

AN ORDINANCE AMENDING CHAPTERS 1205.09 AND 1205.11 OF THE LAND DEVELOPMENT CODE RELEVANT TO DISTRICT REGULATION SETBACKS FOR ADJACENT RESIDENTIAL PROPERTIES.

WHEREAS, there are numerous non-conforming residential properties located within commercial/industrial zoning districts within the City; and

WHEREAS these uses are concentrated in District 8 along portions of South Darrow Road, Hudson Drive, Seasons Road, Sullivan Road, and Martin Drive; and

WHEREAS, in these locations, residential was a use by right under prior Hudson Township zoning; however, the zoning was revised to commercial/light industrial zoning in approximately 1995; and

WHEREAS, the intent of the zoning is to allow the pre-existing residential uses while permitting the area to transition to commercial/industrial uses over time.

WHEREAS, over the previous 30 years, new commercial/industrial development has occurred in these areas; however, numerous residential homes are still present; and

WHEREAS, City staff has studied methods within the Land Development Code to strengthen the ability of these residential property owners to maintain, expand, and resell their property; and

WHEREAS, Planning Commission and this Council have determined that Land Development Code should require uses within D6 and D8 that are adjacent to residentially used properties to be increased to match the setbacks required when such uses are adjacent to residentially zoned properties.

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

Section 1. That Section 1205.09(e)(3) of the Land Development Code of Hudson be amended and provide as follows, with additions in **bold** and deletions being ~~stricken~~:

(e) Property development/Design Standards

(3) Setbacks.

A. Minimum front yard setbacks: fifty feet for principal and accessory buildings; and twenty-five feet for parking areas/lots.

- B. Minimum side and rear yard setbacks: twenty-five feet.
- C. Setbacks from adjacent residential uses other than the Hike Bike (HB) Senior Housing Overlay Zone: Notwithstanding the provisions above:

- 1. All buildings and structures, shall be located at least 100 feet from the lot line of any adjacent residentially zoned **or used** property.
- 2. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least fifty feet from the lot line of any adjacent residentially zoned **or used** property.
- ~~3. All buildings and structures shall be located at least fifty feet from the lot line of any adjacent residentially used property.~~
- ~~4. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least twenty five feet from the lot line of any adjacent residentially used property.~~

Section 2. That Section 1205.11(e)(3) of the Land Development Code of Hudson be amended and provide as follows, with additions in **bold** and deletions being ~~stricken~~:

- (e) Property development/Design Standards

- (3) Setbacks.

- D. Minimum front yard setbacks: fifty feet for principal and accessory buildings; and twenty-five feet for parking areas/lots.
- E. Minimum side and rear yard setbacks: twenty-five feet.
- F. Setbacks from adjacent residential uses other than the Hike Bike (HB) Senior Housing Overlay Zone: Notwithstanding the provisions above:

- 1. All buildings and structures, shall be located at least 100 feet from the lot line of any adjacent residentially zoned **or used** property.
- 2. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least fifty feet from the lot line of any adjacent residentially zoned **or used** property.
- ~~3. All buildings and structures shall be located at least fifty feet from the lot line of any adjacent residentially used property.~~
- ~~4. All materials, and vehicles, whether such vehicle is parked or stored, shall be located at least twenty five feet from the lot line of any adjacent residentially used property.~~

Section 3. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Ordinance.

Section 4. 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 5. This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Ordinance No. 24-104 was duly passed by the Council of said Municipality on _____, 2024.

Aparna Wheeler, Clerk of Council