

August 2, 2022

To: Members of the Equitable Growth and Housing Committee

From: John P. Curp, Interim City Manager *W*

202201597

Subject: Emergency Ordinance – Approving “Mt Washington Community Entertainment District”

Attached is an Emergency Ordinance captioned:

APPROVING the application for the creation of a community entertainment district in the Mt. Washington neighborhood to be known as the "Mt. Washington Community Entertainment District," pursuant to Chapter 834, "Entertainment Districts," of the Cincinnati Municipal Code

BACKGROUND

Mt. Washington community groups and neighborhood revitalization partners are seeking a Community Entertainment District (CED) to help advance development goals in and around the neighborhood business district. Specifically, a CED designation will be used as tool to reinforce efforts to recruit eating and drinking establishments. Community partners also see potential for a CED designation, along with related community programming and events, to support existing businesses and attract other types of small businesses to vacant storefronts by generating steady foot traffic in the business district.

APPLICANT INFORMATION

The application for the Mt Washington CED is a joint effort between the Port of Greater Cincinnati Development Authority (The Port) and the Mt. Washington Community Development Corporation (MWCDC). The MWCDC was formed in 2015 to provide staff support for improvement projects in the neighborhood.

COMMUNITY ENTERTAINMENT DISTRICT

The creation of a Community Entertainment District (CED) allows for the issuance of D-5J liquor licenses to businesses within that given CED's boundaries. The State allows for one (1) D-5J permit per five (5) acres of land with a maximum of 15 permits per CED.

- The Port is applying to create the Mt. Washington Community Entertainment District (CED), totaling 112.7 acres.
- The creation of the Mt. Washington CED will therefore allow for up to fifteen (15) D-5J permits to be available for issuance.
- The Port's application includes a letter of support from the Mt. Washington Community Council and MWCDC.

Pursuant to the “Entertainment Districts” procedure established by City Council (Chapter 834 of the Cincinnati Municipal Code), a business may apply to the City for designation as a Community Entertainment District, as provided for in Chapter 4301.80 of the Ohio Revised Code.

- The application fee for a CED designation is \$15,000 unless approved by Council ordinance for a discounted rate of \$1,500.
- Once the Division of Liquor Control approves the CED application documents submitted by the Legislative Authority, the Division will add the CED to the Division’s permitting system.
- There is a \$100 processing fee and a \$2,344 permit fee. A D-5J permit holder cannot sell their permit outside of the CED’s boundaries.

Note: Permit D-5J may be issued by the Ohio Division of Liquor Control to the owner or the operator of a retail food establishment or a food service operation licensed under Chapter 3717 of the Revised Code to sell beer and intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on the premises where sold and to sell beer and intoxicating liquor in the same manner and amounts not for consumption on the premises where sold as may be sold by the holders of D-1 and D-2 permits.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

Attachment A: Proposed CED Map

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

Attachment A: Proposed CED Map

