

TRENTON ZONING ORDINANCE UPDATE

December 2020

THE CITY OF TRENTON CONTINUES TO STRIVE FOR RESILIENCY

A key feature of the City's zoning ordinance update has been to consider the future of its waterfront properties, especially those which have been fundamentally altered by their history of industrial use. With the closure of one major industrial operation in the rearview mirror and others recent or impending, the City's residents have expressed a desire to transition toward waterfront uses that prioritize cleaner land and more people-centric activities. It has been the job of City leadership to balance this sentiment with two considerations which justify and incentivize a general land use category of "industrial" on these properties. The first is the important role of industrial land uses in the City's tax base. These revenues must be replaced, or else the City's financial structure must be reconfigured to do without them. The second is the significant investment required to remediate industrial land to meet standards for non-industrial use. This barrier has thus far effectively prevented development despite a long-time zoning designation of "mixed use" in the northern part of the City.

The ordinance introduced the I-W or Industrial Waterfront District, which significantly reduced the permitted intensity of industrial development by eliminating the heaviest uses altogether and changing other uses from "permitted by right" to "permitted subject to special conditions." Though this solution represented a considerable improvement over the status quo, City leaders worked diligently with City administration, legal counsel, and planning professionals to continue to look for opportunities to improve and strengthen the ordinance and promote an environmentally and economically sustainable waterfront. In response, the district has been re-imagined as W-R Waterfront Revitalization, a commercial-industrial mixed-use district that allows certain customer-facing commercial uses to co-exist with uses of a comparable intensity to those permitted in the I-1 Light Industrial district.

This revision also introduces a required Impact Assessment for uses in the W-R district as well as the two Industrial districts and Planned Development projects. The assessment asks a developer to describe the effect of the proposed use on the City's environment, utilities, tax base, traffic, and population. With this information in hand, land-use decision-makers and leadership can influence site design and impose conditions to support environmental and health priorities in addition to economic returns.

THE NEW WATERFRONT REVITALIZATION DISTRICT

Article XVII

- Name changed from "I-W Industrial Waterfront District" to "W-R Waterfront Revitalization District."
- Included commercial customer-serving uses such as dining, retail, and offices. Also generally limited industrial uses to those permitted in the I-1 district, which are already defined as those able to coexist with other uses in the absence of a buffer zone.
- The organizational principle of the uses is to permit the commercial and required uses by right, and the industrial uses by special land use. The purpose of this is to offer the Planning Commission greater control of site design for the industrial uses, and overall compatibility among uses.
- Required Conditions have been amended to require screening of outdoor storage areas that abut non-industrial uses (previously this only applied to non-industrial districts). Required Conditions have also been amended to require screening of industrial uses which adjoin existing non-industrial uses (previously this only applied to non-industrial districts), and to expressly permit landscaping as a screening device in that instance.
- Requirement for Impact Assessment has been added to all uses in PD, W-R, I-1, and I-2 districts (Section 110-601). In the W-R district, the Planning Commission may limit the scope for uses of a purely commercial nature which are principally permitted in the W-R district.

