

Coastal Consistency Statement

Submitted by the
City of Cape May, Cape May County, New Jersey

March 14, 2012

Introduction

Plan Endorsement is a voluntary process developed by the State Planning Commission to provide technical assistance and coordination of the State for municipalities to meet the goals of the State Planning Act and State Development and Redevelopment Plan. The City of Cape May has undertaken the Plan Endorsement process to increase the degree of consistency among municipal, county, regional and state agency plans with each other and with the State Plan and expand upon the principles of the Municipal Land Use Law to aid the City's plan for a sustainable future.

The City of Cape May formally submitted a petition for Plan Endorsement and The Office of Planning Advocacy (OPA) deemed the petition complete and a consistency review was issued on November 16, 2011. This report outlined actions and issues to be resolved through the Action Plan. The State Planning Commission adopted a resolution at its meeting on December 7th, 2011 that authorizes the execution of a Memorandum of Understanding (MOU) and an agreed-upon Action Plan that establishes timelines for completion.

The Action Plan outlines the specific tasks that are required in order for the Office for Planning Advocacy and state agency partners to make a recommendation of consistency to the State Planning Commission. The City took action by Resolution on the MOU and Action Plan at a public meeting of the Governing Body and Planning Board on January 24, 2012.

As part of the requirements of the MOU and Action Plan, a Coastal Consistency Statement must be prepared.

Description & Location

The City of Cape May is a 2.2 square mile community located at the southern end of New Jersey and Cape May County. Cape May's southern shoreline is formed by wide, white sand beaches that border the Atlantic Ocean and the City is influenced by sensitive environmental features that are described below. Wetlands occur throughout all sections of the city and limit development on vacant lands, particularly near Cape May Harbor in the east end and bordering Cape Island Creek on the north end. Protection of fragile dunes is essential to protection of the valuable beach resources. Cape May considers itself to be America's first resort community. Settlement occurred in the early nineteenth century but few structures remain from that period. However, it is Cape May's extraordinary collection of late-nineteenth century Victorian architecture that has led to the City's designation as a National Historic Landmark. This designation was bestowed on the City of Cape May by the U.S. Department of the Interior in 1976. Currently, the City has over 600 Victorian buildings which are in use as accommodations, offices, retail shops, restaurants, and private residences. Summer remains Cape May's busiest season, with vacationers being attracted by a combination of its historic ambiance and its beachfront location. Although most of the New Jersey coast is occupied by resort communities, Cape May receives the second largest number of visitors, after Atlantic City. Unlike many other beachfront towns, a wide-range of activities has led to Cape May's emergence as a year-round resort.

Cape May is separated from the New Jersey mainland by Cape May Harbor and the Cape Canal, which is part of the Intracoastal Waterway. This island is shared by the City of Cape May, the Boroughs of West

Cape May and Cape May Point, and a portion of Lower Township. Cape May City shares municipal borders with the Borough of West Cape May and Lower Township. The eastern end of the city is occupied by a U.S. Coast Guard base, which occupies approximately 20% of the land area in the City.

Coastal Area Facilities Review Act - CAFRA

On September 6, 2008, the Permit Extension Act of 2008 was signed into law. In accordance with the Permit Extension Act of 2008, the boundaries of State Planning Commission designated centers and cores were extended, except for those portions of the centers and cores located in environmentally sensitive areas. Cape May City is located in an environmentally sensitive area.

The expiration dates of designated centers and cores set forth by the State Planning Commission were modified by operation of law by enactment of the Permit Extension Act of 2008. The changes accepted by the NJDEP reflect the expiration of those State Planning Commission designated centers and cores that consisted entirely of environmentally sensitive areas. The changes also reflect the expiration of those portions of other centers that are environmentally sensitive area as defined by the Permit Extension Act. The NJDEP, for purposes of N.J.A.C. 7:7E-5B.3, is accepting the expiration of all or portions of these centers and the reversion of these areas to the underlying State Plan Planning Area designation. Accordingly, the Department has repealed all or portions of the CAFRA centers that correspond to these expired State Planning Commission centers. These areas have reverted to the Coastal Planning Area that corresponds to the underlying State Plan Planning Areas.

The City previously received Center Designation from the NJ State Planning Commission which coincided with the CAFRA Centers which have recently expired. The majority of the City had been designated a Designated Town Center with some undeveloped areas designated PA5 Environmentally Sensitive Area.

In this case the former Cape May City CAFRA Town has reverted back to the Coastal Environmentally Sensitive Planning Area (PA5). The City seeks to reestablish the Town center designation. In order to reinstitute the Center previously approved and continue to promote growth in these approved and designated areas while protecting the environmentally sensitive areas of the municipality, The City of Cape May must submit for and achieve Plan Endorsement from the Office of Smart Growth.

Requirements

As part of the requirements to establish CAFRA centers in the City, a Coastal Consistency Statement must be submitted to the Office of Planning Advocacy and the Department of Environmental Protection. The Coastal Consistency Statement:

“...must address natural resource protection and coastal management in coastal municipalities through demonstration of consistency of local plans and ordinances with the goals of the Coastal Zone Management Program found in the Coastal Zone Management rules at N.J.A.C.7:7E. Municipal plans must also be consistent with any existing Department rule, permit or plan including Municipal Stormwater Regulations and Federal River Management Plans. ”

Coastal Zone Management Rules - N.J.A.C. 7:7E

In 2000, the Department made substantive revisions to the Coastal Zone Management Rules (NJAC 7:7E) to change the way development intensity is determined in the CAFRA area, replacing the more complex site-by-site analyses with a regional system that defines CAFRA planning areas. Coastal Planning Areas and centers are established at NJAC 7:7E-5B.

The Rules also establish the standards by which the Department will evaluate new or changed boundaries to coastal planning areas or centers. These standards are at NJAC 7:7E-5B.3(b):

(b) Whenever the State Planning Commission formally approves any new or changed Planning Area boundary, any new or changed community development boundary, or any new or changed core or node boundary, the Department shall evaluate the new or changed boundary to determine whether it is consistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and this chapter. The Department shall not reject or reject and revise a boundary unless it finds that accepting the State Planning Commission approved boundary would result in unacceptable harm to the coastal ecosystem or the resources of the built or natural environment, or would otherwise be clearly inconsistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., or this chapter. For those new or changed community development boundaries or new or changed core or node boundaries which are located within the Pinelands National Reserve, the Department shall also, in consultation with the New Jersey Pinelands Commission, determine whether the boundaries are consistent with the intent, policies and objectives of the National Parks and Recreation Act of 1978, P.L. 95-625, section 502, creating the Pinelands National Reserve, and the State Pinelands Protection Act of 1979 (N.J.S.A. 13:18A-1 et seq.).

1973 Coastal Area Facilities Review Act

The NJ Legislature declared that:

" it is in the interest of the people of the State that all of the coastal area should be dedicated to those kinds of land uses which promote the public health, safety and welfare, protect public and private property, and are reasonably consistent and compatible with the natural laws governing the physical, chemical and biological environment of the coastal area. "

Further, the Legislature declared:

" encourage(d) the development of compatible land uses in order to improve the overall economic position of the inhabitants of that area within the framework of a comprehensive environmental design strategy which preserves the most ecologically sensitive and fragile area from inappropriate development and provides adequate environmental safeguards for the construction of any developments in the coastal area. "

Consistency with CAFRA Legislation:

- In seeking new center boundaries and planning area changes, the City of Cape May seeks to protect coastal resources by removing sensitive environmental areas from the former center boundary and substantially limiting development densities in areas that lack the carrying capacity to support high-density development.
- The City has also adopted a number of ordinances that will further serve to promote the public health, safety and welfare, and protect public and private property, while preserving ecologically sensitive and fragile areas.
- Adjustments have been made to the former Center boundary consistent with Coastal Area requirements. Undeveloped beach areas have been removed from the center. The "East Cape May" area has been adjusted to exclude sensitive environmental areas and include appropriate areas for development based on a developer's settlement with the NJDEP.

Coastal Environmentally Sensitive Planning Area

Policy Objectives

The Coastal Environmentally Sensitive Planning Area generally has large contiguous land and water areas with critical coastal ecosystems, wildlife habitats, geological features, and other valuable coastal resources. Some of these lands have remained rural and relatively undeveloped, while others have been dominated by development for many years, such as the coastal barrier islands and spits. The barrier islands represent a major public investment in infrastructure systems that should be maintained while protecting the economic and ecological value of adjacent coastal resources. Centers on the barrier islands are almost all served by public wastewater facilities whereas centers in other environmentally sensitive

areas are often not. Centers are usually linked by rural roads and separated by open spaces, or linked to the mainland by State highways crossing coastal wetlands and waterways. Areas outside of centers in the Coastal Environmentally Sensitive Planning Area are by definition more vulnerable to disturbance from new development. Damage may include fragmentation of landscapes, degradation of aquifers and potable water supplies, habitat destruction, extinction of plant and animal species, and destruction of other irreplaceable resources that are vital to the preservation of the ecological integrity of the coastal area. The Coastal Environmentally Sensitive Planning Area also supports recreation and tourism industries, and resource based industries such as mining and forestry. The policy objectives for the Coastal Environmentally Sensitive Planning Area are as follows:

Protect environmentally sensitive features by guiding development into centers and maintaining low intensity development patterns elsewhere, carefully link the location, character and magnitude of development to the capacity of natural and built environments to support new growth, accommodate development at higher intensities in the Coastal Environmentally Sensitive Planning Area barrier island centers, compatible with development patterns in existing centers, and discourage the development of public infrastructure facilities outside of centers.

Locate economic development opportunities in centers that serve the surrounding region and the travel and tourism industry and accommodate in other areas appropriate seasonal, recreational, and natural resource based-activities that have a minimal impact on environmental resources; and

Protect sensitive natural resources critical to the maintenance of coastal ecosystems by maintaining large contiguous areas of undisturbed habitat, open space and undeveloped land, maintain the balance of ecological systems and growth, and protect the areas outside of centers from the effects of development by maintaining it as open space.

- The City of Cape May seeks to protect coastal resources by removing sensitive environmental areas from the former center boundary and substantially limiting development in areas that lack the carrying capacity to support high-density development.
- The City has proactively planned for the City's future. Numerous planning activities have been completed recently that are all consistent with the policy objectives. These include:
 - Master Plan Reexamination last dated March 13, 2009 was adopted in March of 2009.
 - City of Cape May, Cape May County, NJ, Housing Element & Fair Share Plan, March 2009.
 - Substantive Certification by Council on Affordable Housing on October 14, 2009.
 - Code of the City of Cape May Land Use Revisions.
 - City of Cape May Historic Preservation Commission Design Standards, Fall 2002
 - Floodplain Management Plan, Cape May Flood Plan, 2009
 - Creation of the Revitalization Committee responsible for Convention Hall, Washington Mall, and parking and traffic planning efforts.
 - Rhodeside and Harwell Vision Plan - Vision Plan for the City of Cape May, New Jersey, October 2007
 - Cape May Coastal City: Planning and Designing a Cultural Landscape Network by Temple University School of Environmental Design Cape May Coastal City: Planning & Designing a Cultural Landscape Network, Fall 2009- Spring 2010
 - Partnership agreement between City of Cape May and Temple University School of Tourism and Hospitality Management (September 1, 2009 to January 31, 2011) which provides the following deliverables: Development of a long-range plan for marketing and promoting tourism to ensure that Cape May is a desired premier tourist destination; Creation of a sustainable framework for Cape May to monitor visitor profiles, track visitor satisfaction, and evaluate advertising effectiveness; Creation of a business plan

for the new Convention Hall; Provision of a management plan for the new Convention Hall, including a newly-created department incorporating the current Department of Civic Affairs and Recreation; and Provision of management training for a multi-purpose venue.

- City of Cape May Historic Preservation Commission Design Standards, Fall 2002
 - Environmental Resource Inventory Mapping for Cape May City, New Jersey 2007
 - Vision Plan for the City of Cape May, New Jersey, October 2007
 - Cape May City Beach Management Plan
 - City's Inflow and Infiltration Program
 - City's Water Conservation and Recycling Programs
 - Stormwater Management Regulations in accordance with NJDEP regulations.
 - Recreation and Health Activities and Services
- Cape May's past and future planning and sustainability actions have and will always recognize the City's geographic and social importance within the region. Cape May considers itself to be America's first resort community with vacationers being attracted by a combination of its historic ambiance and its beachfront location. Planning regulations encourage and protect the City's reliance on tourism. Proper planning along the City's Atlantic Ocean beachfront has encouraged development of commercial businesses including hotel, motel and bed and breakfast establishments that promote tourism and created a stable economic base.
 - Cape May's extraordinary collection of late-nineteenth century Victorian architecture that has led to the City's designation as a National Historic Landmark. Establishment of the Historic Preservation Commission, creation of the historic district and continuing review and protection of historic properties demonstrates the City's recognition of proactive planning to support and maintain the City's historic and cultural standing, while similarly promoting both economic and social sustainability.
 - Protection of natural resources has been accomplished by establishment of a 50 year beach replenishment program with the Army Corps of Engineers as well as proper planning and zoning to protect the City's sensitive environmental features that include wetlands that occur throughout all sections of the city and particularly near Cape May Harbor in the east end. Dune protection and flood prevention measures have been established through the Flood Management Plan and beach replenishment program. These planning programs are essential to protection of the valuable beach and natural resources. Adoption of the NJDEP Stormwater Rules also demonstrates the City's desire to adequately protect its adjoining water resources.
 - Promotion of tourism by protection and promotion of its historic and cultural assets, natural resources and commercial base will lead to a continued sustainable community environment that will benefit all residents and visitors alike.
 - The City seeks the reestablishment of the expired town which was established under the former Center designation process. All existing and anticipated future development is focused within the proposed center boundary. The City's zoning plan promotes its business districts in proximity to its residential areas so that they are supportive of one another. Public transportation exists and is supportive of both residential and commercial business uses.
 - Open space preservation has been demonstrated as a necessity for preserving natural resources that include the beach, wetlands and park areas and therefore promoting tourism and sustaining commercial assets.
 - Natural Resource Conservation is essential to the City of Cape May's viability and consistency with the State Plan goals. Examples of conservation and protection include the Beach Replenishment Program which includes a Beach Management Plan, wildlife protection which includes control of canine and feral cat populations. An Environmental Inventory Resource Mapping has been prepared and protections of wetlands provisions have been adopted. Preservation and protection of Water Resources have been addressed and include development of the De-Sal Plant, adoption of the NJDEP Stormwater Management Rules and development and promotion of municipal water conservation

efforts. Floodplain Management planning has been completed to identify areas of concern and mitigate potential losses from flooding or other dangers.

- Preservation of open space and environmentally sensitive lands has been demonstrated by successful acquisition of NJDEP Green Acre grants for the Sewell Point. Existing planning documents address the importance of open space acquisition and preservation as well as protection of natural resources.
- Economic Development & Growth will be continually promoted and focused within proposed Town center boundary. Examples include establishment of the Business Improvement District – Washington Street Mall Management Company Inc (WSMMC). Business Improvement Districts (BIDs) are a type of assessment district in which business owners choose to be assessed a fee, which is collected on their behalf by the City of Cape May, for use in promoting and improving the business area. The WSMMC was formed in 2008 by passage of Cape May City Ordinance 165-2008. The WSMMC is comprised of 96 self-assessed businesses, mostly retail business owners, but some members are realtors and a few non-profits also comprise the membership. All members have businesses or offices within the three blocks (300-500) of the pedestrian concourse known as the Washington Street Mall. A BID provides a business area with the resources to develop marketing campaigns, increase awareness and lobbying efforts, secure additional funding and enhance public improvement and beautification projects in partnership with the City. An organized business community can work more effectively to create positive change and increase support for businesses in the area. In Cape May, BIDs work closely with elected officials and city staff to voice collective concerns, monitor business regulations and obtain funding and support for their business development projects.
- The City also supports and promotes the Chamber of Commerce of Greater Cape May. The Chamber of Commerce of Greater Cape May promotes business within Cape May. It maintains a web site which provides assistance in planning visits to the Nation's first seashore resort. It also publishes the annual Victorian Cape May Visitors Guide, which includes hotels, motels, bed & breakfasts, guest houses, Victorian apartments, suites and condominiums, restaurants, shopping, services, real estate, calendar of events, map of the city and other relevant business information.
- The City also has established a Tourism Commission pursuant to N.J.S.A. 40:54C-1 to promote tourism within the City of Cape May. It is funded through an additional assessment imposed on mercantile licenses as well as from permitted sources in accordance with N.J.S.A. 40:54C-7. The Commission disburses funds from the assessments for the purpose of publicizing and promoting the City of Cape May to attract tourism. With the following mission statement it's goals are consistent with the goals of the State Plan: *Promote and develop tourism in Cape May to increase and improve revenues to ensure prosperity and quality of life for Cape May's visitors, residents, and businesses. Guide government in decision making to enhance a friendlier, hospitable experience "A Nice Place to Live is a Nice Place to Visit". Work towards making Cape May the Ideal Destination Place.*
- The planning, design and ongoing construction of a new Convention Hall is another example of the City's actions being consistent with the goals of the state plan. Planning the development of the new Convention Hall has been made with the recognition that this facility should serve a dual role as both a Convention Hall and Community Center. The City of Cape May also recognizes the importance of the convention hall facility's role in providing comprehensive services not only for residents, part time residents and tourists, but also for business and civic groups, musicians, theatre and community groups, and non-profit entities. A consensus building approach was implemented to recognize the needs of the entire community and establish design criteria for replacing the 1964 structure, identified in the 2003 Master Plan as being in need of replacement.
- Reduction in air pollution is achieved by extensive planning and implementation of recommendations in the Traffic Plan contained within the Master Plan Reexamination. Examples include promoting the use of alternative vehicles by completing bicycle and pedestrian path projects. Promotion of public transportation within the city has also been demonstrated.
- The Recycling and Solid Waste Element of the Master Plan was recently updated during the 2009 Reexamination and it is consistent with the State Plan goals. The City strives to comply with the New Jersey Statewide Mandatory Separation and Recycling Act. The City maintains a central recycling

facility at 830 Canning House Lane to encourage recycling and facilitate higher recycling rates. The recycling plan is also compliant with the County recycling plan.

- A Conservation Element of the Master Plan was added for the first time at the 2009 reexamination. Environmental protection and conservation policies, recommendations and goals were adopted that include preservation of the sensitive lands in East Cape May where the Sewell Point development has been proposed, protection of natural resources including continued beach replenishment, and water conservation techniques including continued use of the reverse osmosis desalination plant. The Plan also includes recommendations, policies and goals for energy conservation including promotion of alternative energy sources that include the proposed USCG wind turbine generator project. Certification of the City through the Sustainable Communities program was also attained.
- Alternative energy projects within the City have been developed and include solar projects at the Lifeguard headquarters and the Public Works Department. The Coast Guard Wind Turbine project has been proposed and endorsed by City Council.
- The City of Cape May has adopted and promotes awareness of the City's "Required Water Conservation Ordinance" No. 1025-94. The primary components of this ordinance provide for conservation of water resources. The City completed the Reverse Osmosis (RO) Water treatment Facility in 1998. The treatment of removing salt from the City's water wells to produce potable drinking water to our customers and surrounding neighbors has been a very successful endeavor. The City has the first facility in our State and surrounding region achieves this service and infrastructure.
- The Lafayette Street Open Space Project which is located at the JCP&L gasification site is also an example of the City's approach to capitalization on opportunities provided by brownfield sites through coordinated planning, strategic marketing and priority redevelopment of sites. The Green Acres Acquisition of this project would result in the ability to acquire these lands after remediation and allow for development of recreational open space that has been planned and designed in the "Cape May Coastal City: Planning and Designing a Cultural Landscape Network by Temple University School of Environmental Design Cape May Coastal City: Planning & Designing a Cultural Landscape Network, Fall 2009- Spring 2010".
- Use of shared services and multi-use facilities has been a proven asset to the community. The City has adopted a program of public-private partnerships that have infused a progressive growth of Cape May's annual economy into a ten and a half month economy as opposed to the average 12 week season typical in most seashore resort communities. This program facilitates the leasing of City-owned property on a long term basis for \$1.00 per year with non-profit organizations being responsible for the renovations, operations, and maintenance of the properties. This ensures that the City maintains a nurturing environment by providing the essential physical infrastructure so that fledgling, local, non-profit cultural, arts and historical organizations can flourish while benefiting the taxpayer by reducing costs associated with maintenance of the properties.

Currently, the City has eight (8) such agreements involving City-owned property and they are listed as follows:

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

- The Transportation Plan Element of the Master Plan Reexamination was implemented to coordinate transportation and land-use planning. Developing and enhancing alternative modes of transportation has been implemented in the plan and bicycle path projects have been completed. Recognition that transportation should be utilized as an economic development tool is demonstrated as the recommendations for efficient parking and circulation are necessary for sustainability of business within the City.
- Adequate infrastructure facilities have also been put in place to serve development. This is demonstrated in that all development within the City is served by public water and sewer and no development is served by individual septic systems.
- A new Wastewater Management Plan is being prepared as part of the Cape May County Water Quality Management Plan, and Cape May's chapter should be complete by the end of 2012.
- Water Supply will be addressed on a regional basis through the Cape May County Water Quality Management Plan to be completed by the end of 2012.
- The City has made a concerted effort to provide adequate housing at a reasonable cost within the City. In March 2009, the City of Cape May adopted its Housing Element & Fair Share Plan. Substantive Certification was approved by the Council on Affordable Housing on October 14, 2009. Council has since adopted all necessary ordinances to implement the Housing and Fair Share Plan and incorporate these provisions into the zoning Code. Specifics of the affordable housing plan were detailed in the COAH Projection and Fair Share Analysis section contained in this report.
- Cape May has demonstrated that providing low and moderate income housing within the City through various planning and zoning techniques remains a priority. It also provides this mechanism in an Environmentally Sensitive Planning Area with a relation to commercially developed business zoning districts which provide job opportunities in close proximity. Promotion and development of a pedestrian friendly City also enhances this program and provides cultural, civic and recreational opportunities in very close proximity which is not often recognized by other municipalities.
- Cape May has a history of promoting the preservation of historic, cultural, scenic, open space and recreational spaces. Throughout this report, examples of historic preservation have been detailed and specifically include the creation of the Historic Preservation Commission, establishment of the Historic District, Certification, creation of HPC Design Standards and continued survey documentation of historic structures.
- Scenic Resource and open space preservation has been established by the beach replenishment program, continued Environmental Resource Inventory Mapping, procurement of grants for land preservation that includes Sewell Point, and the numerous planning programs undertaken that include the aforementioned Partnership agreement with the Temple University School of Environmental Design. The City has implemented its own open space preservation tax of 1% since 2002. The City Recognizes that these efforts protect and enhance the City's beach, waterfront, open space and other scenic assets and thus promote the tourism industry in which is essential to its commercial base. The inventory of open space provided in the appendix demonstrates the City of Cape May has been proactive in preserving and maintaining its valuable open space.
- Utilization of public lands with the public-private partnerships also demonstrates the City's efforts meet the State Plan goals. Specific examples of other partnerships include interlocal agreements and coordination with Lower Township. This has led to protection of Harbor resources, interlocal emergency services and Establishment of a Schellenger's Landing Town Center in cooperation with Township of Lower. Rebuilding of Delaware Avenue roadway and beaches through the joint efforts of City, County, and U.S. Army Corps of Engineers.
- All existing residential and commercial development is contained within the proposed center as well as supporting infrastructure. This area will accommodate all infill commercial and residential development that is anticipated. An evaluation of potential growth has been made and it is estimated approximately 80-100 new residential units could be constructed at the East Cape May section of the City in the near future. A proposed adjustment in the center boundary is proposed to include areas suitable for this development and exclude areas of environmentally sensitive lands that will remain in the PA5 environmentally sensitive planning area. A majority of these proposed units are the subject of the aforementioned Sewell Point project settlement with the NJDEP and the City.

- Based on the demographics for Cape May, the City has a jobs to housing ratio of 1:3.48 and a density of 2,801 persons per square mile. In this case, the City has a large number of housing which are secondary residences only seasonally inhabited. The City maintains an appropriate mix of commercial and residential zoning districts which have facilitated appropriate development. Promotion of its commercial and tourism orientated business has been demonstrated by its active business friendly planning activities listed within this report. Certainly, seasonal low density is not recognized from the City's standpoint for 9 months of the year.
- The City has planned for and implemented pedestrian-friendly and transit-oriented improvements that maintain the municipality as a walkable city. Bike paths reach throughout the City. Mass transportation exists as demonstrated by continued utilization of the CAT shuttle. Sidewalks are required for all development and have been established on the majority of the roadways and speed limits are most predominantly 25mph. Proximity of residential development to commercial development is facilitated by the zoning code. Particularly during the summer when tourists are most prevalent, walking and bicycling are most often the most reliable modes of transportation since parking in certain areas is less than what the demand calls for. The Traffic and Parking element is the most extensive portion of the Master Plan and within this section, many goals, recommendations and objectives are listed to promote pedestrian friendly and transient orientated Cape May.
- An inventory of community facilities have been provided in this report. All of the facilities are provided within the center. Recognizing that the town center area is 1.44 square miles, it is evident that all facilities are readily accessible to the entire community.
- The City's Historic Preservation District is wholly located within the proposed center. In this district, an adopted set of design guidelines that guides development and sets architectural standards. Major projects that have been approved for development include residential development in appropriate locations as well as commercial hotel, motel and guesthouse development that is consistent with the State Plan and appropriate development for the town designation.
- The City has drafted a Riparian Zone Ordinance consistent with the State's Stormwater Management Rules, Flood Hazard Control Rules and Water Quality Management Rules and it is intended to adopt the ordinance as a requirement of the action plan.
- The center fits appropriately in a broader regional context, particularly in complementing other centers in the region. The reestablishment of the center will aid the City in facilitation appropriate development complementary to the adjoining region. The only centers bordering the city are within The Township of Lower and Borough of West Cape May. The City found the designation of these centers consistent with the City's planning and both municipalities received cooperation from Cape May through their own Plan Endorsement process. Because they both border the former boundary, this further supports the appropriateness of the center reestablishment.

Summary

This Coastal Consistency Statement demonstrates that the City's Petition for Plan Endorsement, including the establishment of the Proposed Center are consistent with the purposes of the Coastal Area Facility Review Act (N.J.S.A. 13:19-1 et seq.) and the Coastal Zone Management Rules. Additionally, the information presented above supports a finding that the proposed Center and Core areas would not result in unacceptable harm to the coastal ecosystem or resources of the built or natural environment. To the contrary, the implementation of the proposed Center, in conjunction with the proposed and adopted environmental ordinances and proposed Planning Area changes, would focus development in the Center areas and direct development away from environmentally sensitive lands thereby providing additional protection for coastal ecosystems.