

ORDINANCE 2025-6

AN ORDINANCE OF THE TOWNSHIP OF CHERRY HILL, COUNTY OF CAMDEN, AND STATE OF NEW JERSEY AMENDING THE "CHERRY HILL TOWNSHIP ZONING ORDINANCE," TO ESTABLISH A NEW RESIDENTIAL-INCLUSIONARY MIXED USE (RIMU) OVERLAY ZONE

WHEREAS, the Township of Cherry Hill ("Township") entered into a Settlement Agreement with Fair Share Housing Center, Inc., ("FSHC") on June 8, 2015, in the matter of Fair Share Housing Center, et. al. v. Cherry Hill Township, et. al., specifying the Township's affordable housing obligations; and

WHEREAS, the Township received the Court's approval of the Township's adopted and endorsed Third Round Housing Element and Fair Share Plan pursuant to N.J.S.A. 52:27D-13, and In Re N.J.A.C. 5:96 and In Re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) ("Mount Laurel IV") after a Compliance Hearing held in the above-noted matter on March 30, 2016; and

WHEREAS, the Court provided the Township with a Third Round Judgment of Compliance and Repose in an order dated June 21, 2016; and

WHEREAS, Paragraph 5 in Exhibit A to June 21, 2016 order provides for a process for the Township to create an opportunity for 37 additional units of family affordable housing within 5 years of the entry of the June 21, 2016 order; and

WHEREAS, notwithstanding the Township's best efforts, the unprecedented COVID-19 pandemic significantly impacted and delayed the Township's ability to create an opportunity for these 37 additional units of family affordable housing; and

WHEREAS, the Township and FSHC agreed that more time was, therefore, necessary to create an opportunity for these 37 additional units and sought to modify the prior order related to the creation of an opportunity for these 37 additional units; and

WHEREAS, the Court amended Exhibit A, Paragraph 5, of the June 21, 2016 Order of Judgment of Compliance and Repose via a consent order dated March 25, 2022; and

WHEREAS, the March 25, 2022 Consent Order states that, within 1 year from the date of the consent order, the Township shall implement strategies to create an opportunity for the additional 37 units of family affordable housing; and

WHEREAS, the March 25, 2022 Consent Order further states that the Township shall be considered to have satisfied its obligation to "create an opportunity for affordable housing" if the outstanding affordable units are incorporated into one or more strategies specifically identified in the Consent Order, one of which is a proposed Redevelopment Plan or Overlay Zone approved by the Cherry Hill Planning Board ("Planning Board") and recommended to the Township Council ("Council") for the properties located at 2100-2110 Route 38, which are identified as Block 285.03 Lots 2 and 3 on Township tax records; and

WHEREAS, the Planning Board found that the adoption of a residential-inclusionary mixed use overlay zone yielding at least 37 family affordable units on Block 285.03 Lots 2 and 3 is the most appropriate strategy for satisfying the remainder of the Township's outstanding obligation; and

WHEREAS, the Planning Board approved the proposed residential-inclusionary mixed use overlay zone at its meeting of November 20, 2023 and recommended to the Council that it be adopted; and

WHEREAS, the Planning Board has since adopted, and the Cherry Hill Township Council has endorsed, a Housing Element & Fair Share Plan addressing the Township's Fourth Round affordable housing obligation; and

WHEREAS, the Housing Element & Fair Share Plan for the Fourth Round identifies the proposed Residential-Inclusionary Mixed Use overlay zone as a compliance mechanism to address the Township's Unmet Need; and

WHEREAS, the Township Council referred this Ordinance to the Planning Board for a consistency determination, which was conducted at a public meeting on September 15, 2025, and based on the findings of fact and conclusions of law set forth in Planning Board Resolution 2025-09-01, the Planning Board found it consistent with the Master Plan and recommended that the Township Council adopt this Ordinance; and

WHEREAS, the Council finds that adoption of the residential-inclusionary mixed use overlay zone is in the public interest.

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. Section 301, "Establishment of Zones," of the Cherry Hill Township Zoning Ordinance shall be amended to include a new district as follows:

RIMU Residential-Inclusionary Mixed Use Overlay Zone

SECTION 2. Section 302, "Zoning Map." The Cherry Hill Township Zoning Map shall be amended to include a new RIMU Residential-Inclusionary Mixed Use Overlay Zone, which shall be shown to encompass Block 285.03 Lots 2 and 3, and which shall retain the underlying B3 Shopping Center Business Zone designation for these parcels, as shown on the accompanying map.

SECTION 3. Section 425, "Reserved," of the Cherry Hill Township Zoning Ordinance shall be deleted in its entirety and replaced with a new Section 425 entitled "Residential-Inclusionary Mixed Use (RIMU) Overlay Zone." This new section shall read as follows:

SECTION 425. RESIDENTIAL-INCLUSIONARY MIXED USE (RIMU) OVERLAY ZONE

- A. **Intent.** The intent of the Residential-Inclusionary Mixed Use (RIMU) overlay zone is to provide for a range of residential as well as retail, restaurant, and personal service uses to function as a mixed-use center within the Township of Cherry Hill in close proximity to the Cherry Hill Mall and major regional roadways, including Route 38. The RIMU overlay zone is further intended to create an opportunity for the construction of low- and moderate-income housing in a suitable location within the Township of Cherry Hill to help address the fair share housing obligation of the Township of Cherry Hill, in accordance with the Court Order of Judge Nan S. Famular dated March 25, 2022.
- B. **Overlay Zone.** The RIMU zone is an overlay zone and does not remove the underlying Shopping Center Business (B3) Zoning; instead, it is a development alternative to the underlying zone. Subject to development regulations as set forth hereinafter, the uses noted below shall be permitted only if the stand-alone residential and/or mixed use (residential and commercial) development options are undertaken as noted herein in lieu of the underlying B3 zoned uses, but shall not replace the underlying B3 zoning district. Any non-residential use

not developed as part of a mixed-use development as set forth herein shall be required to be constructed in accordance with the underlying B3 Zone regulations.

- C. **Definitions.** For the purposes of this section, the following terms shall be defined as so noted below. For all other terms in this section, their definition shall be as defined in §202, or, if undefined, shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application:

INTERNAL LOT LINE: Any line forming a portion of the exterior boundary of a lot, but not including any tract boundary line. The shared lot line between Block 285.03 Lots 2 and 3 shall not be considered an internal lot line for the purposes of this section.

TRACT: The parcels that comprise the RIMU overlay zone, which are identified by Township tax records as Block 285.03 Lots 2 and 3.

- D. **Permitted Principal Uses.** In the RIMU overlay zone, no lot shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:
1. Multi-residential dwellings, provided that all multi-residential developments in the RIMU overlay zone shall include non-age-restricted affordable housing units, in accordance with §425.H.3. Multi-residential dwellings may be constructed within stand-alone buildings or may be constructed above at-grade non-residential uses in accordance with §425.D.2. below.
 2. The non-residential uses set forth at §416.B.7.a., c., and d. for the B3 Zone shall be permitted, provided that same shall be limited to the ground floor of a mixed use building containing multi-residential dwellings on the upper floor(s).
- E. **Permitted Accessory Uses & Structures.** Any of the following uses and structures may be permitted, when used in conjunction with a principal use and conforming to the applicable subsection in §425.D:
1. All accessory uses and structures permitted in the B3 zone shall be permitted, except that off-street parking facilities within the RIMU overlay zone shall be specifically intended to include surface parking, under-building parking, parking garages and structures.
 2. Maintenance buildings, for the upkeep of common areas and grounds, provided they are within the buildable area envelope.
 3. Private recreation buildings and facilities, including swimming pools, workout rooms, common areas and the like, intended for use by residents of the premises.
 4. Other accessory uses normally incidental to the permitted principal use.
- F. **Prohibited Uses.** Any use that is not specifically permitted in §425.D or E is hereby prohibited.
- G. **Bulk Requirements.** Except as otherwise modified, the following bulk standards shall apply to all development in the RIMU overlay zone:
1. **Minimum lot area:** The minimum lot area shall be consistent with that required in the B3 Zone at §416.F. Should subdivision of the tract occur, then rights of access, and use for vehicular access and pedestrian circulation, shared parking, access to open space, public utilities, stormwater drainage and similar common improvements as governed herein, shall be established for all such lots within the tract by instruments such as

covenants, conditions and restrictions, the form of which shall be subject to the approval of the Township approving authority.

2. Minimum yard and setback requirements: Principal buildings or portions thereof containing multi-residential dwellings or mixed-use development in accordance with §425.D shall adhere to the following setbacks:
 - a. Principal buildings shall be set back a minimum of 75 feet from the tract boundary coincident with the Route 38 right-of-way and its associated off-ramp.
 - b. Principal buildings shall be set back a minimum of 50 feet from all other tract boundaries.
 - c. Should subdivision of the tract occur, principal buildings shall be set back from internal lot lines no less than the minimum setbacks required in the B3 Zone at §416.F.
 - d. Principal buildings shall be set back a minimum of 10 feet from internal tract driveways and interior access aisles.
 - e. The setback between individual principal buildings within the tract, where said buildings are not connected, shall be no less than 50 feet.
 - f. Private balconies on principal buildings are permitted to project a maximum of 4 feet into the setbacks noted herein above. Such projecting balcony exception shall not extend for more than a continuous length of 20 feet without a minimum horizontal separation of 25 feet between setback projections.
3. Maximum principal building height and number of stories: Principal buildings containing multi-residential dwellings above ground-floor non-residential uses shall be permitted at a maximum height of 48 feet and 4 stories. Principal buildings containing stand-alone residential uses shall be permitted at a maximum height of 42 feet and 4 stories.
4. Maximum length of building: No principal building shall exceed a total length of 250 feet. No portion of a building façade shall exceed 80 feet in length without a 4-foot jog in the façade,
5. Maximum building coverage: The maximum building coverage shall be 30%. This maximum shall apply to both the total tract area and to any individual subdivided lots within the tract.
6. Maximum lot coverage: The maximum lot coverage shall be 80%. This maximum shall apply to both the total tract area and to any individual subdivided lots within the tract.
7. Minimum open space/recreation: A minimum of 25% shall be dedicated for common open space uses, which may include conservation, passive and active recreation and storm water management. This minimum shall apply to both the total tract area and to any individual subdivided lots within the tract.
8. Maximum number of residential units: The maximum number of residential dwelling units permitted to be constructed on the tract, not including any superintendent's units, shall be 220 dwelling units. This maximum applies to the entirety of the tract and not to individual parcels or lease areas if the tract is subdivided.

H. **Additional Requirements.** In addition to §425.G, the following requirements shall apply in the RIMU overlay zone:

1. **Buffers:** A landscaped buffer designed in accordance with §425.I.3 shall be provided for at least 40 feet from all tract boundary lines that are coincident with public rights-of-way.
2. **Residential Amenity Space:** The minimum multi-residential amenity space shall be 100 square feet per dwelling unit. Such space shall include no less than 70 square feet per unit as resident outdoor open space, including semi-private or private recreational courtyards, rooftop amenities, private terraces or patios, which shall be permitted to be counted toward the minimum open space requirement set forth at §425.G.7 above. The remainder can be met with indoor resident amenity space such as clubhouse facilities, fitness centers or lounge and meeting rooms. Flexibility shall be allowed in meeting this total square footage such that a minimum of 50% of the requirement is constructed in a phase, so long as the requirement shall be met for the overall tract independent of the individual phases constructed.
3. **Affordable housing:**
 - a. A minimum of 20% of the total dwelling units constructed shall be provided as affordable units, whether such units are for sale or for rent. When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded to the nearest whole unit. Fractions of less than one half (1/2) shall be rounded down to the lower whole unit and fractions equal to or greater than one half (1/2) shall be rounded up to the higher whole unit.
 - b. The affordable units required by this section shall be built on the tract. Payments-in-lieu of on-site construction of affordable housing shall not be permitted.
 - c. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Procedural & Eligibility Requirements at Article X of the Cherry Hill Township Zoning Ordinance, as may be amended and supplemented, including, but not limited to, pricing, phasing, income distribution, bedroom distribution, controls on affordability, range of affordability, affirmative marketing, and income qualification, except that the bedroom distribution requirements set forth at §1006.B shall be modified in accordance with the March 25, 2022 Court Order.
 - d. It shall be the developer's responsibility, at its sole cost and expense, to arrange for a qualified administrative agent to ensure full compliance with Article X and to file such certificates, reports and/or monitoring forms as may be required by the Department of Community Affairs, the Affordable Housing Dispute Resolution Program (the Program), and/or the Court to verify compliance of each affordable unit.
4. **Parking and loading:** In addition to the standards of Article V and the New Jersey Residential Site Improvement Standards (RSIS), the following shall apply:
 - a. **Guest parking:** For residential uses which are part of a mixed-use development, the guest parking requirement set forth in the New Jersey Residential Site Improvement Standards (RSIS) shall be permitted to be shared with non-residential parking spaces on the tract in accordance with an approved shared parking arrangement.
 - b. **Shared parking standards:**

- i. Shared parking shall be encouraged for mixed use development in the RIMU overlay zone. Where shared parking strategies are determined appropriate, the Township approving authority may, in its discretion, reduce the minimum number of required parking spaces, permit a limited amount of parking to be reserved either for residential or specified non-residential uses only, and/or restrict the hours that certain spaces are to be used for residential or non-residential uses only.
 - ii. An applicant seeking to satisfy its parking requirement using a shared parking approach shall prepare a parking report that documents how an adequate supply of parking spaces will be provided to satisfy projected parking demand. The report shall be prepared using procedures presented in the most recent version of the report "Shared Parking," published by the Urban Land Institute. The report shall be prepared using the most current shared parking methodology published by the Urban Land Institute or the Institute of Transportation Engineers.
 - iii. The report may also adjust projected parking demand based on an analysis of captured parking using procedures presented in the most recent version of the Trip Generation Handbook published by the Institute of Transportation Engineers (ITE). A captured and shared parking study report shall:
 - (a) Calculate the projected peak parking demand for each land use that will be sharing the available parking supply using the latest edition of the ITE informational report Parking Generation.
 - (b) Calculate the extent to which parking demand will be mitigated on the site as a result of trips captured from adjoining land uses and therefore occurring without the use of a vehicle.
 - (c) Calculate the peak parking accumulation for the development, making use of shared parking procedures.
 - (d) Expand the peak parking accumulation by 10% to determine the needed supply of parking spaces. This will assure an adequate capacity of spaces for the turnover of vehicles.
 - (e) Determine the number of on-site parking spaces that will be supplied.
 - (f) Determine the number of on-street parking spaces that are available to the development in accordance with procedures established by this section.
 - (g) Determine whether additional parking spaces will be needed to serve the development and if so how they will be supplied.
 - (h) Determine the sensitivity of the proposed uses to change in tenancy. If shared parking is approved by the Township approving authority, future changes in tenancy will be subject to the review and approval of the changes to the shared parking approval.
- c. Parking structures:

- i. Parking structures attached to a principal building shall be considered part of the principal building and shall adhere to the maximum height requirements for the principal building. Any stand-alone parking structures shall be limited to a maximum height of 38 feet.
 - ii. Parking structures shall be screened by a principal building use structure(s) or shall be provided with architectural treatments complementary with those provided on adjacent principal buildings to sufficiently disguise the structure.
 - iii. Architectural treatments shall include such features as compatible façade materials, building openings or window arrangement and detailing, gratings, artistic panels, and green wall treatments to disguise or screen the parking or structure. Such features shall not represent a sign as defined in §202.
 - iv. Parking structure entrances shall be accentuated by the architectural detailing and shall provide visual identification to safeguard pedestrian movement and crosswalks where appropriate.
 - v. Provisions for a living wall system, civic art and/or decorative lighting is permitted to maximize the visual quality along elevations facing residential units, adjacent public roadways, as well as the surrounding community.
 - vi. Ramps to transition from floor to floor in a garage structure shall be internal to the structure or screened.
5. Signage: Signage requirements in the RIMU overlay zone shall be consistent with the signage requirements for the Shopping Center Business (B3) zone, as set forth at §517.G.
- I. **Design Standards**. The below standards have been promulgated in an attempt to achieve a well-designed site and shall apply to all residential and mixed-use development in the RIMU overlay zone, where appropriate. It is recognized that the intent of this section can be achieved with designs not anticipated by these standards. Accordingly, the Township approving authority may waive any design standard it deems appropriate.
- 1. Architectural design standards: In addition to the requirements of §504, the following shall apply in the RIMU overlay zone:
 - a. The entry façades of all buildings shall be designed to a pedestrian scale.
 - b. The architectural treatment of the front façade, with regard to its major features and materials, shall be continued around all sides of a building that are readily visible from public property and/or rights-of-way. The design of all sides of a building shall be consistent with regard to style, materials, colors, and details. No solid, blank, windowless walls or service areas shall be visible from the public areas. Where the construction of a blank or substantially blank wall is necessary, the façades shall be articulated by the provision of false windows, articulated masonry, or, if the building is occupied by a commercial use, by using recessed or projecting display window cases. Enhanced plantings may also be appropriate in certain cases.
 - c. All air conditioning units, skylights, solar panels, HVAC systems, exhaust pipes or stacks, elevator housing satellite dishes, and other telecommunications receiving devices shall be screened from view from public property or rights-of-way and from adjacent

properties by using walls, fencing, roof elements, penthouse-type screening devices, and /or plantings.

- d. The massing of buildings shall be deemphasized in a variety of ways, including the use of projecting and recessed elements such as porches, windows and roof dormers, to reduce their apparent overall bulk and volume, to enhance visual quality and contribute to human-scale development. Such breaks in the facades and rooflines shall occur not more frequently than every 25 feet and no less frequently than every 100 feet.
 - e. Building colors and materials shall have a complimentary palate that is consistent with the general theme of the development.
 - f. Buildings with ground-floor level residential units shall be at a floor elevation minimally 1.5-feet higher than the adjacent grade directly outside of the unit.
 - g. Service areas for all non-residential and residential facilities shall be provided via open air and enclosed entranceways at the rear of each building designed to be isolated from primary pedestrian areas and screened from view to the extent practical.
2. Green building features: The implementation of green building features is encouraged throughout the RIMU overlay zone, where applicable, to promote environmental stewardship. Such features should be considered at the beginning of the planning and design phase to ensure proper integration and combination of features. The list of green building strategies below is intended to highlight some key strategies which have been identified as consistent with the plan for the tract and is not a comprehensive list of all the features which may be considered by a prospective developer. Green building features not listed herein shall be reviewed for consideration by the Township.

Green building strategies acknowledged by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) and Rutgers Center for Green Building's New Jersey Green Building Manual are strongly encouraged.

- a. Green roof and terraces.
 - i. Roof top terraces and vegetated "green" roofs shall be permitted, provided they do not exceed 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum building height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to the roof surface.
 - ii. Green roofs are encouraged on all upper flat roofs for communal use and terraces for individual tenant use. Green roofs provide the benefits of reduced cooling costs, increased insulation, runoff mitigation, reduced impact of heat island effect and enhancement of quality of life. Facilities for rainwater collection and drip irrigation are recommended.
 - b. Solar collectors. Solar collection systems for the generation of electricity and/or hot water are encouraged. Such systems shall be permitted on all upper roofs of buildings and parking structures and must be consistent with the architectural character and design of the site and buildings.
3. Buffers:

- a. Buffers shall provide a mixture of evergreen and deciduous planting to provide a year-round visual buffer in order to minimize adverse impacts from the tract on adjacent properties or from adjacent areas. Buffers to the extent practical shall provide a year-round visual screen. Buffers are encouraged where possible to consist of existing natural vegetation to the greatest extent practical. It may consist of fences, planting, berms, mounds, decorative walls or combinations thereof to achieve the stated objectives as approved by the Township approving authority.
 - b. Within any buffer areas, sidewalks, underground linear utilities and site access drives shall only be permitted to cross said buffers, provided their placement is designed to minimize land disturbance within the buffer. Proposed above or below-ground storm water detention systems are not permitted within required buffer areas. Access drives shall cross buffer areas at a right angle or as close to a right angle as is practical to minimize land disturbance.
 - c. Buffer areas shall be maintained and kept clean of all debris, rubbish, weeds and tall grass. Any screen planting shall be maintained permanently, and any plant material that does not live shall be replaced within one (1) year or one (1) growing season, provided all landscape plans as approved shall be continually complied with.
 - d. Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material. Potential arrangements include planting in parallel, serpentine or broken rows.
 - e. If planted berms are used, the maximum side slope shall be 2:1.
 - f. Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material.
 - g. Existing vegetation within the perimeter buffer shall be preserved, as determined appropriate and to the extent practical. It shall be supplemented with shade-tolerant naturalistic massed plantings where necessary to complete screening where deemed appropriate.
 - h. Plant materials shall be sufficiently large and planted in such a fashion to screen parking, refuse and loading areas. All proposed deciduous trees in a perimeter buffer shall be of a two-and-one-half- to three-inch caliper, measured six inches from grade.
 - i. Within the perimeter buffer, no buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted.
4. Landscaping:
- a. Canopy trees shall be planted along street frontages at a maximum distance of 35 feet on center and spaced equal distance between street lights. Such street trees shall be a minimum caliper of 3 inches (measured 6 inches above ground level) at the time of planting. Bottom branches shall be trimmed to a minimum of 8 feet above the ground for pedestrian passage.
 - b. Whenever an off-street parking area exceeds 100 spaces, the area should be divided into a minimum of four equal sections, with each section being divided by a

landscaped divider strip (minimum 10 feet wide) with canopy trees and planted with ground cover or low shrubs (at least 36 inches in height).

- c. Hedges, privacy or ornamental fences of varying heights may be used to block view of parking, areas, storage areas, loading docks or other utilitarian views from residential or public areas. No "cyclone" or "chain link" fencing shall be permitted.

d. Parking lot landscaping:

- i. Lots for residential and mixed-use development shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, commercial, or residential uses shall be designed with textured paving, landscaping, and street furniture approved by the Township approving authority.
- ii. Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct view of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise, or exhaust fumes onto adjacent residential properties, and provide the parking area with a reasonable measure of shade, when trees reach maturity. In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of a 4.5-foot-high, year-round visually impervious screen, hedge, or wall. The height of any required screen, hedge, or wall shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrian from motor vehicles, and shall not interfere with clear sight triangle requirements.
- iii. The interior of all parking lots shall be landscaped to provide shade and visual relief. Protected planting islands or peninsulas within the perimeter of the parking lot are encouraged. Parking lots with 10 or less spaces may not require interior landscaping if the Township approving authority determines that there is adequate perimeter landscaping. In parking lots with 11 or more spaces, a maximum of 1 deciduous shade tree shall be required to be planted in the parking lot for every 8 parking spaces. A 6-foot planting diamond, or equivalent planter, is required per tree. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible, provided these objectives are designed to the satisfaction of the Township approving authority.
- iv. Parking lot layout shall take into consideration pedestrian and vehicular circulation and shall be designed to preclude dead end parking lots. Pedestrian crosswalks shall be provided, where necessary and appropriate, and shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. Pavement textures shall be required on pedestrian access ways, and strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents and as approved by the Township approving authority.

5. Lighting: In addition to §509 of the ordinance, the following shall apply:

- a. All public and private streets, parking lots and pedestrian walkways shall be sufficiently illuminated to ensure traffic and pedestrian safety under all weather conditions. Lighting fixtures are to include non-glare lights with "cutoff" shields as appropriate in order to mitigate against adverse impacts upon adjacent and nearby properties, the safety of traffic along adjacent roadways and overhead glow.

- b. Street lighting shall be decorative and blend with the architectural style of the development.
 - c. Streets and sites shall be provided with adequate lighting while minimizing adverse impacts such as glare and overhead sky glow on adjacent properties. House-side shields shall be provided where abutting a residential use.
 - d. Along all sidewalks, walkways, courtyards and common areas, 12-14 foot high decorative pedestrian scale lamp posts shall be provided at regular intervals. Posts should be spaced approximately 60 feet on center. Distance of lighting shall depend upon the manufacturer chosen and the specifications of the particular lights.
 - e. Along all internal driveways and access aisles, and within all parking areas, post heights may be extended to a maximum of 16 feet.
 - f. Lighting attached to the exterior of a building shall be architecturally compatible with the style, materials colors and details of the building and shall comply with the local building code. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways and other areas of a site, and the light quality produced, shall be the same or compatible. Facades shall be lit from the exterior, and as a general rule, lights should be concealed through shielding or landscaping. Mounting brackets and associated hardware should be inconspicuous.
6. Site infrastructure:
- a. Common trash collection areas shall be properly screened with an appropriate combination of walls, fences, earth berms, and plantings. Any common trash collection area shall provide facilities for the collection and separation of recyclable materials in accordance with the requirements of the Township of Cherry Hill.
 - b. Any loading space shall be screened from public view by building walls or extensions thereof, fencing and/or landscaping.
 - c. Sidewalks shall have a minimum width of 5 feet, except along ground-floor nonresidential uses, where the sidewalk shall be 10 feet. Sidewalks in mixed use developments shall be continued across street surfaces using paving materials to delineate crosswalks.
 - d. Sidewalks and pedestrian paths shall connect proposed uses to a public sidewalk or roadway. Private sidewalks shall be designed to connect parking areas with individual structures, as well as building groups.
 - e. The use of special paving such as brick or pre-cast concrete pavers for sidewalks is required for a minimum of 10% of the paved area, specifically at prominent intersections and public spaces. Otherwise, sidewalks shall be poured-in-place concrete. Special paving, if selected, should complement the building materials and should be used to define spaces or special areas such as entrances. All plans for special pavement areas shall be submitted to the Township approving authority for approval. Private sidewalks shall be submitted to the Township approving authority for approval. Sidewalks adjacent to parking lots, where car bumpers may overhang the walk, shall be a minimum of 6 feet wide measured from the face of the curb or 4 feet wide if setback a minimum of 2 feet from the face of curb with a grassed area.

7. Bicycle parking:

- a. For residential uses, there shall be 1 bicycle space or locker for every 3 dwelling units.
- b. For non-residential uses, there shall be 1 bicycle space or locker for every 40 parking spaces.

SECTION 4. 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 5. 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 6. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

INTRODUCED: AUGUST 19, 2025

ADOPTED: SEPTEMBER 29, 2025


COUNCIL PRESIDENT


DAVID FLEISHER, MAYOR

ATTEST:

PATTI CHACKER, RMC
TOWNSHIP CLERK



Proposed RIMU Residential-Inclusionary Mixed Use Overlay Zone		No. 3991.03	Date 03.09.23	From RW
BURGIS ASSOCIATES, INC. <small>CREATED FROM THE PROPOSED 11.1.2014 ORDINANCE AMENDMENTS TO THE ZONING MAP OF THE TOWNSHIP OF CHERRY HILL, CAMDEN COUNTY, NEW JERSEY</small> 25 WINDHOLM AVENUE WINDHOLM, NEW JERSEY 08053 P: 201.666.1881 F: 201.666.2196		Overlay Zone Ordinance Amendments <small>TOWNSHIP OF CHERRY HILL, CAMDEN COUNTY, NEW JERSEY</small>		Scale 1" = 323' To: RIMU
Legend		Area in Need of Redevelopment		
Parcels	B2 Zone	B3 Zone	Proposed RIMU Overlay Zone	
R3 Zone	R20 Zone	IN Zone		

**Original Ordinance 2025-6 as Introduced –
Redlined Copy**

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WHEREAS, Paragraph 5 in Exhibit A to June 21, 2016 order provides for a process for the Township to create an opportunity for 37 additional units of family affordable housing within 5 years of the entry of the June 21, 2016 order; and

WHEREAS, notwithstanding the Township’s best efforts, the unprecedented COVID-19 pandemic significantly impacted and delayed the Township’s ability to create an opportunity for these 37 additional units of family affordable housing; and

WHEREAS, the Township and FSHC agreed that more time was, therefore, necessary to create an opportunity for these 37 additional units and sought to modify the prior order related to the creation of an opportunity for these 37 additional units; and

WHEREAS, the Court amended Exhibit A, Paragraph 5, of the June 21, 2016 Order of Judgment of Compliance and Repose via a consent order dated March 25, 2022; and

WHEREAS, the March 25, 2022 Consent Order states that, within 1 year from the date of the consent order, the Township shall implement strategies to create an opportunity for the additional 37 units of family affordable housing; and

WHEREAS, the March 25, 2022 Consent Order further states that the Township shall be considered to have satisfied its obligation to “create an opportunity for affordable housing” if the outstanding affordable units are incorporated into one or more strategies specifically identified in the Consent Order, one of which is a proposed Redevelopment Plan or Overlay Zone approved by the Cherry Hill Planning Board (“Planning Board”) and recommended to the Township Council (“Council”) for the properties located at 2100-2110 Route 38, which are identified as Block 285.03 Lots 2 and 3 on Township tax records; and

~~WHEREAS, the Township has already created 4 of the required 37 units of family affordable housing through other mechanisms; and~~

WHEREAS, the Planning Board found that the adoption of a residential-inclusionary mixed use overlay zone yielding at least 373 family affordable units on Block 285.03 Lots 2 and 3 is the most appropriate strategy for satisfying the remainder of the Township's outstanding obligation; and

~~WHEREAS, the Planning Board further found that the proposed residential-inclusionary mixed use overlay zone is not inconsistent with the Township Master Plan, which envisions mixed use development on the tract in an effort to create an enhanced sense of place in the area surrounding the Cherry Hill Mall, and that the overlay zone would advance the Master Plan's goals relative to providing a variety of housing types and residential development to accommodate the different needs and desires of the population and to expanding and diversifying the economic growth of the Township in a way that is consistent with the natural capacity of the land and infrastructure and supports the evolving needs of its employers and residents; and~~

WHEREAS, the Planning Board approved the proposed residential-inclusionary mixed use overlay zone at its meeting of November 20, 2023 and recommended to the Council that it be adopted; and

WHEREAS, the ~~Cherry Hill Township~~ Planning Board has since adopted, and the Cherry Hill Township Council has endorsed, a Housing Element & Fair Share Plan addressing the Township's Fourth Round affordable housing obligation; and

WHEREAS, the Housing Element & Fair Share Plan for the Fourth Round identifies the proposed Residential-Inclusionary Mixed Use overlay zone as a compliance mechanism to address the Township's Unmet Need; and

WHEREAS, the Township Council referred this Ordinance to the Planning Board for a consistency determination, which was conducted at a public meeting on September 15, 2025, and based on the findings of fact and conclusions of law set forth in Planning Board Resolution 2025-09-01, the Planning Board found it consistent with the Master Plan and recommended that the Township Council adopt this Ordinance; and

WHEREAS, the Council finds that adoption of the residential-inclusionary mixed use overlay zone is in the public interest.

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. Section 301, "Establishment of Zones," of the Cherry Hill Township Zoning Ordinance shall be amended to include a new district as follows:

RIMU Residential-Inclusionary Mixed Use Overlay Zone

SECTION 2. Section 302, “Zoning Map.” The Cherry Hill Township Zoning Map shall be amended to include a new RIMU Residential-Inclusionary Mixed Use Overlay Zone, which shall be shown to encompass Block 285.03 Lots 2 and 3, and which shall retain the underlying B3 Shopping Center Business Zone designation for these parcels, as shown on the accompanying map.

SECTION 3. Section 425, “Reserved,” of the Cherry Hill Township Zoning Ordinance shall be deleted in its entirety and replaced with a new Section 425 entitled “Residential-Inclusionary Mixed Use (RIMU) Overlay Zone.” This new section shall read as follows:

SECTION 425. RESIDENTIAL-INCLUSIONARY MIXED USE (RIMU) OVERLAY ZONE

A. **Intent.** The intent of the Residential-Inclusionary Mixed Use (RIMU) overlay zone is to provide for a range of residential as well as retail, restaurant, and personal service uses to function as a mixed-use center within the Township of Cherry Hill in close proximity to the Cherry Hill Mall and major regional roadways, including Route 38. The RIMU overlay zone is further intended to create an opportunity for the construction of low- and moderate-income housing in a suitable location within the Township of Cherry Hill to help address the fair share housing obligation of the Township of Cherry Hill, in accordance with the Court Order of Judge Nan S. Famular dated March 25, 2022.

B. **Overlay Zone.** The RIMU zone is an overlay zone and does not remove the underlying Shopping Center Business (B3) Zoning; instead, it is a development alternative to the underlying zone. Subject to development regulations as set forth hereinafter, the uses noted below shall be permitted only if the stand-alone residential and/or mixed use (residential and commercial) development options are undertaken as noted herein in lieu of the underlying B3 zoned uses, but shall not replace the underlying B3 zoning district. Any non-residential use not developed as part of a mixed-use development as set forth herein shall be required to be constructed in accordance with the underlying B3 Zone regulations.

C. **Definitions.** For the purposes of this section, the following terms shall be defined as so noted below. For all other terms in this section, their definition shall be as defined in §202, or, if undefined, shall be interpreted so as to give them the meaning they have in common usage and to give this section its most reasonable application:

INTERNAL LOT LINE: Any line forming a portion of the exterior boundary of a lot, but not including any tract boundary line. The shared lot line between Block 285.03 Lots 2 and 3 shall not be considered an internal lot line for the purposes of this section.

TRACT: The parcels that comprise the RIMU overlay zone, which are identified by Township tax records as Block 285.03 Lots 2 and 3.

D. **Permitted Principal Uses.** In the RIMU overlay zone, no lot shall be used and no structure shall be erected, altered, or occupied for any purpose except the following:

1. Multi-residential dwellings, provided that all multi-residential developments in the RIMU overlay zone shall include non-age-restricted affordable housing units, in accordance with §425.H.3. Multi-residential dwellings may be constructed within stand-alone buildings or may be constructed above at-grade non-residential uses in accordance with §425.D.2. below.
 2. The non-residential uses set forth at §416.B.7.a., c., and d. for the B3 Zone shall be permitted, provided that same shall be limited to the ground floor of a mixed use building containing multi-residential dwellings on the upper floor(s).
- E. **Permitted Accessory Uses & Structures.** Any of the following uses and structures may be permitted, when used in conjunction with a principal use and conforming to the applicable subsection in §425.D:
1. All accessory uses and structures permitted in the B3 zone shall be permitted, except that off-street parking facilities within the RIMU overlay zone shall be specifically intended to include surface parking, under-building parking, parking garages and structures.
 2. Maintenance buildings, for the upkeep of common areas and grounds, provided they are within the buildable area envelope.
 3. Private recreation buildings and facilities, including swimming pools, workout rooms, common areas and the like, intended for use by residents of the premises.
 4. Other accessory uses normally incidental to the permitted principal use.
- F. **Prohibited Uses.** Any use that is not specifically permitted in §425.D or E is hereby prohibited.
- G. **Bulk Requirements.** Except as otherwise modified, the following bulk standards shall apply to all development in the RIMU overlay zone:
1. **Minimum lot area:** The minimum lot area shall be consistent with that required in the B3 Zone at §416.F. Should subdivision of the tract occur, then rights of access, and use for vehicular access and pedestrian circulation, shared parking, access to open space, public utilities, stormwater drainage and similar common improvements as governed herein, shall be established for all such lots within the tract by instruments such as covenants, conditions and restrictions, the form of which shall be subject to the approval of the Township approving authority.
 2. **Minimum yard and setback requirements:** Principal buildings or portions thereof containing multi-residential dwellings or mixed-use development in accordance with §425.D shall adhere to the following setbacks:

- a. Principal buildings shall be set back a minimum of 75 feet from the tract boundary coincident with the Route 38 right-of-way and its associated off-ramp.
 - b. Principal buildings shall be set back a minimum of 50 feet from all other tract boundaries.
 - c. Should subdivision of the tract occur, principal buildings shall be set back from internal lot lines no less than the minimum setbacks required in the B3 Zone at §416.F.
 - d. Principal buildings shall be set back a minimum of 10 feet from internal tract driveways and interior access aisles.
 - e. The setback between individual principal buildings within the tract, where said buildings are not connected, shall be no less than 50 feet.
 - f. Private balconies on principal buildings are permitted to project a maximum of 4 feet into the setbacks noted herein above. Such projecting balcony exception shall not extend for more than a continuous length of 20 feet without a minimum horizontal separation of 25 feet between setback projections.
3. Maximum principal building height and number of stories: Principal buildings containing multi-residential dwellings above ground-floor non-residential uses shall be permitted at a maximum height of 48 feet and 4 stories. Principal buildings containing stand-alone residential uses shall be permitted at a maximum height of 42 feet and 4 stories.
 4. Maximum length of building: No principal building shall exceed a total length of 250 feet. No portion of a building façade shall exceed 80 feet in length without a 4-foot jog in the façade,
 5. Maximum building coverage: The maximum building coverage shall be 30%. This maximum shall apply to both the total tract area and to any individual subdivided lots within the tract.
 6. Maximum lot coverage: The maximum lot coverage shall be 80%. This maximum shall apply to both the total tract area and to any individual subdivided lots within the tract.
 7. Minimum open space/recreation: A minimum of 25% shall be dedicated for common open space uses, which may include conservation, passive and active recreation and storm water management. This minimum shall apply to both the total tract area and to any individual subdivided lots within the tract.
 8. Maximum number of residential units: The maximum number of residential dwelling units permitted to be constructed on the tract, not including any superintendent's units, shall be 220 dwelling units. This maximum applies to the entirety of the tract and not to individual parcels or lease areas if the tract is subdivided.

H. **Additional Requirements**. In addition to §425.G, the following requirements shall apply in the RIMU overlay zone:

1. **Buffers**: A landscaped buffer designed in accordance with §425.I.3 shall be provided for at least 40 feet from all tract boundary lines that are coincident with public rights-of-way.
2. **Residential Amenity Space**: The minimum multi-residential amenity space shall be 100 square feet per dwelling unit. Such space shall include no less than 70 square feet per unit as resident outdoor open space, including semi-private or private recreational courtyards, rooftop amenities, private terraces or patios, which shall be permitted to be counted toward the minimum open space requirement set forth at §425.G.7 above. The remainder can be met with indoor resident amenity space such as clubhouse facilities, fitness centers or lounge and meeting rooms. Flexibility shall be allowed in meeting this total square footage such that a minimum of 50% of the requirement is constructed in a phase, so long as the requirement shall be met for the overall tract independent of the individual phases constructed.
3. **Affordable housing**:
 - a. A minimum of 20% of the total dwelling units constructed shall be provided as affordable units, whether such units are for sale or for rent. When calculating the required number of affordable units, any computation resulting in a fraction of a unit shall be rounded to the nearest whole unit. Fractions of less than one half (1/2) shall be rounded down to the lower whole unit and fractions equal to or greater than one half (1/2) shall be rounded up to the higher whole unit.
 - b. The affordable units required by this section shall be built on the tract. Payments-in-lieu of on-site construction of affordable housing shall not be permitted.
 - c. All affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Procedural & Eligibility Requirements at Article X of the Cherry Hill Township Zoning Ordinance, as may be amended and supplemented, including, but not limited to, pricing, phasing, income distribution, bedroom distribution, controls on affordability, range of affordability, affirmative marketing, and income qualification, except that the bedroom distribution requirements set forth at §1006.B shall be modified in accordance with the March 25, 2022 Court Order.
 - d. It shall be the developer's responsibility, at its sole cost and expense, to arrange for a qualified administrative agent to ensure full compliance with Article X and to file such certificates, reports and/or monitoring forms as may be required by the Department of Community Affairs, the Affordable Housing Dispute Resolution Program (the Program), and/or the Court COAH or the Court to verify compliance of each affordable unit.

4. Parking and loading: In addition to the standards of Article V and the New Jersey Residential Site Improvement Standards (RSIS), the following shall apply:
- a. Guest parking: For residential uses which are part of a mixed-use development, the guest parking requirement set forth in the New Jersey Residential Site Improvement Standards (RSIS) shall be permitted to be shared with non-residential parking spaces on the tract in accordance with an approved shared parking arrangement.
 - b. Shared parking standards:
 - i. Shared parking shall be encouraged for mixed use development in the RIMU overlay zone. Where shared parking strategies are determined appropriate, the Township approving authority may, in its discretion, reduce the minimum number of required parking spaces, permit a limited amount of parking to be reserved either for residential or specified non-residential uses only, and/or restrict the hours that certain spaces are to be used for residential or non-residential uses only.
 - ii. An applicant seeking to satisfy its parking requirement using a shared parking approach shall prepare a parking report that documents how an adequate supply of parking spaces will be provided to satisfy projected parking demand. The report shall be prepared using procedures presented in the most recent version of the report "Shared Parking," published by the Urban Land Institute. The report shall be prepared using the most current shared parking methodology published by the Urban Land Institute or the Institute of Transportation Engineers.
 - iii. The report may also adjust projected parking demand based on an analysis of captured parking using procedures presented in the most recent version of the Trip Generation Handbook published by the Institute of Transportation Engineers (ITE). A captured and shared parking study report shall:
 - (a) Calculate the projected peak parking demand for each land use that will be sharing the available parking supply using the latest edition of the ITE informational report Parking Generation.
 - (b) Calculate the extent to which parking demand will be mitigated on the site as a result of trips captured from adjoining land uses and therefore occurring without the use of a vehicle.
 - (c) Calculate the peak parking accumulation for the development, making use of shared parking procedures.
 - (d) Expand the peak parking accumulation by 10% to determine the needed supply of parking spaces. This will assure an adequate capacity of spaces for the turnover of vehicles.

- (e) Determine the number of on-site parking spaces that will be supplied.
- (f) Determine the number of on-street parking spaces that are available to the development in accordance with procedures established by this section.
- (g) Determine whether additional parking spaces will be needed to serve the development and if so how they will be supplied.
- (h) Determine the sensitivity of the proposed uses to change in tenancy. If shared parking is approved by the Township approving authority, future changes in tenancy will be subject to the review and approval of the changes to the shared parking approval.

c. Parking structures:

- i. Parking structures attached to a principal building shall be considered part of the principal building and shall adhere to the maximum height requirements for the principal building. Any stand-alone parking structures shall be limited to a maximum height of 38 feet.
 - ii. Parking structures shall be screened by a principal building use structure(s) or shall be provided with architectural treatments complementary with those provided on adjacent principal buildings to sufficiently disguise the structure.
 - iii. Architectural treatments shall include such features as compatible façade materials, building openings or window arrangement and detailing, gratings, artistic panels, and green wall treatments to disguise or screen the parking or structure. Such features shall not represent a sign as defined in §202.
 - iv. Parking structure entrances shall be accentuated by the architectural detailing and shall provide visual identification to safeguard pedestrian movement and crosswalks where appropriate.
 - v. Provisions for a living wall system, civic art and/or decorative lighting is permitted to maximize the visual quality along elevations facing residential units, adjacent public roadways, as well as the surrounding community.
 - vi. Ramps to transition from floor to floor in a garage structure shall be internal to the structure or screened.
5. Signage: Signage requirements in the RIMU overlay zone shall be consistent with the signage requirements for the Shopping Center Business (B3) zone, as set forth at §517.G.

I. **Design Standards.** The below standards have been promulgated in an attempt to achieve a well-designed site and shall apply to all residential and mixed-use development in the RIMU overlay zone, where appropriate. It is recognized that the intent of this section can be achieved with designs not anticipated by these standards. Accordingly, the Township approving authority may waive any design standard it deems appropriate.

1. **Architectural design standards:** In addition to the requirements of §504, the following shall apply in the RIMU overlay zone:

- a. The entry façades of all buildings shall be designed to a pedestrian scale.
- b. The architectural treatment of the front façade, with regard to its major features and materials, shall be continued around all sides of a building that are readily visible from public property and/or rights-of-way. The design of all sides of a building shall be consistent with regard to style, materials, colors, and details. No solid, blank, windowless walls or service areas shall ~~not~~ be visible from the public areas. Where the construction of a blank or substantially blank wall is necessary, the façades shall be articulated by the provision of false windows, articulated masonry, or, if the building is occupied by a commercial use, by using recessed or projecting display window cases. Enhanced plantings may also be appropriate in certain cases.
- c. All air conditioning units, skylights, solar panels, HVAC systems, exhaust pipes or stacks, elevator housing satellite dishes, and other telecommunications receiving devices shall be screened from view from public property or rights-of-way and from adjacent properties by using walls, fencing, roof elements, penthouse-type screening devices, and /or plantings.
- d. The massing of buildings shall be deemphasized in a variety of ways, including the use of projecting and recessed elements such as porches, windows and roof dormers, to reduce their apparent overall bulk and volume, to enhance visual quality and contribute to human-scale development. Such breaks in the facades and rooflines shall occur not more frequently than every 25 feet and no less frequently than every 100 feet.
- e. Building colors and materials shall have a complimentary palate that is consistent with the general theme of the development.
- f. Buildings with ground-floor level residential units shall be at a floor elevation minimally 1.5-feet higher than the adjacent grade directly outside of the unit.
- g. Service areas for all non-residential and residential facilities shall be provided via open air and enclosed entranceways at the rear of each building designed to be isolated from primary pedestrian areas and screened from view to the extent practical.

2. Green building features: The implementation of green building features is encouraged throughout the RIMU overlay zone, where applicable, to promote environmental stewardship. Such features should be considered at the beginning of the planning and design phase to ensure proper integration and combination of features. The list of green building strategies below is intended to highlight some key strategies which have been identified as consistent with the plan for the tract and is not a comprehensive list of all the features which may be considered by a prospective developer. Green building features not listed herein shall be reviewed for consideration by the Township.

Green building strategies acknowledged by the United States Green Building Council's Leadership in Energy and Environmental Design (LEED) and Rutgers Center for Green Building's New Jersey Green Building Manual are strongly encouraged.

- a. Green roof and terraces.
 - i. Roof top terraces and vegetated "green" roofs shall be permitted, provided they do not exceed 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum building height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to the roof surface.
 - ii. Green roofs are encouraged on all upper flat roofs for communal use and terraces for individual tenant use. Green roofs provide the benefits of reduced cooling costs, increased insulation, runoff mitigation, reduced impact of heat island effect and enhancement of quality of life. Facilities for rainwater collection and drip irrigation are recommended.
- b. Solar collectors. Solar collection systems for the generation of electricity and/or hot water are encouraged. Such systems shall be permitted on all upper roofs of buildings and parking structures and must be consistent with the architectural character and design of the site and buildings.

3. Buffers:

- a. Buffers shall provide a mixture of evergreen and deciduous planting to provide a year-round visual buffer in order to minimize adverse impacts from the tract on adjacent properties or from adjacent areas. Buffers to the extent practical shall provide a year-round visual screen. Buffers are encouraged where possible to consist of existing natural vegetation to the greatest extent practical. It may consist of fences, planting, berms, mounds, decorative walls or combinations thereof to achieve the stated objectives as approved by the Township approving authority.
- b. Within any buffer areas, sidewalks, underground linear utilities and site access drives shall only be permitted to cross said buffers, provided their placement is designed to minimize land disturbance within the buffer. Proposed above or below-ground storm water detention systems are not permitted within required buffer areas. Access drives

shall cross buffer areas at a right angle or as close to a right angle as is practical to minimize land disturbance.

- c. Buffer areas shall be maintained and kept clean of all debris, rubbish, weeds and tall grass. Any screen planting shall be maintained permanently, and any plant material that does not live shall be replaced within one (1) year or one (1) growing season, provided all landscape plans as approved shall be continually complied with.
- d. Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material. Potential arrangements include planting in parallel, serpentine or broken rows.
- e. If planted berms are used, the maximum side slope shall be 2:1.
- f. Arrangement of plantings in buffers shall provide maximum protection to adjacent properties and avoid damage to existing plant material.
- g. Existing vegetation within the perimeter buffer shall be preserved, as determined appropriate and to the extent practical. It shall be supplemented with shade-tolerant naturalistic massed plantings where necessary to complete screening where deemed appropriate.
- h. Plant materials shall be sufficiently large and planted in such a fashion to screen parking, refuse and loading areas. All proposed deciduous trees in a perimeter buffer shall be of a two-and-one-half- to three-inch caliper, measured six inches from grade.
- i. Within the perimeter buffer, no buildings, structures, accessory structures, parking, driveways, loading areas or storage of materials shall be permitted.

4. Landscaping:

- a. Canopy trees shall be planted along street frontages at a maximum distance of 35 feet on center and spaced equal distance between street lights. Such street trees shall be a minimum caliper of 3 inches (measured 6 inches above ground level) at the time of planting. Bottom branches shall be trimmed to a minimum of 8 feet above the ground for pedestrian passage.
- b. Whenever an off-street parking area exceeds 100 spaces, the area should be divided into a minimum of four equal sections, with each section being divided by a landscaped divider strip (minimum 10 feet wide) with canopy trees and planted with ground cover or low shrubs (at least 36 inches in height).
- c. Hedges, privacy or ornamental fences of varying heights may be used to block view of parking, areas, storage areas, loading docks or other utilitarian views from residential or public areas. No “cyclone” or “chain link” fencing shall be permitted.

d. Parking lot landscaping:

- i. Lots for residential and mixed-use development shall balance the functional requirements of parking with the provision of pedestrian amenities. Transition areas between parking and civic, commercial, or residential uses shall be designed with textured paving, landscaping, and street furniture approved by the Township approving authority.
- ii. Parking lot layout, landscaping, buffering, and screening shall be provided to minimize direct view of parked vehicles from streets and sidewalks, avoid spillover light, glare, noise, or exhaust fumes onto adjacent residential properties, and provide the parking area with a reasonable measure of shade, when trees reach maturity. In order to achieve these objectives, parking lots exposed to view shall be surrounded by a minimum of a 4.5-foot-high, year-round visually impervious screen, hedge, or wall. The height of any required screen, hedge, or wall shall decrease where driveways approach sidewalks or walkways, in order to provide adequate visibility of pedestrian from motor vehicles, and shall not interfere with clear sight triangle requirements.
- iii. The interior of all parking lots shall be landscaped to provide shade and visual relief. Protected planting islands or peninsulas within the perimeter of the parking lot are encouraged. Parking lots with 10 or less spaces may not require interior landscaping if the Township approving authority determines that there is adequate perimeter landscaping. In parking lots with 11 or more spaces, a maximum of 1 deciduous shade tree shall be required to be planted in the parking lot for every 8 parking spaces. A 6-foot planting diamond, or equivalent planter, is required per tree. Choice of plant materials, buffer width, type of screening, location, and frequency of tree planting shall be flexible, provided these objectives are designed to the satisfaction of the Township approving authority.
- iv. Parking lot layout shall take into consideration pedestrian and vehicular circulation and shall be designed to preclude dead end parking lots. Pedestrian crosswalks shall be provided, where necessary and appropriate, and shall be distinguished by textured paving, and shall be integrated into the wider network of pedestrian walkways. Pavement textures shall be required on pedestrian access ways, and strongly encouraged elsewhere in the parking lot, as surfacing materials, or when used as accents and as approved by the Township approving authority.

5. Lighting: In addition to §509 of the ordinance, the following shall apply:

- a. All public and private streets, parking lots and pedestrian walkways shall be sufficiently illuminated to ensure traffic and pedestrian safety under all weather conditions. Lighting fixtures are to include non-glare lights with “cutoff” shields as appropriate in order to mitigate against adverse impacts upon adjacent and nearby properties, the safety of traffic along adjacent roadways and overhead glow.

- b. Street lighting shall be decorative and blend with the architectural style of the development.
- c. Streets and sites shall be provided with adequate lighting while minimizing adverse impacts such as glare and overhead sky glow on adjacent properties. House-side shields shall be provided where abutting a residential use.
- d. Along all sidewalks, walkways, courtyards and common areas, 12-14 foot high decorative pedestrian scale lamp posts shall be provided at regular intervals. Posts should be spaced approximately 60 feet on center. Distance of lighting shall depend upon the manufacturer chosen and the specifications of the particular lights.
- e. Along all internal driveways and access aisles, and within all parking areas, post heights may be extended to a maximum of 16 feet.
- f. Lighting attached to the exterior of a building shall be architecturally compatible with the style, materials colors and details of the building and shall comply with the local building code. The type of light source used on the exterior of buildings, signs, parking areas, pedestrian walkways and other areas of a site, and the light quality produced, shall be the same or compatible. Facades shall be lit from the exterior, and as a general rule, lights should be concealed through shielding or landscaping. Mounting brackets and associated hardware should be inconspicuous.

6. Site infrastructure:

- a. Common trash collection areas shall be properly screened with an appropriate combination of walls, fences, earth berms, and plantings. Any common trash collection area shall provide facilities for the collection and separation of recyclable materials in accordance with the requirements of the Township of Cherry Hill.
- b. Any loading space shall be screened from public view by building walls or extensions thereof, fencing and/or landscaping.
- c. Sidewalks shall have a minimum width of 5 feet, except along ground-floor nonresidential uses, where the sidewalk shall be 10 feet. Sidewalks in mixed use developments shall be continued across street surfaces using paving materials to delineate crosswalks.
- d. Sidewalks and pedestrian paths shall connect proposed uses to a public sidewalk or roadway. Private sidewalks shall be designed to connect parking areas with individual structures, as well as building groups.
- e. The use of special paving such as brick or pre-cast concrete pavers for sidewalks is required for a minimum of 10% of the paved area, specifically at prominent intersections and public spaces. Otherwise, sidewalks shall be poured-in-place

concrete. Special paving, if selected, should complement the building materials and should be used to define spaces or special areas such as entrances. All plans for special pavement areas shall be submitted to the Township approving authority for approval. Private sidewalks shall be submitted to the Township approving authority for approval. Sidewalks adjacent to parking lots, where car bumpers may overhang the walk, shall be a minimum of 6 feet wide measured from the face of the curb or 4 feet wide if setback a minimum of 2 feet from the face of curb with a grassed area.

7. Bicycle parking:

- a. For residential uses, there shall be 1 bicycle space or locker for every 3 dwelling units.
- b. For non-residential uses, there shall be 1 bicycle space or locker for every 40 parking spaces.

SECTION 4. 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 5. 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 6. This ordinance shall take effect twenty (20) days after passage and publication, as required by law.

INTRODUCED: August 19, 2025

ADOPTED:

COUNCIL PRESIDENT

DAVID FLEISHER, MAYOR

ATTEST:

**PATTI CHACKER, RMC
TOWNSHIP CLERK**



Proposed RIMU Residential-Inclusionary Mixed Use Overlay Zone

Parcel No. 3991.03 Date 03.09.23 RW

Legend	
	Parcels
	B2 Zone
	B3 Zone
	R3 Zone
	R20 Zone
	IN Zone
	Area in Need of Redevelopment
	Proposed RIMU Overlay Zone

BURGIS ASSOCIATES, INC.
 27 Westwood Avenue
 Westfield, NJ 07090-1507
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 908.666.2199

Overlay Zone Ordinance Amendments
 Township of Cherry Hill, Camden County, New Jersey

Scale 1" = 323'
 RIMU
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