

THE CITY OF HURON, OHIO
Proceedings of the Huron City Council
Work Session of Tuesday, June 10, 2025 at 5:30pm

Call to Order

The Mayor called the Huron City Council work session to order at 5:30pm.

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

Continued Discussion on Accessory Dwelling Units (ADUs)

Mr. Hamilton thanked John Zimmerman and Tammy Boos for taking the time to join us. They have a wealth of information relating to planning, zoning and building, and their opinions will be valued. Staff understand the desire to create ADUs. Anytime they touch any section of the code, it reverberates throughout the code, so this is no small lift. Staff have met multiple times to go over this. They do not recommend doing ADUs in an R-1 District, at minimum. As soon as you put an ADU in an R-1, it becomes an R-2 for all intents and purposes. We would break all the zones within the City. You would not be allowing R-1s to become R-2s, so therefore everything should just be zoned R-2.

If Council decides they want to move forward with looking at ADUs tonight, and going forward, staff recommends that it be restricted only to R-2. Then the next step would be to put together a steering committee of residents and HOAs, because HOAs are the ones who are going to have the biggest feedback. If it makes it through the steering committee, then it still must go to the Planning Commission before it returns to Council for further consideration. There are a lot of hurdles and processes going through this. Staff are not a big fan of this, in general, but they are interested to see what Council thinks.

Mr. Waters referred to two handouts provided to Council. One is a chart of Ohio cities that have or were discussing ADUs. The second handout is an outline of what guidance they would need to draft legislation. Copies of these handouts are attached hereto as Exhibits A and B and incorporated herein. Referring to the chart, Mr. Waters said that Lakewood was one of the first cities to adopt ADU's but does not allow them in R-1. Some of the other cities are only conditionally permitted (Yellow Springs and Westerville). In the highlighted area, Cleveland Heights, Dayton and Columbus have also considered ADUs, but have not yet adopted legislation. Of the other cities that considered and adopted ADU legislation, only 3 allow it in R-1. Huron is listed as allowing ADUs in R-2 and R-3. There is an obvious difference between attached and detached. In R-2, Huron allows it for a 2-family dwelling, but there is a question about detached in R-2 right now, and if any legislation went forward there is a dwelling group (2-4 single-family units sharing a yard space). ADUs would have to be differentiated from those in some way.

Another consideration is the definition of what an ADU is. They are limiting it to a single-family dwelling that has complete independent living spaces (these are just recommendations). Their comments are in italics. The dwelling must be located on the same lot as another single-family dwelling. An ADU cannot be built on an empty lot – the principal building must already be in place. They recommend that it is a single-family dwelling and therefore, by definition, it is detached. Anything attached would just be a 2-family dwelling.

A proposed new code section (1126.20) would include all these regulations to either define it separately from single-family dwellings and accessory dwelling units. Some of considerations listed include: (1) one ADU per lot (regardless of lot size, other than minimum and maximum lot sizes) ...

Mr. Zimmerman stated that this would only be available in R-2 (not R-1). Mr. Claus answered that it is all on the table right now, even though staff is suggesting no ADUs in R-1. Mr. Zimmerman said it is already allowed in R-2 (detached). Mr. Claus said the term ADU is specifically used in the current code. That would be a minor change to the code. Ms. Boos said if they already had a duplex, they could add an ADU to the property. Mr. Hamilton added that by putting this in R-2 and R-3, if that is where they end up doing it, they would create a new type of building. The whole point of an ADU is to have it be small and more affordable. Yes, it is currently allowed in R-2 and R-3, but does Council want to create this new category of dwelling. It changes from having a 2-family dwelling to a 1-family dwelling and an ADU or just leave it as a 2-family dwelling. You would be creating a whole new category of building type. Mayor Tapp asked what the maximum square footage is on an R-2 second home. Mr. Zimmerman believes it is 854sf in one story (minimum) – that would have to be amended to make it smaller (around 700sf).

Mr. Claus said if you already have a duplex in an R-2, can you add an ADU that would actually make it a 3-family, or are we saying that in R-2 where they only have a single house (such as in Old Plat), they could add a separate ADU and still be in compliance with R-2. Mr. Hamilton commented that this takes us back to how many times we touch different portions of the code here. If they decide to create this new dwelling type, they are going to have to put all the setbacks in there, lot coverage, maximum square footage, etc. ... do they allow ADUs on top of a 2-family dwelling. That all needs to be written into the code if it is decided to add the ADUs. Mayor Tapp said that he is concerned with the percentage of the yard that is used because a lot of those yards are pretty small – I don't think a lot of those are going to hit 35%.

Mr. Zimmerman stated that anytime they do anything to the code, he looks at enforcement. He thinks this would open a can of worms and would be a nightmare to try to enforce. When mom and dad are no longer there, can they rent it, is it going to become a transient rental, etc.? Mayor Tapp agreed, saying enforcement would be huge, and he is not sure how you would know who is living there now (they could claim it is a cousin, etc.). Mr. Claus added that if was put in the code that it had to be a family member, that it would be difficult to enforce that. What is the definition of a family? Ms. Gibboney commented that they don't currently have a mechanism to address that. They don't get notices when people move in or out of any home. There is no way for them to know if a family member is living there are they are renting it long-term. The only thing they could regulate is knowing that it can't be a transient rental if Council prohibits that. Mr. Schrader added that there would not be separate PPNs, but they would need a separate address. Ms. Boos said you would have to do a yearly checkup. Ms. Gibboney said they don't have the staffing to do that, nor do they have the tools to do that. Mr. Hamilton said as they go through this, the only way they would be able to manage this is when they submit their plans and check the ADU box, they would have to comply with those regulations. After it is built, staff would be done apart from checking on transient rentals. There is nothing else for staff to check. They can't check who is living there and how long they are living there. All they can do is check if someone reports it is being rented. You would not be able to sell the ADU separate from the primary residence, and it cannot be built on its own lot. Mayor Tapp said that if a parent(s) passes away, it is likely the property owner is not going to just let the building just sit there – it would be a rental, which is allowed in R-2. The only difference he sees is the 700sf vs 850sf. Mr. Zimmerman said while it is currently allowed in R-2, you must have separate yards for each unit. Mayor Tapp and Mr. Zimmerman both agreed that an ADU should not fall under an accessory building. If it's R-2, you can do it today if you meet all the requirements. Mr. Claus said that in Old Plat

there are a bunch of garages with apartments above them, not all of which are being rented. Mr. Zimmerman said they could run into trouble if someone has one of these things and his fourth cousin wants to rent it. We can't even go on the property without their consent. Mayor Tapp said that the ADU would have a separate address and separate utilities, which existing garage apartments do not currently have. They would also require more off-street parking (minimum of 2). A 700sf unit could be a 2-bedroom if it includes living area, kitchen(ette) and bathroom. The Building Code (which Mr. Zimmerman does not want the City to mess with) requires a certain size for each room, along with certain window sizes, etc. The address is important for 9-1-1 purposes, as is off-street parking. He just doesn't know who the City is going to get to do the enforcement because you just can't walk onto someone's property. If they get a complaint that there is somebody living in an ADU for less than 30 days, you must get permission from the person who owns the property.

Mr. Artino said if you are in R-1, you can still add a mother-in-law suite either within the existing floor plan or addition. There would be no separate address.

Mr. Waters said a lot of this goes to what the definition of an ADU is. If there is a principal building that is a single-family residence, then you cannot put it on a lot that already has a double. A lot of what they touched on in the handout is based on the inability to enforce or problems that would arise when people violate the code. If you put more requirements in here, such as owner-occupied, how would you enforce it? When it is R-1, if you can even enforce it, you would have another problem with neighbors and complaints.

Mr. Waters, referring to page 2, any detached unit would require a separate entrance. With an in-law suite, you would not need a separate entrance. They would need guidance on lot size requirements – what's the minimum/maximum.

Mr. Hagy suggested that, to save time, if everyone agrees that we don't do it, can we just make a motion and then we can be done? Mr. Schrader answered that because this is a work session, Council can just decide that if it's not something they want to pursue, they could decide to not go any further. Mr. Artino said he thinks it is good for them to have this discussion, in public, so that our citizens know what they went through, and they didn't just brush it off – he thinks this is a good session to have. Mr. Hagy countered that they are now discussing something they are already permitted to do in R-2 and R-3. Mayor Tapp added that their current discussion is about changing the requirements for ADUs in R-2 and R-3. Mr. Hagy said nobody is talking about R-1 anymore – this is over. He just thought he would help cut to the chase.

Mr. Hamilton stated that an ADU, as they are looking at it right now, is not allowed in an R-2. They are looking at shrinking footprints, restricting heights, and other changes. There is a lot of stuff to look at. The way it is currently being looked at is not allowed in R-2. Multi-family, but a specific ADU is not – it would just be another building. Mr. Hagy said he brought this up initially, so he feels guilty now that they are sitting here for an hour talking about the two small R-2 areas in the City as the specifics about what an ADU would look like. I think that could be taken care of by the Planning Commission or people who are in-depth with square footage and all that stuff. He brought this up as an idea for R-1 so that instead of just 2 little pieces of the City, they could do it in a broader scope. He said that he is reading the room, and this isn't happening. They can take a little time, but in government the easiest answer is, "No." Let's just get to that "No" and move on with our lives.

Mr. Schrader said that at such time Mayor Tapp is ready to adjourn this meeting, it would be recommended that if there is any vote taken at all, that it be done by motion at the Council meeting that they are going to forego any further consideration of ADUs if that is the prerogative of the body.

Motion

Motion by Mr. Dike to adjourn the work session.

The Mayor asked if there are any questions on the motion.

Mr. Claus asked if Mr. Hagy doesn't even want legal counsel/Planning Commission to look any further into adjusting R-2 or R-3. Mr. Hagy said no, he thinks that is a great idea; he just knows that he is not qualified to talk square footage or setbacks. He thinks it's a great idea to do it in R-2; I think it's a great idea to do it in R-1, but that ship has sailed. Mr. Claus said if they adjourn without any discussion about whether there should be more discussion in R-2 to decide as what things must be changed, they should say that ... or they could just drop the whole thing.

Mr. Hamilton said the next step, if Council did decide to go look at it in R-2, it would still go through some sort of steering committee because to allow these in some of the R-2 neighborhoods, which would involve HOAs and residents alike ... this likens to the transient rentals to him. He thinks the more public input you get, it could save you going up and down that path. In the end, that's Council's prerogative.

Mr. Dike asked how many transient rentals are in R-1. Ms. Gibboney stated that most of the 165 transient rentals are in R-1. There is one property that in I-2 (grandfathered in) and there are few in B-2 and B-3 that allow residential. Mr. Zimmerman said those transient rentals encompass the entire building; it is still single-family. Mr. Claus said anything in the Old Plat would be R-2. Ms. Gibboney stated that only portions of Old Plat are within R-2. There are also R-3s in there. Ms. Boos said she feels there is a need for this, but she just doesn't know how to do it. Parents are aging and they are having kids; I don't know how you would do that in R-1. We talked about that in Huron Township. Mr. Hagy said he never said it would be easy. Mr. Boos said they could investigate decreasing the minimum house size for R-2. Mr. Zimmerman commented that Huron Township has a lot larger lots, probably double the size of those in the City. Even so, they think it would be a nightmare for them, as well, in R-1.

Mr. Biddlecombe said that if they did this in R-2, shrinking the dwelling size to make it work and you have a new address, would that then bump up to where it legally allows for more transient rental licenses. Mr. Schrader answered that the ADUs would be restricted from being used as transient rentals. Mr. Claus said the point is not to get more transient rentals. They would be long-term rentals only. Mr. Hamilton added a word of caution that some of the legislation that is in Columbus right now may not allow cities the ability to restrict that at some point in the future. Mayor Tapp commented that with that worst-case scenario, they may wish that they had only 165. Mr. Claus said that it wouldn't change if they didn't allow transient rentals at all in a zone. Mr. Hamilton answered that with the proposed legislation, the city could not restrict transient rentals at all. Even homeowners' associations would have no say in the matter.

Ms. Gibboney said the next step would be to take it to the Planning Commission and they would look at all of these things our legal counsel is proposing. They would have to define these and give the recommendation to Council.

Mr. Artino thinks that based on what was just brought up about what the State is looking at, he doesn't think they should entertain any changes until they hear from them. They may squash every effort put into it. Mr. Hamilton stated that if someone does create a motion at the City Council meeting, please decide if you would rather this go to a steering committee next, or if you would rather punt it straight to the Planning Commission if you decide to move ahead with the R-2.

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

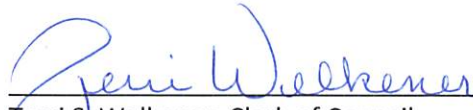
YEAS: Dike, Biddlecombe, Artino, Claus, Dike, Grieves, Hagy (6)

NAYS: None (0)

There being a majority in favor, the motion passed, and the work session was adjourned at 5:59pm.

22 JUL 2025

Adopted: _____



Terri S. Welkener, Clerk of Council
(prepared from audio recording)

1. RELEVANT DEFINITIONS

“Electric bicycle”

a “class 1 electric bicycle”, a “class 2 electric bicycle”, or a “class 3 electric bicycle” as defined below – 301.04(c) and ORC 4511.01(SSS).

Class 1 – a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty miles per hour;

Class 2 – a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that may provide assistance regardless of whether the rider is pedaling and is not capable of providing assistance when the bicycle reaches the speed of twenty miles per hour;

Class 3 – a bicycle that is equipped with fully operable pedals and an electric motor of less than seven hundred fifty watts that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of twenty-eight miles per hour.

“E-scooter”

an electric scooter consisting of a long steering handle connected to a footboard that is mounted on two wheels and is propelled by an electric motor (or another type of motor), designed such that the rider is able to keep both feet on the footboard while traveling. Does not include a “motor scooter,” “motorcycle,” or “non-motorized scooter” – 301.04(d) no ORC equivalent.

“Electric Personal Assistive Mobility Device”

a self-balancing two non-tandem wheeled device that is designed to transport only one person, has an electric propulsion system of an average of seven hundred fifty watts, and when ridden on a paved level surface by an operator who weighs 170lbs has a maximum speed of less than 20 miles per hour (*segway-type device?*) - 371.12(e). Is not a “vehicle” – 301.51. and ORC 4501.01(TT)

“Low-speed micromobility device”

a device weighing less than 100 pounds that has handlebars, is propelled by an electric motor or human power, and has an attainable speed on a paved level surface of not more than 20 MPH when propelled by the electric motor. (*low powered e-scooter or electric bicycle?*) – 301.183 and ORC 4501.01(WWW).

“Motor vehicle”

every vehicle propelled or drawn by power other than muscular power. Excludes many vehicles including motorized bicycle, electric bicycle, e-scooter, etc. – 301.20 and ORC 4511.01(B) (*similar and does not include “e-scooter” in the exclusions*).

“Paths Exclusively for Bicycles”

a path having a sign giving notice that the path is set aside for the exclusive use of bicycles – 331.44 (a)(1) and ORC 4511.713.

“Shared Use Path”

a bikeway outside the traveled way and physically separate from motorized vehicular traffic by an open space or barrier and either within the highway right-of-way or within an independent alignment. A shared-use path also may be used by pedestrians, including skaters, joggers, users of manual and motorized wheelchairs, e-scooters, and other authorized motorized and non-motorized users. A shared-use path does not include any trail that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use – 301.361 and ORC 4511.01(PPP) (*similar but uses “physically separated...” and does not mention “e-scooters”*).

“Sidewalk”

that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians – 301.37 and ORC 4511.01(FF).

“Vehicle” - Huron Code 301.51

every device, including a motorized bicycle, an electric bicycle, and an e-scooter, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, other than a bicycle, that is moved by human power. (*i.e. excludes skateboards, foot scooter, rollerblades, etc.*) (*Conflicts with ORC 4511.01(A) with respect to “low-speed micromobility devices”, which are excluded as “Vehicles” in the ORC – see resulting issues below relating to bike paths – Recommend changing definition to exclude “low-speed micromobility devices”*)

"Vehicle" – ORC 4511.01(A)

every device, including a bicycle, motorized bicycle, and an electric bicycle, in, upon, or by which any person or property may be transported or drawn upon a highway. "Vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, any low-speed micromobility device, any personal delivery device as defined in section 4511.513 of the Revised Code, any device that is moved by power collected from overhead electric trolley wires or that is used exclusively upon stationary rails or tracks, or any device that is moved by human power (*does not include “e-scooter” in definition*).

2. ALLOWED USE LOCATIONS:

Sidewalk

- Pedestrians – 302.39 (by definition)
- Bicycle – 331.37(a) and **ORC 4511.711(A)**
- Electric bicycle if motor is not engaged - 331.37(a) and **ORC 4511.711(A)**
- Electric Personal Assistive Mobility Device - 371.12(a) and 331.37(a) (*because this device is not a "Vehicle" under 301.51*) and ORC 4511.512
- Low-speed micromobility device – 371.14 and ORC 4511.514 (*conflicts with 331.37(a) and ORC 4511.711(A), which prohibit all vehicles on sidewalk except bicycles and electric bicycles without motor engaged – recommend allowing "low-speed micromobility devices" on sidewalks*).

Street

- Every vehicle
- Bicycle – 373.07 and ORC 4511.55 (*implied*)
- Electric bicycle - 373.07 and ORC 4511.55 (*implied*)
- E-scooter - 373.07 (*implied*)
- Electric Personal Assistive Mobility Device - 371.12(a) and ORC 4511.512
- Low-speed micromobility device – 371.14(a) and ORC 4511.514

Paths Exclusively For Bicycles

- Bicycles - 331.44 (a)(1) and ORC 4511.713 (*by definition*)
- Class 1 & 2 Electric bicycles - 373.11(a) and 331.44 and ORC 4511.713 (*o.k. to use here because not a "motor vehicle" under 301.20 or ORC 4511.01(B)*).
- Class 3 Electric bicycles but only if the path is within or adjacent to a highway - 373.11(a) and ORC 4511.522(C)(2)
- E-scooter – 331.44(a)(2) (*Conflicts with ORC 4511.713 – which prohibits motor vehicles on these paths – because e-scooter is not excluded as a "motor vehicle" under 4511.01(B) – recommend more discussion on how to resolve*)
- Electric Personal Assistive Mobility Device - 371.12(a) and ORC 4511.512 (*conflicts with 331.44 (a)(1) and ORC 4511.713 because all motor vehicles are prohibited – can't change ORC, so conflict here and there will persist, needs more discussion*)
- Low-speed micromobility device – 371.14 and ORC 4511.514 (*not clear because it says "on any portions of roadways set aside for the exclusive use of bicycles" – Recommend amendments to allow "low-speed micromobility devices" on bike paths*)

Shared Use Path

- Pedestrians – 301.361
- Bicycles – 301.361 (*inherent in definition*)
- Class 1 & 2 Electric bicycles - 373.11(a) and ORC 4511.522(C)
- Class 3 Electric bicycles but only if the path is within or adjacent to a highway - 373.11(a) and ORC 4511.522(C)

- E-scooters - 301.361
- Low-speed micromobility device – 371.14(a) and ORC 4511.514

3. ENFORCEMENT OPTIONS:

Impounding

- Avon Lake Proposed Ordinance

“474.09 - Whenever any bicycle, electric bicycle or motorbike is operated by any minor under the age of 18 years, in violation of any of the provisions of this chapter, such bicycle, electric bicycle or motorbike **may be seized** by any member of the Police Department and impounded in the Municipal Building. The bicycle, electric bicycle or motorbike so impounded **shall be surrendered to the parent or guardian** of the minor without charge, after a full explanation to such parent or guardian of the reason for impounding of the bicycle, electric bicycle or motorbike. The remedy of impoundment shall be in addition to penalties provided in §§ 408.01 and 408.02 for violations of any of the provisions of this chapter.

- Consider adding “e-scooter” to this code section if adopted in Huron.

4. EDUCATION:

- Schools
- Churches
- Other groups