


September 7, 2023

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

202301917

Subject: Ordinance for Establishing Urban Parking Overlay #4 "Oakley"

Transmitted is an Ordinance captioned:

ESTABLISHING Urban Parking Overlay District #4, "Oakley," in the Oakley neighborhood as an urban parking overlay district to eliminate off-street parking requirements in certain designated areas.


The City Planning Commission recommended approval of the overlay district on July 21, 2023.

Summary:

The petitioner, the Oakley Community Council, requested a map amendment to create UPOD #4, "Oakley" to apply to five (5) specific areas within the Oakley neighborhood. The Oakley Community Council feels that minimum parking requirements have become burdensome to development in the Oakley community. To spur development interests in their business district and adjacent areas, and to provide more amenities in the neighborhood, they requested an Urban Parking Overlay District. Oakley is a dense, urban neighborhood with a thriving business district and frequent new development and opportunities for redevelopment. The proposed elimination of minimum off-street parking requirements removes an obstacle to the redevelopment of Oakley and could contribute to maintaining the urban character desired by the community. This would allow more businesses to consider opening in Oakley due to fewer restrictions including mandated parking requirements.

The City Planning Commission recommended the following on July 21, 2023, to City Council:

APPROVE the map amendment to add Urban Parking Overlay District #4: "Oakley", as outlined in § 1425-04 - Urban Parking Overlay Districts in the Cincinnati Zoning Code, to multiple portions in the Oakley neighborhood.

cc: Katherine Keough-Jurs, FAICP, Director, Department of City Planning and Engagement 

September 7, 2023

To: Chelsey Pettyjohn, Office of the Clerk of Council

From: Katherine Keough-Jurs, FAICP, Director, Department of City Planning and Engagement *KJ*

Copies to: Jesse Urbancsik, Senior City Planner, Department of City Planning and Engagement

Subject: Scheduling of Ordinance – Establishing Urban Parking Overlay #4 “Oakley”

The above referenced Ordinance is requested to be scheduled for the Equitable Growth and Housing Committee. This item requires a public hearing following a required 14-day notification period by mail and in the City Bulletin.

Included in this submission are the following items:

- 1) The transmittal letter to the Mayor and City Council;
- 2) A copy of the City Planning Commission staff report dated July 21, 2023;
- 3) The Ordinance (Transmitted by Law);
- 4) Mailing labels for the notice of the public hearing; and
- 5) A copy of the mailing labels for your file.

September 7, 2023

Cincinnati City Council
Council Chambers, City Hall
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

ESTABLISHING Urban Parking Overlay District #4, "Oakley," in the Oakley neighborhood as an urban parking overlay district to eliminate off-street parking requirements in certain designated areas.

The City Planning Commission recommended approval of the overlay district at their July 21, 2023 meeting.

Summary:

The Oakley Community Council requested a map amendment to create UPOD #4, "Oakley" to apply to five (5) specific areas within the Oakley neighborhood. The Oakley Community Council feels that minimum parking requirements have become burdensome to development in the Oakley community. To spur development interests in their business district and adjacent areas, and to provide more amenities in the neighborhood, they requested an Urban Parking Overlay District. Oakley is a dense, urban neighborhood with a thriving business district and frequent new development and opportunities for redevelopment. The proposed elimination of minimum off-street parking requirements removes an obstacle to the redevelopment of Oakley and could contribute to maintaining the urban character desired by the community. This would allow more businesses to consider opening in Oakley due to fewer restrictions including mandated parking requirements.

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Motion to Approve:	Ms. Sesler	Ayes:	Ms. Beltran Mr. Eby Ms. Kearney
Seconded:	Ms. Beltran		Mr. Samad Ms. Sesler
		Nays:	Mr. Stallworth

THE CITY PLANNING COMMISSION



Katherine Keough-Jurs, FAICP, Director
Department of City Planning and Engagement

Honorable City Planning Commission
Cincinnati, Ohio

July 21, 2023

SUBJECT: A report and recommendation on a proposed map amendment to implement an Urban Parking Overlay District #4: “Oakley,” over certain portions of the Oakley neighborhood pursuant to Cincinnati Zoning Code Section 1425-04, “Urban Parking Overlay Districts.”

EXHIBITS:

Provided in addition to this report are the following exhibits:

- Exhibit A Location Map
- Exhibit B Request for Urban Parking Overlay District from Oakley Community Council
- Exhibit C Oakley Community Council Letter
- Exhibit D Motion from Councilmembers Harris and Jeffreys
- Exhibit E Additional Correspondence
- Exhibit F Oakley Community Council Parking Overlay District Primer

BACKGROUND:

On August 7, 2013, Cincinnati City Council approved Ordinance No. 259-2013 for text amendments to the Cincinnati Zoning Code (CZC) to modify CZC Chapter 1425, “Parking and Loading Regulations” for City Council to eliminate minimum parking requirements in certain areas it determines to be appropriate by creating Urban Parking Overlay Districts (UPODs) under CZC Section 1425-04 within which the provisions of CZC Sections 1425-03, 1425-05, 1425-07, 1425-09, 1425-11, 1425-13, 1425-17, 1425-19, 1425-21, and 1425-23 would not apply.

The City has enacted three (3) UPODs since the adoption of Ordinance No. 259-2013. These UPODs are located in Downtown, Over-the-Rhine, Pendleton, and certain portions of Mt. Auburn and the West End (approved in September 2018), certain portions of Camp Washington (approved in June 2021), and certain portions of the West End (approved in August 2022). On April 6, 2022, the Oakley Community Council (OCC) officially requested a map amendment to create UPOD #4, “Oakley” to apply to five (5) specific areas within the Oakley neighborhood outlined below (each letter and associated location outlined below corresponds to the respective areas labeled and depicted on the map attached as Exhibit A):

- A. The entire neighborhood business district (NBD), starting just north of Drake Avenue and running north of Brazee Street along Madison Road.
- B. East and west of the northern portion of the neighborhood business district.
- C. Northeast of the business district, north of the railroads.
- D. Corner of Wasson Road and Edwards Road.
- E. North of Wasson Road, starting on the western side of Drake Avenue extending north until the eastern side of Mt. Vernon Avenue.

On May 25, 2023, Councilmembers Reggie Harris and Mark Jeffreys filed a motion to encourage the Administration to work with OCC to implement an UPOD over portions of the Oakley neighborhood, which legislation would be co-sponsored by them to avoid placing a cost burden on the community council (Exhibit D).

PUBLIC COMMENT AND ENGAGEMENT:

The first public staff conference was held on September 19, 2022 via Zoom. Notice was sent to all property owners within the proposed Urban Parking Overlay boundaries, property owners within 400-feet of the proposed district, and the Oakley Community Council (OCC). There were 35 people who attended the meeting, including City staff and members from the OCC.

Some members of the public were generally supportive of the proposed parking overlay being implemented in the neighborhood business district, however many members of the public expressed concerns regarding limited parking options, increased traffic congestion, and deterrents to businesses if they do not have adequate parking. Other opposition included concerns about how residential properties would be affected, not enough on-street parking already, and safety concerns around the Wasson Road corridor (proposed areas D and E).

Members who voiced support stated that the current parking regulations are outdated and could be one of the reasons growth is being stifled in the business district. Members also thought there was already enough parking and outlined benefits for businesses to have less restrictions on their properties. There was additional support to increase the push for walkability/movability and encouraging other transportation options.

Property owners within the proposed Urban Parking Overlay District, property owners within 400-feet of the proposed district, and the OCC were also notified of the City Planning Commission meeting. Staff has included correspondence from the public staff conference and other comments in Exhibit E.

The OCC has engaged extensively with the community and has brought up the topic of the urban parking overlay at over 24 meetings since November 21, 2018. Staff from the Department of City Planning and Engagement additionally spoke at the May 3, 2022 meeting to address comments, questions and concerns. The OCC additionally distributed flyers regarding parking overlay information (Exhibit F) and created a webpage on their website for residents to provide input.

There will be a second public staff conference held on Monday, July 17, 2023 for more extensive community engagement and to ensure appropriate notification for property owners within the proposed boundaries.

CONSISTENCY WITH PLANS:***Plan Cincinnati (2012)***

The proposal is consistent with the Compete and Live Initiative Areas of *Plan Cincinnati* (2012). Within the Compete Initiative Area, the proposal is consistent with the Goal to “Foster a climate conducive to growth, investment, stability, and opportunity” (p. 103). This aligns with Oakley’s overall vision for their community and business district.

Within the Live Initiative Area is a strategy to become more walkable by “increasing mixed-use, compact walkable development throughout the basin and uptown, surrounding our centers of activity, and along transit corridors” (p. 157). *Plan Cincinnati* (2012) further recommends a short-range initiative to “Revise the City’s Building and Zoning Codes [...] with standards that emphasize traditional neighborhood development over suburban development” (p. 157) and to “Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings” (p. 197). By allowing property owners and businesses the opportunity to not have to provide minimum parking, this could contribute to a possible influx of other modes of transportation and new business opportunities.

Oakley Master Plan (2019)

The *Oakley Master Plan (2019)* specifically states in the *Investing in Our Businesses* focus area that their vision for the neighborhood is, “Oakley strives to preserve and grow its strong collection of local businesses through emphasizing business diversity, creative business resources, parking solutions, and walkability”. The main goal in this section is to, “Utilize creative parking solutions that allow our business district to thrive” (p. 56) with the strategies to, “Explore options to create an Urban Parking Overlay District in the Oakley Business District” (p. 57) and to “Work with the City of Cincinnati to create a parking strategy that correlates with neighborhood goals” (p. 58).

Other goals mentioned in the Plan that support this request includes Goal 1 of the *Connecting Our Neighborhood* focus area to “Increase pedestrian safety, volume, and connectivity” with the strategy to, “Improve pedestrian connectivity” (p. 43) and to, “Increase the volume of pedestrians” (p. 45). Reducing the dependency on vehicles would potentially increase pedestrian traffic and moveability, not only throughout the Oakley Business District, but the community as a whole. Efforts such as the Wasson Way Trail and future expansions also contribute to this strategy. Another goal in this focus area that contributes to this request is the goal to, “Increase the use of public transportation” (p. 51).

Lastly, this request is consistent with the *Managing our Future Growth* focus area through Goal 1 to, “Assure that future growth is guided by zoning and planning that will preserve Oakley as a thriving, unique, and pedestrian-scaled urban neighborhood” (p. 80).

ANALYSIS:

The Oakley Community Council feels that minimum parking requirements have become burdensome to development in the Oakley community. In an effort to spur development interests in their business district and adjacent areas, and to provide more amenities in the neighborhood, they requested an Urban Parking Overlay District. Oakley is a dense, urban neighborhood with a thriving business district and frequent new development and opportunities for redevelopment. The proposed elimination of minimum off-street parking requirements removes an obstacle to the redevelopment of Oakley, and could contribute to maintaining the urban character desired by the community. This would allow more businesses to consider opening in Oakley due to fewer restrictions including mandated parking requirements.

Exploring options to create an Urban Parking Overlay District is stated verbatim in the *Oakley Master Plan (2019)* with respective strategies and actions steps outlining the neighborhood’s desire to implement this. *Plan Cincinnati (2012)* supports the enhancement and increase of compact and walkable development.

The Cincinnati Zoning Code (CZC) was written in 2004 and research and professional standards on parking have evolved through the years. There have been almost a dozen parking-related variance requests in Oakley that have been approved through the Zoning Hearing Examiner since 2017. Businesses that existed before the current zoning code are grandfathered in.

The UPOD as written in the CZC states that the provisions of only Sections 1425-03, 1425-05, 1425-07, 1425-09, 1425-11, 1425-13, 1425-17, 1425-19, 1425-21, and 1425-23 do not apply. Location of parking is part of what is not waived in an UPOD but also loading, screening, landscaping and other standards.

Targeting reductions in parking requirements could promote more affordability options. It would also

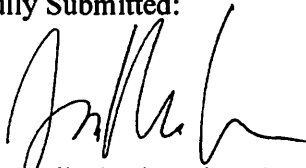
promote and encourage walkability/movability and other transit options that the City is trying to prioritize. Promoting more options could additionally allow residents to walk past different businesses and areas of the community that they otherwise wouldn't if they were in a personal vehicle. Lastly, it would allow options for members of the community to be out of vehicles less and could decrease congestion and pollution.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following action:

APPROVE the map amendment to add Urban Parking Overlay District #4: "Oakley", as outlined in § 1425-04 - Urban Parking Overlay Districts in the Cincinnati Zoning Code, to multiple portions in the Oakley neighborhood.

Respectfully Submitted:



Jesse Urbancsik, Senior City Planner
Department of City Planning & Engagement

Approved:



Katherine Keough-Jurs, FAICP, Director
Department of City Planning & Engagement