

AN ORDINANCE AMENDING CHAPTER 1205, “ZONING DISTRICTS” AND CHAPTER 1207, “ZONING DEVELOPMENT AND SITE PLAN STANDARDS,” OF THE LAND DEVELOPMENT CODE TO PROVIDE FOR FUNDS-IN-LIEU OF THE CONSTRUCTION OF PUBLIC SIDEWALKS AND OTHER PEDESTRIAN AND NON-VEHICULAR CIRCULATION SYSTEMS.

WHEREAS, an issue has arisen during the approvals for land development in the City regarding the appropriate timing to implement the Land Development Code requirement to install non-vehicular circulation systems, such as public sidewalks and other pedestrian/bike “linkages” when such improvements do not presently exist in the immediate vicinity; 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, this Council introduced Ordinance No. 13-22 in 2013 and upon receiving a recommendation on the ordinance from the Planning Commission, this Council tabled that Ordinance, which is similar in most respects to this Ordinance, and proceeded with the “Connect Hudson Plan” and the “Safe Routes Hudson” initiative to assist with recommended revisions to proposed Ordinance No. 13-22 that are reflected herein.

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

Section 1: Chapter 1205, “Zoning Districts,” and Chapter 1207, “Zoning Development and Site Plan Standards”, of the City’s Land Development Code are amended to read as follows:

CHAPTER 1205  
ZONING DISTRICTS

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1205.04 DISTRICT 1: SUBURBAN RESIDENTIAL NEIGHBORHOOD

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(d) Property Development/Design Standards

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- (11) Pedestrian/Bicycle Pathways and Linkages:
  - (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

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- (C) ~~Sidewalks and other non-vehicular circulation systems shall be provided as set forth in an adopted Connectivity Plan. Sidewalks at least five (5) feet wide shall be provided on both sides ~~one side~~ both sides of all streets in District 1, shall run parallel to the street within the right-of-way, and shall be separated from the curb by a planting strip of at least seven (7) feet width, ~~except sidewalks shall not be required along permanent cul-de-sacs.~~~~

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1205.05 DISTRICT 2: RURAL RESIDENTIAL CONSERVATION

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- (d) Property Development/Design Standards

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- (12) Pedestrian/Bicycle Pathways and Linkages:
  - (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

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1205.06 DISTRICT 3: OUTER VILLAGE RESIDENTIAL NEIGHBORHOOD

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- (d) Property Development/Design Standards

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- (10) Pedestrian/Bicycle Pathways and Linkages:  
(A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

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- (C) Sidewalks and other non-vehicular circulation systems shall be provided as set forth in an adopted Connectivity Plan. Sidewalks at least five (5) feet wide shall be provided on ~~both sides~~ one side both sides of all streets in District 1, shall run parallel to the street within the right-of-way, and shall be separated from the curb by a planting strip of at least seven (7) feet width, ~~except sidewalks shall not be required along permanent eul-de-sacs.~~

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~~1205.07~~ DISTRICT 4: HISTORIC RESIDENTIAL NEIGHBORHOOD

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- ~~(d)~~ Property Development/Design Standards

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- ~~(16)~~ Pedestrian/Bicycle Pathways and Linkages:  
(A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

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1205.08 DISTRICT 5: VILLAGE CORE DISTRICT

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- (d) Property Development/Design Standards

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- (19) Pedestrian Amenities:
  - (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways.
  - (AB) Sidewalks:
    - (i) Sidewalks at least five (5) feet wide shall be provided on all sides of a lot that abuts a public street, way, or open space.
    - (ii) Sidewalks at least five (5) feet wide shall be provided along the full length of a building façade that features a customer entrance and along any building façade abutting a public parking area.
    - (iii) All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface minerals such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.
  - (BC) Linkages: To the maximum extent feasible, provision shall be made in the design of developments for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or future sidewalks, bikeways, walkways, and any existing or planned trail systems along Brandywine Creek.
  - ~~(C) Funds in lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.~~

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1205.09 DISTRICT 6: WESTERN HUDSON GATEWAY

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- (e) Property Development/Design Standards

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- (11) Pedestrian Amenities/Linkages:
  - (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways.

- (~~AB~~) Sidewalks:
  - (i) Sidewalks or paved paths at least five (5) feet wide shall be provided on one side of an abutting public street unless the Planning Commission, based upon the prior approval of an industrial park or for environmental reasons, determines to waive this requirement.
  - (ii) Sidewalks at least five (5) feet wide shall be provided along the full length of a building façade that features a customer entrance and along any building façade abutting a public parking area.
  - (iii) All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.
  - (iv) The Planning Commission, based upon site specific circumstances including but not limited to, topography, storm water management, and the effect on utility systems may waive these requirements.
- (~~BC~~) Linkages: To the maximum extent feasible, provision shall be made in the design of developments for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or planned future sidewalks, bikeways, walkways, or trail systems. To the maximum extent practicable, a multi-purpose trail connector shall provide north-south access south of Boston Mills Road.
- ~~(C) Funds in lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.~~

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1205.10 DISTRICT 7: OUTER VILLAGE COMMERCIAL CORRIDOR AND OFFICE OVERLAY ZONE

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- (e) Property Development/Design Standards

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- (13) Pedestrian Amenities:
- (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.
  - (~~AB~~) Sidewalks:
    - (i) Sidewalks at least five (5) feet wide shall be provided on all sides of a lot that abuts a public street, way, or open space.
    - (ii) Sidewalks at least five (5) feet wide shall be provided along the full length of a building façade that features a customer entrance and along any building façade abutting a public parking area.
    - (iii) All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.
  - (~~BC~~) Compliance with Access Management Plan: All development shall comply with the pedestrian access standards and requirements set forth in any adopted comprehensive access management plans for the State Route 91 corridor.
  - (~~CD~~) Linkages: To the maximum extent feasible, provision shall be made in the design of developments for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or planned future sidewalks, bikeways, walkways, or trail systems.
  - (~~E~~) Funds in lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

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1205.11 DISTRICT 8: INDUSTRIAL/BUSINESS PARK

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- (e) Property Development/Design Standards

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- (9) Pedestrian Amenities/Linkages:
  - (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways.
  - (AB) Sidewalks:
    - (i) Sidewalks or paved paths at least five (5) feet wide shall be provided on one side of an abutting public street, except on Darrow Road where they shall be provided on both sides of the street.
    - (ii) Sidewalks at least five (5) feet wide shall be provided along the full length of a building façade that features a customer entrance and along any building façade abutting a public parking area.
    - (iii) All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.
    - (iv) The Planning Commission, based upon site specific circumstances including but not limited to, topography, storm water management, and effect on utility systems may waive these requirements.
  - (BC) Compliance with Access Management Plan: As applicable, all development with frontage on State Route 91 shall comply with the pedestrian access standards and requirements set forth in any adopted comprehensive access management plans for the State Route 91 corridor.
  - (CD) Linkages: To the maximum extent feasible, provision shall be made in the design of developments for connections with existing or future pedestrian systems on adjoining properties, including but not limited to connections to existing or planned future sidewalks, bikeways, walkways, or trail systems.
  - ~~(D) Funds in lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.~~

(f) HikeBike (HB) Senior Housing Overlay Zoning District 8

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(4) Property Development/Design/Standards

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- (R) Pedestrian/bicycle Pathways and Linkages:
  - (i) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.
  - (ii) Any amount of land set aside for trails in a development shall be credited toward either the public or private open space requirements set forth in this section and in Section 1207.05 of this Code.
  - (iii) Sidewalks or multi-use paths shall be ~~prided~~ provided on both sides of all streets, shall run parallel to the street within the right-of-way, and shall be separated from the curb by a planting strip at least five (5) feet in width. Sidewalks shall be at least five (5) feet wide.
  - (iv) Provision shall be made in the design of developments to feature interconnection with existing or planned streets and pedestrian or bikeway systems on adjoining in properties with multi-use paths eight (8) feet in width, and sidewalks.

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1205.12 DISTRICT 9: DARROWVILLE COMMERCIAL CORRIDOR

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- (d) Property Development/Design Standards

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- (11) Pedestrian Amenities:

- (A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

- (AB) Sidewalks.

- (i) Sidewalks at least five (5) feet wide shall be provided on all sides of a lot that abuts a public street, way, or open space.



- (ii) Sidewalks at least five (5) feet wide shall be provided along the full length of a building façade that features a customer entrance, and along any building façade abutting a public parking area.
- (iii) All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.

~~(C) Funds in lieu of public sidewalks may and other non-vehicular circulation systems be provided as set forth in Section 1207.13(e) of this Code.~~

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1205.13 DISTRICT 10: RAVENNA ROAD CORRIDOR

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(d) Property Development/Design Standards

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(14) Pedestrian/Bicycle Pathways and Linkages:

(A) Provision shall be made in the design of all developments for non-vehicular circulation systems, including but not limited to sidewalks, pathways, and bikeways. Funds-in-lieu of public sidewalks and other non-vehicular circulation systems may be provided as set forth in Section 1207.13(e) of this Code.

(B) Any amount of land set aside for trails in a development shall be credited toward either the public or private open space requirements set forth in this section and in Section 1207.05 of this Code.

(C) Sidewalks:

(i) Sidewalks at least five (5) feet wide shall be provided along the full length of a building façade that features a customer entrance and along any building façade abutting a public parking area.

(ii) All internal pedestrian walkways shall be designed to be visually attractive and distinguishable from driving surfaces through use of durable, low-maintenance surface materials such as pavers, brick, or scored concrete to enhance pedestrian safety and comfort.

(D) To the maximum extent feasible, provision shall be made in the design of developments for interconnections with existing or planned streets and pedestrian or bikeway systems on adjoining properties, unless the City determines that such interconnections would have adverse impacts on open spaces, wetlands, sensitive environmental areas, or other significant natural areas.

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CHAPTER 1207  
ZONING DEVELOPMENT AND SITE PLAN STANDARDS

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1207.13 TRANSPORTATION/CIRCULATION/PEDESTRIAN LINKAGE

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(d) Pedestrian and Bicycle Paths

(1) To the maximum extent feasible, all residential, commercial, and industrial subdivisions shall provide pedestrian linkages, including bikeways, to existing trail system, parks, schools, adjacent developments, and to the Village Core where applicable. (*See* Figures 27a & 27b.)

[FIGURES OMITTED]

(2) Bicycle Paths. Where linkages are provided through the development of dedicated off-road bicycle paths, the minimum right-of-way ~~will~~ shall be eighteen (18) feet, and the pavement width ~~will~~ shall be ten (10) feet. All bicycle paths ~~will~~ shall be constructed in accordance to design standards approved by the City Engineer and illustrated in Figures 28a & 28b and in conformance with any Trail Plan adopted by the City of Hudson Park Board. Bike lanes constructed as part of roadway improvements will be designed and constructed in accordance with Figures 29a & 29b, and 29c.

[FIGURES OMITTED]

(e) Payment of Funds-In-Lieu of Providing Public Sidewalks and Other Pedestrian and Non-Vehicular Circulation Systems.

(1) When adjacent or abutting properties do not have public sidewalks and other pedestrian non-vehicular circulation systems with which to connect or link, the owner or developer may, with the approval

of the Planning Commission, at the owner's or developer's option, in Districts, 1, 2, 3, 7, 9 and 10, provide monetary funds in-lieu of providing public sidewalks and other pedestrian or non-vehicular circulation systems.

(2) For purposes of determining the value of public sidewalks and other pedestrian and non-vehicular circulation systems for funds paid in-lieu of providing the same, the Planning Commission shall establish the payment to be seventy (70) percent of the cost the City would pay to install the system as approved by the City Engineer. ~~consider the City Engineer's estimate of the cost to construct such improvements as are required by this Code, but shall have the sole discretion to alter that amount for good cause shown. Such value shall be determined as of the date of the filing of the subdivision or development plan with the Planning Commission.~~

(f) Fund. All amounts paid by the owner or developer in-lieu of providing the improvements as set forth in subsection (e) shall be made payable to the City of Hudson and upon receipt shall be deposited in a separate fund kept specifically for funding the construction of public sidewalks and other pedestrian and non-vehicular circulation system linkages in the City.

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Section 2: Existing Chapter 1205, "Zoning Districts," and Chapter 1207, "Zoning Development and Site Plan Standards," of the City's Land Development Code to the extent not amended by this Ordinance, shall remain in full force and effect.

Section 3: It is found and determined that 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, 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: \_\_\_\_\_

\_\_\_\_\_  
William A. Currin, Mayor

ATTEST:

\_\_\_\_\_  
Elizabeth Slagle, Clerk of Council

I certify that the foregoing Ordinance was duly passed by the Council of said Municipality on \_\_\_\_\_, 2015.

\_\_\_\_\_  
Elizabeth Slagle, Clerk of Council

**LDC Text Amendment  
 Pedestrian Sidewalk Fund  
 Ordinance No. 15-61**

District	Current Standards				Proposed Standard, 6/8/15 PC				
	One side	Both sides	General Provision	Sidewalk waiver	One side	Both sides	General Provision	Sidewalk waiver	Funds in Lieu
1		✓	✓			✓	✓		✓
2			✓				✓		✓
3		✓	✓			✓	✓		✓
4		✓	✓			✓	✓		
5		✓				✓	✓		
6	✓			✓	✓		✓	✓	
7		✓				✓	✓		✓
8	✓			✓	✓		✓	✓	
9		✓				✓	✓		✓
10							✓		✓

DATE: July 8, 2015: Staff Report issued

TO: City of Hudson Planning Commission for  
July 13, 2015 Planning Commission Meeting

FROM: Greg Hannan, City Planner  
Mark Richardson, Community Development Director

SUBJECT: LDC Text Amendment  
Pedestrian Sidewalk Fund  
Ordinance No. 15-61

PC Case No: 2015-11

### **Introduction**

This case concerns the amendment of Chapter 1205, “Zoning Districts” and Chapter 1207, “Zoning Development and Site Plan Standards,” of the Land Development Code to Provide for Fund-in-Lieu of the Construction of Public Sidewalks and Other Pedestrian and Non-Vehicular Circulation Systems”. On March 3, 2015 Council conducted its first reading and referred the ordinance to Planning Commission for public hearing and recommendation.

Please find attached to this report the following:

1. Summary chart dated June 8, 2015
2. Draft Ordinance 15-33
3. Staff report to Council from its March 3, 2015 meeting
4. Email from City Engineer Thom Sheridan dated October 10, 2012
5. PC Decision dated March 11, 2013

Planning Commission conducted its public hearing on the proposed legislation at its meeting of May 11, 2015. The Commission continued the case to the June meeting at which it accepted most of staff’s recommendations. The Commission continued the case to the July meeting to see the changes discussed as shown in the proposed text.

Based on the discussion at the June Planning Commission meeting the attached draft amendment addresses the following:

1. Revise the amendment to reflect the proposed standards as depicted in the summary chart presented to the Planning Commission on June 8, 2015.
2. Maintain the current policy of not imposing sidewalk requirements on minor development
3. Based on comments presented by Tom King, staff has incorporated requirements for sidewalks along building frontages and along parking areas within District 10 as is already required within other commercial zoning districts.

### **Findings: Section 1204.01 Text Amendments**

Staff finds the text amendment meets all applicable sections of Section 1204.01 and therefore recommends its approval.

**Required PC Action, Section 1203.03(c)(1)(B)**

PC must make specific recommendations to the City Council, and transmit the application to City Council, together with the text amendment pertaining thereto within 120 days from receipt of the City Council's referral.

**Recommendation**

The Planning Commission recommends City Council adopt Ordinance No. 15-33, An Ordinance Amending Chapter 1205, "Zoning Districts" and Chapter 1207, "Zoning Development and Site Plan Standards," of the Land Development Code to Provide for Fund-in-Lieu of the Construction of Public Sidewalks and Other Pedestrian and Non-Vehicular Circulation Systems as amended.

## Richardson, Mark

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**From:** Sheridan, Thomas  
**Sent:** Wednesday, October 10, 2012 8:48 PM  
**To:** Bales, Anthony  
**Cc:** Richardson, Mark; Hunt, Todd; Schroyer, Scott  
**Subject:** Re: Private vs. Public Sidewalk Costs

Tony.

My staff received bids from two public sector contractors (prevailing wage contractors) and two private sector contractors for a typical sidewalk installation in the City, as requested.

The private sector developer would pay **approximately 60%** less than the City will pay for the same work. (Note: Based on 750 Lineal Feet of new sidewalk, complete)

Average Public sector cost = \$24,250  
Average Private sector cost = \$14,800

Public Sector Quotes: Vito Gironda  
Perrin Asphalt Contractors  
Private Sector Quotes: JBL  
Whited Concrete

I hope this is the information you were looking for on this subject and if you have any questions, please contact me.

Thank you.

Thomas J. Sheridan, P.E., P.S.  
Hudson City Engineer  
51 S. Main Street, Suite 3  
Hudson, Ohio 44236  
Ph. 330-342-1770  
Fax. 330-342-8414  
[TSheridan@hudson.oh.us](mailto:TSheridan@hudson.oh.us)





# City of Hudson, Ohio

## Staff Report

File Number: 15-33

Meeting Date: 3/3/2015

Version: 1

Status: Second Reading

In Control: City Council

File Type: Ordinance

**AN ORDINANCE AMENDING CHAPTER 1205, "ZONING DISTRICTS" AND CHAPTER 1207, "ZONING DEVELOPMENT AND SITE PLAN STANDARDS," OF THE LAND DEVELOPMENT CODE TO PROVIDE FOR FUNDS-IN-LIEU OF THE CONSTRUCTION OF PUBLIC SIDEWALKS AND OTHER PEDESTRIAN AND NON-VEHICULAR CIRCULATION SYSTEMS.**

**Executive Summary:** This legislation would create a Pedestrian Linkages Fund as recommended by the Connect Hudson Plan that came out of the Safe Routes Hudson initiative.

**Legislative History**

This legislation was first discussed by Council in the fall of 2012. Council conducted its first reading of the legislation and referred the matter to Planning Commission for public hearing and recommendation on February 20, 2013. Planning Commission conducted its public hearing on March 11. After public comment and discussion the Commission recommended that Council disapprove the legislation. At its second reading on April 3, 2013, Council voted to remove the item from its regular meeting agenda and send it to a Council workshop meeting for further review and discussion. Those discussions lead to the creation of the Ad Hoc Connectivity Committee on September 4, 2013 and the adoption in concept of the committee's proposed Connectivity Plan on February 19, 2014.

**Purpose & Explanation**

The Connect Hudson Plan that came out of the Safe Routes Hudson initiative recommended the creation of a sidewalk fund created by contributions from builders and developers where sidewalks could be required, but there are no existing walks with which to connect. The new fund would be used to fill the sidewalk "gaps" throughout the City.

This legislation would implement the recommendation and enable discretion regarding the Land Development Code requirement to install sidewalks. Instead of requiring sidewalks that don't connect to an existing network, payment in lieu of installing sidewalks would be placed into a Pedestrian Linkages Fund instead, which would then be used to complete sidewalk connections in the community. When a sidewalk was needed at the original location, it would be at the City's expense, possibly through this same funding source.

In making its recommendation to disapprove the legislation in 2013, Planning Commission identified four concerns as listed here. We comment on each of them in *italics*.

1. Whether or not sidewalks should be required City-wide or only in certain areas or districts. *The legislation as proposed requires sidewalks City-wide, but not to the extent presently required. Staff recommends that Draft Ordinance No. 13-22 be revised as follows and as shown on the attached table, in addition to allowing the funds in lieu option listed at item (b) below:*
  - a. *The general non-vehicular circulation requirement is made applicable to Districts 5 - 10 in addition to District 1 -4.*
  - b. *The funds-in-lieu option is added to the general non-vehicular circulation requirement.*
  - c. *Sidewalks are required according to the City's Connectivity Plan.*
  - d. *Sidewalks are generally required on one side of the street, except in Districts 4 and 5 where they are required on both, but not on permanent cul-de-sacs.*
  - e. *The sidewalk requirement text was made consistent among all zoning districts.*
2. Should funds-in-lieu of sidewalk be permitted at all. *The premise of the legislation is that they*

*should be permitted.*

3. If funds-in-lieu are permitted, where or in what districts should they be permitted. *Funds-in-lieu would be permitted City-wide.*
4. What is the method by which the amount of funds-in-lieu would be calculated. *Staff recommends that Draft Ordinance No. 13-22 be revised at Section 1207.13(e)(2) to read: "... the Planning Commission shall consider the City Engineer's estimate of the cost for the City to construct such improvements as are required by this Code, ~~but~~ and shall have the sole discretion to alter that amount for good cause shown, but in no case shall the amount be more than sixty (60) percent of the City Engineer's estimate. ..."*

**Timing Considerations**

If Council conducts its first reading on March 4, Planning Commission would hold its public hearing on April 13 and could make a recommendation to Council at that time. Council would then take its final actions in May.

**Fiscal Impact**

Currently Budgeted  
Supplemental Appropriation Required

X Appropriation Not Required.

**Suggested Action**

**.. Recommendation**

Staff recommends that the legislation be revised and that Council conduct its first reading and refer the legislation to Planning Commission for public hearing and recommendation.

**Submitted by,**

Jane Howington, City Manager  
Mark Richardson, Community Development Director

**RECOMMENDATION TO CITY COUNCIL**

Based on the evidence and representations to the Commission by affected property owners, consultants, City staff and other interested parties, at a public hearing of the Planning Commission held at its Regular Meeting on March 11, 2013, the Planning Commission recommended City Council disapprove Ordinance 13-22, "An Ordinance Amending Chapter 1205, "Zoning Districts" and Chapter 1207, "Zoning Development and Site Plan Standards", of the Land Development Code to Provide for Funds-in-Lieu of the Construction of Public Sidewalks and Other Pedestrian and Non-Vehicular Circulation Systems", with the suggestion that Council address the following issues:

1. Whether or not sidewalks should be required City-wide or only in certain areas or districts.
2. Should funds-in-lieu of sidewalks be permitted at all.
3. If funds-in-lieu are permitted, where or in what districts should they be permitted.
4. What is the method by which the amount of funds-in-lieu would be calculated.

**Dated: March 11, 2013**

**CITY OF HUDSON  
PLANNING COMMISSION**

By 

**Joseph Mulligan, Chair**