

**BOROUGH OF WEST WILDWOOD
CAPE MAY COUNTY
STATE OF NEW JERSEY**

ORDINANCE NO. 645(2026)

AN ORDINANCE OF THE BOROUGH OF WEST WILDWOOD AMENDING SECTION 340, ARTICLE VI: TC-AHO TOWN COMMERCIAL AFFORDABLE HOUSING OVERLAY ZONE AND SECTION 340, ARTICLE VIII: MARINE COMMERCIAL AFFORDABLE HOUSING OVERLAY ZONE TO INCREASE THE AFFORDABLE HOUSING SET ASIDE TO 20 PERCENT REGARDLESS OF UNIT TYPE.

BE IT ORDAINED by the Mayor and Commissioners of West Wildwood Borough as follows:

Section 1. Section 340, Article VI (TC-AHO Town Commercial Affordable Housing Overlay Zone) is hereby amended to increase the affordable housing set-aside from 15% rentals and 20% for sale units to 20% regardless of unit type in accordance with the Borough's Consent Order entered by the Affordable Housing Dispute Resolution Program.

In any instance in which these regulations and standards do not address a particular land development control, or when specific reference to the LDO is made, the standards of the Development Regulations shall apply:

Article VI. TC-AHO Town Commercial Affordable Housing Overlay Zone

§340-33 Purpose. (No change)

§340-34 Location. (No change)

§340-35 Permitted Uses. The following uses shall be permitted in the Town Commercial Affordable Housing Overlay District:

A. (No change)

1. The minimum percentage of very-low, low, and moderate income housing shall be ~~15% of the total number of dwelling units for rental affordable housing units and~~ 20% of the total number of dwelling units ~~for for-sale affordable units.~~

2. (No change)

B. (No change)

§340-36 Accessory Uses. (No change)

§340-37 Development Standards. (No change)

§340-38 Affordable Housing.

All residential development shall be required to include affordable housing as a component. The following requirements shall apply:

- A. The minimum percentage of very-low, low, and moderate-income housing shall be ~~15% of the total number of dwelling units for rental affordable units and~~ 20% of the total number of dwelling units ~~for for-sale affordable units.~~
- B. Very-low-, low- and moderate-income housing shall be constructed and rented in accordance with ~~the Council on Affordable Housing rules at~~ N.J.A.C. ~~5:99, et seq. 5:93-1 et seq.~~, and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., including standards for the split between very-low-, low- and moderate-income housing, provided a minimum of 13% of the affordable units are very-low-income units at 30% of the median income and 37% of the affordable units are low-income units with the 50% balance of units allowed at moderate income; bedroom distribution; range of affordability; pricing and rent of units; affirmative marketing; thirty-year minimum affordability controls and construction phasing with the market rate units developed on the tract.
- C. (No change)

Section 2. Section 340, Article VIII (MC-AHO Marine Commercial Affordable Housing Overlay Zone) is hereby amended to increase the affordable housing set-aside from 15% rental affordable units and 20% for for-sale affordable units to 20% regardless of unit type in accordance with the Borough's Consent Order entered by the Affordable Housing Dispute Resolution Program.

In any instance in which these regulations and standards do not address a particular land development control, or when specific reference to the LDO is made, the standards of the Development Regulations shall apply:

Article VIII MC-AHO Marine Commercial Affordable Housing Overlay Zone

§340-43 Purpose. (No change)

§340-44 Location. (No change)

§340-45 Permitted Uses.

The following uses shall be permitted in the Marine Commercial Affordable Housing Overlay District:

- A. (No change)
 - 1. The minimum percentage of very-low-, low- and moderate-income housing shall be ~~15% of the total number of dwelling units for rental affordable units and~~ 20% of the total number of dwelling units ~~for for-sale affordable units.~~
 - 2. (No Change)

§340-46 Accessory Uses. (No change)

§340-47 Development Standards (No change)

§340-48 Affordable Housing

All residential development shall be required to include affordable housing as a component. The following requirements shall apply:

- A. The minimum percentage of very-low, low, and moderate-income housing shall be ~~15% of the total number of dwelling units for rental affordable units and~~ 20% of the total number of dwelling units ~~for for-sale affordable units.~~
- B. Very-low-, low- and moderate-income housing shall be constructed and rented in accordance with ~~the Council on Affordable Housing rules at N.J.A.C. 5:99, et seq. 5:93-1 et seq.~~, and the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq., including standards for the split between very-low-, low- and moderate-income housing, provided a minimum of 13% of the affordable units are very-low-income units at 30% of the median income and 37% of the affordable units are low-income units with the 50% balance of units allowed at moderate income; bedroom distribution; range of affordability; pricing and rent of units; affirmative marketing; thirty-year minimum affordability controls and construction phasing with the market rate units developed on the tract.
- C. (No change)

COMMISSIONERS:

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JANE E. DiMATTIA

COMMISSIONER JOSEPH D. SEGREST

First Reading/Introduction: 2026 02-06
Publication: 2026 02-11

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek						X
Commissioner Jane E. DiMattia		X	X			
Commissioner Joseph D. Segrest	X		X			

I, Donna L. Frederick, RMC, Municipal Clerk of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the February 6, 2026, Regular Meeting and will be considered for final passage after a public hearing to be held on March 6, 2026, at 7:00pm prevailing time.

Donna L. Frederick, RMC
Municipal Clerk

COMMISSIONERS:

MAYOR MATTHEW J. KSIAZEK

COMMISSIONER JANE E. DiMATTIA

COMMISSIONER JOSEPH D. SEGREST

Second Reading/Public Hearing: 2026 03-06
Posted on Official Borough Website 2026 03-09

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek		X	X			
Commissioner Jane E. DiMattia			X			
Commissioner Joseph D. Segrest	X		X			

I, Donna L. Frederick, RMC, Municipal Clerk for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance finally adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey after a public hearing held at a Regular Meeting held on March 6, 2026.

Donna L. Frederick, RMC
Municipal Clerk