



City of Hudson, Ohio

Staff Report With Text

File #: 15-43 **Version:** 2 **Name:**
Type: Ordinance **Status:** Passed
File created: 3/11/2015 **In control:** City Council
On agenda: 5/19/2015 **Final action:** 5/19/2015

Title: AN ORDINANCE AMENDING SUBSECTION (d)(2) OF SECTION 1205.09 OF THE LAND DEVELOPMENT CODE TO PERMIT THE PRINCIPAL PERMITTED USES IN ZONING DISTRICT 6 OF ASSISTED LIVING, CONTINUING CARE RETIREMENT COMMUNITY, AND INSTITUTIONAL RESIDENTIAL FOR THE ELDERLY AND HANDICAPPED TO BE LOCATED ON LOTS FRONTING ON AND/OR LOCATED NORTH OF BOSTON MILLS ROAD IN DISTRICT 6.
 Executive Summary: The amendment would allow these uses in the only remaining developable land in District 6.

Sponsors: William A. Currin

Indexes: Community Development - LDC, Community Development - Zoning

Code sections:

Attachments: 1. 20150413 PC Decision, 2. Zoning Map, 3. District 6 North of Boston Mills, 4. Ordinance No. 15-43, 5. Ordinance No. 15-43 (as amended)

Date	Ver.	Action By	Action	Result
5/19/2015	2	City Council	third reading	
5/19/2015	2	City Council	public hearing held	
5/19/2015	2	City Council	adopted on third reading	Pass
5/5/2015	2	City Council	second reading	
4/28/2015	2	City Council Workshop	item forwarded	
3/17/2015	1	City Council	first reading & referral to the Planning Commission	

AN ORDINANCE AMENDING SUBSECTION (d)(2) OF SECTION 1205.09 OF THE LAND DEVELOPMENT CODE TO PERMIT THE PRINCIPAL PERMITTED USES IN ZONING DISTRICT 6 OF ASSISTED LIVING, CONTINUING CARE RETIREMENT COMMUNITY, AND INSTITUTIONAL RESIDENTIAL FOR THE ELDERLY AND HANDICAPPED TO BE LOCATED ON LOTS FRONTING ON AND/OR LOCATED NORTH OF BOSTON MILLS ROAD IN DISTRICT 6.

Executive Summary: The amendment would allow these uses in the only remaining developable land in District 6.

Legislative History

The Land Development Code was adopted in December 1999. At the time “continuing care retirement communities” was not a land use specifically allowed in Hudson and only office and office business parks were allowed north of Boston Mills Road. In Ordinance 00-172 adopted May 2, 2001, among a large set of amendments, day care centers, medical clinics and research laboratories were added to the uses allowed north of Boston Mills Road. In Ordinance 08-36 adopted May 7, 2008 hospitals and other complementary uses including continuing care retirement communities were added to the uses permitted in District 6.

Purpose & Explanation

District 6 is the zoning district along the western border of Hudson between the turnpike and Terex Road. Hudson Crossing Industrial Park and the office campuses north of Boston Mills Road are the principal activity centers in the District. The intended principal uses in District 6 are planned office and industrial business park developments. The district is the gateway into Hudson from the west on West Streetsboro Street and Boston Mills Road. Some uses allowed in the district such as industrial, warehousing, and distribution are not allowed along these corridors, including north of Boston Mills Road, in favor of other uses that would present a more attractive entry into the community. Although the target uses in District 6 remain office and industrial, the City has allowed more medical and support uses over the years.

District 6 also has significant environmental assets that have been preserved as development has occurred. Except for one large tract, most of the developable land in District 6 north of Boston Mills Road has been developed.

Continuing care retirement communities are defined as a “residential and institutional complex containing dwelling units of any type permitted by this code for independent living, and assisted living or institutional residential uses or both, with each dwelling or room occupied by not more than two residents at least one of whom is 55 years of age or older. Said complex shall have available on site: passive and active recreational facilities; common dining facilities; and provide primarily non-medical resident services to individuals in need of personal assistance essential for sustaining activities of daily living such as assistance or supervision in matters such as dressing, bathing, diet, financial management, transportation, evacuation of a residence in the case of an emergency, or administered medication.”

Continuing care retirement communities are permitted in District 6, but they are not specifically allowed north of Boston Mills Road as other uses are. Had continuing care retirement communities existed as an allowed use in 2001 it is possible that it would have been added to those uses permitted north of Boston Mills Road. The use is compatible with office and medical uses already permitted in the district, specifically north of Boston Mills Road and is a good transition use between office and residential which exists to the east and south. Laurel Lake for example is in a residential zoning district. The draft text is:

Section 1205.09(d)(2) - Special Conditions for Permitted Uses in District 6

Only office, office business park, day care center, medical clinic, ~~or~~ research laboratory uses, assisted living, continuing care retirement community, or institutional residential for the elderly and handicapped (for 9 or more people) shall be permitted as the principal use of each building on parcels or lots fronting on and/or located north of Boston Mills Road.

Planning Commission conducted its public hearing on April 13, 2015 at which no one testified. PC unanimously recommended that Council adopt the ordinance with the amendment that the land use limitation apply to parcels fronting Boston Mills Road in addition to those parcels north of the road. The draft text printed above has been edited accordingly. The only parcels affected by this amendment would be the three parcels south of Boston Mills Road at the City’s border with Boston Heights that were discussed with the Reserve at River Oaks rezonings.

A proposal for a continuing care retirement community has been presented to staff for a parcel between the Omni office complex and Lake Forest. If the City adopts the ordinance, staff expects application for the project will follow.

Timing Considerations

Now that Planning Commission has made its recommendation Council may schedule its public hearing no sooner than May 19 and take final action.

Fiscal Impact

Currently Budgeted
Supplemental Appropriation Required

Appropriation Not Required.

Suggested Action

Pending testimony that may be offered at the public hearing staff recommends that Council accept Planning Commission's recommendation and approve the ordinance as amended

Submitted by,

Jane Howington, City Manager

Mark Richardson, Community Development Director