

**CITY OF SEA ISLE CITY
NEW JERSEY**

**RESOLUTION NO. 2024-03-02
(2026)**

**RESOLUTION OF THE PLANNING BOARD OF THE CITY OF SEA ISLE CITY
ADOPTING AN AMENDED/REVISED FOURTH ROUND HOUSING ELEMENT AND
FAIR SHARE PLAN PER
ORDINANCE NO. 1731 (2026)**

WHEREAS, the City of Sea Isle City (hereinafter "City") has a demonstrated history of voluntary compliance with the Mount Laurel doctrine and the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301, et seq.; and

WHEREAS, pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), on July 7, 2015, the City filed a Declaratory Judgment Action in Superior Court, Law Division, Cape May County, under Docket No. CPM-L-304-15 ("2015 Action") seeking, among other things, a judicial declaration that the City's Housing Element and Fair Share Plan (hereinafter "Fair Share Plan"), to be amended as necessary, satisfies its "fair share" of the regional need for low and moderate income housing pursuant to the "Mount Laurel doctrine;" and

WHEREAS the City's 2015 Action ultimately culminated in a Court-approved Housing Element and Fair Share Plan and a Final Judgment of Compliance and Repose, entered on December 1, 2017, which entitles the City to immunity and precludes Mount Laurel lawsuits and builder's remedy lawsuits from being filed against the City until after July 1, 2025; and

WHEREAS, the City continues to actively implement its Court-approved Third Round Housing Element and Fair Share Plan; and

WHEREAS, on March 20, 2024, Governor Murphy signed into law, P.L. 2024, c.2, which among other things, amended various provisions of the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq. ("FHA"), abolished the Council on Affordable Housing ("COAH") and established the Affordable Housing Dispute Resolution Program ("Program"); and

WHEREAS, the City adopted a "binding resolution" accepting the DCA-calculated Present Need and Prospective Need, as required by the Amended FHA, on January 28, 2025, establishing its Fourth Round Present Need of 0 and Prospective Need of 25; and

WHEREAS, in accordance with the Amended FHA and the Administrative Office of the Court's Directive No. 14-24, the City filed a timely Fourth Round Declaratory Judgment complaint ("DJ Complaint") with the Affordable Housing Dispute Resolution Program ("the Program"), along with its binding resolution, on January 29, 2025; and

WHEREAS, the filing of the DJ Complaint gave the City automatic, continued immunity from all exclusionary zoning lawsuits, including builder's remedy lawsuits, which is still in full force and effect; and

WHEREAS, the City did not receive any objections to its Present and Prospective Need numbers by February 28, 2025, resulting in the statutory automatic acceptance of the City's Fourth Round obligations on March 1, 2025; and

WHEREAS, on March 27, 2025, the Court entered an order establishing the City's Fourth Round Present Need of 0 and Prospective Need of 25; and

WHEREAS, now that the City has its Fourth Round Obligations, the Amended FHA requires the municipality to adopt a Fourth Round Housing Element and Fair Share Plan by June 30, 2025; and

WHEREAS, in accordance with the Amended Fair Housing Act, the City's affordable housing planner drafted a Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the City's professionals prepared a Fourth Round Housing Element and Fair Share Plan which was adopted by the Planning Board by resolution #2025-06-01 on June 9, 2025, endorsed by the City Council on June 10, 2025, by resolution #111 2025, and filed with the Program on June 10, 2025; and

WHEREAS, the City received an objection to its Fourth Round Housing Element and Fair Share Plan from Fair Share Housing Center ("FSHC") prior to the statutory August 31, 2025 deadline; and

WHEREAS, the City and the FSHC have mediated a negotiated settlement. One of the terms of the Agreement provides for the amendment/revision of the Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board held a public hearing on the amended/revised Fourth Round Housing Element and Fair Share Plan on March 9, 2026; and

WHEREAS, the Planning Board determined that the attached amended/revised Fourth Round Housing Element and Fair Share Plan is consistent with the goals and objectives of the City's current Master Plan, and that adoption and implementation of the amended/revised Fourth Round Housing Element and Fair Share Plan is in the public interest and protects public health and safety and promotes the general welfare. The adoption implements part of the Mediation Agreement.

NOW, THEREFORE, BE IT RESOLVED on this 9th day of March, 2026, by the Planning Board of the City of Sea Isle City, County of Cape May, New Jersey, that the Planning Board hereby approves and adopts the Plan entitled "City of Sea Isle City 2026 amended Fourth Round Housing Element and Fair Share Plan" pursuant to Ordinance No. 1731 (2026) which is a part of the record in these proceedings and a copy of which is attached hereto; and

The Planning Board's responsibility regarding the Master Plan Consistency Review is to identify any provisions which are inconsistent with the Master Plan, and make recommendations concerning those inconsistencies and any other matters as the Board deems appropriate; and

The purpose of Ordinance No. 1731 (2026) is to revise the City's Chapter 26 to eliminate conflict with language in the mediation agreement to meet full compliance. The ordinance also changes a discrepancy in the language concerning Maximum Building Height; and

Ordinance No. 1731 (2026) also corrects the percentage of required affordable housing units from 16.6% to 20% necessary to be compliant with the Mediation Agreement; and

The City's Master Plan and Reexamination Reports encourage regulations for development throughout the City. The Master Plan also encourages the protection and conservation of the City's natural resources. The City's Master Plan encourages compliance to development plans of the State of New Jersey and Cape May County. The Master Plan encourages the establishment of regulations to control development within the City; and

Ordinance No. 1731 (2026) seeks to eliminate conflicts with the Mediation Agreement which memorialized the settlement terms with the Fair Share Housing Center in order for the City to meet full compliance and receive a Declaratory Judgement from the Superior Court of the State of New Jersey; and

Upon review at the hearing, it is the opinion of the Board that Ordinance No. 1731 (2026) is not inconsistent with the Master Plan and recommends adoption by the City. .

BE IT FURTHER RESOLVED that a copy of the Plan as adopted will be submitted to the City of Sea Isle City Council.

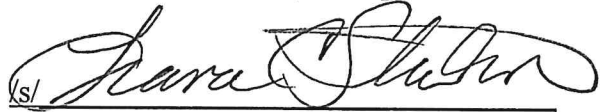
F. Edwardi made the motion and F. Steelman second the motion.

Motion Passed 9 (Yes) 0 (No)

Dated: 3/9/2024

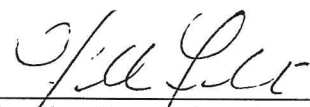
City of Sea Isle City Planning Board

/s/ , Chairperson

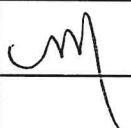
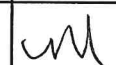
/s/ 

CERTIFICATION

I hereby CERTIFY that the foregoing is a true copy of a Resolution adopted by the City of Sea Isle City Planning Board at a duly advertised meeting held on March 9, 2026, at which a quorum was present.



 Planning Board Secretary

MEMBER NAME ✓	PRESENT AT HEARING		MOTION & SECOND	VOTED AT HEARING		PRESENT AT RESOLUTION		MOTION & SECOND	VOTE ON RESOLUTION	
	YES	NO		YES	NO	YES	NO		YES	NO
Baldini, Michael	✓			Y		✓			Y	
Bonifazi, Phil	✓			Y		✓			Y	
Edwardi, Frank jr (Councilman)	✓			Y		✓			Y	
Hooper, Rick	✓			Y		✓			Y	
Miller, Donna	✓			Y		✓			Y	
O'Neill, Mike (Mayor designee)	✓			Y		✓			Y	
Steelman, Fran (city employee)	✓		2nd	Y		✓		2nd	Y	
Ragucci, Carmine (Alt #1)		X								
Pellegrini, Jason (Alt #2)	✓			Y		✓			Y	
Greco, Rodney (Vice Chair)		X		✓						
Ferrilli, Andy (Chair)	✓			Y		✓			Y	