

ORDINANCE NO. 2023-25

ORDINANCE AMENDING ORDINANCE 86-38, AS AMENDED, CHAPTER 425 OF THE CODE OF THE CITY OF VINELAND ENTITLED LAND USE, AND THE CITY OF VINELAND ZONE MAP TO CORRECT A DRAFTING ERROR THEREON

WHEREAS, as a result of a recent zoning issue investigated by the Planning Division, a review of the historic zoning maps prepared by T&M Associates in 2008 took place and it was determined, as concluded by the New Jersey Pinelands Commission, that a drafting error related to the dividing line between the P-A-Pinelands Agricultural Production and the P-F-Pinelands Forest Zones, affecting Block 6602, Lots 3, 4, 5, 6, 7 and 8 and the dividing line between the P-R-Pinelands Rural Development and the P-F-Pinelands Forest Zones, affecting Block 6602, Lots 7 and 19 and Block 7406, Lots 1, 2, 3 and 4; and

WHEREAS, the zoning issue is affecting a proposed project being advanced by Rural Development corporation; and

WHEREAS, Kathleen Hicks, Supervising Planner, provided comment before the Planning Board indicating that she was in her current position in 2008 and at that time the Planning board did not discuss or take any action to change the zoning in the Pinelands; and

WHEREAS, the Pinelands Commission supplied a map showing the discrepancy between the 1996 zoning, which was approved by the Commission and the current zoning, which was not approved; and

WHEREAS, the previously approved P-R Pinelands Rural Development Zone is shaded in yellow, the previously approved P-A Pinelands Agricultural Production Zone is shaded in brown and the previously approved P-F Pinelands Forest Zone is shaded in dark green on the attached map

WHEREAS, the Planning Board adopted Resolution No. 6566, a Resolution of Findings and Conclusions and Decision of the Vineland Planning Board recommending City Council amend the City's Land Use Ordinance to a adopt a Zone Map change and Zone Map consistent with to corrected drafting map as attached hereto and made a part hereof.

WHEREAS, City Council adopts the findings and conclusions of the Vineland Planning Board contained in Resolution 6566 and incorporates the same as if set forth herein at length.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 86-38, as amended, Chapter 425 of the Code of the City of Vineland be and is hereby amended to correct the Zone Map as attached hereto and made a part hereof.

BE IT FURTHER ORDAINED that the boundaries of the P-A Pinelands Agricultural Production Zone shall be revised to align with the areas shaded brown on the attached map and the boundaries of the P-R Pinelands Rural Development Zone shall be revised to align with the area shaded yellow on the attached map and the remaining lands within the Pinelands area shall be zoned P-F Pinelands forest.

BE IT FURTHER ORDAINED that the balance of Ordinance 86-38, as amended, not amended hereby shall remain in full force and effect.

BE IT FURTHER ORDAINED that should any portion of this Ordinance be deemed unenforceable by a court of competent jurisdiction, that portion so determined to be unenforceable, shall be void and the balance hereof shall remain in full force and effect.

CITY OF VINELAND

BE IT FURTHER ORDAINED that should any Ordinance or portion thereof be inconsistent herewith, such Ordinance or portion thereof shall be void to the extent of such inconsistencies.

This Ordinance shall take effect upon adoption and publication according to law.

Passed first reading:

Passed final reading:


President of Council

ATTEST:

City Clerk

MEMORANDUM

TO: Bob Dickenson, Business Administrator

FROM: Yasmin Ricketts, Planning Board Secretary 

DATE: March 9, 2023

RE: Request for Rezoning

Enclosed is a signed copy of Resolution #6566 of the Planning Board giving comments and recommendations regarding rezoning for a drafting error the City's Zone Map.

YR/
Encl.

xc: Keith Petrosky, City Clerk
Richard Tonetta, City Solicitor

RESOLUTION NO. 6566

**RESOLUTION OF FINDINGS AND CONCLUSIONS AND
DECISION OF THE VINELAND PLANNING BOARD**

WHEREAS, City staff reported that the Pinelands Commission has advised the City that there is an inconsistency between the zoning that they had approved in 1996 and the current zoning map; and

WHEREAS, this zoning issue is affecting a proposed project being advanced by Rural Development Corporation; and

WHEREAS, City staff researched the historic zoning maps and discovered that the zoning map, prepared by T&M Associates in 2008, had been incorrectly drafted in that it returned the zoning to what it had been pre-1996; and

WHEREAS, Kathleen Hicks, Supervising Planner, who was in her current position in 2008, stated that the Planning Board did not discuss or take any action to change the zoning in the Pinelands; and

WHEREAS, the drafting error related to the dividing line between the P-A – Pinelands Agricultural Production and the P-F – Pinelands Forest Zones, affecting Block 6602/Lots 3, 4, 5, 6, 7 and 8, and the dividing line between the P-R – Pinelands Rural Development and the P-F – Pinelands Forest Zones, affecting Block 6602/Lots 7 and 19 and Block 7406/Lots 1, 2, 3 and 4; and

WHEREAS, the Pinelands Commission supplied a map showing the discrepancy between the 1996 zoning, which was approved by the Commission, and the current zoning, which was not approved; and

WHEREAS, the previously approved P-R Pinelands Rural Development Zone is shaded in yellow, the previously approved P-A Pinelands Agricultural Production Zone is shaded in brown, and the previously approved P-F Pinelands Forest Zone is shaded dark green on the attached map.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the City of Vineland, that recommendation is made to City Council to amend Land Use Ordinance, Chapter 425 of the Code of the City of Vineland, to correct the Zone Map as attached hereto and made a part hereof. The boundaries of the P-A Pinelands Agricultural Production Zone shall be revised to align with the areas shaded brown on the attached map hereto. The boundaries of the P-R – Pinelands Rural Development Zone shall be revised to align with the area shaded in yellow. The remaining lands within the Pinelands Area shall be zoned P-F Pinelands Forest.

The Board finds that the proposed Land Use Ordinance amendment should be adopted by City Council as an amendment to the City's Land Use Ordinance and Zone Map and that it is consistent with the City of Vineland Master Plan.

The foregoing is a true copy of the Resolution of decision adopted by the Planning Board of the City of Vineland at a meeting held on March 8, 2023, as reflected in the recorded minutes of said meeting.

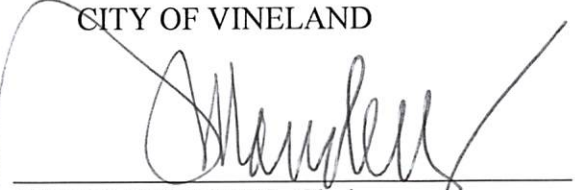
ADOPTED DATE: March 8, 2023

Attest:



YASMIN RICKETTS, Secretary

PLANNING BOARD OF THE
CITY OF VINELAND



DAVID MANDERS, Chairperson

ROLL CALL VOTE

THOSE IN FAVOR

JOHN CASADIA
DOUG MENZ
MICHAEL PANTALIONE
STEPHEN PLEVINS
SANDY VELEZ
NILSA ROSARIO
ROBERT ODORIZZI
DAVID MANDERS

OPPOSED

N/A

ABSENT

DAVID CATALANA
SAMUEL FIOCCHI

ABSTAINING

N/A

