

(As Amended 8-17-2021 to include Planning Commission Recommendation)

AN ORDINANCE AMENDING CHAPTERS 1202, “ADMINISTRATIVE AND REVIEW ROLES,” 1203, “DEVELOPMENT REVIEW AND ADMINISTRATION PROCEDURES,” 1204, “GENERAL REVIEW STANDARDS”, 1205, “ZONING DISTRICTS-CITY OF HUDSON ZONING MAP”, AND 1207, “ZONING DEVELOPMENT AND SITE PLAN STANDARDS,” OF THE LAND DEVELOPMENT CODE TO IMPLEMENT CERTAIN AMENDMENTS TO THE CHARTER OF THE CITY OF HUDSON ADOPTED IN 2020.

WHEREAS, in the last round of City Charter Amendments approved by City voters in November 2020, amendments to certain Charter provisions relating to Article IX, ”Planning” were adopted by the voters; and

WHEREAS, as a result of the above-referenced Charter amendments, the City’s Land Development Code should be amended in Chapters 1202, 1203, 1204, 1205, and 1207 to reflect the newly-adopted amendments to Article IX of the City Charter so as to be consistent therewith; and

WHEREAS, this Council has introduced the within Ordinance and referred it to the Planning Commission pursuant to its obligation under Land Development Code Section 1203.03 to follow said procedure; and

WHEREAS, the Planning Commission has submitted its recommendation to Council and Council has held its own public hearing on this Ordinance, and upon which Council adopted the recommendations forwarded by the Planning Commission to add an amendment to Section 1203, and this Council determines that the proposed amendments to Chapters 1202, 1203, 1204, 1205, and 1207 of the Land Development Code should be adopted as being consistent with the public health, safety and general welfare.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hudson, County of Summit, State of Ohio, that:

Section 1. Codified Ordinance Chapters 1202, “Administrative and Review Roles,” 1203, “Development Review and Administration Procedures,” 1204, “General Review Standards,” 1205, “Zoning Districts-City of Hudson Zoning Map,” and 1207, “Zoning Development and Site Plan Standards,” of the Land Development Code, be amended in part to read as follows:

“1202.02 PLANNING COMMISSION

(b) Operations.

(1) Membership.

A. As amended by the Charter of the City of Hudson from time to time, the PC shall consist of seven **qualified** electors of the City, appointed by the City Council and not holding other public office, **to serve without compensation** for a **staggered term** of four years **terms**. ~~PC members shall serve without compensation.~~

B. Each member shall have been a resident of the City of Hudson for a minimum of two years preceding the appointment **and shall continue to remain a resident during the member's term**. **At the time of the appointment or re-appointment of any member of the Planning Commission, the Planning Commission shall have no less than one member from each ward in the Municipality.**

C. No member of the PC shall serve for more than three consecutive **full four-year** terms. In the event of a vacancy, the City Council shall appoint a qualified elector to ~~complete~~ **fill** the unexpired term.

1202.03 BOARD OF ZONING AND BUILDING APPEALS.

(b) Operations.

(1) Membership.

A. As amended by the Charter of the City of Hudson from time to time, the Board of Zoning and Building Appeals shall consist of five **qualified** electors of the City, appointed by the City Council and not holding other public office.

B. Each member shall serve without compensation for a **staggered term** of four years **terms**. In the event of a vacancy, City Council shall appoint a qualified elector to ~~complete~~ **fill** the unexpired term.

C. Each member shall have been a resident of the City for a minimum of two years preceding the appointment **and shall continue to remain a resident during the member's term**.

D. Members shall serve no more than three consecutive full **four-year** terms.

1202.04 ARCHITECTURAL AND HISTORIC BOARD OF REVIEW.

(b) Operations.

(1) Membership.

A. As amended by the Charter of the City of Hudson from time to time, the AHBR shall consist of seven **qualified** electors of the City appointed by the City Council.

B. Each member shall have been a resident of the City for two years preceding appointment **and shall continue to remain a resident during the member's term**.

C. Each member shall serve without compensation for a **staggered term** of four years **terms**. In the event of a vacancy, City Council shall appoint a qualified elector to ~~complete~~ **fill** the unexpired term.

D. No member ~~may~~ **shall** serve more than three consecutive **full four-year** terms.

E. The whole of the AHBR shall designate at least three members who shall constitute a subcommittee whose concern shall be the Historic District and/or historic landmarks. In addition, the Board may appoint such committees, ad hoc or standing, as may be appropriate to the conduct of its business.

1203.03 CODE AMENDMENTS.

(b) Procedures for Approval.

(1) PC, City Council, or private party initiated applications for text or official zoning map amendments shall follow the core development approval process set forth in Section 1203.02, except for the following modifications:

B. Step 5: City Council action. After the PC's public hearing and recommendation on the amendment application, 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. **An amendment before the City Council that would permit maximum net density in any zoning district for any dwelling type to increase shall take effect only if passed or approved by not less than six members of the City Council.**

1204.02 PLANNED DEVELOPMENTS.

(b) Standards for Review of a Preliminary PD Plan. An application for approval of a preliminary PD plan, together with submitted plans and reports, shall be reviewed for their conformance with the following standards:

(3) The proposed PD shall comply with the ~~density~~ or lot coverage ratio requirements set forth for the zone district in which the PD is located, except to the extent that a bonus has been expressly allowed pursuant to division (c) of this section;

(8) The proposed PD shall comply with the following requirements, which shall not be modified or varied except as expressly set forth below or as permitted by Section 1203.08, Minor Modifications:

G. Density. All planned developments shall comply with the density requirements set forth for the zone district in which the planned development is located.

(c) ~~Density Bonuses.~~ Upon satisfaction of all applicable standards and requirements, and at the City's sole discretion, bonuses in ~~density~~, floor area maximum or floor-area-to-lot-area ratios of no greater than twenty-five percent may be granted to a proposed PD based upon incorporation within the PD of any of the following:

1205.05 DISTRICT 2: RURAL RESIDENTIAL CONSERVATION.

(d) Property Development/Design Standards. In addition to compliance with all applicable standards set forth in Chapter [1207](#), Zoning Development and Site Plan Standards, development in District 2 shall comply with all of the following development/design standards (all standards are minimums unless otherwise noted):

~~C. Density bonus for additional open space: For every additional ten acres of land dedicated for public open space above the minimum required pursuant to Section [1207.05](#), Open Space, one additional dwelling unit may be developed.~~

1205.11 DISTRICT 8: INDUSTRIAL/BUSINESS PARK

- (f) Hike Bike (HB) Senior Housing Overlay Zoning District 8.
- (1) Purpose of overlay zone.

D. Planned developments: Planned developments, subject to the standards and procedures set forth in Sections [1203.04](#) and [1204.02](#), except "density bonuses", Section [1204.02](#)(c) shall not apply.

1207.06 OPEN SPACE CONSERVATION SUBDIVISIONS.

- (g) Density for Open Space Conservation Subdivisions.

~~(3) Density bonuses. Except for open space conservation subdivisions within District 2 (Rural Residential Conservation District) and District 10 (Ravenna Road Mixed Use Corridor District), density may be increased above the maximum amount allowable in the Zone District within each category as stipulated below. However, the density in the subdivision shall not exceed by more than twenty five percent the maximum density permitted in the zone district(s) in which the subdivision is located. Density increases may be authorized by the Planning Commission as follows:~~

~~A. A five percent increase of density for every ten percent increase in park or open space over the required minimums set forth below. The type and location of additional open space must be approved by the Planning Commission.~~

~~B. A maximum ten percent increase in density for dedicating recreation facilities that represent an addition to what is otherwise required by this Code. These recreational facilities must be provided for the general public and approved by the Park Board and may be facilities such as follows: equipped playgrounds, sports playfields, finished multi purpose trail surfaces, etc.~~

~~(4) Review criteria for approval of density bonuses. The Planning Commission may approve a request for a density bonus within an open space conservation subdivision provided it finds that:~~

~~A. The open space conservation subdivision proposal, taking into account the bonus density, meets all the standards set forth in division (i) of this section;~~

~~B. The proposal, taking into account the bonus density, will enhance the surrounding community; and~~

~~C. The proposal, taking into account the bonus density, will have no adverse impact on adjacent properties or development, or the applicant has agreed to adopt appropriate mitigation measures, such as additional or heightened landscaping, screening, exterior lighting standards, and other design features as recommended by the City Manager during the site plan review process to buffer and protect adjacent properties from the proposed development.~~

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Section 2. Codified Ordinance Chapters 1202, “Administrative and Review Roles,” **1203, “Development Review and Administration Procedures,”** 1204, “General Review Standards,” 1205, “Zoning Districts-City of Hudson Zoning Map,” and 1207, “Zoning Development and Site Plan Standards,” of the Land Development Code, to the extent not amended by this Ordinance shall remain in full force and effect.

Section 3. All formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, or otherwise in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: August 17, 2021

Craig A. Shubert, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance No. 21-46 was duly passed by the Council of said Municipality on August 17, 2021.

Elizabeth Slagle, Clerk of Council

First Reading & Referral to Planning Commission: April 20, 2021

Public Hearing & Second Reading: August 3, 2021

Third Reading: August 17, 2021