



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

Date: March 14, 2022  
To: City Council  
From: Greg Hannan, Community Development Director  
CC: Thomas J. Sheridan, Asst City Manager  
Re: 2022 Land Development Code Update

City staff is requesting feedback regarding the below Land Development Code (LDC) amendment topics. Staff has targeted several smaller scale amendments at this time with the anticipation that the upcoming comprehensive plan may influence larger scale amendments to consider for 2023. Based on preliminary feedback received from Council, staff will proceed to prepare a formal draft amendment for Council consideration.

**General topics:**

**1. Pick up windows**

- a. Item: Council previously noted a desire to not implement allowances for full drive thru service for restaurants. Staff has received recent interest regarding pick up window service oriented to mobile orders. This would allow restaurants to distribute food through a window to vehicles; however, would not permit a menu board, speaker ordering, or waiting for food prep. A pick-up window would provide some additional accommodation to restaurants while requiring reduced vehicle stacking and noise associated with full service drive thru restaurants.
- b. Amendment: Pick up windows could be added as a conditional use to Districts 5, 7, and 9. Design standards would be added to maintain pedestrian access and to regulate the placement/orientation of stacking lanes.

**2. Vape shops/lounges, pawn shops, tattoo parlors, hookah lounges and paraphernalia stores**

- a. Item: City ordinances currently regulate such uses with the general allowances for retail and personal service uses. Staff has received Council and community feedback regarding a desire from further regulation.
- b. Amendment: Such uses could be defined as conditional uses within District 5 and/or District 7 with regulations established regarding hours of operation and setbacks between such uses and other uses such as schools or parks.

### **3. Townhome design and garage orientation**

- a. Item: The LDC District regulations and Appendix D Architectural Design Standards both state that garage doors shall not face the street. The district regulations provide an exemption for development with a front yard depth of 130 feet or more; however, such exemption is not within the Architectural Design Standards. The standards could also use clarity on how to regulate the term “street” when along a private driveway.
- b. Amendment: The standards of 1205 and the architectural standards could be amended to resolve this conflict in text and to provide clearer direction to the AHBR and applicants regarding how townhomes design should be regulated on public streets and within private drives.

### **4. Housing Density – Compatibility with adjacent development**

- a. Item: Some recent townhome development applications have caused concerns with neighbors regarding appreciable differences in density between the proposal and existing development in the area. The LDC current provides the following conditional use standard which was use as part of the grounds to deny a recent request: (Section 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.*
- b. Amendment: Council could consider a stronger LDC code standard related to compatible density such as a maximum percent increase compared with adjacent/surrounding development.

### **5. Solar**

- a. Item: The Land Development Code currently permits residential and commercial solar installations. The standards were adopted in 2009 (09-71). In recent years interest in solar installations has grown and Hudson Public Power has recently updated their guidelines related to connect to the local infrastructure.
- b. Amendment: The current regulations could be reviewed for amendments needed to reflect the changing industry and any needs from Hudson Public Power including placement for exterior batteries and permitting requirements.

### **6. Code Enforcement**

- a. Item: Code enforcement has significantly increased field activities in 2021 with approximately 200 total cases for the year. Based on this activity staff has noted some items for possible amendment to improve enforcement efforts and provide improved clarity for staff and residents:
- b. Amendment: The following items could be clarified:
  - Commercial vehicles are restricted from parking in a residential district; however, a definition of a commercial vehicle is needed.
  - Unregistered vehicles are restricted for parking outdoors; however, a definition is needed.

- The LDC referenced the 2018 International Property Maintenance Code; however, a more recent 2021 IPMC has been published by the International Code Council.

## 7. Sidewalks

- a. Item: The 1205 District 3 regulations require sidewalks on both sides of the street in D1, D3, & D4 and on one side of the street in D2. This standard is consistently applied when subdivisions are proposed. This standard has been a challenge; however, on pre-existing parcels on arterial/collector streets and for residual residential parcels within older subdivisions which were built without such requirements.
- b. Amendment: The standards could be revised to clarify that new subdivisions are required to install sidewalks; however, provide relief to this requirement for pre-existing lots where sidewalks are not adjacent and isolated, disconnected sidewalks are not desired.

**Additional items:** The below items were previously discussed as possible amendments. Staff suggested these be incorporated into the Comprehensive Plan discussions:

8. **Public Art** – Recent requests for public art suggest the clear policy/guidelines would be helpful for future requests. This could potentially involve regulations in addition to developing a public art master plan.
9. **Bitcoin Mining** - Staff has identified this as an emerging use with the potential to create noise pollution that negatively impacts nearby residents and businesses. The use also has also been associated with adverse environmental impacts.
10. **Assisted Living and Continuing Care Retirement Communities (CCRC)** - Several areas of District 8 have been developed with such uses in recent years - The LDC permits assisted living in D2, D3, D4, D5, D6, D8, and D8OV. The LDC permits CCRC in D3, D6, and D8. Study removing the allowance of such facilities from D8 to strengthen D8 for commercial/industrial use.
11. **Martin Drive** - City staff have received occasional calls from residents about their non-conforming status in D6 which only permits expansion of non-conforming residences of up to 25%. The commercial zoning has been in place for 20 plus years; however, the area has not converted to applicable development.
12. **District 9 – Darrowville** The District 9 area has seen limited development/investment over the past twenty years. Consider engaging stakeholders on revised standards to encourage mixed use development and extending Lawnmark Drive to Georgetown Road.