



EMERGENCY

City of Cincinnati

DBS/B

*AWB*

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

- 2020

**AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property commonly known as 3450-3494 Cardiff Avenue in the Oakley neighborhood from the ML, “Manufacturing Limited,” zoning district to the RMX, “Residential Mixed,” zoning district to facilitate the future subdivision and construction of twelve single-family homes.

WHEREAS, Daniel Kiley (“Petitioner”) is requesting a zone change of certain real property in the Oakley neighborhood in the area generally located at 3450-3494 Cardiff Avenue (“Property”), which property comprises approximately 1.2083 acres and is presently located in the ML, “Manufacturing Limited,” zoning district; and

WHEREAS, the Petitioner seeks to subdivide and develop the Property into twelve single-family homes (“Project”); and

WHEREAS, the Petitioner wishes to rezone the Property to the RMX, “Residential Mixed,” zoning district because that district would permit the construction of single-family homes on a lot size less than 4,000 square feet which is required by the ML, “Manufacturing Limited,” zoning district; and

WHEREAS, rezoning the Property from the ML, “Manufacturing Limited,” zoning district to the RMX, “Residential Mixed,” zoning district allows the Property to be developed and operated in a manner that is consistent with existing adjacent and abutting land uses and is consistent with the surrounding built environment; and

WHEREAS, the RMX, “Residential Mixed,” zoning district exists immediately adjacent to the Property to the south and the west and contains a mix of single and two-family homes; and

WHEREAS, the proposed zone change is consistent with the *Oakley Master Plan (2019)* goal to “increase the percentage of owner-occupied homes” (page 85); and

WHEREAS, the proposed zone change is consistent with *Plan Cincinnati (2012)*, specifically the goal to “provide a full spectrum of housing options, and improve housing quality and affordability” (page 165), as well as the strategy to “support and stabilize our neighborhoods” (page 160); and

WHEREAS, at its regularly scheduled meeting on September 18, 2020, the City Planning Commission determined that the proposed zone change is in the interest of the public’s health, safety, morals, and general welfare, and it recommended rezoning the Property from the ML, “Manufacturing Limited,” zoning district to the RMX, “Residential Mixed,” zoning district; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Property following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved rezoning the Property, finding it in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, the Council resolves to rezone the Property from the ML, "Manufacturing Limited," zoning district to the RMX, "Residential Mixed," zoning district, finding it to be in the interest of the public's health, safety, morals, and general welfare; now, therefore,

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

Section 1. That the shape and area of the City of Cincinnati's official zoning map in the location of the real property commonly known as 3450-3494 Cardiff Avenue in the Oakley neighborhood, shown on the map attached hereto as Exhibit "A" and incorporated herein by reference, and being more particularly described on the legal description contained in Exhibit "B" attached hereto and incorporated herein by reference, is hereby amended from the ML, "Manufacturing Limited," zoning district to the RMX, "Residential Mixed," zoning district.

Section 2. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need for the petitioner to apply for subdivision approvals and permits to account for project delays caused by the ongoing Covid-19 pandemic.

Passed: \_\_\_\_\_, 2020

\_\_\_\_\_  
John Cranley, Mayor

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