

Charter of the City of Hudson, Ohio

Article IX: Planning

SECTION 9.01 PLANNING COMMISSION - COMPOSITION AND TERMS.

The Planning Commission shall consist of seven (7) electors of the Municipality not holding other public office appointed by Council, to serve without compensation, for a term of four (4) years, except that the members of the first Commission of seven (7) members after the approval of this section by the electors shall serve the following staggered terms: One (1) member for a term ending January 1, 1996; two (2) members for terms ending January 1, 1997; two (2) members for terms ending January 1, 1998; and two (2) members for terms ending January 1, 1999. Each member shall have been a resident of the Municipality or in territory annexed thereto for two (2) years preceding appointment and shall continue to remain a resident during the member's term. The City Manager or a designee shall serve as ex-officio Secretary of the Commission. In the event of a vacancy, Council shall appoint a qualified elector to complete the unexpired term. No member of the Planning Commission shall serve for more than three (3) consecutive full four (4)-year terms.

(Amended 5-2-95; 11-7-00)

SECTION 9.02 PLANNING COMMISSION - POWERS AND DUTIES.

All meetings of the Commission shall be public, except as may be provided by the laws of the State of Ohio. No public building, street, boulevard, parkway, park, playground, bridge or tunnel shall be constructed or authorized to be constructed in the Municipality, nor shall any street, avenue, parkway, boulevard or alley be opened for any purpose whatsoever, nor shall any street, avenue, parkway, boulevard or alley be widened, narrowed, relocated, or its use changed or any ordinance referring to zoning or building codes or other regulations controlling the use or development of land be passed unless and until Council shall have submitted the same to the Planning Commission for report and recommendation. Any foregoing matter so referred to the Planning Commission shall be considered by the Commission at a public hearing, except streets and land subdivision within zoning districts where both industrial and office uses are permitted. Notice of a public hearing shall be given in the manner provided by ordinance of Council, and thereafter shall be acted upon by the Planning Commission within one hundred twenty (120) days from the date of the regular Planning Commission meeting at which the matter was accepted, unless a longer time be allowed by Council. The Planning Commission report and recommendation shall be filed with the Clerk of Council within the prescribed time. Any proposed action by Council relating to changes of zoning, building codes, or other regulations controlling the use or development of land shall require five (5) votes of Council for passage. Four (4) votes by Council shall be required to return a recommendation to the Planning Commission for further consideration, and this may be done only once. In addition to the foregoing, the Planning Commission shall be the Planning Commission of the Municipality, shall have the power and duty to review, approve, disapprove, or approve subject to conditions, all applications for zoning certificates for non-residential buildings within zoning districts where both industrial and office uses are permitted, and shall have such other powers as are now or may hereafter be conferred upon it by the laws of Ohio or by ordinance of Council. (Amended 11-7-00; 11-3-09; 11-2-10)

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SECTION 9.03 CONTINUING COMPREHENSIVE PLAN.

The Comprehensive Plan in effect shall be the operative growth management policy for the Municipality, and as such shall guide Council in taking action with respect to the physical development of the Municipality and expenditures for capital improvements.

The Planning Commission shall review and make any needed recommendations for the timely modification updating of the Continuing Comprehensive Plan of the Municipality. Recommendations for modification or amendment of such Plan may be made to Council at any time. Notwithstanding the foregoing, the Plan shall be reviewed by the Commission for revisions every ten (10) years or more often if requested by Council. When a section has been reviewed by the Planning Commission, the Chairperson of the Commission, within thirty (30) days of the completion of the review, shall submit the text of that section, with or without proposed amendments, to the Council. If any amendment is proposed, Council shall hold a public hearing with respect to the section and proposed amendment, and shall thereafter adopt, reject or modify the amendment.

Council shall initiate the review of the Comprehensive Plan of the Municipality for any needed changes or modifications no less than every ten (10) years. Either Council or Planning Commission may make recommendations for revision to the Comprehensive Plan at any time. Any recommendation for modification or amendment of the Comprehensive Plan shall receive public hearing by the Planning Commission and within six (6) months following public hearing, recommendation shall be made by the Planning Commission to Council. Council shall hold a public hearing and take action to adopt, reject or modify the amendment of the Comprehensive Plan within six (6) months of receipt of a recommendation from the Planning Commission. (Amended 11-7-00; 11-2-10)

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SECTION 9.04 BOARD OF ZONING AND BUILDING APPEALS - COMPOSITION AND TERMS.

The Board of Zoning and Building Appeals shall consist of five (5) electors of the Municipality, appointed by Council and not holding other public office, to serve without compensation for terms of four (4) years. In the event of a vacancy, Council shall appoint a qualified elector to complete the unexpired term. Each member shall have been a resident of the Municipality or territory annexed thereto for two (2) years preceding appointment and shall continue to remain a resident during the member's term. Members shall serve no more than three (3) consecutive full four (4) year terms.

(Amended 11-7-00)

SECTION 9.05 BOARD OF ZONING AND BUILDING APPEALS - POWERS AND DUTIES.

All meetings of the Board shall be public, except as may be provided by the laws of the State of Ohio. The Board shall have power to hear and determine appeals from refusal of building and zoning permits and to permit exceptions to and variations from the zoning regulations in individual cases as may be required to afford justice and avoid unreasonable hardship to property owners in accordance with standards established by ordinance of Council and such other powers as are now or may hereafter be conferred upon it by the laws of Ohio or by ordinance of Council.

SECTION 9.06 ARCHITECTURAL AND HISTORIC BOARD OF REVIEW - COMPOSITION AND TERMS.

The Architectural and Historic Board of Review shall consist of seven (7) electors of the Municipality appointed by Council and not holding other public office. Each member shall have been a resident of the Municipality or territory annexed thereto for two (2) years preceding appointment, and shall continue to remain a resident during the member's term, to serve without compensation for a term of four (4) years. In the event of a vacancy, Council shall appoint a qualified elector to complete the unexpired term. No member may serve more than three (3) consecutive full four (4)-year terms.

(Amended 11-7-00; 11-8-05)

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SECTION 9.07 ARCHITECTURAL AND HISTORIC BOARD OF REVIEW - POWERS AND DUTIES.

All meetings of the Architectural and Historic Board of Review shall be public, except as may be provided by the laws of the State of Ohio. The Board shall have the power and the duty to review, approve, disapprove, or approve subject to conditions, all applications for zoning certificates other than zoning certificates for non-residential buildings within zoning districts where both industrial and office uses are permitted, which shall be reviewed in accordance with the provisions of Section 9.02. With respect to applications to construct, erect, alter, remove, move or demolish any and all structures, buildings or landmarks within any Historic District established and defined by Council, the Board shall also have the power and duty to issue or deny a Certificate of Appropriateness pursuant to procedures established by Council. In the exercise and fulfillment of these specified powers and duties, the Board shall protect and preserve the value, appearance and use of property on which buildings are constructed or altered, to maintain a high character of community development, to protect the public health, safety, convenience and welfare and to protect real estate within the Municipality from impairment or destruction of value. Guidelines for the fulfillment of such duties shall be specified with respect to architectural values in architectural criteria as adopted, and as may be amended, by Council. Any provisions of the Codified Ordinances of Hudson relating to the Architectural and Historic Board of Review existing pursuant to such ordinances at the time of adoption of this section shall continue in effect and shall be applicable to the Board established by this section unless and until modified or repealed by Council. The Board shall also have such other powers and duties as are now or may hereafter be conferred upon it by the laws of Ohio or by ordinance of Council.

Council, the Planning Commission and the City Manager shall consult with the Architectural and Historic Board of Review on application of the architectural criteria adopted by Council to physical development of the Municipality. (Amended 11-7-00; 11-3-09)

SECTION 9.08 ARCHITECTURAL AND HISTORIC BOARD OF REVIEW - APPEALS.

Appeals from decisions of the Architectural and Historic Board of Review shall be taken to the Board of Zoning and Building Appeals in accordance with procedures established by Council. In hearing such appeals, the Board of Zoning and Building Appeals shall be guided by the purposes and principles of the Architectural and Historic Board of Review as specified in Section 9.07 of this Charter.