

ARTICLE I TITLE & PURPOSE

The Governing Body of the Township of Cherry Hill in the County of Camden, New Jersey DOES ORDAIN:

SECTION 101. TITLE.

A comprehensive Ordinance regulating and limiting the uses of land and the uses and locations of buildings and structures; regulating and restricting the height and bulk of buildings and structures and determining the area of yards and other open spaces; regulating and limiting the density of population; dividing the Township of Cherry Hill into zones for such purposes; adopting a map of said Township showing boundaries and the classification of such zones; establishing rules, regulations and standards governing the subdivision of land within the Township; establishing a Planning Board and Zoning Board of Adjustment; and prescribing penalties for the violation of its provisions.

SECTION 102. SHORT TITLE.

This Ordinance shall be known and may be cited as, the “Cherry Hill Township Zoning Ordinance.”

SECTION 103. PURPOSE & INTENT.

It is the purpose of this Ordinance to exercise the authority delegated to municipalities under the New Jersey Municipal Land Use Law (*P.L. 1975, c. 291; codified as N.J.S.A. 40:55D-1 et seq.*) and to implement the recommendations of the Cherry Hill Master Plan and subsequent Reexamination Reports through its provisions. It is the intent of this Ordinance to accomplish the following:

A. General.

1. Guide the appropriate use or development of all lands in a manner that will promote the public health, safety, morals and general welfare;
2. Secure safety from fire, flood, panic and other natural and human-made disasters;
3. Provide adequate light, air and open space;
4. Ensure that the development of the Township of Cherry Hill does not conflict with the development and general welfare of neighboring municipalities, the County and State as a whole;
5. Provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
6. Encourage planned development which incorporates the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development of the particular site;
7. Encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
8. Encourage the coordination of various public and private procedures and activities shaping land development with a view of lessening the cost of such development and a more efficient use of land;
9. To encourage the coordination of development through the connection of commercial properties by easement and physical improvement.

B. Population & Housing.

1. Promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;

2. Encourage the creation of senior citizen community housing.

C. Transportation.

1. Encourage the location and design of transportation routes that will promote the free flow of traffic while discouraging location of such facilities and routes that will result in congestion or blight;
2. Encourage, within areas identified in the Master Plan and subsequent Reexamination Reports, a mixture of land uses that facilitate non-vehicular and pedestrian access;
3. To promote the visual improvement of the Township's major arterials by the coordination of visual design and character of signage, planting additional street trees, and requiring on-site landscaping improvements during the development review process.
 - a. Requiring the installation of landscaped traffic islands in parking lots;
 - b. Screening parking lots from the traveling public and adjacent residents by a combination of landscaping, berming, walls and fencing; and
 - c. Reducing the required number of parking spaces in pedestrian-oriented development and redevelopment, particularly in traditional neighborhood centers.

D. Design & Historic Preservation.

1. Provide a desirable visual environment through creative development techniques and good civic design and arrangements;
2. To establish design standards to encourage the construction of new buildings to complement the style and scale of existing buildings;
3. Maintain traditional architectural forms in higher density housing by utilizing the highest possible design standards;
4. To preserve and enhance historic buildings, places and landscapes, encourage the maintenance of traditional architectural forms in buildings, and retain sites designated on State and National Registers of Historic Places;
5. Promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources and to prevent suburban sprawl and degradation of the environment through improper use of land.

E. Redevelopment.

1. To encourage the redevelopment of existing underutilized or abandoned lands and buildings;
2. To promote the redevelopment of commercial and industrial areas that have been subject to vacancy, deterioration, and obsolete design by utilizing coordinated parking, streetscape improvements, signage, and lighting in keeping with the historic character of the district.

F. Community Facilities. Plan adequately for the timely provision of new community facilities, including but not limited to: firehouses; schools; community centers; parks; bicycle lanes and pedestrian paths; municipal facilities; and public transit.

G. Natural Resources & Conservation.

1. To protect environmentally sensitive lands from development or other potentially damaging influences and to control the clearing of land that would adversely affect threatened or endangered plant and animal species;
2. To promote the preservation of natural features during land development;
3. To encourage open space dedications in the development review process to maximize the quantity and quality of such land in accordance with the criteria in the adopted Township Master

Plan, and provide improved access to existing parks;

4. To create a greenway network to preserve and enhance existing stream corridors, connecting parks and conservation areas and using the network for pedestrian and bicycling in areas capable of supporting such activity;
5. Provide, to the greatest extent feasible, the natural control of storm water from land development while preserving the existing contours and natural features of the site; restrict development on steep slopes to reduce negative impacts on stream bank stability and to control erosion.

H. Sustainability.

1. Encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems, considering the impact of buildings on the local, regional and global environment, allowing ecosystems to function naturally, conserving and reusing water resources, treating storm water on-site and optimizing climatic conditions through site orientation and design.
2. Promote the maximum practical recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to compliment municipal recycling programs.

SECTION 104. INTERPRETATION OF STANDARDS.

The provisions of this Ordinance shall be held to be the minimum requirements for the protection of the public health, safety, and welfare. Where this Ordinance imposes a greater restriction than is imposed and required by other provisions of the Code of the Township of Cherry Hill, County, State, or Federal government, the provisions of this Ordinance shall control. Where such other laws, ordinances, rules, regulations, or resolutions require greater restrictions than are imposed by this Ordinance, the provisions of such other laws, ordinances, rules, regulations, or resolutions shall control.

SECTION 105. PROHIBITED USES.

All uses not expressly permitted in this Ordinance are hereby prohibited.

SECTION 106. TIME OF COMPLIANCE.

All applicable requirements shall be met at the time of installation, enlargement, alteration, moving or change in use of the principal use and shall apply to the entire structure or structures whether or not the entire structure or structures were involved in the installation, enlargement, alteration, moving or change in use.

SECTION 107. PROPOSED PUBLIC DEDICATIONS.

Approval of final plans by the Planning Board or Zoning Board of Adjustment, as the case may be, shall constitute an acceptance of proposed dedications for streets, parks, and other public uses or purposes. Nonetheless, such approval shall not constitute an acceptance of physical improvements on such dedicated land and shall not impose on the Township any obligation of jurisdiction or maintenance of such improvements. The acceptance of such physical improvements shall only be by action of the Township Council in accordance with *N.J.S.A. 40:55D-53*.