

MEMORANDUM

Date: March 11, 2019

To: Planning Commission

From: LDC Update Team

Subject: LDC Update: Summary of Proposed Administrative Revisions
PC Case Number: 2018-4526

Background:

Planning Commission began reviewing the redlined draft of the LDC Phase I on September 24, 2018 continued discussion on October 8, 2018 and completed the initial review on October 22, 2018. Review of PC questions, further research requests and comments regarding the draft of the initial review of the LDC began reviewing in more detail at the meetings of January 14, 2019 and January 28, 2019 concluding with final research questions requested by Planning Commission of staff at the February 11, 2019 and Special Meeting of February 25, 2019. Final comments of PC questions regarding the revisions are to be reviewed at the March 11, 2019 Planning Commission Meeting with a recommendation of the Proposed Administrative Revisions to City Council.

Findings: Section 1204.01 Text Amendments

The proposed Administrative Revisions to the Land Development Code represents the review of the Land Development Code to Clarify existing regulations without proposing a substantive change to the regulations; to Update an existing regulations and procedures to improve clarity, efficiency, and/or modernization; and to support legal interpretation of existing regulation or proposed change to respond to recent case law.

Required PC Action, Section 1203.03(c)(1)(B) (text and map amendments)

For text and map changes the PC shall conduct a public hearing, make specific recommendations to the City Council, and transmit the application to City Council, together with the text and map amendments pertaining thereto within 120 days from receipt of the City Council's referral. Council has extended this deadline to permit completion of the draft and due consideration by PC.

Council will take final action on the amendments after it receives PC's recommendation.

Recommendation

The Planning Commission recommends City Council adopt Case 2018-4526, proposed Ordinance No. 18-93, "AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTERS 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, AND 1213 AND AT APPENDIXES A, B, AND C OF THE CITY OF HUDSON'S LAND DEVELOPMENT CODE, nka THE "PLANNING AND ZONING CODE" dated March 11, 2019 as amended with the following condition:

1. Removing the proposed text amendments for A-Frame signs to allow staff to meet with the City Merchants to review all types of signage requirements and to amend the any signage text at a later date to be determined.

PC Summary Comments from February 25, 2019 Meeting

*Note Page numbers in the revised 3-11-19 electronic draft that differ from the 2/25/2019 redlined draft copy posted 3-7-2019.

*New Page	Old Page	Item
	15	Left justify text at (c)
	15	1201.09(c)(1): add “or any amendment hereto”
53*	55	Place the whether clauses into outline format-
53*	55	Whether or not the amendment does not cause <u>avoids</u> unlawful exclusionary zoning
122*	124	Strike “or his designee”
131*	133	Item B: City Manager’s Office
136*	138	Repeat the header on each page of the use table
	151	Crematory services... domestic pets <u>may shall</u>
	157	Maximum number of Accy Buildings: “lot greater than two and one half acres” PC requested information about past BZBA cases – specifically a case on Middleton from several years ago (change red text to read on any lot greater than two and one half (2.5) fifty-one hundredths (2.51)-acres, the maximum number of accessory structures shall be four (4).
	160	Add as item # 8 Allowance for one utility and note they are subject to the restrictions of (5)(A-D) Add to Definitions pg. 319-Utility Trailer- A non-motorized vehicle which is generally pulled by a motorized vehicle and features an open-top or enclosed cargo area and is used for the hauling.
	161	Seasonal Sales – how do we address the flea at JoAnn’s, church festivals etc. Add District 8 to 1206.04(b)(2)(A)-Redo formatting (A)(B)(C)(D)
191*	193	Remove the (A) from the outline as there is now only one category. Combine text into paragraph above.
198* & 199*	201 & 202	Review the 9pm vs 10pm. Confirm this is consistent with 648.12 (if needed) (no times are noted in 648.12) , other portions of the codified. PC had some preference for 10pm. Request to place all times into a chart in the code. Refer to Exhibit A.
201*	204	Further review (1)(A) – Discussion focused on the idea that development in D2 should be permitted to have wells and septic systems with 2.5 acres lots. If not, there would be pressure to rezone. Appears the (1)(A) may need to stay and be tweaked. Staff has removed proposed amendment.
214*	218	Can the pedestrian and cycling plan be revised to Connectivity Plan? Also, should this and other studies be reviewed by PC. Staff had amended the text to specifically refer to “the City of Hudson Connectivity Plan of Current Adoption.”
231*	235	Repeater table header and look to reformat – could this fit on one page
242*	245	Sign variances – second line “weighted”
242*	245	A frame –PC would like feedback about meeting with merchants Staff has removed proposed amendment at this time and will plan to meet with the City Merchants to discuss any signage change to the code at a future time.
246*	250	Wetland D6 and D8 – due to the extensive discussion, staff requested keeping text as is and addressing later in 2019 as part of commercial updates. Staff will also research the establishment of the D6 and D8 regs for any insights on the increase to 100 feet.
267*	271	City Solicitor’s Office
268*	272	Street lighting: Two (2) years
288*	292	Revise zoning code to Land Development Code

Exhibit A

	Hours Currently Permitted	Hours Currently NOT Permitted	Proposed Hours Permitted	Proposed Hours NOT Permitted
Refuse Collection/Loading	7:00 am to 6:00 pm	6:00 pm to 7:00 am	No change	No change
Truck/Rail Loading	6:00 am to 10:00 pm	10:00 pm to 6:00 am	7:00 am to 9:00 pm	9:00 pm to 7:00 am
Homeowner Outdoor Equipment	7:00 am to 10:00 pm	10:00 pm to 7:00 am	7:00 am to 9:00 pm	9:00 pm to 7:00 am
Construction	7:00 am to 7:00 pm Monday -Saturday	7:00 pm to 7:00 am No Hours on Sunday	7:00 am to 7:00 pm Monday - Saturday Sunday and Holidays 9:00 am to 5:00 pm	7:00 pm to 7:00 am Monday - Saturday Sunday 5:00 pm to 7:00 am
*Night hours defined	10:00 pm to 7:00 am		7:00 am to 9:00 pm	