

October 13, 2021

Cincinnati City Council  
Council Chambers, City Hall  
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Emergency Ordinance captioned as follows:

**MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati," and Title XVII, "Land Development Code," of the Cincinnati Municipal Code, by **AMENDING** the provisions of Sections 1401-01-A8, "Animal Keeping," 1403-05, "Land Use Regulations," 1409-07, "Land Use Regulations," 1411-05, "Land Use Regulations," 1413-05, "Land Use Regulations," 1422-05, "Development Regulations," 1422-07, "Maintenance and Storage," 1425-19, "Off-Street Parking and Loading Requirements," 1437-05, "Establishment of UD Overlay Districts," 1437-07, "Applications Subject to Review," 1437-09, "Development Standards in UD Overlay Districts," 1437-11, "Approval," 1437-13, "Appeal," 1439-07, "Zoning Hearing Examiner," 1439-11, "Zoning Board of Appeals," 1703-2.40, "T3 Estate," 1703-2.50, "T3 Neighborhood," 1703-2.60, "T4 Neighborhood Medium Footprint," 1703-2.70, "T4 Neighborhood Small Footprint," 1703-2.80, "T5 Main Street," 1703-2.90, "T5 Neighborhood Large Setback," 1703-2.100, "T5 Neighborhood Small Setback," 1703-2.110, "T5 Flex," 1703-2.120, "T6 Core," 1703-5.50(D), "Parking," 1703-5.80(E), "Permanent Signs," 1703-5.80(L), "Directory Sign," 1703-5.80(O), "Pole/Monument Sign," 1703-5.80(S), "Wall Sign," 1703-5.80(T), "Wall Mural Sign," 1703-5.100, "Additional Standards for Specific Uses," 1703-8.50, "Administration and Procedures," 1703-9.10(E), "Definitions," 1703-9.10(F), "Definitions," 1703-9.10(H), "Definitions," 1703-9.10(N), "Definitions," 1703-9.10(O), "Definitions," and 1703-9.10(P), "Definitions," and by **REPEALING** Sections 1401-01-C14, "Community Gardens," 1419-41, "Community Gardens," 1703-5.110, "Accessory Uses," and 1703-5.120, "Temporary Uses," to provide greater clarity and to correct scrivener's errors in the City's zoning codes, and to promote efficient and complementary development throughout the City.

**Summary:**

In February 2019, the Department of City Planning received a written request from the Walnut Hills Redevelopment Foundation as representatives of one of the four neighborhoods to adopt Form Based Code (FBC) (Exhibit B). The letter served as a formal request from College Hill, Madisonville, Walnut Hills, and Westwood to begin conversations with the Department of City Planning, and the Department of Buildings and Inspections, specifically the Zoning Division and Urban Conservator's Office, to address scrivener errors, clarifications, and internally illuminated signage.

In addition to the above referenced and requested amendments, the City of Cincinnati conducted a review of the Title XIV, "Zoning Code of the City of Cincinnati," and Title XVII, "Land Development Code" of the Cincinnati Municipal Code to identify related and necessary text amendments. Of the areas identified, it was determined that Title XVII, "Land Development Code," as it relates to urban agriculture, horticulture, and animal keeping, needs to be amended to reflect the recently adopted

Chapter 1422, "Urban Agriculture: Horticulture and Animal Keeping" of the Zoning Code. The proposed text amendments also include modifications to the Urban Design Overlay District review standards as there have been an increase in applications for development in these districts, and it has been determined that added clarity is necessary to these standards and procedures.

The proposed text amendments to modify specific sections of Title XIV, "Zoning Code of the City of Cincinnati," and Title XVII "Land Development Code" is intended to add consistency to the Cincinnati Municipal Code, continue to build streamlined and cohesive development processes, and add transparency to city requirements and development procedures.

The City Planning Commission recommended the following on August 20, 2021 to City Council:

**APPROVE** the proposed text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati," and Title XVII, "Land Development Code," of the Cincinnati Municipal Code, by **AMENDING** the provisions of Sections 1401-01-A8, "Animal Keeping," 1403-05, "Land Use Regulations," 1409-07, "Land Use Regulations," 1411-05, "Land Use Regulations," 1413-05, "Land Use Regulations," 1422-05, "Development Regulations," 1422-07, "Maintenance and Storage," 1425-19 "Off-Street Parking and Loading Requirements," 1703-2.40, "T3 Estate," 1703-2.50, "T3 Neighborhood," 1703-2.60, "T4 Neighborhood Medium Footprint," 1703-2.70, "T4 Neighborhood Small Footprint," 1703-2.80, "T5 Main Street," 1703-2.90, "T5 Neighborhood Large Setback," 1703-2.100, "T5 Neighborhood Small Setback," 1703-2.110, "T5 Flex," 1703- 2.120, "T6 Core," 1703-5.50(D), "Parking," 1703-5.80(E), "Permanent Signs," 1703-5.80(L), "Directory Sign," 1703-5.80(O), "Pole/Monument Sign," 1703-5.80(S), "Wall Sign," 1703- 5.80(T), "Wall Mural Sign," 1703-5.100, "Additional Standards for Specific Uses," 1703-8.50, "Administration and Procedures," 1703-9.10(E), "Definitions," 1703-9.10(F), "Definitions," 1703-9.10(H), "Definitions," 1703-9.10(N), "Definitions," 1703-9.10(O), "Definitions," and 1703-9.10(P), "Definitions,"; and **REPEALING** Sections 1401-01-C14, "Community Gardens," 1419-41, "Community Gardens," 1703-5.110, "Accessory Uses," and 1703-5.120, "Temporary Uses," to provide greater clarity and to correct scrivener's errors in the City's zoning codes, and to promote efficient and complementary development throughout the City.

Motion to Approve: Mr. Juech

Ayes:

Mr. Juech

Ms. McKinney

Seconded: Ms. Sesler

Mr. Samad

Ms. Sesler

Mr. Smitherman

Mr. Stallworth

The City Planning Commission recommended the following on October 1, 2021 to City Council:

**APPROVE** the proposed text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati" of the Cincinnati Municipal Code, by **AMENDING** the provisions of Sections 1437-05, "Establishment of UD Overlay Districts," 1437-07, "Applications Subject to Review," 1437-09, "Development Standards in UD Overlay Districts," 1437-11, "Approval," 1437-13, "Appeal," 1439-07, "Zoning Hearing Examiner," and 1439-11, "Zoning Board of Appeals," to provide greater clarity and to promote efficient and complementary development throughout the City.

**ADOPT** the following condition to the approval above:

1. The text amendments to Sections 1437-05, "Establishment of UD Overlay Districts," 1437-07, "Applications Subject to Review," 1437-09, "Development Standards in UD Overlay Districts," 1437-11, "Approval," 1437-13, "Appeal," 1439-07, "Zoning Hearing Examiner," and 1439-11, "Zoning Board of Appeals," shall take effect and be in force from and after approximately six months from the date of City Council approval.

Motion to Approve: Mr. Juech

Ayes:

Mr. Eby

Mr. Juech

Seconded: Mr. Samad

Ms. McKinney

Mr. Samad

Ms. Sesler

Mr. Smitherman


THE CITY PLANNING COMMISSION



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

October 13, 2021

To: Sheila Andrews, Office of the Clerk of Council

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

Copies to: Samantha McLean, AICP, Senior City Planner

Subject: Emergency Ordinance – Text Amendments to Title XIV, “Zoning Code of the City of Cincinnati,” and Title XVII, “Land Development Code” of the Cincinnati Municipal Code

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The above referenced ordinance is ready to be scheduled for Council Committee. We are requesting that this item be scheduled for the next available meeting of the Economic Growth & Zoning Committee. This item requires a public hearing following a required 14-day notification period by mail and in the City Bulletin.

Included in this submission are the following items:

- 1) The transmittal letter to the Economic Growth & Zoning Committee;
- 2) A copy of the City Planning Commission staff report dated June 4, 2021;
- 3) A copy of the City Planning Commission staff report dated August 20, 2021;
- 4) A copy of the City Planning Commission staff report dated October 1, 2021;
- 5) Additional Correspondence Received
- 6) The Ordinance modifying Title XIV, “Zoning Code of the City of Cincinnati,” and Title XVII, “Land Development Code,” of the Cincinnati Municipal Code;
- 7) The mailing labels for notification of all community councils and community development corporations; and
- 8) A copy of the mailing labels for your records