



COMMUNITY DEVELOPMENT • 115 Executive Parkway, Suite 400 • Hudson, Ohio 44236 • (330) 342-1790

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DATE: October 5, 2016

TO: City of Hudson Planning Commission for October 10, 2016 Meeting

FROM: Greg Hannan, City Planner  
Mark Richardson, Community Development Director

SUBJECT: LDC Text Amendment – Planned Developments, District 5, and Government Facilities  
Ordinance No. 16-148

PC Case No: 2016-27

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### **Project Introduction**

The proposed Land Development Code text amendment is submitted to simplify the approval process and standards for Planned Developments and revise District 5 zoning regulations to be more in keeping with existing development in the village core. Staff recommends that additional amendments concerning the location of government facilities be included in the revisions. Council conducted its first reading of the ordinance September 20, 2016 and referred the legislation to Planning Commission for its public hearing and recommendation.

The following information is attached to this report.

1. Draft Ordinance 16-148
2. Council staff report dated September 20, 2016
3. Government facilities table and definitions

### **Applicable Approval Procedure**

As a City initiated zoning text amendment application, this case is subject to the procedure set forth in Section 1203.03(c)(1). The ordinance is before the PC for step two of the below process.

Step	Dates	Notes
Step 1 Council	September 20, 2016	Council conducts a first reading of the application and refers the case to PC for a public hearing, review of the site specific plan, and recommendation.
Step 2 PC	October 10, 2016	PC conducts a public hearing and reviews the site specific plan and makes a recommendation to Council.
Step 3 Council	November 2016	City Council conducts a second reading, another public hearing, and takes final action.

## **Purpose & Explanation of LDC Amendment**

### **Planned Developments**

- A. The LDC allows for Planned Developments (PDs) to provide flexibility in meeting City requirements. This flexibility however comes at the price of a lengthy, complicated process. The amendment deletes two steps from the approval process saving at least four weeks. The result is a process that is similar to zoning text and map amendments where PC makes a recommendation to Council on the preliminary plan. Council may then accept, modify or reject PC's recommendation. Planning Commission would verify conditions placed on the preliminary plan are met and take final action on the final plan rather than referring the final plan to Council for final action. The changes to this process are illustrated below:

<b>Step</b>	<b>Notes</b>
Planning Commission	Public hearing, review, and action on the Preliminary Plan
<del>Planning Commission</del>	<del>Resubmittal to PC (if needed) to incorporate any requested revisions to the preliminary plan</del>
City Council	Public Hearing on the Preliminary Plan
City Council	Review and action on Preliminary Plan
Planning Commission	Planning Commission public hearing, review, and action on the Final Plan
<del>City Council</del>	<del>City Council public hearing, review, and action on Final Plan</del>

- B. The minimum area for PDs is five acres, a large area for more densely developed D5. The minimum area for PDs would be reduced to two acres in D5.
- C. The LDC allows the City Manager to act on Minor Modifications to site plans, other approved plans and plats, and zoning and development requirements. Typically these modifications are limited to no more than 10% of the approved element of the plan. The ability to modify density and impervious surface coverage for approved PDs is not provided. Therefore any increase in density or impervious surface coverage, even if it is within City requirements, would have to go through the approval process again. The amendment would allow the City Manager to modify density and impervious surface coverage up to 10% of what was approved. Density and impervious surface coverage must still meet City requirements.
- D. PDs are permitted in most zoning districts, but are limited to residential, mixed-use, or commercial PDs depending on the zoning district, limiting creative development. Limitations on the type of PD allowed in each zoning district would be deleted; however, all PDs are restricted to the uses allowed in the underlying zoning district.
- E. PDs are required to provide open space in excess of other City requirements. The open space requirement would be deleted from the PD standards. PDs must meet all other City open space requirements.

### **District 5**

- F. Some zoning regulations in District 5 are more typical of less dense, more suburban development. These amendments will address many of the issues staff and applicants

have dealt with in District 5 and the Planned Development application for First and Main. District 5 zoning requirements and landscaping regulations would be amended to create development more typical of the village core as follows:

1. Office uses may be part of a PD
2. The minimum width of a storefront module for uses over 5,000 square feet is increased from 30 to 40 feet to match architectural design standards
3. Open space requirements of residential development are deleted
4. Minimum lot width requirements are decreased as follows:
  - a. Single family attached from 48 to 20 feet
  - b. Townhomes from 24 to 20 feet
  - c. Multi-family from 100 feet to not applicable
  - d. Provisions for lots abutting railroad right-of-way are deleted
5. Maximum number of dwellings per structure is increased as follows:
  - a. Townhomes from 4 to 8 dwellings
  - b. Multi-family from 12 to 20 dwellings
6. Minimum front yard setbacks for residential uses are decreased as follows:
  - a. Residential uses from 20 to 5 feet
  - b. 75% of front wall at property line applies to multi-family as well as nonresidential
  - c. AHBR may approve deviations to setback averaging
7. The maximum impervious surface coverage is increased from 75% to 80%
8. Distance between residential buildings is decreased from 20 to 10 feet
9. Off-street parking requirements are amended as follows:
  - a. Parking in the front is no longer allowed. Parking in the side allowance is added to parking in the rear
  - b. Parking in the side is limited to 20% of the parking
10. Perimeter parking landscaping is reduced from 10 feet to five feet
11. Screening of service equipment is required only from views from the street

#### Government Facilities

- G. Any government facility is a use-by-right wherever it is allowed; therefore although the site plan and building design may be reviewed, the use of the land would not be an issue.
- H. Building size limitations are removed.
- I. Safety services are permitted anywhere in the City. Other government facilities are permitted anywhere similar uses are permitted.

The result of these amendments will allow the approval process for PDs to be reduced by approximately four weeks, District 5 will have a pedestrian orientation, lot sizes, parking regulations, and a concentration of development more characteristic of the existing village core, and Downtown Phase II will benefit from these amendments.

#### Recommendation

Pending testimony offered at the public hearing, staff recommends that Planning Commission recommend that Council approve the requested text amendment.

If Planning Commission agrees with this recommendation it may use the following as the basis for its recommendation to Council:

Based on the evidence and representations to the Commission by City staff, 115 Executive Parkway – Suite 400, Hudson, Ohio 44236, as applicant and property owner, and other interested parties, at a public hearing of the Planning Commission held at its regular meeting on October 10, 2016, the Planning Commission in Case No. 2016-27 recommends that City Council approve Draft Ordinance No. 16-148 An Ordinance Amending Chapters 1203, “Development Review and Administrative Procedures,” 1204, “General Review Standards,” 1205, “Zoning Districts”, 1206, “Us Regulations,” and 1207, “Zoning Development and Site Plan Standards” of the Land Development Code.

AN ORDINANCE AMENDING CHAPTERS 1203, “DEVELOPMENT REVIEW AND ADMINISTRATIVE PROCEDURES,” 1204, “GENERAL REVIEW STANDARDS,” 1205, “ZONING DISTRICTS”, 1206, “USE REGULATIONS,” AND 1207, “ZONING DEVELOPMENT AND SITE PLAN STANDARDS,” OF THE LAND DEVELOPMENT CODE.

WHEREAS, the Land Development Code permits Planned Developments (PDs) in many zoning districts and the PD planning process provides flexibility in meeting City requirements which permits creative and sustainable development while maintaining the City’s character; and

WHEREAS, City staff recommends that the Land Development Code be amended to streamline the PD approval process by removing the resubmittal procedure for preliminary PD plans that are recommended to Council for approval by the Planning Commission with conditions and to further define what constitutes a minor modification to an approved plan which can be reviewed and approved by the City Manager; and

WHEREAS, City staff also recommends amendments to the Land Development Code regarding PDs, including, the minimum area requirement, open space requirements, and amendments to certain District 5 regulations to permit development more typical of the village core; and

WHEREAS, the Phase II of Downtown Redevelopment project will benefit from the Land Development Code amendments set forth in this Ordinance; and

WHEREAS, this Council has introduced the within Ordinance and referred it to the Planning Commission pursuant to its obligation under Land Development Code Section 1203.03 to follow said procedure; and

WHEREAS, the Planning Commission has submitted its recommendation to Council and Council has held its own public hearing on this Ordinance, and upon which Council determines that the proposed amendments to Chapters 1203, 1204, 1205, 1206, and 1207 of Land Development Code should be adopted as being consistent with the public health, safety and general welfare.

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

Section 1. Chapter 1203, “Development Review and Administrative Procedures,” of the Land Development Code, be amended in part to read as follows:

## **“CHAPTER 1203 DEVELOPMENT REVIEW AND ADMINISTRATION PROCEDURES**

\* \* \*

### **Section 1203.03 Code Amendments**

\* \* \*

#### **(j) *Amendments to an Approved Site-Specific Development Plan***

Any change or modification to an approved site-specific development plan that does not qualify as a minor modification pursuant to subsection (i) above must be submitted as a new application for approval of a ~~preliminary~~ final PD plan and follow the procedures set forth in Section 1203.04(d), “Planned Developments,” of this Chapter.

\* \* \*

### **Section 1203.04 Planned Developments**

\* \* \*

#### **(c) *Procedures for Approval of a Preliminary PD Plan***

Planned Developments, similar to subdivisions, are first approved in preliminary form, and then approved in final form. Applications for approval of a Preliminary PD Plan shall follow the core development approval process set forth in Section 1203.02 of this Chapter, except for the following modifications:

- (1) Step 1: Pre-Application Conceptual Review Meeting. A pre-application conceptual review meeting shall be mandatory for all persons intending to submit an application for approval of a Preliminary PD Plan.
- (2) Step 4: Planning Commission Action. The PC’s role shall be to review all applications for Preliminary PD Plans and make a recommendation to the City Council to either approve, approve with conditions, or deny the application based on its compliance with the standards set forth in Section 1203.04(e) below. ~~If the PC recommends approval of an application with conditions, before proceeding to Step 5, City Council Review and Action, the applicant shall resubmit to the PC a revised Preliminary PD Plan that reflects any changes or modifications required or suggested by the PC in its initial review. Within sixty (60) days of receipt of the revised Preliminary Planned Development plan, the PC shall complete its review and take action by recommending to the City Council that the application and PD Plan as revised either be approved with the prior conditions in place or denied.~~

\* \* \*

#### **(i) *Modifications of Final PD Development Plan***

- (1) Minor modifications of the final PD development plan may be authorized by the City Manager as set forth in Section 1203.08, “Minor Modifications.”
- (2) Any change that does not qualify as a minor modification as set forth in Section 1203.08 shall be considered amendments and shall be processed in accordance with the procedure for approval of a ~~Preliminary~~ Final PD Plan.

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## **1203.08 Minor Modifications**

### **(a) Applicability**

The City Manager shall have the authority to grant minor modifications to approved site plans, site-specific development plans, final PD plans, and final subdivision plats, and from specified development standards as set forth below:

- (1) Minor Modifications to Approved Site Plans. The City Manager may grant minor modifications and amendments to an approved site plan provided the City Manager finds that such modification advances the goals and purposes of this Code and results in more effective environmental or open space preservation or relieves practical difficulties in developing a site for reasonable economic use. In no circumstance, however, shall the City Manager approve a modification or amendment that results in:
  - (A) An increase in building height by greater than ten (10) percent; or
  - (B) An increase in the ratio of floor area to lot area, or impervious surface coverage, by greater than ten (10) percent as calculated on a total project basis.
- (2) Minor Modifications to Other Approved Plans/Plats. The City Manager may grant minor modifications and amendments to an approved site specific development plan, final PD plan, or final subdivision plat provided the City Manager finds that such modification advances the goals and purposes of this Code and results in more effective environmental or open space preservation or relieves practical difficulties in developing a site for reasonable economic use. In no circumstance, however, shall the City Manager approve a modification or amendment that results in:
  - (A) An increase in overall project density by greater than ten (10) percent;
  - (B) An increase in the amount of impervious coverage or ratio of floor area to lot area by greater than ten (10) percent;
  - ~~(C) A decrease in lot size; or~~
  - ~~(D) A change in permitted uses or mix of uses.~~

\* \* \*

Section 2. Chapter 1203, “Development Review and Administrative Procedures,” of the Land Development Code of the Codified Ordinances of the City of Hudson, to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 3. Chapter 1204, “General Review Standards,” of the Land Development Code, be amended in part to read as follows:

## **“CHAPTER 1204 GENERAL REVIEW STANDARDS**

\* \* \*

### **Section 1204.02 Planned Developments**

#### **(a) Purpose**

Within specified zone districts, planned developments are intended to encourage flexibility, innovation, and creativity in site and development design by allowing the mixing of permitted uses and/or modification or variation from otherwise applicable zone district and development standards. ~~Planned developments~~

~~containing only residential uses are permitted in Districts 1 and 3, planned developments mixing residential and commercial uses are allowed in District 5 (the Village Core). Commercial planned developments are allowed in Districts 5, 6 (office only), 8, and 10, while industrial planned developments are permitted only in Districts 6 and 8.~~ In return for maximum flexibility in site design and development, planned developments are expected to deliver exceptional quality products that preserve critical environmental resources, provide above-average open space amenities, incorporate creative design in the layout of buildings, open space, and circulation, assure compatibility with surrounding land uses and neighborhood character, and provide greater efficiency in the layout and provision of roads, utilities, and other infrastructure.

(b) *Standards for Review of a Preliminary PD Plan*

An application for approval of a Preliminary PD Plan, together with submitted plans and reports, shall be reviewed for their conformance with the following standards:

- (1) The proposed PD shall be consistent with and implement the planning goals, policies, and objectives as contained in this Code and in the Comprehensive Plan;
- (2) The proposed PD shall contain uses that are expressly permitted either by-right or as conditional uses in the zone district in which the PD is located or as modified according to (b)(3) below, but such uses may be mixed within the planned development or within the same structure located in the PD;
- (3) The proposed PD shall comply with the density or lot coverage ratio requirements set forth for the zone district in which the PD is located, except to the extent that a bonus has been expressly allowed pursuant to subsection (c) below;
- (4) The proposed PD shall comply with the subdivision development and design standards as set forth in Chapter 1208 of this Code, except to the extent modifications, variances, or waivers have been expressly allowed pursuant to paragraph (7) below;
- (5) Adverse impacts on adjacent properties, including but not limited to traffic, noise, and visual impacts, shall be mitigated to the maximum extent feasible;
- (6) The planned development shall be integrated with adjacent development through street connections, sidewalks, trails, and similar features;
- (7) All district, development, and subdivision standards set forth in Chapters 1205, 1207 (such as lot size, floor area ratio, structure height, etc.), and 1208, except those specified in subsection (b)(8) below, may be modified or varied upon a finding that the proposed PD incorporates creative site design such that it represents an improvement in quality over what could have been accomplished through strict application of the otherwise applicable district or development standards, including but not limited to improvements in open space provision and access; environmental protection; tree/vegetation preservation; efficient provision of streets, roads, and other utilities and services; or choice of living and housing environments;



- (8) The proposed PD shall comply with the following requirements, which shall not be modified or varied except as expressly set forth below or as permitted by Section 1203.08, AMinor Modifications@:
- (A) Minimum Area Requirement. All Planned Developments shall have a minimum size of 5 acres except for District 5 which shall a minimum size of 2 acres.
  - (B) Setbacks from Adjoining Residential Uses. All Planned Developments shall comply with any applicable zone district standards that require minimum setbacks from adjoining residential uses or properties.
  - (C) Transportation/Circulation/Pedestrian Linkage. All Planned Developments shall comply with the transportation, circulation, and pedestrian linkage standards set forth in Section 1207.13 of this Code, and such provisions shall not be modified or varied in any way unless adequate compensating mitigation measures are included in the PD plan.
  - (D) Adequate Public Facilities. All Planned Developments shall comply with the adequate public facilities standards set forth in Section 1207.11 of this Code.
  - (E) Environmental Protection Standards. All Planned Developments shall comply with the provisions set forth in the following sections and such provisions shall not be modified or varied in any way unless compensating mitigation measures are included in the PD plan:
    - (A) Section 1207.03, AWetlands/Stream Corridor Protection.@
    - (B) Section 1207.07, “Stormwater Management/Drainage/Erosion Control.”
    - (C) Section 1207.02, ATree and Vegetation Protection.@
    - (D) Section 1207.10, APerformance Standards.@
  - (F) Architectural and Design Standards. All Planned Developments shall comply with the city=s architectural and design standards, including but not limited to industrial design standards.
  - ~~(G) Minimum Open Space Requirements. At a minimum, a Planned Development shall set aside the following amounts of land area as open space for either private, public, or combined private and public use:~~
    - ~~(A) Industrial or Business Park Planned Development: 30% of the site’s total gross area.~~
    - ~~(B) Other Commercial Planned Developments: 40% of the site’s total gross area, except in District 5 where the underlying zone district requirements shall control.~~
    - ~~(C) Mixed Use Planned Developments: See the underlying District 5 zone district requirements.~~

\* \* \*”

Section 4. Chapter 1204, “General Review Standards,” of the Land Development Code of the Codified Ordinances of the City of Hudson, to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 5. Chapter 1205, “Zoning Districts,” of the Land Development Code, be amended in part to read as follows:

**“CHAPTER 1205 ZONING DISTRICTS**

\* \* \*

**Section 1205.04 District 1: Suburban Residential Neighborhood**

\* \* \*

(b) *Uses By-Right*

The following uses shall be permitted by right in District 1 subject to meeting all applicable requirements set forth in this section and this Code.

(1) Residential:

- (A) Family day care homes, small (1-6 children).
- (B) Residential group homes for up to five handicapped or elderly people.
- (C) Single-family, detached.

(2) Agricultural:

- (A) General agricultural operations on parcels of more than four (4) acres and do not involve the keeping of farm animals.

(3) Planned Developments

- (A) ~~Residential~~ Planned developments, subject to standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.

(4) Institutional/Civic/Public:

- (A) Public park or recreation areas, including multipurpose trails.
- (B) Public recreational facilities, indoor or outdoor, provided they are no greater than 10,000 square feet in gross floor area.
- (C) Essential public utility and public service 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, AAccessory Uses.@

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**Section 1205.05 District 2: Rural Residential Conservation**

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(b) *Uses By-Right*

(1) Residential:

- (A) Family day care homes, small (1-6 children).
- (B) Residential group homes for up to 5 handicapped or elderly people.
- (C) Single-family, detached.

(2) Agricultural:

- (A) General agricultural operations.

(3) Planned Developments:

- (A) ~~Residential~~ Planned developments, subject to standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.

- (4) Institutional/Civic/Public:
  - (A) Public park or recreation areas, including multipurpose trails.
  - (B) Public recreational facilities, indoor or outdoor.
  - (C) 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."

\* \* \*

## **Section 1205.06      District 3: Outer Village Residential Neighborhood**

\* \* \*

- (b) *Uses By-Right*
  - (1) Residential:
    - (A) Family day care homes, small (1-6 children).
    - (B) Residential group homes for up to five handicapped or elderly people.
    - (C) Single-family, detached.
  - (2) Agricultural:
    - (A) General agricultural operations on parcels of more than four (4) acres and do not involve the keeping of farm animals.
  - (3) Planned Developments:
    - (A) ~~Residential~~ Planned developments, subject to standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.
  - (4) Institutional/Civic/Public:
    - (A) Public park or recreation areas, including multipurpose trails.
    - (B) Public recreational facilities, indoor or outdoor.
    - (C) 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."

\* \* \*

## **Section 1205.08      District 5: Village Core District**

\* \* \*

- (b) *Uses By-Right*
  - Subject to the restrictions in (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 (1-6 children).
    - (D) Residential group homes for up to 5 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) 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.
- (C) Automated teller machines (ATMs).
- (D) 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.
- (E) 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.
- (F) Bed and breakfast inns.
- (G) 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.
- (H) Offices, business or professional, with a ground floor footprint ~~provided that any office use located on the ground floor of a structure shall not to~~ exceed 5,000 square feet of gross floor area.
- (I) Parking lot as a principal use.
- (J) Recording, radio, or television studios, provided that any such use shall not exceed 2,500 square feet of gross floor area.
- (K) Restaurants, except drive-through restaurants, with a ground floor footprint ~~provided that such use located on the ground floor of a structure shall not~~ exceed 5,000 square feet of gross floor area.
- (L) Retail uses, with a ground floor footprint ~~provided that any retail use located on the ground floor of a structure shall not~~ exceed 5,000 square feet of gross floor area.
- (M) Services, personal, business, or repair, except for vehicle repair, with a ground floor footprint ~~provided that any such use located on the ground floor of a structure shall not to~~ exceed 5,000 square feet gross of floor area.
- (3) Planned Developments:
  - (A) ~~Commercial p~~Planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.
  - ~~(B) Mixed use planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.~~
- (4) Institutional/Civic/Public:
  - (A) Government facilities, administrative offices, and services, including but not limited to city or county offices, provided that the facility or service shall not exceed 5,000 square feet in gross floor area.
  - (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) 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 (d) of this section, including the locational restriction of (d)(4) and Section 1206.02, "Conditional Uses.":
  - (1) Residential:
    - (A) Assisted living.
    - (B) Model homes.
    - (C) Multi-family.
  - (2) Commercial/Retail:
    - (A) Automobile service stations.
    - (B) 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.
    - (C) Bars/taverns located within 200 feet of a residential use.
    - (D) Convenience stores and specialty grocery stores.
    - (E) Entertainment and indoor amusement facilities.
    - (F) Funeral homes.
    - (G) Lodging.
    - (H) Liquor stores.
    - (I) Offices, business or professional, ~~located on the ground floor of a structure~~ with a building ground floor footprint greater than 5,000 square feet, but less than 10,000 square feet ~~of gross floor area 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 (40) feet in width. Each module shall have display windows and other architectural features to distinguish it from adjacent modules.
    - (J) ~~Recreational or sports training facilities, commercial.~~
    - (K) Restaurants located within 200 feet of a residential use, but not including drive-through restaurants.
    - (L) Retail and restaurant uses with a building 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 ~~thirty~~ forty (40) feet in width. Each module shall have a prominent entry, display windows, and other architectural features to distinguish it from adjacent modules.
    - (M) Retail uses with outdoor sales or storage.
    - (N) Veterinary facility, small animal clinic (allow overnight, indoor boarding).

- (O) Parking structure as a principal use.
- (3) Institutional/Civic/Public:
  - (A) Cemeteries.
  - (B) Convention or conference centers.
  - (C) Government facilities, administrative offices, and services, including but not limited to city/county offices, post office, or similar uses, that exceeds 5,000 square feet in ground floor gross floor area.
  - (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: 8 dwelling units per acre.
    - (B) Single-family attached: 8 dwelling units per acre.
    - (C) Duplex: 12 dwelling units per acre.
    - (D) Townhomes: 20 dwellings units per acre.
    - (E) Multi-family: 30 dwelling units per acre.
  - (2) Open Space: All residential developments ~~of less than 10 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 (b)(2) and (c)(2) above, but shall not include (b)(2)(G), (b)(2)(H), business service establishments of (b)(2)(M), or (c)(2)(A), (c)(2)(F), (c)(2)(I), and (c)(2)(N).

(5) Minimum Lot Width:

(A) Single-Family Detached: 50 feet.

(B) Single-Family Attached: 48 20 feet.

(C) Townhomes: ~~24~~ 20 feet.

(D) Multi-Family Uses: ~~400 feet~~ Not Applicable.

(E) Non-Residential Uses: Not Applicable.

~~(F) Lots Abutting Railroad Right of Way: In order to enable an increase in the rear yard setback and allow room for a landscaped buffer between the dwelling and the railroad right of way when a lot abuts and backs onto a railroad right of way, the minimum lot width may be reduced by not more than ten (10) percent provided the lot depth is at least two hundred fifty (250) feet.~~

(6) Maximum Number of Dwelling Units per Structure:

(A) Single Family Attached: 4 dwelling units

(B) Townhomes: 4 8 dwelling units.

(C) Multi-Family: ~~42~~ 20 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:

(i) Residential Uses: ~~20~~ 5 feet.

(ii) Non-Residential Uses and Multifamily: A minimum of 75% 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 = 0 feet).

(iii) 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 (10) 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:
  - (i) Residential-Principal Structure: 25 feet.
  - (ii) Residential-Accessory Structure: 5 feet.
  - (iii) Non-Residential: 10 feet, except that when the rear yard abuts a residential use, the rear yard setback shall be increased to 20 feet from the property line.
- (C) Minimum Side Yard Setback:
  - (i) Single-Family Uses: 8 feet.
  - (ii) Duplexes: 10 feet.
  - (iii) Multi-Family Uses: 10 feet.
  - (iv) Side-Facing Attached Garage: 25 feet.
  - (v) Other Accessory Structures: 5 feet.
  - (vi) Non-Residential: 0 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 15 feet from the property line.
- (8) Maximum Building Coverage:
  - (A) Commercial/Retail Uses: The amount of impervious coverage shall be no more than 80% 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 ~~75~~80% of the total gross lot area.
- (9) Maximum Structure Height:
  - (A) Single-Family Detached, Attached, Duplexes, Townhomes: 35 feet.
  - (B) Multi-Family Residential Uses: 40 feet.
  - (C) Commercial/Retail and Other Non-Residential Uses: 45 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 ~~twenty~~ ten (2010) 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~~C~~Single-Family Detached & Duplexes.
    - (i) The main entrance(s) to the residence shall face the street.



- (ii) 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, & Multi-Family.
  - (i) The entrance to at least one dwelling unit within each building shall face the street. (*See* Figure 6.)
  - (ii) 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.
  - (i) In general, the structure shall face one of the streets and not the corner.
  - (ii) One side of the structure shall be designated the “front” and shall be subject to the requirements set forth in paragraph (A) or (B) above and requirements regarding private walks and entryways set forth below in subsection 14.
- (D) Private Garages:
  - (i) Doors of attached garages shall not face the street.
  - (ii) An attached garage shall be sited so that its door is not visible from the primary direction of approach.
  - (iii) Detached garages shall be located in the rear yard.
- (E) Non-Residential Development:
  - (i) 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 30 inches at a minimum height of 12 feet above the sidewalk.
  - (ii) The main entrance to the principal structure shall face the street.
  - (iii) 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) of this Code. 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 1 driveway curb cut per lot.
  - (B) Single-Family Attached and Multi-Family: No more than 2 driveway curb cuts per development site. Non-Residential Uses: No more than 1 driveway curb cut per lot, except that when the lot is wider than 150 feet then no more than 2 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 of this Code, the following restrictions shall apply in District 5 to new development:
  - (A) Location and Access – Residential Uses:
    - (i) Off-street parking shall not be located in a principal building=s front yard setback area.
    - (ii) 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.
    - (iii) Driveways may be located in the rear yard setback area.
  - (B) Location and Access – Non-Residential Uses:
    - (i) No more than ~~ten~~ twenty (4020) percent of off-street parking shall be located to the side ~~in front~~ of a principal building.
    - (ii) 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.
    - (iii) Driveways may be located in the rear yard setback area.
  - (C) Non-Residential UsesCShared 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:

(i) Sidewalks at least five (5) feet wide shall be provided on all sides of a lot that abut a public street, way, or open space.

(ii) Sidewalks at least five (5) 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.

(iii) 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.

**1205.09**

**District 6: Western Hudson Gateway**

\* \* \*

(b) *Uses By-Right, except as limited by subsection (d) below:*

(1) Commercial/Retail:

(A) Banks, subject to the conditions set forth in subsection (d) below;.

(B) Office business parks.

(C) Offices, business or professional, not located in a business park;

(D) Recording, radio, or television studios;

(E) Restaurant, subject to the conditions set forth in subsection (d) below;

(F) Retail uses, subject to the conditions set forth in subsection (d) below;

(G) Services, business personal or repair, subject to the conditions set forth in subsection (d) below;

(H) Showrooms and salesrooms for wholesale distribution;

(I) Wholesale trade.

(2) Industrial Uses:

(A) Industrial business parks.

(B) Industrial use, light

(C) Research laboratories, including but not limited to:

(i) Theoretical and applied research in all the sciences;

(ii) Product development and testing;

(iii) Product engineering development; or

- (iv) Market development.
- (D) Warehousing, distribution, and/or storage;
- (E) Workshop and custom small industry uses.
- (3) Institutional/Civic/Public Uses:
  - (A) Public park or recreation areas, including multipurpose trails.
  - (B) Public recreational facilities, indoor or outdoor.
  - (C) Essential public utility and public services installations, including bus shelters and bus stops, but not including water towers, power generating stations or transfer stations.
- (3) Planned Developments:
  - (A) ~~Commercial p~~Planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.
  - ~~(B) Industrial planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.~~
- (4) Accessory Uses:
  - (A) Storage of goods, non-hazardous materials and equipment is permitted in the side and rear yard. Storage shall be screened from view on the front by Bufferyard B and shall be screened from view of the side lot lines by Bufferyard A as described in Section 1207.04(g).
  - (B) See Section 1206.03, "Accessory Uses".

\* \* \*

#### **1205.10 District 7: Outer Village Commercial Corridor and Office Overlay Zone**

\* \* \*

- (b) Uses By-Right, except as limited by subsection (d) below
  - (1) Commercial/Retail Uses:
    - (A) Artisan studios, photography shops or studios, and art galleries, provided the use does not exceed a gross floor area of 5,000 square feet.
    - (B) Assembly and meeting halls, provided that such use on the ground floor of a structure shall not exceed 10,000 square feet of gross floor area.
    - (C) Automated teller machines (ATMs), walk-up only.
    - (D) Banks or other financial institutions provided the use does not exceed a gross floor area of 5,000 square feet.
    - (E) Bars/taverns, provided the use does not exceed a gross floor area of 5,000 square feet.
    - (F) Medical clinics, provided the clinic does not exceed a gross floor area of 10,000 square feet.
    - (G) Offices, business or professional.
    - (H) Recording, radio, or TV studios, provided that the gross floor area does not exceed a total of 2,500 square feet.
    - (I) Restaurants, except drive-through restaurants, provided the use does not exceed a gross floor area of 5,000 square feet.
    - (J) Retail uses, provided that the gross floor area does not exceed a total of 5,000 square feet.

(K) Services, personal, business, or repair, except vehicle repair, provided the use does not exceed a gross floor area of 5,000 square feet.

(2) Planned Developments:

(A) ~~Commercial~~ Planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.

(3) Accessory Uses: See Section 1206.03, "Accessory Uses."

\* \* \*

**1205.11 District 8: Industrial/Business Park**

\* \* \*

(b) Uses By-Right

(1) Commercial/Retail:

(A) Adult businesses, subject to Section 1207.19(a).

(B) Banks or other financial institutions, subject to the conditions set forth in subsection (d) below.

(C) Medical clinics.

(D) Office business parks.

(E) Offices, business or professional, not located in a business park.

(F) Recording, radio, or television studios.

(G) Restaurant, subject to the conditions set forth in subsection (d) below.

(H) Retail uses, subject to the conditions set forth in subsection (d) below.

(I) Services, business, personal or repair, subject to the conditions set forth in subsection (d) below.

(J) Showrooms and salesrooms for wholesale distribution.

(K) Wholesale trade.

(2) Industrial Uses (Subject to the performance standards set forth in Section 1207.10 of this Code):

(A) Industrial business parks.

(B) Industrial uses light

(C) Research laboratories, including but not limited to:

(i) Theoretical and applied research in all the sciences;

(ii) Product development and testing;

(iii) Product engineering development; or

(iv) Market development.

(D) Resource recovery operations conducted entirely within an enclosed structure.

(E) Warehousing, distribution, and/or storage.

(F) Workshops and custom small industry uses.

(3) Institutional/Civic/Public Uses:

(A) Essential public utility and public services installations, including but not limited to bus shelters and bus stops, but not including power generating stations, or transfer stations.

(B) Public park or recreation areas, including multipurpose trails.

(C) Public recreational facilities, indoor or outdoor.

- (4) Planned Developments:
  - (A) ~~Commercial p~~Planned development, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.
  - ~~(B) Industrial planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.~~
- (5) Accessory Uses:
  - (A) Storage of goods, non-hazardous materials and equipment is permitted in the side and rear yard. Storage shall be screened from view on the front by Bufferyard B and shall be screened from view of the side lot lines by Bufferyard A as described in Section 1207.04(g).
  - (B) See Section 1206.03, "Accessory Uses."

\* \* \*

(f) *Hike Bike (HB) Senior Housing Overlay Zoning District 8*

\* \* \*

- (2) Uses By-Right
  - (A) Age Restricted Residential, see Property Development Standards below:
    - (i) Duplexes
    - (ii) Single family, attached
    - (iii) Single family, detached
    - (iv) Residential group homes for up to five handicapped or elderly people
    - (v) Townhomes
  - (B) Institutional/Civic/Public:
    - (i) Public park or recreation areas, including multi-purpose trails
    - (ii) Public recreational facilities, indoor or outdoor
    - (iii) Essential public utility and public services installations
- (3) Conditional Uses

The following uses shall be conditionally permitted in the District 8 Overlay Zone subject to meeting all applicable requirements set forth in this section and Section 1206.02, "Conditional Uses."

  - (A) Residential:
    - (i) Assisted living
    - (ii) Dwelling units above or mixed with offices or other commercial space
    - (iii) Model homes
    - (iv) Multi-family
    - (v) Residential group homes for the handicapped or elderly (from 6 to 8 people)
  - (B) Commercial:
    - (i) Bed and breakfast inn
    - (ii) Offices\*, business or professional
    - (iii) Private membership recreational facilities or clubs
    - (iv) Restaurants\*, except drive-through restaurants

(v) Retail uses\*

(vi) Services\* for personal, business, or repair, except for vehicle

\* Subject to special condition that such use must be located within 1,000 feet of both the Metro Parks Hike and Bike Trail and District 9.

(C) Institutional/Civic/Public:

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

(D) Planned Developments:

~~Residential~~ Planned Developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code, except “*Density Bonuses*”, Section 1204.02(c) shall not apply.

\* \* \*

## **1205.12 District 9: Darrowville Commercial Corridor**

\* \* \*

(b) *Uses By-Right*

Subject to the restrictions of (d)(5)(c) of this section, “Maximum Floor Area to Lot Area Ratio, Maximum Building Footprint”:

(1) Residential:

(A) Dwelling units stacked above or mixed with offices or other commercial space.

(2) Commercial/Retail:

(A) Artisan studios, photography shops and studios, and art galleries.

(B) Assembly and meeting halls.

(C) Automated teller machines (ATMs).

(D) Banks or other financial institutions.

(E) Bars/taverns more than 200 feet from a residential use.

(F) Commercial nurseries.

(G) Medical clinics.

(H) Offices, business or professional.

(I) Recording, radio, or television studios.

(J) Restaurants, except drive-through restaurants, more than 200 feet from a residentially zoned property.

(K) Retail uses without outdoor sales or storage.

(L) Services, business, personal, or repair, except vehicle repair.

(3) Agricultural:

(A) General agricultural operations.

(4) Institutional/Civic/Public:

(A) Essential public utility and public services, including but not limited to bus shelters and bus stops, but not including power generating stations, transfer stations, or outdoor storage.

(B) Public park or recreation area, including multipurpose trails.

(C) Public recreational facilities , indoor or outdoor.

(5) Planned Developments:

(A) ~~Commercial~~ Planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.

(6) Accessory Uses: See Section 1206.03, “Accessory Uses.”

\* \* \*

**Section 1205.13 District 10: Ravenna Road Corridor**

\* \* \*

- (b) Uses By-Right
- (1) Residential:
- (A) Single-family detached.
  - (B) Family day care homes, small (1-6 children).
  - (C) Residential group homes for up to five handicapped or elderly people.
- (2) Commercial/Retail:
- (A) Artisan studios, photography studios and shops, and art galleries.
  - (B) Commercial nurseries.
  - (C) Office, business or professional, provided that total gross floor area does not exceed 5,000 square feet.
  - (D) Private-membership recreational facility or club.
  - (E) Retail uses, provided that total gross floor area does not exceed 5,000 square feet.
  - (F) Services, business, personal, or repair, except vehicle repair, provided that total gross floor area does not exceed 5,000 square feet.
- (3) Agricultural:
- (A) General agricultural operations.
- (4) Institutional/Civic/Public:
- (A) Public park or recreation areas, including multipurpose trails.
  - (B) Public recreational facilities, indoor or outdoor.
  - (C) 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) Planned Developments:
- (A) ~~Commercial p~~Planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.
  - (B) ~~Mixed use planned developments, subject to the standards and procedures set forth in Sections 1203.04 and 1204.02 of this Code.~~
- (6) Accessory Uses: See Section 1206.03, "Accessory Uses."

\* \* \*

Section 6. Chapter 1205, "Zoning Districts," of the Land Development Code of the Codified Ordinances of the City of Hudson, to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 7. Chapter 1206, "Use Regulations," of the Land Development Code, be amended in part to read as follows:

**"CHAPTER 1206 USE REGULATIONS**

**Section 1206.01 Table of Permitted and Conditional Uses by Zone District**

\* \* \*



**P=Permitted By-Right      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

USE TYPE	1	2	3	4	5	6	7	7ol	8	8ol	9	10	Special Conditions
<b>Residential Uses</b>													
Assisted Living		C	C	C	C	C			C	C			4,10,11,12,14
Duplex		C	C	C	P					P*			
Dwelling units stacked above or mixed with offices or other commercial space					P					C*	P		
Family day care home, small (1-6 children)	P	P	P	P	P							P	4
Model Home	C	C	C	C	C					C			18
Multi-Family				C	C					C*			
Planned Developments	P	P	P							C			
Residential group homes for up to 5 handicapped/elderly people	P	P	P	P	P					P*		P	4,14, 22
Residential group homes for 6-8 handicapped/elderly people	C	C	C	C						C*			4,14, 22
Single Family, Attached	C	C	C	C	P					P*			
Single Family, Detached	P	P	P	P	P					P*		P	
Townhomes	C		C	C	P					P			
Open Space Conservation Subdivisions	C	C	C									C	

**P=Permitted By-Right                      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

USE TYPE	1	2	3	4	5	6	7	7ol	8	8ol	9	10	Special Conditions
<b>Accessory Uses/Structures - See Section 1206.03</b>													
Shared Driveways for Dwellings	C	C	C	C	P					C		C	
<b>Commercial/Retail</b>													
Adult businesses									P*				25
Artisan studios, photography studios and shops, and art galleries					P		P*	C			P	P	30
Assembly and Meeting Halls					P		P		C		P		
Automated teller machines (ATMs)					P*C*		P				P		13
Automobile repair and services							C*		C*		C*		6, 7,8,10,15,17
Automobile service stations					C		C*						6, 7, 8, 10, 15, 17, 23
Automotive dealers							C*						6,8,17
Bank or other financial institution					P*C*	P*	P*	P	P*		P*		13
Bar or tavern					P*		P*				P*		
Bar or tavern located within 200 feet of a residential use					C		C*				C		27
Bed and breakfast inn	C	C	C	C	P			C		C	C	C	26
Boarding Kennel		C											
			C									C	3,4,12

**P=Permitted By-Right      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

<b>USE TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7ol</b>	<b>8</b>	<b>8ol</b>	<b>9</b>	<b>10</b>	<b>Special Conditions</b>
Family day care home, large (7-12 children)													
Car Wash							C*						10,17
Commercial nurseries		C							C		P	P	
Commercial operations that involve operation, parking, and maintenance of vehicles, cleaning of equipment, or work processes involving solvents, transfer stations, storage of goods, including self storage.									C				6,8,10,16, 17,19
Convenience store					C		C*				C	C	11, 24
Day care center, child or adult						C	C*		C		C		3, 4, 12
Entertainment and amusement facilities, indoor					C						C		
Funeral Home					C		C*	C			C		1, 4, 10, 12, 30
Golf course, private	C	C	C										1, 3, 5, 7, 21
Liquor store					C		C*				C		4
Lodging					C	C			C				
Medical clinics					P*	C	P*		P		P		3
Office, business or professional					P*	P	P	P	P	C*	P*C*	P*C*	31

**P=Permitted By-Right                      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

<b>USE TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7ol</b>	<b>8</b>	<b>8ol</b>	<b>9</b>	<b>10</b>	<b>Special Conditions</b>
Office business park						P		P	P				
Parking lot as principal use					P								
Parking structure as principal use					C								
Private membership recreational facility or club	C	C	C	C						C			5, 21
Recording, radio or television studios					P*	P	P*	C	P		P*		30
Recreational facilities, commercial or sports training facility		C				C			C		C	C	5, 12, 21
Recreational facilities, outdoor					C						C		5, 11, 12, 21
Restaurant					P*	P*	P*		P*	C*	P*		31
Restaurant located within 200 feet of a residential use					C*		C*				C*		27
Retail Uses					P*/C*	P*	P*/C*		P*	C*	P*	P*	31
Retail with outdoor sales or storage					C		C				C*	C	17, 19
Services, business					P*	P*	P*	C	P*	C*	P*	P*/C*	30, 31
Services, personal					P	P*		C	P*	C*			30,31
Services, repair					P	P*			P*				

**P=Permitted By-Right      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

<b>USE TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7ol</b>	<b>8</b>	<b>8ol</b>	<b>9</b>	<b>10</b>	<b>Special Conditions</b>
Showrooms and salesrooms for wholesale distribution						P			P				
Wholesale trade						P			P				
Vehicle and equipment rentals						C			C				6, 8, 10, 17,19
Vehicle repair/services						C			C				7,9,11 16,17
Veterinary facility, small animal clinic (allow overnight, indoor boarding)		C			C		C	C				C	1,4,29
Wireless Telecom Facilities						C			C				
<b>Industrial Uses</b>													
Industrial use, light						P*			P				
Industrial use, heavy									C				
Industrial business park						P*			P				
RV, boat, or truck storage									C				
Research laboratory						P*			P				
Resource recovery operations									P*				
Warehousing, distribution, and storage						P*			P*				

**P=Permitted By-Right                      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

<b>USE TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7ol</b>	<b>8</b>	<b>8ol</b>	<b>9</b>	<b>10</b>	<b>Special Conditions</b>
Workshops and custom small industry uses						P			P				
<b>Planned Developments</b>													
<u>Commercial Planned Development</u>	<u>P</u>	<u>P</u>	<u>P</u>		P	P	P		P	<u>C</u>	P	P	Office only in Dist. 6.
Industrial						P			P				
Mixed Use					P					C		P	
Residential	P	P	P							C			
<b>Institutional/Civic/Public Uses</b>													
Cemetery	C	C	C	C	C								20
Continuing care retirement community			C			C			C				4,10,11,12,14, 22
Convention or conference center					C	C			C				
Installations by essential public utility and public services, including but not limited to bus shelters and bus stops, but not including water towers, power generating stations, transfer stations, or outdoor storage	P	P		P	P	P			P	P	P	P	
	C	C	C										1,3,5,7,21

**P=Permitted By-Right                      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

<b>USE TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7ol</b>	<b>8</b>	<b>8ol</b>	<b>9</b>	<b>10</b>	<b>Special Conditions</b>
Golf course, public													
Government facilities, offices, and services					P*/C *	C			C				19
Hospitals, including heliports as accessory use						C			C				4, 8, 9, 11,14,16,17
Institutional residential for the handicapped or elderly (for 9 or more people)			C			C			C				4, 14, 22
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.	C	C	C	C	C							C	1,11,12
Public safety and emergency services, including police or fire stations and emergency medical services.	C*	C*	C*	C	C				C				6,7,8,9, 10,17
Public (noncommercial) facility for composting		C											

**P=Permitted By-Right                      C=Conditional**  
**\*Size or Other Limits Apply-See Zone District Regulations, Chapter 1205**

**ZONING DISTRICTS**

<b>USE TYPE</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>7ol</b>	<b>8</b>	<b>8ol</b>	<b>9</b>	<b>10</b>	<b>Special Conditions</b>
Public recreational facilities, indoor or outdoor	P*/C*	P	P	P	P	P			P	P	P	P	
Public, non-profit, or private cultural facilities including but not limited to libraries and museums.			C	C	P								
Public park or recreation area, including multi-purpose trails	P	P	P	P	P	P			P	P	P	P	
Schools, public or private preschool, elementary, secondary, or post-secondary; ** (including dormitories)	C	C	C	C**	C						C	C	1, 2, 11, 12, 14
Transportation facilities without repairs (bus terminal, depot, etc.)					C								10, 12, 17
<b>Agricultural</b>													
General agricultural operations	P*/C	P	P*/C						C		P	P	
<b>Accessory Uses/Structures - See Section 1206.03</b>													
<b>Temporary Uses - See Section 1206.04</b>													

\* \* \*\*



Section 8. Chapter 1206, “Use Regulations,” of the Land Development Code of the Codified Ordinances of the City of Hudson, to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 9. Chapter 1207, “Zoning Development and Site Plan Standards,” of the Land Development Code, be amended in part to read as follows:

**“CHAPTER 1207 ZONING DEVELOPMENT AND SITE PLAN STANDARDS**

\* \* \*

**Section 1207.04 Landscaping/Buffering**

\* \* \*

(l) *Landscaping for Parking Lots*

\* \* \*

(3) Perimeter Landscaping for Parking Lots:

- (A) Parking lots shall have perimeter landscaping of a minimum width of ~~ten~~ five (405) feet exclusive of vehicle overhang. (See Figure 16.)
- (B) This perimeter landscaping shall contain sufficient plant material that will achieve an effective, opaque screen of a height of at least three feet within two (2) years of installation. The perimeter buffer zone shall also contain deciduous trees and allow adequate snow storage area.

\* \* \*

(m) *Screening and Landscaping for Service Structures*

Service structures shall include but not be limited to propane tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, electrical and other equipment or elements providing service to a building or a site. Service structures may be grouped together.

- (1) Location of screening. Either a solid, opaque fence or wall or earth berm, with a continuous planting of evergreen plant material when viewed from a street, shall enclose any service structure on all sides, unless such structure must be frequently accessed in which case screening on all but one side is required. The average height of the screening fence or wall shall be one foot more than the height of the enclosed structure, but shall not exceed the maximum permitted height of fences and walls of the District. For additional screening requirements for screening/landscaping required for vehicle loading, See Section 1207.13(s), for industrial uses, see Section 1207.18(c), Industrial Design Guidelines.
- (2) Mechanical equipment and service functions associated with a building shall, to the maximum extent feasible, be incorporated into the overall design theme of the building and the landscape so that these functions are out of view from public ways and adjacent properties while allowing convenient access.
- (3) Plant material required for screening of service structures shall not count towards the fulfillment of other landscape requirements in this Section. No

interior landscaping shall be required within an area screened for service structures.

- (4) Curbs to protect plant material. Whenever plant material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regular basis, a curb to contain the placement of the container shall be provided adjacent to the plant material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the plant material when the container is moved or emptied.

\* \* \*

**1207.05 Open Space**

\* \* \*

(b) *Applicability*

- (1) All plans for residential subdivisions of land or residential land development shall provide for private and public open space as provided in this Section.
- (2) Exemptions: The following residential subdivisions and developments shall be exempt from the public open space dedication and private open space requirements set forth in the zone district regulations and this section:
- (A) Residential subdivisions or developments of less than 5 residential units or lots subdivided or developed within any five (5) year period; and
- (B) Residential development or subdivisions in District 5 (Village Core) ~~consisting of 10 or less dwelling units.~~

\* \* \*

Section 10. Chapter 1207, "Zoning Development and Site Plan Standards," of the Land Development Code of the Codified Ordinances of the City of Hudson, to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 11. 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 of 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 12. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
David A. Basil, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality  
on \_\_\_\_\_, 2016.

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Elizabeth Slagle, Clerk of Council



# City of Hudson, Ohio

## Staff Report

File Number: 16-148

Meeting Date: 9/20/2016

Version: 1

Status: First Reading

In Control: City Council

File Type: Ordinance

**AN ORDINANCE AMENDING CHAPTERS 1203, “DEVELOPMENT REVIEW AND ADMINISTRATIVE PROCEDURES,” 1204, “GENERAL REVIEW STANDARDS,” 1205, “ZONING DISTRICTS”, 1206, “USE REGULATIONS,” AND 1207, “ZONING DEVELOPMENT AND SITE PLAN STANDARDS,” OF THE LAND DEVELOPMENT CODE.**

**Executive Summary:** The amendments would simplify the approval process and standards for Planned Developments and revise District 5 zoning regulations to be more in keeping with development in the village core.

**Legislative History**

The Land Development Code was adopted in December 1999.

**Purpose & Explanation**

- A. The LDC allows for Planned Developments (PDs) to provide flexibility in meeting City requirements. This flexibility however comes with the price of a lengthy, complicated process. The amendment deletes two steps from the approval process saving at least four weeks. The result is a process that is similar to zoning text and map amendments where PC makes a recommendation to Council sometimes with conditions that would change the original proposal. Council may then accept, modify or reject PC’s recommendation.
- B. The minimum area for PDs is five acres, a large area for more densely developed D5. The minimum area for PDs would be reduced to two acres in D5.
- C. The LDC allows the City Manager to act on Minor Modifications to site plans, other approved plans and plats, and zoning and development requirements. Typically these modifications are limited to no more than 10% of the approved element of the plan. The ability to modify density and impervious surface coverage for approved PDs is not provided. Therefore any increase in density or impervious surface coverage, even if it was within City requirements, would have to go through the approval process again. A limitation of 10% would be placed on modifications the City Manager may approve for PDs for approved density and impervious surface coverage. Density and impervious surface coverage must still meet City requirements.
- D. PDs are permitted in most zoning districts, but are limited to residential, mixed-us, or commercial PDs depending on the zoning district, limiting creative development that can use any of the allowed uses in the district. Limitations on the type of PD allowed in each zoning district would be deleted.
- E. PDs are required to provide open space in excess of other City requirements. The open space requirement would be deleted from the PD standards. PDs must meet other City open space requirements.
- F. Some zoning regulations in District 5 are more typical of less dense, more suburban development. District 5 zoning requirements and landscaping regulations would be amended to create development more typical of the village core as follows:
  - 1. Office uses may be part of a PD.
  - 2. The minimum width of a storefront module for uses over 5,000 square feet is increased from 30 to 40 feet to match design standards.
  - 3. Open space requirements of residential development are deleted
  - 4. Minimum lot width requirements are decreased as follows:

- a. Single family attached from 48 to 20 feet
- b. Townhomes from 24 to 20 feet
- c. Multi-family from 100 feet to not applicable
- d. Provisions for lots abutting railroad right-of-way are deleted
5. Maximum number of dwellings per structure is increased as follows:
  - a. Town homes from 4 to 8 dwellings
  - b. Multi-family from 12 to 20 dwellings
6. Minimum front yard setbacks for residential uses are decreased as follows:
  - a. Residential uses from 20 to 5 feet.
  - b. 75% of front wall at property line applies to multi-family in addition to nonresidential
  - c. AHBR may approve deviations to setback averaging
7. The maximum impervious surface coverage is increased from 75% to 80%
8. Distance between residential buildings is decreased from 20 to 10 feet
9. Off-street parking requirements are amended as follows:
  - a. Parking in the front allowance is deleted. Parking in the side allowance is added.
  - b. Parking in the side is increased from 10% of the parking to 20%
10. Perimeter parking landscaping is reduced from 10 feet to five feet.
11. Screening of service equipment is required only from views from the street.

The result of these amendments will be that the approval process for PDs will be reduced by approximately six weeks, District 5 will have a pedestrian orientation, lot sizes, parking regulations, and a concentration of development characteristic of the village core, and Downtown Phase II will benefit from these amendments.

#### **Timing Considerations**

If Council conducts its first reading on September 20, Planning Commission could conduct its public hearing and render a recommendation at the October 10 meeting. Council could take final action by the end of the year.

#### **Fiscal Impact**

Currently Budgeted

Supplemental Appropriation Required

  X   Appropriation Not Required.

#### **Suggested Action**

Staff recommends Council conduct its first reading and refer the ordinance to Planning Commission for a public hearing and recommendation.

#### **Submitted by,**

Jane Howington, City Manager

Mark Richardson, Community Development Director

Amend use regulations for “Government Facilities” so they match regulations for similar uses.

1. Any government facility is a use-by-right wherever it is allowed; therefore although the site plan and building design may be reviewed, the use of the land would not be an issue.
2. The unpredictability of conditional uses would be removed from consideration.
3. Building size limitations are removed.
4. Safety services are permitted anywhere in the City. Other government facilities are permitted anywhere similar uses are permitted.

	1	2	3	4	5	6	7	7OL	8	8OL	9	10
<b>PROPOSED</b>												
Government Public Works and Svc. Fac.		P			P	P			P			
Government Offices					P	P	P	P	P		P	P
Public Safety and Emergency Services	P	P	P	P	P	P	P	P	P	P	P	P
<b>EXISTING</b>												
<b>COMMERCIAL/RETAIL USES</b>												
Assembly and Meeting Hall					P <sup>2</sup>		P <sup>1</sup>		C <sup>1</sup>		P	
Automobile Repair and Service						C	C		C		C	
Commercial Operations Maint./Stor.									C			
Medical Clinic					P <sup>2</sup>	C	P <sup>1</sup>		P		P	
Office, Business or Professional					P <sup>2</sup> C <sup>1</sup>	P	P	P	P	C	P	P <sup>4</sup> C <sup>6</sup>
Office Business Park						P			P			
Parking Lot as Principal Use					P							
Parking Structure as Principal Use					C							
<b>INDUSTRIAL USES</b>												
Industrial Use, Light						P			P			
Industrial Use, Heavy									C			
Research Laboratory						P			P			
Warehousing, Distribution, and Storage						P			P			
<b>INSTITUTIONAL/PUBLIC/CIVIC USES</b>												
<b>Government Facilities, Offices and Srvcs.</b>					P <sup>2</sup> C <sup>3</sup>	C			C			
Cemetery	C	C	C	C	C							
Convention or Conference Center					C	C			C			
<b>Public Safety and Emergency Services</b>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	C	C				C			
Public Facility for Composting		C										
Cultural Facilities (Libraries and Museums)			C	C	P					C		
Essential Public Installations	P	P	P	P	P	P			P	P	P	P
Schools	C	C	C	C	C						C	C
Transportation Facilities (no repair)					C							
<b>PARKS AND RECREATION USES</b>												
Recreational Facilities, Com/STF		C			C	C			C		C	C
Golf Course, Public	C	C	C									
Public Recreation, Indoor or Outdoor	P <sup>1</sup> C <sup>5</sup>	P	P	P	P	P			P	P	P	P
Public Park or Recreation Area	P	P	P	P	P	P			P	P	P	P

1. No greater than 10,000 sf
2. Ground floor no greater than 5,000 sf
3. Ground floor greater than 5,000 sf

4. No greater than 5,000 sf
5. Greater than 10,000 sf
6. Greater than 5,000 sf



## Definitions

### EXISTING

Revise (see proposed):

“Government Facilities, Administrative Offices, and Services” shall mean lands and buildings owned or operated by a local, state, federal, or international governmental entity to provide legislative, judicial, administrative, or regulatory services for the public, but not including the underground and overhead distribution and collection systems providing water, gas, electric, telephone, cable TV service, or sanitary or storm sewage drainage.

Keep:

“Public Safety and Emergency Services” shall mean a public use that provides police or fire services or services for personal injury or life threatening events including but not limited to ambulance, paramedic, or fire and rescue services.

### PROPOSED

Revised (see above):

~~“Government Facilities, Administrative Offices, and Services” shall mean lands and buildings owned or operated by a local, state, federal, or international governmental entity to provide legislative, judicial, administrative, or regulatory services for the public, but not including the underground and overhead distribution and collection systems providing water, gas, electric, telephone, cable TV service, or sanitary or storm sewage drainage~~ essential public utility and public services.

New:

“Government Public Works and Service Facilities” shall mean lands and buildings owned or operated by a local, county, state, federal, or international governmental entity as a repair, storage or production facility or public works yard including but not limited to water treatment plant, sanitary sewer treatment plant, storm water management system, and public power and services equipment and material storage.