

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Work Session of Tuesday, March 25, 2025 at 5:45pm

Call to Order

The Mayor called the Huron City Council work session to order at 5:45pm.

Roll Call

The Mayor directed the Clerk to call the roll for the meeting. The following members of Council answered present: **William Biddlecombe, Sam Artino, Mark Claus, Monty Tapp, Joe Dike, Matt Grieves and Joel Hagy.**

Old Business

None.

New Business

Discussion re: Accessory Dwelling Units (ADUs)

Mr. Lasko stated that this work session is a follow-up to some direction the administration received from Council – first by Councilman Hagy and then the majority of Council wanted them to research the ability to potentially construct what they call Accessory Dwelling Units, which is a second dwelling unit on your property, whether that be single-family, or otherwise. There are lot of moving pieces and parts, including zoning and otherwise that they would need to explore, but they view this as an introductory conversation as one attempt to start addressing some of the housing issues in Huron and the broader county and region. He then turned things over the Attorney Matt Waters.

Mr. Waters referred to a handout that was distributed to Council, a copy of which is attached hereto as Exhibit “A” and made a part hereof. There are three different types of ADUs: (1) within the existing envelope of the primary residence, (2) attached to the primary residence, and (3) detached from the primary residence (either a new building or the upstairs of a garage or a converted garage. Mr. Hagy said it seems to him that options (1) and (2) would be the remodeling of your home. You are using existing space. The one he was talking about, and he believes Sue Daugherty was also talking about this as well, was (3), being the detached unit where someone could live on their own. The other two seem like remodeling jobs, which are currently against code. Mr. Lasko said with options (1) and (2), the thought would still be that it would be a separate dwelling unit with a separate address for a separate tenant, such as a duplex. Mr. Hagy said there are a lot of those in R-2, but they would not be allowed in R-1. Mr. Hagy said the person who asked him about this is in Oklahoma right next door to somebody who has outside stairs that go upstairs, and it is a separate address. Mr. Lasko said it may be there because it is grandfathered in. There may be a few stragglers that were in existence prior to the current code. Mayor Tapp added that for those places, if they are vacant for a year, they would lose that grandfathered status.

Mr. Waters continued to explain his interpretation of the current zoning ordinances for each of the residential districts. In R-1/R-1A, the separate detached ADU would not be allowed. They may be allowed in R-2 or R-3 as a two-family dwelling or as apartments under the definitions within the code. Mr. Hagy asked what, “may be allowed” means – is there more research that needs to be done or are you saying it is allowed in R-2 and R-3. Mr. Waters answered that he believes it is allowed in R-2 and R-3, but he would like to do more research on that topic, specifically because there are different definitions for ADUs, and one definition was something called a “dwelling group.” It would be two separate units that share a

courtyard or the same yard. That would fit under the ADU definition or premise they are going under. However, that might conflict with some other definitions that are within the code. The code may have to be modified to make these more consistent. From the research he has done to date, he believes R-1 and R-1A would not allow detached ADU. If Council does not intend to allow ADUs – and that would depend a lot on what the public thinks and holding public hearings – in all districts, or just in R-1 and R-1A, they may want to consider some amendments to the code for dwelling groups and the other definitions of ADUs.

Mr. Waters referred Council to the handout for a list of things to consider if Council is considering allowing ADUs in R-1 and R-1A (see Exhibit A). They looked at code sections from other cities (Cincinnati, Lakewood, Dayton, Bowling Green). Some of these cities allow them and they have special code sections that relate to each one. The list on the handout includes some of the considerations that he thought were important for detached ADUs, or if they wanted to get ahead of the curve for the R-2 and R-3 districts. Regarding the landowner having to live on the lot, there are some good reasons for requiring this because they then have a stake in the game, and they are not going to rent to someone who is not good for the neighborhood. Do you include a civil penalty and/or revoke the ADU permit if the property owner moves out of the primary residence? Can you rent for somebody for a month, or a day or week, or do you want to require a long-term rental. Mr. Hagy asked why that wouldn't fall under the existing transient rental code. Mr. Waters said it might not be separate if it applies, but you want to make sure it applies. If you are cross-referencing all these different ordinances, it could get messy.

For a detached ADU, the form and structure of the outside of it must look like the primary residence; it can't be something totally different. They have a process where you submit plans, and it must be approved as to aesthetics. If ADUs are determined to be allowed in R-1 and R-1A, and maybe even include the R-2 and R-3, it should be included in a separate code section, so everyone knows where to look to find all of the regulations.

Mr. Dike asked what the lot size minimum is for the City of Huron. Ms. Gibboney answered that it is 9,000sf. How the lot is laid out does not matter, if it has frontage of at least 70' in R-1. Mr. Dike said they should be very protective of R-1. They have a lot of great neighborhoods, and he thinks transient rentals hurt some of those neighborhoods. He thinks it's a bad look. In his neighborhood alone, there were a few transient rentals, but they are not doing them anymore. Moving forward, you are going to see every person come up with something creative to where they are going to make an extra \$500-\$600 renting to someone, and that is just putting more load onto our services. For example, the Zoning Department – who is going to go out and be the jerk... or the police. We should be very conscious of doing anything in R-1. In R-2, R-3 and B-3, he doesn't see any issues with it.

Mayor Tapp said if they decided to allow an ADU in R-1, then it basically turns it into an R-2. For a family member, or to take care of your parent, he is all for it. However, once that place is there and these people either pass away or go into a nursing home, he really can't see a person sitting on that without trying to make money on it. That brings up regulation and trying to enforce this. Allowing it in R-1 because you can't do one place and not to everybody – you couldn't spot zone it. In R-2 or R-3, you can already do that, although you may have to tweak some of the regulations under our codes. You are confined to certain districts that are R-2 and R-3. Per our cap of 165 for transient rentals, these ADUs couldn't be used for that legally, unless they were registered.

Mr. Hagy said these are all considerations they must take into account. He is not a residential zoning expert, so he doesn't know if he should be making a motion to have legislation written and it is passed by

the Planning Commission, but that we make a proposal that all of these are taken into consideration. He agreed that you must consider all of the things listed on the handout (Exhibit A), but what's the next step? What is the administration looking for from Council?

Mr. Lasko answered that this wasn't something the administration brought to Council; Council wanted them to do some investigative work. He would have to put it back on Council. They are willing to investigate further – whatever the prerogative of the majority of Council may be. He doesn't think they are going to answer every question tonight. The question for Council is, is there more you want from staff and our legal team, even if there's not consensus. For example, if this is something Council would want to do, but only in R-2, R-3 and maybe some industrial districts – staff could take the first stab with SSEG to come up with what they think are reasonable lot coverage requirements, lot sizes, setbacks, etc. That would then have to be vetted. The question is, at what point do you bring the community into this, public hearing or otherwise? When he started here, they were near the tail end of the transient rental stuff. This isn't identical, but it's along the same vein and there was a lot of community engagement. He wants to be sensitive to making sure the perception isn't that Council is getting ahead of the community. Staff is willing to do whatever Council wants. If there is at least some modest consensus on a few things Council wants them to further investigate or come up with some thoughts, they could do that for a couple districts. Mayor Tapp said that in R-2 and R-3 they know what the code is right now as to what's allowed now. There are issues in Huron due to lot sizes, and sometimes variances are needed. His property is zoned R-2 with 3 acres. He could add an ADU, but he would still need a variance because he only has 30' of frontage. It depends on several different factors. If they knew what the setbacks, building size, square footage minimum, etc. in R-2 and R-3...

Mr. Hagy said if it's already allowed in R-2 and this body only wants to allow it in R-2, then there's no action necessary here. Mayor Tapp said the action would be, if they decide that although it is allowed under our code, they may want to look at different setbacks or building size, etc. Mr. Hagy said if it's already allowed, then all of that is already figured out. Ms. Daughterty of Serving Our Seniors mentioned that she would like the City to consider releasing some of those conditions on certain property. Mr. Artino suggested that a small task group get together to work with Ms. Gibboney and our Law Director and come back with... he understands all of the concerns, and he agrees that R-1 would be out (in his opinion). Even though we have regulations around R-2 and R-3, we may not want to allow a prefab, for example. However, we already have prefabs in Huron – we have modular homes now. Mayor Tapp said that is true, but those are on footers and are permanent structures. Mr. Artino continued, all of that would have to be taken into consideration. They would have to distinguish between shipping containers/tiny homes vs. what is already allowed.

Mr. Hagy said, if R-1 is out of the question – we haven't voted, but it sounds like it is out of the question – I would pull my request to even look at it. If we are only going to do it in R-2 and it's already allowed in R-2, he doesn't think we need to do a deep dive. He is sure there have already been requests. It's completely legal by code, and he is sure people are doing it. He pushed back on the notion that it's not allowed in R-1 because these are people that are asking to have a place for their elderly parents. If you live in R-2, you already have multi-family dwellings, so rent another unit to get your parents closer. This was the essence of why he brought it up, so that people who can fit the requirements (which they haven't established yet, but this is a good list of things to consider), could put an ADU in their backyard to help elderly parents/family. He doesn't know why they would need to deep dive if it's already allowed in R-2. If they want to deep dive and make tweaks like 3' setback instead of 10', he would send that to the Planning Commission and let them consider restrictions, but it's already legal, so there is no reason to have this discussion.

Mr. Lasko said it sounded like even if it's potentially allowed, there is probably a lot of gray areas, so he thinks, minimally, there should be some cleanup and more specificity for R-2 and R-3, even if nothing is really changing. His guess is that there are some unanswered questions. Mr. Hagy agreed but said that is not what he's talking about.

Mayor Tapp asked if the person asking to add an ADU is in R-1, to which Mr. Hagy answered, yes. It is an existing garage they want to add plumbing, a kitchen, and a bathroom. We have a housing crisis for elderly people, and we have an opportunity to make an impact on that. He is not worried about transient rentals because we have a limit. If a lot is too small per whatever Council would come up with, the answer is no because your lot must be a certain size to add a structure. Mayor Tapp said that if you put a second family in an R-1, it is automatically an R-2. Mr. Hagy said they could require that it must be a family member. He asked if he could make a motion to move forward with the additional research, but include R-1, so that if they then go around and vote and it gets shot down, the issue is over with. Aside from people that want to make tweaks to the existing legal capability to do it in R-2, this topic would be over.

Mr. Biddlecombe said several neighborhoods have homeowners' associations. If Council did a blanket ordinance that covered all of the R Districts, including R-1, could one of the neighborhoods that has an HOA decide to not allow that? Mayor Tapp answered that it does for transient rentals. It all depends on how strong your HOA is. Mr. Biddlecombe said if they look at R-1 as well, if there are neighborhoods out there that absolutely don't want it, they could do something about that. Mr. Hagy said he would imagine that's the case. If a neighborhood says no, and that is legal, then the person who is calling him can call the HOA instead. The City may say it is allowed, but the HOA can override that. Mr. Artino said that he believes requests for the ADUs would primarily come from R-1s. If someone has a room upstairs in the garage, or something like that, he thinks they can take a look, but he still thinks we need to have someone take a look at these and come back with more information. Mayor Tapp said he thinks it would open a huge can of worms for R-1. Mr. Biddlecombe asked what the difference is between R-1 and R-1A. Mr. Claus answered that R-1A is, basically, Rye Beach with the smaller lot sizes. They have smaller setbacks and a few other requirements that are less restrictive. He believes that several other neighborhoods would probably never qualify – Old Homestead, Chaska Beach, Old Plat – because they probably wouldn't have big enough yards even if they allowed something in R-1. It would be a pretty limited number of potential locations.

Mr. Hagy said he is proposing that they do more research and include R-1. He doesn't know if they can do a motion, or not, but the reason he asked if they can do a motion is that if the majority of Council says no to R-1, then let's quit talking about it. He will quit bugging them and sending emails – he will shut up. Mayor Tapp asked if they can do the research to get more information. Mr. Hagy asked what information they are looking for. The considerations are on the handout... he would like to see a best practice example from Lakewood or other communities. It sounds like Lakewood is very conscious of the look/aesthetic – that's a great place to start. However, if this body doesn't want to do it in R-1 and that's kind of a done deal, let's quit talking about it. Mr. Dike said he would like to see a zoning map. Ms. Gibboney answered that it is on the Planning & Zoning page under FAQs. Mr. Dike said he thinks that is something all of the Council members should look at, just so they know where all of the R-1s and R-2s are located. Because he thinks it is going to open a whole can of constant complaining, he will vote no to allow ADUs in the R-1 District. He thinks it is going to be way too much... think about Chaska Beach, someone puts their in-laws right next to somebody else... they are just going to complain all of the time. How do you police it? Mr. Hagy said they've got them already, and he doesn't think anyone has complained. That's why he is trying to see what the consensus is because if 4 people feel the way Mr. Dike does, there is no reason to talk about this. It is already legal in R-2, so there is no reason to dive into that unless you want to brush it up

a little bit. If people in R-2 came to the City now and said they want to build a structure or convert an existing structure for their parents, they can already do that – there's no reason for them to dive into it. Mayor Tapp agreed that R-1 is the biggest question. He is not a fan of the R-1 because he thinks that policing that after the fact would be a nightmare and couldn't spot zone. If you open it up for one person, you must open it up for everyone. Mr. Hagy said that as long as you meet the requirements. If you are on a 60x60 lot like they have in Chasko, you probably wouldn't be allowed to do it just because there is not enough space. If you purchased 3 lots and you have a 180x60, you probably could fit the requirement. It seems to him that the question before this body is, do we want further research, and if we do want further research on this, it means it would apply to R-1 because there's no research needed for R-2 because it's already legal.

Mr. Lasko said staff and SSEG will investigate whatever the prerogative of Council is. Mr. Hagy asked again if he can make a motion, or can they go around and raise their hands and not make a motion? Mr. Biddlecombe said he could make the motion during the For the Good of the Order portion of the regular meeting. Mr. Hagy said he doesn't know if it would be prudent to ask for more research at this point, because his sense is, without a vote, that there is resistance to doing this in R-1. Staff is looking for us to tell them what it is we want them to do, and he is saying that he doesn't know if they can tell them what they want them to do because he doesn't think it's going to be more research if there isn't enough support for it, but he could be wrong. He would want to say, this is exactly what I want, not more information about considerations, although they are valid. Mr. Lasko said the good news is that if there is a majority that wants more research or best practices, his guess is that in a lot of the cities where this is permitted (Lakewood, and they are considering it in Cleveland Heights, Dayton and Cincinnati), his guess is that those are pretty dense areas and they have probably come up with some ways to think of it creatively. At the end of the day, it comes down to whether there is a simple majority of Council that wants them to spend the time. If there are folks that are just adamant against allowing ADUs in R-1... he can see arguments on both sides.

Mayor Tapp said Mr. Hagy should make a motion during the regular meeting asking for criteria from other cities, and he would probably get his answer then.

Motion by Mr. Biddlecombe to adjourn the work session.

The Mayor asked if there were any questions on the motion. There being none, the Mayor directed the Clerk to call the roll on the motion. Members of Council voted as follows:

YEAS: Biddlecombe, Artino, Tapp, Dike, Hagy (5)

NAYS: None (0)

There being a majority in a favor, the motion passed, and the work session was adjourned at 6:22pm.


Terri S. Welkener, Clerk of Council

Adopted: 08 APR 2025

Accessory Dwelling Units (“ADUs”)

General Types:

1. Constructed within a primary residence
2. Added onto and attached to the primary residence
3. Detached from the primary residence

Current Legal Status

1. R-1
2. R-1-A
3. R-2
4. R-3

Considerations if NOT desired

- Current legal status
- Possible amendments to current code sections

Considerations if desired

- Public hearings
- Permitted districts
- Separate entrance, kitchen, bath, etc.
- Lot size minimum
- Lot coverage max %
- Max number per parcel
- Setbacks
- Max size, height and sq. feet (and relative to primary residence)
- Permanent structure required
- Off-street parking requirements
- Separate utilities/address
- Transient vs. long-term rental requirements
- Owner-occupied primary residence, civil offenses, revocation of permit
- Application/permitting/registration process and internal department forms and guidelines
- Approval process – Planning, architectural review board, zoning, building
- Possible new code section and amending current code sections