



COMMUNITY DEVELOPMENT • 1140 Terex Road • Hudson, Ohio 44236 • (330) 342-1790

Date: March 5, 2024
To: City Council
From: Greg Hannan, Community Development Director
CC: Thomas J. Sheridan, City Manager
Re: LDC Amendment – Vape, Tattoo, Pawn, and Marijuana Facilities

The initial draft LDC Amendment proposed permitting the category of uses within D7 and D9 as a conditional use along with setback requirements. The recommendation submitted by the Planning Commission was to limit the use to District 9. On February 13, 2024, Council discussed the appropriateness of D9 vs consideration of D10 as suggested within public comment. After discussion regarding the semi-rural nature of D10 and the limited existing commercial uses, Council discussed the appropriateness of D8 and requested review by staff.

The proposed use category could be considered for District 8 Industrial Business Park. With District 8, commercial/retail uses are presently subject to restrictions which narrow such uses to be limited in scale and to be part of multi-tenant development rather than stand alone facilities (Page 3 below under Special Conditions). These existing restrictions would be applicable to the proposed use category. The proposed amendment additionally has the category specific setback requirements of 500 feet to any residential zoned parcel, to any school, and to another use of the same category. As a final item for consideration, staff recommends the 500ft setback to a residentially zoned parcel be changed to acknowledge the setback is applicable to residentially zoned or used parcels.

Section 9.02 of the Charter (Planning Commission – Powers and Duties) states:

Four (4) votes by Council shall be required to return a recommendation to the Planning Commission for further consideration, and this may be done only once.

Staff recommends City Council proceed with a vote consideration on March 19, 2024 to send the proposed amendment back to the Planning Commission for conducting a public hearing and providing recommendation regarding consideration of District 8.

Text Amendment Consideration for District 8

1205.11 DISTRICT 8: INDUSTRIAL/BUSINESS PARK.

(a) Purpose.

(1) District 8 contains the bulk of prime, potential commercial development areas in the City of Hudson, and is intended to provide sites to accommodate the majority of future job growth in the community. The district enjoys good access to both rail and key arterial highways, and will be the focus of several significant interchange improvements. Accordingly, permitted uses encourage the development of large-scale office, industrial, and business parks. Only clean manufacturing and other industrial uses are permitted; industries that produce significant quantities of hazardous substances are specifically prohibited.

(2) Only to the extent necessary to serve employers and employees in the district or only as an accessory use to a principal office or industrial use, retail and services are permitted. The district also contains significant sensitive environmental areas, in particular wetlands, floodplains, and waterways. The district regulations thus require all new development to be sited in consideration of such environmental areas and, to the maximum extent feasible, to leave such areas as natural, open spaces. District 8: Hike Bike (HB) Senior Housing Overlay Zone begins at division (f) of this section.

(c) Conditional Uses. The following uses shall be conditionally permitted in District 8 subject to meeting all applicable requirements set forth in this section and Section [1206.02](#), Conditional Uses.

(1) Residential uses.

A. Assisted living.

(2) Commercial/retail uses.

A. Automobile repair and services, but not including automobile wrecking or salvage, provided any accessory retail sales use shall not exceed 2,500 square feet in gross floor area.

B. Commercial nurseries.

C. 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.

D. Day care centers, child or adult.

E. Lodging.

F. Recreational or sports training facilities, commercial.

G. Vehicle and equipment rentals.

H. Vehicle repair/services.

I. Wireless telecommunication facilities, including towers as regulated by the requirements of Section [1207.15](#).

(J) Pawn Shops, Vape and Smoke Shops, Tattoo Parlors, Hookah Lounges, and Recreational Marijuana Facilities .

(3) Industrial uses.

(4) Institutional/civic/public uses.

(5) Accessory uses.

(d) Special Conditions.

(1) Commercial and retail uses permitted by right or conditionally and that reference this division whether the use is one or more than one business establishment, shall be permitted in Districts 6 and 8 only if one of the following conditions is met:

A. The commercial or retail activity is part of a planned development and the total commercial or retail use does not exceed 10,000 gross square feet in any one building and the total commercial and/or retail uses does not exceed 40,000 gross square feet within any planned development; or

B. The total commercial or retail uses does not exceed the lesser of 10,000 gross square feet or twenty-five percent of the gross floor area of any one building used or designed for office or industrial uses and does not exceed 40,000 gross square feet of the existing combined building gross floor area on the same parcel; or

C. Commercial or retail uses may occupy a building separate from an office or industrially-used building, provided there exists at least 30,000 gross square feet of building space used or designed for office or industrial use on the same parcel. The total commercial or retail uses shall not exceed twenty-five percent of the gross floor area of the total building gross floor area on the parcel, and shall not exceed a total of 40,000 gross square feet on the same parcel.

1206.01 TABLE OF PERMITTED AND CONDITIONAL USES BY ZONE DISTRICT.

<i>P = Permitted By Right C = Conditional</i>											
<i>*Size or Other Limits Apply—See Zone District Regulations, Chapter 1205</i>											
Zoning Districts											
Commercial											
<u>Use Type</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>Special Conditions</u>
<u>Pawn Shops, Vape and Smoke Shops, Tattoo Parlors, Hookah Lounges, and Marijuana Facilities</u>								<u>C</u>			<u>34</u>

1206.02 CONDITIONAL USE STANDARDS

(c)(34) Special conditions for Pawn Shops, Vape and Smoke Shops, Tattoo Parlors, Hookah Lounges, and Recreational Marijuana Facilities

A. The use or building housing such use shall be located a minimum of 500 feet from the lot line of any residentially zoned **or used parcel.**

B. The use or building housing such use shall be located a minimum of 500 feet from the lot line of any school.

C. The use or building housing such use shall be located a minimum of 500 feet from the lot line of another use of the same category.