

A ORDINANCE PERMITTING FUNDS-IN-LIEU OF SIDEWALKS ~~FOR DISTRICT 8~~ CITYWIDE AND REAFFIRMING THE CITY'S COMMITMENT TO NON-VEHICULAR CONNECTIVITY IN THE CITY OF HUDSON.

WHEREAS, in case BZBA 2020-1051, the Board of Zoning & Building Appeals denied a variance to the requirement "... to provide a public sidewalk on one (1) side of an abutting street pertaining to new development, pursuant to section 1205.11(e)(9)(B)(1)" unless funds-in-lieu of sidewalks were provided; and

WHEREAS, in case BZBA 24-270, the Board of Zoning & Building Appeals granted a variance to the requirement "... to provide a public sidewalk on one (1) side of an abutting street pertaining to new development, pursuant to section 1205.11(e)(9)(B)(1)" at least partially on the grounds that funds-in-lieu of sidewalks was not explicitly defined for District 8; and

WHEREAS, the Council of the City of Hudson seeks to clarify these conflicting precedents; and

WHEREAS, over the past five years, the City of Hudson has added approximately 7.8 miles of sidewalks or trails at an approximate cost of \$12,500,000.00; and

WHEREAS, over the next five years, the City of Hudson has budgeted approximately \$12,300,000.00 for additional sidewalks or trails; and

WHEREAS, a survey conducted in 2020 by ETC Institute for development of the 2020 Park Master Plan indicates that "walking and biking trails" were identified as one of the four most important recreation facilities to 59% of Hudson households; and

WHEREAS, a survey conducted in 2023 by ETC Institute for development of the 2024 Comprehensive Plan indicates that 76% of Hudson households identified "sidewalks/walkability" as "Extremely Valuable (5)" or "Valuable (4);" and

WHEREAS, a survey conducted in 2023 by ETC Institute for development of the 2024 Comprehensive Plan indicates that "sidewalks" ranked in the top five City services that "should receive emphasis over the next two years," with 28% of households selecting it as their first, second, or third choice; and

WHEREAS, expansion of the non-vehicular connectivity network, via sidewalks and trails, remains a goal and priority for the City of Hudson.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, Summit County, Ohio, that:

Section 1: That Section 1207.13(e)(1) of the Codified Ordinances of the City of Hudson be hereby amended to render the “payment in lieu” clause applicable citywide ~~include applicability to District 8~~ and shall, therefore, provide as follows, with the additions being **underlined and in bold**:

(1) When adjacent or abutting properties do not have public sidewalks and other pedestrian non-vehicular circulation systems with which to directly connect or link, the owner or developer may, with the approval of the Planning Commission, at the owner's or developer's option, ~~in Districts 1, 2, 3, 7, 8, 9 and 10,~~ provide monetary funds in-lieu of providing public sidewalks and other pedestrian or non-vehicular circulation systems.

Section 2: Upon its passage, the Clerk of Council is directed to deliver a copy of this Ordinance to all members of the Hudson Board of Zoning & Building Appeals.

Section 3: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 24-86 was duly passed by the Council of said Municipality on _____, 2024.

Aparna Wheeler, Clerk of Council