

SECTION IV. EXISTING CITY ORDINANCES

Parking in the downtown is affected by the City Code in two primary ways. The number and type of parking spaces required for new developments is controlled by the Zoning and Land Development Ordinance sections of the Code or an applicable Redevelopment Plan, which supersedes the Zoning and Land Development Ordinance.^{IV-1} In addition to development and redevelopment issues, issues concerning on-street parking, and public and commercial off-street parking management are addressed in traffic and parking management sections of the City Code as outlined below.

A. Zoning and Land Development

Chapter 315^{IV-2} of the city's general code contains zoning and land development provisions, including provisions related to parking. The study area covers primarily the Business A, Business B and Pedestrian Mall Districts^{IV-3}. The existing ordinance provides minimum parking requirements for each type of permitted use. **Table 2** provides a summary of the minimum parking requirements for each of the city's 10 zoning classifications. Following is a summary of the current minimum requirements for each use contained within Articles XIII through XXI, Sections 86-131, of Chapter 315 of the code.

Residential Uses -- for nearly all residential uses, the ordinance requires one off-street parking space per unit. In the Pedestrian Mall district, the code does not require any parking for up to 10 units. Over 10 units, it requires ½ space per unit, rounded up. This requirement is expected to change under the new Zoning Ordinance.

Non-Residential Uses -- for most non-residential uses, the ordinance requires off-street parking based upon the type of use.

In the existing Business A and Pedestrian Mall districts, the ordinance does not require parking for up to 5,000 square feet of gross floor area. Over 5,000 square feet, it requires one space per 500 square feet. These spaces cannot be in surface lots.

In the Business A Zone, the existing ordinance permits owners to pay an "in lieu" fee of \$10,000 per required space. This in lieu provision is not currently being implemented.

^{IV-1} One exception is that the State of New Jersey's Residential Site Improvement Standards govern any residential development in the downtown.

^{IV-2} References to the Zoning and Land Development Ordinance in this section apply to the zoning ordinance in effect at the beginning of the study.

^{IV-3} The City of Trenton is currently undertaking a revision to the ordinance, which is expected to rename the Pedestrian Mall District.

Table 2. Minimum Parking Requirements in the Zoning and Land Development Ordinance

District	Use	Parking Minimum	Code Section
A and B1	Residential	1 space per unit	90
B2	Residential	1 space per unit	95
B	Residential	1 space per unit	100
MU	Residential	1 space per unit	105
	Non-Residential	Based on type of business, see next table	105
Ped Mall	Residential	Up to 10 units – none, Over 10 units – ½ space per unit	116, 141
	Non-Residential	0- 5k sf – none, over 5k sf – 1 space per 500 sf No surface spaces, in-lieu fees are permitted	
Business A	Non-Residential	0- 5k sf – none, over 5k sf – 1 space per 500 sf No surface spaces, in-lieu fees are permitted	110, 141
Business B	Non-Residential	Based on type of business, see next table	121
Industrial A	Non-Residential	Based on type of business, see next table	16
Industrial B	Non-Residential	Based on type of business, see next table	131

Off-Street Parking - Article 23 of the ordinance provides additional standards for parking.

Section 134 requires plans for off-street parking and notes that provision of parking is a condition for a certificate of occupancy.

Section 136 provides design standards for surface lots, including driveways and spaces.

Section 163 sets lighting standards.

Section 177 provides more general design / landscaping standards.

Section 141 establishes the waiver process for the Business A zone.

Section 142 provides the parking requirements for non-residential uses (see **Table 3**).

Table 3. Parking Requirements for Selected Non-Residential Uses^{IV-4}

Use	Parking Minimum
Commercial, retail, or personal service	1 space per 250 sf over 1,000 sf
Educational institution	1 space per 2 employees
Hotel	1 space per room
Offices	3 spaces per 1,000 sf
Restaurant, bar, etc.	1 space for every 4 seats over 40
Any use not specifically provided for	1 space per 500 sf

Section 143 states that separate uses with different peak hour activity may utilize a shared parking equation.

Section 146 establishes provisions for applicants to seek waivers of parking requirements, if they seem unnecessary or excessive.

^{IV-4} Section 142 of the Ordinance applies to all districts except Business A and Pedestrian Mall.

B. Other City Ordinances

Several other chapters of the city code contain provisions regarding parking and sidewalks.

Sidewalk Standards - Chapter 257, Streets and Sidewalks, Article II, Excavations, requires permits for any opening or excavation in a street, sidewalk, curb, etc. The ordinance outlines the information, including plans, needed with an application, along with fees and bonds. It also establishes rules for conducting the work and standards for restoring the surface. Article III, Sidewalk, Curb, and Gutter Construction, sets physical specifications for sidewalks, curbs, and gutters. It also establishes a process for identifying substandard conditions and making necessary improvements. Two other articles relate to obstructions and snow and ice removal, respectively.

Parking Lots - Chapter 184 requires every public or commercial parking facility to obtain a license from the city and to pay an annual fee of \$10 per space.

Parking Meters

- Article I of Chapter 188 establishes the locations for all on-street meters, and it includes regulations for time limits, hours of operations, fees, etc.
- Article II of Chapter 188 identifies Trenton Parking Utility lots and includes pertinent regulations including hours, rates, etc.

Traffic - Chapter 14 contains numerous on-street parking regulations, including time limits for parking, no parking zones, and residential parking districts. It also establishes parking regulations for the area around City Hall and its annex. The ordinance has 33 schedules that establish specific locations subject to different parking and traffic regulations.

C. Redevelopment Area Parking Requirements

The provisions of the city's zoning ordinance do not apply in designated redevelopment zones. These areas each have their own redevelopment plan which contains applicable standards, including for parking. The study area for this project includes all or part of 13 redevelopment zones (see **Table 4**). A review of the plans for these zones found that not all plans have parking requirements, and the requirements vary for those plans that do include them. Typical requirements are 1 space per residential unit and 2 spaces per 1000 square feet of office space, which converts into about 1 space per 2 employees.

Table 4. Redevelopment Areas in Parking Study Area

Mercer – Jackson	Capital Plaza
Center City South	Ewing-Carroll-Southard
John Fitch Way 1	Roebling Mansion
John Fitch Way 3	State Street Square
Station Area	Wall Street
Chancery Place	West State Street
Capital Center	

D. Residential Site Improvement Standards

All parking regulation is not solely under the control of the City. The State of New Jersey’s Residential Site Improvement Standards (RSIS), managed by the NJ Department of Community Affairs (DCA), were created to provide uniformity in design standards, including minimum parking requirements, for the construction of residential developments throughout the state. Approved by the state legislature, these standards supersede municipal land use requirements in the areas that they apply. Table 4.4 of the RSIS indicates the minimum number of spaces per unit for different types of dwelling units.^{IV-5} These rates range from a low of 0.5 spaces per unit for assisted living housing to a high of 3 spaces per unit for 5-bedroom detached units. For the types of development most likely in the study area, high rise and townhouse, the rates range from 0.8 spaces per unit for a 1-bedroom high rise to 2.4 spaces per unit for 3-bedroom townhouses.

Table 5 provides a comparison of the minimum parking requirements contained in the zoning ordinance, the redevelopment plans, and RSIS.

Subchapter 3 of the RSIS allows municipalities to review and approve applications for exceptions to the standards if they are “...*impracticable or will exact undue hardship because of peculiar conditions pertaining to the development in question.*” Interestingly, the first of several examples that the code provides is “reducing the minimum number of parking spaces.”

^{IV-5} DCA is currently conducting a research study that may lead to recommendations for a new process for determining the residential parking requirements by area of the state, which may lead to reducing the minimum parking standards for Trenton. This study is part of a broader effort to promote smart growth infill development across the state, and it may include various recommendations for new approaches to parking management.

Table 5. Comparison of Existing Parking Requirements

	<u>Residential</u>	<u>Non-Residential</u>
Zoning Ordinance	For most classifications, the ordinance requires 1 space per dwelling unit	Varies by type of use – some examples follow: Office – 3 spaces / 1000 sf (about 1 / job) Retail – 4 spaces / 1000 sf over 1000 sf (about 2 / job)
Redevelopment Plans	Varies Some are 1 /du	Varies Some are 2 / 1000 sf office (about .5 / job)
Residential Site Improvement Standards	Requirements ranges from .5 – 3 spaces / du	NA

The RSIS also authorizes towns to prepare and submit to the DCA for approval requests for “special area improvement” standards based upon specified criteria. At least one city, Hoboken, has received approval for special area standards that include the following types of parking standards:

- § No parking required or permitted
- § Parking required only for units over a certain number
- § Parking required only up to a certain maximum

The process of preparing special parking requirements for RSIS approval may provide a basis for the city to pursue a new unified approach to establishing parking requirements and policy. This approach would coordinate standards within existing ordinances, redevelopment plans, and the RSIS, as well as policy elements within various planning documents.