



City of Cincinnati

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An Ordinance No. _____ - 2022

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code by **AMENDING** the provisions of Sections 1411-05, “Land Use Regulations,” and 1411-07, “Development Regulations,” and by **REPEALING** Sections 1411-25, “Location of Parking,” 1411-27, “Accessory Surface Parking,” and 1411-29, “Off-Site Parking,” to restrict the development of surface parking lots in the DD, “Downtown Development,” zoning district.

WHEREAS, surface parking lots are a minimally productive use of land whose contributions to the City’s economic output and tax base are minor relative to other commercial and industrial land uses; and

WHEREAS, surface parking lots also detract from urban street life by encouraging “car culture,” creating gaps in the street wall, and eliminating opportunities for enlivening sidewalks and driving pedestrian activity; and

WHEREAS, the DD, “Downtown Development,” zoning district, which covers the Central Business District and portions of the central riverfront and Over-the-Rhine, holds the major economic engine for the City and the region; and

WHEREAS, permitting surface parking lots within this zoning district promotes the inefficient and uneconomical use of land within the City’s vital economic core, and further allows for development that threatens the integrity of a cohesive downtown streetscape and pedestrian experience; and

WHEREAS, the Council resolves to amend the provisions of Chapter 1411, “Downtown Development Districts,” to restrict the development of surface parking lots within the DD, “Downtown Development,” zoning district; and

WHEREAS, at its regularly scheduled meeting on _____, 2022, the City Planning Commission reviewed the proposed amendments to the zoning code, and it recommended their approval; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1 at which it reviewed and considered the proposed text amendments; and

WHEREAS, the text amendments are consistent with *Plan Cincinnati (2012)*, including the “Compete” initiative area that calls for the City to “[b]e the pivotal economic force of the region,” and the “Connect” goal to “[e]xpand options for non-automotive travel” (p. 130); and

WHEREAS, the Council finds the proposed text amendments to be in the best interests of the City and 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 Section 1411-05, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1411-05. Land Use Regulations.

Schedule 1411-05 below prescribes the land use regulations for DD Downtown Development Use Subdistricts. Use classifications are defined in Chapter 1401: Definitions. Use classifications not listed in Schedule 1411-05 are prohibited.

- (a) "P" designates permitted uses. These uses may be subject to additional regulations, as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1411-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) "C" designates uses permitted only after review and approval of the Conditional Use by the Zoning Hearing Examiner. These uses may be subject to additional regulations, as indicated.

Use classifications are defined in Chapter 1401, Definitions.

Schedule 1411-05: Use Regulations-Downtown Development Use Subdistricts

Use Classifications	DD-A	DD-B	DD-C	DD-D	Additional Regulations
Residential Uses					
Bed and breakfast home	P	P	P	P	See § 1419-09
Day care home - Adult	P	P	P	P	
Day care home - Type A	L12	L12	L12	L12	
Day care home - Type B	L12	L12	L12	L12	
Group residential					
Convents and monasteries	L1	L1	L1	L1	
Fraternities and sororities	L1	L1	L1	L1	

Patient family homes	L1	L1	L1	L1	
Rooming houses	L2	L2	L2	L2	
Shared housing for elderly	L1	L1	L1	L1	
Permanent residential					
Single-family dwelling	P	P	P	P	
Attached single-family dwelling	P	P	P	P	
Single-family rowhouse	P	P	P	P	
Multi-family dwelling	P	P	P	P	
Two-family dwelling	P	P	P	P	
Residential care facilities					
Assisted living	—	P	P	—	
Developmental disability dwelling	P	P	P	P	
Nursing home	—	P	P	—	
Special assistance shelter	C	C	C	C	
Transitional housing					
Programs 1—5	P	P	P	P	
Program 6	L11	L11	L11	L11	
Public and Semipublic Uses					
Clubs and lodges	P	P	P	P	
Colleges, public or private	P	P	P	P	
Community service facilities	P	P	P	P	
Cultural institutions	P	P	P	P	
Day care center	P	P	P	P	
Government facilities and offices					

Correctional institutions	—	—	C	—	
Offices	P	P	P	P	
Hospitals	P	P	P	P	
Park and recreation facilities	P	P	P	P	
Public maintenance facility	—	P	P	P	
Public safety facilities	P	P	P	P	
Religious assembly	P	P	P	P	
Schools, public or private	P	P	P	P	See § 1419-12
Commercial Uses					
Animal service facilities	—	C	C	—	See § 1419-05
Banks and financial institutions	L3	L3	L3	L3	
ATM, stand-alone	—	—	C	C	See § 1419-07
Bed and breakfast inns	P	P	P	P	See § 1419-09
Building maintenance services	—	—	P	—	
Business services	P	P	P	P	
Commercial meeting facilities	L4	L4	L4	L4	
Eating and drinking establishments					
Convenience markets	L3	L3	L3	L3	
Drinking establishments	P	P	P	P	
Restaurants, full service	L3	L3	L3	L3	See § 1419-21

Restaurants, limited	L3	L3	L3	L3	See § 1419-21
Food markets	L3	L3	L3	L3	
Food preparation	P	P	P	P	
Funeral and interment services	—	—	P	—	
Hotels and commercial lodging	P	P	P	P	
Laboratories, commercial	L4	—	L4	L4	
Loft dwelling units	P	P	P	P	See § 1419-23
Maintenance and repair services	P	P	P	P	
Medical services and clinics	L4	P	L4	L4	
Offices	L4	P	L4	L4	
Parking facilities	L13	L13	L13	L13	See § 1411-25
Personal instructional services	L5	L5	P	L5	
Personal services	P	L6	P	P	
Recreation and entertainment					
Indoor or small-scale	L5	L5	P	L5	
Outdoor or large-scale	C	—	C	C	
Retail sales	P	L6	P	P	
Vehicle and equipment services					
Vehicle and equipment sales and rental	L7	—	L7	—	
Car wash	L7	L7	L7	L7	See § 1419-11

Vehicle repair	—	—	L8	—	See § 1419-27
Industrial Uses					
Production industry					
Artisan	—	—	P	P	
Limited	—	—	P	—	
Research and development	—	—	C	—	
Warehousing and storage					
Indoor storage	—	—	P	—	
Wholesaling and distribution	—	—	P	—	
Transportation, Communication and Utilities					
Communications facilities	P	—	P	P	
Public utility distribution system	L9	L9	L9	L9	
Public utility maintenance yard	—	—	C	—	
Public utility plant	C	—	C	—	
Transportation facilities					
Heliports	C	—	C	C	
Transportation passenger terminals	C	C	C	C	
Watercraft and riverfront facilities					
Commercial piers and ports	—	—	—	P	
Marinas	—	—	—	P	
Wireless communication antenna	L10	L10	L10	L10	See § 1419-33

Wireless communication tower	C	C	C	—	See § 1419-33
Agriculture and Extractive Uses					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422
Gardens	P	P	P	P	See Chapter 1422
Accessory Uses					See Chapter 1421
Nonconforming Uses					See Chapter 1447

Specific Limitations

- L1 A separate entrance for access to rooming units must be provided in a mixed-use building.
- L2 Only rooming houses licensed pursuant to Chapter 855, Rooming Houses of the Municipal Code are allowed. A separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-23.
- L3 Drive-through facilities are not permitted.
- L4 Not permitted as a principal ground floor use in locations indicated on Map 1411-17: Commercial Continuity Overlay.
- L5 Permitted only above the ground floor in a mixed-use building. Modification requires conditional use approval pursuant to Chapter 1445-Variances, Special Exceptions and Conditional Uses.
- L6 Permitted on the ground floor only.
- L7 Permitted as a secondary use located within a parking garage.
- L8 Permitted only if the entire use and storage is within an enclosed structure.
- L9 The facility must be underground, within a building or on the roof within an enclosure.

L10 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public, public utility, commercial or industrial building or structure.

L11 Programs may not exceed 50 resident occupants.

L12 Fencing must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.

L13 Surface parking lots are not permitted.

~~L13 See 1411-25.~~

Section 2. That existing Section 1411-05, "Land Use Regulations," of the Cincinnati Municipal Code is hereby repealed.

Section 3. That Section 1411-07, "Development Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1411-07. Development Regulations.

Schedule 1411-07 summarizes the development regulations for the DD Downtown Development Districts, including lot area, FAR, height, setback and building coverage. Additional standards are included in Chapter 1419.

Schedule 1411-07: Development Regulations - Downtown Development Districts

Regulations	DD-A	DD-B	DD-C	DD-D	Additional Regulations
Building Scale - Intensity of Use					
Floor Area Ratio (FAR)	See Overlay Map 1411-09				See §§ 1411-09 and 1447-23
Maximum Floor Area Ratio (FAR)	See § 1411-41				
Required Residential Uses	No	Yes	No	Yes	See § 1411-11
Building Form and Location					
Maximum Building Height (ft.)	See Overlay Map 1411-13				See § 1411-13
Minimum Facade Height (ft.)	40	40	40	40	See §1411-15
Minimum Yard (ft.)	See Overlay Map 1411-15				
Pedestrian Orientation					

Commercial Continuity	See Overlay Map 1411-17				See § 1411-17
Ground Floor Transparency (percent)	60	60	60	60	See § 1411-21
Vehicle Accommodation - Parking and Loading					
Required Parking	See Overlay Map 1411-23				See § 1411-23
Location of Parking	Yes	Yes	Yes	Yes	See § 1411-25 1411-27
Lot and Structure Design	Yes	Yes	Yes	Yes	See § 1411-31
Loading	Yes	Yes	Yes	Yes	See § 1411-37
Other Standards					
Buffering Along District Boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Signs	Yes	Yes	Yes	Yes	See § 1411-39
General Site Standards			See Chapter 1421		
Landscaping and Buffer Yards			See Chapter 1423		
Nonconforming Uses and Structures			See Chapter 1447		
Off-Street Parking and Loading			See Chapter 1425		
Additional Development Regulations			See Chapter 1419		

Section 4. That existing Section 1411-07, “Development Regulations,” of the Cincinnati Municipal Code is hereby repealed.

Section 5. That existing Sections 1411-25, “Location of Parking,” 1411-27, “Accessory Surface Parking,” and 1411-29, “Off-Site Parking,” of the Cincinnati Municipal Code are hereby repealed.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.