

# Proposed Text Amendments to Cincinnati Zoning Code to Reduce or Remove Density Requirements

Equitable Growth & Housing Committee | March 15, 2022

1

## Background

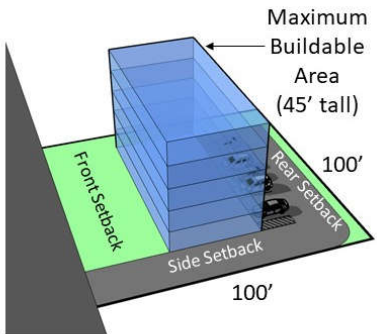


2

# Existing Regulations

Zoning District	Density Requirement for Multi-family (Land Area/Unit)
Residential Mixed (RMX)	2,500 sf
Residential Multi-family 2.0 (RM-2.0)	2,000 sf
Residential Multi-family 1.2 (RM-1.2)	1,200 sf
Residential Multi-family 0.7 (RM-0.7)	700 sf
Office Limited	1,200 sf
Office General	700 sf
All Commercial Districts	700 sf
Urban Mix (UM)	700 sf
Manufacturing Limited (ML)	2,000 sf
Riverfront Residential/Recreational (RF-R)	2,000 sf

**Example of Existing Regulations for 10,000 sf lot in RM-2.0**



- Density requirement of 2,000 sq. ft. of land/unit
- Maximum of 5 units ( $10,000/2,000 = 5$ )
- 8 parking spaces required ( $5 \times 1.5 = 7.5$  which rounds up to 8)

\* Rehabbing an existing building requires 500 SF/parcel area

3

# Proposal

- Reduce or remove land area/unit density limitations
- Does not impact existing:
  - Building height and setback requirements
  - Parking requirements
  - Overlay Districts: Historic, Hillside, Urban Design
  - Single-family zoning districts

4

# Proposal

## Section 1405-07 “Development Regulations – Multi-Family”

Zoning District	Existing Requirement	Proposal
RMX (Residential Mixed)	2,500 sf/residential unit for two/three-family dwellings	Removes requirement <i>Does not allow more than 3 units per lot</i>
RM-2.0 (Residential Multi-family)	2,000 sf/residential unit for two- and multi-family dwellings	1,000 sf/residential unit
RM-1.2 (Residential Multi-family)	1,200 sf/residential unit for two- and multi-family dwellings	600 sf/residential unit
RM-0.7 (Residential Multi-family)	700 sf/residential unit for two- and multi-family dwellings	350 sf/residential unit
	<b>Unlimited height maximum</b>	<b>50 ft height maximum</b>

}

**Original Proposal**  
Remove density limitations

**Current Proposal**  
Double density & add height limitation in RM-0.7

5

## Ex: Multi-family in RM-2.0 on 10,000 sf lot

### Existing Regulations

- Density requirement of 2,000 sq. ft. of land/unit
- Maximum of 5 units ( $10,000/2,000 = 5$ )
- 8 parking spaces required ( $5 \times 1.5 = 7.5$  which rounds up to 8)

### Proposed Regulations

- Density requirement of 1,000 sq. ft. of land/unit
- Maximum of 10 units ( $10,000/1,000 = 10$ )
- 15 parking spaces required ( $10 \times 1.5 = 15$ )
- Note reduced building size due to need for parking requirements

### Additional Regulations Required

- 1.5 parking spaces required per unit
- 45-foot maximum building height
- 20-foot front yard setback (Additional 1-foot of setback for each 1-foot of building height above 35 feet)
- Total of 17-foot side setbacks with a minimum of 5 feet on one side (Additional 0.5-foot of minimum side yard and 1-foot sum of side yard setback for each 1-foot of building height above 35 feet)
- 35-foot rear setback
- Buffer yard standards (depends on adjacent zoning district)
- Any Overlay District standards (Historic, Hillside, Urban Design,

6

# Proposal

## Removes existing sf/unit requirement in following districts:

Development Regulations Section	Zoning District	Existing Requirement
1407-07, Office Districts	Office Limited	1,200 sf/residential unit
	Office General	700 sf/residential unit
1409-09, Commercial Districts	All Commercial districts	700 sf/residential unit in new construction
		500 sf/residential unit in existing building
1410-07, Urban Mix	Urban Mix	700 sf/residential unit
		700 sf/residential unit in interior and exterior row houses
		2,000 sf/unit for other uses
1413-07, Manufacturing Districts	Manufacturing Limited (ML)	2,000 sf/dwelling unit
1415-09, Riverfront Districts	Riverfront Residential/ Recreational (RF-R)	2,000 sf/dwelling unit

7

# Public Comment Statements of Support

- New construction is generally more expensive, which filters down to housing costs/rent...adding additional supply allows demand pressure to slow
- Many communities want more amenities (parks, grocery stores, things to do, etc.) which requires more people (density) to support it
- More housing needed at all price points
- Construction costs to develop/rehab small properties aren't worth it without adding density or with a subsidy
- Solving the lack of housing units will require incremental broad-based change

8

## Public Comment Statements of Concern

- The proposed change does not recognize the distinctly different neighborhoods with different needs and different concerns in their communities.
  - Supportive of housing that is more affordable, but not through a “blanket approach through a code change across the board.”
  - This would remove the ability of neighborhoods to have their voices heard and have any influence on the development in their neighborhood.
- Adding density can over-burden existing infrastructure
- Deregulation (parking, density, etc.) needs to be looked at comprehensively
- This proposal could make it easier to add more low-income housing into existing low-income communities
- Increasing density brings an increase of 1-2-bedroom units, but families typically need at least 3 bedrooms
- Tax abatements were in place to add demand for housing, but now the City says there isn't enough supply

## Public Comment Frequently Asked Questions

### **How does this proposal address affordable housing?**

Creating more overall units, even at market rate, more units increase supply, which over time can help lower housing costs overall.

### **Do all other regulations still apply?**

Yes. The maximum building height, setbacks (distance from property lines), parking requirements, Overlay Districts (Historic, Hillside, Urban Design, etc.), buffering, etc. all still apply.

### **Surface parking lots decrease the buildable footprint, but what about parking garages?**

Parking garages are structures which as part of the building would still have to adhere to the maximum building height and setback requirements.

## Public Comment Frequently Asked Questions

### Does this mean that parking garages will replace single-family homes?

Parking Facilities (lots and garages) are a *Conditional Use* in the RM-2.0, RM-1.2, and RM-0.7 zoning districts, meaning that a public hearing would be necessary to construct one that isn't part of a residential project. *They are not permitted in the RMX or single-family zoning districts.*

### Why implement this City-wide and not overlay districts targeting specific areas?

Since housing is a regional issue, this proposed ordinance was written to make a greater impact Citywide.

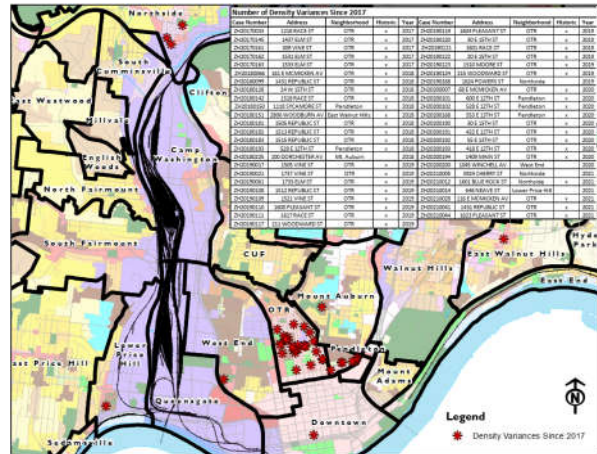
## Analysis

- The existing land area/unit density regulations are an obstacle to creating high density housing and walkable, pedestrian-friendly, mixed-use environments
- The historic purpose for this type of density regulation was to regulate development for public safety and health reasons—a concern that is now adequately addressed by modern building codes, fire codes, and other government regulation
- Only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the Zoning Code still remain—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc.

# Analysis

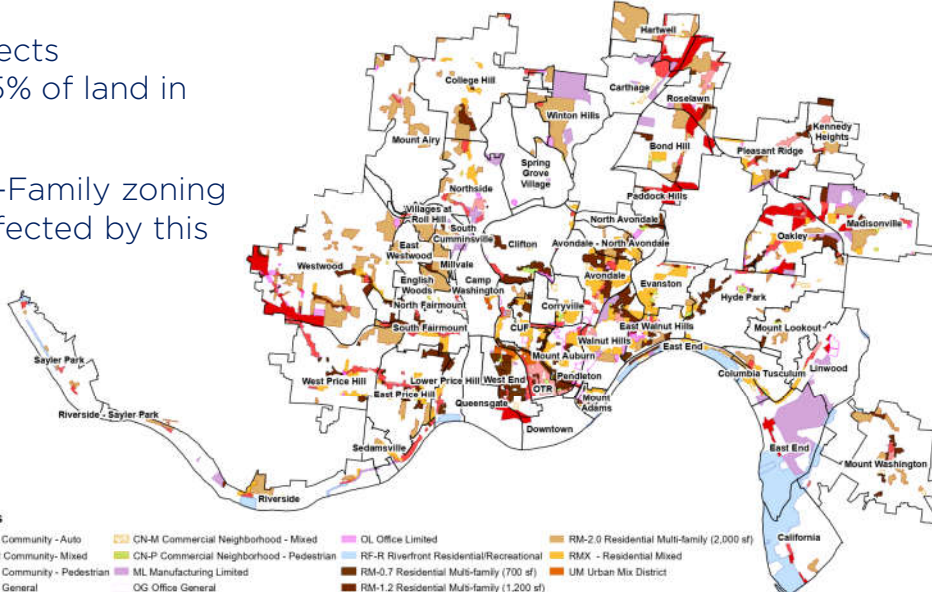
- Lifting these existing density requirements will simplify the approval process for the creation of dense housing developments, encouraging increased housing supply and promoting housing affordability
- Requirements for variances add time, cost, and uncertainty to the development process—creating a disincentive for development of housing
- Allowing more units per building drives down the per unit development costs of housing development by allowing for economies of scale

Density variances since 2017



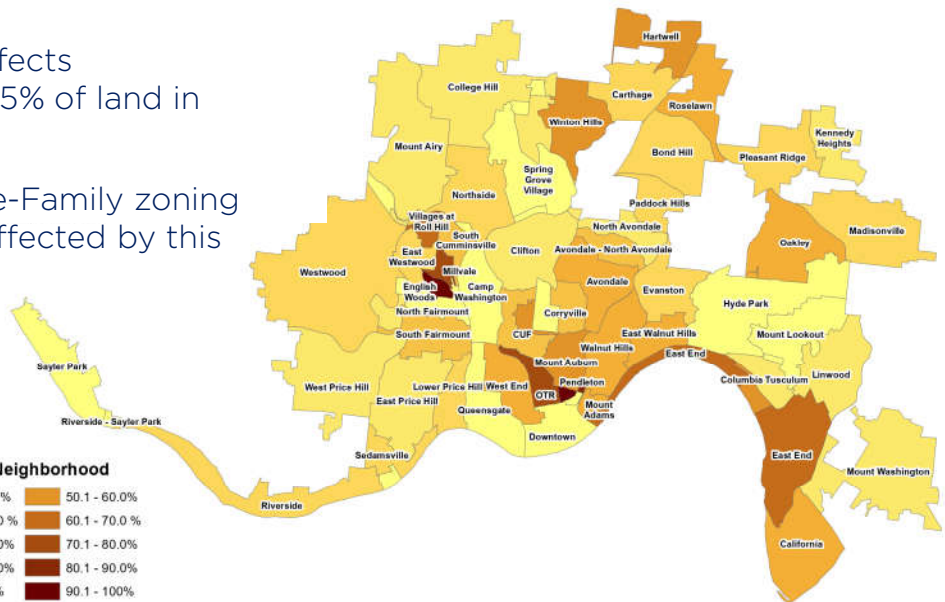
# Analysis

- This proposal affects approximately 25% of land in the City
- Density in Single-Family zoning districts is not affected by this proposal



# Analysis

- This proposal affects approximately 25% of land in the City
- Density in Single-Family zoning districts is not affected by this proposal



15

# Consistency with Plans

## *Plan Cincinnati (2012)*

- **Vision:** “Thriving re-urbanization”
- **Guiding Geographic Principles:** “Increase our Population,” “Build on our Assets,” “Be aggressive and strategic in future growth and development”
- **Live Initiative Area Strategy:** “Become more walkable”
  - **Action Step:** “Revise the City’s Building and Zoning Codes [...] with standards that emphasize traditional neighborhood development over suburban development”
- **Sustain Initiative Area Goal 2:** “Preserve our built history”
  - **Strategy:** “Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings”

***Green Cincinnati Plan (2018):*** “Encourage population density and transit-oriented development in appropriate locations through zoning and incentives”

16



## Conclusions

- The proposed elimination of land area/unit density limitations for multi-family housing will remove a barrier to housing production
- An increase in supply of housing will promote housing affordability
- Other forms of density regulation still apply
- Consistent with *Plan Cincinnati* (2012) and the *Green Cincinnati Plan* (2018)

## City Planning Commission Action

The City Planning Commission resolved to report to the Council its failure to approve the proposed text amendments after a motion to approve them resulted in a tie vote (3 in favor and 3 against) and the commission members were unable to reach a consensus position following subsequent discussion among themselves.