

ORDINANCE AMENDING ORDINANCE 2007-23, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTION 425-310 OF THE CODE OF THE CITY OF VINELAND ENTITLED ZONING; TEMPORARY USE PERMIT.

WHEREAS, on November 13, 2024, the Planning Board of the City of Vineland considered zoning standards and applications for the City of Vineland, including the issuance of a “Temporary Use Permit” as authorized in accordance with Chapter 425, Article XV, Section 425-310; and

WHEREAS, Section 425-310 allows a developer to apply and receive a permit to utilize a parcel of land without required site improvements and according to such Section it is good for 6 months with a 6 month extension available, and many times the site continues in violation of the Municipal Land Use Laws requiring extensive enforcement actions to be taken by the City

WHEREAS, after review of the legalities regarding the issuance of a “Temporary Use Permit” the Solicitor for the Planning and Zoning Boards reported that there is no allowance in the Municipal Land Use Laws for the Zoning Board or Zoning Officer to issue a Temporary Use Permits a courtesy to developers; and

WHEREAS, the Planning Board of the City of Vineland has taken testimony from Kathleen Hicks, P.P. City Planner and Ryan Headley, P.E., P.P., A.I.C.P., C.M.E. Board Planner and Engineer Planning and have adopted Resolution 6667 recommending City Council consider that Section 425-310 be amended so as to only allow a Temporary Use Permit in circumstances of emergencies.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Vineland that Ordinance 2007-23, as amended, Chapter 425, Article XV, Section 425-310 of the Code of the City of Vineland be deleted and replaced as follows:

Section 425-310	It is recognized that there may be the need in very selected instances to allow for a temporary use on a property which may not be in accordance with the provisions of this Chapter. A temporary use may be necessitated by a public emergency or by a personal hardship created by a catastrophic event (e.g., hurricane, fire). These events, because of their sudden and unexpected nature, cannot be planned for in advance, yet require immediate remedy. The Zoning Officer is therefore empowered in these very selected instances to grant a temporary use permit if (1) is necessitated by a public emergency or personal hardship created by a catastrophic event such as a hurricane or fire and (2), in his judgement, the proposed use is of such a nature that there will be no detrimental impact upon adjoining properties. Said temporary use permit shall be valid for a period of six months from date of issuance. Upon written request made prior to the expiration date, the Zoning Officer may grant one six-month extension provided the applicant is taking all reasonable steps necessary to comply with all site improvements and requirements. An appeal from the decision of the Zoning Officer shall be made to the Zoning Board of Adjustment within 15 days of the decision. Failure to do so shall be a waiver of such request.
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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.

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.

CITY OF VINELAND

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

Passed first reading: December 10, 2024

Passed final reading: December 23, 2024

President of Council eaa

Approved by the Mayor:

Mayor arf

ATTEST:

City Clerk kp