



## Summary of Zoning Changes

EPA CITIZENS ADVISORY GROUP

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**Beckett & Raeder**

*Landscape Architecture  
Planning, Engineering &  
Environmental Services*

# Trenton Waterfront Zoning: The Mixed-Use Era

- **I-3 Heavy Industrial** zoning during operation of the steel plant – most intense industrial zoning
- Rezoned to **MD Mixed Use** in 2005 in conjunction with a commercial, residential, and recreational development proposal
- Remediation costs were cited in halting the development in 2007; the property was not purchased
- No mixed-use proposal has since been presented for the site

Source: "Letter to Mayor and Council from Carol A Rosati," December 2020



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# Trenton Waterfront Zoning: The Mixed-Use Era

- This suggests that if a mixed-use zoning designation could have achieved the desired outcome, it would have.
- The contaminated conditions put a finger on the scale for industrial land use: the additional burden of remediation prevents a non-industrial use from “penciling,” and the primary barrier is economic rather than regulatory.

# Trenton Waterfront Zoning: Citizen Priorities

- The 2017 Resiliency Master Plan designated the Trenton waterfront as a “redevelopment area.”
- The two land uses identified were light industrial and commercial.

*These areas are located along the City’s waterfront and have been industrial historically. The goal is to promote economic development of environmentally sound commercial and light industrial uses. The City also wants to control growth through revitalization activities and new development that meets the needs of the area, the City, and its citizens. Another goal is to eliminate and prevent the spread of blight and deterioration through the conservation, rehabilitation, and redevelopment of the area in accordance with the Master Plan.*

Source: “Trenton Resiliency Master Plan”



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# Trenton Waterfront Zoning: Foreclosure Fallout

- Foreclosure action in 2017 triggered a call for redevelopment qualifications from the new public-sector owner (Wayne County Land Bank)
- All proposals were for industrial use
- The purchase agreement committed the City to permitting certain industrial uses. This agreement functions as a zoning constraint.

*The Purchase and Development Agreement noted that the development could consist of “a vehicle mixing center, logistics park containing multiple buildings, fulfillment center, manufacturing plant, or any other use as Property zoning allows or to which the parties agree. Seller and Purchaser acknowledge that the type of industrial development for Phase II is presently undetermined, however under no circumstance will said development include the storage or processing of petroleum coke. It is the intention of Purchaser to develop an intermodal transportation type logistics facility to support rail, shipping and truck transportation and logistics.”*

Source: “Letter to Mayor and Council from Carol A Rosati,” December 2020



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# Trenton Waterfront Zoning: A Better Industrial District

- The City completed its master plan and began working on a **comprehensive new zoning ordinance** in 2016-2017
- Pursuant to the purchase agreement, in 2018 the new owners (Crown) requested a rezoning of the property to an existing district which would accommodate the proposed uses: the **I-3 district**. The request was held in abeyance for two years until completion of the zoning ordinance.
- The 2020 revised ordinance proposed a **new district, the I-W Industrial Waterfront**, to accommodate the required uses while lessening the overall intensity and instituting some protective screening and buffering features

# Trenton Waterfront Zoning: Citizen Priorities

- The required Planning Commission public hearing for the Zoning Ordinance in July 2020 was attended virtually by several hundred people, representing Trenton and neighboring communities
- The uniform desire expressed was for **environmental and aesthetic improvement**
- The response prompted the Trenton City Council to seek legal and planning advice before resuming the adoption process

# Trenton Waterfront Zoning: The W-R Waterfront Revitalization District

- Changed “I-W Industrial Waterfront District” to “W-R Waterfront Revitalization District.” (Article XVII)
  - Included commercial customer-serving uses.
  - Also limited industrial uses to those permitted in the I-1 district, because those are already defined as uses which can coexist with other uses in the absence of a buffer zone, as well as those which the city is required to permit.
  - The organizational principle of the uses is to permit the commercial and required uses by right, and the industrial uses by special land use in order to offer the Planning Commission greater control of site design and compatibility.



# Trenton Waterfront Zoning: The W-R Waterfront Revitalization District

- Required Conditions amended to require screening of outdoor storage areas that abut non-industrial uses (previously this only applied to non-industrial districts).
- Required Conditions 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.
- It did NOT institute any standards for waterfront screening. Instead, this item was flagged during both planning and legal review as a short-term priority for the Planning Commission to be addressed comprehensively.

# Trenton Waterfront Zoning: The W-R Waterfront Revitalization District

- There is precedent for mixing commercial and industrial uses, but this certainly isn't standard planning – it's the application of individual best planning practices to a **complex and highly localized** situation.
- We've seen that zoning can't fix the problem, but it *can* make it worse in either direction: preventing economic opportunity by **banishing** any use that could be considered industrial, or preventing desired development by **confining** the permitted uses to industrial.
- W-R District Goal: thoughtfully arrange the regulatory environment to permit the **best** economic solutions which preserve public health, safety, and welfare.

# Trenton Waterfront Zoning: Impact Assessment

- For all principally permitted uses and special land uses in the PD, W-R, I-1, and I-2 Districts, an impact assessment shall be required
- W-R Required Conditions permit the Planning Commission to limit the scope of the Impact Assessment for principally permitted uses of a purely commercial nature

1. *Water, noise, vibration, odor, fumes, air pollution*
2. *Effect of the proposed use on public utilities*
3. *Historic and archeological significance*
4. *Displacement of people and other land uses*
5. *Alteration of the character of the area*
6. *Effect on city's tax base and property values.*
7. *Compatibility with topography*
8. *Operating characteristics and standards*
9. *Proposed screening and other visual controls*
10. *Impact on vehicular and pedestrian traffic.*
11. *Impact on flora and fauna.*
12. *Negative short-term and long-term impacts.*
13. *Drainage*
14. *Environmental analysis*
15. *The presence of site contamination*

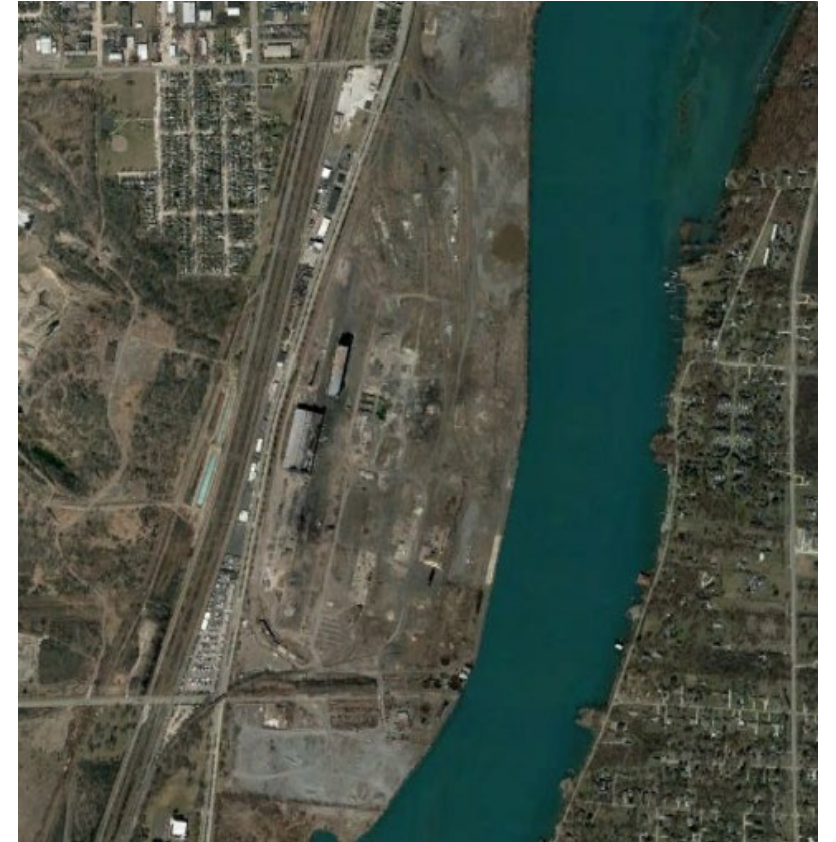
Source: Trenton Zoning Ordinance, 2020



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# Trenton Waterfront Zoning NORTH: Staying Involved

- Site Plan Review process
  - Public Planning Commission deliberations
  - Public hearing required for all Special Land Uses
- Focus on **site design and impacts**: making the execution of the permitted uses as good as it can possibly be



# Trenton Waterfront Zoning SOUTH: Staying Involved

- We are at a much earlier phase with these parcels
- Different partners
- Different assets, including planning
- Different approach to redevelopment: RRC has changed the conversation
- Opportunity for community-led vision *with a pro forma*





# Trenton Waterfront Zoning: Summary

WATERFRONT  
REVITALIZATION  
DISTRICT

Brave new “mixed  
use” district

IMPACT  
ASSESSMENT  
Better data and  
accountability



**Thank you!**

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