

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1702 (2023)

**AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE
CITY OF SEA ISLE CITY, TO CHANGE THE BUILDING HEIGHT REQUIREMENTS
OF THE VARIOUS CHAPTERS**

WHEREAS, the Council of the City of Sea Isle City from time to time reviews zoning and flood and amends the same; and

WHEREAS, the City recently adopted revised flood regulations, which necessitates the revision of height regulations in the City zoning districts; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Sea Isle City, County of Cape May and State of New Jersey as follows:

SECTION I. Chapter 26 Section 45.8 of the Revised General Ordinances of the City of Sea Isle City, entitled “Building Height” is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-45.8 Building Height.

- a. The height of a principal building or structure in the R-1 District shall not exceed thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection 14-3.2, where there is a pitched roof, or twenty-six (26') feet in a "V" Zone or twenty-five (25') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection 14-3.2, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the R-1 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-45.8 Building Height

- a. The height of a principal building or structure in the R-1 District shall not exceed thirty-two (32') feet in a "V" Zone or thirty-one (31') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention”; where there is a pitched roof, or twenty-five (25') feet in a "V" Zone or twenty-four (24') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention” where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the R-1 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled “Flood Damage Prevention.”

SECTION II. Chapter 26 Section 46.8 of the Revised General Ordinances of the City of Sea Isle City, entitled “Building Height” is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-46.8 Building Height

- a. The height of a principal building or structure in the R-2 District shall not exceed thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection 14-3.2, where there is a pitched roof, or twenty-six (26') feet in a "V" Zone or twenty-five (25') feet in

an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection 14-3.2, where there is a flat roof.

- b. The maximum height for accessory buildings or structures in the R-2 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-46.8 Building Height

- a. The height of a principal building or structure in the R-2 District shall not exceed thirty-two (32') feet in a "V" Zone or thirty-one (31') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a pitched roof, or twenty-five (25') feet in a "V" Zone or twenty-four (24') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the R-2 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION III. Chapter 26 Section 47.8 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-47.8 Building Height

- a. The height of a principal building or structure in the R-2A District shall not exceed thirty-two (32') feet above the height standards set forth in the flood damage prevention ordinance in Section **14-3**, where there is a pitched roof, twenty-five (25') feet above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a flat roof.
- b. The maximum height for accessory structures in the R-2A District shall be fifteen (15') feet.

REPLACEMENT SECTION:

26-47.8 Building Height

- a. The height of a principal building or structure in the R-2A District shall not exceed thirty-two (32') feet in a "V" zone or thirty-one (31') feet in an "A" zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a pitched roof, twenty-five (25') feet above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the R-2A District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION IV. Chapter 26 Section 48.9 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-48.9 Building Height

- a. The height of a principal building or structure in the R-3 District shall not exceed 32 feet above the height standards set forth in the Flood Damage Prevention Ordinance (§ **14-3**) where there is a pitched roof and 25 feet above the height standards set forth in the Flood Damage Prevention Ordinance (Subsection **14-3.2**) where there is a flat roof.
- b. The maximum height for accessory structures in the R-3 District shall be 15 feet.

REPLACEMENT SECTION:

26-48.9 Building Height

- a. The height of a principal building or structure in the R-3 District shall not exceed thirty-two (32') feet in a "V" zone or thirty-one (31') feet in an "A" zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention" where there is a pitched roof and twenty-four (24') feet above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention" where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the R-3 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION V. Chapter 26 Section 52.9 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-52.9 Building Height

- a. The height of principal buildings or structures in the C-1 District shall not exceed forty-one (41') feet in a "V" Zone or forty (40') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a pitched roof, or thirty-four (34') feet in a "V" Zone or thirty-three (33') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-1 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-52.9 Building Height

- a. The height of principal buildings or structures in the C-1 District shall not exceed forty (40') feet in a "V" Zone or thirty-nine (39') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a pitched roof, or thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a flat roof.

The maximum height for accessory buildings or structures in the C-1 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION VI. Chapter 26 Section 53.9 of the Revised General Ordinances of the City of Sea Isle City, entitled “Building Height” is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-53.9 Building Height

- a. The height of principal buildings or structures in the C-2 District shall not exceed forty-one (41') feet in a "V" Zone or forty (40') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection 14-3.2, where there is a pitched roof, or thirty-four (34') feet in a "V" Zone or thirty-three (33') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection 14-3.2, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-2 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-53.9 Building Height

- a. The height of principal buildings or structures in the C-2 District shall not exceed forty (40') feet in a "V" Zone or thirty-nine (39') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention”, where there is a pitched roof, or thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention”, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-2 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled “Flood Damage Prevention.”

SECTION VII. Chapter 26 Section 54.9 of the Revised General Ordinances of the City of Sea Isle City, entitled “Building Height” is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-54.9 Building Height

- a. The height of principal buildings or structures in the C-3 District shall not exceed forty-one (41') feet in a "V" Zone or forty (40') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a pitched roof, or thirty-four (34') feet in a "V" Zone or thirty-three (33') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-3 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-54.9 Building Height

- a. The height of principal buildings or structures in the C-3 District shall not exceed forty (40') feet in a "V" Zone or thirty-nine (39') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention”, where there is a pitched roof, or thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the local damage flood elevation as determined in Chapter 14 entitled “Flood Damage Prevention”, where there is a flat roof.

- b. The maximum height for accessory buildings or structures in the C-3 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION VIII. Chapter 26 Section 55.8 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:
26-55.8 Building Height

- a. The height of principal buildings or structures in the C-4 District shall not exceed forty-one (41') feet in a "V" Zone or forty (40') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in chapter 14-3.2, where there is a pitched roof, or thirty-four (34') feet in a "V" Zone or thirty-three (33') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in chapter 14-3.2, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-4 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:
26-55.8 Building Height

- a. The height of principal buildings or structures in the C-4 District shall not exceed forty (40') feet in a "V" Zone or thirty-nine (39') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a pitched roof, or thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-4 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION IX. Chapter 26 Section 56.9 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:
26-56.9 Building Height

- a. The height of principal buildings or structures in the C-5 District shall not exceed forty-one (41') feet in a "V" Zone or forty (40') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a pitched roof, or thirty (34') feet in a "V" Zone or thirty-three (33') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a flat roof.

- b. The maximum height for accessory buildings or structures in the C-5 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-56.9 Building Height

- a. The height of principal buildings or structures in the C-5 District shall not exceed forty (40') feet in a "V" Zone or thirty-nine (39') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a pitched roof, or thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-5 District shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION XI. Chapter 26 Section 57.8 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

DELETED SECTION:

26-57.8 Building Height

- a. The height of principal buildings or structures in the C-6 District shall not exceed thirty-three (33') feet in a "V" Zone or thirty-two (32') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a pitched roof, or twenty-six (26') feet in a "V" Zone or twenty-five (25') feet in an "A" Zone above the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**, where there is a flat roof.
- b. The maximum height for accessory buildings or structures in the C-6 district shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including the Flood Damage Prevention chapter.

REPLACEMENT SECTION:

26-57.8 Building Height

- a. The height of principal buildings or structures in the C-6 District shall not exceed thirty-two (32') feet in a "V" Zone or thirty-one (31') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a pitched roof, or twenty-five (25') feet in a "V" Zone or twenty-four (24') feet in an "A" Zone above the local design flood elevation as determined in Chapter 14 entitled "Flood Damage Prevention", where there is a flat roof.

- b. The maximum height for accessory buildings or structures in the C-6 district shall be fifteen (15') feet above the mean elevation of the top of the curb or the average center line elevation of the street if there is no curb, provided that this height limit complies with all other sections of this Code, including Chapter 14 entitled "Flood Damage Prevention."

SECTION XII. Chapter 26 Section 64.5 of the Revised General Ordinances of the City of Sea Isle City, entitled "Building Height" is hereby amended to delete the section in its entirety and replace same as follows:

**DELETED SECTION:
26-64.5 Building Height**

The maximum height of a principal building or structure in the P-1 District shall be thirty (30') feet measured from the height standards set forth in the flood damage prevention ordinance in subsection **14-3.2**.

**REPLACEMENT SECTION:
26-64.5 Building Height**

The maximum height of a principal building or structure in the P-1 District shall be twenty-nine (29') feet measured from the height standards set forth in Chapter 14 entitled "Flood Damage Prevention."

SECTION XIII. Severability. If for any reason any section of this Ordinance shall be declared illegal by any Court of competent jurisdiction, the remaining section of the Ordinance shall remain in full force and effect, notwithstanding.

SECTION XIV. Repealer. Any Ordinance or provision thereof inconsistent with this Ordinance is hereby repealed to the extent of such inconsistency.

SECTION XVI. Publication. This Ordinance shall take effect immediately upon the adoption and publication in accordance with the law.

J.B. Feeley, Council President

Mayor Leonard C. Desiderio

I HEREBY CERTIFY THAT the foregoing ordinance was duly passed by the City Council of the City of Sea Isle City, New Jersey on first reading at the regular meeting of said Council held on the 8th day of August, 2023 and will be taken up for second reading, public hearing and final passage at the regular meeting of said Council held on the 12th day of September, 2023, in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m.

Shannon D. Romano, Municipal Clerk