

**ORDINANCE NO. 2019-7**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER,  
SALEM COUNTY, STATE OF NEW JERSEY, AMENDING CHAPTER 25  
ENTITLED "LAND DEVELOPMENT REGULATIONS" TO PERMIT GROUND-MOUNTED  
SOLAR ARRAYS**

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**WHEREAS**, the Mayor and Council of the Borough of Elmer have determined that certain amendments to Chapter 25 entitled "Land Development Regulations" are necessary; and

**WHEREAS**, in all other respects Chapter 25 entitled "Land Development Regulations" shall remain in full force and effect;

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and Council of the Borough of Elmer, County of Salem and State of New Jersey, and it is hereby enacted and ordained by the authority of same as follows:

**Section 1.**

Chapter 25-3.2 entitled "Words and Phrases Defined" shall be amended as follows:

Unless otherwise stated in context, the words and phrases set forth in the following paragraphs shall have the meaning therein indicated:

**Garage** shall mean a freestanding or attached building or an area included in the principal building for utilization in the storage and maintenance of one (1) or more motor vehicles.

**Garden apartment** shall mean a multiple-family dwelling structure not more than two (2) rooms in depth, or two and one-half (2 1/2) stories in height, designed as part of a residential project under single management, providing joint or common use of open areas by occupants, whether for recreation, parking or other purposes.

**Gasoline service stations** shall mean any area of land, including the structure thereon, used for the retail sale of petroleum products or sale of motor vehicle accessories and services.

**Ground-Mounted Solar Systems** shall mean a solar energy system that is directly installed on solar racking systems, which are attached to an anchor in the ground and wired to connect to an adjacent home or building. Ground-mounted systems may be appropriate when insufficient space, structural and shading issues, or other restrictions prohibit rooftop solar.

**Historic site** shall mean any building, structure, area or property that is significant in the history, architecture, archaeology or culture of the nation, State or community and listed as such in the Borough Master Plan.

**Shopping center** shall mean a group of commercial establishments built on one (1) tract that is planned and developed as an operating unit which provides on-site parking in definite relationship to the type and total size of the stores. The commercial establishments may be located in one (1) or several buildings, attached or separated.

**Sight triangle easement** shall mean a triangular shaped area at the intersection of two (2) roads established in accordance with the requirements of this chapter in which visual obstructions are permitted in order to promote traffic study. (see Plates 7, 8, 9, 10) (See Appendix at end of chapter.)

**Sign** shall mean any building or structure or portion thereof on which any announcement, declaration, demonstration, display, illustration or insignia is used to identify, advertise or promote the interest of any person, business, or product when the same is placed in view of the general public.

**Site plan** shall mean a development plan of one (1) or more lots on which is shown (i) the existing and proposed conditions of the lot, including but not necessarily limited to topography, vegetation, drainage, flood plains, marshes, and waterways, (ii) the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting and screening devices, and (iii) any other information that may be reasonably required in order to make an informed determination concerning the adequacy of the plan in accordance with the requirements of this chapter.

**Solar Energy Systems** shall mean an energy system that consists of one (1) or more photovoltaic, concentrated solar thermal, or solar hot water devices either free-standing ground, building integrated or roof mounted, as well as related equipment which is intended for the purpose of reducing or meeting the energy needs of the property's principal use.

**Story** shall mean that portion of a building included between the surface of any floor and the ceiling above it, provided that there is a clear headroom of six (6) feet six (6) inches or more.

## **Section 2.**

Chapter 25-18 entitled "General Standards" shall be amended to add a new Subsection 25-18.7 entitled "Ground-Mounted Solar Energy System" as follows:

### **25-18.7 Ground Mounted Solar Energy System.**

- a. Ground-mounted Solar Energy Systems shall be permitted as an accessory use in all zoning districts.
- b. The location of the Ground-Mounted Solar Energy System shall meet all applicable accessory-use setback requirements for the zoning district in which it is located.
- c. Ground-Mounted Solar Energy Systems shall not be permitted in a front or side yard.



The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, held on October 9, 2019. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held in the Borough Hall, 120 South Main Street, Elmer, New Jersey 08318, on November 13, 2019 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at Borough Hall, 120 South Main Street, in the Borough, to the members of the general public who shall request the same.

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Sarah D. Walker  
Registered Municipal Clerk