

ORDINANCE NO. 2025- 10

**ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTION 425-270 ENTITLED WORD USAGE; DEFINITIONS TO CLARIFY THE TERM “OFFICE” AND “SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER” AND TO CONSIDER OTHER TYPES OF OFFICES AS DEFINED TERMS IN ACCORDANCE WITH RESOLUTION 6667 OF THE CITY OF VINELAND PLANNING BOARD.**

**WHEREAS**, on January 23, 1996, City Council adopted Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions, wherein the term of “Office” was defined but was not a permitted use in any zone, although certain specific types of offices as defined in Chapter 425 of the Code of the City of Vineland, (Land Use Ordinance) such as “Business Office” “Corporate Office” and “Professional Office” were defined and permitted in certain zones specific to their intended use; and

**WHEREAS**, a question was considered whether the Land Use Ordinance adequately addresses agencies or entities providing services that do not conform to one of the other office definitions or adequately consider other types of “medical offices” that have become prevalent in the City; and

**WHEREAS**, a question was also considered regarding the proper definition of the use “Office” so as to better and more adequately clarify the term and the use; and

**WHEREAS**, a question was also considered regarding the definition of Substance Abuse Counseling or Treatment Center and whether out-patient treatment for mental health should be considered as a defined use and whether such uses should include in-patient treatment providing shelter and food; and

**WHEREAS**, on November 13, 2024, the Planning Board of the City of Vineland considered the matters at a regularly scheduled meeting at which time the Board heard testimony from Kathleen Hicks, P.P., Supervising Planner for the City and Ryan R. Headley, P.E., P.P., A.I.C.P., C.M.E., Board Planner and Engineer and reviewed the Ordinance and amendments; and

**WHEREAS**, after taking testimony and considering the existing Land Use Ordinance, determined it was necessary to amend Chapter 425, Article XV, Section 425-270 to further define the term “Office;” to consider changes to the definition of “Medical Office,” “Substance Abuse Counseling or Treatment Center” and “Professional Office” and to create a new definition to encompass the use of entities providing a service or assistance to individuals to be a “Service Office;” as well as a new defined term of Mental Health Counseling or Treatment Center and

**WHEREAS**, the Planning Board adopted Ordinance No. 6667 wherein the Planning Board recommended City Council consider an amendment to Section 425-270 of the Code of the City of Vineland clarifying the term “Office;” changing the definition of “Medical Office” to include therein acupuncturists; clarifying the term “Professional Office” to make it clear that medical offices shall not be considered a “Professional Office;” clarifying the term “Substance Abuse Counseling or Treatment Center” to specifically limit treatment to out-patient only and prohibiting food and/or shelter and to create a defined term of “Service Office” as one has not herein before been defined; and further to create the defined term of “Mental Health Counseling or Treatment Center” and to specifically limit treatment to out-patient only and prohibiting food and/or shelter.

**WHEREAS**, City Council hereby adopts the findings and recommendations of the Planning Board in accordance with Resolution 6667 and testimony of Kathleen Hicks, Supervising Planner and Ryan Headley Board Planner and Engineer; and

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**WHEREAS**, City Council finds it to be in the best interest of the City to amend Ordinance 96-4, Chapter 425 Article XV, Section 425-270 as recommended by the City of Vineland Planning Board and Kathleen Hicks and Ryan Headley.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Vineland that Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 entitled Zoning; Word Usage; Definitions be amended as follows:

- A. The defined term **OFFICE** shall be deleted in its entirety and replaced as follows:

**OFFICE**- Any room or group of rooms used for conducting the affairs of a business, profession, service, industry or government. For purposes of this Chapter, if a use established on a property has an on-site office that only serves the use established on that lot and that is clearly subservient to the use established on that lot, said office shall not be considered a separate use.

- B. The defined term **BUSINESS OFFICE** shall be deleted in its entirety and replaced as follows:

**BUSINESS OFFICE**- Any office, other than a service, professional or medical office as defined herein, rendering services on a fee or contract basis.

- C. The defined term **MEDICAL OFFICE** shall be deleted in its entirety and replaced as follows:

**MEDICAL OFFICE**- Any office of a recognized medical profession maintained for the conduct of that profession. For purposes of this Chapter, a dentist's, chiropractor's or acupuncturist 's office shall be considered a medical office, while a veterinarian's office shall not be considered a medical office.

- D. The defined term **PROFESSIONAL OFFICE** shall be deleted in its entirety and replaced as follows:

**PROFESSIONAL OFFICE**- Any office of a member of a recognized profession maintained for the conduct of that profession. For purposes of this Chapter, a medical, service or veterinarian's office as defined herein, shall not be considered a professional office.

- E. The defined term **SERVICE OFFICE** shall be added as follows:

**SERVICE OFFICE**- Any office primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government or other enterprises.

- F. The defined term **SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER** shall be deleted in its entirety and replaced as follows:

**SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER**-Any facility which provides counseling and/or therapeutic programs for recovering alcoholics or drug addicts. For purposes of this Chapter, a Substance Abuse Counseling or Treatment Center shall be out-patient only, providing no food or shelter as part of the regular regimen of treatment or care.

G. The defined term **MENTAL HEALTH COUNSELING OR TREATMENT CENTER** shall be added as follows:

**MENTAL HEALTH COUNSELING OR TREATMENT CENTER**-Any facility which provides counseling and/or therapeutic programs for persons having mental health issues. For purposes of this Chapter, a Mental Health Counseling or Treatment Center shall be outpatient only, providing no food or shelter as part of the regular regimen of treatment or care.

**BE IT FURTHER ORDAINED** that any portion of Ordinance 96-4, as amended, Chapter 425, Article XV, Section 425-270 of the Code of the City of Vineland not amended hereby shall remain in full force and effect.

**BE IT FURTHER ORDAINED** that any ordinance or portion thereof inconsistent herewith 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.

Passed first reading: January 28, 2025

Passed final reading: February 11, 2025

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President of Council pfs

Approved by the Mayor:

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Mayor arf

ATTEST:

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City Clerk kp