



City of Huron  
Agenda for the Planning Commission/DRB  
Wednesday, May 22, 2024 5:00pm.

I. **Call to Order**

II. **Roll Call**

III. **Adoption of the Minutes (1-24-24, 2-28-24)**

IV. **Audience Comments (3-minute time limit)** \*Please step to the podium and state your name and address for the record.

V. **New Business**

805 S. Main St. PPN 42-00381.000 B-3 Hy-Miler Gas Station & Car Wash  
Design Review-Signage Wall Sign

325 Ohio St. PPN 42-65001.000 R-2 Firelands Montessori Academy  
Design Review- Signage- face replacement to ground sign.

525 Cleveland Rd W PPN 42-00407.000 B-3 Lakefront Tanning  
Design Review- Signage- Wall & Window

Proposed Zoning Code Amendments:

- a) Residential Code
- b) Downtown B-2

VI. **Other Matters**

Edits- Rules of the Planning Commission

VII. **Staff Report**

VIII. **Adjournment**



**TO:** Chairman Boyle and Members of the Planning Commission and Design Review Board  
**FROM:** Erik Engle, Planning Director  
**RE:** 805 S. Main Street- Hy-Miler Station- Commercial Sign  
**DATE:** May 22, 2024

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**Current Zoning District:** B-3

**Parcel No.:** 42-00381.000

**Existing Land Use:** Commercial; Gas Station/Cash Wash

**Property Size:** 0.36 acres

**Traffic Considerations:** South Main Street

**Project Description-Design Review- Commercial Wall Sign**

The applicant is proposing an additional wall sign above the exit of the car wash garage door. As proposed, the sign will be an illuminated, two-color, 2' x 6' panel.

**Staff Analysis/Recommendation:**

The applicant is proposing the addition of one (1) LED illuminated, 2' x 6', two-color sign, above the car wash garage door, to clarify that this is an Exit Only. Apparently there have been issues with customers trying to enter at this location and the owner is seeking remedy.

The sign of the size is well within the signage maximum of 50sf, pursuant to 1129.04, which does make reference to the Maximum Number of Signs Permitted as being "Based on Eligible Frontage", however, there is no language that speaks to the calculation of the frontage.

The sign location will be on the frontage abutting Main Street, which currently has (1) illuminated channel letter wall sign and one 12' x 3' wall banner. The additional sign being proposed is 12sf and is for the purpose of specifying that this is an exit only.

**Applicable Code Sections:** Chapter 1129- Signage

1129.04 Appendix A Maximum Signage Area - B-3 District- 50sf.

The sign is simply for traffic flow purposes and scaled appropriately not to detract from the main "Hy-Miler" sign. The overall design is consistent with the existing blue and white Mobil color scheme.

Staff supports the request for this additional signage as proposed.

**Attachments:**

- Application & Design Elevations

# Planning Commission (PC)

## Commercial Site Plan Application/Design Approval- Exterior/Design-Signage Only

DATE: 4/2/2024

### Property Owner

Name: NOVA8516 LP

Address: 645 Hamilton St. Suite 400, Allentown, PA 18101

Phone: 610-625-8000

Email: jholland@caplp.com

### Applicant

Name: McQueen Advertising Co. Inc. (Eric McQueen)

Company/Business Name: McQueen Advertising Co. Inc.

Mailing Address: 134 Wheelu Dr. Huron, OH 44839

Phone: 440 967-1137 or 440-787-3931

Email: Mcqueensignoffice@gmail.com

### Location and Description of Project

Address: 805 S Main St, Willard, Huron, OH, 44839 County Parcel #: 42-00381.00

Existing Use: Car Wash Acreage/Area of Site: 9,735Sq/Ft

Proposed Use: Car Wash Lot # (if applicable): \_\_\_\_\_

Estimated Value of Project: \$2,136.39

Total SF: \_\_\_\_\_

☒ New Construction  
☐ Addition to Existing Structure

☐ Demolition  
☒ Other: adding sign

### ZONING & FLOOD ZONE DISTRICTS

Zoning District: \_\_\_\_\_ (R-1 R-1A R-2 R-3 B-1 B-2 B-3 I-1 I-2 ~~P-1~~ MU)

Flood Zone: N/A (A AE AO AH X-SHADED X)

### Description of Project:

Adding Exit Sign to Rear of CarWash, Illuminated, Cabinet, LED

## **SECTION 1. SITE PLAN APPROVAL**

\*The application fee of \$150.00 and a complete site plan with following information must be included with this application and provided in a PDF format:

- N/A
- ☐ Legal Survey or Plat
  - ☐ Dimensions of the Lot/Property Lines
  - ☐ Size and Location of the Existing Structure (if applicable)
  - ☐ Size and Location of the Proposed Structure
  - ☐ Front, Rear, and Side Setbacks of Existing Structure (if applicable)
  - ☐ Front, Rear, and Side Setbacks of Proposed Structure
  - ☐ Height of the Proposed Structure
  - ☐ Location of Sidewalks, Driveways, Drive Aisles, Parking Areas (with markings),
  - ☐ Fire Lanes Location of all utility connections and infrastructure
  - ☐ Plan for any curb cut/apron connection to public street

**\*A complete drainage plan must be included for projects that result in grading, paving, site modification, or new construction.**

## **SECTION 2. DESIGN APPROVAL (EXTERIOR, LANDSCAPING, LIGHTING, SIGNAGE)** \*

The application fee of \$150.00 and complete plans to include the following information must be included with this application and provided in a PDF format.

- N/A
- ☐ Photographs of Existing Conditions
  - ☐ Elevations of Proposed Modifications
  - ☐ Paint or Color Samples
  - ☐ Exterior Building Material Samples
  - ☐ Landscape Plan
  - ☐ Exterior Lighting Plan
  - ☐ Commercial Signage- Site Plan, Colored Elevations, Description of sign materials, Illumination

specifications. Complete the table below:

Sign Type (circle)				Dimensions			
Sign #1:	Wall	Window	Other: <input type="text"/>	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy		X	=	sq. ft.	ft.
Sign Type (circle)				Dimensions			
Sign #2:	Wall	Window	Other: <input type="text"/>	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy		X	=	sq. ft.	ft.
Sign Type (circle)				Dimensions			
Sign #3:	Wall	Window	Other: <input type="text"/>	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy		X	=	sq. ft.	ft.
Sign Type (circle)				Dimensions			
Sign #4:	Wall	Window	Other: <input type="text"/>	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy		X	=	sq. ft.	ft.

**SECTION 3. DESIGN APPROVAL (COMMERCIAL SIGNAGE ONLY)** \* The application fee of \$50.00 and complete plans to include the following information must be included with this application and provided in a PDF format.

\_\_\_ Signage Site Plan with all setback dimensions

\_\_\_ Rendering(s) of all signs with detail of dimensions, construction materials, graphics, illumination

Sign Type (circle)			Dimensions				
Sign #1:	Wall	Window	Other:	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy		2	X 6	= 12 sq. ft.	
Sign #2:	Wall	Window	Other:	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy			X	=	
Sign #3:	Wall	Window	Other:	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy			X	=	
Sign #4:	Wall	Window	Other:	Height	Width	Display Area	Height (if ground)
	Ground	Changeable Copy			X	=	

**PLEASE NOTE:** Upon approval from the Planning Commission, your project may require Engineering Plan review and Storm Water/Erosion Control Plan review, associated fees will apply. Zoning and/or Building Permits may be required, associated permit fees will apply. All Contractors on your project must be registered with the City. Contact the Planning and Zoning Department with any questions: 419-433-5000 ext. 1302.

✓ I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent, and we agree to conform to all applicable laws, regulations, and ordinances. All information contained within this application and supplemental materials is true and accurate to the best of my knowledge and belief.

Applicant Signature: Eric McQueen Date: 4/15/24  
 Owner Signature: Jeremy Holland Date: 4/3/2024

**For Departmental Use Only:**

Date of Submission: 4-15-24 Application Fee: 50. PC Meeting Date:



Proposed Sign  
2' x 6" LED Illuminated  
Polycarbonate Face  
Applied Vinyl Face

CAR WASH  
EXIT ONLY

*Hy-Miler*



2' x 6' ILLUMINATED SIGN

**CAR WASH  
EXIT ONLY**



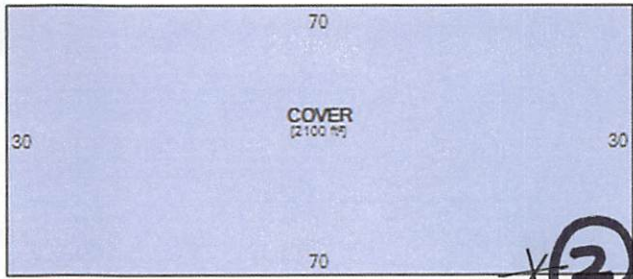
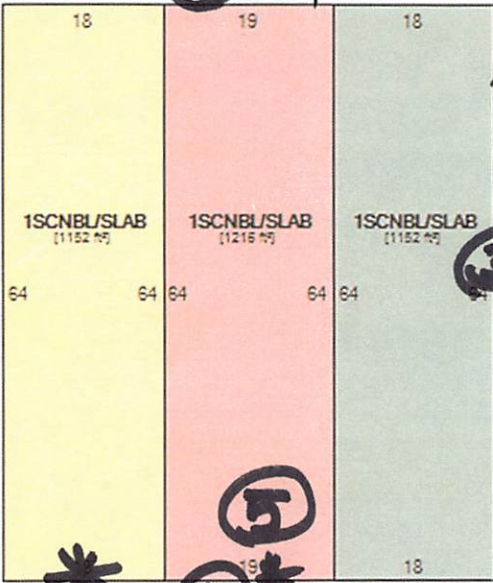
E

Williams St.

Set back = 189'6"

Set Back 121'6"

Set Back  
65'10"



Proposed  
Sign

Set Back  
61'3"

Main St.

W

N



Existing

①

8' 1"

Mobil



FUEL TECHNOLOGY  
Synergy

Regular

3.57<sup>9</sup>/<sub>10</sub>

Diesel

4.09<sup>9</sup>/<sub>10</sub>

OAH

20' 3"

10'

6" x 10" Rectangular Tube



Existing

②

2" Channel Letters  
6' x 6" Long





Existing

③

2" Non-Illuminated

11' 4" Long



Hy-Miler

Synergy

Mobil

Synergy

499

FREE  
FREE  
FREE



Existing

④

2' Non-Illuminated  
11' 4" Long





Existing

1'9" Channel Letters (Illuminated)

10' Long



5

6

Hy-Miler

Turtle Wax ICE

Home City Ice

ICE  
Home City Ice

Turtle Wax banner

12'9" x 3'10"





**TO:** Chairman Boyle and Members of the Planning Commission and Design Review Board  
**FROM:** Erik Engle, Planning Director  
**RE:** 329 Ohio – Firelands Montessori Academy- Commercial Sign  
**DATE:** May 22, 2024

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**Current Zoning District:** R-2

**Parcel No.:** 42-65001.000

**Existing Land Use:** Institutional; Firelands Montessori Academy (McCormick Annex)

**Property Size:** 9.62

**Traffic Considerations:** Ohio Street

**Project Description-Design Review- Replacement Ground Sign Panel**

The applicant is seeking to replace an existing ground sign panel. The 36" x 72" single faced replacement sign will be inserted into the existing sign frame and the frame will be repainted black. Firelands Montessori Academy explained that the sign panel has been damaged for some time and requires replacement.

**Staff Analysis/Recommendation:**

The applicant is simply replacing the signage panel into the existing frame, modifying the frame to cut off the finials at the top, and repainting the frame black. The applicable Code Section is Chapter 1129.05 (d) Permanent Ground Signs applicable to the R-2 District.

If the applicant were to propose a new ground sign altogether, they would be limited to the 8sf max. area, however, being that they are replacing a damaged panel in a previously approved ground sign, they are not limited to this max.

The overall design proposed is like the existing sign and will include a white backdrop and black lettering. The design is relatively simple in nature and compatible to the surrounding environs.

Staff supports the request for this replacement signage panel as proposed.

**Attachments:**

- Application & Design Elevations

# Planning Commission (PC)

## Commercial Site Plan Application/Design Approval- Exterior/ Design-Signage Only

DATE: 4-19-24

### Property Owner

Name: Huron Board of Education  
Address: 712 Cleveland Rd East  
Phone: 419-433-6181 ext 2802  
Email: Katiehayden@firelandsmontessori.org

### Applicant

Name: Monica Fletcher  
Company/ Business Name: Brady Signs Co  
Mailing Address: 1721 Hancock St- Sandusky - OH 44870  
Phone: 419-626-5112  
Email: monica@bradysigns.com

### Location and Description of Project

Address: 329 Ohio Street County Parcel #: 42-65001.000  
Existing Use: Firelands Montessori Acad. Acreage/ Area of Site: 9.62  
Proposed Use: " " Lot # (if applicable): " "  
Estimated Value of Project: \$186200 Total SF: 18

☐ New Construction  
☐ Addition to Existing Structure

☐ Demolition  
☐ Other: Face Replacement

Zoning District:	R-1	R-1A	R-2	R-3	B-1	B-2	B-3	I-1	I-2	P-1	M
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Flood Zone:	A	AE	AO	AH	X(shaded)	X
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 (Definitions 1135.02(14))

### Description of Project:

Remove Existing Sign Panel and then install  
new sign panel.



**SECTION 1. SITE PLAN APPROVAL** \*The application fee of \$150.00 and a complete site plan with following information must be included with this application and provided in a PDF format:

- \_\_\_ Legal Survey or Plat
- \_\_\_ Dimensions of the Lot/ Property Lines
- \_\_\_ Size and Location of the Existing Structure (if applicable)
- \_\_\_ Size and Location of the Proposed Structure
- \_\_\_ Front, Rear, and Side Setbacks of Existing Structure (if applicable)
- \_\_\_ Front, Rear, and Side Setbacks of Proposed Structure
- \_\_\_ Height of the Proposed Structure
- \_\_\_ Location of Sidewalks, Driveways, Drive Aisles, Parking Areas (with markings), Fire
- \_\_\_ Lanes Location of all utility connections and infrastructure
- \_\_\_ Plan for any curb cut/ apron connection to public street

**\*A complete drainage plan must be included for projects that result in grading, paving, site modification, or new construction.**

**SECTION 2. DESIGN APPROVAL (EXTERIOR, LANDSCAPING, LIGHTING, SIGNAGE) \***  
The application fee of \$150.00 and complete plans to include the following information must be included with this application and provided in a PDF format.

- \_\_\_ Photographs of Existing Conditions
- \_\_\_ Elevations of Proposed Modifications
- \_\_\_ Paint or Color Samples
- \_\_\_ Exterior Building Material Samples
- \_\_\_ Landscape Plan
- \_\_\_ Exterior Lighting Plan
- \_\_\_ Commercial Signage- Site Plan, Colored Elevations, Description of sign materials, Illumination specifications. Complete the table below:

Sign Type (circle)				Dimensions			
Sgn #1:	Wall Ground	Window Changeable Copy	Other:	Height X	Width =	Display Area sq. ft.	Height (if ground) ft.
Sgn #2:	Wall Ground	Window Changeable Copy	Other:	Height X	Width =	Display Area sq. ft.	Height (if ground) ft.
Sgn #3:	Wall Ground	Window Changeable Copy	Other:	Height X	Width =	Display Area sq. ft.	Height (if ground) ft.
Sgn #4:	Wall Ground	Window Changeable Copy	Other:	Height X	Width =	Display Area sq. ft.	Height (if ground) ft.

**SECTION 3. DESIGN APPROVAL (COMMERCIAL SIGNAGE ONLY)** \* The application fee of \$50.00 and complete plans to include the following information must be included with this application and provided in a PDF format.

✓ Signage Site Plan with all setback dimensions

✓ Rendering(s) of all signs with detail of dimensions, construction materials, graphics, illumination

*Existing Sign Panel Being Replaced*

Sign Type (circle)			Dimensions			
Sign #1:	<input checked="" type="radio"/> Wall <input checked="" type="radio"/> Ground	<input type="radio"/> Window <input type="radio"/> Changeable Copy <input type="radio"/> Other:	Height	Width	Display Area	Height (if ground)
			36"	72"	18 sq. ft.	
Sign Type (circle)			Dimensions			
Sign #2:	<input type="radio"/> Wall <input type="radio"/> Ground	<input type="radio"/> Window <input type="radio"/> Changeable Copy <input type="radio"/> Other:	Height	Width	Display Area	Height (if ground)
Sign Type (circle)			Dimensions			
Sign #3:	<input type="radio"/> Wall <input type="radio"/> Ground	<input type="radio"/> Window <input type="radio"/> Changeable Copy <input type="radio"/> Other:	Height	Width	Display Area	Height (if ground)
Sign Type (circle)			Dimensions			
Sign #4:	<input type="radio"/> Wall <input type="radio"/> Ground	<input type="radio"/> Window <input type="radio"/> Changeable Copy <input type="radio"/> Other:	Height	Width	Display Area	Height (if ground)

**PLEASE NOTE:** Upon approval from the Planning Commission, your project may require Engineering Plan review and Storm Water/ Erosion Control Plan review, associated fees will apply. Zoning and/ or Building Permits may be required, associated permit fees will apply. All Contractors on your project must be registered with the City. Contact the Planning and Zoning Department with any questions: 419-433-5000 ext. 1302.

✓ I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/ or I have been authorized to make this application as an authorized agent, and we agree to conform to all applicable laws, regulations, and ordinances. All information contained within this application and supplemental materials is true and accurate to the best of my knowledge and belief.

Applicant Signature: Monica L. Fletcher Date: 4-19-24

Owner Signature: Kathryn M. Hayden Date: 4-19-24

**For Departmental Use Only:**

Date of Submission: 4-19-24

Application Fee: 50

PC Meeting Date: 5-15-24



## OWNER CONSENT FOR SIGN INSTALLATION & PERMITS

Business Name Firelands Montessori Academy

Job Site Address 329 Ohio Street  
Huron, Ohio 44839

Date: 4/18/2024

Customer Name: Katie Hayden

Phone Number: 419-433-6181 ex 2802

Email Address: katiehayden@firelandsmontessori.org

Relating to the above reference job and as of this date, I acknowledge that Brady Signs has my authorization to:

- ☒ Complete sign installation
- ☒ Apply for and receive permits on behalf of my business
- ☐ Other \_\_\_\_\_

Production of new signage will not commence until full permit approval is granted at which time the estimated lead time for project completion noted on the estimate will begin.

DocuSigned by:

Katie Hayden  
A8D544A46763475

Customer Signature

Katie Hayden

Customer Name (printed)

1721 Hancock Street • Sandusky, OH 44870

p: 419.626.5112 • f: 419.625.5985

**BRADYSIGNS.COM**





**PROPOSED SIGNAGE - SINGLE FACED**  
Scale: NTS

Cut Finials Off Posts,  
Paint Posts Black



**SIGN PANEL WITH APPLIED DIGITAL PRINT**

Scale: 1" = 1'-0"

**(1) SINGLE FACED SIGN**

1/4" ACM Sign Panel with Digital Print Graphics Applied to Face,  
Mount to Existing Posts

Paint Existing Posts Black  
Finials to be Cut off of One Sign

This drawing is not to be used as an exact representation of color. Colors shown represent design intent only for customer's consideration. Copyright © 2023 Brady Signs.

**BRADY**  
SIGNS  
1721 Hancock Street  
Sandusky, OH 44870  
Phone: 419-626-5112  
www.brady signs.com

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Customer: **Firelands Montessori Academy**

Date: **08/24/23**

Location: **329 Ohio St., Huron, OH 44839**

File Name: **Dwg77141A**

Client Approval: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





PROPOSED SIGNAGE



EXISTING SIGNAGE

This drawing is not to be used as an exact representation of color. Colors shown represent design intent only for customer's consideration. Copyright © 2023 Brady Signs.



1721 Hancock Street  
Sandusky, OH 44870  
Phone: 419-626-5112  
www.bradysigns.com

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Customer: Firelands Montessori Academy

Date: 08/24/23

Location: 329 Ohio St., Huron, OH 44839

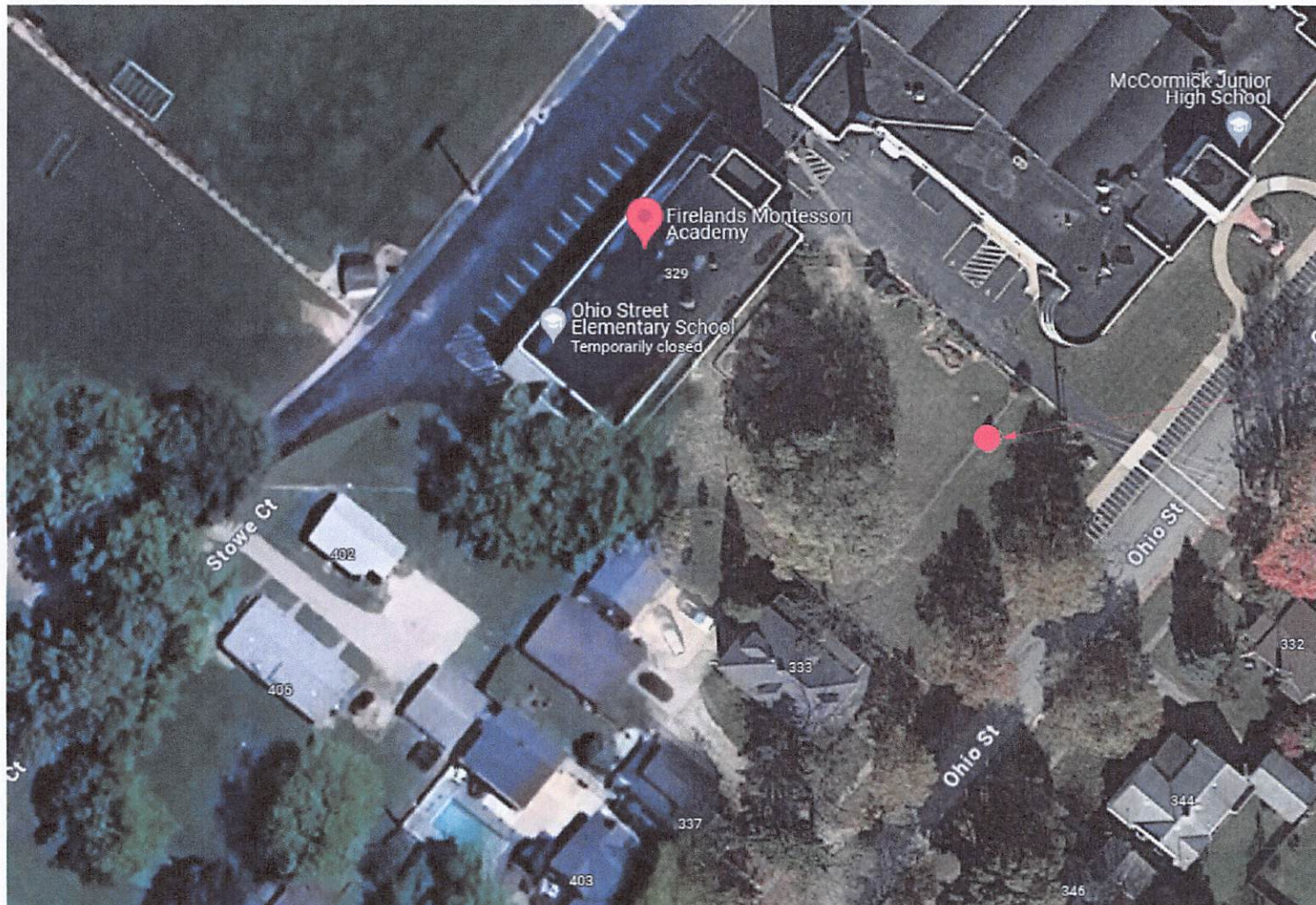
File Name: Dwg77141A

Client Approval: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





Existing sign location  
Face change only

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Customer: Firelands Montessori Academy

Date: 08/24/23

Location: 329 Ohio St., Huron, OH 44839

File Name: Dwg77141A

Client Approval: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_





**TO:** Chairman Boyle and Members of the Planning Commission and Design Review Board  
**FROM:** Erik Engle, Planning Director  
**RE:** 525 Cleveland Road West- (Unit 501- Lakefront Tanning)  
**DATE:** May 22, 2024

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**Current Zoning District: B-3**

**Parcel No.: 42-00407.000**

**Existing Land Use: Commercial, Vacant Retail Space**

**Traffic Considerations : Port Huron Plaza**

**Project Description-Design Review- Commercial Wall Sign Panel Insert and Window**

The applicant is proposing a wall sign and window sign for a new business in the Port Huron Plaza. As proposed, the 24" x 144" wall sign panel will be inserted into the existing sign frame, it will not be illuminated, and a 62" x 48" vinyl decal of the logo design will be in the center window of the unit.

**Staff Analysis/Recommendation:**

The applicant is opening a new business in the Port Huron Plaza and are proposing a new 24sf wall signage panel to be inserted into the existing frame. The 24sf wall signage panel will have a white background, black lettering, with logo/graphics in blue and yellow. The proposed 20sf window decal will be in the center window panel of the unit.

The sign of the wall size is well within the signage maximum of 50sf, pursuant to 1129.04, which does refer to the Maximum Number of Signs Permitted as being "Based on Eligible Frontage", however, there is no language that speaks to the calculation of the frontage.

The 20sf vinyl transparent window decal in the center window conforms to the code regarding total window area coverage.

**Applicable Code Sections:** Chapter 1129- Signage

1129.04 Appendix A Maximum Signage Area - B-3 District- 50sf.

1129.05 (B) Window Signs

1. (A) Ground Floor Occupants. A. Permanent window signs shall have a maximum area not greater than twenty percent (20%) of the total window area of the space occupied by the occupant, but not cover more than 50% of any one window unit. If a permanent window sign is installed along a public right-of-way, the signage must allow transparency in the window and not block views in and out of the establishment. If the proposed signage is applied to a "spandrel" window or a window that serves no visibility or natural light purpose to the establishment, the sign may be opaque.

The sign is acrylic with vinyl decals, solid polyethylene core and an aluminum face per the application. The design and color scheme of the logo are both compatible with the façade and surrounding environs.

Staff supports the request for the new wall sign panel and window decal as proposed.

Attachments:

- Application & Design Elevations



# Planning Commission (PC)

## Commercial Site Plan Application/Design Approval- Exterior/Design-Signage Only

DATE: 5-3-24

### Property Owner

Name: Rick Mesenburg  
Address: Port Huron Plaza  
Phone: 419-656-3179  
Email: \_\_\_\_\_

### Applicant

Name: Josh Ollendick  
Company/Business Name: Lakefront Tanning  
Mailing Address: 124 B. Berliu Road Huron, OH 44839  
Phone: 419-706-9878  
Email: lakefronttanning@gmail.com

### Location and Description of Project

Address: 501 Cleveland Road W. County Parcel #: \_\_\_\_\_  
Existing Use: none Acreage/Area of Site: \_\_\_\_\_  
Proposed Use: tanning salon Lot # (if applicable): \_\_\_\_\_  
Estimated Value of Project: \_\_\_\_\_ Total SF: 2,100

☐

New Construction

☐

Demolition

☐

Addition to Existing Structure

☐

Other: signage replacement

### ZONING & FLOOD ZONE DISTRICTS

Zoning District: \_\_\_\_\_ (R-1 R-1A R-2 R-3 B-1 B-2 B-3 I-1 I-2 P-1 MU)

Flood Zone: \_\_\_\_\_ (A AE AO AH X-SHADED X)

### Description of Project:

new signage at the top of the building  
as well as front graphics on the window  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 3. DESIGN APPROVAL (COMMERCIAL SIGNAGE ONLY)** \* The application fee of \$50.00 and complete plans to include the following information must be included with this application and provided in a PDF format.

\_\_\_ Signage Site Plan with all setback dimensions

\_\_\_ Rendering(s) of all signs with detail of dimensions, construction materials, graphics, illumination

Sign Type (circle)				Dimensions				
Sign #1:	Wall	Window	Other: <u>top sign</u>	Height		Width	Display Area	Height (if ground)
	Ground	Changeable Copy		<u>24"</u>	X	<u>144"</u>	= <u>24</u> sq. ft.	ft.
Sign #2:	Wall	<u>Window</u>	Other: <u>          </u>	Height		Width	Display Area	Height (if ground)
	Ground	Changeable Copy		<u>62"</u>	X	<u>48"</u>	= <u>20.67</u> sq. ft.	ft.
Sign #3:	Wall	Window	Other: <u>          </u>	Height		Width	Display Area	Height (if ground)
	Ground	Changeable Copy			X		=      sq. ft.	ft.
Sign #4:	Wall	Window	Other: <u>          </u>	Height		Width	Display Area	Height (if ground)
	Ground	Changeable Copy			X		=      sq. ft.	ft.

**PLEASE NOTE:** Upon approval from the Planning Commission, your project may require Engineering Plan review and Storm Water/Erosion Control Plan review, associated fees will apply. Zoning and/or Building Permits may be required, associated permit fees will apply. All Contractors on your project must be registered with the City. Contact the Planning and Zoning Department with any questions: 419-433-5000 ext. 1302.

✓

I hereby certify that I am the owner of record of the named property or that the proposed work is authorized by the owner of record and/or I have been authorized to make this application as an authorized agent, and we agree to conform to all applicable laws, regulations, and ordinances. All information contained within this application and supplemental materials is true and accurate to the best of my knowledge and belief.

Applicant Signature:  Date: 5-3-24

Owner Signature:  Date: 5-3-24

**For Departmental Use Only:**

Date of Submission: \_\_\_\_\_

Application Fee:   

PC Meeting Date: \_\_\_\_\_





Lakefront TANNING

sign is acrylic with vinyl decals  
Solid polyethylene core w/ aluminum face

vinyl decal in  
middle window

Lakefront TANNING







**TO:** Chairman Boyle and Members of the Planning Commission and Design Review Board  
**FROM:** Christine Gibboney, Administrative Assistant/Permit Tech  
**RE:** Draft Code Amendments  
**DATE:** May 22, 2024

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As referenced in previous meetings, code amendments for both the Residential and Business Zoning Districts are attached for your review & discussion.

**Chapter 1123 R District- Code Amendments**

**Chapter 1125 B- District Code Amendments**

# EXHIBIT A

## CHAPTER 1123

### Residence Districts

1123.01 R-1 One-Family Residence District.

1123.02 R-1-A One-Family Residence District.

1123.03 R-2 One and Two-Family Residence District.

1123.04 R-3 Multi-Family Residence District.

### CROSS REFERENCES

Animal and fowl - see GEN. OFF. Ch. 505

Home sales in residential districts - see BUS. REG. Ch. 741

Districts established; boundaries; general regulations - see P. & Z. Ch. 1121

Special provisions - see P. & Z. Ch. 1126

Exceptions and modifications - see P. & Z. Ch. 1137

#### 1123.01 R-1 ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Section 1121.07:

(1) One-family detached dwellings.

(2) Churches and other places of worship and Sunday school buildings located not less than twenty feet from any other lot in and R-District; schools and colleges for academic instruction, located not less than forty feet, and public libraries, public museums, public art galleries and similar public cultural uses, located not less than twenty feet from any other lot in any R-District; cemeteries.

(3) Public parks, playgrounds, golf courses or country clubs, provided that any principal building used therefore shall be located not less than forty feet from any other lot in any R-District.

(4) Nurseries, greenhouses, and general farming, not including commercial animal farms or kennels, provided any lot or tract in such use shall be not less than five acres in

Commented [EE1]: Definition?



area and provide that any greenhouse heating plant or any building in which farm animals are kept shall be distant not less than 200 feet from every lot line.

(5) Essential services as defined in Section 1121.04.

(6) Licensed adult family homes as defined in Ohio R.C. 3722.01.

(7) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests.

~~(Ord. 1990-20. Passed 11-26-90.)~~

A. "Residential Premises" shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.

B. Transient Guests" shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.

(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the ~~Board~~ Planning Commission in accordance with provisions of Section 1139.02:

(1) Private noncommercial recreation areas and facilities not listed above including tennis courts and club swimming pools, provided that no such swimming pool is located nearer than 100 feet from any lot in any R-District.

(2) Static transformer stations, booster stations and other utility stations when operating requirements necessitate locating in an R-1 District in order to serve the neighborhood; provided there is no yard or garage for service or storage and provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

(3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R-District.

(4) Seasonal dormitories for human habitation in publicly owned school buildings.

(5) Planned unit development projects, subject to the provisions of Section 1126.05.

(Ord. 1990-20. Passed 11-26-90.)

(6) Any nonprofit fraternal organization, but not to include residential uses.

~~(7) Accessory Dwelling Unit as defined in Section XXXX.XX~~

**Commented [EE2]:** Separate this out and consider Ag zone to remove completely?

**Commented [EE3]:** Speaks to utility lines; define here.

**Commented [EE4]:** Verify section of ORC.

**Commented [EE5]:** Verify and update...

**Commented [EE6]:** Address structure of this. Overlay district? Or zone outright – pull examples of both.

(Ord. 1993-7. Passed 5-24-93.)

(c) Accessory Uses. Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed, provided that such accessory uses do not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than hereinafter authorized, and not including the boarding of animals or the keeping of fowl or farm animals except in a building at least 100 feet distant from every lot line. Accessory uses may include the following:

(1) Gardening, the raising of fruits or vegetables, including an incidental roadside stand offering for sale produce grown on the premises, the keeping of domestic or farm animals exclusively for the use of residents of the premises and not for commercial purposes, provided that any heating plant and any structures in which farm animals are kept are located at least 100 feet from every lot line.

**Commented [EE7]:** Make sure to include updated language on chickens (hens) and bees.

(2) Home occupations, which by definition shall be limited to occupations remunerative in nature carried on in a dwelling solely by persons residing on the premises, such activity not involving the conduct of a retail business or manufacturing business. In connection with such home occupation, there shall be no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; no commodity shall be sold upon the premises; no parking space or spaces shall be provided or designated

to accommodate the home occupation use; no bulk delivery or sending of goods shall be permitted to service the home occupation use, all materials being delivered and sent are required to be so transported within the confines of a normal passenger automobile; not more than twenty-five percent (25%) of the total actual floor area of only one story shall be utilized for such home occupation; there shall be no exterior storage of equipment or materials used in connection with such home occupation; no mechanical or electrical equipment shall be used except such as is permissible for purely domestic or household purposes; no objectionable odor, noise, radio interference or other nuisance shall be created; and no accessory building shall be used for such home occupation. A professional person may use his residence for infrequent consultation, emergency treatment or performance of religious rites, but not for the general practice of his profession.

(3) Garages, carports or other parking spaces for the exclusive use of residents of the premises.

(4) Swimming pools, exclusively for the use of residents and their guests provided that such pool or premises or part thereof whereon such pool is located shall be completely enclosed by a protective fence, wall or other enclosure, not less than four feet in height.

(5) Real estate, small announcement and professional signs subject to the provisions of Chapter 1126, and such other applicable provisions of the Zoning Code.

(6) Moorages for private pleasure watercraft for the exclusive use of the residents of the premises. Moorage for no more than five pleasure watercraft per dwelling unit is



permitted. Rental of moorage or pleasure watercraft in a residential zone is strictly prohibited, as is use by other than blood relatives of the residents of the premises for periods totaling more than ten days in any one calendar year. (Moorage of occupied houseboats, or other lived-in watercraft, is not permitted where the moorage is not a part of a residential site containing a residence with full cooking and sanitary facilities.) Moorage of occupied houseboats or other lived-in watercraft, is not permitted where the occupants of the craft, plus the occupants of the on-shore residence or residences, result in occupation of the site by a number of families in excess of that permitted in that residential zone and the occupants are not blood relatives, for periods in excess of ten days and/or totaling more than twenty days of houseboat unit use in any one calendar year.

(Ord. 1990-20. Passed 11-26-90.)

(d) Height Regulations. No principal structure shall exceed thirty-five feet in height, and no detached accessory structure shall exceed one story or fifteen feet in height, except as provided in Section 1137.02 .

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided in this Zoning Ordinance:

Side Yards

Dwelling  
(stories)

Lot Area  
(sq. ft.)

Lot Frontage  
(ft.)

Front

Yard

Depth  
(ft.)

Least  
Width  
(ft.)

Sum of  
Width  
(ft.)

Rear  
Yard  
Depth  
(ft.)

1  
9,000  
75  
30  
7  
15  
30  
2  
9,000  
75  
30  
8  
20



In the case of cul-de-sac turnaround or curvilinear streets or where usual circumstances force irregular lots, the minimum width of the lot shall be seventy-five feet measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet.

Other permitted uses (except agricultural):

1 story	16,000	100 ft.	30 ft.	12 ft.	30 ft.	40 ft.
2 stories	16,000	100 ft.	30 ft.	15 ft.	35 ft.	40 ft.

(Ord. 2005-29. Passed 2-14-05.)

#### 1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section 1121.07:

(1) One-family detached dwellings;

(2) Public parks and playgrounds;

(3) Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District; and

(Ord. 2020-3. Passed 3-10-20.)

(4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests, as those terms are defined in Section 1121.04(69) and Section 1369.98 of the Codified Ordinances.

(Ord. 2021-8. Passed 3-23-21.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

(1) Private noncommercial recreation areas and facilities including tennis courts and swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.

(2) Static transformer stations, booster stations and other utility stations, when operating requirements necessitate locating in an R-1-A District in order to serve the neighborhood; provided there is no yard or garage for service or storage and, provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

(3) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.

(4) Planned development projects, subject to the provisions of Section 1126.05.

The following minimum requirements shall be observed except as otherwise provided herein:

Lot Area

(Sq. Ft.)

Lot

Frontage

(Ft.)

Front Yard

Depth

(Ft.)

Side Yards

Rear Yard

Depth (Ft.)

Least Width (Ft.)

Sum of Width (Ft.)

4500

60

15

7

15

15



(Ord. 1990-20. Passed 11-26-90.)

#### 1123.03 R-2 ONE AND TWO-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 District, and as hereinafter specified in this section: Two-family dwellings.

Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Zoning and Building Appeals in accordance with the provisions of Section 1139.02 ; any conditionally permitted use as regulated in the R-1 District, and as hereinafter modified:

(1) Dwelling groups.

(2) Dwellings for any number of families located on a lot adjoining and within 100 feet of a less restricted district or on a lot abutting a primary or secondary thoroughfare as shown on the official Thoroughfare Plan of the City, provided all height, area and yard requirements for a four-family dwelling in an R-2 District are met.

(3) Planned development projects, subject to the provisions of Section 1126.05.

(4) Any general hospital for human care, religious and charitable institution, not less than 100 feet distant from any other in any R District.

(5) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than 100 feet to any other lot in any R District.

(c) Accessory Uses. Accessory uses or structures permitted and as regulated in the R-1 District; except that the raising or keeping of farm animals shall not be permitted on any lands used or platted for residential purposes; the keeping of not more than three roomers or boarders by a resident family in a structure that is not a bed and breakfast residence.

(d) Height Regulations. Same as specified in R-1 District.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

Lot Area

(Sq. Ft.)

Lot

Frontage

(Ft.)

Lot Area

Per Family

(Sq. Ft.)

Front Yard

Depth

(Ft.)

Side Yards

Rear Yard

Depth (Ft.)

Least Width

(Ft.)

Sum of Width (Ft.)

One Family Dwelling (Stories)

1 and 1-1/2

7,000

60

25

7

15

30

2 and 2-1/2

7,000

60

25

8

20

30

Two Family Dwellings (Stories)



1 and 1-1/2

7,000

60

3,500

25

8

20

30

2 and 2-1/2

7,000

60

3,500

25

10

24

30

Dwelling

Groups

9,000

70

4,500

25

12

30

30

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet

measured at the building setback line, provided however, that the frontage at the street shall be not less than thirty feet.

(Ord. 1990-20. Passed 11-26-90.)

#### 1123.04 R-3 MULTI-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 and R-2 Districts and as hereinafter specified in this section: multi-family dwellings for any number of families or housekeeping units.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02 , any conditionally permitted use as regulated in an R-2 District and as hereinafter specified:

(1) Motels, motor hotels and tourist homes, on premises only that front on a street officially designated as a state or federal highway or primary thoroughfare as designed on the Thoroughfare Plan, and subject to the provisions of Section 1126.02.

(2) Fraternities, sororities, private clubs, lodges, and meeting places for other similar organizations, not including those that are ordinarily conducted as a gainful business; provided all buildings in which such organizations or activities are housed shall be located at least twenty feet from any lot in any R-1 District.

(3) Planned development projects, subject to the provisions of Section 1126.05.

(4) Apartment hotels, lodging houses, boarding houses for any number of guests, but not primarily for transients; dormitories.

(5) Clinics for human care, convalescent homes, nursing homes, homes for the aged, group retirement homes, children's nurseries and preschool facilities.

(6) Professional offices, and offices of financial, insurance, real estate, civic, educational, religious, and philanthropic establishments or organizations, funeral homes, when located only on premises that front on an officially designated state or federal highway, or on a street designated as a primary or secondary thoroughfare under the Thoroughfare Plan.

(7) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, provided that no such swimming pool is located nearer than twenty-five feet from any other lot in any R District.

(8) Dwelling groups.

(9) Any general hospital for human care, religious and charitable institutions, not less than 100 feet distant from any lot in any R District.



(10) Attached single-family dwellings

(11) Patio homes.

(c) Accessory Uses. Any accessory use or structure permitted and as regulated in the R-2 district, and any accessory use or structure customarily incident to accessory to a principal permitted use or conditionally permitted use in the R-3 District.

(d) Height Regulations. No principal structure shall exceed three stories or forty feet in height and no accessory structure shall exceed two stories or twenty-five feet in height except as provided in Section 1137.02 .

(e) Lot Area, Frontage and Yard Requirements.

Lot Area

(Sq. Ft.)

Lot

Frontage

(Ft.)

Lot Area

Per Family

(Sq. Ft.)

Front Yard

Depth

(Ft.)

Side Yards

Rear Yard

Depth (Ft.)

Least Width

(Ft.)

Sum of Width (Ft.)

One and Two-Family

Dwellings and Dwelling Groups

Same as R-2

Attached Single Family

Dwellings

3,500

35

3,500

25

0\*

0\*

30

Patio Homes

3,500

50

3,400

25

0\*

16\*\*

10

Multi- Family Dwellings Stories

1-1 ½

8,000

60

3,000

25

6

16

40

2-2 ½

8,000

60

3,000

25

10

20

40

3

8,000

60

3,000

25

12

25

45

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet measured at the building setback lines, provided, however, that the frontage at the street shall be not less than thirty feet.

Lot Area

(Sq. Ft.)

Lot

Frontage

(Ft.)



Lot Area

Per Family

(Sq. Ft.)

Front Yard

Depth

(Ft.)

Side Yards

Rear Yard

Depth (Ft.)

Least Width

(Ft.)

Sum of Width (Ft.)

Motels

10,000

80

-

25

10

20

40

Other Uses

Same as R-2

\* Zero-lot-line; minimum of 10 feet at end units.

\*\* 16 feet minimum between buildings where not zero-lot-line.

(Ord. 2010-42. Passed 12-14-10.)

# EXHIBIT B

## CHAPTER 1123

### Residence Districts

1123.01 R-1 One-Family Residence District.

1123.02 R-1-A One-Family Residence District.

1123.03 R-2 One and Two-Family Residence District.

1123.04 R-3 Multi-Family Residence District.

### CROSS REFERENCES

Animal and fowl - see GEN. OFF. Ch. 505

Home sales in residential districts - see BUS. REG. Ch. 741

Districts established; boundaries; general regulations - see P. & Z. Ch. 1121

Special provisions - see P. & Z. Ch. 1126

Exceptions and modifications - see P. & Z. Ch. 1137

#### 1123.01 R-1 ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered or enlarged which is arranged, intended or designed for other than one of the following uses except as provided in Section 1121.07:

Commented [EE1]: Non-conforming uses

(1) One-family detached dwellings.

(2) Churches and other places of worship and Sunday school buildings located not less than twenty feet from any other lot in and R-District; schools and colleges for academic instruction, located not less than forty feet, and public libraries, public museums, public art galleries and similar public cultural uses, located not less than twenty feet from any other lot in any R-District; cemeteries.

(3) Public parks, playgrounds, golf courses or country clubs, provided that any principal building used therefore shall be located not less than forty feet from any other lot in any R-District.

(4) Nurseries, greenhouses, and general farming, not including commercial animal farms or kennels, provided any lot or tract in such use shall be not less than five acres in

Commented [EE2]: Definition?

area and provide that any greenhouse heating plant or any building in which farm animals are kept shall be distant not less than 200 feet from every lot line.

**Commented [EE3]:** Separate this out and consider Ag zone to remove completely?

(5) Essential services as defined in Section 1121.04.

**Commented [EE4]:** Speaks to utility lines; define here.

(6) Licensed adult family homes as defined in Ohio R.C. 3722.01.

**Commented [EE5]:** Verify section of ORC.

(7) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient Guests.

~~(Ord. 1990-20. Passed 11-26-90.)~~

A. "Residential Premises" shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.

B. Transient Guests" shall have the same meaning as ascribed in Section 1369.98 of the Codified Ordinances.

~~(Ord. 2021-8. Passed 3-23-21.)~~

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the ~~Board~~ Planning Commission in accordance with provisions of Section 1139.02:

**Commented [EE6]:** Verify and update...

(1) Private noncommercial recreation areas and facilities not listed above including tennis courts and club swimming pools, ~~provided that no such swimming pool is located nearer than 100 feet from any other lot in any R-District.~~

**Commented [EE7]:** Verify buffers based on uses.

(2) Static transformer stations, booster stations and other utility stations when operating requirements necessitate locating in an R-1 District in order to serve the neighborhood; provided there is no yard or garage for service or storage and provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

(3) Any general hospital for human care, religious and charitable institutions, ~~not less than 100 feet distant from any lot in any R-District.~~

**Commented [EE8]:** Commercial buffers apply; reiterate.

(4) Seasonal dormitories for human habitation in publicly owned school buildings.

(5) Planned unit development projects, subject to the provisions of Section 1126.05.

**Commented [EE9]:** Address structure of this. Overlay district? Or zone outright – pull examples of both.

~~(Ord. 1990-20. Passed 11-26-90.)~~

(6) Any nonprofit fraternal organization, but not to include residential uses.

~~(7) Accessory Dwelling Unit as defined in Section XXXX.XX~~



(Ord. 1993-7. Passed 5-24-93.)

(c) Accessory Uses. Accessory uses, buildings or other structures customarily incidental to any aforesaid permitted or conditionally permitted uses may be established, erected or constructed, provided that such accessory uses do not involve the conduct of any business, trade or industry, or any private way or walk giving access to such activity, or any billboard, sign or poster other than hereinafter authorized, and not including the boarding of animals or the keeping of fowl or farm animals except in a building at least 100 feet distant from every lot line. Accessory uses may include the following:

(1) Gardening, the raising of fruits or vegetables, including an incidental roadside stand offering for sale produce grown on the premises, the keeping of domestic or farm animals exclusively for the use of residents of the premises and not for commercial purposes, provided that any heating plant and any structures in which farm animals are kept are located at least 100 feet from every lot line.

**Commented [EE10]:** Make sure to include updated language on chickens (hens) and bees.

(2) Home occupations, which by definition shall be limited to occupations remunerative in nature carried on in a dwelling solely by persons residing on the premises, such activity not involving the conduct of a retail business or manufacturing business. In connection with such home occupation, there shall be no sign or display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; no commodity shall be sold upon the premises; no parking space or spaces shall be provided or designated

**Commented [EE11]:** Include specific professional uses in this.

to accommodate the home occupation use; no bulk delivery or sending of goods shall be permitted to service the home occupation use, all materials being delivered and sent are required to be so transported within the confines of a normal passenger automobile; not more than twenty-five percent (25%) of the total actual floor area of only one story shall be utilized for such home occupation; there shall be no exterior storage of equipment or materials used in connection with such home occupation; no mechanical or electrical equipment shall be used except such as is permissible for purely domestic or household purposes; no objectionable odor, noise, radio interference or other nuisance shall be created; and no accessory building shall be used for such home occupation. A professional person may use his residence for infrequent consultation, emergency treatment or performance of religious rites, but not for the general practice of his profession.

(3) Garages, carports or other parking spaces for the exclusive use of residents of the premises.

(4) Swimming pools, exclusively for the use of residents and their guests provided that such pool or premises or part thereof whereon such pool is located shall be completely enclosed by a protective fence, wall or other enclosure, not less than four feet in height.

(5) Real estate, small announcement and professional signs subject to the provisions of Chapter 1126, and such other applicable provisions of the Zoning Code.

(6) Moorages for private pleasure watercraft for the exclusive use of the residents of the premises. Moorage for no more than five pleasure watercraft per dwelling unit is

permitted. Rental of moorage or pleasure watercraft in a residential zone is strictly prohibited, as is use by other than blood relatives of the residents of the premises for periods totaling more than ten days in any one calendar year. (Moorage of occupied houseboats, or other lived-in watercraft, is not permitted where the moorage is not a part of a residential site containing a residence with full cooking and sanitary facilities.) Moorage of occupied houseboats or other lived-in watercraft, is not permitted where the occupants of the craft, plus the occupants of the on-shore residence or residences, result in occupation of the site by a number of families in excess of that permitted in that residential zone and the occupants are not blood relatives, for periods in excess of ten days and/or totaling more than twenty days of houseboat unit use in any one calendar year.

<u>R-1 - Accessory Structure Standards</u>			
<u>Accessory Structure (max height)</u>	<u>Front Yard Setback (ft.)</u>	<u>Side Yard Setback (ft.)</u>	<u>Rear Yard Setback (ft.)</u>
<u>20' height</u>	<u>N/a; accessory structures must be located in the rear yard.</u>	<u>5'</u>	<u>5'</u>

~~(Ord. 1990-20. Passed 11-26-90.)~~

(d) Height Regulations. No principal structure shall exceed thirty-five (35) feet in height, and no detached accessory structure shall exceed one story or ~~fifteen~~ twenty (20) feet in height, except as provided in Section 1137.02.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided in this Zoning Ordinance:

Commented [EE12]: Revisit.

R-1 Single-Family Residential - Minimum Standards							
<u>Dwelling</u> <u>(max height)</u>	<u>Lot Area</u> <u>(sq. ft.)</u>	<u>Lot</u> <u>Frontage</u> <u>(ft.)</u>	<u>Lot</u> <u>Depth</u> <u>(ft.)</u>	<u>Front Yard</u> <u>Setback (ft.)</u>	<u>Side</u> <u>Yard</u> <u>Setback</u> <u>(ft.)</u>	<u>Rear</u> <u>Yard</u> <u>Setback</u> <u>(ft.)</u>	<u>Open</u> <u>Green</u> <u>Space</u>
<u>35' height</u>	<u>2800 sf</u>	<u>40'</u>	<u>70'</u>	<u>10' or average</u> <u>setback of block</u> <u>face within 100' of</u> <u>the lot for infill</u> <u>lots</u>	<u>5'</u>	<u>10'</u>	<u>25%</u> <u>minimum</u> <u>of total</u> <u>lot area</u>

Formatted Table

Side Yards

-

-

Dwelling  
(stories)

-



-  
Lot Area  
(sq. ft.)

-  
Lot Frontage  
(ft.)

Front

Yard

Depth  
(ft.)

-  
Least  
Width  
(ft.)

-  
Sum of  
Width  
(ft.)

Rear

Yard

Depth  
(ft.)

1

9,000

75

30

7

15

30

2

9,000

75

30

8

20

30

In the case of cul-de-sac turnaround or curvilinear streets or where usual circumstances force irregular lots, ~~the minimum width of the lot shall be seventy-five feet measured at the building setback line, provided however, that a reduction of~~ the frontage at the street shall be not less than thirty (25) feet.

~~Other permitted uses (except agricultural):~~

1 story	16,000	100 ft.	30 ft.	12 ft.	30 ft.	40 ft.
2 stories	16,000	100 ft.	30 ft.	15 ft.	35 ft.	40 ft.

Commented [EE13]: Delete

Commented [EE14]: Delete

~~(Ord. 2005-29. Passed 2-14-05.)~~

#### 1123.02 R-1-A ONE-FAMILY RESIDENCE DISTRICT.

(a) Principal Permitted Uses. No building, structure or land shall be used and no building or structure shall be erected, altered, ~~or~~ enlarged which is arranged, intended or designed for other than one of the following uses, except as provided in Section 1121.07:

Commented [EE15]: Non-conforming uses

(1) One-family detached dwellings;

(2) Public parks and playgrounds;

(3) Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District; and

~~(Ord. 2020-3. Passed 3-10-20.)~~

(4) Transient Rental of any Dwelling Unit, Residential Premises, or any other residential property being utilized or otherwise made available for rent to Transient

Guests, as those terms are defined in Section 1121.04(69) and Section 1369.98 of the Codified Ordinances.

~~(Ord. 2021-8. Passed 3-23-21.)~~

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board in accordance with provisions of Section 1139.02:

(1) Private noncommercial recreation areas and facilities including tennis courts and swimming pools, provided that no such swimming pool is located nearer than twenty-five ~~(25)~~ feet from any other lot in any R District.

(2) Static transformer stations, booster stations and other utility stations, when operating requirements necessitate locating in an R-1-A District in order to serve the neighborhood; provided there is no yard or garage for service or storage and, provided further, that the premises upon which such utility station is erected and maintained is appropriately landscaped and screened so as to be in harmony with the general appearance of the neighborhood.

(3) Any general hospital for human care, religious and charitable institutions, ~~not less than 100 feet distant from any lot in any R District.~~

(4) Planned unit development projects, subject to the provisions of Section 1126.05.

The following minimum requirements shall be observed except as otherwise provided herein:

-

R-1A Single-Family Residential - Minimum Standards							
<u>Dwelling</u> (max height)	<u>Lot Area</u> (sq. ft.)	<u>Lot</u> <u>Frontage</u> (ft.)	<u>Lot</u> <u>Depth</u> (ft.)	<u>Front Yard</u> <u>Setback</u> (ft.)	<u>Side</u> <u>Yard</u> <u>Setback</u> (ft.)	<u>Rear</u> <u>Yard</u> <u>Setback</u> (ft.)	<u>Open</u> <u>Green</u> <u>Space</u>
<u>35' height</u>	<u>2400 sf</u>	<u>40'</u>	<u>60'</u>	<u>0' or average</u> <u>setback of block</u> <u>face within 100'</u> <u>of the lot for infill</u> <u>lots</u>	<u>5'</u>	<u>5'</u>	<u>25%</u> <u>minimum</u> <u>of total</u> <u>lot area</u>

~~Lot Area~~

~~(Sq. Ft.)~~

~~Lot~~

~~Frontage~~

~~(Ft.)~~

~~Front Yard~~

~~Depth~~

~~(Ft.)~~

~~Side Yards~~

~~Rear Yard~~

~~Depth (Ft.)~~

~~Least Width (Ft.)~~

~~Sum of Width (Ft.)~~

~~4500~~

~~60~~

~~15~~

~~7~~

~~15~~

~~15~~

~~(Ord. 1990-20, Passed 11-26-90.)~~

#### 1123.03 R-2 ONE AND TWO-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 District, and as hereinafter specified in this section: Two-family attached or detached dwellings.

Churches and other places of worship and Sunday school buildings located no less than twenty feet from any other lot in any R District.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the ~~Board of Zoning and Building Appeals~~Planning Commission in



accordance with the provisions of Section 1139.02; any conditionally permitted use as regulated in the R-1 District, and as hereinafter modified:

(1) Dwelling groups.

Commented [EE16]: ???

~~—(2) Dwellings for any number of families located on a lot adjoining and within 100 feet of a less restricted district or on a lot abutting a primary or secondary thoroughfare as shown on the official Thoroughfare Plan of the City, provided all height, area and yard requirements for a four-family dwelling in an R-2 District are met.~~

(3) Planned unit development projects, subject to the provisions of Section 1126.05.

(4) Any general hospital for human care, religious and charitable institution, ~~not less than 100 feet distant from any other in any R-District.~~

(5) Private noncommercial recreation areas and facilities, including tennis courts and/or swimming pools, ~~provided that no such swimming pool is located nearer than 100 feet to any other lot in any R-District.~~

(c) Accessory Uses. Accessory uses or structures permitted and as regulated in the R-1 District; except that the raising or keeping of farm animals shall not be permitted on any lands used or platted for residential purposes; the keeping of not more than three roomers or boarders by a resident family in a structure that is not a bed and breakfast residence.

(d) Height Regulations. Same as specified in R-1 District; 35' for principal structures, and 20' for accessory structures.

(e) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

R-2 Two-Family Residential - Minimum Standards							
Structure (max height)	Lot Area (sq. ft.)	Lot Frontage (ft.)	Lot Depth (ft.)	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Open Green Space
One Family Dwelling (One Unit)							
35' height	2,400	30'	80'	10' or average setback of block face within 100' of the lot for infill lots	5	10	25% minimum of total lot area
Two Family Dwellings (Two Units)							
35' height	2,400	30'	80'	10' or average setback of block face within 100' of the lot for infill lots	5	10	25% minimum of total lot area
Dwelling Group (Two Detached Dwellings on Site)							

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<u>35' height</u>	<u>4,000</u>	<u>40'</u>	<u>100'</u>	<u>10' or average setback of block face within 100' of the lot for infill lots</u>	<u>5</u>	<u>10</u>	<u>25% minimum of total lot area</u>
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~~Lot Area~~

~~(Sq. Ft.)~~

~~Lot~~

~~Frontage~~

~~(Ft.)~~

~~Lot Area~~

~~Per Family~~

~~(Sq. Ft.)~~

~~Front Yard~~

~~Depth~~

~~(Ft.)~~

~~Side Yards~~

~~Rear Yard~~

~~Depth (Ft.)~~

~~Least Width~~

~~(Ft.)~~

~~Sum of Width (Ft.)~~

~~One Family Dwelling (Stories)~~

~~1 and 1 1/2~~

~~7,000~~

~~60~~

~~25~~

~~7~~

15

30

2 and 2-1/2

7,000

60

25

8

20

30

Two Family Dwellings (Stories)

1 and 1-1/2

7,000

60

3,500

25

8

20

30

2 and 2-1/2

7,000

60

3,500

25

10

24

30

Dwelling

Groups

9,000

70

4,500

25

12

30

30

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum width of the lot shall be sixty feet measured at the building setback line, provided however, that the frontage at the street shall be not less than ~~thirty~~ twenty-five (25) feet.

(Ord. 1990-20. Passed 11-26-90.)

#### 1123.04 R-3 MULTI-FAMILY RESIDENCE DISTRICT.

(a) Principal Uses Permitted. Any principal use permitted and as regulated in the R-1 and R-2 Districts and as hereinafter specified in this section: multi-family dwellings for any number of families or housekeeping units.

**Commented [EE17]:** Address patio homes and single family attached dwelling units.

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02 , any conditionally permitted use as regulated in an R-2 District and as hereinafter specified:

(1) Motels, motor hotels and tourist homes, on premises only that front on a street officially designated as a state or federal highway or primary thoroughfare as designed on the Thoroughfare Plan, and subject to the provisions of Section 1126.02.

(2) Fraternities, sororities, private clubs, lodges, and meeting places for other similar organizations, not including those that are ordinarily conducted as a gainful business; provided all buildings in which such organizations or activities are housed shall be located at least twenty feet from any lot in any R-1 District.

(3) Planned development projects, subject to the provisions of Section 1126.05.





<u>Multi-family Dwellings</u>	<u>45'</u>	<u>1500 sf</u>	<u>6000 sf</u>	<u>60'</u>	<u>100'</u>	<u>10' or average setback of block face within 100' of the lot for infill lots</u>	<u>5'</u>	<u>10'</u>	<u>25%</u>
-------------------------------	------------	----------------	----------------	------------	-------------	--	-----------	------------	------------

Lot Area  
 (Sq. Ft.)  
 Lot  
 Frontage  
 (Ft.)  
 Lot Area  
 Per Family  
 (Sq. Ft.)  
 Front Yard  
 Depth  
 (Ft.)  
 Side Yards  
 Rear Yard  
 Depth (Ft.)  
 Least Width  
 (Ft.)  
 Sum of Width (Ft.)  
 One and Two Family  
 Dwellings and Dwelling Groups

-

Same as R-2

-

Attached Single Family

Dwellings

3,500

35

3,500

25

0\*

0\*

30

Patio Homes

3,500

50

3,400

25

0\*

16\*\*

10

Multi-Family Dwellings Stories

1-1½

8,000

60

3,000

25

6

16

40

2-2½

8,000

60

3,000

25

10

20

40

3

8,000

60

3,000

25

12

25

45

In the case of cul-de-sac turnaround or curvilinear streets or where unusual circumstances force irregular lots, the minimum ~~width of the lot shall be sixty feet measured at the building setback lines, provided, however, that the~~ frontage at the street shall be not less than twenty-five (25) ~~thirty~~ feet.

Lot Area

(Sq. Ft.)

Lot

Frontage

(Ft.)

Lot Area



Per Family  
(Sq. Ft.)  
Front Yard  
Depth  
(Ft.)  
Side Yards  
Rear Yard  
Depth (Ft.)  
Least Width  
(Ft.)  
Sum of Width (Ft.)

Motels  
10,000  
80  
-  
25  
10  
20  
40

Other Uses

Same as R-2

Lot Area (Sq. Ft.)	Lot Frontage (Ft.)	Lot Area Per Family (Sq. Ft.)	Front Yard Depth (Ft.)	Side Yards		Rear Yard Depth (Ft.)
				Least Width (Ft.)	Sum of Width (Ft.)	
Motels	10,000	80	-	25	10	20
Other Uses	Same as R-2					

Commented [EE18]: Look into other motel/hotel regulations.

Commented [EE19]: Why these regulations?

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~~\* Zero lot line; minimum of 10 feet at end units.~~

~~\*\* 16 feet minimum between buildings where not zero lot line.~~

(Ord. 2010-42. Passed 12-14-10.)

R-1 Single-Family Residential - Minimum Standards					
Dwelling (max height)	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>	<u>Front Yard Setback (ft.)</u>	Side Yard Setback (ft.)
35' height	2800 sf	40'	70'	10' or average setback of block face within 100' of the lot for infill lots	5'

R-1A Single-Family Residential - Minimum Standards					
Dwelling (max height)	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>	<u>Front Yard Setback (ft.)</u>	Side Yard Setback (ft.)
35' height	2400 sf	40'	60'	0' or average setback of block face within 100' of the lot for infill lots	5'

R-2 Two-Family Residential - Minimum Standards					
Structure (max height)	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>	<u>Front Yard Setback (ft.)</u>	Side Yard Setback (ft.)
One Family Dwelling (One Unit)					
35' height	2,400	30'	80'	10' or average setback of block face within 100' of the lot for infill lots	5
Two Family Dwellings (Two Units)					
35' height	2,400	30'	80'	10' or average setback of block face within 100' of the lot for infill lots	5
Dwelling Group (Two Detached Dwellings on Site)					
35' height	4,000	40'	100'	10' or average setback of block face within 100' of the lot for infill lots	5

R-3 Multi-Family Residential - Standards					
	Structure (max height)	<u>Maximum Unit per Lot Ratio (sq. ft.)</u>	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>
One and Two Family Dwellings/Dwelling Groups	Same as R-2 Minimum Standards				
Multi-family Dwellings	45'	1500 sf	6000 sf	60'	100'

Lot Area (Sq. Ft.)	Lot Frontage (Ft.)	Lot Area Per Family (Sq. Ft.)	Front Yard Depth (Ft.)	Side Yards	
				Least Width (Ft.)	Sum of Width (Ft.)
Motels	10,000	80	-	25	10
Other Uses	Same as R-2				

<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
10'	25% minimum of total lot area

Accessory Structure	
<u>Accessory Structure (max height)</u>	<u>Front Yard Setback (ft.)</u>
20' height	None; accessory structures must be located in the rear yard.

<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
5'	25% minimum of total lot area

<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
10	25% minimum of total lot area
10	25% minimum of total lot area
10	25% minimum of total lot area



<u>Front Yard Depth (ft.)</u>	<u>Side Yard Setback (ft.)</u>	<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
10' or average setback of block face within 100' of the lot for infill lots	5'	10'	25%

<b>Rear Yard Depth (Ft.)</b>	
20	40

e Standards	
Side Yard Setback (ft.)	<u>Rear Yard</u> <u>Setback (ft.)</u>
5'	5'

# EXHIBIT A

## CHAPTER 1125

### Nonresidence Districts

1125.01 B-1 Neighborhood Business District.

1125.02 B-2 Downtown Business District.

1125.03 B-3 General Business District.

1125.04 I-1 Light Industrial District.

1125.05 I-2 General Industrial District.

1125.06 P-1 Off-Street Parking District.

1125.07 M - Marina District.

### CROSS REFERENCES

Districts established; boundaries; general regulations - see P. & Z. Ch. 1121

Special provisions - see P. & Z. Ch. 1126

Exceptions and modifications - see P. & Z. Ch. 1137

Storage of LPG - see FIRE PREV. Ch. 1503

### 1125.01 B-1 NEIGHBORHOOD BUSINESS DISTRICT.

(a) Principal Permitted Uses. Any retail business or service establishments supplying commodities or performing services primarily for residents of the neighborhood:

(1) Groceries, delicatessens, meat markets, fruit and vegetable stores, candy stores, bakery stores, drugstores, bookstores, gift shops, florist shops, hardware stores, dry cleaning shops using nonflammable solvents, shoe repair shops, barber shops, beauty parlors.

(2) Business and professional offices, including drive-in banks.

(3) Restaurants, tea rooms, soda fountains, ice cream parlors; not including cafes or drive-in restaurants, entertainment or dancing or sale of alcoholic beverages.

(4) Filling stations, minor automotive repair garages and parking lots, subject to the applicable requirements of Sections 1126.01 and 1126.04.

(5) Billboards and other outdoor advertising signs and structures, provided these are located on premises abutting an officially designated federal or state highway and subject to the provisions of Section 1126.03 and such applicable provisions of the Planning and Zoning Code.

(6) Any use permitted and as regulated in the residence district adjoining the B-1 District; and if there are adjoining two or more different categories of residence districts, the regulations of the least restrictive residence district shall prevail.

(b) Conditionally Permitted Uses. The following uses shall be permitted only when specifically authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02:

(1) Cafes and restaurants permitting sale and consumption of alcoholic beverages, but not including entertainment or dancing, provided the principal building wherein such use is located is distant not less than fifty feet from any R District, drive-in restaurants, restaurants or cafes providing entertainment or dancing, or dispensing alcoholic beverages, when located on the premises on state or federal highways or on a primary or secondary thoroughfare as shown on the Thoroughfare Plan, provided the principal building wherein such use is located is distant not less than 100 feet from any R District.

(2) Coin-operated self-service laundries and dry cleaning establishments distant not less than fifty feet from any R District.

(3) Planned development projects, subject to the provisions of Section 1126.05.

(c) Accessory Uses. Accessory uses and structures as permitted and regulated in the least restrictive adjoining residence district, as related only to permitted residential developments, if any, in this district, and any other accessory uses and structures customarily accessory and incidental to any of the foregoing permitted B-1 uses.

Signs accessory to a permitted use on the premises, when attached flat against the building, and real estate and professional signs, subject to the provisions of Section 1126.03 and such other applicable provisions of the Zoning Ordinance.

(d) (1) Required conditions. All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automotive fuel, lubricants and fluids at service stations, establishments of the drive-in type and such outdoor display and storage of vehicles, materials and equipment as hereinbefore specifically authorized or as may be authorized by the Board.

(2) All products processed shall be sold at retail, primarily on the premises.

(3) All processing shall be done on the premises and not more than three persons in production shall be employed at any one time.

(4) Processes and equipment employed in goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.

(e) Height Regulations. No principal structure shall exceed two and one-half stories or thirty feet in height, and no accessory structure shall exceed one story or fifteen feet in height, except as provided in Section 1137.02 .

(Ord. 1990-20. Passed 11-26-90.)

(f) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

Lot Areas	Frontage	Front Yard Depth	Side Yard Width	Rear Yard Depth
Nonresidential Uses: None	30 ft.	25 ft.	No side yard required, except when adjoining an R District - then not less than 10 feet	Not less than 20 feet

Residential: Same as the lot area, frontage and yard requirements for the least restrictive adjoining residence district.

(Ord. 1998-39. Passed 12-7-98.)

#### 1125.02 B-2 DOWNTOWN BUSINESS DISTRICT.

(a) Principal Permitted Uses. Any use permitted and as regulated in the B-1 District, and as hereinafter specified in this section, but not including filling stations or repair garages:

(1) Art or antique shops, interior decorating shops, paint and wallpaper stores, furniture and appliance stores, department stores, variety and dime stores, dry goods and apparel stores, jewelry stores, mail order houses and any other retail business or service not first permitted or prohibited in the B-3 District.

(2) Any office or office building.

(3) Banks and savings and loan associations, including the drive-in type; other financial establishments.

(4) Bars, restaurants, cocktail lounges.

(5) Billiard parlors and pool halls, not permitting the sale of alcoholic beverages.

(6) Night clubs and theaters, but not within 100 feet of any R District, subject to all applicable regulations and such permits as may be required by law.

(7) Trade or business schools, provided any machinery or equipment which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration.



- (8) Commercial studios, including art, photographic, music, dancing and radio studios.
- (9) Hotels, including motels and motor hotels, subject to the provisions of Section 1126.02.
- (10) Newspaper printing and publishing, job printing.
- (11) Automotive services; none, except parking lots, parking garages and automobile car wash establishments 100 feet from an R District.
- (12) Any use permitted and as regulated in the residence district adjoining the B-2 District; and if there are adjoining two or more different categories of residence districts, the regulations of the least restrictive residence district shall prevail. (Ord. 2020-30. Passed 10-13-20.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Zoning Appeals in accordance with the provisions of Section 1139.02:

(1) Drive-thru facilities are permitted in B-2 zoned districts within the geographical bounds of Main Street between the Huron Boat Basin, 330 North Main Street and US 6 following review and approval of the Planning Commission.

(c) Accessory Uses. Accessory uses and structures as permitted and as regulated in the B-1 District and such other accessory uses and structures, not otherwise prohibited, customarily accessory and incidental to any of the foregoing permitted B-2 uses.

(d) Required Conditions. Same as specified for the B-1 District, except for new merchandise in the case of art or antique shops.

(e) Height Regulations. No principal structure shall exceed three stories or forty feet in height, except as provided in Section 1137.02 and subject further to review and authorization by the Board of Building and Zoning Appeals.

(f) Lot Area, Frontage and Yard Requirements.

Commercial uses: Minimum frontage of thirty feet; otherwise, none except for the provision of loading and unloading.

(g) All lots and lands located within the boundaries of the Huron Center Urban Renewal Area, notwithstanding other requirements of this section, shall be governed by the provisions of the Urban Renewal Plan when such Plan provisions conflict with the requirements of this section. (Ord. 2014-32. Passed 12-23-14.)

#### 1125.03 B-3 GENERAL BUSINESS DISTRICT.

(a) Principal Permitted Uses. Any use permitted and as regulated in the B-2 District, plus those hereinafter specified in this section:

(1) Laundries, clothes cleaning or dyeing establishments, using nonflammable solvents; used merchandise stores; garden supply stores.

(Ord. 1990-20. Passed 11-26-90.)

(2) Any wholesale business, storage and warehousing; commercial greenhouses, but excluding industrial greenhouses except in the Planned Industrial Development Project Overlay Zone.

(Ord. 2019-9. Passed 7-23-19.)

(3) Drive-in eating and drinking places, summer gardens and roadhouses, provided the principal building is distant not less than fifty feet from any R District.

(4) Bowling lanes, but not within 100 feet of any R District; drive-in theaters, provided the screen shall be located so as not to be visible from adjacent streets or highways and such screen shall be set back not less than 200 feet from the established right of way of any such street or highway.

(5) Automotive and marine service establishments for automobiles, trucks, trailers, farm implements and pleasure boats, for sale, display, hire or repair, including sales lots, used car lots, trailer lots, commercial moorages and boat rental establishments, uncovered and covered moorage for commercial boats; major automotive repair garages, body and fender shops, paint shops, but not within fifty feet of any R District; automatic car wash establishments 100 feet from any R District.

(6) Animal hospitals, kennels, housing or boarding of pets and other domestic animals, provided that any enclosures or buildings in which animals are kept are at least 100 feet from any R District and at least fifty feet from any B-1 District.

(7) Commercial recreation, including baseball fields, swimming pools, roller skating rinks, golf driving ranges, miniature golf courses or trampoline centers, provided such establishments are distant at least 100 feet from any R District.

(8) Electrical, plumbing, heating shops, furniture upholstering and similar enterprises, not including contractors' yards, but not within fifty feet of any R District.

(9) Publishing, lithographing, blue printing, etc., but not within 100 feet of any R District.

(10) Bottling of soft drinks and milk or distribution stations, providing a building used for such processing and distribution is at least 100 feet from any R District.

(11) Sheet metal shops, sign painting shops, but not within 100 feet of any R District.

(12) Building materials, including concrete mixing; contractors' equipment storage yard or plant and rental of equipment commonly used by contractors; trucking or motor freight stations or terminals; retail lumber yards, including incidental millwork; storage and sale of grain, livestock feed or fuel; carting, express or hauling establishments, including storage of vehicles; provided such uses are conducted either:

A. Wholly within a completely enclosed building or buildings, except for storage of vehicles, which building shall be distant at least 100 feet from any R District, unless such building has no opening other than stationary windows and required fire exits within such distance, but not within fifty feet of any R District in any case; or

B. When conducted within an area completely enclosed on all sides with acceptable screening, maintained in good condition, not less than six feet high, but not within 100 feet of any R District; provided further that all storage yards related to the uses in this subsection shall be enclosed.

(13) Display signs, billboards and other outdoor advertising signs and structures subject to the provisions of Section 1126.03 and such other applicable provisions of the Planning and Zoning Code.

(14) Any use permitted and as regulated in the residence district adjoining the B-3 District; and if there are adjoining two or more different categories of residence districts, the regulations of the least restrictive residence district shall prevail.

(Ord. 1990-20. Passed 11-26-90.)

(b) Conditionally Permitted Uses. The following uses provided any building occupied by such use shall be no less than 100 feet from any R District and as authorized by the Board of Building and Zoning Appeals, subject to such further conditions and requirements, as in the opinion of the Board are necessary to protect adjacent property and prevent conditions which may become noxious or offensive:

(1) Blacksmith, welding or other metalworking shop, machine shop, excluding punch presses over twenty tons rated capacity, drop hammers and other noise-producing machine operated tools.

(2) Planned development projects, subject to the provisions of Section 1126.05.

(3) Adult cabarets and adult oriented businesses in accordance with Section 1126.14. In addition, the following regulations shall apply:

A. The structure housing such use shall be situated on a parcel of land having an area of at least one acre and shall be the only use on such parcel.

B. The parcel of land described in subsection (b)(3)A. hereof shall be located a minimum of 500 feet from the boundaries of any parcel of real estate having situated on it a dwelling unit or units, church, school, playground or park.

(Ord. 1998-39. Passed 12-7-98.)

(c) Accessory Uses. Accessory uses and structures as permitted and as regulated in the R-3 District as related only to permitted residential developments, if any, in this district, plus those uses and structures as permitted and regulated in the B-2 District, plus any other accessory uses and structures customarily accessory and incidental to any of the foregoing permitted B-3 uses, and not otherwise prohibited.

(d) Required Conditions.

(1) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste, and must comply with the performance standards in Section 1126.06.

(2) All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automobile fuel, lubricants and fluids at service stations, establishments of the drive-in type, loading and unloading operations, parking, the outdoor display or storage of vehicles, materials and equipment and the uses specified in connection with contractors' yards and related establishments above.

(3) No building customarily used for night operation, such as a wholesale bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within 100 feet of any R District, and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any R District.

(e) Height Regulations. No principal or accessory structures shall exceed three stories or forty feet in height, except as provided in Section 1137.02 and subject further to review and authorization by the Board. (Ord. 1990-20. Passed 11-26-90.)

(f) Lot Area, Frontage and Yard Requirements.

Commercial uses: Minimum frontage of thirty feet; otherwise, none except for the provision of loading and unloading.

(Ord. 1998-39. Passed 12-7-98.)

Residential uses: Same as the lot area, frontage and yard requirements for the least restrictive adjoining residence district.

(Ord. 1990-20. Passed 11-26-90.)

#### 1125.04 I-1 LIGHT INDUSTRIAL DISTRICT.

(a) Principal Permitted Uses. Any use permitted and as regulated in the B-3 District, and except for uses and processes prohibited herein, the manufacturing, compounding, processing, packaging and assembling of products specified in the following:

(1) Bakery goods, candy, cosmetics, pharmaceuticals, toiletries and food products; except meat products, sauerkraut, vinegar, yeast and the rendering or refining of fat or oils.

(2) Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, except where presses over twenty tons rated capacity are employed, shell, textiles, tobacco, wax, wood, except where saw and planing mills are employed, yards.

(3) Pottery and figurines, using previously pulverized clay, and kilns fired only with gas or electricity.

(4) Musical instruments, toys, novelties, rubber or metal stamps and other small rubber products.

(5) Electrical appliances, instruments, devices and equipment, television sets, radios, phonographs.

(6) Electric and neon signs, billboards and other commercial advertising structures; light sheet metal products including heating and ventilating equipment, cornices, eaves.

(7) Experimental, film or testing laboratories, provided no operation is conducted or equipment used which would create hazards, noxious or offensive conditions.

(b) Conditionally Permitted Uses. The following uses, provided no part of a building occupied by such uses has any opening other than stationary windows or required fire exits within 100 feet of any R District, and as authorized by the Board of Building and Zoning Appeals subject to such further conditions and requirements, as in the opinion of the Board are necessary to protect adjacent property and prevent conditions which may become noxious or offensive:

(1) Adhesive manufacture, not including the refining or recovery of products from fish, animal refuse or offal.

(2) Blacksmith, welding or other metalworking shop, machine shop, excluding punch presses over twenty tons rated capacity, drop hammers and other noise-producing machine operated tools.

(3) Foundry, casting lightweight nonferrous metals or electric foundry not causing noxious fumes or odors.

(4) Bag, carpet and rug cleaning, provided necessary equipment is installed and operated for the effective precipitation or recovery of dust.

(5) Ice manufacturing and cold storage plant.

(6) Inflammable liquids, underground storage only, not to exceed 25,000 gallons.

(7) Building materials sales yards, lumber yards including millwork, open yards for storage and sale of feed and/or fuel.

(8) Planned development projects, subject to the provisions of Section 1126.05.

(9) Medical Marijuana Retail Dispensaries as authorized by ORC 3796 et seq. and Chapter 751 of these Ordinances.

(c) Accessory Uses. Accessory uses and structures permitted and as regulated in the B-3 District, except as hereinafter modified and such other uses and structures customarily accessory and incidental to any of the foregoing principal permitted uses, except for uses prohibited in an I-1 District.



(d) Required Conditions.

(1) All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automobile fuel, lubricants and fluids at service stations, establishments of the drive-in type, loading and unloading operations, parking, the outdoor display or storage of vehicles, materials and equipment and the following uses specified above; inflammable liquids; building materials sales yards, etc.

(2) No building customarily used for night operation, such as a bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within 100 feet of any R District, and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any R District.

(e) Prohibited Uses. The following uses and any use which is first permitted or prohibited in the I-2 District:

(1) Dwelling and residences of any kind, including motels; also schools, hospitals, clinics, convalescent or nursing homes, and other institutions for human care, except where incidental to a permitted principal use; provided, however, that any of the aforesaid uses legally existing in the I-1 District at the time of adoption of this Zoning Ordinance, or any amendment thereto, shall not be classified as a nonconforming use as defined in Section 1121.04 and subject to the provisions of Section 1121.07.

(2) No use shall be permitted or authorized to be established or maintained, which, when conducted under adequate conditions and safeguards in compliance with the provisions of this Zoning Ordinance, and any additional conditions or requirements prescribed by the Board, is or may become hazardous, noxious or offensive due to emission of odor, dust, smoke, cinders, gas fumes, radioactivity, noise, vibration, beat frequency, refuse matter or water-carried waste.

(f) Height Regulations. Within 100 feet of any R District, no structure shall exceed three stories or fifty feet in height, and no structure otherwise shall exceed in height the distance measured to the centerline of any adjoining street, except as provided in Section 1137.02 .

(Ord. 2018-13. Passed 6-26-18.)

(g) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed; except as otherwise provided herein:

Lot Area

Frontage

Front

Yard

Depth

Side Yard

Width

Rear Yard

Depth

Nonresidential

30 ft.

25 ft.

None except adjoining R District - then not less than 25 feet each.

1-story: 30 feet

Dwellings or residential parts of nonresidential dwellings

Not permitted in District

Existing dwelling

Same as R-3

(Ord. 1998-39. Passed 12-7-98.)

#### 1125.05 I-2 GENERAL INDUSTRIAL DISTRICT.

(a) Principal Permitted Uses. Any use permitted in the following, in certain parts of the District; or permitted in certain parts subject to Board of Building and Zoning Code Appeals authorization; or which is not prohibited in the I-2 District by this section or by any other law or ordinance.

Any of the following uses, when located not less than 200 feet from any R District, and not less than 100 feet from any B-1 or B-2 District.

Acetylene manufacturing in excess of fifteen pounds pressure per square inch

Automobile assembly

Bleaching, cleaning and dyeing plant of large scale production

Boiler shops, machine shops, structural steel fabricating shops, railway car or locomotive shops, including repair, metalworking shops employing reciprocating hammers or presses over twenty tons rated capacity

Brewing or distilling of liquors

Candle manufacturing

Dextrine, starch or glucose manufacturing

Disinfectant, insecticide or poison manufacturing

Dye and dyestuff manufacture

Enameling, lacquering or japanning

Emery cloth or sandpaper manufacturing

Felt manufacturing

Flour or grain mill

Forge or foundry works

Gas - generation or storage for illumination or heating

Grain drying or poultry feed manufacturing from refuse, mash or grain

Hair or hair products manufacturing

Lime or lime products manufacturing

Linoleum, oil cloth or oiled goods manufacturing

Match manufacturing

Meat packing; but not stockyards or slaughterhouses

Oil, paint, shellac, turpentine, varnish or enamel manufacturing

Paper and pulp manufacturing

Perfume manufacturing

Pickle, sauerkraut or sausage manufacturing

Plaster manufacturing

Poultry slaughterhouses, including packing and storage for wholesale

Printing ink manufacturing

Sandblasting or cutting

Sawmill, the manufacture of excelsior, wood fiber or sawdust products

Sewage disposal plant, except by the Municipality

Shipbuilding and repair

Shoddy manufacturing

Shoe blacking or polish or stove polish manufacturing

Soap manufacturing

Steam power plant, except where accessory to a permitted principal use

Stone and monument works employing power-driven tools

Storage, drying, cleaning of iron, junk, rags, glass, cloth, paper or clipping, including sorting, refining, baling, except woolpulling and scouring

Sugar refining

Trucking terminal

Vehicle storage and repair

Veterinary clinics and kennels

Vinegar manufacturing

Warehousing and storage

Wire or rod drawing - nut, screw or bolt manufacturing

Yeast manufacturing

(Ord. 1990-20. Passed 11-26-90.)

(b) Conditionally Permitted Uses. Any of the following uses when located not less than 300 feet from any R District, and not less than 100 feet from any B-1 or B-2 District, and requirements as in the opinion of the Board, are necessary to protect adjacent property and prevent conditions which may become noxious or offensive:

Acid manufacturing

Ammonia, chlorine or bleaching powder manufacture

Animal black, lamp black, bone black or graphite manufacture

Asphalt, cement, charcoal and fuel briquettes manufacture

Celluloid or pyroxyline manufacturing, or explosive or inflammable cellulose or pyroxyline products manufacturing or storage

Cement, lime, gypsum or plaster of Paris manufacture

Coal yards

Cooperage works

Crematory

Creosote manufacture or treatment

Distillation of coal, petroleum, refuse, grain, wood or bones, except in the manufacture of gas

Explosives manufacture or storage except for small arms ammunition

Fertilizer, compost - manufacture or storage

Fish curing, smoking or packing, fish oil manufacture or refining

Garbage, offal, dead animals, refuse, rancid fats - incineration, reduction or storage

Glue manufacture, size or gelatin manufacture where the processes include the refining or recovery of products from fish, animal refuse or offal

Hog farm

Junk yard

Livestock feeding yard

Medical marijuana retail dispensaries as authorized by ORC 3796 et seq and Chapter 751 of these Ordinances

Petroleum or inflammable liquids production, refining and storage aboveground

Rubber, caoutchouc or gutta-percha manufacture and treatment from crude or scrap material or the manufacture of balata

Slaughtering of animals or stockyards

Smelting of ferrous or nonferrous ores

Steel furnaces, blooming or rolling mills

Storage, curing or tanning of raw, green or salted hides or skins

Tar or asphalt roofing or waterproofing manufacturing

Tar distillation or manufacturing

Telecommunications towers in accordance with the following conditions:

(1) The tower must be located a minimum of the height of the tower and all antennae from the closest right-of-way line. (Side and rear setbacks shall comply with those required structures in the I-2 District.)



(2) The tower structure must be completely enclosed within a fence at least six feet in height for security purposes.

(3) Accessory structures shall not exceed 15' x 30' in total area.

(Ord. 1998-39. Passed 12-7-98.)

(c) Accessory Uses. Accessory uses and structures permitted and as regulated in the I-1 District, except as hereinafter modified, and such other uses and structures customarily accessory and incidental to a permitted use.

(d) Required Conditions. Any use may be conducted in the I-2 District within or without a building or enclosure, subject only to distance requirements where applicable and to such other conditions as may be imposed, in specific cases, by the Board.

Junk yards shall be enclosed by an acceptable fence, wall or other screening, maintained in good condition, not less than six feet high.

(e) Prohibited Uses. Dwellings and residences of any kind, including motels; also schools, hospitals, clinics, convalescent or nursing homes, and other institutions for human care, except where incidental to a permitted principal use; provided, however, that this Zoning Ordinance, or any amendment thereto, shall not be classified as a nonconforming use as defined in Section 1121.04 and subject to the provisions of Section 1121.07 .

No use shall be permitted or authorized to be established or maintained which, when conducted under adequate conditions and safeguards in compliance with the provisions of this Ordinance and any additional conditions or requirements prescribed by the Board, is or may become hazardous, noxious or offensive, due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, beat frequency, refuse matter or water-carried waste.

(f) Height Regulations. Same as specified in I-1 District.

(g) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

Lot Area

Lot

Frontage

Front

Yard

Depth

Side Yard

Depth

Rear Yard

Depth

Nonresidential Structures - None

30 ft.

20 feet

None except when adjoining R or B-1 or B-2 District - then the otherwise specified distance requirements

1-story: 40 feet

2-story: 50 feet

3-story: 60 feet

Five feet each additional story

Dwelling or residential parts of nonresidential buildings

Not permitted in District

Existing dwellings:

Same as R-3

(Ord. 2018-14. Passed 6-26-18.)

1125.06 P-1 OFF-STREET PARKING DISTRICT.

(a) Principal Permitted Uses. Land situated in this District shall be used exclusively for providing off-street loading space and off-street parking space for any building or part

thereof now in existence or hereinafter erected which is or is to be occupied for any use, which would be required to furnish and provide off-street loading space and/or off-street parking space by Section 1126.01 if subject to the requirements thereof.

(b) Required Conditions. Prior to the issuance of a zoning certificate for the use of any parcel of land located within an Off-Street Parking District, such parcel shall be developed and improved so that all of the requirements set forth in Section 1126.01 (a), (b) and (c) are complied with and provided the following specific requirements are also complied with:

(1) Each parking area shall be effectively screened on each side which adjoins premises situated in any R District, or institutional premises, by an acceptable fence six feet in height which will afford privacy to adjacent properties. On rear lot lines, the fence shall extend the entire width of the parking area and on side lot lines, the fence shall extend from the rear lot line to the building setback line as established in each adjoining zoning district.

(2) No part of any parking area for more than five vehicles shall be closer than ten feet to any adjoining lot line.

(3) Each parking area for more than five vehicles and driveways leading to and from such areas shall be surfaced with asphaltic or Portland Cement binder pavement so as to provide a durable and dustless surface; shall be graded and drained so as to dispose of all surface water accumulated within the area and shall be arranged and marked so as to provide for orderly and safe loading or unloading and parking of self-propelled vehicles.

(4) All lighting used to illuminate an off-street parking area shall be arranged so as to reflect the light away from adjoining premises in any R District.

(Ord. 1990-20. Passed 11-26-90.)

#### 1125.07 M - MARINA DISTRICT.

##### Principal Permitted Use:

(a) In-water boat dockage and required passenger vehicle parking only. (No RV's, trailers (boat or residential), or campers).

(b) No accessory uses or structures or conditionally permitted uses shall be allowed except restrooms as required by Health Department regulations.

(Ord. 1990-20. Passed 11-26-90.)

# EXHIBIT B

## CHAPTER 1125

### Nonresidence Districts

1125.01 B-1 Neighborhood Business District.

1125.02 B-2 Downtown Business District.

1125.03 B-3 General Business District.

1125.04 I-1 Light Industrial District.

1125.05 I-2 General Industrial District.

1125.06 P-1 Off-Street Parking District.

~~1125.07 M - Marina District.~~

### CROSS REFERENCES

Districts established; boundaries; general regulations - see P. & Z. Ch. 1121

Special provisions - see P. & Z. Ch. 1126

Exceptions and modifications - see P. & Z. Ch. 1137

Storage of LPG - see FIRE PREV. Ch. 1503

#### 1125.01 B-1 NEIGHBORHOOD BUSINESS DISTRICT.

(a) Principal Permitted Uses. Any retail business or service establishments supplying commodities or performing services primarily for residents of the neighborhood:

(1) Groceries, delicatessens, meat markets, fruit and vegetable stores, candy stores, bakery stores, drugstores, bookstores, gift shops, florist shops, hardware stores, dry cleaning shops using nonflammable solvents, shoe repair shops, barber shops, beauty parlors.

(2) Business and professional offices, including drive-in banks.

(3) Restaurants, tea rooms, soda fountains, ice cream parlors; ~~not~~ including cafes, ~~or taverns, public houses, microbreweries, micro-distilleries, brewpubs,~~ drive-in restaurants, ~~entertainment or dancing or sale of alcoholic beverages.~~

~~—(4) Filling stations, minor automotive repair garages and parking lots, subject to the applicable requirements of Sections 1126.01 and 1126.04.~~

~~—(5) Billboards and other outdoor advertising signs and structures, provided these are located on premises abutting an officially designated federal or state highway and subject to the provisions of Section 1126.03 and such applicable provisions of the Planning and Zoning Code.~~

(6) Any use permitted and as regulated in the R-3 Multi-family residence district adjoining the B-1 District; and if there are adjoining two or more different categories of residence districts, the regulations of the least restrictive residence district shall prevail.

(b) Conditionally Permitted Uses. The following uses shall be permitted only when specifically authorized by the Board of Building and Zoning Appeals in accordance with the provisions of Section 1139.02:

~~—(1) Cafes and restaurants permitting sale and consumption of alcoholic beverages, but not including entertainment or dancing, provided the principal building wherein such use is located is distant not less than fifty feet from any R District, drive-in restaurants, restaurants or cafes providing entertainment or dancing, or dispensing alcoholic beverages, when located on the premises on state or federal highways or on a primary or secondary thoroughfare as shown on the Thoroughfare Plan, provided the principal building wherein such use is located is distant not less than 100 feet from any R District.~~

(2) Coin-operated self-service laundries and dry-cleaning establishments ~~distant not less than fifty feet from any R District.~~

(3) Planned development projects, subject to the provisions of Section 1126.05.

(c) Accessory Uses. Accessory uses and structures as permitted and regulated in the least restrictive adjoining residence district, as related only to permitted residential developments, if any, in this district, and any other accessory uses and structures customarily accessory and incidental to any of the foregoing permitted B-1 uses.

Signs accessory to a permitted use on the premises, when attached flat against the building, and real estate and professional signs, subject to the provisions of Section 1126.03 and such other applicable provisions of the Zoning Ordinance.

(d) (1) Required conditions. All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automotive fuel, lubricants and fluids at service stations, establishments of the drive-in type and such outdoor display and storage of vehicles, materials and equipment as hereinbefore specifically authorized or as may be authorized by the Board.

(2) All products processed shall be sold at retail, primarily on the premises.

(3) All processing shall be done on the premises and not more than three persons in production shall be employed at any one time.

(4) Processes and equipment employed in goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste.

(e) Height Regulations. No principal structure shall exceed two and one-half stories or thirty feet in height, and no accessory structure shall exceed one story or fifteen feet in height, except as provided in Section 1137.02 .

(Ord. 1990-20. Passed 11-26-90.)

(f) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

Lot Areas	Frontage	Front Yard Depth	Side Yard Width	Rear Yard Depth
Nonresidential Uses: None	30 ft.	25 ft.	No side yard required, except when adjoining an R District - then not less than 10 feet	Not less than 20 feet

Commented [EE1]: Update

B-1 Neighborhood Business - Minimum Standards							
Structure (max height)	Lot Area (sq. ft.)	Lot Frontage (ft.)	Lot Depth (ft.)	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Open Green Space
35' height	1800 sf	30'	60	0'-0" Maximum	5' if adjacent to a residential district; otherwise 0'	10' if adjacent to a residential district; otherwise 0'	None

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~~Residential: Same as the lot area, frontage and yard requirements for the least restrictive adjoining residence district.~~

~~(Ord. 1998-39. Passed 12-7-98.)~~

**1125.02 B-2 DOWNTOWN BUSINESS DISTRICT.**

Commented [EE2]: Rezone Downtown; include design overlay

(a) Principal Permitted Uses. Any use permitted and as regulated in the B-1 District, and as hereinafter specified in this section, but not including filling stations or repair garages:

(1) Art or antique shops, interior decorating shops, paint and wallpaper stores, furniture and appliance stores, department stores, variety and dime stores, dry goods and



apparel stores, jewelry stores, mail order houses and any other retail business or service not first permitted or prohibited in the B-3 District.

(2) Any office or office building.

(3) Banks and savings and loan associations, including the drive-in type; other financial establishments.

(4) Bars, restaurants, cocktail lounges.

(5) Billiard parlors and pool halls, not permitting the sale of alcoholic beverages.

(6) Night clubs and theaters, but not within 100 feet of any R District, subject to all applicable regulations and such permits as may be required by law.

(7) Trade or business schools, provided any machinery or equipment which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration.

(8) Commercial studios, including art, photographic, music, dancing and radio studios.

(9) Hotels, including motels and motor hotels, subject to the provisions of Section 1126.02.

(10) Newspaper printing and publishing, job printing.

(11) Automotive services; none, except parking lots, parking garages and automobile car wash establishments 100 feet from an R District.

(12) Any use permitted and as regulated in the residence district adjoining the B-2 District; and if there are adjoining two or more different categories of residence districts, the regulations of the least restrictive residence district shall prevail. (Ord. 2020-30. Passed 10-13-20.)

(b) Conditionally Permitted Uses. The following uses shall be permitted only if expressly authorized by the Board of Zoning Appeals in accordance with the provisions of Section 1139.02:

(1) Drive-thru facilities are permitted in B-2 zoned districts within the geographical bounds of Main Street between the Huron Boat Basin, 330 North Main Street and US 6 following review and approval of the Planning Commission.

(c) Accessory Uses. Accessory uses and structures as permitted and as regulated in the B-1 District and such other accessory uses and structures, not otherwise prohibited, customarily accessory and incidental to any of the foregoing permitted B-2 uses.

(d) Required Conditions. Same as specified for the B-1 District, except for new merchandise in the case of art or antique shops.

(e) Height Regulations. No principal structure shall exceed ~~three-four~~ stories or forty feet in height, except as provided in Section 1137.02 and subject further to review and authorization by the Board of Building and Zoning Appeals.

Commented [EE3]: Stories or feet?

(f) Lot Area, Frontage and Yard Requirements.

~~Commercial uses: Minimum frontage of thirty feet; otherwise, none except  
for the provision of loading and unloading.~~

B-2 Downtown Business - Minimum Standards							
Structure (max height)	Lot Area (sq. ft.)	Lot Frontage (ft.)	Lot Depth (ft.)	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Open Green Space
55' height	2100 sf	30'	70'	0'-0" Maximum	0'	0'	None

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(g) All lots and lands located within the boundaries of the Huron Center Urban Renewal Area, notwithstanding other requirements of this section, shall be governed by the provisions of the Urban Renewal Plan when such Plan provisions conflict with the requirements of this section. (Ord. 2014-32. Passed 12-23-14.)

Prohibited Uses:

Single family residential

Gas stations, service stations, garages

1125.03 B-3 GENERAL BUSINESS DISTRICT.

(a) Principal Permitted Uses. Any use permitted and as regulated in the B-2 District, plus those hereinafter specified in this section:

(1) Laundries, clothes cleaning or dyeing establishments, using nonflammable solvents; used merchandise stores; garden supply stores.

~~(Ord. 1990-20. Passed 11-26-90.)~~

(2) Any wholesale business, storage and warehousing; commercial greenhouses, but excluding industrial greenhouses except in the Planned Industrial Development Project Overlay Zone.

~~(Ord. 2019-9. Passed 7-23-19.)~~

(3) Drive-in eating and drinking places, summer gardens and roadhouses, provided the principal building is distant not less than fifty feet from any R District.

(4) Bowling lanes, but not within 100 feet of any R District; drive-in theaters, provided the screen shall be located so as not to be visible from adjacent streets or highways and

such screen shall be set back not less than 200 feet from the established right of way of any such street or highway.

(5) Automotive and marine service establishments for automobiles, trucks, trailers, farm implements and pleasure boats, for sale, display, hire or repair, including sales lots, used car lots, trailer lots, commercial moorages and boat rental establishments, uncovered and covered moorage for commercial boats; major automotive repair garages, body and fender shops, paint shops, but not within fifty feet of any R District; automatic car wash establishments 100 feet from any R District.

(6) Animal hospitals, kennels, housing or boarding of pets and other domestic animals, provided that any enclosures or buildings in which animals are kept are at least 100 feet from any R District and at least fifty feet from any B-1 District.

(7) Commercial recreation, including baseball fields, swimming pools, roller skating rinks, golf driving ranges, miniature golf courses or trampoline centers, provided such establishments are distant at least 100 feet from any R District.

(8) Electrical, plumbing, heating shops, furniture upholstery and similar enterprises, not including contractors' yards, but not within fifty feet of any R District.

(9) Publishing, lithographing, blue printing, etc., but not within 100 feet of any R District.

(10) Bottling of soft drinks and milk or distribution stations, providing a building used for such processing and distribution is at least 100 feet from any R District.

(11) Sheet metal shops, sign painting shops, but not within 100 feet of any R District.

(12) Building materials, including concrete mixing; contractors' equipment storage yard or plant and rental of equipment commonly used by contractors; trucking or motor freight stations or terminals; retail lumber yards, including incidental millwork; storage and sale of grain, livestock feed or fuel; carting, express or hauling establishments, including storage of vehicles; provided such uses are conducted either:

A. Wholly within a completely enclosed building or buildings, except for storage of vehicles, which building shall be distant at least 100 feet from any R District, unless such building has no opening other than stationary windows and required fire exits within such distance, but not within fifty feet of any R District in any case; or

B. When conducted within an area completely enclosed on all sides with acceptable screening, maintained in good condition, not less than six feet high, but not within 100 feet of any R District; provided further that all storage yards related to the uses in this subsection shall be enclosed.

~~—(13) Display signs, billboards and other outdoor advertising signs and structures subject to the provisions of Section 1126.03 and such other applicable provisions of the Planning and Zoning Code.~~

(14) Any use permitted and as regulated in the residence district adjoining the B-3 District; and if there are adjoining two or more different categories of residence districts, the regulations of the least restrictive residence district shall prevail.

(Ord. 1990-20. Passed 11-26-90.)

(b) Conditionally Permitted Uses. The following uses provided any building occupied by such use shall be no less than 100 feet from any R District and as authorized by the Board of Building and Zoning Appeals, subject to such further conditions and requirements, as in the opinion of the Board are necessary to protect adjacent property and prevent conditions which may become noxious or offensive:

(1) Blacksmith, welding or other metalworking shop, machine shop, excluding punch presses over twenty tons rated capacity, drop hammers and other noise-producing machine operated tools.

(2) Planned development projects, subject to the provisions of Section 1126.05.

(3) Adult cabarets and adult oriented businesses in accordance with Section 1126.14. In addition, the following regulations shall apply:

A. The structure housing such use shall be situated on a parcel of land having an area of at least one acre and shall be the only use on such parcel.

B. The parcel of land described in subsection (b)(3)A. hereof shall be located a minimum of 500 feet from the boundaries of any parcel of real estate having situated on it a dwelling unit or units, church, school, playground or park.

~~(4) Filling stations, minor automotive repair garages and parking lots, subject to the applicable requirements of Sections 1126.01 and 1126.04.~~

~~(Ord. 1998-39. Passed 12-7-98.)~~

(c) Accessory Uses. Accessory uses and structures as permitted and as regulated in the R-3 District as related only to permitted residential developments, if any, in this district, plus those uses and structures as permitted and regulated in the B-2 District, plus any other accessory uses and structures customarily accessory and incidental to any of the foregoing permitted B-3 uses, and not otherwise prohibited.

(d) Required Conditions.

(1) Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste, and must comply with the performance standards in Section 1126.06.

(2) All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automobile fuel, lubricants and fluids at service stations, establishments of the drive-in type, loading and unloading operations,

parking, the outdoor display or storage of vehicles, materials and equipment and the uses specified in connection with contractors' yards and related establishments above.

(3) No building customarily used for night operation, such as a wholesale bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within 100 feet of any R District, and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any R District.

(e) Height Regulations. No principal or accessory structures shall exceed three stories or forty feet in height, except as provided in Section 1137.02 and subject further to review and authorization by the Board. (Ord. 1990-20. Passed 11-26-90.)

(f) Lot Area, Frontage and Yard Requirements.

~~Commercial uses: Minimum frontage of thirty feet; otherwise, none except for the provision of loading and unloading.~~

B-3 General Business - Minimum Standards							
Structure (max height)	Lot Area (sq. ft.)	Lot Frontage (ft.)	Lot Depth (ft.)	Front Yard Setback (ft.)	Side Yard Setback (ft.)	Rear Yard Setback (ft.)	Open Green Space
55' height	2,800	40'	80'	0'-0" Minimum	5	10	None

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~~(Ord. 1998-39. Passed 12-7-98.)~~

Residential uses: Same as the lot area, frontage and yard requirements for the least restrictive adjoining residence district.

Commented [EE4]: Include updated chart

~~(Ord. 1990-20. Passed 11-26-90.)~~

1125.04 I-1 LIGHT INDUSTRIAL DISTRICT.

(a) Principal Permitted Uses. Any use permitted and as regulated in the B-3 District, and except for uses and processes prohibited herein, the manufacturing, compounding, processing, packaging and assembling of products specified in the following:

(1) Bakery goods, candy, cosmetics, pharmaceuticals, toiletries and food products; except meat products, sauerkraut, vinegar, yeast and the rendering or refining of fat or oils.

(2) Products from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, fiber, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stones, sheet metal, except where presses over twenty tons rated capacity are employed, shell, textiles, tobacco, wax, wood, except where saw and planing mills are employed, yards.

(3) Pottery and figurines, using previously pulverized clay, and kilns fired only with gas or electricity.

(4) Musical instruments, toys, novelties, rubber or metal stamps and other small rubber products.

(5) Electrical appliances, instruments, devices and equipment, television sets, radios, phonographs.

(6) Electric and neon signs, billboards and other commercial advertising structures; light sheet metal products including heating and ventilating equipment, cornices, eaves.

(7) Experimental, film or testing laboratories, provided no operation is conducted or equipment used which would create hazards, noxious or offensive conditions.

(b) Conditionally Permitted Uses. The following uses, provided no part of a building occupied by such uses has any opening other than stationary windows or required fire exits within 100 feet of any R District, and as authorized by the Board of Building and Zoning Appeals subject to such further conditions and requirements, as in the opinion of the Board are necessary to protect adjacent property and prevent conditions which may become noxious or offensive:

(1) Adhesive manufacture, not including the refining or recovery of products from fish, animal refuse or offal.

(2) Blacksmith, welding or other metalworking shop, machine shop, excluding punch presses over twenty tons rated capacity, drop hammers and other noise-producing machine operated tools.

(3) Foundry, casting lightweight nonferrous metals or electric foundry not causing noxious fumes or odors.

(4) Bag, carpet and rug cleaning, provided necessary equipment is installed and operated for the effective precipitation or recovery of dust.

(5) Ice manufacturing and cold storage plant.

(6) Inflammable liquids, underground storage only, not to exceed 25,000 gallons.

(7) Building materials sales yards, lumber yards including millwork, open yards for storage and sale of feed and/or fuel.

(8) Planned development projects, subject to the provisions of Section 1126.05.

(9) Medical Marijuana Retail Dispensaries as authorized by ORC 3796 et seq. and Chapter 751 of these Ordinances.

(c) Accessory Uses. Accessory uses and structures permitted and as regulated in the B-3 District, except as hereinafter modified and such other uses and structures customarily accessory and incidental to any of the foregoing principal permitted uses, except for uses prohibited in an I-1 District.



(d) Required Conditions.

(1) All businesses, services or processing shall be conducted wholly within a completely enclosed building, except for the sale of automobile fuel, lubricants and fluids at service stations, establishments of the drive-in type, loading and unloading operations, parking, the outdoor display or storage of vehicles, materials and equipment and the following uses specified above; inflammable liquids; building materials sales yards, etc.

(2) No building customarily used for night operation, such as a bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within 100 feet of any R District, and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any R District.

(e) Prohibited Uses. The following uses and any use which is first permitted or prohibited in the I-2 District:

(1) Dwelling and residences of any kind, including motels; also schools, hospitals, clinics, convalescent or nursing homes, and other institutions for human care, except where incidental to a permitted principal use; provided, however, that any of the aforesaid uses legally existing in the I-1 District at the time of adoption of this Zoning Ordinance, or any amendment thereto, shall not be classified as a nonconforming use as defined in Section 1121.04 and subject to the provisions of Section 1121.07.

(2) No use shall be permitted or authorized to be established or maintained, which, when conducted under adequate conditions and safeguards in compliance with the provisions of this Zoning Ordinance, and any additional conditions or requirements prescribed by the Board, is or may become hazardous, noxious or offensive due to emission of odor, dust, smoke, cinders, gas fumes, radioactivity, noise, vibration, beat frequency, refuse matter or water-carried waste.

(f) Height Regulations. Within 100 feet of any R District, no structure shall exceed three stories or fifty feet in height, and no structure otherwise shall exceed in height the distance measured to the centerline of any adjoining street, except as provided in Section 1137.02 .

(Ord. 2018-13. Passed 6-26-18.)

(g) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed; except as otherwise provided herein:

Lot Area

Frontage

Front

Yard

Depth

Side Yard

Width

Rear Yard

Depth

Nonresidential

30 ft.

25 ft.

None except adjoining R District - then not less than 25 feet each.

1-story: 30 feet

Dwellings or residential parts of nonresidential dwellings

Not permitted in District

Existing dwelling

Same as R-3

(Ord. 1998-39. Passed 12-7-98.)

#### 1125.05 I-2 GENERAL INDUSTRIAL DISTRICT.

(a) Principal Permitted Uses. Any use permitted in the following, in certain parts of the District; or permitted in certain parts subject to Board of Building and Zoning Code Appeals authorization; or which is not prohibited in the I-2 District by this section or by any other law or ordinance.

Any of the following uses, when located not less than 200 feet from any R District, and not less than 100 feet from any B-1 or B-2 District.

Acetylene manufacturing in excess of fifteen pounds pressure per square inch

Automobile assembly

Bleaching, cleaning and dyeing plant of large scale production

Boiler shops, machine shops, structural steel fabricating shops, railway car or locomotive shops, including repair, metalworking shops employing reciprocating hammers or presses over twenty tons rated capacity

Brewing or distilling of liquors

Candle manufacturing

Dextrine, starch or glucose manufacturing

Disinfectant, insecticide or poison manufacturing

Dye and dyestuff manufacture

Enameling, lacquering or japanning

Emery cloth or sandpaper manufacturing

Felt manufacturing

Flour or grain mill

Forge or foundry works

Gas - generation or storage for illumination or heating

Grain drying or poultry feed manufacturing from refuse, mash or grain

Hair or hair products manufacturing

Lime or lime products manufacturing

Linoleum, oil cloth or oiled goods manufacturing

Match manufacturing

Meat packing; but not stockyards or slaughterhouses

Oil, paint, shellac, turpentine, varnish or enamel manufacturing

Paper and pulp manufacturing

Perfume manufacturing

Pickle, sauerkraut or sausage manufacturing

Plaster manufacturing

Poultry slaughterhouses, including packing and storage for wholesale

Printing ink manufacturing

Sandblasting or cutting

Sawmill, the manufacture of excelsior, wood fiber or sawdust products

Sewage disposal plant, except by the Municipality

Shipbuilding and repair

Shoddy manufacturing

Shoe blacking or polish or stove polish manufacturing

Soap manufacturing

Steam power plant, except where accessory to a permitted principal use

Stone and monument works employing power-driven tools

Storage, drying, cleaning of iron, junk, rags, glass, cloth, paper or clipping, including sorting, refining, baling, except woolpulling and scouring

Sugar refining

Trucking terminal

Vehicle storage and repair

Veterinary clinics and kennels

Vinegar manufacturing

Warehousing and storage

Wire or rod drawing - nut, screw or bolt manufacturing

Yeast manufacturing

(Ord. 1990-20. Passed 11-26-90.)

(b) Conditionally Permitted Uses. Any of the following uses when located not less than 300 feet from any R District, and not less than 100 feet from any B-1 or B-2 District, and requirements as in the opinion of the Board, are necessary to protect adjacent property and prevent conditions which may become noxious or offensive:

Acid manufacturing

Ammonia, chlorine or bleaching powder manufacture

Animal black, lamp black, bone black or graphite manufacture

Asphalt, cement, charcoal and fuel briquettes manufacture

Celluloid or pyroxyline manufacturing, or explosive or inflammable cellulose or pyroxyline products manufacturing or storage

Cement, lime, gypsum or plaster of Paris manufacture

Coal yards

Cooperage works

Crematory

Creosote manufacture or treatment

Distillation of coal, petroleum, refuse, grain, wood or bones, except in the manufacture of gas

Explosives manufacture or storage except for small arms ammunition

Fertilizer, compost - manufacture or storage

Fish curing, smoking or packing, fish oil manufacture or refining

Garbage, offal, dead animals, refuse, rancid fats - incineration, reduction or storage

Glue manufacture, size or gelatin manufacture where the processes include the refining or recovery of products from fish, animal refuse or offal

Hog farm

Junk yard

Livestock feeding yard

Medical marijuana retail dispensaries as authorized by ORC 3796 et seq and Chapter 751 of these Ordinances

Petroleum or inflammable liquids production, refining and storage aboveground

Rubber, caoutchouc or gutta-percha manufacture and treatment from crude or scrap material or the manufacture of balata

Slaughtering of animals or stockyards

Smelting of ferrous or nonferrous ores

Steel furnaces, blooming or rolling mills

Storage, curing or tanning of raw, green or salted hides or skins

Tar or asphalt roofing or waterproofing manufacturing

Tar distillation or manufacturing

Telecommunications towers in accordance with the following conditions:

(1) The tower must be located a minimum of the height of the tower and all antennae from the closest right-of-way line. (Side and rear setbacks shall comply with those required structures in the I-2 District.)

(2) The tower structure must be completely enclosed within a fence at least six feet in height for security purposes.

(3) Accessory structures shall not exceed 15' x 30' in total area.

(Ord. 1998-39. Passed 12-7-98.)

(c) Accessory Uses. Accessory uses and structures permitted and as regulated in the I-1 District, except as hereinafter modified, and such other uses and structures customarily accessory and incidental to a permitted use.

(d) Required Conditions. Any use may be conducted in the I-2 District within or without a building or enclosure, subject only to distance requirements where applicable and to such other conditions as may be imposed, in specific cases, by the Board.

Junk yards shall be enclosed by an acceptable fence, wall or other screening, maintained in good condition, not less than six feet high.

(e) Prohibited Uses. Dwellings and residences of any kind, including motels; also schools, hospitals, clinics, convalescent or nursing homes, and other institutions for human care, except where incidental to a permitted principal use; provided, however, that this Zoning Ordinance, or any amendment thereto, shall not be classified as a nonconforming use as defined in Section 1121.04 and subject to the provisions of Section 1121.07 .

No use shall be permitted or authorized to be established or maintained which, when conducted under adequate conditions and safeguards in compliance with the provisions of this Ordinance and any additional conditions or requirements prescribed by the Board, is or may become hazardous, noxious or offensive, due to the emission of odor, dust, smoke, cinders, gas, fumes, noise, vibration, beat frequency, refuse matter or water-carried waste.

(f) Height Regulations. Same as specified in I-1 District.

(g) Lot Area, Frontage and Yard Requirements. The following minimum requirements shall be observed, except as otherwise provided herein:

Lot Area

Lot

Frontage



Front

Yard

Depth

Side Yard

Depth

Rear Yard

Depth

Nonresidential Structures - None

30 ft.

20 feet

None except when adjoining R or B-1 or B-2 District - then the otherwise specified distance requirements

1-story: 40 feet

2-story: 50 feet

3-story: 60 feet

Five feet each additional story

Dwelling or residential parts of nonresidential buildings

Not permitted in District

Existing dwellings:

Same as R-3

(Ord. 2018-14. Passed 6-26-18.)

1125.06 P-1 OFF-STREET PARKING DISTRICT.

(a) Principal Permitted Uses. Land situated in this District shall be used exclusively for providing off-street loading space and off-street parking space for any building or part

thereof now in existence or hereinafter erected which is or is to be occupied for any use, which would be required to furnish and provide off-street loading space and/or off-street parking space by Section 1126.01 if subject to the requirements thereof.

(b) Required Conditions. Prior to the issuance of a zoning certificate for the use of any parcel of land located within an Off-Street Parking District, such parcel shall be developed and improved so that all of the requirements set forth in Section 1126.01 (a), (b) and (c) are complied with and provided the following specific requirements are also complied with:

(1) Each parking area shall be effectively screened on each side which adjoins premises situated in any R District, or institutional premises, by an acceptable fence six feet in height which will afford privacy to adjacent properties. On rear lot lines, the fence shall extend the entire width of the parking area and on side lot lines, the fence shall extend from the rear lot line to the building setback line as established in each adjoining zoning district.

(2) No part of any parking area for more than five vehicles shall be closer than ten feet to any adjoining lot line.

(3) Each parking area for more than five vehicles and driveways leading to and from such areas shall be surfaced with asphaltic or Portland Cement binder pavement so as to provide a durable and dustless surface; shall be graded and drained so as to dispose of all surface water accumulated within the area and shall be arranged and marked so as to provide for orderly and safe loading or unloading and parking of self-propelled vehicles.

(4) All lighting used to illuminate an off-street parking area shall be arranged so as to reflect the light away from adjoining premises in any R District.

(Ord. 1990-20. Passed 11-26-90.)

~~1125.07 M - MARINA DISTRICT.~~

~~—Principal Permitted Use:~~

~~—(a) In-water boat dockage and required passenger vehicle parking only. (No RV's, trailers (boat or residential), or campers).~~

~~—(b) No accessory uses or structures or conditionally permitted uses shall be allowed except restrooms as required by Health Department regulations.~~

~~—(Ord. 1990-20. Passed 11-26-90.)~~

B-1 Neighborhood Business - Minimum Standards					
Structure (max height)	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>	<u>Front Yard Setback (ft.)</u>	Side Yard Setback (ft.)
35' height	1800 sf	30'	60	0'-0" Maximum	5' if adjacent to a residential district; otherwise 0'

B-2 Downtown Business - Minimum Standards					
Structure (max height)	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>	<u>Front Yard Setback (ft.)</u>	Side Yard Setback (ft.)
55' height	2100 sf	30'	70'	0'-0" Maximum	0'

B-3 General Business - Minimum Standards					
Structure (max height)	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>	<u>Front Yard Setback (ft.)</u>	Side Yard Setback (ft.)
55' height	2,800	40'	80'	0'-0" Minimum	5

	Structure (max height)	<u>Maximum Unit per Lot Ratio (sq. ft.)</u>	<u>Lot Area (sq. ft.)</u>	<u>Lot Frontage (ft.)</u>	<u>Lot Depth (ft.)</u>

Lot Area (Sq. Ft.)	Lot Frontage (Ft.)	Lot Area Per Family (Sq. Ft.)	Front Yard Depth (Ft.)	Side Yards	
				Least Width (Ft.)	Sum of Width (Ft.)
			-		

<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
10' if adjacent to a residential district; otherwise 0'	None

Accessory Structure	
<u>Accessory Structure (max height)</u>	<u>Front Yard Setback (ft.)</u>
20' height	None; accessory structures must be located in the rear yard.

<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
0'	None

<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>
10	None

<u>Front Yard Depth (ft.)</u>	<u>Side Yard Setback (ft.)</u>	<u>Rear Yard Setback (ft.)</u>	<u>Open Green Space</u>

<u>Rear Yard Depth (Ft.)</u>	

e Standards	
Side Yard Setback (ft.)	<u>Rear Yard</u> <u>Setback (ft.)</u>
5'	5'



**TO:** Chairman Boyle and Members of the Planning Commission and Design Review Board  
**FROM:** Christine Gibboney, Administrative Assistant/Permit Tech  
**RE:** Draft- Rules of the Planning Commission  
**DATE:** May 22, 2024

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### **Rules of the Planning Commission**

Draft Rules of the Planning Commission have been prepared, on behalf of the Commission, to serve as a starting point for your discussion/edits. The rules are a document for the governing of the Commission itself, and again just a starting point for you to edit as desired. These rules are yours alone.

The draft was created based on the general content within the Administrative Code, Section 121.01- Rules of Council, which is written specific to meetings, format, agenda order and general meeting protocol. In addition to this content, references to Staff and Commission duties, case introduction format, and general criteria and decision information have been included. Purposely omitted from the Rules are any specific code sections or sources of information as these are subject to change with any amendments that may be made.

Please take your time in reviewing and we will document any changes/additions/deletions you would like to make until we get a final version that you are happy with.

### **Planning Commission Guide**

On a completely different note, staff understands that there has been mention/interest of a guide or SOP for members. With the varying cases and unique specifics to each application that may come before the Planning Commission, an SOP, at least in a normal format would be difficult to prepare. However, we do have some internal tables and guidelines that staff uses for required protocol for public hearings and noticing requirements etc. We can work on preparing this type of format for a guide for members going forward if this is something members have interest in.

We used to provide hard copies of the entire code for members, but with code amendments, members would need to be vigilant about keeping up with the Ordinances adopted but not yet Codified, this is the reason we recommend that members use the city website Charter & Codified Ordinances page as your source for code information. If any members would like information on the website page and/or how to search, please feel free to reach out and I would be happy to set up a time to meet with you.

If there is interest in a Guide, this can be something that we can work on this year, as time allows, and distribute to members.

**CITY OF HURON**  
**PLANNING COMMISSION**  
**RULES OF PROCEDURE**

The following rules shall govern the meetings of the Planning Commission of the City of Huron as established pursuant to Section 7.01 of the City of Huron Charter.

**Composition of Membership**

SEC. 7.01. PLANNING COMMISSION. There shall be a city planning commission consisting of five members, four of whom shall be citizens who hold no other city office or employment, selected by the council one each year for overlapping terms of four years, and one of whom shall be a member of the council, designated annually by the council. The commission shall adopt its own rules, and elect its own officers annually. It shall have all the power and authority conferred upon city planning commissions by state law and such other duties as may be imposed upon it by the administrative code. Its members shall serve without compensation.

Note: In 2021, the Design Review Commission Sub-Committee was combined into the Planning Commission. This was done to expedite the plan review process and meeting requirements to enable an applicant to receive both site plan and design plan review within one meeting. (Ordinance 2021-36, adopted 10-26-21- Codified Ordinances: Chap. 1141. Design Review Regulations.

**Officers of The Commission**

The Commission shall elect its own officers annually. There shall be a Chairman, Vice-Chairman, and a Secretary. The Chairman shall preside over meetings. The Vice-Chairman shall serve in the absence of the Chairman. The Secretary shall execute the adopted minutes of the Commission which will be prepared by staff.

**Quorum**

Three members of the Commission shall constitute a quorum.

**Meetings**

All meetings shall be open to the public, except as otherwise permitted by law. Regular meetings shall be held on the third Wednesday of the month, excluding holidays. A calendar of the regular meetings shall be prepared prior to the beginning of each year and legally advertised as required. Regular meetings shall be held at 5:00 P.M., at the Huron City Hall, 417 Main Street, Huron, Ohio. Regular meetings may be cancelled due to a lack of any agenda items or lack of quorum. The Commission may vote to change the regular meeting date and time at any time. The change will require a legal notice to be published and the Clerk of Council to be notified.

Special meetings can be scheduled as desired by the Commission. These meetings will be advertised as required. Only matters expressly advertised for the special meeting agenda shall be considered.

Work Session meetings may be scheduled as desired for the purposes of education, enrichment, and/or discussion of topics other than those of an application. No other business shall be



conducted, nor shall any application be reviewed or decisions made in work session meetings. These meetings will be advertised as required.

#### **Attendance**

Commission members shall attend all Commission meetings. Commission members unable to attend a meeting will notify Zoning staff and the Chair so that quorum can be verified for said meeting. If a Commission member is absent from three (3) or more consecutive regular meetings without justifiable excuse as determined by the Chair, the Commission shall consider making a report to City Council for their consideration in the appointment of a replacement of the member for the remaining term period.

Commission members shall attend all Board meetings. Board members unable to attend a meeting will notify Zoning staff and the Chair so that quorum can be verified for said meeting. If a board member is absent from three (3) or more consecutive regular meetings, excused or otherwise, or a total of five (5) absences in one calendar year, as determined by the Chair, the Commission to recommend that Council consider the appointment of a replacement of the member for the remaining term period.

**Commented [CG1]:** Alternate language from the BZA Draft Rules. The language was based on both legal and BZA members recommendations .

#### **Conflict of Interest**

Any member having a conflict of interest, direct or indirect, actual, or perceived, shall announce same at the beginning of the meeting and prior to the introduction of a case that they will be recusing/abstaining from due to a conflict. The member shall refrain from comment, discussion, or participation regarding the appeal or request, including voting thereon. It is recommended that the member leave the room during the case and return after the Commission has voted. If possible, such a member shall also notify the Zoning Department and the Chair of a conflict of interest upon receipt of the meeting agenda to allow sufficient time to confirm that a quorum will exist.

#### **Order of Business**

The order of business at all regular meetings of the Commission shall be as follows:

1. Call to Order
2. Roll Call
3. Adoption of the Minutes
6. Old Business
7. New Business
8. Other Matters
9. Adjournment

The Chairman may alter the order of business as necessary to conduct an orderly and expedient proceeding.

## **Hearings**

All hearings before the Commission shall be open to the public and all applicants/ property owners or a representative for the applicant/owner will be advised to be in attendance.

### ***Order of Case Introduction***

1. The Chair shall introduce each case.
2. Planning Director or his Designee shall provide overview of the application.
3. Applicant/Owner shall address the Commission and/or answer any questions the Commission may have.
4. Audience members invited to make comments

### **Discussion of the Commission**

With no further discussion on the application, the Commission shall act on the application (table, approve, approve with conditions, amend, deny, make recommendation to City Council). Any member of the Commission, except for the Chair, may make a motion. The motion shall include any conditions or stipulations the Commission deems appropriate. A motion to second shall be required and a vote taken. A majority vote is required for passage of any motion.

Pursuant to Ordinance 2023-53, adopted January 23, 2024, amending Chapter 1139, site & design and SWPPP plan approval by the Planning Commission will be valid for a period of one (1) year.

## **Sources**

The Commission shall refer to the applicable Codified Ordinances of the City of Huron when preparing for a case on the agenda: the Planning & Zoning Code and Building Code of the City of Huron. The most current version of Codified Ordinances will be on the city website as will recently adopted legislation amending Ordinances that have not yet been Codified.

## **Report on City Council Activities**

The council-appointed member of the Commission shall provide the body with any news, updates, activity at the City Council level as necessary.

## **Robert's Rules of Order**

In the absence of any rule upon the matter of business, the Commission shall be governed by Robert's Rules of Order.

## **Application**

Applicants shall utilize the designated application form and submit same with all required documentation and fee to the Planning & Zoning Department by the deadline date. The Zoning

Department will prepare the application for placement on the next Commission agenda, preparing and mailing notices as required by the code.

The Planning & Zoning Department will prepare a comprehensive agenda packet and staff report for each application, providing the applicable code references, and distribute to Commission Members in advance of the meeting.

Commission members shall review applications and plans, referring to the corresponding codified ordinance sections applicable to the applicant's submission.

#### **Minutes and Records**

Minutes and records of proceedings shall be kept on file with the city, shall be a public record, and shall be retained pursuant to the city's state-approved retention schedule.

#### **Amendments**

Amendments to these Rules of Procedure may be made by the Planning Commission at any regular or special meeting by action in the form a motion and vote.

These Rules of the Planning Commission are hereby approved by the affirmative vote of the majority of the members of said Commission at a meeting held on the \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

City of Huron, Planning Commission, Huron, OH

SO APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Gary Boyle, Chairman

\_\_\_\_\_  
Jim Hartley

\_\_\_\_\_  
Mark Cencer

\_\_\_\_\_  
Tim Sowecke

\_\_\_\_\_  
Sam Artino

Reviewed and Approved:

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City Law Director

DRAFT