



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

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## MEMORANDUM

**To:** Mayor Anzevino and City Council  
**From:** Greg Hannan, Community Development Director  
**CC:** Thom Sheridan, City Manager  
**Date:** April 11, 2023  
**Subject:** Land Development Code 2023 Update

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City staff has maintained a list of possible LDC text amendments based on observations and feedback from City Council and Planning Commission. Staff would like to provide a brief introduction to the attached draft topics for consideration and receive feedback and direction from City Council. Staff did present the attached list to the Planning Commission at their meeting of April 10, 2023. The Planning Commission noted strong support for requesting City Council begin the process of a larger scale code update/rewrite rather than advancing the attached limited scale updates. The Commission approved a motion to have the topic of commencing a large scale update placed on the meeting agenda for May 8<sup>th</sup>. The Planning Commission noted such effort would be long term and that such should be done in connection with the Comprehensive Plan underway. Staff commented that thoughts of the Commission would be forwarded and that City Council may wish to pursue some amendments at this time separate from or ahead of a larger scale update.

### Generalized Review Process for 2023 LDC Amendments:

1. Council Workshop discussion – April 25, 2024
2. Council First reading and referral to Planning Commission – June, 2024
3. Planning Commission Public Hearing – July, 2024
4. Planning Commission Recommendation to Council – August 2024
5. Council Second Reading and Public Hearing – September 2024
6. Council Third reading and Action adoption – October, 2024

## **2023 LDC Amendment – Topics for consideration**

1. Vape shops/lounges, pawn shops, tattoo parlors, hookah lounges and paraphernalia stores – These uses are currently regulated as uses by right under service/retail allowances. These uses can be established as conditional uses with specific definitions and regulations established regarding appropriate districts, setbacks to other uses, and operational standards.
2. Solar Code review – Review code for any updates to consider that would support growth in both residential and commercial solar installations. Item to review include a more unified process between CD & HPP, considering more flexibility for free-standing arrays to be within a side/front yard within commercial districts, and consideration of additional flexibility for proposals within the Historic District (currently not permitted on a front façade).
3. Code Enforcement – add definitions for commercial vehicle and unregistered vehicle as the LDC currently do not have such definitions although the LDC contains regulations related to the parking of such in a residential area.
4. Subdivision Compatibility Review – Amend 1204.05(b) – The Compatibility Review is the first step in a subdivision process; however, within the review standards it is the third item on the list. The order of the existing text would be revised to reflect the review process.
5. Storage of Hazardous materials – Revise the current broad definition to better align with the State Fire Code.
6. Conditional Use special condition regarding annual licensing (1206.02(c)(4) – Revise the current requirement for conditional uses to submit applicable state licensing annually to a requirement that such be submitted upon request.
7. Review Riparian Setbacks regulations (1207.03 and 1205.14) to align with current Federal Emergency Management Agency (FEMA) regulations related to Special Flood Hazard Areas (SFHA).
8. Performance Bonds (Improvement Guarantees) - Performance bonds are needed for site plan development projects in addition to subdivisions (primarily for stormwater management infrastructure); however, the LDC only references performance guarantees under subdivision standards of Section 1208. References to such authority could be added to Section 1207.

9. Blending of Residential Development: Ability to review the density of a proposed development in relation to the surrounding neighborhood rather than just applying the maximum density permitted per code. Planning Commission has used the following existing general conditional use standard to respond to this issue:

1206.02(b)(9) *The residential use is proposed at a density consistent with that of the existing neighborhood density or is compatible by its use of architecture, orientation of structures and parking, and landscape buffer.*

Of note the residential districts (D1, D2, D3, &D4) all regulate duplexes, single family attached, and townhomes as conditional uses allowing the Planning Commission to apply this standard in residential districts.

The consideration of addressing blending could be expanded by:

- a) Strengthening the conditional use standard with revised text or consideration of a maximum increase in comparison to surrounding development. The LDC already contains text within District 4 regarding density allowances for single family detached. This could be incorporated in additional districts although this text is difficult to calculate and apply (gross density vs net density, wetland determinations, measuring a developed area vs a scaled site plan etc):

1205.07(d)(1)A. Maximum Density Single family detached (District 4): *four dwelling units per acre unless the net density of a proposed development exceeds 150 percent of the net density of the residential development within 600 feet of a proposed development, excluding vacant parcels. In such case, while the maximum net density is four dwelling units per acre, the proposed development shall be a conditional use subject to procedures of this Code.*

- b) Reducing the maximum density permitted in some residential districts so the permitted maximums are not significantly beyond densities currently present. Reductions of 20-25% in the below highlighted areas could be considered.

	Single family	Duplex	Single family attached	Townhomes	Multifamily
D1	2 per acre	Not listed	2 per acre	2 per acre	Not permitted
D2	One per 2.5 acres	One per 2.5 acres	One per 2.5 acres	Not permitted	Not permitted
D3	2.5 per acre	2.5 per acre	4 per acre	5 per acre	Not permitted
D4	4 per acre	4 per acre	6 per acre	8 per acre	12 per acre

Note: D4 contains additional restrictions on density beyond the above base standards.

10. Townhome design and garage orientation – clarify/strengthen existing regulations regarding garage orientation. The district regulations related to orientation are not applicable to development with a front yard depth of 130 feet or more. The Architectural Design Standards townhome massing type do not have a setback exemption. The setback exemption is commonly applied to single family homes but is not intended for townhomes near public streets and private drives.