

Meeting Date:

August 11 2025

Request

Text Amendment to the Land Development Code relating to Assisted Living, Continuing Care Retirement Communities, and Institutional Care (nursing).

Applicant

City of Hudson

Case Manager

Nick Sugar, City Planner

Contents

- ORD 25-110
- Map of existing facilities, 2025
- EMS Incident Report, 7.30.25
- City of Hudson Comprehensive Plan



Project Introduction:

City staff has prepared the following in response to the City Council request to consider LDC amendments to revise the districts which permit Assisted Living, Continuing Care Retirement Communities, and Institutional Care (nursing).

Council discussion has commenced over the following timeline:

- July 8, 2025 City Council Workshop: Proposed amendment was discussed with forwarding for the first meeting.
- July 15, 2025: City Council Meeting: First reading and referral to the Planning Commission.

Background

Assisted Living, Continuing Care Retirement Communities, and Institutional Care (nursing) are defined in the Land Development Code as follows:

(26) "Assisted living" shall mean residences for the elderly that provide rooms, meals, personal care, and supervision of self-administered medication. They may provide other services, such as recreational activities, financial services, and transportation.

(73) "Continuing care retirement community" shall mean a residential and institutional complex containing dwelling units of any type permitted by this Code for independent living, and assisted living or institutional

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residential uses or both, with each dwelling or room occupied by not more than two residents at least one of whom is fifty-five 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.

(160) "Institutional residential uses" shall mean residences for nine or more unrelated persons who are elderly or developmentally disabled and who may or may not require facilities and services including restorative care and treatment, nursing services, aid with daily living skills, meal service, regular or as-needed medical supervision, social care, or other services that are supportive, restorative, or preventive in nature. Institutional residential uses include, but are not limited to, long-term care facilities, nursing homes, group homes for nine or more clients, and intermediate care facilities. "Institutional residential uses" do not include assisted living facilities, group homes for eight or fewer clients, day care centers, or family day care homes.

Current Zoning allowances:

Use	Permitted by right	Conditional Use
Assisted Living	N/A	D2,D3,D4,D5,D6,D8,D8O
Continuing Care Retirement Communities	N/A	D3,D6,D8
Institutional Care (nursing)	N/a	D3,D6,D8

Existing assisted living and continuing care retirement community facilities are as follows:

Facility	Zoning District	Description - Services
Laurel Lake	D3	CCRC - Senior living, Assisted living, Rehabilitation and skilled nursing care
Danbury/Springwood	D6	CCRC - Senior living, Assisted living, Memory care
Hudson Elms	D2	Institutional Residential – Rehabilitation and skilled nursing care
Hudson Grande	D8	CCRC - Senior living, Assisted living, Memory care
Heritage of Hudson	D8	Institutional Residential –Rehabilitation and skilled nursing care
Hudson Meadows	D8	CCRC - Senior living, Assisted living

These facilities can cause a strain on safety services and have been developed within commercial/industrial districts which have a primary focus on income tax generating development. Staff notes this topic had discussion during the formation of the Comprehensive Plan. The Comp Plan has a specific recommendation to *limit large scale living facilities based on emergency service needs (pg. 79).*

The applicable districts where these uses are permitted could be reduced by removing them from D6 and D8 and limiting within residential districts. Each existing facility could continue to operate as non-conforming uses, except for Laurel Lake, which is within D3 and could continue under its current conditional use status.

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Proposed Amendment: Remove Assisted Living, Continuing Care Retirement Communities, and Institutional Residential from allowed uses within the commercial focused districts. Removing these use categories from commercial/industrial districts would preserve these areas for businesses development. Additionally, focusing these uses within District 3 would be more central to the community and closer to emergency services. The scale of such facilities would be similar to churches and schools, which care currently permitted and present within District 3.

The following table depicts the proposed changes with the additions being **underlined** and **bolded** and the deletions being stricken:

Use	Permitted by right	Conditional Use
Assisted Living	N/A	D2,D3, D4,D5,D6,D8 ,D80
Continuing Care Retirement Communities	N/A	D3, D6,D8
Institutional Care (nursing)	N/a	D3, D6,D8

Additionally, staff notes the recommendation also includes the following minor text amendments to support the effort:

- Section 1206.02(c)(4): *Where applicable, certification or licensing by the sponsoring state or federal governmental agency shall be a prerequisite to issuance of a zoning certificate by the City. A copy of an annual report with evidence of continuing certification shall be submitted to the Community Development Director **upon request** ~~in January of each year.~~*
- Section 1213.02(73): *“Continuing care retirement community” shall mean a residential and institutional complex containing dwelling units of any type permitted by this Code for independent living, ~~and~~ **along with** 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 fifty-five 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.*

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).

- Whether or not the proposed amendment is in accordance with basic purpose and intent of the Land Development Code;

Staff Comment: The proposed amendment would align with the following purposes and intent of Section 1201.03:

- *Promote the public health, safety, convenience, comfort, prosperity, and general welfare;*
- *Secure safety of persons and property from fire, flood, and other dangers*
- *Facilitate the economic provision of adequate public facilities such as transportation, water supply, sewage disposal, drainage, electricity, public schools, parks, and other public services and requirements*

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- *Manage overall community growth, including population and employment growth, to benefit the community and to encourage fiscally efficient and orderly development; and*
- *Encourage a balance of residential and non-residential uses and development in the community so that future growth occurs in a fiscally prudent manner.*

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);

Staff Comment: The proposed amendment would align with the following objectives for the Comprehensive Plan: *limit large-scale living facilities based on emergency service needs (pg. 79).*

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;

Staff Comment: Since the Land Development Code was adopted several large-scale living facilities have been developed including Danbury/Springwood, Hudson Grande, Heritage of Hudson and Hudson Meadows.

d) Whether or not the amendment corrects an inequitable situation created by the Land Development Code, rather than merely grants special privileges;

Staff Comment: The proposed amendment would not grant special privileges.

e) Whether or not the amendment avoids unlawful exclusionary zoning;

Staff Comment: The amendment avoids unlawful exclusionary zoning.

f) With respect to zoning map amendments, whether the proposed zoning map amendment is consistent with the zoning classifications of the surrounding land;

Staff Comment: Not applicable

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);

Staff Comment: Not applicable

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;

Staff Comment: Limiting future expansion of these uses would support the city's ability to provide emergency services. Generally, 40% of total Hudson EMS responses relate to large scale living facilities. Please refer to the attached call response study for more detailed information.

Staff notes Assurance Health, 6260 Hudson Crossing Parkway, is included in the attached EMS study. This use was approved by the Planning Commission in 2016 as a short-term hospital facility. It is not included in the staff report analysis based on this use classification.

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 Comment: Staff notes approximately 19% of Hudson's population is comprised of residents aged 60 or over. Hudson's median age is 43, which is slightly higher than Summit County (42) and Ohio (40).

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During the Comprehensive Plan effort, staff studied occupancy rates of the current large-scale living facilities. The study determined the majority of such facilities had availability at each level of care (Independent Living, Assisted Living, and Skilled Nursing). Of note, many employers discussed staffing as a concern to whether the community could support additional development in this space.

Therefore, it can be concluded that, despite Hudson’s somewhat older population, the general needs of the community are being met with the current facilities.

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 15, 2025.

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, receive testimony at the public hearing, and then proceed with consideration of a formal recommendation to City Council.