

project memorandum

Date: November 25, 2020
From: Leah DuMouchel, AICP
To: **Scott Church**
2800 Third Street
Trenton, MI 48183
Project: **Trenton Zoning Ordinance**

Remarks:

The following is a summary of changes that have been requested and/or incorporated into the Trenton Zoning Ordinance since the Planning Commission recommended adoption to the Trenton City Council. This summary includes changes implemented since the last memo, dated November 23.

Major Substantive Changes

1. Add requirement for Impact Assessment to all uses in PD, W-R (see item 2 below), I-1, and I-2 districts per legal review; amended requirement to include Phase III, BEA, and Due Care Plan as available and/or required per Planning review. (110-602)
2. Changed "I-W Industrial Waterfront District" to "W-R Waterfront Revitalization District." (Article XVII)
 - a. 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.
 - b. Required Conditions amended to require screening of outdoor storage areas that abut non-industrial uses (previously this only applied to non-industrial districts).

- c. 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.
- d. Required Conditions amended to permit the Planning Commission to limit the scope of the required Impact Assessment for uses of a purely commercial nature which are principally permitted in the W-R Waterfront Revitalization district per Planning review. (110-355)
- e. Reduced the permitted height from 100' to 50' (Article XXIV, 110-511)

Minor Changes Incorporated

- 3. Consolidated definitions for state-licensed residential facilities per Legal review and matched permitted uses to defined terms (Definitions)
- 4. Added definitions for logistics park, fulfillment center, and vehicle mixing center (Definitions)
- 5. Use of the term "Special Land Use" rather than "Conditional Land Use" or "Principally Permitted Use Subject to Special Conditions" per legal review (throughout document)
- 6. Use the term "Zoning Board of Appeals" rather than "Zoning Board of Appeals and Adjustments" for consistency with the State act, per Legal review (throughout document)
- 7. Use the term "Place of worship" instead of "church" or similar per Legal review (throughout document)
- 8. Amend definitions of "sign," "sign face," and "billboard"; remove references to "accessory sign" and "off-premise sign" per Legal review
- 9. Removed map changes referenced in 110-53 – changes reflected on the new zoning map.
- 10. Removed reference to medical marijuana caregivers to defer to State regulation. (110-85)

11. Removed several stray remaining references to Mixed Use district; added procedural language to PD-Planned Development district which had referenced Mixed Use section (110-452 through -457)
12. Limited noticing requirements for ZBA to properties within 300' for consistency with State act, per Legal review (110-686)
13. Changed "city engineer" to "building official" to accurately reflect the purview of responsibility. (110-701)
14. Adjusted the projects requiring Citizen Participation to match the City's districts per Planning review, and matched the notification area to the legal requirement per Legal review. (Article XXXIV)
15. New article addressing Violations and Penalties per Legal review (Article XXXV); individual Violations clauses removed (throughout document)
16. New article addressing Severability, Repeal, Effective Date, Adoption per Legal review (Article XXXVI)

Unincorporated Requests

17. "Planned" community business district. Legal review recommended removing the word "planned" from this section and its description. Planning review notes that the use of the word is deliberate and defined in the text to reflect unified development and shared parking.
18. Use variances. Legal review questioned whether this should be added. Planning review concludes that this practice is not especially desirable and defers to the zoning committee's choice to omit it.

Items to be Addressed in Future Amendments

19. Waterfront setback and landscaping regulations. New item flagged in Legal review for consideration; identified in Planning review as a task to be addressed via Planning Commission study.
20. Wireless telecommunications. Item flagged in Legal review for further revision.
21. Adult entertainment facilities. Item flagged in Legal review for further revision.
22. Oil and gas drilling. Item flagged in Legal review for further revision.