

**CITY OF NORTH WILDWOOD  
PLANNING BOARD  
RESOLUTION PB-05-2023**

**WHEREAS**, pursuant to the New Jersey Municipal Land Use Law, specifically N.J.S.A. 40:55D-25 and 40:55D-28, Municipal Planning Boards are granted the authority to adopt or amend a Municipality's Master Plan, or a component thereof; and

**WHEREAS**, in 2018 the City of North Wildwood Planning Board conducted a review and reexamination of the City's Master Plan and a reexamination of the City's Land Use Ordinance, which was reduced to writing in the form of a report entitled "Master Plan Reexamination Report (2018 Master Plan)" dated September 2018; and

**WHEREAS**, on May 2, 2023, the City of North Wildwood's governing body introduced Ordinance 1904, entitled "An Ordinance Amending and Supplementing Ordinance 1177, As Amended" which proposes to modify applicable conditions imposed upon establishments engaged in the sale of alcohol in the OS (Oceanside), B (Boardwalk), and P (Pier) zoning districts in an effort to establish regulations consistent with other zones throughout the City of North Wildwood, and to ensure consistent regulations with the City of Wildwood given the cohesive nature of the Boardwalk; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64, prior to the adoption of a development regulation, revision, or amendment thereto, the governing body is required to refer said regulation to the Planning Board for its review and comment in order to ensure that the proposed regulation, revision or amendment is consistent with the municipality's current Master Plan; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-26, following its review of the proposed development regulation, revision, or amendment thereto, the Planning Board is required to prepare a report, to be submitted to the governing body, outlining the Planning Board's findings in relation to the consistency of the proposed regulation to the municipality's Master Plan; and

**WHEREAS**, the proper notices were given to the persons and bodies as required by law, and the necessary publications were undertaken, and the proofs with respect thereto have been filed; and

**WHEREAS**, at its May 17, 2023 duly-noticed public meeting, the Planning Board reviewed and discussed proposed Ordinance No. 1904 to determine if said Ordinance was consistent with the City's current Master Plan, and the Board ultimately found that the proposed Ordinance was acceptable and further found that same is consistent with the current City of North Wildwood Master Plan.

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

1. The following findings and conclusions are made:
  - a. All statements contained in the preamble to this Resolution are hereby incorporated by reference.
  - b. With respect to Ordinance No. 1904, the City of North Wildwood Planning Board finds that proposed modifications to applicable conditions imposed upon establishments engaged in the sale of alcohol in the OS (Oceanside), B (Boardwalk), and P (Pier) zoning districts will ensure consistent regulations with other zones throughout the City of North Wildwood where the sale of alcohol is permitted, and will also ensure consistent regulations with the City of Wildwood in light of the cohesive nature of the Boardwalk.
  - c. The City of North Wildwood Planning Board hereby recommends that proposed Ordinance 1904 be adopted by the City of North Wildwood's governing body as it finds that same is consistent with the findings and recommendations set forth within the City of North Wildwood's 2018 Master Plan Reexamination Report.
2. Accordingly, the City of North Wildwood Planning Board resolves to recommend that the Council of the City of North Wildwood formally adopt Ordinance 1904.
3. A copy of this Resolution shall be supplied to and filed with the City Clerk.
4. The Planning Board Secretary shall cause this notice of the adoption herein provided for to be published in the official newspaper of the municipality and to provide lawful notice to persons and bodies as may be required by law.
5. This Resolution shall take effect immediately.

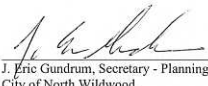
**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be filed with the Office of the Clerk of the City of North Wildwood.

**MOTION TO APPROVE & MEMORIALIZE**

MADE BY: Mr. O'Connell  
 SECONDED BY: Mr. Harkins

**ROLL CALL VOTE**

MEMBER	YEA	NAY	ABSENT	ABSTAIN	EXCUSED
CHIEF STEVENSON			X		
MCCRACKEN	X				
HARKINS	X				
GREENLAND	X				
O'CONNELL	X				
MAYOR ROSENELLO/MILLER	X				
COUNCILMAN KANE			X		
VICE CHAIR DiEDUARDO	X				
CHAIRMAN DAVIS	X				
ALTERNATES	*****	*****	*****	*****	*****
AUTY (I)	X				
PETERS (II)			X		
DEJOSEPH (III)	X				
CANNON (IV)	X				

DATED: 5/10/23   
J. Eric Gundrum, Secretary - Planning Board  
City of North Wildwood

**CITY OF NORTH WILDWOOD  
COUNTY OF CAPE MAY, NEW JERSEY  
ORDINANCE NO. 1904**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
ORDINANCE 1177, AS AMENDED**

**WHEREAS**, Ordinance 1177, adopted May 19, 1994, has been codified in the Code of the City of North Wildwood as Chapter 276, Land Development; and

**WHEREAS**, the City of North Wildwood's Land Development Ordinance establishes specific zoning districts throughout the City which identify and specify permitted and prohibited uses, area and bulk requirements governing the construction of said uses, and requirements governing overall development within said districts; and

**WHEREAS**, the City of North Wildwood has established the OS (Oceanside), P (Pier) and the B (Boardwalk) zoning districts which permit, among other uses, restaurants engaged in the sale/service of alcoholic beverages; and

**WHEREAS**, the City of North Wildwood has engaged in discussions with the City of Wildwood in regards to regulations governing the sale of alcohol on the Wildwood Boardwalk, and it has been determined that consistent regulations given the cohesive nature of the Boardwalk is appropriate; and

**WHEREAS**, the City Council of the City of North Wildwood finds that modifying existing standards governing restaurants engaged in the sale/service of alcoholic beverages in the OS, P and B zoning districts should be modified to relax applicable conditions to ensure consistency with regulations enacted by the City of Wildwood and with other zones throughout the City which currently allow the sale/service of alcoholic beverages; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of North Wildwood, in the County of Cape May and State of New Jersey as follows:

**Section One.** The portion of Ordinance 1177, as amended, that has been codified in the Code of the City of North Wildwood at §276-46(1) establishing conditional use standards associated with Restaurants serving alcoholic beverages in the OS zoning district is hereby amended so as to read as follows:

1. Restaurants serving alcoholic beverages in the OS Zoning Districts. Restaurants serving alcoholic beverages shall be permitted in the OS Zoning Districts as conditional uses, subject to compliance with the conditions outlined within §276- 20.1 (C)( 4 ).

**Section Two.** The portion of Ordinance 1177, as amended, that has been codified in the Code of the City of North Wildwood at §276-46(1) establishing conditional use standards associated with Restaurants serving alcoholic beverages in the Amusement Zoning District is hereby repealed and replaced with:

- J. Restaurants serving alcoholic beverages in the P (Pier) or B (Boardwalk) Zoning Districts. Restaurants serving alcoholic beverages shall be permitted in the Pier or Boardwalk Zoning Districts as conditional uses only. All facilities serving alcoholic beverages in the Pier or Boardwalk Zoning District must meet the conditions set forth in Subsection J(l) below.
  - (1) General requirements for all facilities serving alcoholic beverages in the P (Pier) and B (Boardwalk) Zoning Districts.
    - a. No alcoholic beverages may be removed from the premises by a patron at any time. No packaged goods sales are permitted.
    - b. Each licensed facility shall contain restroom facilities for men and women.
    - c. No more than a combined total of 50% of municipal liquor licenses shall be permitted to be located in the Pier or Boardwalk zoning districts. Motel licenses shall be exempt from this total.
    - d. All regulations of the Alcoholic Beverage Control Authority and all regulations contained in Chapter 114 of the Code of the City of North Wildwood, to the extent not inconsistent with these conditions, shall remain applicable to all facilities.
    - e. To the extent not inconsistent with this subsection, all applicable requirements of the zoning ordinance must be met for all facilities.
    - f. Approval of the transfer of the liquor license to any facility in the Pier or Boardwalk Zoning Districts must be approved by the City Council.
    - g. Signs indicating the legal drinking age and that the facility will check identification are to be displayed at every outlet where the public may purchase alcoholic beverages.
    - h. The restaurant shall have a minimum of 50 seats for the service of meals.
    - i. The restaurant shall be a full-service restaurant capable of furnishing complete meals.
    - j. Restaurants are permitted to have a separate customer waiting bar for the service of restaurant customers so long as the bar is within the confines of the restaurant.
    - k. Sale of alcoholic beverages shall only be permitted between the hours of 7:00 a.m. and 12:00 a.m., prevailing time, and no consumption of alcoholic beverages shall be permitted after 12:30 a.m. and prior to 7:00 a.m., prevailing time.

**Section Three.** If any portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

**Section Four.** All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

**Section Five.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

Patrick T. Rosenello, Mayor

W. Scott Jett, City Clerk

Introduced: May 2, 2023  
 PB Recommendation:  
 Advertised:  
 Hearing/Final:  
 Advertised: