

ORDINANCE 2025-8

AN ORDINANCE OF THE TOWNSHIP OF CHERRY HILL, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AMENDING THE "CHERRY HILL TOWNSHIP ZONING ORDINANCE," ARTICLE IV (ZONING REGULATIONS) SECTION 432 (ADDITIONAL USES AND STRUCTURES PERMITTED) SUBSECTION C (SOLAR ENERGY)

WHEREAS, in 2023, the New Jersey Board of Public Utilities (NJBPU) voted to establish a permanent Community Solar Energy Program ("CSEP"), and in 2024, Governor Murphy signed A4782/S3123 into law, which expanded the CSEP to allow individuals without the ability to install solar on their property to access the benefits of solar energy, and the potential savings; and

WHEREAS, the CSEP provides guaranteed energy cost savings to all subscribers and includes a mandatory set-aside of subscriptions reserved for low- and moderate-income residents; and

WHEREAS, Cherry Hill Township recognizes that the principles outlined by the CSEP align with the Township's Master Plan to expand reliable clean energy infrastructure and clean energy resources for its residents; and

WHEREAS, in order to efficiently make the benefits of the CSEP readily available to Cherry Hill residents, the Cherry Hill Township Zoning Ordinance Section 432.C, title "Solar Energy," must be amended to allow for a solar energy system to provide for the generation of power for such purposes, and establish updated requirements; and

WHEREAS, the New Jersey Municipal Land Use Law ("MLUL") lists as an "intent and purpose" of the act, "to promote utilization of renewable energy sources;" and

WHEREAS, consistent with the provisions of the Municipal Land Use Law, including N.J.S.A. 40:55D-26 and 40:55D-64, prior to the hearing on the adoption of any amendment to the Zoning Ordinance, Cherry Hill Township Council ("Township Council") has referred to the Cherry Hill Township Planning Board ("Planning Board") this proposed amendment to the Cherry Hill Township Zoning Ordinance for review, comment and recommendation; and

WHEREAS, the Township Council has previously adopted, after recommendation from the Planning Board, the Master Plan, and the revisions thereto, which includes a Land Use Plan Element, Housing Plan Element, and a Sustainability Plan Element; and

WHEREAS, the amendment of the Zoning Ordinance will support the Cherry Hill Master Plan and is consistent with its goals, as well as the land use and sustainability elements of the Master Plan; and

WHEREAS, Cherry Hill Township finds it necessary to adopt the proposed zoning regulations to encourage the promotion of CSEP within the Township.

NOW, THEREFORE, BE IT ORDAINED, by the Township Council of Cherry Hill Township, County of Camden, State of New Jersey, that the Cherry Hill Zoning Ordinance shall be hereby amended as follows:

SECTION 1. The Cherry Hill Township Zoning Ordinance Section 432.C shall be repealed in its entirety and replaced with the following:

SECTION 432.C. Solar Energy

1. **Purpose.** The purpose of this section is to facilitate the development of solar energy system projects that either participate in the New Jersey Community Solar Energy Program (CSEP), providing benefits to program subscribers, including low- and moderate-income residents, or to serve the on-site energy needs of the property's principal use, including but not limited to residential, commercial, or public operations.
2. **Definitions.**
 - a. **COMMERCIAL SOLAR PROJECT:** Any Solar Energy System developed primarily to generate electricity primarily for off-site use and sale or for the owner's private financial benefit, and not associated with a CSEP Project.

- b. COMMUNITY SOLAR ENERGY PROGRAM (CSEP) PROJECT: A Solar Energy System installation developed pursuant to the New Jersey Board of Public Utilities' Community Solar Energy Program, providing energy and/or financial benefits to enrolled program subscribers.
 - c. SOLAR ENERGY SYSTEM: A structure and all associated equipment or components that collect, store, convert, and/or distribute solar energy into usable forms of thermal or electrical energy. A solar energy system may include, but is not limited to, photovoltaic panels, solar collectors, inverters, energy storage devices, mounting structures, wiring, piping, meters, and other equipment necessary for the generation and transmission of solar energy.
 - d. SUBSCRIBER: An individual, household, or entity participating in a CSEP project and receiving energy or cost-saving benefits.
3. **Permitted Uses.** Solar Energy Systems that are:
- a. Associated with a CSEP Project, in non-residential zoning districts, multi-residential zoning districts, and for non-residential uses located within single-family zoning districts; or
 - b. Designed primarily to supply power for the principal use of the property on which they are located, in all zoning districts.
 - c. Nothing in this section prohibits the incidental sale of excess energy generated from time to time by Solar Energy Systems primarily designed to meet the energy needs of the property or its designated subscribers.
4. **Prohibited Uses.** The following uses and/or structures shall be prohibited:
- a. Commercial Solar Projects in any zoning district;
 - b. Any Solar Energy System as a principal use in any zoning district; and
 - c. Ground-mounted Solar Energy Systems in all residential zoning districts or parcels used for residential purposes.
5. **General Requirements.**
- a. Ground mounted mechanical/electrical equipment and related pad(s) associated with a Solar Energy System, up to a net increase of 200 square feet of surface area, shall not be considered additional impervious coverage for purposes of any board or zoning permit application.
 - b. In accordance with §502.E, the installation of solar panels shall not create glare that is a nuisance or poses a danger to surrounding properties and the general public.
 - c. All Solar Energy Systems shall comply with UCC and any outside agency and utility company requirements.
 - d. Any equipment associated with the operation of the Solar Energy System shall not be installed in a manner that impedes site circulation, including but not limited to pedestrian walkways or vehicular drive aisles.
 - e. Any Solar Energy System associated with a CSEP Project shall include an equipment decommissioning plan as part of any board application or zoning permit application review.
 - f. Associated Solar Energy System equipment shall maintain a minimum three (3') foot setback from adjacent property lines and not obstruct any sight triangles per §502.M.
 - g. Bollards shall be provided when ground or wall-based equipment is located less than 20' from either adjacent parking spaces, drive aisles, and/or roadways.
6. **Roof Mounted Standards.**

- a. Solar Energy Systems located on parcels used exclusively for residential purposes, excluding multi-family residential uses, shall meet the following standards:
 - i. Such systems shall be on the principal building and shall not be more than three (3') feet higher than the finished roof to which it is mounted.
 - ii. In no instance shall any part of the Solar Energy System extend beyond the edge or pitch of the roof.
 - b. All other Solar Energy Systems, including those located on parcels used for non-residential, multi-family residential, and/or mixed-use purposes, shall meet the following standards:
 - i. Such systems on the principal building shall not be more than three (3') ft higher than the finished roof to which it is mounted.
 - ii. In no instance shall any part of the system extend beyond the edge or pitch of the roof.
 - iii. All rooftop mechanical and electrical equipment shall be screened to the greatest extent possible from view at ground level by a parapet wall, within the roof structure itself, or properly screened.
 - iv. All equipment associated with the operation of the solar energy system shall maintain at least a three (3') ft setback from adjacent property lines and not obstruct any sight triangles per §502.M.
7. Ground-Mounted Standards. All ground-mounted Solar Energy Systems shall meet the following standards:
- a. The outer boundary of the solar array systems shall be a minimum of ten (10') feet from any side or rear property line.
 - b. Ground-mounted Solar Energy Systems are prohibited in front yards, and shall not be located past the front wall of the principal building.
 - c. The height of all ground-mounted Solar Energy Systems shall not exceed twelve (12') feet in height as measured from grade level to the bottom of the lowest portion of the structure on which the solar panels are mounted.
 - d. No more than twenty (20%) percent of a lot may be covered with a ground-mounted Solar Energy System, including any necessary mechanical/electrical equipment.
 - e. Ground-mounted mechanical and electrical equipment shall be screened from adjacent property lines and public rights-of-way with landscaping and/or opaque fencing.

SECTION 2. If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 3. All other ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the Ordinances of the Township are hereby ratified and confirmed, except where inconsistent with the terms hereof.

SECTION 4. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

INTRODUCED: OCTOBER 27, 2025

ADOPTED: DECEMBER 8, 2025


COUNCIL PRESIDENT

MAYOR, DAVID FLEISHER

ATTEST:


PATTI CHACKER, RMC
TOWNSHIP CLERK