

ORDINANCE NO. 2025-27

ORDINANCE AMENDING ORDINANCE 96-4, AS AMENDED, CHAPTER 425, ARTICLE XV, SECTIONS 425-10 ENTITLED WORD USAGE; DEFINITIONS, TO CLARIFY CERTAIN TERMS INCLUDING “OFFICE” AND “SUBSTANCE ABUSE COUNSELING OR TREATMENT CENTER” AND TO CONSIDER ADDITIONAL TYPES OF OFFICES AND HARM REDUCTION CENTERS 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” “Medical 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 neatly conform to one of the office uses as defined in the City’s current Land Use Ordinance, 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 such uses by definition should include or prohibit 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 terms noted above, and to create new definitions to encompass the use of entities providing a service or assistance to individuals to be a “Social Service Office;” as well as a new defined terms of “Mental Health Counseling or Treatment Center”, “Harm Reduction Center” and “Sterile Syringe Program”; and

WHEREAS, Based on discussion by the Planning Board, City staff, and a report prepared by professional planning consultants CME Associates, the City Council wishes to amend and update the City’s Land Use Ordinance to address issues related to office uses and substance abuse treatment facilities; and

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; and

NOW, THEREFORE, BE IT ORDAINED, 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, social service or veterinarian's office as defined herein, shall not be considered a professional office.

- E. 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.

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

SOCIAL SERVICE OFFICE - Any office primarily engaged in providing assistance, as opposed to products, to individuals, business, industry, government or other enterprises. For purposes of this Chapter, an office providing child and family support services, veterans support services, adoption services, or similar social services shall be considered a social service office, while any office engaged in providing services for substance abuse, addiction treatment, mental health, harm reduction, or similar services shall not be considered a social service office.

- 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 out-patient only, providing no food or shelter as part of the regular regimen of treatment or care. For purposes of this Chapter, the office of a licensed psychologist, clinical therapist, or marriage and family therapist, behavioral therapist, or licensed professional counselor shall be considered a mental health counseling or treatment center, while any office providing services or treatment for substance abuse or addiction shall not be considered a mental health counseling or treatment center.

- H. The defined term **HARM REDUCTION CENTER** shall be added as follows:

HARM REDUCTION CENTER - means an entity that the registered with the New Jersey Department of Health to provide authorized harm reduction services in accordance with the Bloodborne Disease Harm Reduction Act (N.J.S.A. 26:5C- 25 through 31), which may include services for injection drug users such as education on safer use of illegal or controlled substances, access to life-saving medication, drug safety testing equipment and supplies, drug addiction treatment resources or counseling, or similar programs.

- I. The defined term **STERILE SYRINGE PROGRAM** shall be added as follows:

STERILE SYRINGE PROGRAM – Any use or program that distributes sterile syringes or needles to injection drug users, as permitted by the New Jersey Department of Health as a component of an authorized **HARM REDUCTION CENTER**.

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: March 11, 2025

Passed as reintroduced: April 8, 2025

Passed final reading: _____

Approved by the Mayor:

Mayor

President of Council

Attest:

City Clerk