
City of Cape May

Municipal Public Access Plan

Submitted by: City of Cape May

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Approval of this plan does not eliminate the need for any Federal, State, County or municipal permits, certifications, authorizations or other approvals that may be required by the Applicant, nor shall the approval of this plan obligate the Department to issue any permits, certifications, authorizations or other approvals required for any project described in this plan.

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Introduction

The intent of this document is to provide a comprehensive public access plan for the City of Cape May (Cape May) which lays out their vision for providing access to tidal waters and shorelines within the municipal boundary. This Municipal Public Access Plan (MPAP) was developed in accordance with N.J.A.C. 7:7E-8.11 and in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and has been approved by the NJDEP. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility and potential funding opportunities for the City of Cape May.

Public rights of access to and use of the tidal shorelines and waters, including the ocean, bays, and tidal rivers, in New Jersey are founded in the Public Trust Doctrine. First set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, the Public Trust Doctrine establishes the public's right to full use of the seashore as declared in the following quotation from Book II of the Institutes of Justinian:

"By the law of nature these things are common to all mankind – the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations."

Influenced by Roman civil law, the tenets of public trust were maintained through English common Law and adopted by the original 13 colonies. Following the American Revolution, the royal right to tidelands was vested to the 13 new states, then to each subsequent state, and has remained a part of public policy into the present time. Through various judicial decisions, the right of use upheld by the Public Trust Doctrine has been incorporated into many state constitutions and statutes, allowing the public the right to all lands, water and resources held in the public trust by the state, including those in New Jersey.

The NJDEP adopted new rules governing public access on November 5, 2012 that enable municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations, plus plans to preserve and enhance access based on community needs and State standards.

In 2011, representatives from the City of Cape May met with NJDEP staff to begin the public access planning process. This plan was then developed in collaboration with the NJDEP, Cape May City Planning Board, Cape May City Environmental Commission and was presented to the Planning Board on February 10, 2011 and was approved for submission to the NJDEP on February 10, 2011. Upon receiving approval from the NJDEP on {date}, the MPAP was incorporated into the Conservation Element of the Master Plan by resolution on {date}. Incorporation into the Master Plan, and final approval of this MPAP by the NJDEP, was recognized by Public Notice in the NJDEP Bulletin. All public access decisions made within the City of Cape May will be consistent with this plan.

Authority for Municipal Public Access Plans

The authority for a municipality to develop a MPAP is derived from the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 5, 2012. The premise of the authorization of Municipal Public Access Plans is that public access to tidal waters is fundamentally linked to local conditions. Municipalities have a better awareness and are more responsive to these conditions than a broader State “one size fits all” mandated public access plan.

The voluntary development of a MPAP by the City of Cape May enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. The MPAP will be incorporated into the Conservation Element of the municipality’s Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D). The MPAP, as an official component of the municipal Master Plan, informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

Upon approval of the MPAP by the Department and incorporation into the Master Plan, the City of Cape May will be responsible for ensuring that public access to tidal waterways along the municipality’s shorelines is provided in accordance to this plan. For each new public access project, the City of Cape May will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect this and ensure that public access requirements are satisfied in accordance to this plan. Per N.J.A.C. 7:7E - 8.11(j)4, the City of Cape May is required to submit a progress report on plan implementation to NJDEP within five (5) years from date of plan adoption.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP on November 5, 2012. See Appendix 1.

State of New Jersey Public Access Goals

Through the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-1.1 (c)), the State of New Jersey establishes a broad set of coastal protection goals, including the following specifically addressing public access...

- Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
- Provide meaningful public access to and use of tidal waterways and their shores.
- Preserve public trust rights to tidal waterways and their shores.
- Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
- The enhancement of public access by promoting adequate affordable public facilities and services.
- Create and enhance opportunities for public access to tidal waterways and their shores, on a non-discriminatory basis.

- Maintain all existing public access to, and along tidal waterways and their shores.
- Provide opportunities for public access to tidal waterways and their shores through new development.
- Provide public access that does not create conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

The City of Cape May's Municipal Public Access Plan embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust lands which surround the City.

I. Municipal Public Access Vision

A. Overview of Municipality

Municipal Description:

The City of Cape May is a community located at the southern end of New Jersey and Cape May County. Cape May is located at the southern tip of Cape May Peninsula in Cape May County, New Jersey, where the Delaware Bay meets the Atlantic Ocean. 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. Wetlands occur throughout all sections of the city and limit development on vacant lands, particularly near Cape May Harbor in the east end. Protection of fragile dunes is essential to protection of the valuable beach resources.

According to the United States Census Bureau, the city has a total area of 2.8 square miles, of which 2.5 square miles is land and 0.3 square miles is water. Cape May is generally low-lying; its highest point, at the intersection of Washington and Jackson Streets, is a mere 14 feet above sea level. As of the 2010 United States Census, it had a year-round population of 3,607. In the summer, Cape May's population swells to as many as 40,000 to 50,000 with visitors.

With a rich history, award-winning beaches, designation as a top birding location, and many Victorian structures, Cape May is a seaside resort drawing visitors from around the world. Cape May considers itself to be America's first resort community and vacation destination. Cape May was recognized as one of America's top 10 beaches by the Travel Channel and its beach was ranked fifth in New Jersey in the 2008 Top 10 Beaches Contest sponsored by the New Jersey Marine Sciences Consortium. FamilyVacationCritic.com has rated Cape May number one on their list of 10 Best Beaches for Families in 2015.



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 and is one of the country's oldest vacation resort destinations. Summer remains Cape May's busiest season, with vacationers attracted by its historic ambiance and 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 have led to Cape May's emergence as a year-round resort.

Cape May benefits from its proximity to major population centers and visitor attractions in the Mid-Atlantic Region. It is approximately 50 miles south of Atlantic City, 80 miles southeast of Philadelphia and 150 miles south of New York City. Both Route 9 and the Garden State Parkway terminate in Lower Township, near the Schellenger's Landing Bridge, which provides the main route for vehicular traffic approaching Cape May. A secondary street access is available via Seashore Road, through West Cape May.

The Cape May-Lewes Ferry, which provides service between the southern end of New Jersey and Lewes, Delaware, is located at the western end of the Cape May Canal. Buses connect the ferry with Cape May's Transportation Center, which is located near the City's main shopping district, the Washington Street Mall. The Transportation Center is also serviced by the Cape May Seashore Railroad, which provides service between the City and Cape May Court House, via the historic Cold Spring Village.

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.



Figure 1 - Fisherman's Memorial

Public Access Description:

Public Access in the City of Cape May is provided by the municipality and consists of a variety access points and facilities including beach walkways, bathroom facilities, lifeguarded beaches, kayak and small boat launches, nature trails, unimproved natural access points and public parks. Cape May protects and ensures public access through ordinances, beach fees, beach management planning, community clean-ups, yearly inspection and maintenance programs, access easements, and conservation easements. The overall goal of this MPAP is

to establish Cape May's to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

Cape May's greatest recreational asset is its beach strand, which attracts thousands of visitors to the community on a year-round basis. The exact acreage of the beach is difficult to determine, because it varies based upon both tidal conditions and erosion. Nonetheless, the City offers its visitors more than two and a half linear miles of a broad white sand beach. This area is exclusive of those portions of the beach that are protected as part of the dune stabilization effort or for which access is restricted because it occurs within the limits of the U.S. Coast Guard base.



Figure 2 - Accessible Access at Beach Pavilion

The City of Cape May currently maintains numerous public access facilities. Along its beachfront with the Atlantic Ocean, the City is able to provide excellent access to the beach and ocean as most development is located north of Beach Avenue. Access points are provided at every street end and some access points are provided mid-block on larger blocks. Parking is provided by both metered and non-metered on street parking. Numerous bath house/rest room and lifeguard facilities are located along the beach strand. Surfing/kayak beaches are located between Howard & Stockton and at 3rd Avenue. Surf fishing is permitted providing there are no conflicts with bathing areas. Fishing from the beach is restricted so that fisherman are allowed no closer than 500' from bathing areas.



Figure 3 - Typical Non-accessible Beach Access

The City maintains the beaches and associated facilities and relies on fees generated by beach badge sales. Adequate guarded beaches, trash/recycling, bathrooms, showers and access have been provided along Beach Avenue. Seasonal badge fees are established on an annual basis and may be subject to change. Please refer to the City's website for current beach badge information.



Figure 4 - Beach Badge Sales Structure

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

every year, as well as responding to medical emergencies and lost persons. The CMBP is a well-trained organization upholding a proud tradition of life-saving in South Jersey.

The only restricted beach areas are sensitive dune areas which are a necessary flood protection measure. A paved asphalt promenade also offers pedestrians exceptional views of the beach and ocean along portions of the beach front. Bicycles and rollerblades are permitted on the promenade from 4am to 10am.



Figure 5 - On-street Metered Parking

The City provides both free and metered on street parking throughout the beachfront and most areas of the City. All parking meters in the City are in effect beginning May 1 annually. Parking opportunities may be limited at peak times in season. With some exceptions, parking meters are typically in effect May 1 to October 31, every day, from 10:00 AM to 10:00 PM. In 2017, all meters were 25 cents per fifteen minutes and stand-alone meters only accept quarters. Multi-meters also accept credit cards. Change is available from

several businesses and at beach tag sales booths, during the beach season. The City provides a five (5) minute grace period on all meters, before an overtime violation occurs. A Free parking location is also available at the Cape May Elementary School located at the intersection of Lafayette Street and Madison Avenue Saturday and Sunday while school is in session and daily during the summer break. Check with the City for current parking regulations and rates as they are subject to change.

The City has entered into a 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource. The beach is protected during summer months by lifeguards and the Beach Patrol has sand wheelchairs available to promote handicapped access. Ocean rescue is facilitated by two wave runners, and twenty lifeboats. Other accessible improvements (ADA) have included a \$382,000 grant for construction of new access ramps from the street to the beach promenade. These beaches are located at Grant Street, Gurney Street, Trenton Avenue and Wilmington Avenue. Ultimately, a total of ten (10) beaches are targeted for accessible improvements.



Figure 6 - Cape May Harbor

Cape May also provides access to the Cape May Harbor which is located at the northern portion of the city. The Cape May Harbor and Cape May Canal connect the Delaware Bay with the Atlantic Ocean. Access to the Cape May Harbor is facilitated at street ends along Cape May County Route 640 - Delaware Avenue. Access is also provided at two parks; the Fisherman's Memorial and Texas Avenue Park. There are no

fees associated with these access points and the City of Cape May maintains these facilities. Access to the Harbor is also provided along Delaware Avenue – County Route #640. Kayak and small boat access can be provided at all street ends along Delaware Avenue.

No boat ramps are located within the City limits. However, public boat ramp access is available at Spicer's Landing just over the bridge at 3rd Avenue in Lower Township. Private boat docks and marina facilities within the city provide boating access.



Figure 7 - Cape May Harbor Accessible Access

Cape May also borders Cape Island Creek which flows northward along the City's western border. Although no formal access points exist, the Creek may be accessed at its intersection with roadways or by water through Cape May Harbor/Canal. Visual accessibility is provided only.



Figure 8 - Cape Island Creek

The City of Cape May relies on its tourism industry as a foundation for economic viability. The beaches, historic character, fishing, birding and other nature related opportunities play great role in making Cape May a destination resort. Therefore, public access shall remain a priority. Access to the Atlantic Ocean and beaches, Cape May Harbor and Cape Island Creek is a necessity.

Map 1 - Cape May Tidal Waterways and Lands

This map shows all the tidal waterways within the municipality and all lands held by the municipality and may be found in Appendix 3.

B. Municipal Public Access Goals and Objectives

As part of the planning process, this MPAP has been reviewed and is consistent with the following goals/elements/policies established in Cape May's Master Plan Reexamination dated February 27, 2009 – Last Revised March 13, 2009:

1. **Community Services and Facilities Goal** - *Ensure the provision of an adequate range and availability of community services and infrastructure to accommodate existing and future City residents and visitors.(p.27)*
2. **Residential Land Use Objective** - *Protect the remaining wetland and environmentally sensitive areas in the City. (p. 28)*
3. **Commercial Land Use Objective** - *Maintain the City's environmental and historic quality by control of commercial land use patterns and adoption of improved*

design and performance standards for land use in all of the areas regardless of whether they are in the historic district.(p.29)

- 4. Commercial Land Use Objective** - *Support continued existence of the Coast Guard and fishing and tourism industries so as to enhance their important economic contributions.(p.30)*
- 5. Oceanfront and Harborfront Land Use Goal** - *Protect the environmental quality of the oceanfront and harborfront land while encouraging public access. (p.30)*
- 6. Oceanfront and Harborfront Land Use Objective** - *Preserve environmental integrity of natural resources in harborfront and oceanfront area. (p.30)*
- 7. Oceanfront and Harborfront Land Use Objective** - *Improve access opportunities for the physically challenged.(p.30)*
- 8. Oceanfront and Harborfront Land Use Objective** - *Maintain current beach replenishment and dune erosion protection measures as they are essential to safeguard oceanfront and harborfront land uses. (p.30)*
- 9. Oceanfront and Harborfront Land Use Objective** - *Encourage water dependent uses that promote additional public access to the Cape May Harbor including Devil's Reach and Schellenger's Creek and Cape May Inlet. (p.30)*
- 10. Recreation and Open Space Goal** - *Preserve and enhance the City's open space system and upgrade recreational land use to protect Cape May's environmental resources and meet the needs of residents and visitors. (p.30)*
- 11. Recreation and Open Space Objective** - *Continue to acquire open space, including private bathing beaches, to increase the amount of recreational space available for use by residents and visitors. (p.31)*
- 12. Recreation and Open Space Objective** - *Continue to upgrade and diversify the recreational uses and facilities offered by municipal parks. (p.31)*
- 13. Recreation and Open Space Objective** - *Provide controlled access to wetland areas to promote environmental protection and public education. (p.31)*
- 14. Recreation and Open Space Objective** - *Improve access and maintenance of beach areas and continue to construct accessible access compliant with ADA requirements. (p.31)*
- 15. Recreation and Open Space Objective** - *Acquire lands and consolidate ownership of the areas bordered by St. John Street, Lafayette and the Cape May Elementary School to facilitate an upgrade in active recreation. Playground equipment and playing field equipment needs upgrading. (p.31)*
- 16. Recreation and Open Space Objective** - *Acquire environmentally sensitive lands in east Cape May known as Sewell Point. Acquisition of the tract would ensure the area east of Pittsburgh Avenue would be retained as open space for passive environmental recreation. (p.31)*
- 17. Conservation Goal** - *To protect the quality of the City of Cape May's natural and manmade environment in order to preserve the balance of its ecological systems and safeguard the future health and welfare of residents and visitors. (p.31)*
- 18. Conservation Objective** - *Conserve and protect environmentally sensitive resources including natural, scenic and historic areas in the City by requiring that*

new land uses be subject to performance standards designed to minimize potential adverse impacts. (p.32)

- 19. Conservation Objective-** *Minimize negative effects of land use upon the City's built environment through evaluation and implementation of performance standards for environmentally sensitive lands. (p.32)*
- 20. Conservation Objective-** *Encourage the preservation of environmentally sensitive lands in order to protect the environmental integrity of unique resources. (p.32)*
- 21. Conservation Objective** *-Pursue the acquisition of wetlands by the City and a consortium of public and private environmental groups. (p.32)*
- 22. Community Facilities & Recreation Element** *- There is a defined need to acquire lands and consolidate ownership of the areas bordered by St. John Street, Lafayette and the Cape May Elementary School to facilitate an upgrade in active recreation. Playground equipment and playing field equipment needs to be upgraded. (p.106)*
- 23. Community Facilities & Recreation Element-** *Cape May's greatest recreational asset is its beach strand, which attracts thousands of visitors to the community on a year-round basis. The exact acreage of the beach is difficult to determine, because it varies based upon both tidal conditions and erosion. Nonetheless, the City offers its visitors more than two and a half linear miles of a broad white sand beach. This area is exclusive of those portions of the beach that are protected as part of the dune stabilization effort or for which access is restricted because it occurs within the limits of the U.S. Coast Guard base. The City has entered into a 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource. The beach is protected during summer months by lifeguards and the Beach Patrol has sand wheelchairs available to promote handicapped access. Ocean rescue is facilitated by two wave runners, and twenty lifeboats. (p.108-109)*
- 24. Community Facilities & Recreation Element-** *Accessible improvements (ADA) include a \$382,000 grant for construction of new access ramps from the street to the beach promenade. A follow-up grant is sought to then extend the ramps to the high-water mark at the beach and provide accessible showers, decks, and tables. Improvements are initially proposed at a total of four (4) beaches. These beaches are located at Grant Street, Gurney Street, Trenton Avenue and Wilmington Avenue. Ultimately, a total of ten (10) beaches are targeted for accessible improvements. (p.108-109)*

25. Conservation Element-

ASSUMPTIONS, POLICIES & RECOMMENDATIONS

Environmental Protection & Conservation

The vast majority of land not developed in Cape May is environmentally constrained by floodplain, wetlands or both. These environmentally sensitive lands, and the wildlife habitats that they support, are very much a part of what makes Cape May an attractive area to live and vacation and are also important for environmental tourism, such as birding. Where much of these lands are unable to be developed due to State development regulations, Cape May should

strive to acquire lands that are developable in environmentally sensitive areas to preserve these lands from development and enable those to be used for passive recreation areas.

There is great concern regarding the potential development of these wetlands in East Cape May. A large residential subdivision plan has been filed but it has been in litigation with the State over the extent of the wetlands for a number of years. This 79 acre tract known as Sewell Point is a prime example of lands suitable for acquisition. The City should continue in its attempt to acquire this land, which would assure its permanent protection.

The City recognizes the importance of protecting natural resources. Current regulations preserve soils and existing vegetation and require the replacement of vegetation that is removed when land is developed. Cape May has a landscaping ordinance that requires up to 60% of a lot be left in vegetation and tree replacement for larger trees that are removed. Participation by the Environmental Commission and Shade Tree Commission in land development reviews has ensured compliance with the regulations and should continue.

Cape May's beaches are vital to both the environmental and physical protection of the City, as well as being one of its most valuable economic resources. Cape May recognizes the fragility of the beach and dunes and has invested heavily in beach replenishment projects in cooperation with the U.S. Army Corps of Engineers. It has also adopted special land use controls designed to limit any further encroachments into these areas. As the beaches are the first line of protection from flooding and waves from storms approaching from the sea, continual preservation and enhancement of the beach and dunes shall remain a priority.

In addition to those goals outlined within the Master Plan and the three State required goals below, Cape May establishes the following as goals specifically for public access:

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

II. Existing Public Access

A. Public Access Locations

Map 2 - Cape May Public Access Locations, identifies an inventory of all public access locations within Cape May whether they are currently Utilized, Restricted, Un-utilized along with their attributes of improvements, and activities. See **Table 1** which provides detailed information needed for each location. Both may be found in Appendix 3.

B. Improved Public Access Locations

Map 3 - Cape May Handicapped Accessible Public Access Locations, provides an inventory of the improved existing public access locations that currently provide physical access to public trust lands and waters.

Ramps to the promenade walk and beach are located at 17 streets along Beach Drive, with ramps from boardwalk to beach at Broadway, Third and Cove, Grant and Gurney streets and Trenton Avenue.

The beach patrol provides surf chairs free of charge to persons with mobility impairments. Surf wheelchairs available at nine locations, with reservations suggested. Call (609) 884-9570 and chairs will be delivered by Beach Patrol. Surf chairs are to be signed out prior to 4:00 pm on the day of the request and are to be returned the same day. Use of the surf chair is restricted to the promenade and beach front.

Four handicapped-accessible restrooms on boardwalk along Beach Drive. Parking meter fees throughout Cape May waived for vehicles displaying windshield placard or license plate.

See **Table 1** which provides detailed information on each location. Both may be found in Appendix 3.

C. Limitations to Public Access

Cape May offers excellent public access to its waterfront areas. However, the following limitations to public access in Cape May currently exist:

Physical public access to Cape Island Creek currently does not exist. Cape Island Creek has visual access from numerous public roadways that intersect or run adjacent to the waterway. Cape May has no desire to improve or facilitate physical access at these locations due to its sensitive environmental nature and safety concerns with abutting roadways or bridges. Physical public access to Cape Island Creek is only planned at the aforementioned Lafayette Street Park.

1. Temporary Restrictions

The only restricted beach areas are sensitive dune areas which are a necessary flood protection measure. A paved asphalt promenade also offers pedestrians exceptional views of the beach and ocean along portions of the beach front. Bicycles and rollerblades are permitted on the promenade from 4am to 10am.

In season, you must have a beach tag to use Cape May's beaches. Tags are required between the hours of 10:00 a.m. and 5:00 p.m., from Memorial Day in May through Labor Day in September. Beach tags are required for all beachgoers 12 and over.

You can bring coolers and food onto the beaches. However, alcohol is not permitted on Cape May City's beaches. There are a variety of food and drink vendors located across Beach Avenue, all along the beachfront, serving up your favorite foods.

Lifeguards protect swimmers and surfers until 5:30 PM daily during the summertime. From the last September day of duty, to the end of the month, lifeguards and cleanup



Figure 9 - Cape Island Creek

crews will getting the beaches and lifeguard headquarters ready for winter. During this winterization process, lifeguards will still respond to emergencies if necessary, but they are not officially on duty.



Figure 10 - Lifeguard Station

There are no restrictions on beach tents, beach umbrellas, or beach canopies as long as they are not permanent structures. You are welcome to bring them with you for daytime use. However, you are not permitted to camp overnight on the beaches. Dogs are not allowed on

Cape May City beaches during the summer months. By city ordinance, fires are not permitted on Cape May City Beaches, nor may any portable device be used for cooking. Comfort stations are located along the promenade.

Volleyball nets are available at Steger Beach (Beach Ave & Jackson St) and at 2nd Avenue Beach (2nd Avenue & Beach Ave). The nets are located on the beach, so a beach tag is needed to play. BYOB - Bring Your Own Ball.

Jetty and surf fishing is permitted along the beachfront. However, no fishing within 500 feet of bathers is permitted. Surfing/kayaking is also permitted at specific designated locations. Surfing/kayak beaches are located between Howard & Stockton and at 3rd Avenue.



Figure 11 - Comfort Station

Permanent restrooms/changing facilities on Beach Avenue at Second, Broadway, Windsor, Gurney, Philadelphia, Trenton and Wilmington intersections. Open-air rinsing stations all along the beachfront.

Coolers and food permitted. No alcohol. No restrictions on beach tents, umbrellas or canopies for daytime use. No bonfires or cooking permitted. Overnight camping prohibited. Ball playing and other games allowed away from beach bathers.

Utilization of the beach and promenade are sometimes restricted by the lack of parking along Beach Avenue during peak times. Parking is restricted by the use of parking meters primarily between Third Avenue and Pittsburgh Avenue. Free parking is located several blocks in on smaller side streets.

With some exceptions, parking meters are in effect May 1 to October 31, every day, from 10:00 AM to 10:00 PM. All meters are 25 cents per fifteen minutes and stand-alone meters only accept quarters. Multi-meters also accept credit cards. Change is available from several businesses and at beach tag sales booths, during the beach season. The City provides a five (5) minute grace period on all meters, before an overtime violation occurs.



Figure 12 - Beach Promenade

Exceptions include:

1. Community Center Parking Lot on Lafayette Street - No Parking on Wednesday and Saturday from July 1 to Labor Day.
2. Broadway from Beach to Grant, First Avenue from Beach to street end, Mt. Vernon Avenue from Patterson to street end, Patterson Avenue from Beach to Mt. Vernon Avenue, Second Avenue from Beach

to street end. June 1 to September 15, from 10:00 AM to 6:00 PM

Free parking is available at the Cape May Elementary School located at the intersection of Lafayette Street and Madison Avenue Saturday and Sunday while school is in session and daily during the summer break.

As part of its 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, the City of Cape May Beach Management Plan For the Protection of Federally & State-Listed Species March 2008 was created to specifically address beach maintenance and protection of threatened and endangered species. This plan specifically addresses access as follows:

Public access to New Jersey's beaches is a central goal of the NJDEP's Coastal Management Program, as reflected in the State Coastal Zone Management Rules. Public access is also a key requirement of federal and State rules governing beach nourishment carried out with public funds. However, an excessible number of beach access structures in the Protected or Precautionary Zones bring more recreational users into potential conflict with listed species. Such structures can also lead to unauthorized impacts to dunes, as recreational beach users create new, unauthorized walkways through the dunes; these gaps in the dune line fragment nesting and growing areas.

City Actions:

- I. The City will work with the NJDFW and the USFWS to develop written materials regarding protections for listed species and dunes.*
- II. The City will not propose any new beach access points/structures within the Protected or Precautionary Zones as the current number and locations of access points is sufficient and meets current State requirements. If the City determines additional beach access (or a change in location of current access points) is necessary or is required to provide additional access, the City will work with the NJDFW and the USFWS to locate (or relocate), design, and construct any proposed new public access structures to minimize adverse impacts to listed species.*
- III. The City will work with the NJDFW and the USFWS to place appropriate signs regarding protections for listed species*

and dunes at or near public access points. (See the section on education and outreach)

- IV. *The City will notify homeowners (by a mailing) between Wilmington Avenue and the Poverty Beach Club that they are not permitted to access the beach directly from their homes during the nesting season.*

NJDFW and USFWS Actions:

- I. *The NJDFW and the USFWS will provide recommendations regarding any proposed new (or relocated) public beach access structures, if it is determined such changes are necessary.*
- II. *The NJDFW and the USFWS will provide appropriate signs to post at or near public beach access points (see the section on education and outreach).*
- III. *The NJDFW will provide appropriate signs to post near homes between Wilmington Avenue that they are not permitted to access the beach directly from their homes during the nesting season.*

The City of Cape May will continue to comply with the requirements of the Beach Management Plan and coordinate this MPAP with any future updates to the Plan.

2. Permanent Restrictions

The City of Cape May currently provides exceptional access to its natural resources. However, protection of these environmentally sensitive areas maintains a priority so that these resources remain viable and that they may be preserved for future generations. Access to environmentally sensitive areas including East Cape May and Cape Island Creek should be restricted and only accessed by properly planned public access projects.

The following locations noted in the Public Access Inventory where public access will not be provided or otherwise improved due to any one of the



Figure 13 - Cape Island Creek at Elmira Street

following reasons:

1. Elmira Street - Cape Island Creek

Physical Public Access in this location will create conditions that endanger public health and safety. Physical Access in this location could damage the environment.

2. US Coast Guard Station/East Cape May

Access in this location could create significant vulnerability to homeland security. Physical Access in this location could damage the environment. Most areas controlled by US Coast Guard and not Cape May.

3. Beach Dunes

Access in dune locations could damage the environment and weaken or compromise flood prevention measures.

III. Community Needs Assessment

Cape May has always been responsive to the needs of both residents and visitors. The Cape May Planning Board during its Cape May Master Plan Reexamination dated February 27, 2009 – Last Revised March 13, 2009, considered the public access needs of the community. Both the existing public access facilities and the community needs were examined as part of the adoption of this document. In addition, the City through meetings of the City Council, Planning Board and other civic bodies, regularly hears residents and visitors express their needs and desires regarding public access. The key points of these forums are summarized in the following section:

a. The public access needs of the Cape May community is a priority of the City and this plan. Access to the Atlantic Ocean and beaches, Cape May Harbor and Cape Island Creek for entertainment and enjoyment plays a great role in giving Cape May its distinctive sense of place.

b. Maintenance of our beach and access to it is also a priority of the City. The City must continue to maintain its ongoing 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource. Safety of the community is also an essential public necessity. Beach maintenance will be made in accordance with approved plans to protect the public and ensure protection of endangered species. Environmentally sensitive areas should not be compromised and public access should be provided only in appropriate locations.

c. It is not the intent of this plan to address all community needs such as access for boating. Private businesses within the City and in neighboring communities provide ample marinas, boating ramps, dockage or other boating improvements.

d. Routine dredging of the Cape May Harbor and Canal is necessary for boating, and the City of Cape May shall support any effort to address this issue.

e. Access Need - Physical Access to Cape May Harbor at Harborview Park. As detailed in the Temple University study dated May 5, 2010, Harborview Park maintains a visual waterfront link to Cape May Harbor. Implementing the conceptual physical improvements that include a fishing pier would provide physical interactive access opportunities. (See Appendix)



Figure 14 - Harborview Park

f. Access Need - Physical and Visual Access at Cape Island Creek at the Lafayette Street Open Space Project. Very little access to Cape Island Creek exists along the Lafayette Street corridor. The proposed Lafayette Street Open Space is a park project proposed next to the Cape May Elementary School(See Appendix). Park improvements include recreation athletic fields, landscaping, dog park, picnic areas and a walking path along the wetlands that will provide access to the Cape Island Creek.

g. Lengthening of the asphalt promenade along the beachfront eastwardly is a priority.

h. Because Cape May already has exceptional access planning and implementation in place, the City must strive to maintain and improve existing access wherever possible. The exceptional access points offered along its 2.5 mile beach strand shall be maintained and improved where possible. The City has already made accessible improvements at many beach access points and should continue to seek grants and make improvements to provide additional accessible showers, decks, and tables where possible.

IV. Implementation Plan

Cape May has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, Proposed Access Improvements and Facilities, and Municipal Tools for Implementation as described in the following section:

A. Priorities

Based on the Existing Public Access Inventory and the Community Needs Assessment, Cape May developed the following priorities:

1. Maintain Existing Public Access

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



Figure 15 - Beach Promenade

f. Maintain and improve existing public access points: Because Cape May already has exceptional access planning and implementation in place, the City must strive to maintain and improve existing access wherever possible. The exceptional access points offered along its 2.5 mile beach strand shall be maintained and improved where possible. The City has already made accessible improvements at many beach access points and should continue to seek grants and make improvements to provide additional accessible showers, decks, and tables where possible.

2. Planned Enhancement to Public Access Locations and/or Facilities

- a. Physical Access to Cape May Harbor at Harborview Park. As detailed in the Temple University study dated May 5, 2010, Harborview Park maintains a visual waterfront link to Cape May Harbor. Implementing the conceptual physical improvements that include a fishing pier would provide physical interactive access opportunities. (See Appendix)
- b. Physical and Visual Access at Cape Island Creek at the Lafayette Street Open Space Project. Very little access to Cape Island Creek exists along the Lafayette Street corridor. The proposed Lafayette Street Open Space is a park project proposed next to the Cape May Elementary School(See Appendix). Park improvements include recreation athletic fields, landscaping, dog park, picnic areas and a walking path along the wetlands that will provide access to the Cape Island Creek. Coordination with State agencies is necessary to further develop the potential public access at Cape Island Creek associated with the Lafayette Street Open Space project.
- c. Lengthening of the asphalt promenade eastwardly over the existing seawall is a priority.
- d. Additional accessible beach access and comfort improvements shall remain a priority.
- e. Additional parking improvements nearest the beach shall remain a priority.
- f. Actively seek funding from federal, state and regulatory sources to implement the above referenced priorities.

B. Preservation of Public Access Locations

Cape May developed the following preservation and conservation measures:

The public access locations that are currently located on the municipal Recreation and Open Space Inventory (ROSI) attached hereto in the Appendix. Any future municipally owned properties providing public access will be protected, through placement of the property

providing access on the municipal Recreation and Open Space Inventory (ROSI) or preserved through an easement or other legal method.

C. Signage

Cape May has provided the following signage:

Cape May provides signage at all beach access locations and the promenade as typically depicted below:



Figure 16 - Typical Signage at Beach Access



Figure 17 - Typical Signage at Beach Access



Figure 18 - Beach Access Typical Signage



Figure 19 - Signage at Sunset Pavilion



Figure 20 - Signage at Promenade



Figure 21 - Promenade Signage



Figure 22 - Signage at Cape May Harbor Access



Figure 23 - Harborview Park Signage

Upon approval of this MPAP, Cape May will adopt a municipal ordinance (See Appendix 5) requiring public access signage identifying the access shall be installed at each public access way, public access area and/or public parking area at all locations identified in this plan and maintained in perpetuity by the City.

D. Proposed Access Improvements and Facilities

Cape May has proposed the following access improvements and facilities:

- a.** Maintain Cape May's beachfront: Continuation of the 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource.
- b.** Dredging of the Cape May Harbor and Canal.
- c.** Access Need - Physical Access to Cape May Harbor at Harborview Park. As detailed in the Temple University study dated May 5, 2010, Harborview Park maintains a visual waterfront link to Cape May Harbor. Implementing the conceptual physical improvements that include a fishing pier would provide physical interactive access opportunities. (See Appendix)
- d.** Physical and Visual Access at Cape Island Creek at the Lafayette Street Open Space Project. Very little access to Cape Island Creek exists along the Lafayette Street corridor. The proposed Lafayette Street Open Space is a park project proposed next to the Cape May Elementary School(See Appendix). Park improvements include recreation athletic fields, landscaping, dog park, picnic areas and a walking path along the wetlands that will provide access to the Cape Island Creek.
- e.** The City has already made accessible improvements at many beach access points and will continue to seek grants and make improvements to provide additional accessible ramps, bathrooms, showers, decks, and tables where possible.
- f.** Beach Promenade: Lengthening of the asphalt promenade along the beachfront eastwardly.

E. Municipal Tools for Implementation

Cape May has the following tools for the maintenance, enhancement and development of public access locations:

1. Maintenance Tools

The funds necessary for maintenance of the public access locations and signage detailed in this report are allocated in the City's yearly budget and will be conducted by the City's

Department of Public Works. Beach maintenance will be performed in accordance with the City's 50 year agreement with the US Army Corps of Engineers. Beach Fees will be continued to be used as a resource to achieve maintenance requirements.

2. Enhancement & Development Tools

a. Funding

Availability of funding for projects indicated in this report remains an obstacle. Funding has been achieved through securing state and federal grants. Application for grants will remain a tool for implementation of improvements and enhancements. Coordinated planning that ties together the Master Plan, Flood Management Plan, Access Plan, Beach Management Plan and other related plans shall remain an integral part of this process.

b. Open Space Fee

Cape May City Code Chapter 356 Open Space and Recreation Land Acquisition establishes a minimum annual appropriation for open space and recreational land acquisition and associated costs, which shall include, without limitation, legal appraisal, survey, engineering and preservation acquisition debt servicing in order to provide a guaranteed source of funds to match green acres funding. The minimum amount of the annual appropriation is \$0.01 for each \$100 of assessed property value and is reflected as a line item in the City's annual budget.

c. Lafayette Street Park

Planning for all phases and Bidding for Phase I Design for the Lafayette Street Park and Planning for Harborview Park have been completed. Construction for the Lafayette Street Park, Phase I is anticipated to be completed by July 1, 2016.

F. Implementation

Cape May has created an Implementation Schedule as follows:

1. Existing Maintenance

As part of its 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, the City of Cape May Beach Management Plan For the Protection of Federally & State-Listed Species March 2008 (<http://www.capemaycity.com/Cit-e-Access/news/index.cfm?NID=16823&TID=103&jump2=0>) was created to specifically address beach maintenance and protection of threatened and endangered species. The City of Cape May will continue to comply with the requirements of the Beach Management Plan and coordinate this MPAP with any future updates to the Plan. The City will otherwise

provide regular annual beach access maintenance and maintenance to all other access locations identified in this plan.

2. *Enhancements to Existing Locations*

As mentioned previously, providing public access to the water and addressing community needs is a priority of the City and this plan. Access to the Atlantic Ocean and beaches, Cape May Harbor and Cape Island Creek for entertainment and enjoyment plays a great role in giving Cape May its distinctive sense of place.

a. Cape May Beaches: Maintenance of Beach access shall remain a priority in this plan. The City must continue to maintain its ongoing 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, thus safeguarding this principal resource. Safety of the community is also an essential public necessity. Beach maintenance will be made in accordance with approved plans to protect the public and ensure protection of endangered species. Environmentally sensitive areas should not be compromised and public access should be provided only in appropriate locations.

b. Beach Access Points: The City has already made accessible improvements at many beach access points and should continue to seek grants and make improvements to provide additional accessible showers, decks, and tables where possible. Lengthening of the asphalt promenade eastwardly is a priority.



Figure 24 - Accessible Access Improvements

c. Dredging of Waterways: Routine dredging of the Cape May Harbor and Canal is recognized as being necessary for boating and the City of Cape May shall support any effort to address this issue.

d. Harborview Park Improvements: As detailed in the Temple University study dated May 5, 2010, Harborview Park maintains a visual waterfront link to Cape May Harbor. Implementing the conceptual physical improvements that include a fishing pier would provide physical interactive access opportunities. (See Appendix)

e. Cape Island Creek at the Lafayette Street Open Space Project: Very little access to Cape Island Creek exists along the Lafayette Street corridor. The proposed Lafayette Street Open Space is a park project proposed next to the Cape May Elementary School(See Appendix). Park improvements include recreation athletic fields, landscaping, dog park, picnic areas and a walking path along the wetlands that will provide access to the Cape Island Creek.

f. It is not the intent of this plan to address all community needs such as access for boating. Private businesses within the City and in neighboring communities provide ample marinas, boating ramps, dockage or other boating improvements.

3. Proposed Locations and Facilities

As discussed previously, Cape May already has exceptional public access to coastal waters, and has carefully planned and implemented to improve and expand opportunities. It is the City's intent to maintain and improve existing access wherever possible. The exceptional access points offered along its 2.5 mile beach strand shall be maintained and improved where possible. The City has already made accessible improvements at many beach access points and should continue to seek grants and make improvements to provide additional accessible showers, decks, and tables where possible.

Beach Promenade: Lengthening of the asphalt Beach Promenade eastwardly is a priority.



Figure 25 - Asphalt Bicycle/Pedestrian Path at the Beach Promenade

Cape May Harbor at Harborview Park: Potential improvements planned for this park would enhance public access. Improvements include an elevated boardwalk, rain garden with meadow and fishing pier. As detailed in the Temple University study dated May 5, 2010, Harborview Park maintains a visual waterfront link to Cape May Harbor. Implementing the conceptual physical improvements that include a fishing pier would provide physical interactive access opportunities.

Lafayette Street Open Space Project: This project proposes public improvements that include public access improvements to Cape Island Creek. An existing park located next to the Cape May Elementary School at Lafayette Street would be expanded and improved with athletic fields and courts, dog park, picnic areas, restroom and concession stands as well as a nature path that extends through the Cape Island Creek and associated tidal wetlands. This project would offer the first formal public access to Cape Island Creek.

G. Army Corps of Engineers Requirements for Shore Protection Projects

The City of Cape May has met the ACOE Requirements as follows:

- a. As part of its 50- year contract with the State and the Army Corps of Engineers to replenish the beach on a biennial basis, the City of Cape May Beach Management Plan For the Protection of Federally & State-Listed Species March 2008 (<http://www.capemaycity.com/Cit-e-Access/news/index.cfm?NID=16823&TID=103&jump2=0>) was created to specifically address beach maintenance and protection of threatened

and endangered species. This plan specifically addresses access as follows:

Public access to New Jersey's beaches is a central goal of the NJDEP's Coastal Management Program, as reflected in the State Coastal Zone Management Rules. Public access is also a key requirement of federal and State rules governing beach nourishment carried out with public funds. However, an excessible number of beach access structures in the Protected or Precautionary Zones bring more recreational users into potential conflict with listed species. Such structures can also lead to unauthorized impacts to dunes, as recreational beach users create new, unauthorized walkways through the dunes; these gaps in the dune line fragment nesting and growing areas.

City Actions:

- V. *The City will work with the NJDFW and the USFWS to develop written materials regarding protections for listed species and dunes.*
- VI. *The City will not propose any new beach access points/structures within the Protected or Precautionary Zones as the current number and locations of access points is sufficient and meets current State requirements. If the City determines additional beach access (or a change in location of current access points) is necessary or is required to provide additional access, the City will work with the NJDFW and the USFWS to locate (or relocate), design, and construct any proposed new public access structures to minimize adverse impacts to listed species.*
- VII. *The City will work with the NJDFW and the USFWS to place appropriate signs regarding protections for listed species and dunes at or near public access points. (See the section on education and outreach)*
- VIII. *The City will notify homeowners (by a mailing) between Wilmington Avenue and the Poverty Beach Club that they are not permitted to access the beach directly from their homes during the nesting season.*

NJDFW and USFWS Actions:

- IV. *The NJDFW and the USFWS will provide recommendations regarding any proposed new (or relocated) public beach access structures, if it is determined such changes are necessary.*
- V. *The NJDFW and the USFWS will provide appropriate signs to post at or near public beach access points (see the section on education and outreach).*
- VI. *The NJDFW will provide appropriate signs to post near homes between Wilmington Avenue that they are not permitted to access the beach directly from their homes during the nesting season.*

The City of Cape May will continue to comply with the requirements of the Beach Management Plan and coordinate this MPAP with any future updates to the Plan.

V. Relationship to the Other Regional and State Plans

The City of Cape May's MPAP has been reviewed for consistency and is consistent with the State Development and Redevelopment Plan.

VI. Resolution of Incorporation

Cape May has approved a resolution for the incorporation of the MPAP. See Appendix 2 for the ***draft*** resolution.

APPENDIX 1
Municipal Public Access Plans
Required Sections per NJAC 8.11 (e)

1. (e) 1 Statement describing overall **goal of the MPAP** and the **administrative mechanisms** (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to ensure that the municipality will meet public access goals
2. (e) 2 Statement of **Consistency with...Master Plan**
3. (e) 3 Public access **needs assessment** that evaluates:
 - existing access locations and capacities
 - practical limitations (esp. parking and bathrooms)
 - alternatives to address any limitations determined to exist
 - need for additional locations
4. (e) 4 **Digital Map and Inventory** identifying...:
 - tidal waterways within municipality and adjacent lands held by municipality
 - existing and proposed public access ways
 - proposed public access facilities
 - identified facilities compliant with ADA
5. (e) 5 **Implementation strategy**
 - forms of proposed public access responsive to needs assessment (i)
 - comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
 - proposed tools to implement the plan, including (iii)
 - i. adoption or amendment of municipal ordinances
 - ii. uses of monetary compensation (Public Access Fund), if any
 - proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
 - proposed compliance with ACOE requirements for shore protection projects [see 8.11(r)] (v)
 - cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
 - implementation schedule (vii)
 - ordinances in place/to be adopted re signage requirements (viii)
 - measures to permanently protect public access per MPAP (ix)
 - examples/models of easements/restrictions for permanent protections (x)
 - draft resolution incorporating DEP-approved MPAP into a MP element (xi)

APPENDIX 2
Model Resolution for Incorporating MPAP into Master Plan

Resolution # _____

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the City of Cape May Municipal Public Access Plan was submitted to the City Council and reviewed at the regular meeting of {date}, and

WHEREAS, the governing body has approved the plan as submitted,

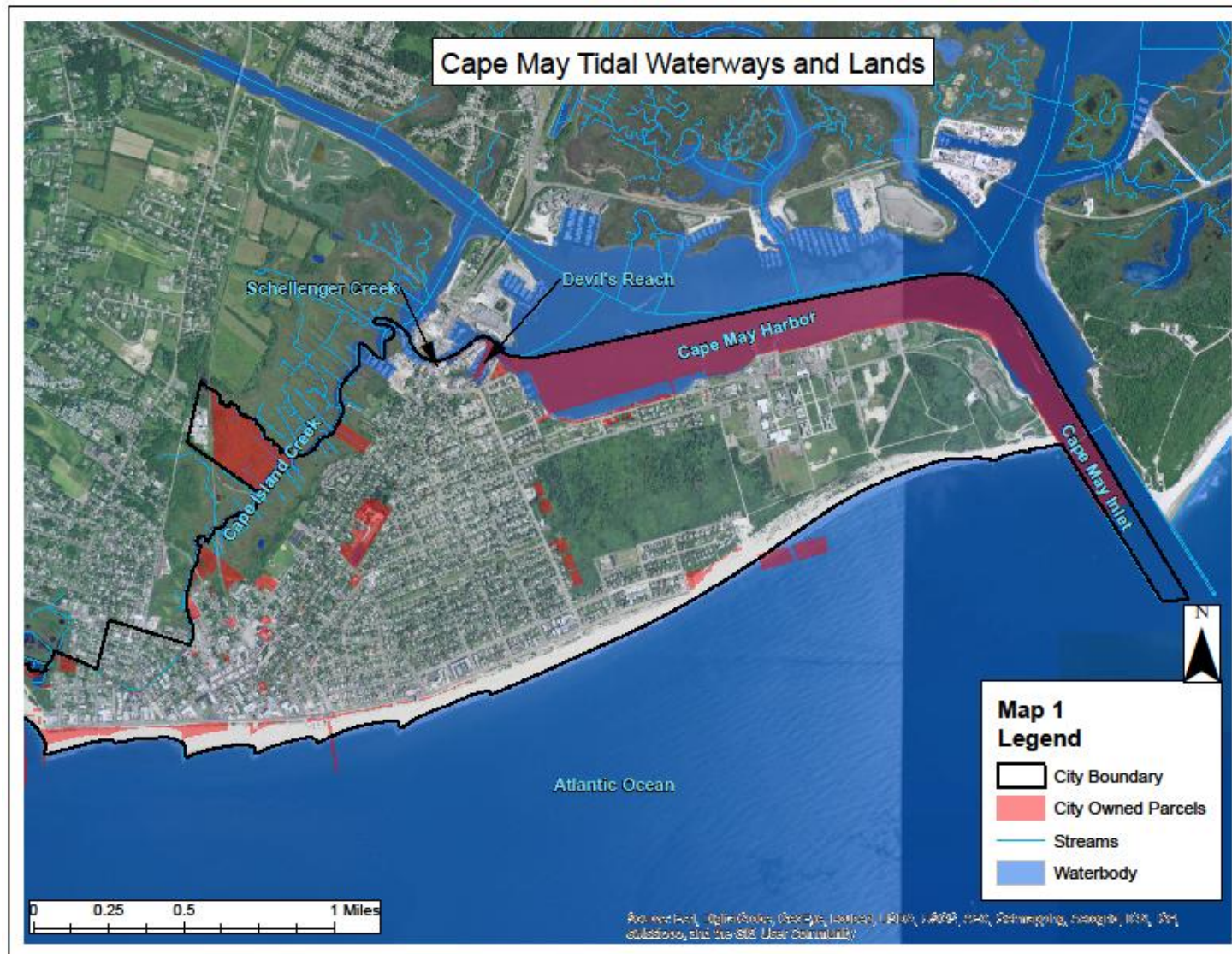
NOW, THEREFORE, BE IT RESOLVED by the City Council of Cape May the "City of Cape May Municipal Public Access Plan," a copy of which is attached, is hereby approved.

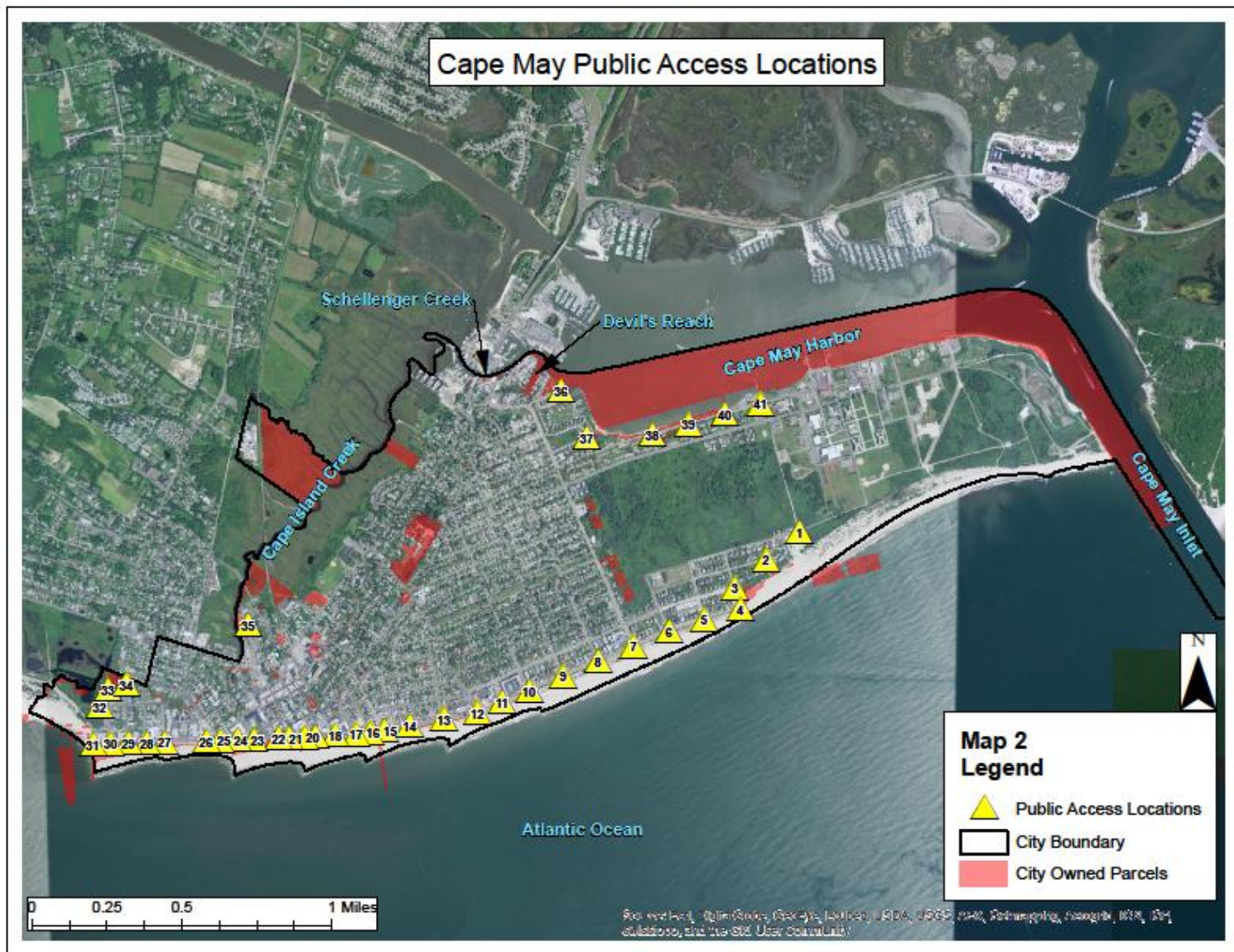
FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

I hereby certify the foregoing to be a resolution adopted by the City Council of Cape May at a meeting held on {date}.

Municipal Clerk

APPENDIX 3
Maps and Table





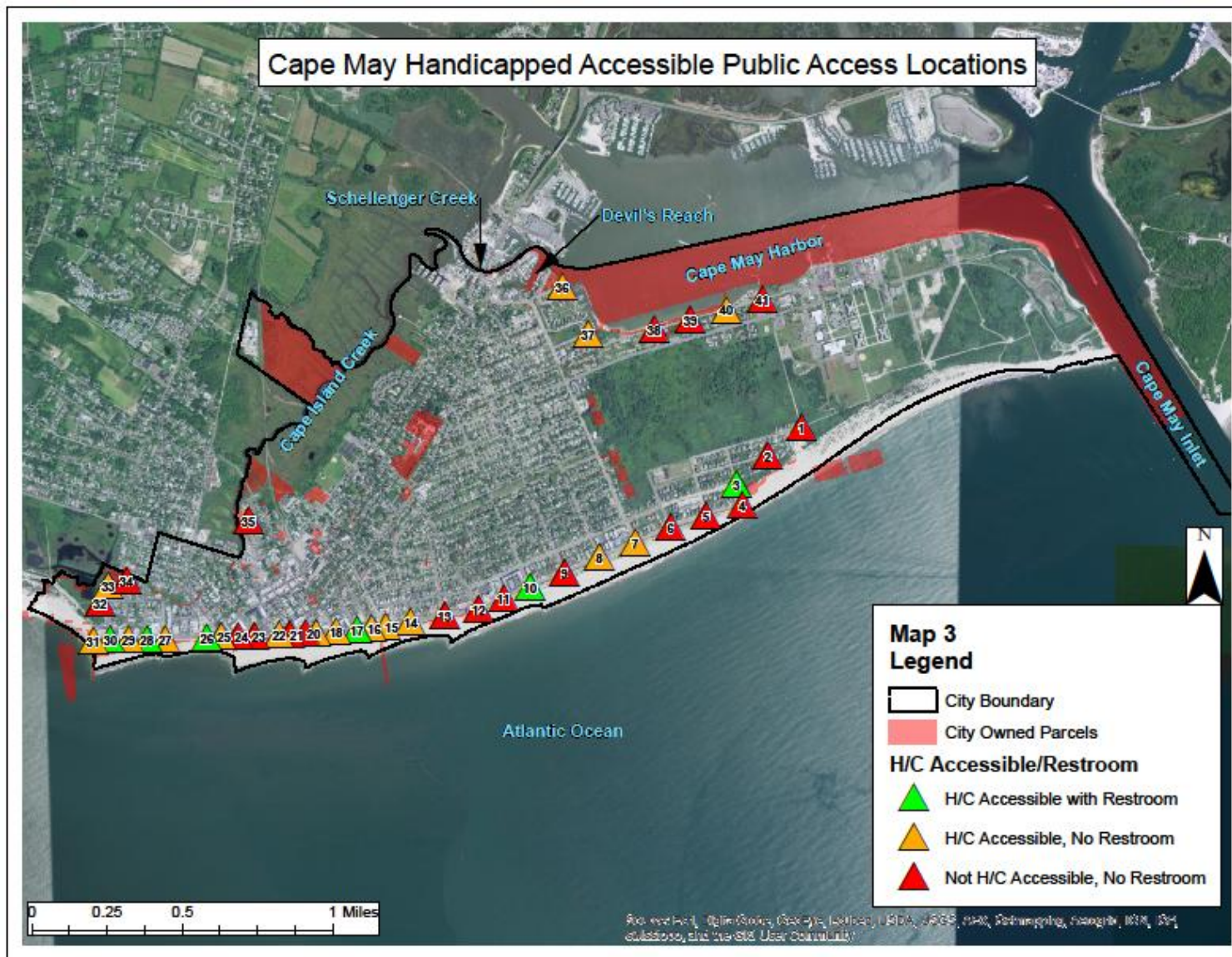


Table 1 City of Cape May Public Access Location Amenities

ID	SIGNS	PARKING	AMT	STREET	BADGE	SWIM	FISHING	SURFING	PLAYGRD	PARK	PIER	BOAT	MARINA	FOOD/DRINK	RESTRM	SEATS	H/C	SHORE	TYPE	
																			LNCH	
																			LINE	
1	Yes	No	Cost	Maryland Ave (East terminus) @ Buffalo Ave	Yes	No	Restricted	Restricted	No	No	No	No	No	No	No	No	No	No	Beach	Visual
2	Yes	No	Cost	New York Avenue (Walkway Near East Terminus)	Yes	?	Restricted	Restricted	No	No	No	No	No	No	No	No	No	No	Beach	Physical
3	Yes	No	Cost	Wilmington Ave @ New Jersey Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	Yes	No	Yes	Beach	Physical	
4	Yes	No	Cost	Wilmington Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
5	Yes	No	Cost	Brooklyn Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
6	Yes	No	Cost	Baltimore Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
7	Yes	No	Cost	Pittsburgh Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
8	Yes	Cost	0.25\$/15min	Trenton Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
9	Yes	Cost	0.25\$/15min	Reading Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
10	Yes	Cost	0.25\$/15min	Philadelphia Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	Yes	No	Yes	Beach	Physical	
11	Yes	Cost	0.25\$/15min	Midblock between Philadelphia & Madison @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
12	Yes	Cost	0.25\$/15min	Madison Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
13	Yes	Cost	0.25\$/15min	Queen Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
14	Yes	Cost	0.25\$/15min	Jefferson Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
15	Yes	Cost	0.25\$/15min	Howard Street @ Beach Ave	Yes	Guard	Restricted	Unrestricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
16	Yes	Cost	0.25\$/15min	Stockton Place @ Beach Ave	Yes	Guard	Restricted	Unrestricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
17	Yes	Cost	0.25\$/15min	Gurney Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	Yes	No	Yes	Beach	Physical	
18	Yes	Cost	0.25\$/15min	Ocean Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
19	Yes	Cost	0.25\$/15min	Bank Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
20	Yes	Cost	0.25\$/15min	Jackson Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
21	Yes	Cost	0.25\$/15min	Midblock between Jackcon & Perry @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	
22	Yes	Cost	0.25\$/15min	Perry Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical	
23	Yes	Cost	0.25\$/15min	Congress Street @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical	

24	Yes	Cost	0.25\$/15min	Windsor Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	No	Beach	Physical
25	Yes	Cost	0.25\$/15min	Grant Street @ Beach Ave (Lifeguard Sta.)	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical
26	Yes	Cost	0.25\$/15min	Midblock between Grant & Patterson @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	Yes	No	Yes	Beach	Physical
27	Yes	Cost	0.25\$/15min	Patterson Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical
28	Yes	Cost	0.25\$/15min	Broadway @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	Yes	No	Yes	Beach	Physical
29	Yes	Cost	0.25\$/15min	First Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical
30	Yes	Cost	0.25\$/15min	Second Ave @ Beach Ave	Yes	Guard	Restricted	Restricted	No	No	No	No	No	Yes - Private Vendor	Yes	No	Yes	Beach	Physical
31	Yes	Cost	0.25\$/15min	Third Ave @ Beach Ave - Pavillion	Yes	Guard	Restricted	Unrestricted	No	No	No	No	No	Yes - Private Vendor	No	No	Yes	Beach	Physical
32	Yes	Cost	0.25\$/15min	Mount Vernon Ave (West Terminus) @ Third Ave	Yes	Guard	Restricted	Unrestricted	No	No	Yes	No	No	Yes - Private Vendor	No	Yes	No	Beach	Physical
33	Yes	Cost	0.25\$/15min	Second Ave (North Terminus)	N/A	No	Restricted	Unrestricted	No	No	No	No	No	No	No	No	Yes	Creek	Visual
34	Yes	Cost	0.25\$/15min	First Ave (North Terminus)	N/A	No	Restricted	Unrestricted	No	No	No	No	No	No	No	No	No	Creek	Visual
35	Yes	Cost	0.25\$/15min	Bank Street	N/A	No	Restricted	Restricted	No	No	No	No	No	No	No	No	No	Creek	Visual
36	Yes	No Cost		Harborview Park - Texas Ave & Harbor Lane	No	At Own Risk	Unrestricted	Restricted	No	Yes	Yes	No	No	No	No	Yes	Yes	Harbor	Physical/ Visual
37	Yes	No Cost		Fisherman's Memorial - Missouri Ave & Baltimore Ave	No	At Own Risk	Unrestricted	Restricted	No	Yes	No	No	No	No	No	Yes	Yes	Harbor	Physical/ Visual
38	Yes	No Cost		Brooklyn Ave (North Terminus) @ Delaware Ave	No	At Own Risk	Unrestricted	Unrestricted	No	No	No	Yes/ Kayak	No	No	No	No	No	Harbor	Physical
39	Yes	No Cost		Wilmington Ave (North Terminus) @ Delaware Ave	No	At Own Risk	Unrestricted	Unrestricted	No	No	No	Yes/ Kayak	No	No	No	No	No	Harbor	Physical
40	Yes	No Cost		Chicago Ave @ Delaware Ave	No	At Own Risk	Unrestricted	Unrestricted	No	No	No	Yes/ Kayak	No	No	No	No	Yes	Harbor	Physical
41	Yes	No Cost		Buffalo Ave @ Delaware Ave	No	At Own Risk	Unrestricted	Unrestricted	No	No	No	Yes/ Kayak	No	No	No	No	No	Harbor	Physical

This imbedded Excel spread sheet should be used for the table described in Section II (Existing Public Access). The title of each column should not be changed. The information about each public access location should be filled in using one of the options listed. This table will also be used to populate the information for each public access location in GIS. Additional information about each public access location can be included in the narrative portion of Section II. Please contact DEP with any questions or concerns about these options.

SIGNS: Does the location provide signage identifying the location as a point of public access? Yes/No

PARKING: Is there parking, and if so, is there a charge? Charge = there is a charge for public parking; No Charge = there is no charge for public parking; No = no public parking provided

AMT: How many parking spots are available? Provide a number

STREET: At what street end is the public access located? For parallel access, cross streets can be provided. Examples: 1st St; Ocean Ave/3rd; 45th St

BADGE: Are there times when a badge is required to use this location? Yes/No

SWIMMING: Can you swim at this location? Guard= a guard is provided at times; At Own Risk= No guard is provided; No= Swimming is not allowed

FISHING and SURFING: Is fishing/surfing allowed at this location? Unrestricted= Fishing/surfing is allowed at all times with no restrictions; Restricted= There exists a form of restriction of fishing/surfing, examples include time of day, seasonally, etc. These restrictions should be discussed in the Section II, C. (Limitations to Public Access).

PLAYGRD, PARK, PIER, BOATLNCH, MARINA, FOOD_DRINK, RESTRMS, SEATS: Does this location include these amenities? Yes/No

H/C: Is this location handicap accessible? (Not necessarily ADA Compliant) Yes/No. The type of accessibility should be expanded upon in Section II, B (Improved Public Access Locations).

SHORELINE: What shoreline does this location inhabit? The Beach, Bay, or River?

TYPE: Describe the type of access-physical, visual only, water

CONCEPTUAL DESIGN E

Goals of Redesign

- Create an aesthetically pleasing, comprehensive recreation complex that has an array of active and passive recreational opportunities
- Incorporate sustainable practices and highlight the unique ecological areas of the site
- Safely optimize the use of the areas of concern as laid out by the remediation plans put together by JLPdL
- Infuse environmental education and an idea of stewardship into the design that can built upon by children at the elementary school and year-round residents, as well as summer visitors

Project Objectives

- Improved connection between site and Lafayette Street
- Updated circulation system throughout site
- Open field space for organized athletics
- Clean up and restoration of existing woodlands
- Paths through the wetlands
- Designated space for installation of wind turbine
- Improved landscaping throughout site
- Improved tennis and basketball courts
- Improved dog park
- Sitting and picnic areas
- Bocce courts

Personal Goals (adjusted to March 4th survey results)

- Access to the wetlands at the back of the site is less direct but the site circulation is more direct near in nature
- Flexible open space is smaller but opportunities for more passive recreation is now found throughout the site in both shady and sunny areas. Additionally, similar activities are adjacent to each other (i.e. children's area/athletic fields/school)
- The parking lot is closer to the athletic fields, restrooms and gathering plaza. Additional parking along St. John Street is available for easier access to the basketball courts and dog park (or simply to enjoy the paths throughout the site) and at the elementary school for when multiple sporting events are occurring.
- As often as possible woodland has been disturbed while allowing for the multi-purpose field to run in more of a North-South direction, the orientation suggested for best playing conditions.
- The idea of a viewing hill for viewing sporting events and a single, multi-functional facility with a green roof have been combined to make the best use of space and present visitors to the park with an example of sustainable architecture and site design that roots to the land

ST. JOHN STREET

LAFAYETTE STREET

NORTH

Julia K. Dougherty

Professors Stuart Appel, FASLA & Bess Yates, ASLA

TIDAL WETLANDS

CAPE MAY CREEK

CAPE MAY
ELEMENTARY

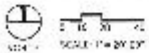
LAFAYETTE STREET OPEN SPACE
Cape May, NJ

SCALE 1" = 50'
0 25 50 100 150 200

Temple University
May 5, 2016






 Professors Stuart Appel, FASLA & Bess Yates, ASLA

HARBORVIEW PARK Cape May, NJ

Temple University 
 May 5, 2010

Facility Name: If followed by - DIV - parcel was entirely diverted; if followed by - P/DIV - parcel was partially diverted; and if followed by - COMP - parcel was a compensation piece for previous diversion.

Interest: CR: Conservation Restriction; Fee: Fee Simple; Lease: Leased land

Type: M - Municipal; C - County; N - Non Profit

County: CAPE MAY

Municipality: CAPE MAY CITY

Block	Lot	Facility Name	Interest	Type	Last Updated
1000	1	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	10	BEACH FRONT	FEE	M	1/1/2000
1000	11	BEACH FRONT	FEE	M	1/1/2000
1000	12	BEACH FRONT	FEE	M	1/1/2000
1000	13	BEACH FRONT	FEE	M	1/1/2000
1000	14	BEACH FRONT	FEE	M	1/1/2000
1000	15	BEACH FRONT	FEE	M	1/1/2000
1000	16	BEACH FRONT	FEE	M	1/1/2000
1000	17	BEACH FRONT	FEE	M	1/1/2000
1000	18	BEACH FRONT	FEE	M	1/1/2000
1000	19	BEACH FRONT	FEE	M	1/1/2000
1000	2	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	20	BEACH FRONT	FEE	M	1/1/2000
1000	21	BEACH FRONT	FEE	M	1/1/2000
1000	22	BEACH FRONT	FEE	M	1/1/2000
1000	23	BEACH FRONT	FEE	M	1/1/2000
1000	24	BEACH FRONT	FEE	M	1/1/2000
1000	25	BEACH FRONT	FEE	M	1/1/2000
1000	26	BEACH FRONT	FEE	M	1/1/2000
1000	27	BEACH FRONT	FEE	M	1/1/2000
1000	28	BEACH FRONT	FEE	M	1/1/2000
1000	29.01	BEACH FRONT	FEE	M	1/1/2000
1000	3	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	30	BEACH FRONT	FEE	M	1/1/2000
1000	31	BEACH FRONT	FEE	M	1/1/2000
1000	32	BEACH FRONT	FEE	M	1/1/2000
1000	33	BEACH FRONT	FEE	M	1/1/2000
1000	34	BEACH FRONT	FEE	M	1/1/2000
1000	35	BEACH FRONT	FEE	M	1/1/2000
1000	37	BEACH FRONT	FEE	M	1/1/2000
1000	4	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	43	BEACH FRONT	FEE	M	1/1/2000
1000	44	BEACH FRONT	FEE	M	1/1/2000
1000	48	BEACH FRONT	FEE	M	1/1/2000

1000	49	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	5	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	50	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	51	BEACH FRONT	FEE	M	1/1/2000
1000	52	BEACH FRONT	FEE	M	1/1/2000
1000	53.01	BEACH FRONT	FEE	M	1/1/2000
1000	57	BEACH FRONT	FFF	M	1/1/2000
1000	58	BEACH FRONT	FFF	M	1/1/2000
1000	59	BEACH FRONT	FEE	M	1/1/2000
1000	6	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	63	BEACH FRONT	FEE	M	1/1/2000
1000	64	BEACH FRONT	FEE	M	1/1/2000
1000	65	BEACH FRONT	FEE	M	1/1/2000
1000	7	BEACH FRONT TOTAL FOR CIT	FEE	M	1/1/2000
1000	8	BEACH FRONT	FEE	M	1/1/2000
1000	9	BEACH FRONT	FFF	M	1/1/2000
1000	NONE	OPEN SPACE MEDIAN STRIP	FFF	M	1/1/2000
1026	NONE	INDIANA & MISSOURI MINI PARK	FEE	M	1/1/2000
104.A	52	PHYSECK ESTATE	FEE	M	1/1/2000
104.A	52.E	PHYSECK ESTATE	FEE	M	1/1/2000
104.A	52.J	PHYSECK ESTATE	FEE	M	1/1/2000
104.A	52.K	PHYSECK ESTATE	FEE	M	1/1/2000
1045	1	ROTARY PARK	FEE	M	1/1/2000
1045	2	ROTARY PARK	FEE	M	1/1/2000
1045	3	ROTARY PARK	FEE	M	1/1/2000
1045	4	ROTARY PARK	FEE	M	1/1/2000
1045	5	ROTARY PARK	FEE	M	1/1/2000
1045	6	ROTARY PARK	FEE	M	1/1/2000
1050	9	COLONIAL HOUSE PARK	FFF	M	1/1/2000
1061	51	LA FAYETTE STREET PLAYGROU	FFF	M	1/1/2000
1100	NONE	MEDIAN STRIP CAPE MAY AVE	FFF	M	1/1/2000
1108	1	HARRY LOZOUR PARK	FEE	M	1/1/2000
1108	2	HARRY LOZOUR PARK	FEE	M	1/1/2000
1110	10	WM. MOORE TENNIS CENTER	FEE	M	1/1/2000
1110	11	WM. MOORE TENNIS CENTER	FFF	M	1/1/2000
1110	12	PHYSECK ESTATE PARK	FFF	M	1/1/2000
1110	13	WM. MOORE TENNIS CENTER	FEE	M	1/1/2000
1110	14	PHYSECK ESTATE PARK	FEE	M	1/1/2000
1110	8	PHYSECK ESTATE PARK	FEE	M	1/1/2000
1110	9	WM. MOORE TENNIS CENTER	FEE	M	1/1/2000
1114	1	PENNSYLVANIA & MICHIGAN M	FEE	M	1/1/2000
1125	NONE	INDIANA & MISSOURI MINI PARK	FEE	M	1/1/2000
1127	1	MASS AVE MINI PARK	FEE	M	1/1/2000
1127	2	MASS AVE MINI PARK	FEE	M	1/1/2000
1173	1	HARBORFRONT TRACT	FEE	M	1/1/2000
1184	1	HARBORFRONT TRACT	FEE	M	1/1/2000
1184	3	FISHERMAN'S MEMORIAL	FFF	M	1/1/2000
1194	1	HARBORFRONT TRACT	FFF	M	1/1/2000
1194	10	HARBORFRONT TRACT	FFF	M	1/1/2000
1194	11	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	12	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	2	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	3	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	4	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	5	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	6	HARBORFRONT TRACT	FEE	M	1/1/2000

1194	7	HARBORFRONT TRACT	FEE	M	1/1/2000
1194	8	HARBORFRONT TRACT	FFF	M	1/1/2000
1194	9	HARBORFRONT TRACT	FEE	M	1/1/2000
1195	1	HARBORFRONT TRACT	FEE	M	1/1/2000
1200	NONE	OPEN SPACE MEDIAN STRIP	FCC	M	1/1/2000
1206	1	HARBORFRONT TRACT	FEE	M	1/1/2000
1217	1	HARBORFRONT TRACT	FFF	M	1/1/2000
1221	2	BEACH FRONT	FFF	M	1/1/2000
1300	NONE	OPEN SPACE MEDIAN STRIP	FFF	M	1/1/2000

The above information is the Recreation and Open Space Inventory (ROSI) on file with Green Acres. Please note that Green Acres relies on the accuracy of the information provided to us by the Local Unit(s) in maintaining the accuracy of our database. Since it is the responsibility of the Local Unit(s) to ensure compliance with Green Acres rules, it is strongly recommended that you confirm this information with the Local Unit(s).

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 Department of Environmental Protection
 P. O. Box 402
 Trenton, NJ 08625-0402

APPENDIX 5

Sign Ordinance
(upon adoption the final resolution will replace this model)

FIRST READING:

ORD. NO. _____

2 ND AND FINAL READING:

AN ORDINANCE DESIGNATING THE CAPE MAY CITY PUBLIC WORKS DEPARTMENT TO INSALL AND
MAINTAIN ALL SIGNS ASSOCIATED WITH THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters
to provide for public access; and

WHEREAS, existing and future signage for public access is required at all public access locations identified in the
Municipal Public Access Plan; and

WHEREAS, installation and maintenance of signage is a requirement of N.J.A.C. 7:7E-8.11(t).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAPE MAY IN THE COUNTY OF
CAPE MAY, NEW JERSEY, as follows:

1. THE CAPE MAY CITY PUBLIC WORKS DEPARTMENT , is named as the entity for all signage in the City of Cape
May.
2. This Ordinance shall take effect in accordance with applicable law.

PASSED: _____

President of Council

APPROVED: _____

Mayor ATTEST: _____

City Clerk