

**CITY OF SEA ISLE CITY
NEW JERSEY**

ORDINANCE NO. 1602 (2017)

AN ORDINANCE TO AMEND THE REVISED GENERAL ORDINANCES OF THE CITY OF SEA ISLE CITY, CHAPTER 26-38.2 ENTITLED “STANDARDS APPLICABLE TO MAJOR DEVELOPMENT” TO AMEND STORMWATER MANAGEMENT STANDARDS APPLICABLE TO MAJOR DEVELOPMENT, ESTABLISHING HIGHER REGULATORY STANDARDS CONSISTENT WITH THE FIRST AMENDMENT OF WATERSHED MANAGEMENT AREA 16 MASTER PLAN FOR THE CITY OF SEA ISLE CITY.

WHEREAS, the City of Sea Isle City desires that future development activity for major development not increase impacts to public and private property from flooding and stream erosion or create additional public expense and environmental degradation; and

WHEREAS, the City of Sea Isle City has reviewed existing regulations and determined it to be sound planning to amend its stormwater management standards for major development to be sure they provide sufficient protection; and

WHEREAS, the 2016 Watershed Management Area 16 Mater Plan approved by Council on October 11, 2016 and First Amendment of that Plan requires higher regulatory stormwater management standards than required by the State of New Jersey; 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 38.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Standards Applicable to Major Development” is hereby amended to delete section **d6(a)(2)[a][1]** in its entirety and replace this section as follows:

DELETED SECTION:

26-38.2 d6(a)(2)[a] Standards Applicable to Major Development.

[1] Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred (100%) percent of the average annual pre-construction groundwater recharge volume for the site; or

REPLACEMENT SECTION:

26-38.2d6 (a)(2)[a] Standards Applicable to Major Development.

[1] Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain one hundred twenty five (125%) percent of the average annual pre-construction groundwater recharge volume for the site; or

SECTION II. Chapter 26 Section 38.2 of the Revised General Ordinances of the City of Sea Isle City, entitled “Standards Applicable to Major Development” is hereby amended to delete section **d6(a)(3)[c]** in its entirety and replace this section as follows:

DELETED SECTION:

26-38.2 d6(a)(3) Standards Applicable to Major Development.

[c] Design stormwater management measures so that the post-**(a)(3)[c]** construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or

REPLACEMENT SECTION:

26-38.2d6(a)(3) Standards Applicable to Major Development.

[c] Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 60, 80 and 85 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed. The percentages shall not be applied to post-construction stormwater runoff into tidal flood hazard areas if the increased volume of stormwater runoff will not increase flood damages below the point of discharge; or

SECTION III. Chapter 26 Section 38.2 of the Revised General Ordinances of the City of Sea Isle City, entitled "Standards Applicable to Major Development" is hereby amended to delete section **d7(h)(3)[a]** in its entirety and replace this section as follows:

DELETED SECTION:

26-38.2d7(h)(3) Standards Applicable to Major Development.

[a] Stabilization measures shall not be placed within one hundred fifty (150') feet of the Category One waterway;

REPLACEMENT SECTION:

26-38.2d7(h)(3) Standards Applicable to Major Development.

[a] Stabilization measures shall not be placed within two hundred (200') feet of the Category One waterway;

SECTION IV. Chapter 26 Section 38.2 of the Revised General Ordinances of the City of Sea Isle City, entitled "Standards Applicable to Major Development" is hereby amended to delete section **d7(h)(4)** in its entirety and replace this section as follows:

DELETED SECTION:

26-38.2d7(h) Standards Applicable to Major Development.

(4) A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to subsection 26-38.2d,7(h) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to subsection 26-38.2d,7(h) shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in subsection 26-38.2d,7(h)(1)[a] above. In no case shall a stream corridor protection plan allow the reduction of the Special Water Resource Protection Area to less than one hundred fifty (150') feet as measured perpendicular to the waterway subject to this subsection.

REPLACEMENT SECTION:

26-38.2d7(h) Standards Applicable to Major Development.

(4) A stream corridor protection plan may be developed by a regional stormwater management planning committee as an element of a regional stormwater management plan, or by a municipality through an adopted municipal stormwater management plan. If a stream corridor protection plan for a waterway subject to subsection 26-38.2d,7(h) has been approved by the Department of Environmental Protection, then the provisions of the plan shall be the applicable special water resource protection area requirements for that waterway. A stream corridor protection plan for a waterway subject to subsection 26-38.2d,7(h) shall maintain or enhance the current functional value and overall condition of the special water resource protection area as defined in subsection 26-38.2d,7(h)(1)[a] above. In no case shall a stream corridor protection plan allow

the reduction of the Special Water Resource Protection Area to less than two hundred (200') feet as measured perpendicular to the waterway subject to this subsection.

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

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

William J. Kehner, 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 14th day of February, 2017 and forwarded to the Planning Board for Master Plan consistency review. The Ordinance was scheduled for second reading, public hearing and final passage at the regular meeting of said Council held on the 14th day of March, 2017. The City Council postponed the public hearing to the meeting held on the 11th Day of April, 2017 in City Hall, 3rd Floor Council Chambers, 233 JFK Blvd., Sea Isle City, New Jersey at 10:00 a.m. On April 11, 2017, the Ordinance was taken up for second reading, public hearing and final passage.

Cindy L. Griffith, Municipal Clerk