

CITY OF VINELAND

ORDINANCE NO. 2019-\_\_\_\_\_

**ORDINANCE AMENDING ORDINANCE 96-4,  
AS AMENDED, CHAPTER 425, SECTION 304 OF  
THE CODE OF THE CITY OF VINELAND  
ENTITLED ZONING.**

**WHEREAS**, City Council of the City of Vineland adopted Ordinance 96-4, as amended, which adopts standards regarding the nature and extent of the uses of land, buildings and structures thereon (Land Use Ordinance); and

**WHEREAS**, the Planning Board of the City of Vineland has considered certain changes to the Land Use Ordinance and adopted Resolution 6327 recommending amendments thereto which City Council considered and adopted Ordinance 2019-20 so as to permit medical marijuana facilities within the I-2 Industrial Zone and medical marijuana dispensaries within the I-B Industrial Business Zones; and

**WHEREAS**, on April 10, 2019, the Planning Board adopted Resolution 6336 recommending additional changes to the Land Use Ordinance so as to clarify conditional use standards for medical marijuana facilities and dispensaries; and

**WHEREAS**, City Council has considered the findings and conclusions of the Planning Board and adopts the said findings and conclusions and incorporates the same as if set forth herein at length; and

**WHEREAS**, City Council finds the recommended changes to the Land Use Ordinance are in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Vineland that Chapter 425, Section 304 of the Code of the City of Vineland be amended as follows:

- 1 Section 425-304 B shall be deleted in its entirety and replaced as follows:

Section 425-304 B Specific Standards. Specific Standards for each conditional use are provided in the zone schedule, Sheet 2, Conditional Use Specific Standards. Failure to meet any one or more of the specific standards for a conditional use shall constitute a variance in accordance with N.J.S.A. 40:55D-70d(3)

2. The first paragraph of Section 425-304 C shall be deleted in its entirety and replaced as follows:

Section 425-304 C General Standards. Any conditional use shall be subject to the design standards contained in Article VII of this Chapter. Failure to meet any one or more of the general standards for a conditional use shall constitute a variance in accordance with N.J.S.A. 40:55D-70(c). Additionally, the following articles are made a part of this article by reference, and all requirements contained therein shall be considered as general standards:

3. Chapter 425, Attachment 2, Zoning Schedule, Sheet 2, Conditional Use Specific Standards shall be deleted and replaced with the Sheet 2 as attached hereto and made a part hereof.

**BE IT FURTHER ORDAINED** that the balance of Ordinance 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.

**BE IT FURTHER ORDAINED** that the balance of Ordinance not amended hereby shall remain in full force and effect.

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**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:

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President of Council

ATTEST:

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City Clerk