

Meeting Date:

November 8, 2021

Request

Text Amendment to the  
Land Development Code  
Relating to Sign  
Illumination Standards

Applicant

City of Hudson

Case Manager

Nick Sugar

Contents

- ORD 21-126
- Zoning Map Exhibit



**Project Introduction:**

The City Administration has received multiple inquiries and variance requests related to the use of internal illumination for signs located within the interior of commercial/industrial parks within zoning districts 6 and 8.

The proposed Land Development Code text amendment was prepared to provide limited allowances for internally illuminated signs while preserving Hudson's existing character. City Council introduced the ordinance at the October 19, 2021 regular Council meeting and has referred to the Planning Commission for recommendation pursuant to Section 1203.03 "Code Amendments".

**Background**

The LDC currently limits illumination of signs to an external light source. The code does provide some limited allowance for internal illumination for wall signs within District 6 and 8 (commercial/industrial zoning) on buildings larger than 100,000 square feet and with a minimum setback of 500 feet. This allowance currently limits available sites to the Joann's facility on Darrow Road and a couple of parcels within the Hudson Crossing Business Park.

Over the previous couple of years staff has received multiple inquiries and variance requests for internal illumination within District 6 and 8 but for facilities which can not meet the minimum building size or setback standards. Variance requests have been approved in two instances within Hudson Crossing Business Park; however, a third was denied as the BZBA acknowledged requests for additional internal illumination may be more appropriate as a text amendment consideration rather than continued variance requests.

The proposed draft amendment would remove the size and sign setback requirements and establishes a 500 foot setback for all internal illumination signs (wall signs and ground signs) from an arterial street. The attached exhibit depicts the locations where such signs could be permitted.

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The following provides a summary to the proposed amendments. The full text of proposed changes is attached for reference.

#### **Section 1207.17 “Signs”**

- Internal illumination would only be permitted for signs within Districts 6 and 8.
- Internally illuminated signs would be required to be set back a minimum distance of five hundred (500) feet from an arterial street. Arterial streets within Districts 6 and 8 include the main thoroughfares below and are depicted in the attached Zoning Map Exhibit for reference:
  - Barlow Road
  - Boston Mills Road
  - Darrow Road
  - Hines Hill Road
  - Norton Road
  - Seasons Road
  - State Rt. 91
  - State Rt. 303
  - Stow Road
  - Terex Road

The existing text regulating the removal or compliance of existing internally illuminated nonconforming signs would be removed for the code as the applicable signs have moved into compliance and the five year period referenced has expired.

<b>Allowances for Internal Illumination of Signs</b>				
	<b>Zoning Districts</b>	<b>Types of signs</b>	<b>Setbacks</b>	<b>Building Size requirement</b>
<b>Existing</b>	D6 & D8	Wall signs only	500 ft from a public street	100,000 sq ft minimum size
<b>Proposed</b>	D6 & D8	Wall signs & Ground Signs	500 ft from an arterial street	No minimum size requirement

#### **Considerations**

##### **District Standards (Section 1204.01) Zoning Map and Text Amendments**

All applications for text or zoning map amendments shall be reviewed by the PC and City Council for compliance with the nine standards set forth within Section 1204.01 of the Land Development Code (LDC). The following provides a list of each applicable standard:

- (a). Whether or not the proposed amendment is in accordance with the basic intent and purpose of the Land Development Code;
- (b). Whether or not the proposed amendment furthers the long-range planning goals of the City (as outlined in the City's Comprehensive Plan's goals and objectives);
- (c). Whether or not conditions within the City have changed since the Land Development Code was last adopted/amended, or there was a mistake in the Land Development Code, that justifies the amendment;
- (d). Whether or not the amendment corrects an inequitable situation created by the Land Development Code, rather than merely grants special privileges;
- (e). Whether or not the amendment avoids unlawful exclusionary zoning;
- (f). With respect to zoning map amendments, whether the proposed zoning map amendment is consistent with the zoning classifications of the surrounding land;

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**(g). With respect to zoning map amendments, whether all of the new requirements attendant to the proposed zoning classification can be complied with on the subject parcel(s);**

**(h). Does the amendment affect the city’s ability to provide adequate services, facilities, or programs that might be required if the application were approved; and**

**(i). Whether or not the amendment is necessary to address changed or changing social values, new planning concepts, or other social or economic conditions in the areas affected.**

Staff notes the proposed text amendment would align with the Comprehensive Plan as the Commercial & Employment Areas Framework Plan recommends the city continue to evaluate business friendly regulatory changes that would not negatively impact the established look and character of Hudson’s main business corridors.

The expanded allowance of internally illuminated wall and ground signs would be limited to the interior portions of commercial/industrial developments. Internally illuminated signs would be restricted from being adjacent to through streets except for limited portions of Hudson Drive and Sullivan Road as they are non-arterial through streets located within the interior of District 8.

#### **Required PC Action**

The PC shall conduct a public hearing, make specific recommendations to the City Council, and transmit the application to the City Council, together with the text and map amendments pertaining thereto, within 120 days from the date of initiation of the application for text or official zoning map amendments.

The City Council shall hold a public hearing and take final action within twenty days of said public hearing. An amendment before the City Council for consideration shall take effect only if passed or approved by not less than five members of the City Council.

#### **Recommendation**

Staff recommends the Commission review the proposed text amendments and ensure they align with the standards stipulated in Section 1204.01. The Commission should receive testimony at the public hearing then proceed with consideration of a formal recommendation to City Council.