

Meeting Date:

September 11, 2023

Request

Text Amendment to the
Land Development Code
relating to Residential
Blending

Applicant

City of Hudson

Case Manager

Greg Hannan

Contents

- ORD 23-84
- City Council memo
6.9.23



Project Introduction:

City staff has prepared the attached LDC text amendment in response to the City Council request to study the ability of the Land Development Code regulations to address changes in density which occur between proposed projects and adjacent existing neighborhoods.

Council discussion has commenced over the following timeline:

- June 20, 2023 City Council Workshop: Proposed amendment was discussed with forwarding for first reading.
- July 11, 2023 City Council Meeting: First Reading
- July 11, 2023 City Council Workshop: Additional City Council discussion with request for further amendment to the initial draft. Council discussion to adjust the 1206 amendment text to capture changes in density that may be proposed for both townhome developments as well as single family subdivisions, including open space conservation subdivisions.
- July 18, 2021 City Council Meeting: Second Reading and amendment and referral to Planning Commission without further discussion. The revised amendment includes expanded text with specific reference site plan applications (typically townhomes) and subdivisions applications.

Background

City Council requested staff to review the LDC regulations applicable to addressing changes in density which occur between proposed projects and adjacent existing neighborhoods.

Existing Relevant LDC Standard:

Planning Commission has used the following existing general conditional use standard to review proposed changes in density between applications and existing surrounding development:

1206.02(b)(9) *The residential use is proposed at a density consistent with that of the existing neighborhood density or is compatible by its use of architecture, orientation of structures and parking, and landscape buffer.*

Residential districts (D1, D2, D3, & D4) all regulate duplexes, single family attached, and townhomes as conditional uses allowing the Planning Commission to apply the above standard in residential districts. Additionally, the issue of changes in density between proposed and existing development may be due to the fact that Zoning Districts 3 and 4 have permitted maximum net densities that are appreciably greater than the

existing development in those districts. A minor reduction in the maximum density permitted may also provide some ability to respond to proposed changes in density.

Proposed Amendment

1. Strengthening the existing conditional use standard with expanded text to clearly state the proposed project density should not exceed the adjacent neighborhood density for a 100-foot perimeter. Such standard along with existing landscaping and setback requirements would provide expanded protection while permitting high density development internal to larger acreage site. The use of 100-foot perimeter setback/measurement is already common to the LDC and would be similar to the 100ft setbacks requirements for arterial streets and the 100 foot perimeter setbacks required for Open Space Conservation Subdivisions.

*1206.02(b)(9) The residential use is proposed at a density consistent with that of the existing neighborhood density or is compatible by its use of architecture, orientation of structures and parking, and landscape buffer. **For site plan applications, the density of the first 100 feet within the development boundary shall not exceed the density of any adjacent residential density. For subdivision applications, the density of the sublots located within the outer 100 feet of the development boundary, excluding open space, shall not exceed the density of any adjacent residential density.***

2. Amend the maximum net density standards with a minor reduction so the permitted maximums are not significantly beyond densities currently present.

	Single family	Duplex	Single family attached	Townhomes	Multifamily
D1	2 per acre	Not listed	2 per acre	2 per acre	Not permitted
D2	1 per 2.5 acres	1 per 2.5 acres	One per 2.5 acres	Not permitted	Not permitted
D3	2.5 per acre	2.5 per acre	3 4 per acre	4 5 per acre	Not permitted
D4	4 per acre	4 per acre	5 6 per acre	6 8 per acre	10 12 per acre

Note: D4 contains additional restrictions on density beyond the above base standards.

Considerations

District Standards (Section 1204.01) Zoning Map and Text Amendments

All applications for text or zoning map amendments shall be reviewed by the PC and City Council for compliance with the nine standards set forth within Section 1204.01 of the Land Development Code (LDC).

- a) Whether or not the proposed amendment is in accordance with the basic intent and purpose of the Land Development Code;
- b) Whether or not the proposed amendment furthers the long-range planning goals of the City (as outlined in the City's Comprehensive Plan's goals and objectives);
- c) Whether or not conditions within the City have changed since the Land Development Code was last adopted/amended, or there was a mistake in the Land Development Code, that justifies the amendment;
- d) Whether or not the amendment corrects an inequitable situation created by the Land Development Code, rather than merely grants special privileges;
- e) Whether or not the amendment avoids unlawful exclusionary zoning;

Hudson Planning Commission	ZONING TEXT AMENDMENT
Case No. 2023-837	September 11, 2023

- f) With respect to zoning map amendments, whether the proposed zoning map amendment is consistent with the zoning classifications of the surrounding land;
- g) With respect to zoning map amendments, whether all of the new requirements attendant to the proposed zoning classification can be complied with on the subject parcel(s);
- h) Does the amendment affect the City's ability to provide adequate services, facilities, or programs that might be required if the application were approved; and
- i) Whether or not the amendment is necessary to address changed or changing social values, new planning concepts, or other social or economic conditions in the areas affected.

Staff notes the proposed amendments align with the intent of the LDC and the Comprehensive Plan. The Comprehensive Plan acknowledges within the Land use and Development Plan to *Continue to ensure new development reflects the scale of existing development within Hudson*. The Comprehensive plan also acknowledges supporting greater flexibility in designing and developing higher density homes such as duplexes and townhomes in appropriately targeted areas. The proposed amendments would still support townhome development while responding to concerns of changes in density at the perimeter of proposed developments.

Required PC Action

The PC shall conduct a public hearing, make specific recommendations to the City Council, and transmit the application to the City Council, together with the text and map amendments pertaining thereto, within 120 days from the date of initiation of the application for text or official zoning map amendments. The initiation of the application was commenced with City Councils referral on July 18, 2023.

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.

Recommendation

Staff recommends the Commission review the proposed text amendments. The Commission should receive testimony at the public hearing then proceed with consideration of a formal recommendation to City Council.