

# Land Development Code Update – Staff Report

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January 30, 2018

## Introduction

The Hudson Land Development Code (LDC) establishes rules for developing land in Hudson. In its simplest sense, the LDC regulates: (1) what land uses are allowed; (2) where land uses are allowed; (3) development standards; (4) design standards; and (5) the development approval process. The LDC also establishes supplementary land use regulations, including: (1) sign regulations; (2) variance standards; (3) nonconforming use standards; (4) parking/landscaping standards; and (5) enforcement and compliance procedures.

Hudson's LDC and Comprehensive Plan work together. The Comprehensive Plan provides the justification and rationale for the regulatory framework that is enacted by the LDC. Just as a Comprehensive Plan should be updated to reflect the most current needs of a City and its citizens, the LDC also must be updated as things change in the community. The LDC has not been reviewed or significantly updated in the past 20 years.

## The Review Process

Staff began reviewing and updating the LDC in April of 2017. The review process was broken down into three phases: (1) research and information gathering; (2) drafting; and (3) review and presentation. The goal of phase one was to identify areas of the LDC that needed improvement and create a roadmap for drafting the revised text. To identify internal needs, we interviewed elected officials and staff, held public meetings with the City's land use boards (AHBR, BZBA, and PC), and sent an online survey to internal individuals who work with the LDC on a regular basis. The external outreach included a public open house, a public online survey, and a meeting with the Hudson League of Women Voters. The City also reached out to 30 building contractors, 32 Homeowners Associations, and 49 Hudson merchants for comments about Hudson's existing LDC. (*See Exhibit "A" for complete results.*)

Phase one yielded interesting and useful results which provided the road map for the LDC update. The chief complaint among all respondents was the need for a simplified LDC that was easier to navigate and better organized to locate information more quickly. The input process also uncovered an interest in visiting certain land-use policy topics, including: garage orientation, sign regulation, use of drive-throughs, and lack of varied housing stock, among others.

Currently, the rewrite team is completing the second phase – drafting the plan. The LDC has been reorganized, and sections streamlined to provide a better user experience. As an example, we have created a simplified approach to district regulation (*See Exhibit "B" for an example*).

This staff report offers a summary of key policy issues we will present to City Council, the Mayor and Planning Commission in a joint meeting on January 30, 2018. For your review prior to the meeting, an overview of each key policy area is described below.

## Next Steps

The LDC update process is the same as for a zoning text or map amendment. First, a staff report with draft language will be submitted to City Council for first reading and referral to the Planning Commission. Planning Commission will review the draft, hold a public hearing, and make a

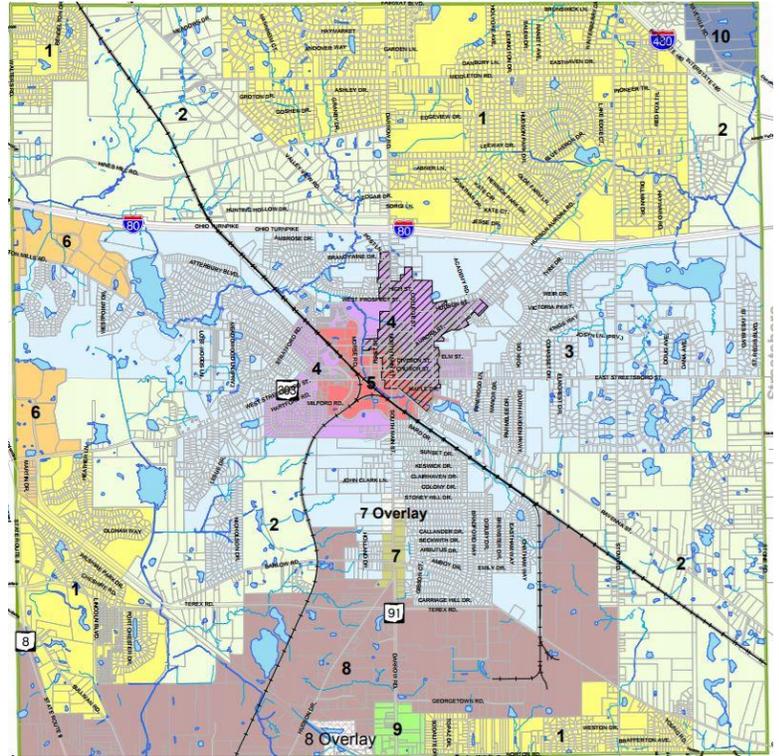
recommendation to City Council. Finally, City Council will have the opportunity to review the draft, hold a public hearing, and ultimately decide whether the draft should be adopted.

## Policy Areas for Discussion

### Combining Districts 7 and 9 and Straightening Boundary Lines

After reviewing the Districts in Hudson, staff considered blending Districts 7 and 9 into one commercial/mixed use corridor, as well as incorporating some uses from District 5 into the new blended District. Districts 7 and 9 are in the southern portion of Hudson. Additionally, District 10, in the far northeastern section of the City, could be eliminated and blended into District 2. (See Exhibit C.)

Why blend these Districts? Current zoning in those districts has placed limitations on development and reinvestment opportunities, leaving empty store fronts and underutilized land parcels. Many lots are split between Districts, making them difficult to develop. In addition, the large lots in District 9 limit and constrain development. District 10 would be better served to be a part of District 2, as they are similar in nature.



### Garage Orientation

Current garage orientation regulations have reinforced large lot development and larger areas of impervious surface to allow for vehicle turning movements. This puts constraints on owners and developers looking to build homes on smaller lots to meet the changing needs of the community.

With the current regulations, garage doors may not face the street unless they are set back at least 130 feet from the street. According to current Architectural Design Standards, a garage must be placed within the main mass of the house or within a wing setback from the main mass. Both regulations limit the placement of the garage on a smaller lot.

Proposed amendments to provide additional flexibility to garage orientation standards could include:

1. Relief for new homes and additions within existing built neighborhoods where front entry garages are present.
2. Maintain the LDC standard that doors may not face the (public) street but relax the architectural design standard so garage could be placed forward of the main mass.
3. Allow garage doors to face a secondary street on a corner lot
4. Allow front facing garages with additional design controls. These controls could include:
  - a. Significant setback from the main mass (10-15 feet).
  - b. No more than two-car width.

- c. Architectural enhancements within the doors.
- d. Regulate the percent of the front façade so the garage does not dominate the front view of the home.

### **Housing Types**

During the research phase of this project, public input as well as recommendations in the Comprehensive Plan adopted in 2016, indicated a desire for varied housing types to meet the changing needs of the community. In Hudson, our population is aging, with the average age now significantly higher than state and national averages. While Hudson has an oversupply of 2,500+ sq. ft. homes on large lots, we have a shortage of smaller homes, closer together to meet the needs of baby boomers with empty nests who wish to remain in the community and young professionals who are seeking smaller, more affordable housing options.

Currently, the LDC permits the following types of housing:

- Single Family, Detached
- Single Family, Attached
- Townhome
- Condo
- Apartment
- Duplex
- Multi-family

The following housing types could be incorporated to add variety to our residential options for young professionals, empty nesters and seniors.

### **Cottage Housing/Pocket Neighborhoods**

Generally defined as a grouping of small, single-family units clustered around a common outdoor space and developed with a coherent plan for the entire site, cottage housing/pocket neighborhoods have gained popularity in recent years as a type of infill development on small sites within developed areas.

These housing options typically have a maximum square footage of less than 1,500 square feet. The appropriate placement of these communities would be in Districts 1, 2, and 3.

Cottage housing appeals to empty nesters and millennials looking for walkable neighborhoods with smaller housing options.



### **Senior Housing**

As the population in Hudson ages, there is an increased demand for senior housing for those over 50 who wish to remain in Hudson, but want to downsize into smaller living areas with less maintenance. Currently, there is a shortage of this type of housing in Hudson. The recent Comprehensive Plan

identifies this need and encourages senior housing options. While senior housing options would fill a need, they also could mean larger-scale buildings.

### **In-law Suites or Accessory Structure Dwellings**

The aging population also has generated more inquiries about in-law suites. Current residents are looking for ways to assist aging parents. Nationwide, the trend is growing for more than one generation living in the same home.

An In-law Suite is a private living area within a house usually with a private full bathroom and a door that separates it from the rest of the home. Another type of in-law accommodation is an Accessory Structure Dwelling, which is either a second dwelling unit within or added to an existing single-family detached home or a separate structure on the same lot that includes provisions for cooking, eating, sanitation, and sleeping. Current, the LDC only allows this type of housing in Districts 4 and 5.

### **Vacation Rental Industry (Airbnb, Vacation Rental by Owner)**

This new lodging model is becoming increasingly popular in many cities, and many communities are looking at regulations. Staff researched this new lodging model and determined that it is too early in the development of this model to determine the need for code regulations at this time. We will continue to watch this new trend and may have recommendations for future updates to the LDC.

### **Signage**

Business signage continues to be a topic of concern, with many businesses wanting A-Frame and window signage, while others feel these signs create visual clutter. We are seeking input on two types of signs that continue to be a point of concern.

**A-Frame or Sandwich Board Signs:** Many businesses are displaying A-frame/sandwich board signs on both private and public property. Businesses on N. Main Street, for example, have no private property in front of their establishments, so their A-frame signs are located on the public right of way. When a business or several businesses are upstairs, there might be two or three A-frame signs in the same location advertising for the downstairs and upstairs stores. The A-frame signs throughout the community are an eclectic mix of sizes, types, styles and materials.

Last year, we polled N. Main Street merchants about A-frame signs and the potential for regulation or elimination of those signs. The majority felt strongly that they need these signs to attract business to their stores. While a few wanted no regulations for size, type, or materials, most felt some regulation would be appropriate, primarily for size and placement.

A-frame signs are also prevalent at Evaporator Works and along SR 91 south to Norton Road. Currently, A-Frame signs are not clearly addressed in the Land Development Code.

Code revisions could consider size, placement and proximity to pedestrians and storefronts.

**Window Graphics:** Window displays have evolved considerably since the prior LDC update. Perforated signs and large format advertisements now are common and inexpensive. The LDC currently regulates window signage across all zoning districts as follows:

- A ground floor storefront may cover up to 25% of its total glass area.
- Upper story occupants are permitted (1) window sign, not to exceed (6) square feet or 25% of the window the sign is placed, whichever is smaller.

Code revisions could consider relaxed regulations for certain zoning districts and building sizes/setbacks.

### **Drive-Throughs**

Current regulations restrict drive-through operations for bank facilities, which has caused difficulty when converting former bank facilities and has restricted several potential businesses from locating or expanding in Hudson. Allowances for drive-throughs could be considered for District 7 and 9 (South Main Street) with design controls:

- Siting buildings close to the street to make the pedestrian entrance more prominent.
- Requiring all vehicle stacking in the drive-through lanes and service windows at the rear elevation rather than the side elevation.
- Separating drive-through stacking lane from the parking area.

### **Summary**

Staff is looking forward to having a discussion with City Council and the Planning Commission about the progress of the Land Development Code rewrite and the policy items summarized above.