

**AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property commonly known as 841 Lincoln Avenue in the Walnut Hills neighborhood from the RMX, “Residential Mixed,” zoning district to the RM-0.7, “Residential Multi-Family,” zoning district to allow the property to be operated as a birthing center.

WHEREAS, Meghan Nowland (“Owner”) owns certain real property in the Walnut Hills neighborhood commonly known as 841 Lincoln Avenue (“Property”), which property comprises approximately .37 acres and is presently located in the RMX, “Residential Mixed,” zoning district; and

WHEREAS, the Owner wishes operate a birthing center on the Property, but the use is not permitted in the RMX, “Residential Mixed,” zoning district; and

WHEREAS, the Owner wishes to rezone the Property to the RM-0.7, “Residential Multi-Family,” zoning district because that district would permit the operation of a birthing center; and

WHEREAS, rezoning the Property from the RMX, “Residential Mixed,” zoning district to the RM-0.7, “Residential Multi-Family,” zoning district allows the Property to be developed and operated in a manner that is consistent with existing adjacent and abutting land uses and is consistent with the surrounding built environment; and

WHEREAS, the proposed zone change is consistent with the *Walnut Hills Reinvestment Plan (2017)* Action Step to “Strengthen Connections” (page 49); and

WHEREAS, the proposed zone change is consistent with *Plan Cincinnati (2012)*, specifically the goal to “[b]ecome a healthier Cincinnati” (p. 181), as well as the strategy to “[d]ecrease mortality and chronic and acute diseases” (p. 187); and

WHEREAS, at its regularly scheduled meeting on September 4, 2020, the City Planning Commission determined that the proposed zone change is in the interest of the public’s health, safety, morals, and general welfare, and it recommended rezoning the Property from the RMX, “Residential Mixed,” zoning district to the RM-0.7, “Residential Multi-Family,” zoning district; and

WHEREAS, a committee of Council held a public hearing on the proposed rezoning of the Property following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved rezoning the Property, finding it in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, the Council resolves to rezone the Property from the RMX, “Residential Mixed,” zoning district to the RM-0.7, “Residential Multi-Family,” zoning district, finding it to be 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 the shape and area of the City of Cincinnati’s official zoning map in the location of the real property commonly known as 841 Lincoln Avenue in the Walnut Hills neighborhood, shown on the map attached hereto as Exhibit “A” and incorporated herein by reference, and being more particularly described on the legal description contained in Exhibit “B” attached hereto and incorporated herein by reference, is hereby amended from the RMX, “Residential Mixed,” zoning district to the RM-0.7, “Residential Multi-Family,” zoning district.

Section 2. 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