



Date: July 28, 2020

To: Councilmember Jeff Pastor

202001070

From: Andrew W. Garth, Interim City Solicitor

AWG

Subject: **Ordinance – Modifying Title XIV CMC Section 1421-14 Urban Housing Overlay Districts**

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Transmitted herewith is an ordinance captioned as follows:

**MODIFYING** Title XIV of the Cincinnati Municipal Code, “Zoning Code of the City of Cincinnati,” by **ORDAINING** new Section 1421-14, “Urban Housing Overlay Districts,” to enable Council to relieve minimum lot area density requirements with respect to residential uses in the areas it determines to be appropriate through the establishment of Urban Housing Overlay Districts; and further **ESTABLISHING** Urban Housing Overlay District #1, “Urban Core,” over the Over-the-Rhine, Pendleton, and Central Business District neighborhoods and certain portions of the West End and Mt. Auburn neighborhoods as an overlay district to relieve minimum lot area density requirements with respect to residential uses in the area.

AWG/MEH/(lnk)  
Attachment  
304928



# City of Cincinnati

MEH *AWB*

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

- 2020

**MODIFYING** Title XIV of the Cincinnati Municipal Code, “Zoning Code of the City of Cincinnati,” by **ORDAINING** new Section 1421-14, “Urban Housing Overlay Districts,” to enable Council to relieve minimum lot area density requirements with respect to residential uses in the areas it determines to be appropriate through the establishment of Urban Housing Overlay Districts; and further **ESTABLISHING** Urban Housing Overlay District #1, “Urban Core,” over the Over-the-Rhine, Pendleton, and Central Business District neighborhoods and certain portions of the West End and Mt. Auburn neighborhoods as an overlay district to relieve minimum lot area density requirements with respect to residential uses in the area.

WHEREAS, the Over-the-Rhine, Pendleton, and Central Business District neighborhoods and certain portions of the West End and Mt. Auburn neighborhoods developed as higher-density, mixed-use urban environments that promote and encourage walkability and provide the foundation for a healthy and vibrant urban core; and

WHEREAS, relieving minimum lot area density requirements with respect to residential uses in these neighborhoods encourages physical development that strengthens the neighborhoods’ most desirable characteristics; and

WHEREAS, the elimination of minimum lot area density requirements for residential uses promotes the redevelopment of existing buildings to productive reuse as well as the development of new infill buildings, which serves to revitalize the urban core by encouraging traditional urban, mixed-use development of a scale and density that are compatible with the City’s existing urban core; and

WHEREAS, the City Planning Commission at its regular meeting held on \_\_\_\_\_, 2020, affirmatively recommended that the Council adopt text amendments to the Zoning Code of the City of Cincinnati (“Zoning Code”) to establish a tool for eliminating density requirements in certain designated areas through the establishment of Urban Housing Overlay Districts, and further recommended that the Council adopt Urban Housing Overlay District #1, “Urban Core,” for the Over-the-Rhine, Pendleton, and Central Business District neighborhoods and certain portions of the West End and Mt. Auburn neighborhoods to lift minimum lot area density requirements for residential uses in that area; and

WHEREAS, a committee of Council held a public hearing on the recommended text amendments to the Zoning Code and the adoption of Urban Housing Overlay District #1, “Urban Core,” for the Over-the-Rhine, Pendleton, and Central Business District neighborhoods and certain portions of the West End and Mt. Auburn neighborhoods following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments and the establishment of Urban Housing Overlay District #1, “Urban Core,” finding it in the interest of the public’s health, safety, and general welfare; and

WHEREAS, the Council finds that the recommended text amendments and the establishment of Urban Housing Overlay District #1, "Urban Core," are consistent with *Plan Cincinnati* (2012), including the Strategy under Goal 2 in the Live Initiative Area to "Become more walkable" (p. 157) and the Strategy under Goal 2 of the Sustain Initiative Area to "Preserve our built history" which specifically recommends that the City "develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings" (p.197); and

WHEREAS, the Council further finds that the proposed text amendments and the establishment of Urban Housing Overlay District #1, "Urban Core," are 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 new Section 1421-14, "Urban Housing Overlay Districts," of the Cincinnati Municipal Code is hereby ordained to read as follows:

**§ 1421-14. – Urban Housing Overlay Districts.**

City Council may establish Urban Housing Overlay Districts within which the provisions of Sections 1405-07, "Development Regulations," 1407-07, "Development Regulations," 1409-09, "Development Regulations," 1410-07, "Development Regulations," 1413-07, "Development Regulations," and 1419-23, "Loft Dwelling Units," of the Zoning Code that limit the lot area square footage per residential unit do not apply.

Section 2. That, pursuant to Cincinnati Municipal Code 1421-14, ordained herein, the area of the City of Cincinnati's official zoning map shown on the map attached hereto as Exhibit A and incorporated by reference is hereby amended to superimpose Urban Housing Overlay District #1, "Urban Core," over the existing zoning districts within the designated area.

Section 3. That the provisions of Cincinnati Municipal Code Sections 1405-07, "Development Regulations," 1407-07, "Development Regulations," 1409-09, "Development Regulations," 1410-07, "Development Regulations," 1413-07, "Development Regulations," and 1419-23, "Loft Dwelling Units," that require the establishment, provision, or maintenance of minimum lot area square footage per residential unit are hereby declared inoperable in Urban Housing Overlay District #1, "Urban Core."

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

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

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

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

**EXHIBIT A**

# Urban Housing Overlay District

