

**BOROUGH OF CAPE MAY POINT
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 11-2024

**AN ORDINANCE AMENDING CHAPTER 150, SECTION 150-21
“LANDSCAPING AND VEGETATION PLAN” OF THE CODE OF
THE BOROUGH OF CAPE MAY POINT**

BE IT ORDAINED by the Board of Commissioners of the Borough of Cape May Point, County of Cape May, State of New Jersey, that Chapter 150 “Zoning” of the Code of the Borough of Cape May Point be and is hereby amended as follows (deletions in ~~strikethrough~~ and additions in underline):

Section 1.

150-21 LANDSCAPING AND VEGETATION PLAN.

- a. Intent. It is the intent of the Borough of Cape May Point to require a Landscape and Vegetation Plan for several reasons:

To continue its "history of coexistence of human habitation with natural habitat that supports legendary concentrations of migrant and resident wildlife." The trees on both private and public lands are crucial to the continued ability of the Borough to support a "world-class migration spectacle." The maintenance and replacement of the excellent variety of trees is necessary to retain "what is effectively any arboretum and a premier nature sanctuary." (Tree Survey of Cape May Point 2006-2007 by Mark Garland, Garland Cunningham LLC.)

Additionally, there are social, environmental and economic benefits: Trees alter the environment by moderating climate (thus reducing energy costs), improving air quality (by absorbing carbon dioxide, ozone, carbon monoxide and sulfur dioxide), conserving water, and increasing the value of a property.

- b. Prior to the issuance of any zoning permit for the following:
1. An addition or alteration to an existing structure which increases the lot covering in excess of 10%;
 2. An addition or alteration of an existing structure which increases the livable floor area in excess of 10%, based on the original floor area prior to renovation.
 23. Construction of a new residential unit; or

34. Removal of more than 25% of the existing vegetation covering the lot.

A Landscaping and Vegetation Plan must be submitted to and approved by the Cape May Point Zoning Officer to ensure ~~substantial~~ compliance with criteria and requirements set forth in this section, which Landscaping and Vegetation Plan must constitute a minimum of 60% overall area of the lot and incorporate the parameters of paragraph f1 hereafter. For purpose of calculating the area of removal or disturbance of vegetation, trees shall be considered to cover an area equal to that encompassed by their drip line.

Section 2. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or repeal the remainder of this Ordinance.

Section 3. This ordinance shall take effect twenty (20) days after passage and publication, according to law.

Final Adoption	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Busch						
Moffatt						
vanHeeswyk						

ATTEST:

Elaine L. Wallace, Borough Clerk

Catherine Busch, Commissioner

Robert Moffatt, Mayor

Anita vanHeeswyk, Commissioner

FIRST READING: March 26, 2024
PUBLICATION: April 3, 2024
AMENDMENT: April 23, 2024
PUBLIC HEARING: May 9, 2024
PUBLICATION: May 15, 2024