02
112.00	13.04	L14.03,15.03,28.02,2
112.00	28.03	L29.02,30.02
113.00	1.00	
113.00	2.00	L3,21
113.00	4.00	
113.00	5.00	L6
113.00	7.00	
113.00	8.00	
113.00	9.00	
113.00	10.00	
113.00	11.00	
113.00	12.00	L13
113.00	14.00	L15
113.00	16.00	L17
113.00	18.00	
113.00	19.00	
113.00	20.00	
113.00	22.00	23
113.00	24.00	
113.00	25.00	
113.00	26.00	
113.00	27.00	
113.00	28.00	
113.00	29.00	L30
113.00	31.00	
113.00	32.00	
113.00	33.00	
113.00	34.00	
113.00	35.00	L36
113.00	37.00	
113.00	38.00	
113.00	39.00	
113.00	40.00	
114.00	1.00	L2

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
114.00	3.01	L14.01
114.00	3.02	L14.02,15.02,16.02
114.00	4.00	
114.00	5.00	
114.00	6.00	
114.00	7.00	
114.00	8.00	
114.00	9.00	
114.00	15.01	L16.01
114.00	17.00	
114.00	18.00	L19
114.00	20.00	
114.00	21.00	L22
114.00	23.00	
115.00	1.00	
115.00	2.00	
115.00	3.00	
115.00	4.00	L5
115.00	6.00	
115.00	7.01	L8.01,9.01
115.00	7.02	L8.02,9.02
115.00	10.00	
115.00	12.00	L11
116.00	1.00	L2-5
116.00	6.00	
116.00	7.00	
116.00	8.00	
116.00	9.00	
116.00	10.00	
116.00	11.00	
116.00	12.00	
116.00	13.00	
116.00	14.00	
116.00	15.00	
116.00	19.00	
116.00	20.00	
116.00	21.00	
116.00	22.00	
116.00	23.00	L24,25
116.00	26.00	
116.00	27.00	

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
116.00	28.00	
122.00	28.02	L29,30
123.00	1.00	L2,3
123.00	4.00	
123.00	5.00	
123.00	6.00	L7
123.00	8.00	
123.00	9.00	
123.00	10.00	L11
123.00	12.00	13
123.00	14.00	L15
123.00	16.00	
123.00	17.00	
123.00	18.00	
123.00	19.00	L20
123.00	21.00	L22,23
123.00	24.00	L25,26
123.00	27.00	
123.00	28.00	
123.00	29.00	
123.00	30.00	31
123.00	32.00	L33
123.00	34.00	L35
123.00	36.00	L37
123.00	38.00	L39
123.00	40.00	
124.00	1.00	
124.00	2.00	L3,14,15,16
124.00	4.00	
124.00	5.00	
124.00	6.00	
124.00	7.00	L8
124.00	9.00	L10.01
124.00	10.02	
124.00	11.00	
124.00	12.00	L13.01
124.00	17.00	
124.00	18.00	
124.00	19.00	
124.00	20.00	
124.00	21.00	

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
124.00	22.00	L23
124.00	24.00	L13.02,25.02,26.02
124.00	25.01	L26.01
125.00	1.00	L2,3
125.00	4.00	L5
125.00	6.00	
125.00	7.00	
125.00	8.00	
125.00	9.00	L10
125.00	11.00	
125.00	12.00	
126.00	1.01	
126.00	1.02	L2.02,3.02
126.00	1.03	L2.01,3.01
126.00	3.03	L4.01
126.00	3.04	L4.02,5.02
126.00	4.03	L5.01
126.00	5.03	
126.00	6.00	
126.00	7.00	
126.00	8.00	
126.00	9.00	
126.00	10.00	
126.00	11.00	L12,13.01
126.00	13.02	L14.01
126.00	14.02	
126.00	15.00	
126.00	19.00	
126.00	20.00	
126.00	21.00	
126.00	22.00	
126.00	23.00	
126.00	24.00	
126.00	25.00	
126.00	26.00	
126.00	27.00	
126.00	28.00	
134.00	1.00	L2,3-10
135.00	1.01	L2.01
135.00	1.02	L2.02
135.00	3.01	L4.01,5.01

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
135.00	3.02	L4.02,5.02
135.00	4.01	
135.00	5.01	
135.00	6.00	
135.00	7.00	
135.00	9.00	8
135.00	10.00	
135.00	11.00	
135.00	12.00	
135.00	13.00	
135.00	14.00	
135.00	15.00	L16,17
135.00	19.00	
135.00	20.00	
135.00	21.00	
135.00	22.00	
135.00	23.00	
135.00	24.00	
135.00	25.00	
135.00	26.00	
135.00	27.00	
144.00	1.00	L2-10 INCL
145.00	1.00	
145.00	2.00	
145.00	3.00	L4.01
145.00	4.02	
145.00	5.00	
145.00	6.00	
145.00	7.00	
145.00	8.00	
145.00	9.00	
145.00	11.00	
145.00	12.00	L13.01
145.00	19.00	
145.00	20.00	
145.00	21.00	L22
145.00	23.00	
145.00	24.00	L25.01
145.00	25.02	L26.01
153.00	1.00	L2-4,7
153.00	5.00	6,12

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
153.00	8.00	
153.00	9.00	L10
153.00	11.00	
154.00	1.00	
154.00	2.00	
154.00	3.00	
154.00	4.00	
154.00	5.00	
154.00	6.00	
154.00	7.00	
154.00	8.00	L9
154.00	9.00	
154.00	10.00	
154.00	11.00	
154.00	12.00	
154.00	13.00	
154.00	19.00	
154.00	20.00	
154.00	21.00	
154.00	22.00	
154.00	23.00	
154.00	24.00	
160.00	1.00	L21
160.00	2.00	3
160.00	4.00	
160.00	5.00	
160.00	6.00	L7,8
160.00	9.00	
160.00	10.00	L11
160.00	12.01	
160.00	12.02	L13
160.00	14.00	
160.00	15.00	
160.00	16.00	L17,18.01
160.00	18.02	L19
160.00	20.00	
160.00	22.00	L23.01
160.00	23.02	L24,25,26,27
160.00	28.00	
160.00	29.00	L30,31,32
160.00	33.00	

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
160.00	34.00	
160.00	35.00	L36,37
160.00	38.00	
160.00	39.00	L40
161.00	1.00	
161.00	2.00	
161.00	3.00	
161.00	4.00	L5
161.00	6.00	
161.00	7.00	
161.00	8.00	
161.00	9.00	
161.00	10.00	
161.00	11.00	12,13
161.00	14.00	L15
161.00	16.00	17,18
161.00	19.00	
161.00	20.00	21
161.00	22.00	L23
161.00	24.00	
161.00	25.00	
161.00	26.00	
162.00	1.00	
162.00	2.00	
162.00	3.00	
162.00	4.00	L9,10.02
162.00	5.00	L10.01
162.00	6.00	
162.00	7.00	8
162.00	9.00	
162.00	10.02	
163.00	1.00	
163.00	2.00	
163.00	3.00	
163.00	4.00	
163.00	5.00	
163.00	6.00	
163.00	7.00	

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
163.00	8.00	
163.00	9.00	10,8
168.00	1.00	19,20
168.00	2.00	L3,4,5
168.00	6.00	
168.00	7.00	
168.00	8.00	L9,10,11,12
168.00	13.00	
168.00	14.00	
168.00	15.00	
168.00	16.00	L17
168.00	18.00	
168.00	21.00	L22
168.00	23.00	
168.00	24.00	
168.00	25.00	L26
168.00	27.00	L28,29
168.00	30.00	L31,32,33
168.00	34.00	
168.00	35.00	L36
169.00	1.00	L14
169.00	5.00	2-4,6-10,25.01,26.01
169.00	11.00	L12,13,24
169.00	15.00	16
169.00	17.00	
169.00	18.00	L19,20
169.00	21.00	L22.01
169.00	22.02	L23
169.00	25.01	
169.00	25.02	L26.03
169.00	26.02	
170.00	1.00	L2,3,4,5,6.01-10.01
170.00	6.02	L7.02,8.02,9.01
170.00	9.03	L10.02
171.00	1.00	L7,8
171.00	5.00	
171.00	6.00	

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
182.00	10.00	11,12,13,9
182.00	14.00	
182.00	PORTION OF 22.02	L23,24-32
182.00	33.00	L34
182.00	35.00	L36,37-40
183.00	1.00	2-4.02,6-9.022,11.01
183.00	2.00	
183.00	4.01	
183.00	5.00	
183.00	7.02	
183.00	9.02	
183.00	10.00	L12
183.00	11.02	
183.00	13.02	
183.00	15.02	
183.00	16.01	16.022,17.01-18.022
183.00	16.02	
183.00	17.02	
183.00	18.02	
183.00	20.00	
184.00	6.02	
184.00	6.03	
192.00	20.00	
192.00	21.00	

2. Permitted Uses

- a. All uses permitted by the underlying zoning for each Overlay Zone.
- b. Inclusionary Housing Overlay Zone: Garden Apartments, as defined.

3. Conditional Uses

- a. All conditional uses permitted by the underlying zone for each Overlay Zone.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

4. Accessory Buildings and Uses

- a. All Accessory Uses permitted by the underlying zoning for each Overlay Zone.

5. Building Controls

- a. The Buildings Controls for the underlying zoning for each Overlay Zone shall be applicable for each use permitted by such underlying zoning.
- b. Garden Apartments³⁵ in the Inclusionary Housing Overlay Zone:

1. Principal Buildings		
Minimum Lot Area		2,400 s.f. interior units 3,600 s.f. end units
Minimum Lot Frontage & Lot Width		24' interior units 36' end units
Minimum Lot Depth		100'
Minimum Side Yard Setbacks		0' interior units 12' end units
Minimum Front Yard Setback		10'
Minimum Rear Yard Setback		30'
Maximum Principal Building Coverage		40%
Maximum Lot Coverage		80%
Maximum Building Height		The lower of 59' or 6 Stories from TOC
Maximum Density	(du/ac)	32.27
	(s.f./du)	1,350
2. Accessory Structures		
Minimum Distance to Side Property Line		4'
Minimum Distance to Rear Property Line		4'
Maximum Total Footprint for all Accessory Structures		150 s.f. ³⁶

³⁵ Since Garden Apartment structures may consist of multiple buildings on individual tax lots, bulk and coverage requirements shall be measured on a total project basis.

³⁶ However, the total footprint of all Storage Sheds shall cumulatively not exceed 150 s.f.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

Maximum Height	The lower of 1 Story or 16' from TOC Storage Sheds: 8' from TOC
Minimum Distance to Other Buildings	8'

6. Required Set Asides

- a. Any garden apartments approved and developed under the provisions of this Inclusionary Housing Overlay Zone shall provide a set-aside of affordable housing as follows: 20% of the total housing units approved in a development of homeownership units and 15% of the total housing units approved in a development of rental units.
- b. Any Residential Units approved and developed under the provisions of this Workforce Housing Overlay Zone shall provide a ten (10) percent set-aside of workforce housing.

7. Compliance with Affordable Housing Regulations

- a. Any affordable housing shall be subject to and developed in accordance with the requirements of Chapter XXVI Affordable Housing and the applicable regulations of the State agencies with jurisdiction and responsibility for administering the state Fair Housing Act, N.J.S.A. 52:27D-301 et seq., including N.J.A.C. 5:97-1 et seq. (COAH Substantive Rules) and N.J.A.C. 5:80-26 (Uniform Housing Affordability Controls) as may be supplemented and amended.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

D. Workforce Housing Overlay Zone

1. Purpose

To provide for lands within the City of Wildwood which may be necessary and appropriate for development of low and moderate income housing.

The Workforce Housing Overlay Zone is highlighted in orange on Exhibit 400 “Zoning Map, City of Wildwood, Cape May County, New Jersey” dated March 28th, 2018.

The following blocks and lots encompass the Workforce Housing Overlay Zone:

BLOCK	LOT	ADDITIONAL LOTS
50.00	13.00	L14,15,28,29,30
51.00	1.01	
51.00	1.02	L16.01
51.00	16.02	17.01 & 17.02
51.00	16.03	
61.00	14.02	L15.01
61.00	14.04	L15.04,29.02,30.01
61.00	28.02	L29.03,30.02
62.00	1.00	L2
62.00	16.01	L17.01
62.00	16.02	L17.02
62.00		
72.00	13.01	L14.01,15.01
72.00	13.02	14.02,15.02,29.01
73.00	1.00	
73.00	16.00	17.01-20
84.00	14.02	L15,30.01
84.00	29.00	
84.00	30.02	
84.00	30.03	
85.00	1.00	L2,3
85.00	16.00	17,18,19.01
95.00	14.01	L15.01
95.00	14.02	L15.02
95.00	14.03	L15.03,29.01,30.01
95.00	29.02	L30.02

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

BLOCK	LOT	ADDITIONAL LOTS
96.00	1.00	L2,32
96.00	31.00	
107.00	1.01	L2.01
107.00	1.02	L2.02
107.00	1.03	L2.03
107.00	16.01	
107.00	16.02	
117.00	13.00	L14.02,15.02
117.00	14.01	L15.01
117.00	28.00	L29,30
118.00	1.01	L2.01
118.00	1.02	L2.02,16.01,17.01
118.00	16.02	L17.02
118.00	16.03	L17.03
118.00	16.04	17.04
127.00	14.01	L15.01
127.00	14.02	L15.02
127.00	14.03	L15.03,29.01,30.01
127.00	29.02	L30.02
128.00	1.01	L1.02,2.01,2.02
128.00	16.01	
128.00	16.02	
136.00	14.01	L15.01
136.00	14.02	15.02,29.01,29.02,30
136.00	29.03	L30.03
137.00	1.01	L2.01
137.00	1.02	2.02
137.00	16.01	L17.01
137.00	16.02	L17.02
137.00	16.03	L17.03
137.00	16.04	L17.04

2. Permitted Uses

- a. All uses permitted by the underlying zoning for each Overlay Zone.
- b. Workforce Housing Overlay Zone: Residential Dwelling units above ground-floor permitted uses as listed in Section 410(B)(2)(a through k) are permitted to a maximum building height of the lower of 59' or

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

5 stories from TOC, conditioned upon such uses having a minimum unit size of 800 s.f.

3. Conditional Uses

- a. All conditional uses permitted by the underlying zone for each Overlay Zone.

4. Accessory Buildings and Uses

- a. All Accessory Uses permitted by the underlying zoning for each Overlay Zone.

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

5. Building Controls

- a. The Buildings Controls for the underlying zoning for each Overlay Zone shall be applicable for each use permitted by such underlying zoning.
- b. Residential Dwelling Units above ground-floor Permitted Uses in the Workforce Housing Overlay Zone:

The Buildings Controls for the underlying zoning shall apply, except as follows:

1. Principal Buildings	
Minimum Lot Area	10,000 s.f.
Minimum Lot Frontage & Lot Width	80'
Minimum Lot Depth	90'
Minimum Side Yard Setbacks	0' & 29' (Driveways), 17' each (Circular Drives)
Minimum Front Yard Setback	No Minimum Established Subject to approval by the Zoning Officer, setback shall conform to the prevailing setbacks for the existing structures on the street frontage at time of application. Where no prevailing setback exists, 0' setback shall be established.
Minimum Rear Yard Setback	15'
Maximum Principal Building Coverage	80%
Maximum Lot Coverage	80%
Maximum Building Height	The lower of 59' or 5 stories from TOC
Maximum Density	800 s.f. / du above ground floor Permitted Use
2. Accessory Structures	
Minimum Distance to Side Property Line	4'
Minimum Distance to Rear Property Line	4'
Maximum Total Footprint for all Accessory Structures	N/A

SECTION 400
Zoning Districts, Zoning Map, and Zoning District Regulations

Maximum Height	The lower of 1 Story or 16' from TOC
Minimum Distance to Other Buildings	8'

6. Required Set Asides

- a. Any garden apartments approved and developed under the provisions of this Inclusionary Housing Overlay Zone shall provide a set-aside of affordable housing as follows: 20% of the total housing units approved in a development of homeownership units and 15% of the total housing units approved in a development of rental units.
- b. Any Residential Units approved and developed under the provisions of this Workforce Housing Overlay Zone shall provide a ten (10) percent set-aside of workforce housing.

7. Compliance with Affordable Housing Regulations

- a. Any affordable housing shall be subject to and developed in accordance with the requirements of Chapter XXVI Affordable Housing and the applicable regulations of the State agencies with jurisdiction and responsibility for administering the state Fair Housing Act, N.J.S.A. 52:27D-301 et seq., including N.J.A.C. 5:97-1 et seq. (COAH Substantive Rules) and N.J.A.C. 5:80-26 (Uniform Housing Affordability Controls) as may be supplemented and amended.

416 WAIVERS

Where due to special conditions, a literal enforcement of the provisions of this Article will result in unnecessary hardship or be detrimental to the stated goals and objectives of the City of Wildwood development policy as expressed in the City's Master Plan, the Planning and/or Zoning Board may, by resolution, grant such waiver or adjustment from said provision in accordance with Section 1002.

417 SEVERABILITY

If the provisions of any section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this Ordinance.