

# City of Cincinnati

JRS/B

## An Ordinance No. \_\_\_\_\_

- 2024

EESW

**REPEALING** Ordinance No. 362-2022 passed by Council on November 30, 2022 and Ordinance No. 381-2020 passed by Council on December 16, 2020, and **NOTWITHSTANDING** certain provisions of Cincinnati Municipal Code Sections 514-3, "Designation of Restricted Parking Area," 514-5, "Residential Parking Permits Criteria," and 514-7, "Permit Types, Qualifications and Fees," **DESIGNATING** a portion of the Over-the-Rhine neighborhood, the area bounded by the east side of Central Parkway (northbound) from Liberty Street to Eton Place, the southside of Eton Place from Central Parkway to Race Street, the south east side of Race Street (southbound) from Eton Place to Findlay Street, the north side of Findlay Street from Race Street to Vine Street, the east side of Vine Street (northbound) from Findlay Street to East Clifton Avenue, the west side of East Clifton Avenue from Vine Street to Main Street, the east side of Main Street (southbound) from East Clifton Avenue to Liberty Street, and the north side of Liberty Street from Main Street to Central Parkway, as a Special Parking Permit Area ("SPPA"), for which residential parking permits are to be issued to residents of the SPPA for an annual permit fee, and to residents of rent-subsidized housing in the SPPA for a discounted annual permit fee.

WHEREAS, Council, by its Ordinance No. 294-2018, established a Special Parking Permit Area ("SPPA") in the southern portion of the Over-the-Rhine neighborhood to address concerns expressed by residents and businesses related to parking restrictions and availability; and

WHEREAS, in Ordinance No. 362-2022 passed by Council on November 30, 2022, and Ordinance No. 381-2020 passed by Council on December 16, 2020, Council designated certain areas in the northern portion of the Over-the-Rhine neighborhood as a Residential Parking Permit Area ("RPPA"); and

WHEREAS, Council, in its Motion Item No. 202202004, requested the Administration consider a plan for on-street parking in the northern portion of the Over-the-Rhine neighborhood including whether a SPPA would benefit the community; and

WHEREAS, Council, in its Motion Item No. 202300645, further requested the Administration engage with business owners and stakeholders in the northern portion of the Over-the-Rhine neighborhood, including Findlay Market, to address on-street parking needs impacted by the existing RPPA and discuss the potential for a SPPA in the neighborhood; and

WHEREAS, the Administration investigated parking in the northern portion of the Over-the-Rhine neighborhood, which included representatives from the Department of Transportation and Engineering ("DOT"), the Department of City Planning and Engagement and the Department of Community and Economic Development, and also hired Desman, Inc., to provide additional advice and analysis; and

WHEREAS, the Administration engaged with local stakeholders, including the Cincinnati Center City Development Corporation, Over the Rhine Community Council, Corporation for Findlay Market, and Over-the-Rhine Chamber which provided feedback for the creation of the SPPA to serve the residential and commercial interests in the rapidly evolving neighborhood; and

WHEREAS, the findings of the Administration led to the determination of the appropriate boundaries of the SPPA to be the area bounded by the east side of Central Parkway (northbound) from Liberty Street to Eton Place, the southside of Eton Place from Central Parkway to Race Street, the south east side of Race Street (southbound) from Eton Place to Findlay Street, the north side of Findlay Street from Race Street to Vine Street, the east side of Vine Street (northbound) from Findlay Street to East Clifton Avenue, the west side of East Clifton Avenue from Vine Street to Main Street, the east side of Main Street (southbound) from East Clifton Avenue to Liberty Street, and the north side of Liberty Street from Main Street to Central Parkway, as described herein and depicted in Attachment A; and

WHEREAS, this area may be considered the second phase of a SPPA for the Over-the-Rhine neighborhood, potentially to be expanded or supplemented in the future; and

WHEREAS, the proposed SPPA includes commercial parking areas, making it ineligible to be designated as a RPPA under the criteria set forth in Cincinnati Municipal Code (“CMC”) Section 514-5, “Residential Parking Permits Criteria”; and

WHEREAS, the requirement in CMC Section 514-3, “Designation of Restricted Parking Areas,” for a petition of a majority of the households in an area could not be strictly adhered to, based on the mixed commercial and residential nature of the area, but DOTE conducted traffic engineering studies of the proposed SPPA as required under CMC 514-3; and

WHEREAS, the Administration recommends the fees for permits to be issued to residents of the SPPA differ from the fees authorized for areas designated as a RPPA under CMC Section 514-7, “Permit Types, Qualifications, and Fees,” and the Administration also recommends against issuing visitor permits or temporary permits pursuant to CMC Section 514-7 because of the already high demand and limited supply of parking spaces in the SPPA; and

WHEREAS, the residential parking permits must be made available for a reduced annual fee to residents of rent-subsidized housing in the SPPA; and

WHEREAS, the City Manager has determined that it is appropriate and beneficial to the northern portion of the Over-the-Rhine neighborhood to establish the proposed SPPA and that the SPPA should have some characteristics which differ from the criteria and procedures in CMC Chapter 514, and Council desires to establish the SPPA as recommended; and

WHEREAS, the City Manager may designate the SPPA parking spaces as “flex spaces” to be available to the general public during the daytime by paying a meter or other per-space fee, and

WHEREAS, in the spaces designated for the SPPA, those who own permits for the SPPA will be eligible to park in the flex spaces at night, and holders of the SPPA permits may also park at no additional charge in the flex spaces during the day; and

WHEREAS, Council wishes to repeal Ordinance No. 362-2022 and Ordinance No. 381-2020, to establish a consistent parking permit program for the northern portion of the Over-the-Rhine neighborhood; and

WHEREAS, Council finds that establishing this SPPA is in furtherance of the “Live” goal to “support and stabilize our neighborhoods,” as described on page 160 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Ordinance No. 362-2022 passed by Council on November 30, 2022, and Ordinance No. 381-2020 passed by Council on December 16, 2020, which established residential parking permits in portions of the Over-the-Rhine neighborhood, are hereby repealed in their entirety.

Section 2. That, notwithstanding certain provisions of Cincinnati Municipal Code (“CMC”) Sections 514-3, “Designation of Restricted Parking Area,” 514-5, “Residential Parking Permits Criteria,” and 514-13, “Fee Schedule,” Council hereby designates the area in the northern portion of the Over-the-Rhine neighborhood bounded by the east side of Central Parkway (northbound) from Liberty Street to Eton Place, the southside of Eton Place from Central Parkway to Race Street, the south east side of Race Street (southbound) from Eton Place to Findlay Street, the north side of Findlay Street from Race Street to Vine Street, the east side of Vine Street (northbound) from Findlay Street to East Clifton Avenue, the west side of East Clifton Avenue from Vine Street to Main Street, the east side of Main Street (southbound) from East Clifton Avenue to Liberty Street, and the north side of Liberty Street from Main Street to Central Parkway, as depicted in Attachment A, as a Special Parking Permit Area (“SPPA”).

Section 3. That the City Manager or designee shall establish parking permit rates and fees for the SPPA and issue residential parking permits to residents of the SPPA and shall offer permits to qualifying low-income residents of the SPPA at a discounted rate, with eligibility to

purchase a permit for the reduced annual fee to be based on a resident's provision of proof of residency in a rent-subsidized unit within the SPPA, specifically a lease or voucher.

Section 4. That, notwithstanding CMC 514-7, "Permit Types, Qualifications and Fees," no visitors permits or temporary permits shall be issued for the SPPA.

Section 5. That SPPA parking permits shall be sold only to occupants who reside in a dwelling unit on a street, avenue, or other location within the SPPA, in accordance with verification procedures established by the Department of Transportation and Engineering.

Section 6. That SPPA parking permits shall be sold only to occupants who own a motor vehicle and provide sufficient proof of such ownership.

Section 7. That the total permits issued to eligible residents of the Over-the-Rhine neighborhood will not be limited initially, except for a limit on the number of permits per household; that the City Manager or designee shall determine whether it is appropriate to establish a term or expiration for permits issued for the SPPA, either for the initial permits offered or for permits issued in the future, or both; and that any future limit on the number of permits issued (other than a limit on permits per household) should be the subject of future Council action.

Section 8. That the City Manager may designate parking spaces within the SPPA as "flex parking spaces" that may be used by any member of the public during the times designated by the City Manager for a fee through metered or another for-pay parking method, but that holders of SPPA permits shall be able to park in the flex parking spaces without paying any additional fee or charge, and that the City Manager may designate times when only holders of SPPA permits shall be authorized to park in the flex parking spaces within the SPPA.

Section 9. That the City Manager is authorized to establish procedures for the future issuance of permits, the renewal of permits, and the reissuance of permits, and generally for the

operation of the SPPA, and the City Manager has discretion to establish appropriate procedures for reissuances or renewals.

Section 10. That any procedures, methods, qualifications, or criteria for the SPPA that are not specifically established in or instructed by this ordinance shall be governed by the existing, applicable provisions of CMC Chapter 514, "Parking Permits," including but not limited to the requirement to erect signs in the SPPA indicating the times, locations, and conditions under which vehicles shall be parked, as established in CMC Section 514-9, "Administration"; the exceptions to permit requirements established in CMC Sections 514-1, "Special Parking Permits for Veterans," and 514-13, "Fee Schedule"; the parking restrictions and enforcement via a tag system established in CMC Section 514-11, "Parking Restrictions"; and the violations and penalties established in CMC Sections 514-15, "Violation and Revocation," and 514-99, "Penalty."

Section 11. That the City Manager and all appropriate City officials are hereby authorized to take all necessary and proper actions under this ordinance to implement the creation and operation of the SPPA as described in Sections 1 through 10 hereof.

Section 12. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_, 2024

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Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk