



City of Cincinnati

801 Plum Street
Cincinnati, OH 45202

Agenda

Major Projects & Smart Government

*Chairperson Greg Landsman
Councilmember Chris Seelbach
Councilmember David Mann
Councilmember Wendell Young
Councilmember Jan-Michele Kearney*

Tuesday, October 26, 2021

2:00 PM

Council Chambers, Room 300

PRESENTATIONS

City Manager Review and Evaluation

Harry Kangis

AGENDA

1. [202102854](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 9/29/2021, **AUTHORIZING** the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the resurfacing of certain rights-of-way that include the portion of Interstate 75 located between the Brent Spence Bridge and the Western Hills Viaduct and the Sixth Street Expressway Ramps to Interstate 75 in the City of Cincinnati.

Sponsors: City Manager

Attachments: [Transmittal](#)
[Ordinance](#)

2. [202102833](#) **REPORT**, dated 10/20/2021, submitted by Paula Boggs Muething, City Manager, regarding existing notice resources and practices to community councils and residents. (SEE DOC. #202102833)

Sponsors: City Manager

Attachments: [Report - Existing Notice Practices 9-21](#)

ADJOURNMENT

Date: September 29, 2021

To: Mayor and Members of City Council **202102854**

From: Paula Boggs Muething, City Manager

Subject: ORDINANCE – RESURFACING OF INTERSTATE 75 AND SIXTH STREET EXPRESSWAY

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the resurfacing of certain rights-of-way that include the portion of Interstate 75 located between the Brent Spence Bridge and the Western Hills Viaduct and the Sixth Street Expressway Ramps to Interstate 75 in the City of Cincinnati.

The Ohio Department of Transportation (“ODOT”) has identified the need to resurface portions of certain rights-of-way that include the portion of Interstate 75 (“I-75”) located between the Brent Spence Bridge and the Western Hills Viaduct and the Sixth Street Expressway Ramps to I-75 (PID No. 94238) (the “Project”).

The City is the public entity bearing responsibility to maintain the Sixth Street Expressway Ramps to I-75; however ODOT has agreed to resurface the Sixth Street Expressway Ramps in connection with the Project.

ODOT will be the public agency leading and managing the Project, and the City will serve as the Local Public Agency (“LPA”).

The role of the City as LPA and its obligations related thereto must be authorized and defined by ordinance.

Except as needed for temporary access, no transfer of City right-of-way is required for the project, and no change in the use of City streets is expected to arise from the Project.

The State of Ohio will provide 100% of the eligible cost of the Project, with the City responsible for only the costs for future maintenance of the Sixth Street Expressway Ramps.

ODOT has requested that all necessary right-of-way in the Project area be made available for the Project in accordance with current state and federal regulations, and that the City give its consent to the completion of the Project.

The City’s Department of Transportation & Engineering has reviewed the proposed project.

Any changes to the street layout or right-of-way are subject to review and approval by the City Planning Commission, but no such changes have been identified at this stage of the Project.

Upon completion of the Project, ODOT and the City desire for the City to continue its existing maintenance responsibilities of the right-of-way in the Project area for public highway purposes, as applicable, and other duties required by applicable state and federal law.

The Administration recommends passage of the attached ordinance.

cc: John S. Brazina, Director, Transportation and Engineering

City of Cincinnati

JRS
AWB

An Ordinance No. _____ - 2021

AUTHORIZING the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the resurfacing of certain rights-of-way that include the portion of Interstate 75 located between the Brent Spence Bridge and the Western Hills Viaduct and the Sixth Street Expressway Ramps to Interstate 75 in the City of Cincinnati.

WHEREAS, the Ohio Department of Transportation (“ODOT”) has identified the need to resurface portions of certain rights-of-way that include the portion of Interstate 75 (“I-75”) located between the Brent Spence Bridge and the Western Hills Viaduct and the Sixth Street Expressway Ramps to I-75 (PID No. 94238) (the “Project”); and

WHEREAS, the City is the public entity bearing the responsibility to maintain the Sixth Street Expressway Ramps to I-75; however, ODOT has agreed to resurface the Sixth Street Expressway Ramps in connection with the Project; and

WHEREAS, ODOT will be the public agency leading and managing the Project, and the City will serve as the Local Public Agency (“LPA”); and

WHEREAS, the role of the City as LPA and its obligations related thereto must be authorized and defined by ordinance; and

WHEREAS, except as needed for temporary access, no transfer of City right-of-way is required for the Project, and no change in the use of City streets is expected to arise from the Project; and

WHEREAS, the State of Ohio shall provide 100% of the eligible cost of the Project, with the City responsible for only the costs for future maintenance of the Sixth Street Expressway Ramps; and

WHEREAS, ODOT has requested that all necessary rights-of-way in the Project area be made available for the Project in accordance with current state and federal regulations and that the City give its consent to the completion of the Project; and

WHEREAS, the City’s Department of Transportation & Engineering has reviewed and approved the proposed Project; and

WHEREAS, the extent of City streets and changes in their use are subject to review and approval by the City Planning Commission, but no changes requiring the commission’s review have been identified at this stage of the Project; and

WHEREAS, upon completion of the Project, ODOT and the City desire for the City to continue its existing maintenance responsibilities for the right of way in the Project area, as applicable, and other duties required by applicable state and federal law; now, therefore,

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

Section 1. That the City of Cincinnati consents to and shall cooperate with the Director of the Ohio Department of Transportation (“ODOT”), on behalf of the State of Ohio, to facilitate the implementation of the resurfacing of certain rights-of-way that include the portion of Interstate 75 (“I-75”) located between the Brent Spence Bridge and the Western Hills Viaduct (designated by ODOT as Ham-75-0.22) and the Sixth Street Expressway Ramps to I-75, (PID No. 94238) (the “Project”), and that the City further finds the Project to be in the public interest.

Section 2. That the State of Ohio will assume and bear 100% of the cost of the improvements proposed as part of the Project.

Section 3. That the City shall bear 100% of the cost of those features, if any, requested by the City that ODOT and the Federal Highway Administration determine to be unnecessary for the Project; as of the date of this ordinance, no such features have been identified.

Section 4. That the City agrees to make available to ODOT all City-owned rights-of-way required for the Project, including utility relocation, in accordance with current state and federal regulations and subject to any additional City approvals required for the encumbrance or acquisition of City property or change in use of City streets. The City acknowledges that all utility accommodation, relocation, and reimbursement in connection with the Project will comply with the current provisions of 23 C.F.R. 645 and the ODOT Utilities Manual.

Section 5. That, from time to time, change orders and extra-work contracts may be required to fulfill the Project, and ODOT shall provide written notice to the City, which shall process such as needed and contribute the City’s share of the costs of those items; as of the date of this ordinance, no such costs have been identified.

Section 6. To the extent applicable and unless otherwise agreed, the City upon completion of the Project shall: (1) provide adequate maintenance for the Project in accordance with all applicable state and federal law, including, but not limited to, 23 U.S.C. Section 116; (2) provide ample financial provisions, as necessary, for any City maintenance responsibilities in connection with the Project; (3) to the extent required by state and federal law, maintain the right of way and keep it free of obstructions; and (4) hold said right of way inviolate for public highway purposes.

Section 7. That the City Manager is hereby authorized to enter into any agreements and process any change orders or extra-work orders connected thereto with the Director of ODOT, or ODOT-prequalified consultants, as necessary to complete the Project in accordance with the terms of this ordinance.

Section 8. That the City Manager is further authorized to execute any documents, upon the request of ODOT, necessary to allow ODOT to recover damages or exercise its rights and remedies under any contracts arising from any errors or omissions of any contractors or consultants.

Section 9. That the City Manager and the appropriate City officials are hereby authorized to take all necessary and proper actions to cooperate with the Director of ODOT to facilitate the Project.

Section 10. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2021

John Cranley, Mayor

Attest: _____
Clerk

October 20, 2021

TO: Mayor and Members of City Council

FROM: Paula Boggs Muething, City Manager **202102833**

SUBJECT: Existing Notice Resources and Practices to Community Councils and Residents

REFERENCE DOCUMENT # 202102083

On June 9, 2021, City Council adopted the following Motion:

MOTION, submitted by Councilmember Kearney, WE MOVE that the City of Cincinnati Administration provide a report on existing notice resources and practices for zoning changes, building issues, developments, notwithstanding ordinances, liquor licenses, and any other matter requiring notice to community councils, property owners and residents. WE FURTHER MOVE to request information on options for providing notice to residents in addition to the neighborhood community councils and property owners.

Current Notification Procedures

The Cincinnati Municipal Code (CMC) has multiple codified notification procedures for various types of processes handled by a variety of City Departments. Not all of the processes are identical and many, in practice, go above and beyond the codified requirements in order to provide ample notice to the residents and Community Councils. The Department of City Planning and Engagement (DCPE) promotes active public participation through various engagement methods in order to reach and inform as many stakeholders as possible about important projects and developments in Cincinnati. The various methods of notification include, but are not limited to, mail, e-mail, City website, City Bulletin, social media, signs, and surveys.

City Planning Commission Meetings (DCPE)

The annual calendar which lists all regularly scheduled City Planning Commission meetings is approved by the Commission prior to January 1st of each year and is published on DCPE's website on the calendar and on the City Planning Commission page specifically. Additionally, for each individual meeting the following general notification procedures are followed:

- **Mail:** Packets are mailed out to City Planning Commission members a week prior to the meeting.
- **E-mail:** The agenda and a link to the packet on the City Planning Commission website are sent to City Planning Commission members and a large distribution list a week prior to the meeting. The distribution list includes all Community Councils, City Department Directors, interested City staff, general media, and any individual who voluntarily signed up on the City Planning Commission website to receive such notifications.
- **Website:** The agenda and packet are posted on the City Planning Commission website a week prior to the meeting and made available to the general public.

Real Estate Items on City Planning Commission Agenda (Real Estate and DCPE)

- **Mail and E-mail:** Once scheduled for a City Planning Commission meeting, a notice is mailed and e-mailed to the Community Council where the subject property is located and mailed to all adjacent property owners. Notice is sent at least 14 days prior to the City Planning Commission meeting or earlier when possible.
- **Community Engagement Meeting:** As further discussed below, for sale or lease of material City-owned real estate interests, the City Manager has established a policy requiring community engagement meetings prior to submission to Council.

Zoning Map Amendments (Zone Changes) (DCPE and Clerk of Council)

- **Required by Code or Regulation:** Per Section 6 of the rules of the City Planning Commission, notice of a public staff conference shall be sent by regular mail and *postmarked at least 14 calendar days prior* to a public staff conference. Notification is sent to the owners of the property and all owners of property located within *400 feet* of the subject property, as well as the Community Council and the applicant. If there are multiple Community Council boundaries within the 400-foot radius boundary, all of them receive the same notice in the mail and e-mail.
- **Mail:** Notification is sent out 14 days prior to the public staff conference. The notification includes the date, time, location of the staff conference as well as the location (map) and general information about the proposed zone change. Additional notification is sent out to the same property owners, applicant, Community Council(s), and anyone who attended the public staff conference for the City Planning Commission meeting. Staff provides mailing labels to the Clerk of Council for 14 days notification of the appropriate Council Committee hearing.
- **E-mail:** The applicant and Community Council are e-mailed notification of the public staff conference, City Planning Commission meeting, and Council Committee meeting. Once a public staff conference is held, staff uses the e-mails provided from the sign-in sheet to let interested parties know of future hearings or important information regarding the proposed zone change.
- **Website:** Notification of the public staff conference and City Planning Commission meeting go on the DCPE website and calendar.
- **Community Council Meeting:** Staff contacts the Community Council and asks if they are going to discuss/vote on the proposal. If the Community Council schedules a meeting to discuss the item, staff attends the meeting and is present to help answer questions.
- **Other City Departments:** Proposed zone changes go through the City's Coordinated Site Review process to all other City Departments to review and comment before scheduling for a City Planning Commission meeting.

Zoning Code Text Amendments (DCPE and Clerk of Council)

- **Required by Code or Regulation:** Per Section 6 of the rules of the City Planning Commission, notice of a public staff conference shall be sent by regular mail and *postmarked at least 14 calendar days prior* to a public staff conference. The Community Councils representing the areas of concern, an applicant (if applicable), and any other parties that the Director deems applicable are also notified.
- **Mail:** Notification is sent out 14 days prior to the public staff conference. The notification includes the date, time, and location of the staff conference as well as the general information about the proposed text amendment. Additional notification is sent out to the same parties for the City Planning Commission meeting. Staff provides mailing labels to the Clerk for notification of the appropriate Council Committee hearing.
- **E-mail:** An e-mail notification is sent to all Community Councils and interested organizations or parties for the public staff conference, City Planning Commission meeting, and Council Committee meeting.
- **Website:** Notification of the public staff conference and City Planning Commission meeting go on the DCPE website and calendar.

Minor Subdivisions of Land (DCPE)

- **Required by Code or Regulation:** Per Section 300-07 of the Subdivision Regulations, the DCPE has the duty to review an application for a Minor Subdivision within 30 days of receipt of a complete application.
- **Physical Signage:** Per Section 300-07(b) of the Subdivision Regulations, within 24 hours of submitting a Minor Subdivision application, the applicant shall post signage on the subject property in the form and manner prescribed by the DCPE and it shall remain posted until final disposition of the application.
- **Mail:** Per Section 300-07(f) of the Subdivision Regulations, DCPE mails notice of decision of a Minor Subdivision to the applicant, the community organization(s) representing the area in which the subject property is located, and all property owners within 100 feet of the boundaries of the parcel of land approved for subdivision.
- **E-mail:** An e-mail notice of decision is also sent to the applicant and community organization(s) representing the area in which the subject property is located.

Major Subdivisions of Land – Development Plan + Variances (DCPE)

- **Required by Code or Regulation:** Per Section 300-09(a)(1) of the Subdivision Regulations, the Department of City Planning has the duty to hold a public hearing on development plan applications within 30 days of receipt of a complete application by the Department of City Planning.
- **Physical Signage:** Per Section 300-09(a)(2) of the Subdivision Regulations, within 24 hours of submitting a Minor Subdivision application, the applicant shall post signage on the subject property in the form and manner prescribed by the DCPE and it shall remain posted until final disposition of the application.
- **Mail:** Per Section 300-09(a)(3) of the Subdivision Regulations, DCPE mails notice of a complete development plan application and a date scheduling a hearing on the application by regular mail to the applicant, the community organization(s) representing the area in which the subject property is located, and all property owners within 200 feet of the boundaries of the parcel of land being considered for subdivision within 10 calendar days of receipt of a complete application. Notice for the City Planning Commission meeting date is also sent to the same individuals and groups 14 days in advance. Per Section 300-09(a)(7) of the Subdivision Regulations, DCPE mails notice of decision of a Major Subdivision to the applicant, the community organization(s) representing the area in which the subject property is located, and all property owners within 200 feet of the boundaries of the parcel of land approved for subdivision.
- **E-mail:** An e-mail notice of complete application, City Planning Commission, and notice of decision is also sent to the applicant and community organization(s) representing the area in which the subject property is located.
- **Variance Notice:** Chapter 5 of the Subdivision Regulations provides a means by which the City Planning Commission may grant relief from the terms, provisions, standards, or improvement requirements of the subdivision regulations, or relief from Cincinnati Zoning Code or Land Development Code. All notice procedures for Variances in conjunction with a subdivision of land are the same as listed above, including notice in the City Bulletin.

Major Subdivisions of Land – Subdivision Improvement Plan (DCPE)

- **Required by Code or Regulation:** Per Section 300-09(b) of the Subdivision Regulations, if required in connection with a major subdivision proposal, a subdivision improvement plan must be reviewed and approved by the City Planning Commission within 24 months following approval of the development plan for the subdivision, unless the City Planning Commission extends such approval. Per Section 300(b)(2) of the Subdivision Regulations, the City Planning Commission shall review the subdivision improvement plan within 30 days of receiving the coordinated site review panel's recommendation.

- **Mail:** DCPE mails notice of a City Planning Commission meeting where the Subdivision Improvement Plan will be considered to the applicant and community organization(s) representing the area in which the subject property is located. Per Section 300-09(b)(3) of the Subdivision Regulations, DCPE mails notice of the City Planning Commission's decision on a Subdivision Improvement Plan to the applicant.
- **E-mail:** An e-mail notice of the City Planning Commission meeting and notice of decision is also sent to the applicant and community organization(s) representing the area in which the subject property is located.

Major Subdivisions of Land – Final Plat (DCPE)

- **Required by Code or Regulation:** Per Section 300-09(c) of the Subdivision Regulations, Final Plats for a Major Subdivision must be submitted for review by the City Planning Commission within 24 months following (i) approval of the development plan for the subdivision if no subdivision improvement plan is required or (ii) the completion of site and infrastructure improvements if a subdivision improvement plan is required. Per Section 300-09(c)(1) of the Subdivision Regulations, the City Planning Commission shall review the final plat within 30 days following its submission.
- **Mail:** DCPE mails notice of a City Planning Commission meeting where the Final Plat will be considered to the applicant and community organization(s) representing the area in which the subject property is located. Per Section 300-09(c)(2) of the Subdivision Regulations, DCPE mails notice of the City Planning Commission's decision on a Final Plat to the applicant.
- **E-mail:** An e-mail notice of the City Planning Commission meeting and notice of decision is also sent to the applicant and community organization(s) representing the area in which the subject property is located.

Historic Districts and Landmark Designations (Zoning Overlay) (DCPE and Buildings & Inspections)

- **Required by Code or Regulation:** Following the City Planning Commission's same rules for a zoning map amendment (Section 6), notice of a public staff conference with City Planning & Engagement and the City's Historic Conservation Office shall be sent by regular mail and *postmarked at least 14 calendar days prior* to a public staff conference. Notification is sent to the owners of the property and all owners of property located within *400 feet* of the subject property as well as the applicant, Community Council, Cincinnati Preservation Association (CPA), and interested parties.
- **Mail:** Notification is sent out 14 days prior to the public staff conference. The notification includes the date, time, location of the staff conference as well as the location (map) and general information about the proposed historic designation. The Historic Conservation Board hears the proposal before City Planning Commission. Additional notification is sent out to the same property owners as well as the applicant, Community Council, CPA, and interested parties for the Historic Conservation Board meeting and subsequently the City Planning Commission meeting. Staff provides mailing labels to the Clerk for notification of the appropriate Council Committee hearing.
- **E-mail:** Once a joint public staff conference is held, staff uses the e-mails provided from the sign-in sheet to let the applicant, Community Council, CPA, and interested parties know of future hearings or important information regarding the proposed historic designation.
- **Website:** Notification of the public staff conference and City Planning Commission meeting go on the DCPE website and calendar.
- **Community Council Meeting:** Staff contacts the Community Council and asks if they are going to discuss/vote on the item. If the Community Council schedules a meeting to discuss the item, staff attends the meeting and is present to help answer questions.

- **Other City Departments:** The historic designation is also circulated to other City Departments for review and comment before the Historic Conservation Board and City Planning Commission meetings.

Interim Development Control Overlay District (IDC) (DCPE and Clerk of Council)

3 Month IDC

- **Required by Code or Regulation:** As established under CMC 1431, City Council may establish an IDC for 3 months *without* prior notice, advertisement, or public hearing. However, notification of the establishment of the IDC as well as the time and place of the public hearing on the *extension of the district for another 9 months must be given within 10 business days of the establishment of the IDC by advertising in the bulletin and notifying each property owner.*
- **Mail:** Notification goes to the Community Council and property owners within the IDC regarding the extension of the IDC within 10 business days of the establishment.
- **E-mail:** Whoever has requested the IDC is notified of the City Planning Commission meeting. If the Community Council did not request the IDC, then staff e-mails the Community Council of the emergency 3-month IDC. Notification is sent to the Community Council of the extension of the IDC.
- **City Bulletin:** The notification is posted in the City Bulletin within 10 business days of the establishment of the IDC.
- **Website:** Notification is posted to the website and calendar at the same time as mailings.

One Year IDC or Extension of IDC

- **Required by Code or Regulation:** As established under CMC 1431, City Council may establish an IDC for one year or extend IDC if notice has been given and a public hearing is held.
- **Mail:** Notification to the Community Council and property owners within the IDC is given 14 days prior to the establishment. Notification also is sent to whoever has requested the IDC.
- **E-mail:** Notification is sent to the Community Council. Notification also is sent to whoever has requested the IDC.
- **Website:** Notification is posted to the website and calendar at the same time as mailings.

IDC Permit Reviews

- **Required by Code or Regulation:** As established under CMC 1431, City Planning Commission must hold a public hearing to consider certain permit applications within an IDC.
- **Mail:** Notification is provided to the Community Council, property owners directly adjacent to the property being reviewed, and any other person requesting notice.
- **E-mail:** E-mail notification is provided to the Community Council and the applicant.
- **City Bulletin:** Notice is published in the City Bulletin in advance of the hearing.
- **Other City Departments:** The IDC review is also circulated to other City Departments for review and comment before the City Planning Commission meeting.
- **Best Practices:** Notice is given to all property owners within the IDC, if it is reasonable to do so based on the size of the IDC.

Planned Developments: Establishments or Major Amendments (DCPE and Clerk of Council)

- **Required by Code or Regulation:** Under CMC 1429, the Planned Development (PD) process follows a similar process to other zone changes. Notice of a public staff conference is sent by regular mail and *postmarked at least 14 calendar days prior* to a conference. Notification is sent to the applicant, properties within 400 feet of the proposed change, as well as the Community Council. Additional notification is sent to the applicant, surrounding property owners, Community Council(s), and any interested parties from the public staff conference for City Planning Commission and City Council meetings.

- **Mail:** Notification is sent out 14 days prior to the public staff conference. The notification includes the date, time, location of the staff conference as well as the location (map) and general information about the proposed PD. Additional notification is sent out to the same property owners and Community Council for the City Planning Commission meeting. Staff provides mailing labels to the Clerk for notification of the appropriate Council Committee hearing.
- **E-mail:** Once a public staff conference is held, staff uses the e-mails provided from the sign-in sheet to let interested parties know of future hearings or important information regarding the proposed PD. An e-mail is also sent to the Community Council throughout the process.
- **Other City Departments:** Proposed zone changes (including PDs) go through the City's Coordinated Site Review process to all other City Departments to review and comment before scheduling for a City Planning Commission meeting.
- **Website:** Notification of the public staff conference and City Planning Commission meeting go on the website and calendar.
- **Community Council Meeting:** If the Community Council schedules a meeting to discuss the item, staff attends the meeting and is present to help answer questions.

Planned Developments: Final Development Plans (DCPE)

- **Required by Code or Regulation:** Under CMC 1429, the Final Development Plan approval for PDs follows a similar process of the establishment of a PD. Notice of a public staff conference is sent by regular mail and *postmarked at least 14 calendar days prior* to a conference. Notification is sent to the applicant, properties within 400 feet of the proposed change, interested parties from the previous staff conference, as well as the Community Council(s). Additional notification is sent to the applicant, surrounding properties, Community Council, and any interested parties from the public staff conference for the City Planning Commission meeting.
- **Mail:** Notification is sent out 14 days prior to the public staff conference. The notification includes the date, time, location of the staff conference as well as the location (map) and general information about the Planned Development Final Development Plan. Additional notification is sent out to the same property owners and Community Council for the City Planning Commission meeting.
- **E-mail:** Staff notify the same interested parties, applicant, surrounding property and property owners of the public staff conference that have previously been notified. Once another public staff conference is held, staff uses the e-mails provided from the sign-in sheet to let interested parties know of future hearings or important information regarding the Planned Development. An e-mail is also sent to the Community Council throughout the process.
- **Other City Departments:** Proposed Final Development Plans go through the City's Coordinated Site Review process to all other City Departments to review and comment before scheduling for a City Planning Commission meeting.
- **Website:** Notification of the public staff conference and City Planning Commission meeting go on the website and calendar.
- **Community Council Meeting:** If the Community Council schedules a meeting to discuss the item, staff attends the meeting and is present to help answer questions.

Neighborhood Plans (DCPE)

In neighborhood planning processes, the DCPE takes steps to provide ample notice to as many individuals and stakeholders as possible. The DCPE also relies heavily on the neighborhood leadership, Community Council(s), and steering committee for the plan to get the word out and share flyers to encourage residents to be engaged throughout the process. While there are no codified notice procedures for neighborhood plans, the DCPE uses best practices and creative methods to provide notice. Those practices include the following:

- **Project Management Plan:** Create a project management plan that details the planning process and includes all intended community engagement opportunities to occur.

- **Community Meetings:** At a minimum, two community-wide public meetings are held at the beginning of the planning process to get feedback about general issues and potential solutions. Another community-wide meeting would be held at the end of the process to get feedback on the draft plan. It is recommended that additional meetings be held throughout the process for those who choose to be more engaged.
- **Mail:** If funding is available, send out notification to the property owners within the plan boundary (if applicable). If funding is limited, at least notify all property owners within the applicable business district. Postcards are considered as an economical alternative to traditional mailings.
- **E-mail:** All interested parties who have attended meetings are notified of upcoming meetings. Notification is sent to community leaders to distribute to their e-mail distribution lists.
- **Website:** A specific plan webpage is created on the DCPE website. Provide any links to surveys, the draft plan, etc. on the website and include location and times for upcoming meetings.
- **Social Media:** Share links to the DCPE website on the Facebook page and Twitter account to advertise public meetings. Ask the City of Cincinnati account to share on Facebook, Twitter, and NextDoor accounts as well. Share links with community leaders to send out via their social media platforms.
- **Survey:** Short questionnaires (via Survey Monkey) are generally used to gather additional feedback from interested parties who cannot make the public meetings.
- **Department Feedback:** Distribution of the draft plan is sent by e-mail to City Department Directors and appropriate City staff. An invitation is sent to present the draft plan at an internal meeting to help field questions and comments.
- **Neighborhood Approval:** All necessary neighborhood groups vote and approve plan (Community Council, Business Associations, etc.). Staff attend these meetings and make sure that notification is provided via e-mail and social media prior to the meeting.
- **City Approval:** Notification for City Planning Commission and Council Committee meetings is provided through mail (if appropriate), e-mail, website, and social media.

Community Engagement Meetings for Development Projects (DCPE and Department of Community and Economic Development)

Under the community engagement policy established by the City Manager, for development projects that are asking the City for a loan or grant of public funds of \$50,000 or more or a sale or long-term ground lease of City-owned land or buildings with a fair market value of \$50,000 or more require that the City hold a Community Engagement Meeting (CEM).

- **Mail:** Notification is sent out 14 days prior to the CEM. The notification includes the date, time, location of the CEM as well as the location (map) and general information about the proposed development project and what the private developer is asking the City for. The notice is mailed to property owners within a 400-foot radius of the subject property along with the Community Council(s) and Community Development Corporation(s) (if applicable).
- **E-mail:** Staff notifies the applicant and affected Community Council(s) and Community Development Corporation(s) via e-mail also.
- **Website:** Notification of the CEM goes on the website and calendar. A specific webpage for every CEM is created on the DCPE website that includes the project proposal, meeting information, map, and any associated materials (site plans, reports, etc.) along with staff contact information. A link to that webpage is included in the notice that is mailed and e-mailed.
- **Social Media:** DCPE shares links to the website on the Facebook page and Twitter account to advertise all CEMs, and the City of Cincinnati account shares on Facebook, Twitter, and NextDoor accounts as well. Links are shared with community leaders to send out via their social media platforms.

- **Physical Signage:** The DCPE is currently developing physical signage for applicants to place on the subject property informing individuals of where to go to find more information about the proposal and contact information for DCPE staff for further questions.

Zoning Hearing Examiner Hearings (Law)

- **Required by Code or Regulation:** Pursuant to CMC 1443, 14 days prior to a hearing notification is mailed out to the Community Council(s) and all property owners within a 100-foot radius of the subject property or 250-foot radius, if the subject property is in the SF-20 and SF-10 (single-family) zoning districts. The mailed notification includes the date, time, and location of the hearing, general information about the proposed zoning relief, and instructions on how to review information submitted in connection to the application, indicate approval or disapproval as well as learn more about the hearing process.
- **Publication:** The notice of public hearing is advertised in the City Bulletin seven days prior to the hearing. The regular Zoning Hearing Examiner schedule is once per week on Wednesdays. The notice of hearing is posted on the day of the hearing in the lobby of the Permit Center at 805 Central Avenue 5th floor of the Centennial II building.
- **E-mail:** An e-mail notification is sent to the Community Council(s) where the subject property is located when the application is processed and perfected (typically 4-6 weeks prior to the hearing) and when any new files are uploaded in the CAGIS ProjectDox system, including when the notification is uploaded to the City Bulletin Calendar.
- **Online Access:** All case files are available for review and download through the ProjectDox system (cagisdocs.hamilton-co.org/ProjectDox). Applicants, designated community council representatives, and designated City representatives receive automatic access to case files in which they have an interest. An email notification is sent to all users each time a new document is uploaded to the case file.

Administrative Decisions: Zoning (Buildings & Inspections)

- **Required by Code or Regulation:** Notice of an administrative decision which requires notification (such as a minor approval/disapproval in an Urban Design Overlay District or Hillside Overlay District for example) is sent when the application is approved by Zoning Administration per CMC Sections 1437-11(a) Urban Design Overlay District and 1433-21(a) Hillside Overlay District. Not all zoning administrative decisions require notice.
- **Mail:** Notification is sent out to all abutting property owners to the subject property when the application is approved by Zoning.
- **E-mail:** An e-mail notification is sent to the Community Council(s) where the subject property is located.

Administrative Decisions: Historic (Buildings & Inspections)

- **Required by Code or Regulation:** Notice of an administrative decision that does not require Historic Conservation Board review (such as certain certificates of appropriateness) is sent to all property owners within a 200-foot radius of the subject property within 10 days of a complete application and when the application is approved per CMC Section 1435-09-1-D.
- **Mail:** Notification is sent to all property owners within a 200-foot radius of the subject property within 10 days of a complete application and when the application is approved.
- **E-mail:** An e-mail notification is sent to the Community Council(s) where the subject property is located.

Historic Conservation Board: Certificates of Appropriateness and Zoning Relief (Law)

- **Required by Code or Regulation:** As established under CMC 1435, notice of an application shall be sent by regular mail or electronic mail, if available, within ten days of a perfected application. Notice of a hearing is sent by regular mail or electronic mail, if available, at least

seven days in advance of the hearing. The notice of hearing must be advertised in the City Bulletin seven days prior to the hearing.

- **Mail:** Within ten days of a perfected application, a notice of a hearing is sent by regular mail to all owners of properties located within a 200-foot radius of the subject property, to the community council and to all abutting property owners. The radius is expanded to a 250-foot radius for projects that require zoning relief. The notice of hearing is sent five weeks in advance of the actual board hearing date.
- **E-mail:** Within ten days of a perfected application, a notice of a hearing is emailed to City officials and registered interested parties. This notice of hearing is emailed five weeks in advance of the actual board hearing date. Anyone may register on the City's website (cincinnati-oh.gov/boards) as an interested party for the Historic Conservation Board email distribution list to receive all notice of hearings within ten days of a perfected application and all meeting agendas seven days prior to the hearing. Both the emailed and mailed notification serve as the notice of application as well as the notice of hearing. It includes the date, time, and location of the Board hearing, general information about the proposed project and instructions on how to review case materials submitted in connection to the application, indicate approval or disapproval as well as learn more about the hearing process. Five weeks advance notice is generally provided compared to the required seven-day notice. The notice also includes a time, date, and place for a pre-hearing conference to be held by the Urban Conservator, to which the applicant, the property owner, and all interested City departments, and the Community Council(s) are invited. At the pre-hearing conference, the comments and recommendations of all interested parties concerning their respective authority over the proposed improvements and their advice as to the appropriateness of the proposed improvements may be received and discussed with the applicant. The notice for a pre-hearing is sent two weeks in advance of the pre-hearing date.
- **Publication:** Notice of public hearing must be advertised in the City Bulletin seven days prior to the hearing. However, the notice is typically advertised 4-5 weeks prior to the hearing. The Historic Conservation Board conducts regular hearings two times per month on Mondays at 3:00 p.m. The yearly schedule is published in the City Bulletin as well as on the City's website.
- **Online Access:** The agenda and finalized case materials are published on the City's website at least 5-6 days prior to the hearing.

Zoning Administrator De Minimis Variances (Buildings & Inspections)

- **Required by Code or Regulation:** Per Zoning Code Section 1445-30, notice of a De Minimis Variance application is sent within three days from the date of application. Notice of the decision to grant a de minimis variance is posted in the next available issue of the City Bulletin.
- **Mail:** Notification is sent out by the applicant via certified mail to all abutting property owners to the subject property. The applicant is required to provide proof of the notice to the City.

Liquor Licenses (Police)

- **Mail and E-Mail:** The Cincinnati Police Department (CPD) provides notice regarding liquor license applications. Once the Vice Squad in the Police Department receives a liquor license application from the State of Ohio for a particular business, in addition to internal notice for diligencing, CPD provides written and e-mail notice for a period of 2.5 weeks to the Community Council where the business is located, giving the Community Council a chance to object or not. Once they have all pertinent information and know if there are any objections or not, the Police Department submits, through the City Manager, the liquor license application to City Council for passage (or disapproval). This approval or disapproval is then provided to the State of Ohio who ultimately issues and manages the liquor licenses.

Next Steps

As requested via City Council Motion, Document No. 202102060 and Ordinance No. 0358-2021, the Administration will be developing further recommendations on community engagement practices and notice procedures and bringing those recommendations to Council.

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