

EMERGENCY

City of Cincinnati

DBS

AWB

An Ordinance No. 277

- 2020

EXTENDING Interim Development Control District No. 86, “Auburn Avenue in Mt. Auburn,” in the Mt. Auburn neighborhood as an interim development control district for a period of six months pursuant to Chapter 1431, “Interim Development Control Overlay Districts,” of the Cincinnati Zoning Code.

WHEREAS, the City Planning Commission and the Department of City Planning have studied the possibility of updating the zoning designation for the Mt. Auburn neighborhood’s main corridor to determine if other zoning designations are appropriate for the area in light of recent and anticipated development; and

WHEREAS, the Council established Interim Development Control District No. 86, “Auburn Avenue in Mt. Auburn” (“IDC District No. 86”) effective as of August 7, 2019, and continuing for a period of three months thereafter, in order to protect the area while the City Planning Commission and the Department of City Planning conduct their study and consider proposed changes that would affect the allowable land uses within the district; and

WHEREAS, the Council subsequently extended IDC District No. 86 for a period of nine months, and it expires on August 7, 2020; and

WHEREAS, although the City Planning Commission and the Department of City Planning have concluded their initial study, the Department of City Planning is still in the process of working with Mt. Auburn stakeholders to develop proposed changes that would effect the allowable land uses within the district based on their initial findings; and

WHEREAS, the City Planning Commission, at its regularly scheduled meeting on July 17, 2020, recommended the extension of IDC District No. 86 for an additional period of six months upon finding that the criteria in Cincinnati Municipal Code Section 1431-13 have been satisfied; and

WHEREAS, a committee of Council held a public hearing on the proposed extension of IDC District No. 86, following due and proper notice pursuant to Cincinnati Municipal Code Sections 111-1 and 1431-13, and the committee approved the extension, finding it in the interest of the general public’s health, safety, morals, and welfare; and

WHEREAS, Council considers the extension of IDC District No. 86 to be in the best interests of the City and the general public’s health, safety, morals, and welfare; now, therefore,

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

Section 1. That Council makes the following findings:

- (a) At its regularly scheduled meeting on July 17, 2020, the City Planning Commission affirmatively recommended that Council extend Interim Development Control District No. 86, “Auburn Avenue” (“IDC District No. 86”), for a period of six months.
- (b) The City Planning Commission and the Department of City Planning require further consideration of proposed changes that would affect the allowable land uses within IDC District No. 86 because the study of the area has proven to be extraordinarily complex due to COVID-19 complications and social conditions in the district. The complexity results from the number and diversity of stakeholders affected by the proposed changes, the need to engage all of the stakeholders, and the difficulty associated with developing consensus around many issues concerned in the study.
- (c) The City Planning Commission has not yet completed its consideration of the zoning map amendments that would affect the allowable land uses within the IDC District No. 86. Effecting an amendment to the zoning code or zoning map amendment is typically a three-to-six-month process that requires public notification and engagement. This process was interrupted by COVID-19, and it affected the implementation of any proposals resulting from this process.
- (d) There is a prospect of change in use, construction of new structures, or alteration of existing structures in IDC District No. 86 that would be inconsistent with preliminary objectives or findings for the area approved by the City Planning Commission, which include zoning map amendments, as well as other policies, programs, and administrative changes.

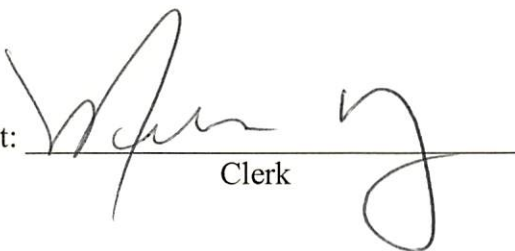
Section 2. That IDC District No. 86, as depicted on the map attached as “Exhibit A” to Ordinance No. 297-2019 and incorporated herein by reference, is extended throughout the area designated on the map as the interim development control district.

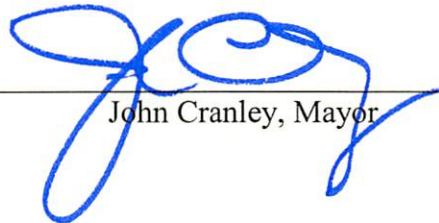
Section 3. That, pursuant to Cincinnati Municipal Code Section 1431-07, Section 1431-15, and Ordinance No. 297-2019, the Council adopted Application Review Guidelines for IDC District No. 86. The Application Review Guidelines, attached as “Exhibit B” to Ordinance No. 297-2019 and incorporated herein by reference, shall remain in effect for the duration of IDC District No. 86 and be used by the City Planning Commission in its review of applications for the use of property within IDC District No. 86.

Section 4. That pursuant to Section 1431-13 of the Cincinnati Zoning Code, IDC District No. 86 shall remain in effect for an additional period of six months, up to and including March 7, 2021.

Section 5. 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 to prevent the interim development controls established under IDC District No. 86 from expiring prior to the completion of the zoning study and review by the City Planning Commission and the Department of City Planning.

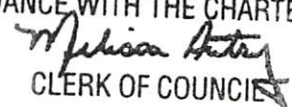
Passed: August 5, 2020

Attest: 
Clerk


John Cranley, Mayor

CITY PLANNING COMMISSION
July 17, 2020
APPROVED

DIRECTOR OF CITY PLANNING

I HEREBY CERTIFY THAT ORDINANCE NO 277-2020
WAS PUBLISHED IN THE CITY BULLETIN
IN ACCORDANCE WITH THE CHARTER ON 8-18-2020

CLERK OF COUNCIL