

**ORDINANCE NO. 2018-12**

**AN ORDINANCE AMENDING SECTION 1121.04-DEFINITIONS, WITHIN CHAPTER 1121-DISTRICTS ESTABLISHED; BOUNDARIES; GENERAL REGULATIONS, OF THE PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF HURON.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

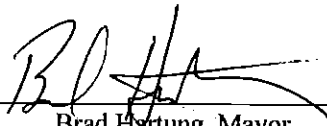
**SECTION 1.** That Section 1121.04-Definitions, within Chapter 1121-Districts Established; Boundaries; General Regulations of the Planning and Zoning Code of the Codified Ordinances of the City of Huron **WHICH CURRENTLY READS AS FOLLOWS:** (refer to Exhibit "A" attached) , shall be and hereby is amended.

**SECTION 2.** That, Section 1121.04-Definitions, within Chapter 1121 Districts Established; Boundaries; General Regulations of the Planning and Zoning Code of the Codified Ordinances of the City of Huron is hereby amended to read as follows: (refer to Exhibit "B" attached)

**SECTION 3.** Codified Ordinance Section 1121.04-Definitions, as existing prior to the adoption of this Ordinance shall be, and the same hereby is, repealed.

**SECTION 4.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. 121.22.

**SECTION 5.** This ordinance will take effect thirty (30) days following adoption.

  
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Brad Hartung, Mayor

ATTEST:   
Clerk of Council

ADOPTED: 26 JUN 2018

**1121.04 DEFINITIONS.**

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the Zoning Ordinance. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; "building" includes "structure"; "used" includes "arranged, designed, constructed, altered, converted, rented, leased" or "intended to be used". "May" is permissive; "shall" is mandatory.

- (1) "Accessory use or structure" means a use or structure subordinate to the principal use of a building or to the principal use of land and which is located on the same lot serving a purpose customarily incidental to the use of the principal building or land use.
- (2) "Agricultural" means the use of land for agricultural purposes, including farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating and storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals or the commercial hatching, breeding, raising or feeding of poultry, cattle, sheep or swine.
- (3) "Alley" or "lane" means a public or private way not more than thirty feet wide affording only secondary means of access to abutting property.
- (4) "Apartment" means a room or suite of rooms in a multi-family building arranged and intended for a place of residence of a single family or a group of individuals living together as a single housekeeping unit.
- (5) "Apartment, efficiency" means a dwelling unit in a multi-family building, consisting of not more than one habitable room, together with kitchen or kitchenette and sanitary facilities.
- (6) "Apartment house". See "Dwelling, multi-family".

- (7) "Automotive repair, major" means repair of motor vehicles or trailers, including rebuilding or reconditioning of engines and/or transmissions; collision services including body, frame or fender straightening or repair; overall painting or paint shop; and vehicle steam cleaning.
- (8) "Automotive repair, minor" means incidental minor repair, upholstery, replacement of parts and motor service to passenger cars and trucks not exceeding one and one-half tons capacity, but not including any operation named under "Automotive repair, major", or any other operation similar thereto. Cars or trucks being repaired or under repair shall not be stored outside the building for more than forty-eight hours.
- (9) "Automobile, farm equipment or trailer sales area" means any open area, other than a street, used for the sale, display or rental of new or used motor vehicles, farm equipment or trailers in operable condition and where no repair work is done. No vehicle shall be placed or displayed forward of the building line required for the district.
- (10) "Automobile service station" or "filling station" means a place where gasoline, kerosene or other motor fuel or lubricating oil or grease for operating motor vehicles is offered for sale to the public and deliveries are made directly into motor vehicles, including greasing and oiling on the premises.
- (11) "Automobile wrecking" means the dismantling or disassembling of used motor vehicles, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked motor vehicles or their parts.
- (12) "Basement" means a story whose floor line is below grade at any exit or entrance and whose ceiling is not more than five feet above grade at any entrance or exit.
- (12.1) "Bed and breakfast residence" means a structure built to be and occupied as a residence that is more than fifty years old, wherein rooms and breakfast (only) are made available to short-term transient paying guests, which rooms were constructed to be part of the residence and have been occupied as regular rooms of the residence prior to the passage of this element of this Ordinance.
- (13) "Block" means the legal description in describing the boundaries of a district. In all other cases, "block" refers to the property abutting one side of a street between intersecting or intercepting streets or a street and a railroad right of way or waterway.
- (14) "Boarding house" or "lodging house" means a dwelling or part thereof occupied by a single housekeeping unit where meals and lodging are provided for four or more persons for compensation by previous arrangements but not for transients.

- (15) "Building" means any structure having a roof supported by columns or walls, used or intended to be used for shelter or enclosure for persons, animals or property. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground up, each part is deemed a separate building, except in regard to minimum side yard requirements as hereinafter provided. (Ord. 1990-20. Passed 11-26-90.)
- (16) "Building, height of" means the vertical distance from the average contact ground level at the front wall of the building to the highest point of the roof structure. (Ord. 2005-29. Passed 2-14-05.)
- (17) "Building line" means the line beyond which no building or part thereof shall project, except as otherwise provided by this Ordinance.
- (18) "Buildable lot area" means that part of a lot not included within the open areas required by this Ordinance.
- (19) "Cellar" means that portion of a building between floor and ceiling partly underground, but having half or more than half its clear height below the adjoining finished grade.
- (20) "Cemetery" means land used for or intended to be used for the burial of human dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums and mortuaries if operated in connection with, and within the boundaries of, such cemeteries.
- (21) "Clinic" or "medical center" means a place used for the diagnosis and treatment of sick, ailing or infirm and injured persons and those who are in need of medical or surgical attention, but limited to outpatient only and not including the sale of drugs or medical supplies.
- (22) "Club" means a nonprofit association of persons who are bona fide members, paying regular dues and organized for some common purpose, but not including a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.
- (22.1) "Condominium" means an estate in real property consisting of a building on such real property, together with an undivided interest-in-common in other portions of the same property, recognizing that there can be commercial and industrial condominiums as well as residential.
- (23) "Convalescent home" or "nursing home" means an establishment that provides full-time convalescent or chronic care or both for three or more individuals who are not related by blood or marriage to the operator or who by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill, or surgical or obstetrical services shall be provided in such a home; a hospital or sanitarium shall not be construed to be included in this definition.
- (24) "Court" means an open unoccupied or unobstructed space, other than a yard, on the same lot as a building or group of buildings.

- (25) "Display sign" means a structure that is arranged, intended, designed or used as an advertisement, announcement or direction, including a sign, billboard and advertising device of any kind.
- (26) "Dwelling" means a building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, cabin, trailer or trailer coach, boarding or rooming house, hotel or motel.
- (26.1) "Dwelling, attached single-family" means a building attached to another building at one or more sides that is designed for or occupied exclusively for residential purposes by one family or housekeeping unit, the land and building of the unit being in a single ownership and separate from the ownerships of the land and buildings of the units to which it is attached.
- (27) "Dwelling, single-family" means a detached building designed for or occupied exclusively for residence purposes by one family or housekeeping unit.
- (28) "Dwelling, two-family" means a building designed for or occupied exclusively by two families or housekeeping units living independently of each other.
- (29) "Dwelling, multi-family" means a building or portion thereof designed for or occupied by three or more families or housekeeping units living independently of each other.
- (30) "Dwelling unit" means one room, or a suite of two or more rooms, designed for and used by one family for living and sleeping purposes and having only one kitchen or kitchenette.
- (31) "Dwelling group" means a group of two to four detached single-family dwellings located on a parcel of land in one ownership and having a yard or court in common as well as a common single curb cut access drive.
- (32) "Essential services" means the erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distributing systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.
- (33) "Family" means a person living alone, or two or more persons related by blood, marriage or adoption, or not more than five unrelated persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, motel or hotel, fraternity or sorority house.

- (34) "Frontage" means that boundary of a lot along an existing or dedicated public street, or where no public street exists, along a public way. Where a lot abuts more than one street, the Board shall determine the frontage for purposes of this Ordinance.
- (35) "Garage, private" means a detached accessory building or a portion of a principal building used by the occupants of the premises for the storage or shelter of vehicles owned or operated by the occupants of the principal building.
- (36) "Garage, repair". See "Automotive repair".
- (36.1) "Guest room" means a room intended or designed or arranged to be occupied, or which is occupied, by one or more guests, but in which no provision is made for cooking and not including dormitories for sleeping purposes.
- (37) "Home occupation" means an occupation or profession carried on in a dwelling by the occupants thereof which is clearly incidental and secondary to the use of the dwelling for residential purposes.
- (38) "Hospital or sanitarium" means an establishment that provides accommodations, facilities and services over a continuous period of twenty-four hours or more for observation, diagnosis and care of two or more individuals suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services.
- (39) "Hotel" means any building or portion thereof used as a temporary abiding place for remuneration, with or without meals, containing fifteen or more guest rooms or suites where no provision for cooking is made in any individual guest room or suite.
- (40) "Junk yard" means a place where junk, waste or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such uses when conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.
- (41) "Kennel" means any structure or premises where five or more dogs over six months of age are kept.
- (41.1) "Landscaping" means the treatment of the surface of the ground with natural greenery, grasses, including seeding and sod, shrubs, trees and other plant materials, organic mulches and natural stone materials, and may include minor areas of paving for pedestrian accessways.

- (42) "Loading space" means an off-street space or berth on the same lot with a building or contiguous with a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.
- (43) "Lot" means a piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this Ordinance, and having frontage on a public street.
- (44) "Lot, corner" means a lot situated at the intersection of two streets, of which the interior angle of such intersection does not exceed 135 degrees.
- (45) "Lot, interior" means a lot other than a corner lot.
- (46) "Lot, depth" means the average horizontal distance between the front and the rear lot lines.
- (47) "Lot line" means the property lines bounding a lot.
- (48) "Lot line, front" means the line separating the lot from the street.
- (49) "Lot line, rear" means the lot line opposite and most distant from the front lot line.
- (50) "Lot line, side" means a lot line other than the front or rear lot line. A side lot line separating the lot from a street is called a side street lot line. A side lot line separating a lot from another lot is called an interior side lot line.
- (51) "Lot line, street or alley" means a lot line separating the lot from a street or alley.
- (52) "Lot width" means the average width of a lot measured at right angles to its depth.
- (53) "Lot area" means the computed area contained within the lot lines.
- (54) "Lot, through" means a lot having frontage on two parallel or approximately parallel streets.
- (55) "Motel" or "motor hotel" means a series of attached, semi-attached or detached sleeping or living units, for the accommodation of automobile transient guests, such units having convenient access to off-street parking spaces, for the exclusive use of guests or the occupants.
- (55.1) "Nonconforming building" or "nonconforming structure" means a building or structure legally existing at the time of adoption of this Ordinance, and any amendment thereto, which does not conform to one or more of the physical requirements of the district in which it is located.
- (56) "Nonconforming use" means a dwelling, building or structure or any land or premises legally existing and/or used at the time of adoption of this Ordinance, or any amendment thereto, which does not conform to the use regulation of the district in which it is located. Any such building, structure or premises conforming in respect to use but not in respect to height, area, yards or courts, or distance requirements, shall not be considered a nonconforming use.

- (56.1) "Patio home" means a building designed for or occupied exclusively for residence purposes by one family or housekeeping unit that provides for family outdoor functions commonly associated with the rear yard areas in a private interior courtyard, no less than 900 square feet in area, that is open to the sky and defined by a solid opaque wall where it abuts the exterior of the structure that is no less than six feet high. A patio home may be a detached unit, or it may have a zero-lot-line relationship at one or more sides. At those sides where patio homes are not zero-lot-line, no two units shall be closer than sixteen feet. At patio homes, the lot lines of the individual lots are defined by solid walls or fences running entirely around the property, except at the front property line, where building walls exist in zero-lot-line relationships, and/or at the side yard areas from the front property line to the building line.
- (57) "Parking area, private" means an open surface, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.
- (58) "Parking space" means a permanently surfaced area of not less than 160 square feet, either within a structure or in the open, exclusive of driveways or access drives, for the parking of motor vehicles.
- (58.1) "Policies Plan" means the "Policies Plan for the Development of the City of Huron", together with the associated and incorporated "Long Range Plan Map" that was first adopted by the Planning Commission on September 21, 1988, and then adopted by Council as public policy, Resolution 1988-25, on November 14, 1988, and as subsequently amended by action by both the Planning Commission and Council.
- (59) "Sign" means any word or words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, by which anything is made known, and which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land and directs attention to an object, place, activity, person, institution, organization or business. "Sign" includes also billboard, signboard and display sign.
- (60) "Standard performance" means a criterion established in the interest of protecting the public health and safety for the control of noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards and other objectionable or dangerous elements generated by or inherent in use of land or buildings.  
(Ord. 1990-20. Passed 11-26-90.)
- (61) "Story" means the vertical distance from the top surface of one floor to the top surface of the next above. The height of the top-most floor is the distance from the top surface of the floor to the top surface of the ceiling joists. A floor with living space, or the potential for living space, is considered a full story.  
(Ord. 1998-39. Passed 12-7-98.)



- (62) "Story, first" means the lowest story or the ground story of any building, the floor of which is not more than twelve inches below the average contact ground level at the exterior walls of the building; except that any basement or cellar used for residence purposes shall be deemed the first story.
- (63) "Street" means a public right of way fifty feet or more in width which provides a public means of access to abutting property, or any such right of way more than thirty feet and less than fifty feet in width provided it existed prior to the enactment of this Ordinance. "Street" includes avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare or any other similar term.
- (64) "Structure" means anything constructed or erected, which requires permanent location on the ground or attachment to something having a permanent location on the ground.
- (65) "Structural alteration" means any change other than incidental repairs, in the supporting members of a building, such as bearing walls, columns, beams or girders.
- (66) "Trailer" (including automobile trailer, mobile home or house trailer) means any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping or living quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.
- (67) "Use" means the purpose or activity for which land or a building or structure is arranged, designed or intended, or for which it is occupied or may be occupied or maintained.
- (68) "Use, conditional" means a use which is permitted in a district only if a zoning certificate therefor is expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of this Ordinance.
- (69) "Yard" means an open space on a lot other than a court, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance.
- (70) "Yard, front" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot as required for a particular district.
- (71) "Yard, front; measurement" means such depth as shall be measured from the right-of-way line of the existing street on which the lot fronts (the front lot line) to the building line; provided, however, that if the proposed location of the right-of-way line of such street as established in the Thoroughfare Plan or on the Official Map of the City differs from that of the existing street, then the required front yard least depth shall be measured from the right-of-way line of such street as designated in the Thoroughfare Plan or on the Official Map.

- (72) "Yard, rear" means a yard extending across the full width of the lot, the depth of which is the minimum distance between the rear lot line and a line parallel thereto on the lot as required for a particular district.
- (73) "Yard, side" means a yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line and a line parallel thereto on the lot as required for a particular district.
- (74) "Side yard, least width; measurement" means such width as shall be measured from the nearest side lot line and, in case the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of the right-of-way line of such street as established in the Thoroughfare Plan or on the Official Map of the City differs from that of the existing street, then the required side yard least width shall be measured from the right of way of such street as designated in the Thoroughfare Plan or on the Official Map.
- (75) "Zoning Ordinance" or "Ordinance" means Ordinance 1990-20, passed November 26, 1990, as amended, which is codified as Title Five of Part Eleven - Planning and Zoning Code.
- (76) "Zero lot line" development means a circumstance in which a residence is permitted to be built with an outside wall immediately at the side yard line, either as a fire-resistant wall without openings intended to be immediately abutted by another such wall on the adjoining property, and thus required to meet fire safety requirements for such a condition, or intended to look out onto an assured open space side yard on the abutting property, with access for maintenance of the wall surface assured by easement across or covenant with the adjoining property.  
(Ord. 1990-20. Passed 11-26-90.)

## EXHIBIT "B"

### 1121.04 DEFINITIONS.

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of the Zoning Ordinance. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular; "building" includes "structure"; "used" includes "arranged, designed, constructed, altered, converted, rented, leased" or "intended to be used". "May" is permissive; "shall" is mandatory.

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- (6) "Apartment house". See "Dwelling, multi-family".
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rooms were constructed to be part of the residence and have been occupied as regular rooms of the residence prior to the passage of this element of this Ordinance.

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- (33) "Family" means a person living alone, or two or more persons related by blood, marriage or adoption, or not more than five unrelated persons living together as a single housekeeping unit, in a dwelling unit, as distinguished from a group occupying a boarding house, lodging house, motel or hotel, fraternity or sorority house.

- (34) "Frontage" means that boundary of a lot along an existing or dedicated public street, or where no public street exists, along a public way. Where a lot abuts more than one street, the Board shall determine the frontage for purposes of this Ordinance.
- (35) "Garage, private" means a detached accessory building or a portion of a principal building used by the occupants of the premises for the storage or shelter of vehicles owned or operated by the occupants of the principal building.
- (36) "Garage, repair". See "Automotive repair".
- (36.1) "Guest room" means a room intended or designed or arranged to be occupied, or which is occupied, by one or more guests, but in which no provision is made for cooking and not including dormitories for sleeping purposes.
- (37) "Home occupation" means an occupation or profession carried on in a dwelling by the occupants thereof which is clearly incidental and secondary to the use of the dwelling for residential purposes.
- (38) "Hospital or sanitarium" means an establishment that provides accommodations, facilities and services over a continuous period of twenty-four hours or more for observation, diagnosis and care of two or more individuals suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services.
- (39) "Hotel" means any building or portion thereof used as a temporary abiding place for remuneration, with or without meals, containing fifteen or more guest rooms or suites where no provision for cooking is made in any individual guest room or suite.
- (40) "Junk yard" means a place where junk, waste or discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment; but not including such uses when conducted entirely within a completely enclosed building, and not including pawn shops and establishments for the sale, purchase or storage of used furniture and household equipment, used cars in operable condition, used or salvaged machinery in operable condition or the processing of used, discarded or salvaged materials as a minor part of manufacturing operations.
- (41) "Kennel" means any structure or premises where five or more dogs over six months of age are kept.
- (41.1) "Landscaping" means the treatment of the surface of the ground with natural greenery, grasses, including seeding and sod, shrubs, trees and other plant materials, organic mulches and natural stone materials, and may include minor areas of paving for pedestrian accessways.

- (42) "Loading space" means an off-street space or berth on the same lot with a building or contiguous with a group of buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley or other appropriate means of access.
- (43) "Lot" means a piece or parcel of land occupied or intended to be occupied by a principal building or a group of such buildings and accessory buildings, or utilized for a principal use and uses accessory thereto, together with such open spaces as required by this Ordinance, and having frontage on a public street.
- (44) "Lot, corner" means a lot situated at the intersection of two streets, of which the interior angle of such intersection does not exceed 135 degrees.
- (45) "Lot, interior" means a lot other than a corner lot.
- (46) "Lot, depth" means the average horizontal distance between the front and the rear lot lines.
- (47) "Lot line" means the property lines bounding a lot.
- (48) "Lot line, front" means the line separating the lot from the street.
- (49) "Lot line, rear" means the lot line opposite and most distant from the front lot line.
- (50) "Lot line, side" means a lot line other than the front or rear lot line. A side lot line separating the lot from a street is called a side street lot line. A side lot line separating a lot from another lot is called an interior side lot line.
- (51) "Lot line, street or alley" means a lot line separating the lot from a street or alley.
- (52) "Lot width" means the average width of a lot measured at right angles to its depth.
- (53) "Lot area" means the computed area contained within the lot lines.
- (54) "Lot, through" means a lot having frontage on two parallel or approximately parallel streets.
- (55) Medical Marijuana Retail Dispensaries means a retail establishment for the purpose of dispensing medical marijuana pursuant to the terms set forth in ORC Chapter 3796 et. seq. and Chapter 751 of these Ordinances.
- (56) "Motel" or "motor hotel" means a series of attached, semi-attached or detached sleeping or living units, for the accommodation of automobile transient guests, such units having convenient access to off-street parking spaces, for the exclusive use of guests or the occupants.
- (55.1) "Nonconforming building" or "nonconforming structure" means a building or structure legally existing at the time of adoption of this Ordinance, and any amendment thereto, which does not conform to one or more of the physical requirements of the district in which it is located.
- (57) "Nonconforming use" means a dwelling, building or structure or any land or premises legally existing and/or used at the time of adoption of this Ordinance, or any amendment thereto, which does not conform to the use regulation of the district in which it is located. Any such building, structure or premises conforming in respect to use but not in respect to height, area, yards or courts, or distance requirements, shall not be considered a nonconforming use.

- (56.1) "Patio home" means a building designed for or occupied exclusively for residence purposes by one family or housekeeping unit that provides for family outdoor functions commonly associated with the rear yard areas in a private interior courtyard, no less than 900 square feet in area, that is open to the sky and defined by a solid opaque wall where it abuts the exterior of the structure that is no less than six feet high. A patio home may be a detached unit, or it may have a zero-lot-line relationship at one or more sides. At those sides where patio homes are not zero-lot-line, no two units shall be closer than sixteen feet. At patio homes, the lot lines of the individual lots are defined by solid walls or fences running entirely around the property, except at the front property line, where building walls exist in zero-lot-line relationships, and/or at the side yard areas from the front property line to the building line.
- (58) "Parking area, private" means an open surface, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free or as an accommodation for clients or customers.
- (59) "Parking space" means a permanently surfaced area of not less than 160 square feet, either within a structure or in the open, exclusive of driveways or access drives, for the parking of motor vehicles.
- (58.1) "Policies Plan" means the "Policies Plan for the Development of the City of Huron", together with the associated and incorporated "Long Range Plan Map" that was first adopted by the Planning Commission on September 21, 1988, and then adopted by Council as public policy, Resolution 1988-25, on November 14, 1988, and as subsequently amended by action by both the Planning Commission and Council.
- (60) "Recreational Marijuana Dispensary" means a retail establishment for the purpose of purchasing, delivering, dispensing, selling, or otherwise distributing recreational marijuana or recreational marijuana products to marijuana establishments and or consumers.
- (61) "Sign" means any word or words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, by which anything is made known, and which is affixed to, or painted, or represented directly or indirectly upon a building, structure or piece of land and directs attention to an object, place, activity, person, institution, organization or business. "Sign" includes also billboard, signboard and display sign.
- (62) "Standard performance" means a criterion established in the interest of protecting the public health and safety for the control of noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards and other objectionable or dangerous elements generated by or inherent in use of land or buildings.  
(Ord. 1990-20. Passed 11-26-90.)
- (63) "Story" means the vertical distance from the top surface of one floor to the top surface of the next above. The height of the top-most floor is the distance from the top surface of the floor to the top surface of the ceiling joists. A floor with living space, or the potential for living space, is considered a full story.  
(Ord. 1998-39. Passed 12-7-98.)



- (64) "Story, first" means the lowest story or the ground story of any building, the floor of which is not more than twelve inches below the average contact ground level at the exterior walls of the building; except that any basement or cellar used for residence purposes shall be deemed the first story.
- (65) "Street" means a public right of way fifty feet or more in width which provides a public means of access to abutting property, or any such right of way more than thirty feet and less than fifty feet in width provided it existed prior to the enactment of this Ordinance. "Street" includes avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare or any other similar term.
- (66) "Structure" means anything constructed or erected, which requires permanent location on the ground or attachment to something having a permanent location on the ground.
- (67) "Structural alteration" means any change other than incidental repairs, in the supporting members of a building, such as bearing walls, columns, beams or girders.
- (68) "Trailer" (including automobile trailer, mobile home or house trailer) means any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping or living quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.
- (69) "Use" means the purpose or activity for which land or a building or structure is arranged, designed or intended, or for which it is occupied or may be occupied or maintained.
- (70) "Use, conditional" means a use which is permitted in a district only if a zoning certificate therefor is expressly authorized by the Board of Building and Zoning Appeals in accordance with the provisions of this Ordinance.
- (71) "Yard" means an open space on a lot other than a court, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance.
- (72) "Yard, front" means a yard extending across the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and a line parallel thereto on the lot as required for a particular district.
- (73) "Yard, front; measurement" means such depth as shall be measured from the right-of-way line of the existing street on which the lot fronts (the front lot line) to the building line; provided, however, that if the proposed location of the right-of-way line of such street as established in the Thoroughfare Plan or on the Official Map of the City differs from that of the existing street, then the required front yard least depth shall be measured from the right-of-way line of such street as designated in the Thoroughfare Plan or on the Official Map.

- (74) "Yard, rear" means a yard extending across the full width of the lot, the depth of which is the minimum distance between the rear lot line and a line parallel thereto on the lot as required for a particular district.
- (75) "Yard, side" means a yard extending from the front yard to the rear yard, the width of which is the minimum horizontal distance between the side lot line and a line parallel thereto on the lot as required for a particular district.
- (76) "Side yard, least width; measurement" means such width as shall be measured from the nearest side lot line and, in case the nearest side lot line is a side street lot line, from the right-of-way line of the existing street; provided, however, that if the proposed location of the right-of-way line of such street as established in the Thoroughfare Plan or on the Official Map of the City differs from that of the existing street, then the required side yard least width shall be measured from the right of way of such street as designated in the Thoroughfare Plan or on the Official Map.
- (77) "Zoning Ordinance" or "Ordinance" means Ordinance 1990-20, passed November 26, 1990, as amended, which is codified as Title Five of Part Eleven - Planning and Zoning Code.
- (78) "Zero lot line" development means a circumstance in which a residence is permitted to be built with an outside wall immediately at the side yard line, either as a fire-resistant wall without openings intended to be immediately abutted by another such wall on the adjoining property, and thus required to meet fire safety requirements for such a condition, or intended to look out onto an assured open space side yard on the abutting property, with access for maintenance of the wall surface assured by easement across or covenant with the adjoining property. (Ord. 1990-20. Passed 11-26-90.)