

CITY OF VINELAND, NJ

ORDINANCE NO. 2023- 75

ORDINANCE AMENDING ORDINANCE 2009-72, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTION 425-289 ENTITLED I-B INDUSTRIAL-BUSINESS ZONE STANDARDS IN ACCORDANCE WITH RESOLUTION 6607 OF THE CITY OF VINELAND PLANNING BOARD.

WHEREAS, City Council has, by Ordinance 2009-72, as amended, established a zoning standard consisting of an area of mixed commercial and industrial uses known as I-B Industrial-Business Zone; and

WHEREAS, the I-B Zone includes all uses permitted in the B-3 Zone and therefore such uses that are permitted in the B-1 Zone as specified in Chapter 425, Article XV, Section 425-293; and

WHEREAS, City Council is obligated to adopt Land Use Ordinances “with reasonable consideration to the character of each district and its peculiar suitability for particular uses and to encourage the most appropriate use of land” in accordance with N.J.S.A. 40:55D-62; and

WHEREAS, on November 28, 2023, City Council moved to request the Planning Board consider a re-examination of all permitted and accessory uses at the Garden Road/Route 55 interchange and to consider whether all uses permitted in the B-3 Zone should be permitted in the I-B Zone as some uses may be incompatible with others and not meet the purpose of the I-B Zone and therefore not the most appropriate use of land within the I-B Zone; and

WHEREAS, on November 29, 2023, the Planning Board of the City of Vineland considered the motion of City Council and has taken testimony from the City Planner and Planning Staff opining that “some commercial uses should be permitted in an I-B Industrial-Business Zone...not all properties are suitably sized for industrial development, consideration should be given to limit the types of commercial development permitted in the I-B Industrial Zone...” and further found an “increased need for industrially zoned land and the declining need for commercially zoned land...”; and

WHEREAS, after considering the testimony, the Planning Board has determined that a recommendation be made to the City Council to amend Chapter 425, Article XV, Section 425-289 I-B Industrial-Business Zone standards so as to restrict certain uses permitted in the B-3 Zone as being incompatible and otherwise not suitable uses within the I-B Zone; and

WHEREAS, the Planning Board adopted Resolution 6607 presenting findings of fact and recommendations and City Council adopts the findings of fact and recommendations as if set forth herein at length.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 2009-72, as amended, Chapter 425, Article XV, Section 425-289 B entitled Permitted Uses in the I-B Industrial Business Zone be amended by the deletion of Section 425-289 B (5) in its entirety and replaced as follows:

- B (5) All uses permitted in the B-3 Zone, except for public garage (car wash, auto body shop, towing facility), drive-in theater, flea market, self-storage business, sign business, new and used car sales and billboards.

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

CITY OF VINELAND

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

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

Passed first reading:

Passed final reading:

President of Council

Approved by the Mayor:

Mayor

ATTEST:

City Clerk

RESOLUTION NO. 6607

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

WHEREAS, City Council of the City of Vineland, at a meeting held November 28, 2023, requested that the Planning Board re-examine the permitted uses at the Garden Road/Route 55 interchange and provide findings of fact and recommendations hereto; and

WHEREAS, the Garden Road corridor between Route 55 and Delsea Drive is zoned I-B Industrial-Business where the permitted uses are a farm (except for those enumerated as prohibited uses), all uses permitted in the I-1 Industrial Zone, a vocational training facility (industrial), a wholesale operation, all uses permitted in the B-3 Business Zone, an airport, and a community residence/community shelter; and

WHEREAS, the Garden Road interchange area was targeted for industrial development in the City of Vineland Master Plan adopted in 2008 and has developed largely in accordance with that plan (e.g., Industrial Park North, Industrial Park South, the Airport Commerce Center, and industrial development along Garden Road); and

WHEREAS, in light of the focus on industrial development in this area, a question arises regarding the types of commercial development that are also permitted since many industries generate a significant amount of tractor trailer traffic, making quick access to Route 55 beneficial to reduce truck traffic traversing the City. While some commercial uses should be permitted in an I-B Industrial-Business Zone because not all properties are suitably sized for industrial development, consideration should be given to limit the types of commercial development permitted in the I-B Industrial-Business Zone as is done in the B-4 Business Zone; and

WHEREAS, while it needs to be recognized that I-B Industrial-Business Zones also exist along Delsea Drive between Garden Road and Old Lake Road, along Weymouth Road between Delsea Drive and Route 55, around the Rt. 55 and Main Road interchange area, and along Butler Avenue between Delsea Drive and South West Boulevard, it also needs to be recognized that some of these areas were re-zoned to allow industrial uses in 2020, following the adoption of the 2018 Master Plan Re-examination Report, which recognized increased need for industrially zoned land and the declining need for commercially zoned land because of the advent of e-commerce; and

WHEREAS, the Planning Board has considered the recommendations of Staff and has reviewed the proposed Land Use Ordinance change; and

WHEREAS, the Planning Board agrees that the permitted uses in the I-B Industrial-Business Zone should be amended to remove some commercial uses.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the City of Vineland that recommendation is made to City Council to amend the City's Land Use Ordinance as follows:

AMENDMENT TO LAND USE ORDINANCE

Amend §425-289 I-B Industrial-Business Zone standards

Replace B(5) with the following wording:

- (5) All uses permitted in the B-3 Zone, except for public garage (car wash, auto body shop, towing facility), drive-in theater, flea market, self-storage business, sign business, new and used car sales, and billboard.

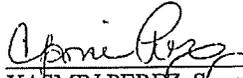
The Board finds that the proposed Land Use Ordinance amendment should be adopted by City Council as an amendment to the City's Land Use Ordinance.

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 November 30, 2023, as reflected in the recorded minutes of said meeting.

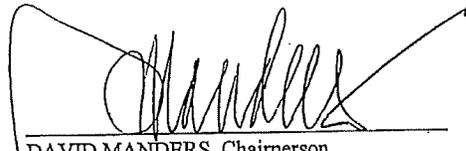
ADOPTED DATE: November 30, 2023

PLANNING BOARD OF THE
CITY OF VINELAND

Attest:



YASMIN PEREZ, Secretary



DAVID MANDERS, Chairperson

ROLL CALL VOTE

VOTING IN FAVOR

DOUGLAS MENZ
MICHAEL PANTALIONE
THOMAS TOBOLSKI
SANDY VELEZ
NILSA ROSARIO
ROBERT ODORIZZI
DAVID MANDERS

OPPOSED

NONE

ABSTAINING

DAVID ACOSTA

ABSENT

JOHN CASADIA
DAVID CATALANA

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