

## 1205.08 DISTRICT 5: VILLAGE CORE DISTRICT.

### (a) Purpose.

(1) This district is intended to preserve and protect the Village Core, which is the historic and commercial center of the City of Hudson. This district contains portions of Hudson's Historic District, and all new development in this district shall be consistent with the historic core plan as set forth in the Comprehensive Plan. While a wide range of uses currently exists within the district, including several non-conforming industrial and office uses, the regulations contained in this district are intended to encourage a predominance of compact and pedestrian-scale retail, service, and office uses in the Village Core. The visual focus of the Village Core is the Village Green and Village Green Extension, and all uses located on streets adjacent to the Village Green or Village Green Extension shall be required to face these open spaces. New commercial and retail development will be required to reflect the overall appearance, form, pattern, and design of the Historic District.

(2) To the maximum extent feasible, new development in the district will be required to preserve and protect the scenic and natural landscape qualities, as well as the drainage and flood control functions, of Brandywine Creek. Regional and local traffic congestion at the intersection of Routes 91 and 303 has hampered accessibility into and out of the Village Core; accordingly, alternate access routes will be encouraged in this district, including pedestrian ways and bikeways, and new development will be required to submit proposed parking programs, access plans, and traffic impact studies for review.

### (b) Uses By-Right. Subject to the restrictions in division (d)(4) of this section:

#### (1) Residential.

- A. Duplexes.
- B. Dwelling units stacked above or mixed with offices or other commercial space.
- C. Family day care homes, small (one to six children).
- D. Residential group homes for up to five handicapped or elderly people.
- E. Single-family, detached.
- F. Single-family, attached.
- G. Townhomes.

#### (2) Commercial/retail.

- A. Artisan studios, photography shops and studios, and art galleries.
- B. Automated teller machines (ATMs).
- C. Banks or other financial institutions, except drive-through bank teller or ATM facilities, provided that such use located on the ground floor of a structure shall not exceed 5,000 square feet of gross floor area.
- D. Bars/taverns, provided that such use located on the ground floor of a structure shall not exceed 5,000 square feet of gross floor area.
- E. Bed and breakfast inns.
- F. Medical clinics, provided that any clinic use located on the ground floor of a structure shall not exceed 5,000 square feet of gross floor area.

G. Offices, business or professional, with a ground floor footprint not to exceed 5,000 square feet of floor area.

H. Parking lot as a principal use.

I. Recording, radio, or television studios, provided that any such use shall not exceed 2,500 square feet of gross floor area.

J. Restaurants, except drive-through restaurants, with a ground floor footprint not [to] exceed 5,000 square feet of floor area.

K. Retail uses, with a ground floor footprint not [to] exceed 5,000 square feet of floor area.

L. Services, personal, business, or repair, except for vehicle repair, with a ground floor footprint not to exceed 5,000 square feet of floor area.

(3) Planned developments.

A. Planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02.

(4) Institutional/civic/public.

A. Government administrative offices.

B. Public, non-profit, or private cultural facilities including but not limited to libraries and museums.

C. Public park or recreation areas, including multipurpose trails.

D. Public recreational facilities, indoor or outdoor.

E. Public safety and emergency services.

F. Essential public utility and public services installations, including bus shelters and bus stops, but not including water towers, power generating stations, transfer stations, or outdoor storage.

(5) Accessory uses. See Section 1206.03 , Accessory Uses.

(c) Conditional Uses. The following uses shall be conditionally permitted in District 5 subject to meeting all applicable requirements set forth in division (d) of this section, including the locational restriction of division (d)(4) of this section and Section 1206.02 , Conditional Uses:

(1) Residential.

A. Assisted living.

B. Model homes.

C. Multi-family.

(2) Commercial/retail.

A. Assembly and meeting halls, provided that such use on the ground floor of a structure shall not exceed 5,000 square feet of gross floor area.

B. Automobile service stations.

C. Banks, or other financial institutions, with drive-through teller or ATM facilities, provided that when such use is located on the ground floor of the structure it shall not exceed 5,000 square feet of gross floor area.

- D. Bars/taverns located within 200 feet of a residential use.
- E. Convenience stores and specialty grocery stores.
- F. Entertainment and indoor amusement facilities.
- G. Funeral homes.
- H. Lodging.
- I. Liquor stores.

J. Offices, business or professional, with a ground floor footprint greater than 5,000 square feet, but less than 10,000 square feet or provided that the use is part of a planned development and subject to a development agreement and provided that any structure must be broken up into storefront modules not exceeding forty feet in width. Each module shall have display windows and other architectural features to distinguish it from adjacent modules.

K. Recreational or sports training facilities, commercial.

L. Restaurants located within 200 feet of a residential use, but not including drive-through restaurants.

M. Retail and restaurant uses with a ground floor footprint greater than 5,000 square feet, but less than 10,000 square feet or provided that the use is part of a planned development and subject to a development agreement, and provided that any structure must be broken up into storefront modules not exceeding forty feet in width. Each module shall have a prominent entry, display windows, and other architectural features to distinguish it from adjacent modules.

N. Retail uses with outdoor sales or storage.

O. Veterinary facility, small animal clinic (allow overnight, indoor boarding).

P. Parking structure as a principal use.

(3) Institutional/civic/public.

A. Cemeteries.

B. Convention or conference centers.

C. Government public works and service facilities.

D. Places of religious worship, including churches and synagogues. Religious schools and day care centers may be permitted as accessory uses within the same structure as the principal conditional use.

E. Public safety and emergency services.

F. Schools, public or private (preschool, elementary, secondary, or post-secondary).

G. Transportation facilities without repairs (bus terminal, train depot, etc.)

(4) Accessory uses. See Section 1206.03 , Accessory Uses.

(d) Property Development/Design Standards. In addition to compliance with all applicable standards set forth in Chapter 1207 , Zoning Development and Site Plan Standards, development in District 5 shall comply with all of the following development/design standards (all standards are minimums unless otherwise noted):

(1) Maximum net density.

- A. Single-family detached: eight dwelling units per acre.
- B. Single-family attached: eight dwelling units per acre.
- C. Duplex: twelve dwelling units per acre.
- D. Townhomes: twenty dwellings units per acre.
- E. Multi-family: thirty dwelling units per acre.

(2) Open space. All residential developments of less than ten dwelling units are exempt from this Code's public open space dedication and in-lieu requirements.

(3) Mix of uses. Mixed-use developments shall be strongly encouraged in District 5, subject to the following standards:

A. More than one principal commercial/retail use permitted by-right or conditionally in District 5 may be developed or established together on a single lot or site, or within a single structure, provided all applicable requirements set forth in this section and Code and all other applicable ordinances are met.

B. Any combination of residential and commercial/retail uses that are permitted by-right or conditionally in District 5 may be developed or established together on a single lot or site, or within a single structure, provided all applicable requirements set forth in this section and Code, and all other applicable ordinances, are met. For example, a two-story structure on a single lot in the Village Core may have a restaurant or retail store on the ground floor, and residential apartments or condominiums on the second floor.

(4) Locational restrictions on permitted uses—Main Street. On the west side of Main Street in District 5, extending from Park Lane on the south to Owen Brown Street on the north, all Main Street floor level uses shall be limited to restaurants, bars/taverns, retail trade or personal service establishments less than 5,000 square feet in gross floor area. No new business or professional offices, business service establishments, banks or financial institutions, or ATMs shall be allowed or established on the Main Street floor level of existing or new structures located on the portion of Main Street specified in this provision. Any planned development to the west of Main Street within the area bounded by Clinton Street, Morse Road and State Route 303 must limit ground floor non-public uses to permitted uses by right or conditionally as commercial and retail uses referred to in divisions (b)(2) and (c)(2) of this section, but shall not include division (b)(2)G. and (b)(2)H. of this section, business service establishments of division (b)(2)M. of this section, or division (c)(2)A., (c)(2)F., (c)(2)I., and (c)(2)N. of this section.

(5) Minimum lot width.

- A. Single-family detached: fifty feet.
- B. Single-family attached: forty-eight feet.
- C. Townhomes: twenty-four feet.
- D. Multi-family uses: not applicable.
- E. Non-residential uses: not applicable.

(6) Maximum number of dwelling units per structure.

- A. Single-family attached: four dwelling units.
- B. Townhomes: eight dwelling units.
- C. Multi-family: twenty dwelling units.

(7) Setbacks. Unless modified pursuant to Section 1203.08 , Minor Modifications, the yard setbacks in District 5 shall be:

A. Minimum front yard setback:

1. Residential uses: five feet.

2. Non-residential uses and multi-family: A minimum of seventy-five percent of the front wall of commercial/retail buildings shall be built to the edge of the front sidewalk or front property line (minimum and maximum front yard/setback = zero feet).

3. Averaging may be required for setbacks: When the two immediately adjoining properties contain existing development, then the front setback shall not differ by more than ten percent from the front yard setbacks existing on either one of the two properties immediately adjoining the subject property unless approved by the Architectural and Historic Board of Review.

B. Minimum rear yard setback:

1. Residential—principal structure: twenty-five feet.

2. Residential—accessory structure: five feet.

3. Non-residential: ten feet, except that when the rear yard abuts a residential use, the rear yard setback shall be increased to twenty feet from the property line.

C. Minimum side yard setback:

1. Single-family uses: eight feet.

2. Duplexes: ten feet.

3. Multi-family uses: ten feet.

4. Side-facing attached garage: twenty-five feet.

5. Other accessory structures: five feet.

6. Non-residential: zero feet provided that adequate access is available at the rear of the use via an alley or other means of ingress for emergency and service vehicles. Except that when adjacent to the residential use shall be at least fifteen feet from the property line.

(8) Maximum building coverage.

A. Commercial/retail uses: The amount of impervious coverage shall be no more than eighty percent of the total gross lot area unless covered under the provisions of a planned development and development agreement.

B. Single-family attached, townhome, and multi-family residential uses: The amount of impervious coverage shall be no more than eighty percent of the total gross lot area.

(9) Maximum structure height.

A. Single-family detached, attached, duplexes, townhomes: thirty-five feet.

B. Multi-family residential uses: forty feet.

C. Commercial/retail and other non-residential uses: forty-five feet, except that no facade or portion of a building shall exceed a height such that it would be visible above the height of existing facades of buildings fronting on Main Street when viewed from the Village Green.

(10) Distance between residential buildings. Structures containing either single-family-attached, townhomes, or multi-family dwelling units shall be separated from each other by a minimum of ten feet

at their closest points.

(11) Building siting and orientation. The following building siting and orientation requirements shall apply to new development in District 5:

A. Principal residential structures—single-family detached and duplexes.

1. The main entrance(s) to the residence shall face the street.

2. The front wall of the principal structure shall be parallel to the street or perpendicular to a radius of the curve of the street extended through the approximate center of the main mass, if the street is curved.

B. Principal residential structures—single-family attached, townhomes, and multi-family.

1. The entrance to at least one dwelling unit within each building shall face the street. (See Figure 6.)

2. The front wall of the principal structure, or the front wall of at least one principal structure in a multi-building development, shall be parallel to the street or perpendicular to a radius of the curve of the street extended through the approximate center of the main mass, if the street is curved.

C. Principal residential structures on corner lots.

1. In general, the structure shall face one of the streets and not the corner.

2. One side of the structure shall be designated the "front" and shall be subject to the requirements set forth in division (d)(11)A. or B. of this section and requirements regarding private walks and entryways set forth below in division (d)(14).

D. Private garages:

1. Doors of attached garages shall not face the street.

2. An attached garage shall be sited so that its door is not visible from the primary direction of approach.

3. Detached garages shall be located in the rear yard.

E. Non-residential development:

1. Commercial/retail buildings shall maintain a continuous wall plane at the front property line. Architectural features, such as bay windows, may project beyond this plane no more than thirty inches at a minimum height of twelve feet above the sidewalk.

2. The main entrance to the principal structure shall face the street.

3. The front wall of the principal structure shall be parallel to the street or perpendicular to a radius of the curve of the street extended through the approximate center of the main mass, if the street is curved.

(12) Architecture and design standards. See Architectural Design Guidelines located in Appendix D.

(13) Bufferyard requirements for lots abutting a historic landmark. New development on lots that abut a historic landmark shall establish a bufferyard equivalent to or greater than "Bufferyard C" as set forth in Section 1207.04 (g). The bufferyard shall be established on the boundary that abuts the historic landmark.

(14) Private walkway entrances. All new residential development shall connect the front entrance of the principal structure to the sidewalk with a private connecting walkway surfaced with either

concrete, brick, or stone.

(15) Driveway curb cuts.

A. Townhomes and duplexes: No more than one driveway curb cut per lot.

B. Single-family attached and multi-family: No more than two driveway curb cuts per development site. Non-residential uses: No more than one driveway curb cut per lot, except that when the lot is wider than 150 feet then no more than two driveway curb cuts per lot.

C. See Section 1207.13(c)(5) regarding limits on curb cuts to arterial and collector roads.

(16) Environmental standards. See Section 1205.13 , Floodplain/Floodway Overlay District.

(17) Street connections and design.

A. State Route 91 and State Route 303: State Route 91 and State Route 303 within District 5 shall not be widened with additional through lanes, nor shall angled parking be eliminated on the west side of Route 91, north of Route 303.

(18) Location of parking. In addition to the standards for off-street parking set forth in Section 1207.12 , the following restrictions shall apply in District 5 to new development:

A. Location and access—residential uses:

1. Off-street parking shall not be located in a principal building's front yard setback area.

2. Off-street parking shall be located at the rear or side of a principal building on the interior of the lot and shall be accessed by means of shared driveways, preferably from side streets or alleys.

3. Driveways may be located in the rear yard setback area.

B. Location and access—non-residential uses:

1. No more than twenty percent of off-street parking shall be located to the side of a principal building.

2. All other off-street parking shall be located at the rear of a building on the interior of the lot and shall be accessed by means of shared driveways, preferably from side streets or alleys.

3. Driveways may be located in the rear yard setback area.

C. Non-residential uses—shared parking: Parking lots shall be interconnected with non-residential parking lots on adjacent properties to the maximum extent feasible. As per Section 1207.12(h), Joint or Collective Parking Facilities, cross-access easements or other acceptable agreements for adjacent lots with interconnected parking lots shall be submitted in language acceptable to the City's solicitor and PC to ensure availability of shared parking to users.

(19) Pedestrian amenities.

A. Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways.

B. Sidewalks:

1. Sidewalks at least five feet wide shall be provided on all sides of a lot that abut a public street, way, or open space.

2. Sidewalks at least five feet wide shall be provided along the full length of a building facade that features a customer entrance and along any building facade abutting a public parking area.

3. All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.

C. Linkages: To the maximum extent feasible, provision shall be made in the design of developments for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or future sidewalks, bikeways, walkways, and any existing or planned trail systems along Brandywine Creek.

(Ord. 16-148, § 9. Passed 2-21-17; Ord. 18-93. Passed 10-15-19; Ord. 21-71. Passed 1-4-22.)