

City of Huron  
Agenda for the Planning Commission- Special Meeting  
Wednesday September 9, 2020 – 5:30PM

- I. Call to Order**
- II. Roll Call of Planning Commission**
- III. Adoption of the Minutes**  
  
N/A
- IV. Public Hearing**  
Proposed Amendment to Section 1125.02 (B-2-Zoning District) to include residential use.
- V. New Business**  
Amendment to section 1125.02 (B-2 Zoning District) to include residential use. Recommendation to City Council.
- VI. Adjournment**



**TO:** Chairman Boyle and Members of the Planning Commission  
**FROM:** Doug Green, City Zoning Administrator  
**RE:** Public Hearing: Amendment to Section 1125.02 (B-2 District)  
**DATE:** August 31, 2020

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**Subject Matter/Background:**

This item was on the August 26, 2020 agenda for discussion at which time the Law Director advised that a Public Hearing at the Planning Commission level was recommended. Members accommodated a special meeting for a Public Hearing to be held on September 9, 2020 at 5:30p.m.

Legal Notice of the Public Hearing was published as required and agenda packet posted to the City Website.

*History*

Consideration for an amendment to Section 1125.02 (B-2 District) to include residential uses which are currently prohibited within a B-2 District. This proposed amendment has been forwarded to the Planning Commission by City Council for a recommendation.

A local business owner, located in a B-2 District, has exhausted all avenues to allow for residential at his location including: rezoning the parcel from B-2 to B-3 which the Planning Commission and City Council did not support and most recently, the BZA heard the case for a use variance to allow for residential which failed to pass by a 2-2 vote (3 votes required for passage). As a final effort, the applicant has asked City Council to consider allowing residential in a B-2 if they so desired. At their regular meeting of August 11, City Council referred the matter to the Planning Commission for recommendation.

**Project Description:**

Proposed amendment to B-2 to include residential use as an allowable use, similar to the way B-1 reads, by allowing residential usage as regulated in the least restricted adjoining residential district.

There are two areas within the city that are currently designated as B-2: The area immediately surrounding the Boat Basin along Main St. and a small area along the East side of Main St South of Bogart Rd consisting of 5 parcels containing a cemetery, a car wash, a drive-through, a veterinarian's office and a residence(existing non-conforming).

If the Planning Commission makes recommendation to amend 1125.02 to include residential uses, draft legislation will be prepared by the Legal Department for Council consideration and adoption following the required Public Hearing at the City Council level.

**Staff Analysis:**

The request for consideration is properly before the Planning Commission for review, discussion, and recommendation to City Council.

### **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:

<b>Lot Areas</b>	<b>Frontage</b>	<b>Front Yard Depth</b>	<b>Side Yard Width</b>	<b>Rear Yard Depth</b>
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, **except residential**, 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.

(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.)





-B-2

-B-2

WILLIAMS  
HUBBARD  
CENTER  
HARRISON

Foot Spa  
Garage  
Hog-Off  
H.V.C.  
H.V.L.  
Cemetery  
Car wash  
Investment  
VETS