

PLAN ENDORSEMENT REPORT FOR
BOROUGH OF WEST CAPE MAY (CAPE MAY COUNTY)



DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH
April 8, 2008

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INTRODUCTION

In accordance with N.J.A.C. 5:85-7 et seq, the Borough of West Cape May has requested Initial Plan Endorsement from the State Planning Commission. This report contains findings and conclusions concerning consistency of the Borough's plans and Planning & Implementation Agreement (PIA) with the State Development and Redevelopment Plan (State Plan). The review of the petition is based on information submitted by the petitioner and information otherwise available to the Office of Smart Growth (OSG).

The Borough has requested the designation of a Town Center.

BACKGROUND

Process Timeline

West Cape May initiated the Plan Endorsement process with a pre-petition meeting on September 20, 2005. Following this meeting and preliminary feedback, the Borough worked on producing and updating documents, including a substantial update of the Master Plan. The Borough submitted additional materials on April 19, 2006. The Borough then met with OSG and state agencies for a second pre-petition meeting on June 20, 2006.

On May 9, 2007, the Borough formally submitted a petition for Initial Plan Endorsement. OSG and other state agencies were already well familiar with much of the petition based on previous submissions. To apply lessons learned from previous coastal Plan Endorsement petitions, OSG offered the Borough the opportunity to enter directly into a Memorandum of Understanding (MOU) and Action Plan. OSG's response to the Borough dated June 15, 2007 included drafts of these documents, with consistency issues discussed in further detail in the cover letter. The Borough adopted Resolution #118-07 on

July 25, 2007 to enter into the MOU with OSG. Since then, the Borough has worked actively with the state to move through the Action Plan.

Public Participation

In addition to the public meeting requirements of the Plan Endorsement process, as part of the 2005 master planning process, the Planning Board circulated a survey among residents to gather feedback on a variety of key issues. The survey drew 111 responses out of approximately 500 households. Residents expressed strong agreement with preserving open space and the historic character and scale of the town.

STAFF RECOMMENDATION

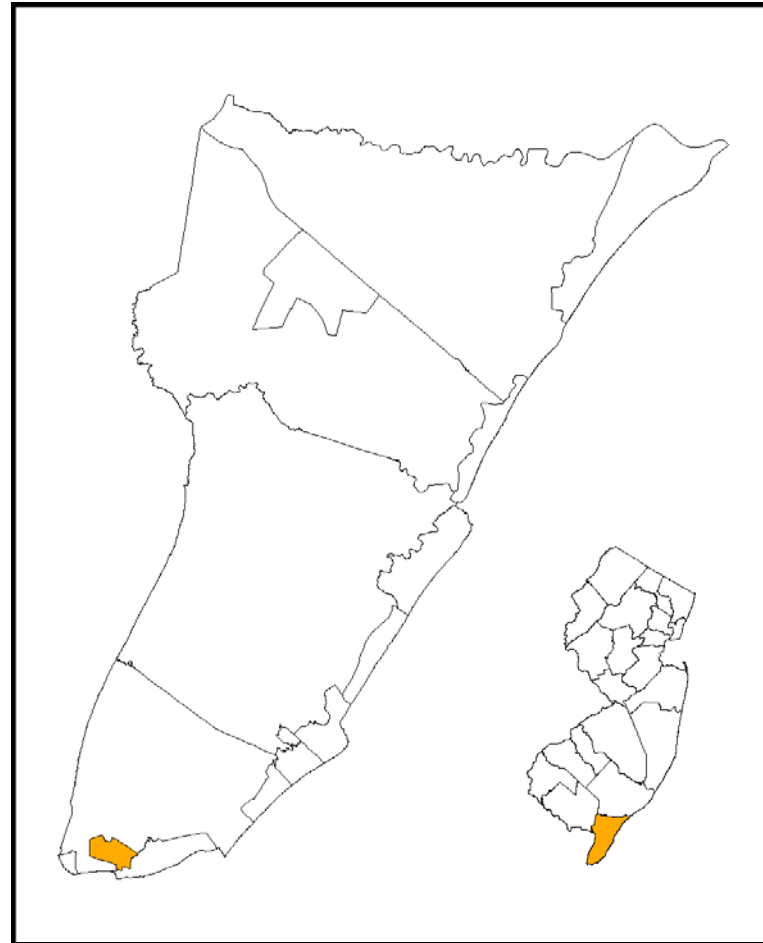
The Borough of West Cape May's planning vision is consistent with the State Plan as defined in the State Planning Rules. Therefore, staff recommends Initial Plan Endorsement for the Borough, including the designation of the aforementioned Center and CES changes.

This recommendation recognizes the efforts made by the Borough, which has demonstrated commitment and leadership towards improving its plans, through the fulfillment of the Action Plan phase. We look forward to working with the Borough to further its plans via refinement and implementation.

LOCATION AND REGIONAL CONTEXT

The Borough of West Cape May is located at the southern end of Cape May County, landlocked by Cape May City to the east and Lower Township on the other three sides. The Borough is approximately 1.2 square miles

The Borough is entirely within the Coastal Areas Facilities Review Act (CAFRA) jurisdiction for all regulated developments. A number of county roads, including 604, 606, 607 and 626, serve the Borough. The Garden State Parkway (GSP), Route 9 and other highways terminate about a mile north of the town.



DEMOGRAPHICS

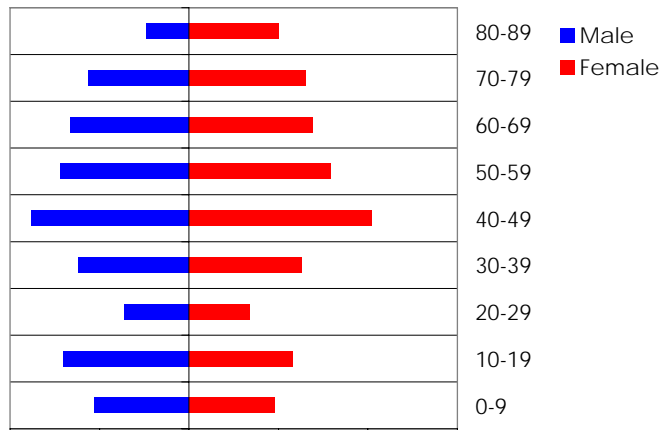
Data on age distribution and average household size indicate that West Cape May Borough is an area that is skewed more towards empty nesters.

West Cape May's Reexamination used SJTPO's 2003 employment projections. In 2006 these projections were updated by SJTPO. The graph on page 11 displays the difference. West Cape May acknowledges the updated data and agrees the SJTPO 2006 projections are sound.

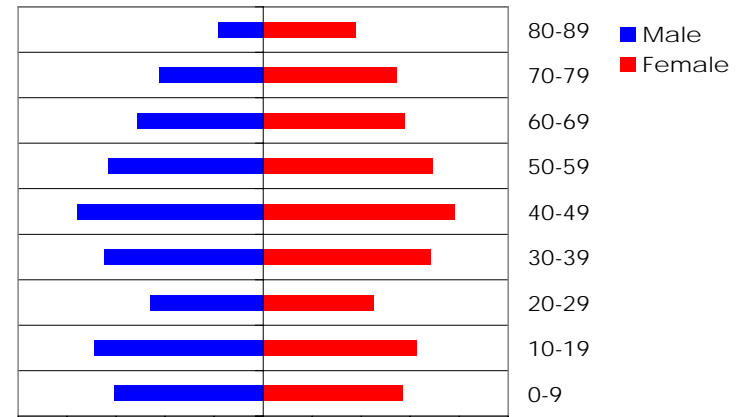
A significant proportion of the Borough's labor force is involved in tourism-related fields such as the arts, accommodation, recreation and entertainment. The labor force is also strongly oriented towards the public sector and health, education and social services.

	WEST CAPE MAY Borough	Cape May County	New Jersey
Land area (sq mi)	1.2	259	7,417
Population	1,095	102,326	8,414,350
Households	507	42,148	3,064,645
Average Household Size	2.16	2.36	2.68
Housing Units	1,004	91,047	3,310,275
Home Ownership Rate	77%	74%	66%
Vacancy Rate	49.5%	53.7%	7.4%
Median Household Income	\$37,500	\$41,591	\$55,146
Per Capita Income	\$25,663	\$24,172	\$27,006
Poverty Rate	7.4%	8.6%	8.5%
Unemployment Rate (NJDOL 2004)	3.6%	6.9%	4.8%

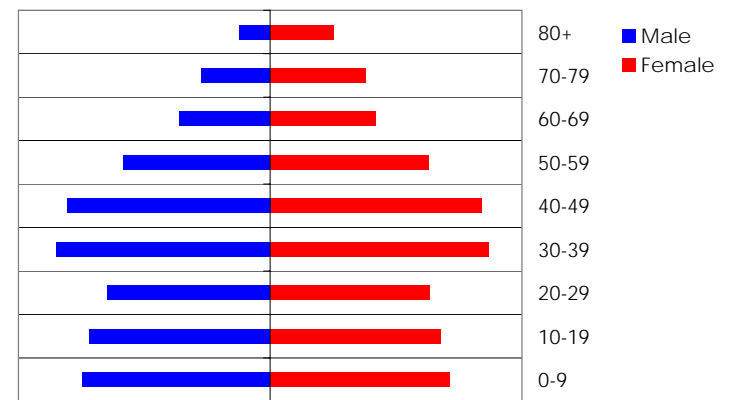
West Cape May Borough Age Distribution



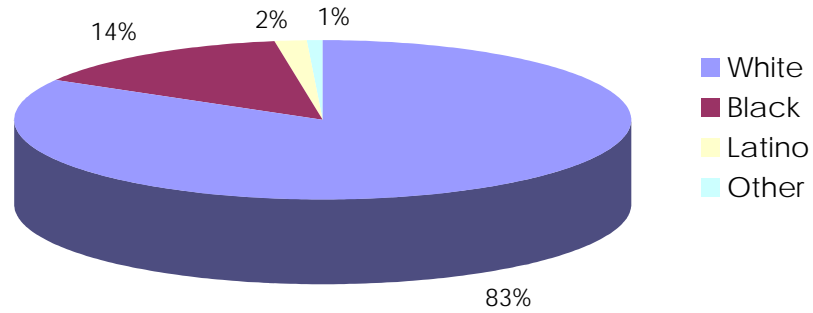
Cape May County Age Distribution



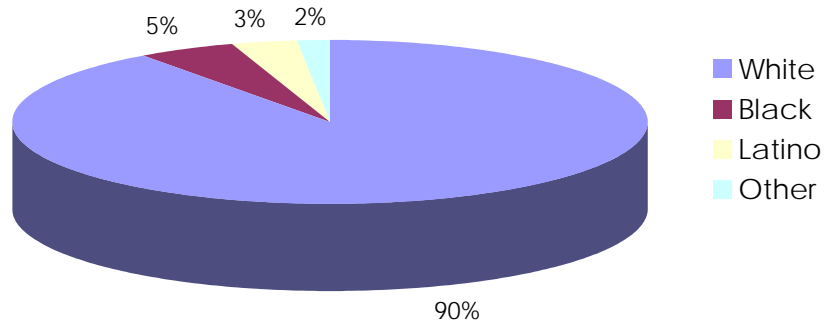
New Jersey Age Distribution



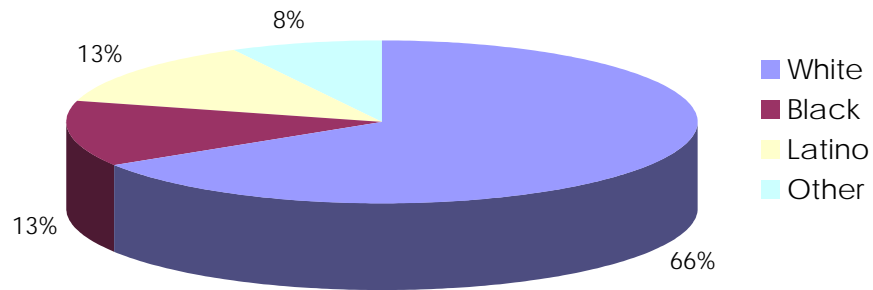
West Cape May Borough Racial/Ethnic Breakdown



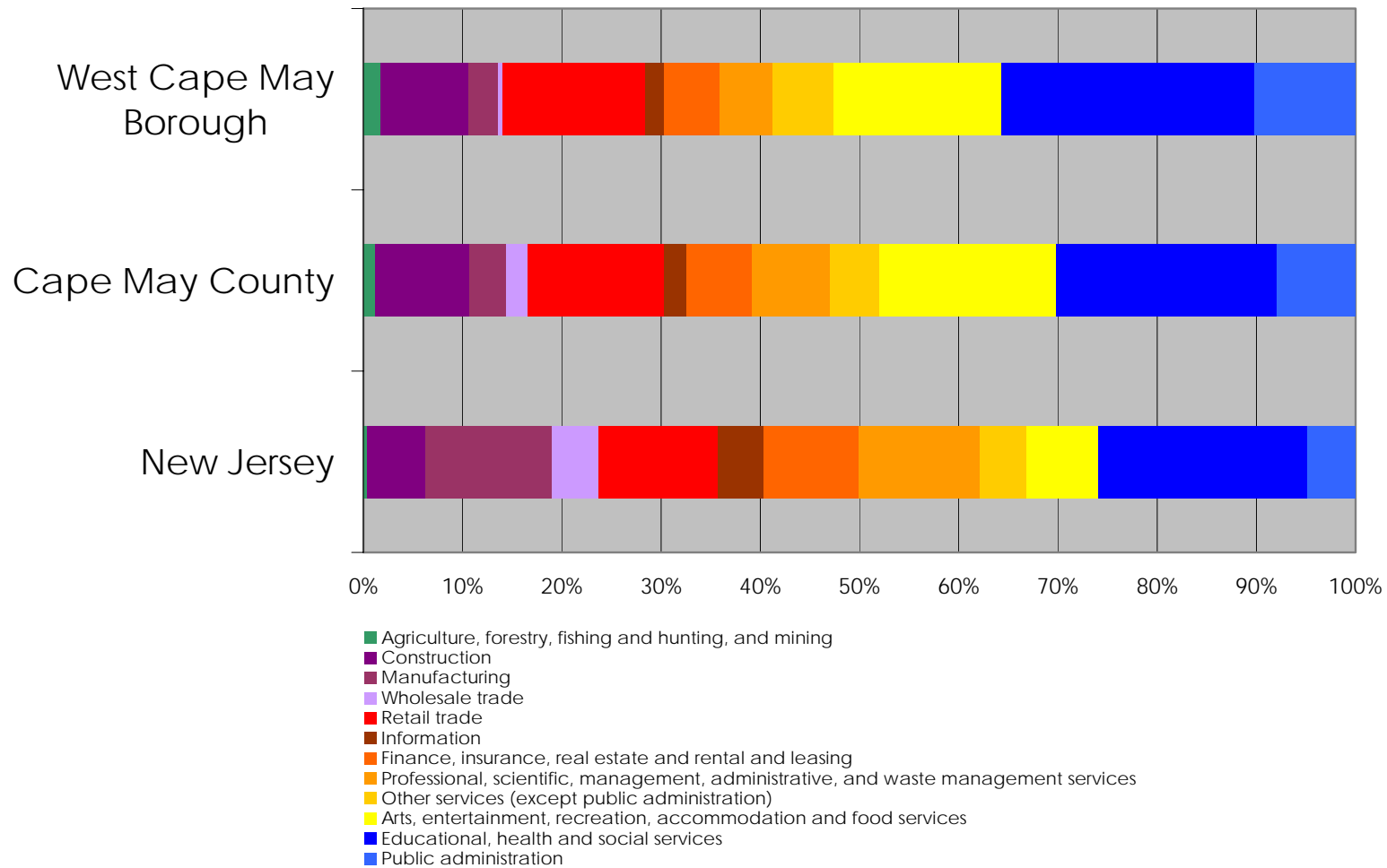
Cape May County Racial/Ethnic Breakdown



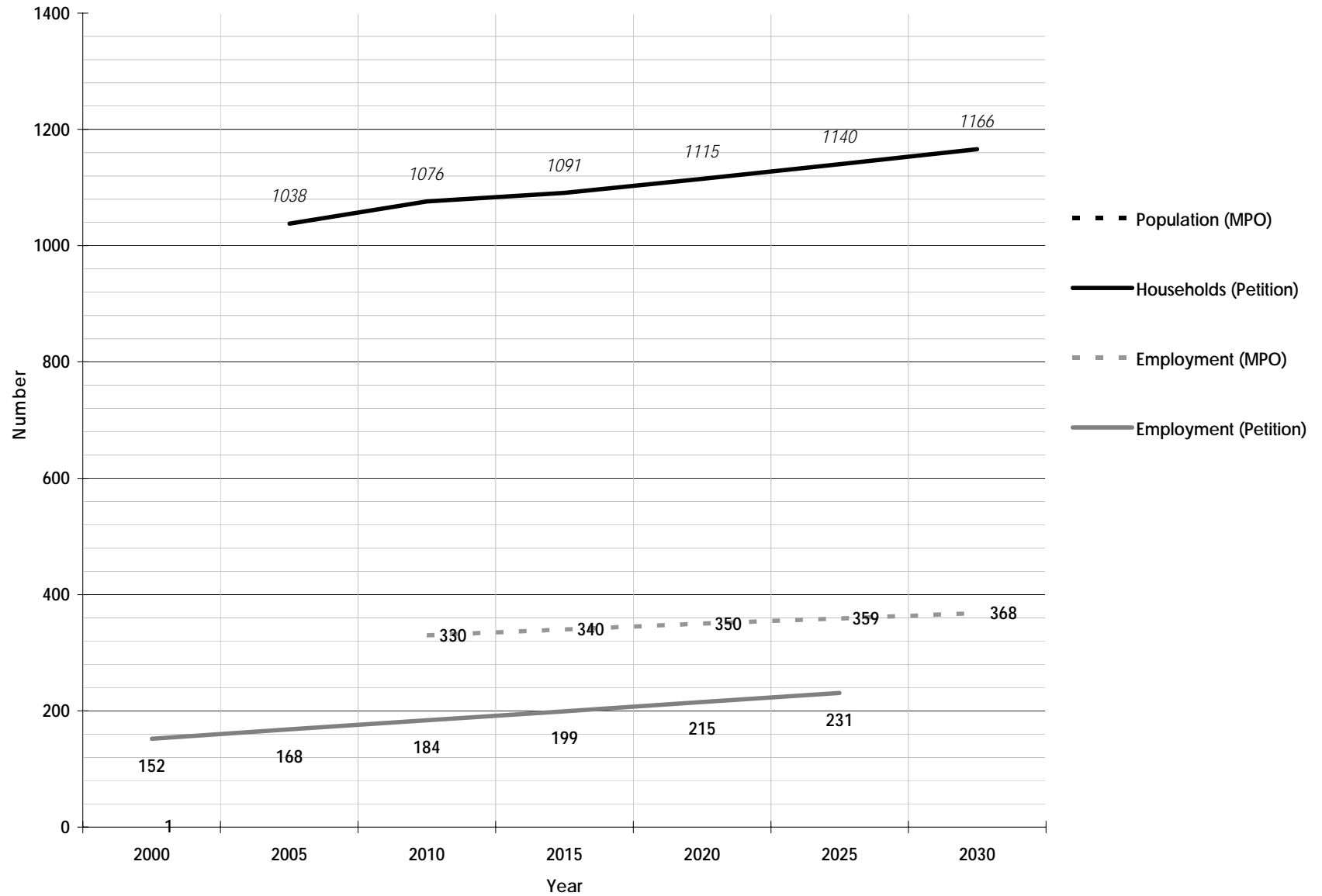
New Jersey Racial/Ethnic Breakdown



Workers by Industry



West Cape May Township Petition vs SJTPO Projections



RELEVANT PLANNING ACTIVITIES

Purpose of Plan Endorsement

The purpose of the Plan Endorsement process is to achieve consistency among municipal, county, regional and State agency plans and with the State Plan, and to facilitate the implementation of these plans (N.J.A.C. 5:85-7.1(b)). Plans shall be endorsed only if they are internally consistent and demonstrate consistency with the State Development and Redevelopment Plan (N.J.A.C. 5:85-7.2(h)). Consistency means that the State Planning Commission determined that a municipal plan is the same as or has the same effect as the provisions in the State Plan. In evaluating consistency, the Commission should consider all provisions of the State Plan with particular emphasis on:

- 1) Statewide goals and policies;*
- 2) Planning Area policies and boundaries;*
- 3) Critical Environmental Sites criteria and intent; and*
- 4) Delineation criteria and intent for a Center designation. (N.J.A.C. 5:85-1.4)*

The analysis that follows is predicated on the recognition that an investment in good planning will produce a desirable outcome.

Cape May Water Supply Study

In 2001, concerns about Cape May County's current and future water supply led the state legislature to enact the Gibson Bill, appropriating funds for research on water supply and demand as well as use management alternatives to mitigate demand. DEP has managed the project with technical assistance from the U.S. Geological Survey (USGS). The County, municipalities and other stakeholders have been involved in the study over the years. Based on composite zoning formulated by OSG with stakeholder input, DEP developed buildout data and projections for water demand.

The study is now entering its final phases. This will consider water supply scenarios, including saltwater intrusion, streamflow depletion, and ecosystem impacts. A cost effectiveness and feasibility analysis will determine the best potential solutions for future water supply in the region. DEP and relevant stakeholders, including West Cape May Borough officials and residents, will work together to determine the best option among the possible solutions.

A second investigation, the Southeastern New Jersey Alternative Water Supply Feasibility Study, is about to be initiated. This project will focus on the remaining areas of Cape May County, the Great Egg Harbor River, Mullica River, and Southern Barnegat Bay watersheds. It will be evaluated similar to the approach employed in southern Cape May County and be completed in about three years.

Mayors' Institute on Community Design

In 2006, West Cape May participated in the Regional Plan Association's Mayors' Institute on Community Design. The case study focused on the intersection of Sunset Boulevard and Broadway.... Key ideas that arose from this workshop included making the commercial zone more compact, encourage uses at and near the intersection that would better promote the Borough's distinctive identity, as well as providing opportunities for mixed use and affordable housing.

Smart Future Grant

The concepts discussed at the Mayor's Institute were developed and planned with a Smart Future Grant from OSG. In FY2006, the Borough received a grant of \$35,000 to create a design vision and plan for the intersection of Sunset Boulevard and Broadway. "The Borough--particularly the Borough's business district--experiences some problems. Broadway has traditionally served as West Cape May's principal commercial corridor, but in recent years businesses have struggled along that street, and subsequently many businesses have relocated

elsewhere. In recent years, some new development has detracted from the Borough's appeal. The center of the Borough's business district, the intersection of Broadway, West Perry Street, and Sunset Boulevard, is flanked with retail uses whose suburban building form and site design do not support pedestrian activity. Development of foot traffic—vital to a bustling commercial district—is hindered by a discontinuous retail street edge and a fragmented network of sidewalks and crosswalks. Further, as the tourism industry is a significant economic generator for West Cape May, the Borough must preserve and enhance its character in order to compete with other tourist destinations. The urban study presented solutions to re-energize the Borough's business district while maintaining a small-town atmosphere." The Borough was very pleased with the study and recommendations and adopted a resolution stating that the plan is a guide for the future. NJEDA is working on a feasibility study to prioritize the recommendations.



Image courtesy of Rhodeside and Harwell's Business District's Urban Design Plan for West Cape May. January 2008

GOAL	POLICIES	INDICATORS
<p>Goal 2: Conserve the State's Natural Resources and Systems</p> <p>STRATEGY: Conserve the state's natural resources and systems as capital assets of the public by promoting ecologically sound development and redevelopment in the Metropolitan and Suburban Planning Areas, accommodating environmentally designed development and redevelopment in Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas, and by restoring the integrity of natural systems in areas where they have been degraded or damaged. Plan, design, invest in and manage the development and redevelopment of Centers and the use of land, water, soil, plant and animal resources to maintain biodiversity and the viability of ecological systems. Maximize the ability of natural systems to control runoff and flooding, and to improve air and water quality and supply.</p>	<p>Policy on Water Resources - Protect and enhance water resources through coordinated planning efforts aimed at reducing sources of pollution and other adverse effects of development, encouraging designs in hazard-free areas that will protect the natural function of stream and wetland systems, and optimizing sustainable resource use.</p> <p>Policy on Open Lands and Natural Systems - Protect biological diversity through preservation and restoration of contiguous open spaces and connecting corridors; manage public land and provide incentives for private land management to protect scenic qualities, forests and water resources; and manage the character and nature of development for the protection of wildlife habitat, critical slope areas, water resources, and for the provision of adequate public access to a variety of recreational opportunities.</p> <p>Policy on Coastal Resources - Acknowledge the statutory treatment of the coastal area under federal and state legislation, coordinate efforts to establish a comprehensive coastal management program with local planning efforts, undertake a regional capacity analysis, protect vital ecological areas and promote recreational opportunities.</p>	<p>Indicator 11. Conversion of wetlands for development - Reduce conversion of wetlands to not exceed 50 acres per year statewide by 2005 and to no net loss of acres by 2020.</p>

Preserved Farmland

A farmer from West Cape May was already serving on the Planning/Zoning Board. The Borough recently designated him to act as a representative for the farming community to bring to the Board and through it to the Governing Body any issues that affecting the Borough's farm community. The Borough notes with pride that 122 acres of farmland have been preserved to date.

Farm	Block	Lot	Acres
Rea Farm	73	3	28
Rea Farm	73	10	42
Rea Farm	66	All	1
Rea Farm	65	All	5
Rea Farm	64	All	6
Wilde	74	2	18
Wilde	73	9	12
Vasser	55	25	10

Greenway

Borough Policymakers and Planners, including, but not limited to the Environmental Commission, have commenced initial planning discussions designed to create an Ocean-to-Bay Greenway connecting the Delaware Bay to the Atlantic Ocean via the Central Wetlands Corridor. Ultimately, a network of paths within the Greenway would connect all of the Borough's key environmental resources; thereby making them accessible as walking, hiking and/or bicycle trails. As envisioned, the Greenway would entail acquisition and dedication of privately-owned but undeveloped lands within the Borough. Financing is anticipated via Farmland Preservation funding, Green Acres funding, private endowment grants and other means. In 2005, Borough Planners performed a detailed assessment of recommended land acquisition dedication and explored potential funding sources. An analysis of the lands under consideration for the Eco-Park reveals 46 Parcels owned by 30 separate owners. Of these:

- 4 Parcels are owned by the Borough;
- 2 Parcels are owned by NJDOT;
- 2 Parcels are owned by NJ Transit; and
- 8 Parcels have unknown ownership.

The remaining 30 Parcels are owned by a number of private entities. The Borough continues to work to assemble the Greenway. The Sewart Trust obtained appraisal for Block 10, Lot 1 and is negotiating with the owner. Evergreen Environmental is in contact with the owners of Block 2 Lot 6, and Block 2 Lot 1. The owner of Block 2 Lot 7 rejected an initial offer from Evergreen Environmental.

Eco-Park

The Eco-Park concept is a recreation area proposed for lands on the extreme eastern portion of the municipality. Similar in concept to the Greenway, the Eco-Park is envisioned to contain active and/or passive recreation facilities, interpretive stations, eco-tourism opportunities and related uses. If these lots are able to be preserved, a permanent land bridge would connect Higbee Beach with

Cape May Meadows, creating a greenway from the Delaware Bay to the Ocean. This area would contain active and/or passive recreation facilities, interpretive stations, eco-tourism opportunities, and related uses. Concept Plans use the open space linkages to connect the business district with the adjacent natural areas that frame the Borough as "bookends."

The objective of the Borough is to utilize whatever tools may be at its disposal ~ including the *Local Redevelopment and Housing Law* ~ to convert this former municipal landfill into a productive asset for the community. The Borough is working with Green Acres Program out of NJDEP. One of the State's primary policies is the remediation of landfills and other impacted properties (brownfields), especially in environmentally-sensitive areas. Additional funding is available through programs for the cleanup and reuse of contaminated lands. Specifically:

- Revenue allocation bonds providing up to 75% reimbursement of landfill remediation costs through future taxes generated at such facilities.
- The recently enacted "Brownfields to Greenfields" initiative which expands the use of Hazardous Discharge Site Remediation grant funds beyond studies of properties proposed for reuse to include matching grants (up to 75%) for the actual remediation of sites for public recreational purposes.

The Borough continues to work to assemble the Eco Park:

Block 63 lots 3.01 thru 3.13 inclusive are Borough owned.

Evergreen Environmental is working with the owner of Block 63 Lot 2, and Block 62 lots 1-6. Plan involves tearing down existing house on lot Block 62 Lot 1.

GOAL	POLICIES	INDICATORS
<p>Goal 3: Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey</p> <p>STRATEGY: Promote socially and ecologically beneficial economic growth, development and renewal and improve both the quality of life and the standard of living of New Jersey residents, particularly the poor and minorities, through partnerships and collaborative planning with the private sector. Capitalize on the state's strengths—its entrepreneurship, skilled labor, cultural diversity, diversified economy and environment, strategic location and logistical excellence—and make the state more competitive through infrastructure and public services cost savings and regulatory streamlining resulting from comprehensive and coordinated planning. Retain and expand businesses, and encourage new, environmentally sustainable businesses in Centers and areas with infrastructure. Encourage economic growth in locations and ways that are both fiscally and environmentally sound. Promote the food and agricultural industry throughout New Jersey through coordinated planning, regulations, investments and incentive programs—both in Centers to retain and encourage new businesses and in the Environs to preserve large contiguous areas of farmland.</p>	<p>Policy on Economic Development - Promote beneficial economic growth and improve the quality of life and standard of living for New Jersey residents by building upon strategic economic and geographic positions, targeting areas of critical capital spending to retain and expand existing businesses, fostering modern techniques to enhance the existing economic base, encouraging the development of new enterprises, advancing the growth of green businesses, elevating work force skills, and encouraging sustainable economic growth in locations and ways that are fiscally and ecologically sound.</p>	

West Cape May is working to enhance the downtown. The Smart Growth Planning Grant outlines zoning changes and form-based codes (as well as public improvements and economic development opportunities), to create a vibrant business district which is a stated goal in the Master Plan. Currently, draft revisions of the commercial regulations have been proposed. The most significant zoning changes proposed for the main downtown business district is 0 front and side yard setback requirements, parking in rear only, and mixed use buildings with only commercial permitted on the ground floor. The Borough's Zoning Ordinance is currently being updated to incorporate the goals of the 2005 Master Plan Update. As recommended by a task force appointed by the Planning and Zoning Board, residential zoning changes were adopted in 2006 and 2007, including: designation of a Historic Preservation District and associated regulations; delineation of residential districts to reflect the sewer service area; adoption of maximum floor areas and floor area ratios; reduction of maximum lot coverage; incentives for front porches and for the use of permeable materials; as well as revisions to definitions and general consistency review of the regulations.

West Cape May is establishing retail niches that draw from a large market area, such as antique shops, spas, art galleries, and restaurants. The Borough also recognizes the need to recruit independent retailers who serve community needs, such as grocery stores and book stores. West Cape May is working toward to establish these retail niches by engaging the community and businesses

in visioning, cooperating with brokers and property owners, reaching out to independent merchants and artisans, and by providing financial incentives such as sales and property tax abatements, rent concessions, and decreased standard permitting times/fees. These enhancements would be funded by Business association dues and special collections, property tax abatement for owners who offer Rental concessions, and USDA's guaranteed Loan program.

The Borough is determining how new downtown parking spaces can be accommodated. They are considering additional on-street parking and/or enhance existing on-street parking, requiring parking management plans as part of development plans, allowing shared parking between businesses/ developments, or simply constructing a new public parking facility. West Cape May will be expanding trolley service and improving the management of existing parking resources. These programs could be paid for with a payment-in-lieu-of-parking program. The Borough could provide development incentives, such as increasing allowable density and reducing minimum parking requirements.

The Borough is considering a trade center similar to the Charleston Market in Charleston, South Carolina, or the Alexandria Torpedo Factory in Alexandria, Virginia. They are pursuing public-private partnerships (private development that sells/leases space to the Borough in exchange for economic incentives/infrastructure), providing economic incentives (increased density/infrastructure, tax abatement). Funding opportunities for the trade center include Revenue bonds, and Tax Increment Financing.

The Borough is working to consolidate retail in Key locations to develop 'destination' areas. Implementation strategies include, amending existing zoning to restrict retail uses to areas identified as desirable for retail focus, designing the public realm improvements appropriately based on existing and desired uses, siting and designing public parking to best serve areas where retail concentration is desired, reducing minimum parking requirements and allowing payment-in-lieu-of-parking.

GOAL	POLICIES	INDICATORS
<p>Goal 5: Provide Adequate Public Facilities and Services at a Reasonable Cost</p> <p>STRATEGY: Provide infrastructure and related services more efficiently by supporting investments based on comprehensive planning and by providing financial incentives for jurisdictions that cooperate in supplying public infrastructure and shared services. Encourage the use of infrastructure needs assessments and life-cycle costing. Reduce demands for infrastructure investment by using public and private markets to manage peak demands, applying alternative management and financing approaches, using resource conserving technologies and information systems to provide and manage public facilities and services, and purchasing land and easements to prevent development, protect flood plains and sustain agriculture where appropriate.</p>	<p>Policy on Public Investment Priorities - It is the intent of the State Plan that the full amount of growth projected for the state should be accommodated. Plan Strategies recommend guiding this growth to Centers and other areas identified within Endorsed Plans where infrastructure exists or is planned and where it can be provided efficiently, either with private or public dollars. (Designated Centers are included in the category of communities with Endorsed Plans.) Public investment priorities guide the investment of public dollars to support and carry out these Plan Strategies.</p> <p>Policy on Infrastructure Investments - Provide infrastructure and related services more efficiently by investing in infrastructure to guide growth, managing demand and supply, restoring systems in distressed areas, maintaining existing infrastructure investments, designing multi-use school facilities to serve as centers of community, creating more compact settlement patterns in appropriate locations in suburban and rural areas, and timing and sequencing the maintenance of capital facilities service levels with development throughout the state.</p> <p>Policy on Transportation - Improve transportation systems by coordinating transportation and land-use planning; integrating transportation systems; developing and enhancing alternative modes of transportation; improving management structures and techniques; and utilizing transportation as an economic development tool.</p>	<p>Indicator 14. The percent of all trips to work made by carpool, public transportation, bicycle, walking or working at home - The percent of trips to work made by carpool, public transportation, bicycle, walking or working at home increases by 2005 and 2020.</p> <p>Indicator 16. Number of pedestrian fatalities in vehicular accidents on state roads - Reduce the number of pedestrian fatalities in vehicular accidents on state roads by 2005 and 2020.</p>

Analysis:

Wastewater Management

A Wastewater Management Plan guides the implementation of a township-wide wastewater management strategy. The Plan establishes sewer service areas and septic densities, ensures that the capacities of water supply and treatment infrastructure are matched and directs the implementation of other water quality protection measures. The Borough worked extensively with the county and state to document its sewer service area. The sewer service area limits housing to 35,000 sq. ft. lots for areas outside the sewer service area. West Cape May understands that the Cape May County WMP is under review by NJDEP. The PIA will be updated, to ensure the Borough will comply with new standards for nitrate filtration as they are adopted through the new Water Quality Management Rules or the County Wastewater Management Plan.

Backyard Park

With a grant from the county, the Borough this summer converted a Public Works Department parking lot and storage area into a new 29,000 square foot park. The highly successful Farmers' Market was relocated to the new "Backyard Park" during July and August. Evening concerts were held towards the end of each market day (Tuesdays), providing an added dimension to park usage. The park is completely accessible to the public and provides an unhindered view of a lovely open field and nearby forest.

Bike Plan

The NJ Department of Transportation hired Michel Baker Jr. Inc. to perform a bicycle and pedestrian planning study. The purpose of this study was to identify and assess the functionality of existing bicycle and pedestrian facilities, identify physical deficiencies and develop and evaluate treatments to improve bicycle and pedestrian circulation in the Borough.

Green Municipal Campus Demonstration Project

West Cape May's Environmental Commission is applying funds to "green" the municipal complex.

GOAL	POLICIES	INDICATORS
<p>GOAL 6: Provide Adequate Housing at a Reasonable Cost</p> <p>STRATEGY: Provide adequate housing at a reasonable cost through public/private partnerships that create and maintain a broad choice of attractive, affordable, ecologically designed housing, particularly for those most in need. Create and maintain housing in the Metropolitan and Suburban Planning Areas and in Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas, at densities which support transit and reduce commuting time and costs, and at locations easily accessible, preferably on foot, to employment, retail, services, cultural, civic and recreational opportunities. Support regional and community-based housing initiatives and remove unnecessary regulatory and financial barriers to the delivery of housing at appropriate locations.</p>	<p>Policy on Housing - Preserve and expand the supply of safe, decent and reasonably priced housing by balancing land uses, housing types and housing costs and by improving access between jobs and housing. Promote low- and moderate-income and affordable housing through code enforcement, housing subsidies, community-wide housing approaches and coordinated efforts with the New Jersey Council on Affordable Housing.</p> <p>Policy on Design - Mix uses and activities as closely and as thoroughly as possible; develop, adopt and implement design guidelines; create spatially defined, visually appealing and functionally efficient places in ways that establish an identity; design circulation systems to promote connectivity; maintain an appropriate scale in the built environment; and redesign areas of sprawl.</p>	<p>Indicator 20. Percent of New Jersey households paying more than 30% of their pre-tax household income towards housing - The percentage of households statewide paying 30% or more of their income for standard housing is reduced by 2005 and is further reduced by 2020.</p> <p>Indicator 24. Annual production of affordable housing units - Annual production of 4,000 affordable housing units by 2005 and 5,000 by 2020.</p>

The Housing Elements are documented in two documents: The Housing Element of the Master Plan (see Master Plan pages 82-100) and the "Borough of West Cape May Housing Element and Fair Share Plan" date June 1, 2006 (attached).

Builders Remedy Lawsuit

6th Street Builders applied to build units on Block 55, Lots 23.01 and 23.03. The site is zoned for seven homes. 6th Street Developers applied to build 17. When the Planning Board turned down 17 units, 6th Street Builders began to negotiate for 12 units. In the meantime the builders remedy lawsuit was filed. Because the original application didn't indicate that this housing would be affordable, West Cape May filed to dismiss. The Office of Smart Growth supports the municipalities motion to dismiss. Greenfield development in an area without water and sewer infrastructure (Block 55, Lots 23.01 and 23.03) should only be an option of last resort in providing affordable housing. West Cape May's Housing and Fair Share Plan "proposes to utilize accessory apartments as a method to meet

the third round affordable housing obligation..." This method allows for the affordable housing while preserving greenfields in a manner that is consistent with the existing built environment.

West Cape May is working to introduce modest levels of multistory, and multifamily housing in appropriate locations. Sunset Boulevard will be designated as a main corridor using a master plan amendment. High density housing over retail will increase foot traffic in the downtown, and create homes that are within walking distance to job opportunities available within West Cape May. The Borough will help to facilitate high density housing by providing economic incentives such as sales and property tax abatements, rent concessions, and decreasing standard permitting times/fees. Zoning categories and/or ordinances will be amended to increase allowable heights and floor-to-area ratios. Tax increment financing will be used to provide infrastructure. The Borough will be working to provide development flexibility/facilitation, reduce parking requirements, increase available street/public parking and decrease standard permitting times/fees.

Fair Share Plan

The Borough of West Cape May's fair share obligation is the sum of the rehabilitation share (2000), the remaining prior round obligation (1987-1999) and the growth share (2004-2014). The total obligation is 23 units. The Housing element and Fair Share Plan have been completed. West Cape May is waiting to determine what will need to be done to ensure that the Borough is compliant with the 3rd round rules.

Second Round - Recalculated Obligation

Rehabilitation Share (2000): Seven Credits

West Cape May is requesting a credit of seven units toward the 2000 Rehabilitation affordable housing obligation. West Cape May received Small Cities Home Rehabilitation grants from the Department of Community Affairs in 1998 and 1999. The grants were administrated by Blauer Associates, Inc and contained a five year lien period. West Cape May understands COAH requires a six year lien period to qualify for COAH credits. Please find attached as Exhibit A, a letter from Mr. Mark Blauer, President of Blauer Associates, Inc indicating seven (7) individuals have agreed to a one year extension on the original lien in order to meet the intent of COAH rules.

Recalculated prior round obligation (7, of which 2 shall be rental): Maximum 60 unit credit

West Cape May is requesting seven (7) credits through the credits-without-control program. We are confident that at least seven (7) families within the units will meet the COAH rules for credit under the credits-without-control program.

Third Round Obligation

Growth Share (9, of which 3 shall be rental)

Accessory Apartment Program: Nine Credits

The Borough of West Cape May proposes to utilize accessory apartments as a method to meet the third round affordable housing obligation of nine (9) units.

Alternative Living Arrangement Program: Four Credits

The Borough intends to join with a non-profit developer to build a four bedroom group home.

GOAL	POLICIES	INDICATORS
<p>Goal 7: Preserve and Enhance Areas with Historic, Cultural, Scenic, Open Space and Recreational Value</p> <p>STRATEGY: Enhance, preserve and use historic, cultural, scenic, open space and recreational assets by collaborative planning, design, investment and management techniques. Locate and design development and redevelopment and supporting infrastructure to improve access to and protect these sites. Support the important role of the arts in contributing to community life and civic beauty.</p>	<p>Policy on Historic, Cultural and Scenic Resources - Protect, enhance, and where appropriate rehabilitate historic, cultural and scenic resources by identifying, evaluating and registering significant historic, cultural and scenic landscapes, districts, structures, buildings, objects and sites and ensuring that new growth and development is compatible with historic, cultural and scenic values</p>	<p>Key Indicator 2. The amount of land permanently dedicated to open space and farmland preservation – 1) The amount of land permanently dedicated to open space is 1,004,000 acres by 2002 and 1,354,000 acres by 2010 (New Jersey Department of Environmental Protection). 2) The amount of land preserved for farmland is 200,993 by 2002 and 550,993 by 2010 (State Agriculture Development Committee).</p> <p>Indicator 12. Conversion of land per person The number of acres of lands converted per person in the state from 2001 to 2010 is less than one-fifth (0.20) of an acre per person. The number of acres of lands converted per person in the state from 2010 to 2020 is less than one-sixth (0.16) of an acre per person.</p>

Historic Resources

The Cape May Historic District extends from the Borough's municipal boundary with Cape May to Leaming Avenue, and generally ranges from Park Boulevard to Pacific Avenue. The extension of the Cape May Historic District into West Cape May notwithstanding, only the Whilldin - Miller House is listed on the National Register of Historic Places or on New Jersey's State Historic Register.

In April 2005 in part as a reaction to concerns raised by the demolition of historic structures in the Borough, the Borough Commission formed a Community History Task Force, whose mission was to review the body of literature related to Historic Preservation both in-and-of-itself and as a planning tool for economic development and neighborhood preservation and to provide recommendations as to how the Borough might advance its Historic Preservation goals. The Task Force submitted a preliminary report in June 2005. The Task Force found that including Historic Preservation as part of the planning process in West Cape May would benefit the Borough's economic life by:

- Directing development away from significant historic buildings and toward non-significant buildings
- Slightly supporting real estate values and thereby increasing property tax revenues; and
- Preserving the particular character and quality of life that is so prized in West Cape May.

The Borough has worked hard to implement the recommendations of the task force and on May, 24, 2006 West Cape May enacted an ordinance creating an Historic Preservation Commission.

The Borough is investigating incentive programs to encourage investment in historic buildings in West Cape May.

Such programs include, but are not necessarily limited to:

Tax Abatement: Tax relief offered for a fixed period of time in exchange for a commitment to renovate historic structures. While impacting property tax revenues during the life of the abatement, the long term revenue stream when factoring an increase in assessment due to the improvements made will ultimately result in an increase in total revenue when measured over time.

Revolving Fund: Pool of capital created by the Borough to be allocated to qualifying preservation projects in the form of below-market (low interest) loans to property owners. As loans are repaid, the capital is returned to the loan pool.

Façade Easement Program: In partnership with a recognized not-for profit entity, The Borough could establish a program whereby property owners grant public easements, in exchange for (income) tax advantages, for the preservation of the exteriors of their buildings.

Technical Assistance: An Historic Preservation Commission can make available trained professionals to assist property owners with restoration projects or to help navigate the maze of tax / incentive programs. This Historic Preservation Plan Element encourages the History Committee, the Historic Task Force any future Historic Commission to work with owners of historic and non-historic properties within the Historic District to reach mutually-acceptable solutions to issues as they may arise.

CENTER CRITERIA AND POLICIES

Proposed Town Center

The Borough of West Cape May has requested designation of a Town Center of .619 square miles. This proposed boundary follows the sewer service area and contains the Borough's commercial core and surrounding residential areas that are accessible by walking. West Cape May undertook an extensive planning effort to document the 208 Sewer Service Area. This sewer service area provided the boundary for the center. DEP and OSG discussed the center boundary extensively. West Cape May would like the center boundary to be consistent with the sewer service area. There are areas within the center that are environmentally critical. DEP has agreed that an "Environmental Assessment Ordinance" shall be used to ensure these sites are not disturbed unnecessarily. The proposed Town Center is affected by a number of constraints and opportunities. The proposed Center is by no means a blank slate upon which we can build a new community in a wholesale manner. Even in the 1970s, the Township was approaching build-out in a suburban pattern, so there is limited land available for development. However, the staff's recommendation of this Center is not to approve the existing development pattern but rather to support the vision for the future, which has been demonstrated to be consistent with the State Plan.

The State Plan outlines both the hierarchy of centers and the designation criteria, which establish certain basic thresholds of land area, population, employment and densities for the various center categories. According to the Plan, these thresholds are intended to serve as a flexible guideline for consideration of proposed centers, especially in terms of their projections out 20 years into the future.

1. Land Use: The Borough will concentrate development in the Town Center, while using tools such as zoning and an environmental protection ordinance to preserve natural resources.
2. Housing: The Housing Element & Fair Share Plan proposes to provide the bulk of the Borough's affordable housing in the Town Center with limited reliance on RCA's. The Center contains the infrastructure necessary to support residential growth.
3. Economic Development: The Center will be a focal point for economic development, with commercial uses in a mixed-use setting.
4. Transportation: The vision for the commercial core provides for a more pedestrian-friendly environment. There are proposals for a bicycle path that would run through the Borough, Cape May Point, Lower Township and Cape May City.
5. Natural Resource Conservation: Various environmental protection measures will provide a level of protection beyond what the state can achieve through the CAFRA rules. Instead of the site by site basis of CAFRA regulation, the Borough's plans and ordinances will preserve habitat and water resources in a more holistic manner.
6. Agriculture and Farmland Preservation: The Borough has preserved significant farmland to date.
7. Recreation: The "Backyard Park/Outdoor Movie Theater/Farmer's Market provides recreation opportunities. The bike paths, ecological areas, and various clubs all contribute to the recreational opportunities in West Cape May.
8. Redevelopment: The Borough has a long-term vision to enhance the character of its commercial core centered on Sunset Boulevard and Broadway.
9. Historic Preservation: West Cape May has enacted an ordinance creating an Historic Preservation Commission effective May 24, 2006. The Historic Houses – those the Borough is trying to preserve (see section 10.-0 Historic Preservation, Master Plan) are contained in this area.

10. Public Facilities and Services: Sewer Service area is consistent with the center.

11. Intergovernmental Coordination: The PIA provides a framework for coordination between West Cape May Borough, Cape May County and the state. There are also proposals for the bicycle path that would run through the Borough, Cape May Point, Lower Township and Cape May City.

West Cape May: 751.82 Acres or [1.17] square miles

Center: 396.75 acres or [0.62] square miles (53% of WEST CAPE MAY area)

Preliminary Plan for West Cape May

Rural: 255.8 Acres or [0.40] square miles

Env. Sens.: 495.6 Acres or [0.77] square miles

Local Park: 0.32 Acres

Preliminary Plan within Proposed Center

Rural: 97.4 Acres or [0.15] square miles

Env. Sens.: 299.3 Acres or [0.47] square miles

Local Park: 0.02 Acres

Criteria	State Plan Criteria: Town Center	Proposed Town Center Baseline	Proposed Town Center 2025
<i>Land Use</i>			
Function	Mixed-use core and diverse housing.	Commercial and municipal services core serving residents and visitors, with nearby residential accessible for pedestrians.	Potential for mixed uses.
Land area	< 2 sq mi	.62 sq mi or 396 acres	.62 sq mi
Housing units	500 to 4,000	799 units	899 units
Housing	> 3 du / ac	2 du / ac	2.27 du/ ac
<i>Population</i>			
Number of people	1,000-10,000	1095 (2000 Census)	1140 people (SJTPO 2006)
Density	> 5,000 per sq mi	1768 people per square mile	1838 people per square mile
<i>Economy</i>			
Employment	500 to 10,000	168 (pg. 97 of reexam)	359 jobs (SJTPO 2006)
Jobs-housing ratio	1:1 to 4:1	4:1	2.5:1
<i>Infrastructure</i>			
Capacity (general)	Sufficient existing or planned infrastructure.	Sufficient water and sewer to support targeted growth.	Sufficient water and sewer to support targeted growth.
Transportation	Arterial highway or public transit.	Directly served by several county roads. GSP and state highways nearby.	Directly served by several county roads. GSP and state highways nearby.

CONCLUSION

OSG recognizes that the 35,000 square foot lots outside the center are not consistent with the planning area designation. However, we are aware that there will be a need for the county revise its Wastewater Management Plan to meet the to meet the DEP's new regulations. DEP and Cape May County need to develop consensus before we can ask West Cape May to comply with proposed rules.

After considering the buffers for category one streams, current extend of preserved farmland, preexisting development, the existing roadway network, and the extent of remaining developable uplands, the potential for significant development outside the center is limited. OSG recommends that in March 2009, West Cape May will have to update the SPC on the progress that has been made to date and how they intend to move forward. Within 60-90 days of the approval of the CMC wastewater management plan, lot size outside the center must be amended.

Recognizing the Borough of West Cape May's significant planning efforts, the Office of Smart Growth recommends that the State Planning Commission endorse the Borough's vision and plans as consistent with the State Plan. Plan Endorsement provides an excellent opportunity to direct that growth towards Centers and other appropriate areas, while preserving natural resources and open space.

PLANNING & IMPLEMENTATION AGREEMENT

Intended to help forge a lasting partnership between the Commission and the Borough, Plan Endorsement is a two-way commitment, embodied in the PIA. Additional planning and design work will still be required on the part of the Borough, and these efforts need to be carefully monitored by the Commission and the state agencies. From the efforts made so far to reach the present consensus, it is evident that the desire of the Borough to succeed is real and the Commission should support these planning efforts. A draft PIA is attached and is now under negotiation. West Cape May's petition is the first Initial Plan Endorsement petition to come to the SPC with the new guidelines in place. Previous petitions have noted potential amendments to the PIA based on the new guidelines. In West Cape May's case, the PIA directly incorporates new requirements and will therefore serve as an outline for the Borough to move from Initial to new Plan Endorsement.