CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 609-2026

ORDINANCE AMENDING ZONING CODE REGARDING MINIMUM AND MAXIMUM ROOF PITCH REQUIREMENTS

WHEREAS, Section 525-60 provides supplemental regulations concerning minimum and maximum roof pitch requirements for residential structures; and

WHEREAS, Section 525-60 generally provides that no residential structure shall be constructed with a roof having a pitch less than four inches in 12 nor greater than 12 inches in 12, except for mansard roofs; and

WHEREAS, having considered the matter, the Cape May City Council has determined that it is in the interest of the general welfare and the promotion of a desirable visual environment to amend the Code to permit the Historic Preservation Commission, within the Historic District, to determine the appropriateness of a roof pitch that may differ from the general requirements set forth in § 525-60; and

WHEREAS, pursuant to N.J.S.A. 40:55D-26, prior to the final adoption of this development regulation, the Planning Board provided a report to City Council finding that the regulation is consistent with the Master Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Cape May as follows:

Section 1. Sections 525-60(J) of the Cape May City Code regarding dwelling accessory uses is hereby amended as follows (with ~~strikethrough~~ portions indicating deleted language and **bold/underlined** portions indicating new language):

J. Exterior design.

(1) The architectural design of motel, hotel, attached dwelling, multifamily dwelling, commercial and industrial buildings shall be of a design befitting the neighborhood in which construction will take place, and shall be approved by the Planning Board.

(2) Motel, hotel, attached dwelling, multifamily dwelling, commercial and industrial buildings facing onto two or more rights-of-way facing onto a residential use shall have uniform exterior architectural treatment as approved by the Planning Board.

(3) Within any residential district, no building with a permitted professional office shall be constructed or altered so as to be inharmonious with the residential character of the adjacent residential areas.

(4) Attached dwellings shall be constructed so that building facades are offset by architectural detailing resulting in at least a two-foot change in the building plane

not less than once every 24 feet. The minimum width of attached dwellings shall be 24 feet, and no more than six units shall be permitted in an unbroken row. No attached dwelling building shall be less than 20 feet from any other attached dwelling building.

(5) Multifamily dwellings shall be constructed so that the predominant plane of a building in any one direction shall not exceed 100 feet without a ninety-degree change in the direction of the predominant building plane for at least 35 feet. No multifamily dwelling building shall be less than 25 feet from any other multifamily dwelling building.

(6) No residential structure shall be constructed with a roof having a pitch less than four inches in 12 nor greater than 12 inches in 12; provided that this Subsection J(6) shall not apply to the construction of a mansard roof. **Notwithstanding the foregoing, for development applications in the Historic District, the Historic Preservation Commission ("HPC") may approve a roof pitch for any residential structure, including any addition thereto or accessory structure, that is less than or greater than the roof pitch otherwise permitted by this subsection, provided that the HPC determines that such roof pitch is appropriate to the historic character of the property and the surrounding district. Any roof pitch approved by the HPC shall be deemed compliant with this subsection, and no variance from the requirements of this subsection shall be required.**

Section 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. Should any portion of this Ordinance be adjudged by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or repeal the remainder of this Ordinance.

Section 4. This ordinance shall take effect 20 days after passage and publication, according to law.

ATTEST:

Erin C. Burke, City Clerk

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey

BY: Zachary M. Mullock, Mayor

NOTICE

Ordinance 609-2026 was introduced at a Regular meeting of the City Council of the City of Cape May, held on September 15, 2026 and was further considered for final passage during a Regular meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on October 6, 2026 at 5:00 P.M. at which time a Public Hearing was held.

Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Meier	X					
McDade	X					
Bodnar	X					X
Baldwin	X				X	
Mullock	X					

Introduced: September 15, 2026
1st Online Publication: September 16, 2026
2nd Reading & Adoption: October 6, 2026
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