



Board of Trustees Meeting

Tuesday, April 11, 2023

7:00 pm

Hyde Park Community United Methodist Church

Agenda

Subject to change

1. Welcome

Location of future meetings:

- May 9th: HPNC's Annual Meeting, Location TBD but likely Clark Montessori
- June 13th: Location TBD but likely Clark Montessori

2. Guests (please limit comments to 3-4 minutes each)

- Cincinnati Police Department, Officer Christine Barry
- Cincinnati Fire Department, Lieutenant Dan Coletta
- Hyde Park Library, Ben Lathrop
- Cincinnati Recreation Center, Blake Williams
- Hyde Park School, Jill Sunderman/Gary Tate
- Withrow University High School, Resource Coordinator, Belinda Carson
- Sue Plummer, Ohio Program Coordinator, Society of St. Andrew
 - Request for volunteers for cleaning at closing of Hyde Park Farmers Market
- Other Guests

3. Approval of Consent Agenda (Minutes, Officer Reports, Committee Reports)

4. Officer Reports

Reports have been posted to the HPNC website as part of the meeting packet.

5. Committee Reports & Representatives

Reports have been posted to the HPNC website as part of the meeting packet.

6. New Business

A. HPNC Zoning Committee Update – Gary Wollenweber, Chair

- Springer School Expansion Project and Variance Requests
 - Request for HPNC letter of support
- Hyde Park Country Club/Proposed 80' tall fence adjacent to Wasson Way
 - Request for HPNC letter of support

B. Traffic & Safety Issues – Todd Roe, Chair, Traffic & Safety Committee

- DOTE's proposed re-striping of Observatory Ave between Madison and Edwards
 - Community input and discussion
 - Potential vote by HPNC

C. Planning for HPNC's Annual Meeting on May 9 – Scott Hassell

- Location: Dave Hapner has submitted request to Clark Montessori
- Students of the Year: Dave Hapner has requested and received nominations from schools
- Community Awards: Seeking nominations
 - Person of the Year
 - Community Builder
- Panel Discussion on Connected Communities and related topics. Vice Mayor Kearney and Council Member Harris have accepted invitation. We are clarifying aspects of participation.
- Need to order student award plaques for 5/9
 - Volunteers to order plaques and pick them up?
- Trustees who will be seeking re-election
 - Sybil Mullin
 - Brianna Frappier-Schirmang
 - Dave Hapner
 - Tommy McEvoy
 - Gary Wollenweber

D. Celebration for Life for Carl Uebelacker

- A celebration of the life of Carl Uebelacker will be held on April 29, 2023, at 12pm at the Cincinnati Fire Museum.
- His family invites those who knew him to attend and share their memories, his contributions to the City, and any photos they may have.
- Donations to the Cincinnati Fire Museum in honor of Carl are encouraged. Carl was a founding member of the Museum and made many contributions to the museum.
- Draft motion from Norm Lewis: "I move that HPNC donate \$100 in Carl Uebelacker's memory to the Fire Museum."

E. Treasurer's Motion to amend HPNC Budget

- See Treasurer's report for proposed motion.

F. HPNC Letter Expressing Priorities for FY24 City Budget

- The City has requested input on budget priorities from community councils and the public at large. Invest In Neighborhoods has recommended that we provide our input.
- During the last two years, the top priorities expressed in Hyde Park have been for increased pedestrian safety and enforcement of speed limits and safe driving.
- Draft Motion for Consideration: "For the City of Cincinnati's FY24 Budget, the Hyde Park Neighborhood Council asks that the City Council, Mayor, and City Manager increase funding for pedestrian safety and Police Department enforcement of speeding in the City's neighborhoods."

7. Old Business

A. Neighborhood Business District Improvement Program (NBDIP) applications

- Dave Hapner – Street Calming in Hyde Park Square
- Janet Buening – Sidewalk Replacement

B. PLAN Hyde Park – Janet Buening

C. Communications & Website Improvements – Tommy McEvoy/Alex Schutte

D. Nominating Committee – Sybil Mullin, Chair

8. Adjourn



HPNC Trustee and Committee Openings

- Zoning Committee, Vice Chair opening
 - We are still seeking **trustee** and **non-trustee** committee members.
- HPNC Trustee opening
 - Accepting applications for an open trustee position.
 - Candidate information form available on left side of HPNC website. See "[HPNC Applications for Board of Trustees.](#)"
- If you would like to join a committee, please email hpncpres@gmail.com.

Guidance for Reporting Traffic Violations to the City

Mt Lookout Community Council recently conferred with Councilmember Keating and her staff to clarify options for reporting pedestrian safety and traffic/vehicular issues to the City. Councilmember Keating's staff advised MLCC that the Director of the City's Emergency Communications Center said you should report any traffic violations via phone call to 311 or 513-765-1212. If there is an emergency with need for immediate response, please contact 911.

Metropolitan Sewer District - Notice of Construction in Hyde Park from March 2023 to March 2024

The Metropolitan Sewer District of Greater Cincinnati (MSD) will begin constructing new controls at two of its combined sewer overflow (CSO) outfalls in the Cincinnati neighborhoods of Hyde Park and Linwood in late March 2023. The project is expected to be completed in March 2024, pending weather and field conditions.

MSD's contractor, Howell Contractors, will construct a new diversion chamber, gate chamber, sluice, and gate at CSO 83, located in the vicinity of 3939 Erie Avenue, and at CSO 472 located in the vicinity of 4786 Beechmont Avenue. The purpose of the project is to reduce sewer overflows into Duck Creek and an unnamed tributary of the Little Miami River.

Construction work will generally occur weekdays from 7:00 a.m. to 5:00 p.m. Monday through Friday. Some weekend work may be needed.

Although no traffic impacts are anticipated, typical construction-related disturbances such as noise, dirt, and vibrations should be expected.

For additional information about this MSD project, please contact MSD Customer Service at (513) 244-1300 or MSD.Communications@cincinnati-oh.gov.

Upcoming Street Closures

- **Summit Country Day, "Run for Chief Race". Saturday, June 10, 2023.** Streets will close from 0800 until 1100. This first time event will be in the neighborhood of Hyde Park, at Summit Country Day School, 2161 Grandin Rd and the surrounding area. The event is tentatively starting at 0900 and ending at 1030.

- **Hyde Park Blast 2023. Saturday, June 24, 2022.** Streets will close from June 24, 2023 at 0400 to June 25, 2023 at 0300 hours. The event will be from 0700 to 0000 hours, with no rain date requested. The estimated attendance will be 8000 persons.
- **Hyde Park Art Show. Sunday, October 1, 2023.** 10:00 to 19:00 hrs. Location: Hyde Park Square; Streets closed at 2626 Erie Avenue & 3501 Zumstein Avenue, 2736 Erie Avenue & 3501 Michigan Avenue, 3401 Edwards Road & 2698 Observatory Avenue and 3501 Edwards Road & 2560 Erie Avenue.

Duke Energy Toolkit - Ohio Energy Customer Choice

We're committed to providing information that may be helpful to your clients or constituents, who are Duke Energy customers. Toward that end, we'd like to share the link directly below to our website that contains information on frequently asked questions around Ohio Energy Customer Choice (aka, Energy Choice Ohio). This refers to customers' ability to choose their electric and/or natural gas supplier in Ohio; sometimes this can occur by "opting in" or "opting out" with what's known as community aggregation. For some of our customers, the experience with competitive energy suppliers can be overwhelming, and we hope that this information may be enlightening.

Duke Energy website link: <https://www.duke-energy.com/home/products/ohio-customer-choice>

Of course, at any time, our customers are encouraged to go to the state website to obtain additional information at: www.energychoice.ohio.gov.

Rhonda Whitaker Hurtt
Vice President, Community Relations
Duke Energy OH/KY
o: 513-287-5950

City Matching Grants to Improve Energy Efficiency of Rental Properties

The City of Cincinnati's Office of Environment and Sustainability announces the availability of its next round of funding for 2023 for property owners as we work together to reduce the energy burden faced by low-income tenants and, in turn, make housing more affordable through energy efficiency upgrades. Funding for this effort is provided by Duke Energy Ohio.

Matching Grants for Property Owners - *applications due 5/5/23*

- Up to \$80,000 to be dispersed in the form of \$5,000 matching grants
- Register for an optional, virtual Info Session to be held on 4/12/23 [here](#)
- Contact Molly Robertshaw with questions after reviewing the [website](#)

Many thanks for your consideration and support as we continue to build momentum for reducing energy burden through energy efficiency upgrades in our City! We're hoping to top \$300,000 in total grants made this round, so please share widely!

Molly Robertshaw
Equity and Engagement Programs Manager
City of Cincinnati, Office of Environment & Sustainability
(513) 352-5320 | [OES website](#) | [Green Cincinnati Plan website](#)



Education – David Hapner

- Received the final Student of the Year response late yesterday, so I will recheck names and schools and send info to Blair and Scott by tomorrow. Congratulations to the (7) recipients.
- I should have an answer by tomorrow re Clark for both (May, June) upcoming meetings.

Neighborhood Business District Improvement Program (NBDIP) Application –David Hapner

Alfio Gulisano and I are working on subject "small" NBDIP grant for speed cushions at the two ingress points on the square where the flagsticks formerly resided. I am scheduled to meet with HPSBA at their monthly meeting tomorrow, so I will be able to provide a two minute update on outcome if I'm included in the traffic safety agenda.

Treasurer Report and Neighborhood Support Program – Norm Lewis

- HPNC received \$95.55 in memberships and \$9872 to fund our 2023 Neighborhood Support Program contract. We submitted our required first quarter 23 NSP report.
- HPNC paid \$600 to Sunburners. This was an overdue payment; I did not remember it was required by the contract we signed last summer, and nobody from Sunburners came and asked for the money. Anyway, since we are outside our NAF contract period, there is no reimbursement available there, but I will try to get reimbursement using our Annual Interest Grant funds.
- Based on 55 North merging with Meals and Wheels, and turning their focus away from Hyde Park in particular, I propose redirecting the \$600 originally budgeted for 55 North. I'd like to submit the following motion: HPNC revise our 2023 NSP proposal by redistributing 55 North budgeted amount by adding \$100 to 6 of our other projects:

Organization	Original Budgeted Amount	Additional Amount	New Budgeted Amount
Wasson Way	\$600	\$100	\$700
Hyde Park East	\$500	\$100	\$600
Hyde Park School	\$600	\$100	\$700
Withrow	\$600	\$100	\$700
Clark Montessori	\$600	\$100	\$700
Intern	\$472	\$100	\$572

- I'd also like to propose a 2nd motion to begin to acknowledge the 40 plus year volunteer efforts by Carl Uebelacker: I move that HPNC donate \$100 in Carl Uebelacker's memory to the Fire Museum

HPNC Financial Report
March 13, 2023 – April 10, 2023

RECEIPTS

3/14/23	Membership	19.11
3/15/23	Membership (2)	38.22
3/22/23	NSP 2023 Contract Funding	9872.00
4/7/23	Membership	19.11
4/10/23	Membership	19.11
TOTAL		\$9967.55

DISBURSEMENTS

4/10/23	1516	Sunburners	600.00
TOTAL			\$600.00



New Zoning Business

Springer School – Variances

At the March meeting, HPNC heard a presentation by the Applicant's regarding variances for an addition to the school building. Variances for building height and number of parking spaces are required. There are two abutting single family residences and one abutting multifamily residential structure. The school has been contacting the neighbors, the progress and any opinions of the neighbors are unknown. The Zoning Committee met with Springer School architects and administrators. At the March meeting several concerns were raised by the owner of the multi-family apartment building. Last week, the Zoning Committee was advised by representative of the school and the multi-family apartment building that the issues were resolved. The Zoning committee recommends that HPNC the variances for an addition to the school.

Hyde Park Country Club Golf Fence along Wasson Way

An 80 feet tall fence along Wasson Way is proposed to protect the trail users from errant golf balls. A height variance is required. Nick Spadiccini and Andy Corn (RWA Architects) met with Zoning Committee on January 26, 2023. They shared their concern about safety from golf balls entering the trail from the driving range. There will be a short presentation by the Applicants at the April meeting. The Zoning committee has not heard from any affected neighbors. The Zoning committee recommends that HPNC endorse this safety improvement unless the affected neighbors have concerns.

Proposed Accessory Dwelling Unit Ordinance

The Zoning Committee has not officially discussed, personally I am opposed to the ordinance as written for following reason:

- Allows up to 2 accessory dwelling units in Single Family (SF) districts in accessory (separate) structure, perhaps a repurposed garage.
- No additional off-street parking required (implies accessory dwelling occupants will park on street, extra parking on my block does not exist).
- May be operated as short-term rental (allows Air B&B, a commercial enterprise in a residential district).

I am sure there will be additional comments and perhaps other opinions. The proposed Ordinance is attached.

3764 Grovedale Avenue - Side Yard Setback Variance Hearing Waiver Letter

The chairman of the Zoning Committee reviewed the site plan submitted by an owner of Grovedale Land Trust LLC for a new residential structure on the site. The site plan was dimensioned to show that side yard setback variances are required. Based on signatures of the abutting neighbors on the site plan (who are also owners of Grovedale Land Trust LLC), the chairman of the HPNC Zoning Committee issued a hearing waiver letter. The Zoning Committee offered no comment on the appropriateness of the new residence and/or the variances but relied solely on the judgment of the neighbors. The letter also stated HPNC reserves the right to offer opinions if other variances and/or special exceptions are required for this project (Current plans show no off-street parking). No action required.

Old Business

No other applications for hearings before the Zoning Hearing Examiner are visible in CAGISdocs.

Sandwich Sign Ordinance

No new information on action by City to approve use in HP Urban Design overlay district.

Hyde Park Flats 3460 Michigan (2741 Erie)

Excavation complete, the material has been relocated to library parking lot as fill, and the new parking lot has been paved and is in use for construction vehicles.

Hyde Park School (3401 Edwards)

Construction has started, the steel frame for where new classroom addition will be is going up

Urban Design District Contributing Structure Review – HPNC Recommendations

While there has been some clarifying communication with Maria Dienger-Planner, and she hopes to complete them, there has been no date or time proposed for the meeting to discuss the City's evaluation and recommendation for contributing structures addendum.

Virtual Zoning Hearing Instructions

In accordance with orders issued by state and local officials and applicable guidance concerning COVID-19, this hearing will be conducted using video-conferencing technology. This hearing will be closed to in-person attendance to comply with social distancing requirements. The link above will allow you to join this hearing using the Zoom website. It is important that each participant familiarize themselves with the Zoom video-conferencing technology **BEFORE** joining the hearing. Participants are strongly encouraged to visit the following link to join a test Zoom meeting - <https://zoom.us/test>. The test Zoom meeting will allow participants to ensure that all audio and video components are working properly on your computer or device. All desktop/laptop computers, tablets, and smartphones with internet access can join and participate in the hearing. Participants may also visit the Zoom Support Center to learn more about Zoom video-conferencing – [link](#).

Important Disclaimers

- Applicants and/or Owners may choose to **opt out** of the video-conferencing option. If an Applicant and/or Owner elects to opt out, the hearing will be placed on hold until in-person hearings resume. If you are an Applicant and/or Owner that would like to opt out of the video-conferencing option, please reply to this email immediately.
- Please be mindful of your environment when participating in the hearing. All participants must ensure that they eliminate background noise and distractions during the hearing. All participants are required to dress appropriately.
- Please avoid using virtual backgrounds during the hearing. If you have used virtual backgrounds in previous Zoom meetings, please ensure that they are turned off prior to joining this hearing.
- In the event of any technical difficulties or unforeseen circumstances, the Hearing Examiner reserves the right to continue or postpone this hearing at their discretion.
- The Hearing Examiner reserves the right to remove any participant from the hearing at their discretion.

If you have additional questions or would like more information about these process changes, please reply to this email or visit www.cincinnati-oh.gov/boards.



Board of Trustees Meeting

Tuesday, March 14, 2023

Meeting Minutes

Meeting at Hyde Park Community United Methodist Church called to order by President, S. Hassell at 7:06 p.m.

The April 11, 2023 meeting will be held at the HP Community United Methodist Church in the Little Theater.

The Annual Meeting on May 9 will likely be held at Clark Montessori at 7 p.m. Students of the Year will be recognized and the annual trustee election will be held.

In Attendance: J. Buening, , B. Frappier-Schirmang, D. Hapner, S. Hassell, N. Lewis, T. McEvoy, S. Mullin, A. Rusche, B. Smyth, B. Whitney, G. Wollenweber, and V. Woodham.

Advance Notice of Absence: A. Edwards, A. Schutte

Guests:

Cincinnati Police Department, District 2 Officer Christine Barry distributed the neighborhood crime report. There has been no change in violent crime since November. Auto thefts are up 150% (Kias and Hyundais, most of which have been recovered and returned to their owners) and personal thefts up 350%. The Fifth Third Bank in the Hyde Park Kroger was robbed earlier today. Wednesday March 15 at 9 a.m. CPD is Hosting Coffee with the Chief (Theresa Theetge) at the Cheesecakeery (4825 Whetsel Avenue 45227) in Madisonville, all residents are invited to attend. Officer Barry can be reached at 979-4480. Christine.Barry@cincinnati-oh.gov. Captain Danita Pettis can be reached at: 979-4444 Danita.pettis@cincinnati-oh.gov. Police non-emergency line 765-1212.

Hyde Park Library—Manager, Ben Lathrop shared that the CCM students will be performing Wednesday March 15 at 5 p.m. at the temporary location in Hyde Park Plaza. Saturday March 18th is the grand opening of the newly-renovated Madisonville branch from 10-6. Visit the temporary location at 3764 Paxton Avenue. Contact the branch at (513) 369-4456.

Oakley Recreation Center—Blake Williams Reminded residents about the Easter Egg Hunt scheduled for Saturday April 8th (at the Center), and encouraged preregistration via the Center's website (6 and under at 10:30 and 7 and over at 11:30). On June 24, the Center is hosting a Dog

Day, more information to come. Senior Olympics will be hosted at the Center the last 2 weekends of May with ping pong, pickle ball, and track & field events.

Hyde Park School—Resource Coordinator, Elyse Averdick (averdia@cpsboe.k12.oh.us) phone: (303) 803-4661 shared that the schools Spring Celebration will take place on April 15 at Mad Tree with raffles and silent auction items. All community members are welcome, tickets available on the HP School PTO's website. The second-floor exterior wall on the addition to the school is going up. Spring Break is March 27-31. The school is looking for tutoring volunteers, contact the main office if interested. www.cps-k12.org/hydepark Contact the school at (513) 363-2800.

Withrow High School—Resource Coordinator, Belinda Carson shared that the school snack drive runs through March 20. On March 21 Withrow is hosting a black history program including an evening art show beginning at 7 p.m. Two Withrow seniors have received full scholarships (tuition and books) to attend the University of Cincinnati! Belinda can be reached at (513) 363-9207 or Carsonb@cpsboe.k12.oh.us

Proposed lot split at 3536 Bayard--Maggie Taul, Bayard Drive resident Ms.Taul introduced herself and shared details about the potential lot split of the property at 3536 Bayard. The property was sold in 2021. Zobrist Design submitted plans to build 2 homes on the site. Because of the location of the property, Zobrist communicated with the Hillside Trust. Zobrist hired attorney Peter Koenig to represent them. There are deed restrictions on Bayard that require 100 feet of frontage. The neighbors are opposed to the lot split and given the steep hillside and already existing erosion issues have galvanized support to challenge the split and project. The residents shared that the lot split is contrary to the Green Cincinnati Plan and the proposal would require multiple variances (height, cut and fill, setback). Many residents are concerned that allowing the project to move forward would set a precedent for increased density and negative hillside ramifications that the project might exacerbate.

Zobrist Design has communicated to the neighbors that they are no longer going to pursue the lot split and variances for the property, however neighbors are not sure that the project and lot split won't resurface.

Julia and Raphael Garcia, Hyde Park residents with 3 children, spoke in favor of the potential project. They had previously lived in San Francisco, where housing is unaffordable and scarce. They saw first-hand the negative effect of the "not in my back yard" mindset. They are proponents of increasing supply by allowing lot splits and suggest that doing so allows for more density and more affordable housing. New housing and increased density also help grow the local economy and facilitates walkable communities. The Garcias are proponents of seeking ways to increase the housing inventory in Hyde Park gently and sensibly.

1. **Approval of Consent Agenda**

B. Smyth moved to approve the Consent Agenda. Second by T. McEvoy. All in favor. Motion carried.

2. **President's Report** Attached to meeting packet. Of note is the restriping of Observatory Avenue between Madison and Edwards, a crosswalk to be added on Erie at Mooney.

3. **Old Business**

a. **HPNC Website Improvements**

T. McEvoy reported that the Wild Apricot migration from Mail Chimp is ongoing, in the interim, with the number of members/subscribers we have, Mail Chip has instituted a fee for volume. The fee will be paid until the migration is complete and Wild Apricot is fully functional.

4. **New Business**

- a. **Springer School-New Construction and renovation-Kristin Eismin (VP Institutional Advancement Springer School), Brett Marcoux (President Springer School), and Brandi Ash (Architect SHP Architecture)** The team presented more detailed plans via power point presentation for the planned addition to the School building as well as the demolition of a current building at the center of the school's campus (to facilitate more parking and wider lanes to reduce backups on Madison Road at arrival/dismissal times).

The proposed project would require 2 variances, one for signage and a height variance (additional 6 feet above the 35' allowable height). They hope to begin the work on the project in June, though have not yet been given a hearing date for their variance requests.

Peg Wyant, owner of the apartments adjacent to the project expressed her desire for the setback for the addition to be greater to allow for more privacy for the apartment tenants and their balconies which overlook the school. She also mentioned concern about the project making worse an erosion issue of which the school is already aware. The plans include underground on-site storm water retention on the school's property.

The Zoning Committee suggested that the Springer team and Peg Wyant meet to discuss the plans and project and see if they can find a mutually acceptable compromise. N. Lewis moved, ***"That the HPNC authorize the Zoning Committee to provide a letter of support for the requested zoning relief if the hearing is scheduled prior to the HPNC next monthly meeting."*** Second by J. Buening. All in favor. Motion carried.

- b. **2739 Observatory Avenue-Demolition and New Construction** G. Wollenweber, Chair of Zoning Committee

The hearing on the zoning relief for the proposed project was a long and contentious one (5 hours). G. Wollenweber testified at the hearing about the contributing nature of the current structure in the urban design overlay district. The Zoning Board of Appeals determined the structure was non-contributing. He shared the sentiment of many residents with the Board that 2 units would be more fitting than 3 and that the hope of the Neighborhood Council was that the parcel would return to a Single-Family residence. Sean Suder, counsel for the interested residents/neighbors requested a continuance as there had been insufficient time for communication with the developer, the Board declined the request. The result of the hearing was that the project and zoning relief was approved (with several sight modifications).

The HPNC discussed inviting City Council members to an upcoming monthly meeting to discuss possible improvements to communication between us and the City. It is discouraging that the Board of Zoning Appeals disregarded the Council's recommendation on contributing and non-contributing structures. The connected communities seem to favor a one size fits all and that doesn't fit Hyde Park. Reggie Harris' campaign manager was at the meeting and said he will share our thoughts with Council Member Harris and encourage him to attend one of our future meetings to discuss density and affordable housing and how that fits in with Hyde Park. Resident Anthony Isaacs suggested a more in-depth discussion about zoning and density in Hyde Park.

c. **Plan Hyde Park** J. Buening

The Committee will be reconstituted and schedule next steps to finalize the draft Plan. Stacey Hoffman, Department of City Planning is officially back and ready to help the committee get the Plan across the finish line. J. Buening, G. Wollenweber, N. Lewis, D. Hapner, Sean McGrory and the Plan committee will recruit new members to get involved. To begin moving forward J. Buening will recirculate the current iteration of the Plan among the committee members.

d. **HPNC Annual Meeting May 9, 2023 S. Hassell**

The annual meeting is set for May 9 likely at Clark Montessori. Please consider nominating a Hyde Park Person of the Year or a Community Builder. Potential speakers include Vice Mayor Jan Michelle Lemon Kearney Council member Liz Keating, or Councilmember Reggie Harris. D. Hapner has communicated with all the Hyde Park Schools about students of the year and expects to have their designations soon in time to order the plaques.

e. **Neighborhood Business District Improvement Program (NBDIP) applications J. Buening and D. Hassell**

Suggestions for the applications include traffic calming measures to bring more pedestrians to the Hyde Park businesses. DOTE is presently utilizing speed cushions instead of flashing signals or flag sticks. Good placement recommendations are on Erie in front of the Miller Gallery and Alfio's. J. Buening shared the idea of proposing sidewalk replacement project, that expense would likely be \$200,000. Any application must be made through the HPSBA.

Adjourn: Without objection the meeting was adjourned at 8:56 p.m.

Sybil Mullin, Recording Secretary

HPNC Financial Report - 2023

HPNC budget 2023		Budget	Jan/Feb	March	April	May	June	July	August	September	October	November	December	Total
	Revised Apr 12, 2023													
BEGINNING OPERATING BALANCE		19979.71	19979.71	19,658.95	19,027.83	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	19,979.71
RECEIPTS														
	NSP - 2023	9,872			9,872.00									9,872.00
	Membership	1,500	114.66	152.88	95.55									363.09
	Halloween Event	300												0.00
	Fundraiser	0												0.00
	Invest In Neighborhoods	630												0.00
	Miscellaneous Donations	500												0.00
	NAF funding	0												0.00
	TOTAL RECEIPTS	12,802	114.66	152.88	9,967.55	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10,235.09
DISBURSMENTS														
	<i>To Be Submitted to NSP</i>													
	<i>Newsletter</i>													
	- Mailing	50												0.00
	- Printing	50												0.00
	-membership	400												0.00
	<i>HPNC Expenses</i>													
	- Intern	400												0.00
	- Web Hosting Fees	2,300												0.00
	ost	200												0.00
	- D/O Insurance	0												0.00
	- Halloween Event	400												0.00
	- Annual Meeting	400												0.00
	<i>Community Grants</i>													0.00
	- Withrow	600												0.00
	-----Clark	600												
	- Wasson Way	600												0.00
	- Hyde Park East	600												0.00
	- Hyde Park School	600		600.00										600.00
	- HydeParkChurch IHN	500												0.00
	- Knox Church	0												0.00
	- HPCOA (55 North)	600												0.00
	- Ault Park Fireworks	1,500												0.00
	NSP Subtotal	9,800	0.00	600.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	600.00
	<i>Not Submitted to NSP</i>													0.00
	<i>HPNC Expenses</i>													0.00
	- Ault Park Advisory Council	50												0.00
	- Meet & Greet	100												0.00
	NAF projects	2,200	413.44											0.00
	Website Host fees	200	21.98	184.00	600									
	TOTAL DISBURSMENTS	12550.00	435.42	784.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	600.00
ENDING OPERATING BALANCE		20,232	19,658.95	19,027.83	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	28,995.38	29,614.80

Date: March 15, 2023

To: Councilmember Mark Jeffreys
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance – Modifying Title XIV Zoning Code of CMC New Section
Accessory Dwelling Unit**

Transmitted herewith is an ordinance captioned as follows:

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code, by **ORDAINING** new Sections 1401-01-A1A, “Accessory Dwelling Unit,” and 1421-06, “Accessory Dwelling Units,” and by **AMENDING** the provisions of Sections 1401-01-T3, “Two-Family Dwelling,” 1403-05, “Land Use Regulations,” 1405-05, “Land Use Regulations,” 1407-05, “Land Use Regulations,” 1409-07, “Land Use Regulations,” 1410-05, “Land Use Regulations,” 1411-05, “Land Use Regulations,” 1413-05, “Land Use Regulations,” 1415-05, “Land Use Regulations,” 1417-03, “Land Use Regulations,” 1421-01, “Accessory Residential Structures,” and 1501-12, “Class F Civil Offenses,” to provide, throughout the City, for the establishment of accessory dwelling units on the same lots as single-family dwellings.

EESW/DBS(dmm)
Attachment
376083



City of Cincinnati

DBS

EESW

An Ordinance No. _____

- 2023

MODIFYING Title XIV, “Zoning Code of the City of Cincinnati,” of the Cincinnati Municipal Code, by **ORDAINING** new Sections 1401-01-A1A, “Accessory Dwelling Unit,” and 1421-06, “Accessory Dwelling Units,” and by **AMENDING** the provisions of Sections 1401-01-T3, “Two-Family Dwelling,” 1403-05, “Land Use Regulations,” 1405-05, “Land Use Regulations,” 1407-05, “Land Use Regulations,” 1409-07, “Land Use Regulations,” 1410-05, “Land Use Regulations,” 1411-05, “Land Use Regulations,” 1413-05, “Land Use Regulations,” 1415-05, “Land Use Regulations,” 1417-03, “Land Use Regulations,” 1421-01, “Accessory Residential Structures,” and 1501-12, “Class F Civil Offenses,” to provide, throughout the City, for the establishment of accessory dwelling units on the same lots as single-family dwellings.

WHEREAS, the Department of City Planning and Engagement has recommended text amendments to the Cincinnati Zoning Code to permit the construction and development of accessory dwelling units on the same lots as single-family dwellings; and

WHEREAS, the proposed text amendments will allow accessory dwelling units to be constructed in all zoning districts that permit single-family dwellings, ensure accessory dwelling units are developed in a manner that respects neighboring land uses, increases housing supply and affordability for City residents, and makes efficient use of existing infrastructure; and

WHEREAS, the ability to establish accessory dwelling units across the City will also provide for equitable access to housing in neighborhoods of choice, mitigate the risks of displacement associated with rising property values, and generate wealth-building opportunities for residents in neighborhoods that are rapidly changing; and

WHEREAS, through the increased access to housing and wealth-building opportunities that accessory dwelling units bring, legacy residents will have more options for aging in place with dignity; and

WHEREAS, at its regularly scheduled meeting on _____, the City Planning Commission reviewed the proposed text amendments and recommended their approval, finding them to be in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing to review and consider the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1; and

WHEREAS, the text amendments are consistent with *Plan Cincinnati* (2012), including its “Live” Initiative Area goals to “provide a full spectrum of housing options and improve housing quality and affordability” (p. 164) and to “create a more livable community” (p. 156); and

WHEREAS, the Council's authorization of accessory dwelling units is in furtherance of its commitment to address the City's housing needs holistically through comprehensive land-use reform and revisiting how it incentivizes and subsidizes the creation of housing; and

WHEREAS, the Council finds the proposed text amendments to be in the best interest of the City and 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 new Section 1401-01-A1A, "Accessory Dwelling Unit," of the Cincinnati Municipal Code is hereby ordained to read as follows:

§ 1401-01-A1A. – Accessory Dwelling Unit.

"Accessory dwelling unit" means a self-contained dwelling unit designed for occupancy by one family for living and sleeping purposes that provides complete independent living facilities, including its own entrance, kitchen, bathroom, and sleeping area; that is located on the same lot as a larger single-family dwelling that serves as the principal use of the lot; and whose use is subordinate and incidental to the larger single-family dwelling.

Section 2. That Section 1401-01-T3, "Two-Family Dwelling," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1401-01-T3. – Two-Family Dwelling.

"Two-family dwelling" means a single building that contains two dwelling units, neither of which is an accessory dwelling unit.

Section 3. That Section 1421-01, "Accessory Residential Structures," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1421-01. – Accessory Residential Structures.

Structures ancillary to a principal structure are considered accessory structures. This section establishes regulations for residential accessory structures that are not accessory dwelling units. All accessory structures must be located, developed and operated in compliance with the following:

- (a) *Location.* Accessory structures are not permitted in a front yard or a side yard except for fences and walls, flagpoles, lamp posts, arbors, trellis, birdbaths, decorative fountains, or other similar structures as determined appropriate by the Zoning Administrator.
- (b) *Minimum Distance from Principal Structure:* One foot. Accessory structures, other than fences and walls, within one foot of the principal structure are considered part of the principal structure.

- (c) *Maximum Size*: 800 square feet for all structures other than fences and walls.
- (d) *Maximum Number of Accessory ~~Buildings~~ Structures*: Two, subject to the provisions set forth in § 1421-06(g).
- (e) *Maximum Height*: 15 feet.
- (f) *Setbacks*. A minimum three-foot rear yard setback and three-foot side yard setback is required. Agricultural structures and animal keeping shelter structures shall conform to the provisions set forth in Chapter 1422.

Section 4. That new Section 1421-06, “Accessory Dwelling Units,” of the Cincinnati Municipal Code is hereby ordained as follows:

§ 1421-06. – Accessory Dwelling Units.

This section establishes regulations for accessory dwelling units. All accessory dwelling units must be located, developed, and operated in compliance with the following provisions:

- (a) *General*. Where permitted, an accessory dwelling unit may be established within the building envelope of a single-family dwelling, as an addition to a single-family dwelling, or as a detached structure on the same lot as a single-family dwelling, provided that no more than one accessory dwelling unit may be established on a single lot.
- (b) *Entrance*. Each accessory dwelling unit must provide a separate exterior entrance independent of the entrance to the single-family dwelling to which it is subordinate and incidental.
- (c) *Lot Size*. Any lot on which an accessory dwelling unit is established must meet the minimum-lot-size requirements for single-family dwellings prescribed by the applicable zoning district or § 1421-09, whichever requirement is less restrictive.
- (d) *Lot Coverage*. The footprint of a detached accessory dwelling unit located on a lot of 4,000 square feet or larger shall not occupy more than 15% of the total lot area or 800 square feet, whichever is greater. If a lot is less than 4,000 square feet, the combined footprint of the primary single-family dwelling and an accessory dwelling unit shall not exceed 60% of the total lot area or 800 square feet, whichever is greater.

Exception: The alteration of a legally existing accessory structure (e.g., a garage) is permitted even though it may exceed the lot coverage restrictions above provided that the alteration of the structure does not expand its existing footprint.

- (e) *Maximum Number of Accessory Structures*: No more than two accessory structures of any type, inclusive of a detached accessory dwelling unit, are permitted on a single lot.
- (f) *Setbacks*.
 - (1) The establishment of an accessory dwelling unit within the building envelope of a legally existing single-family dwelling or through the alteration of a legally existing accessory structure is not subject to setback restrictions provided that the

establishment of the accessory dwelling unit does not expand the existing structure's footprint.

- (2) Detached accessory dwelling units are subject to the side and rear-yard setback requirements for accessory residential structures in the applicable zoning district.

Exception: The alteration of a legally existing accessory structure for the purpose of establishing an accessory dwelling unit is not subject to setback restrictions provided that the establishment of the accessory dwelling unit does not expand the existing structure's footprint.

- (3) An accessory dwelling unit established as an addition to a legally existing single-family dwelling must comply with all setback requirements for single-family dwellings in the applicable zoning district.

- (4) Detached accessory dwelling units are not permitted in front yards.

- (g) *Maximum Size:* The square footage of an accessory dwelling unit may not exceed the square footage (excluding unfinished spaces) of the principal single-family dwelling to which it is subordinate and incidental.

- (h) *Maximum Height.*

- (1) Detached accessory dwelling units shall not exceed 25 feet in height.

Exception: The alteration of a legally existing accessory structure for the purpose of establishing an accessory dwelling unit shall not exceed 25 feet in height or the existing height of the accessory structure, whichever is greater.

- (2) An addition to a principal single-family dwelling that will contain an accessory dwelling unit must comply with all height requirements for single-family dwellings in the applicable zoning district.

- (i) *Detached Accessory Dwelling Units:* Detached accessory dwelling units must be of permanent construction and must contain permanent utility hookups. Mobile tiny homes and recreational vehicles are not permitted as accessory dwelling units.

- (j) *Parking.* Accessory dwelling units are exempt from the off-street parking requirements set forth in § 1425-19.

- (k) *Short-Term Rentals.* An accessory dwelling unit may be operated as a short-term rental in accordance with the provisions of Chapter 856, Short Term Rentals.

- (l) *Occupancy by Owner or a Responsible Person.*

- (1) The owner of each lot on which an accessory dwelling unit is established must (i) maintain a residence in the principal single-family dwelling or the accessory dwelling unit on the lot for so long as the accessory dwelling unit exists; or (ii) designate a responsible person who maintains a residence in the principal single-family dwelling or the accessory dwelling on the lot for so long as the accessory dwelling unit exists.

- (2) To ensure ongoing compliance with subsection (1), the owner of each lot on which an accessory dwelling unit is established and maintained shall:
- (i) record a covenant, in a form acceptable to the City Solicitor and irrevocable without the prior written consent of the Zoning Administrator, that provides the property owner or a responsible person shall maintain a residence on the property for so long as the accessory dwelling unit exists;
 - (ii) register the accessory dwelling unit with the Zoning Administrator and verify compliance with subsection (1) upon the establishment of the accessory dwelling unit;
 - (iii) renew the registration and verification no later than December 31 of every year ending in an odd number following the initial year of registration; and
 - (iv) update each registration and verification upon a change in ownership of the property or the designated responsible person.
- (3) Any person who fails to maintain compliance with subsection (1) shall be liable for a Class F civil offense.
- (4) For the purposes of this section 1421-06(l), the following terms shall have the following meanings:
- (i) “Residence” means a dwelling unit that is the true, fixed, and permanent home where an individual intends to remain permanently and indefinitely; to which, whenever absent, the individual intends to return; and that only one of which may exist for one person within the city limits of the City of Cincinnati at any time.
 - (ii) “Responsible Person” means a natural person designated by the owner of a lot on which an accessory dwelling unit is established as having the independent duty, responsibility (including financial responsibility), and authority to operate, maintain, and manage the lot and all the dwelling units thereon.

Section 5. That Section 1403-05, “Land Use Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1403-05. - Land Use Regulations.

Schedule 1403-05 below prescribes the land use regulations for SF Districts. Uses are defined in Chapter 1401, Definitions. Uses not listed in the Schedule 1403-05 are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.

- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1403-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1403-05: Use Regulations - Single-family Districts

Use Classifications	SF-20	SF-10	SF-6	SF-4	SF-2	Additional Regulations
Residential Uses						
Bed and breakfast home	—	C	C	C	C	See § 1419-09
Child day care home	L4	L4	L4	L4	L4	
Group residential						
Convents and monasteries	C	C	C	C	C	
Fraternities and sororities	—	—	—	—	—	
Patient family homes	—	—	—	—	—	
Rooming houses	—	—	—	—	—	
Shared housing for the elderly	—	—	—	L3	L3	
Permanent residential						
Single-family dwelling	P	P	P	P	P	See § 1403-11
Attached single-family dwelling	L13	L13	L13	P	P	See § 1403-11
Two-family	L11	L11	L11	L11	L11	
Multi-family	L11	L11	L11	L11	L11	
Residential care facilities						

Developmental disability dwelling	P	P	P	P	P	
Public and Semipublic Uses						
Cemeteries	—	—	—	L1	L1	
Cultural institutions	—	—	C	C	C	
Park and recreation facilities	L12	L12	L12	L12	L12	
Public safety facilities	—	—	—	C	C	
Religious assembly	C	C	C	C	C	
School, public or private	C	C	C	C	C	See § 1419-12
Transportation, Communication and Utilities						
Public utility distribution system	C	C	C	C	C	
Wireless communication antenna	L2	L2	L2	L2	L2	See § 1419-33
Wireless communication tower	C	C	C	C	C	See § 1419-33
Agriculture and Extractive Uses						
Animal keeping	P	P	P	P	P	See Chapter 1422
Farms	C	C	C	C	C	See Chapter 1422
Gardens	P	P	P	P	P	See Chapter 1422
Accessory Uses						
Any accessory use not listed below	L8	L8	L8	L8	L8	
<u>Accessory dwelling unit</u>	<u>L14</u>	<u>L14</u>	<u>L14</u>	<u>L14</u>	<u>L14</u>	<u>See § 1421-06</u>

Home Occupation	P	P	P	P	P	See § 1419-17
Commercial Vehicle Parking	L5	L5	L5	L5	L5	
Child day-care centers	L4,6	L4,6	L4,6	L4,6	L4,6	
Refuse storage areas	P	P	P	P	P	See § 1421-35
Drive Box	L7	L7	L7	L7	L7	
Fences and walls	P	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	P	See § 1421-39
Cemetery, incidental buildings and structures	—	—	—	L9	L9	
Rooming Unit	—	—	L10	L10	L10	
Portable storage containers	P	P	P	P	P	See § 1419-24
Nonconforming Uses						See Chapter 1447

Specific Limitations

- L1 Only expansion of existing cemeteries allowed with a conditional use approval.
- L2 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may only be attached to a permitted agricultural, public or semi-public or public utility building or structure.
- L3 The minimum lot area for every resident is 800 square feet and the minimum living area for every resident is 250 square feet.
- L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L5 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:
 - a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.
 - b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.

- c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.
- L6 Only if accessory to a public or semi-public use.
- L7 Accessory to a public or semi-public use, provided the drive-box is at least 100 feet from any property used for residential purposes.
- L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L9 Mausoleums, columbaria and other incidental buildings and structures within and accessory to cemeteries, may be no less than 100 feet from abutting properties in the residential district and may not exceed the height limitation for principal buildings of the district in which it is located.
- L10 No more than two rooming units may be rented or leased in a single-family dwelling.
- L11 This use must be legally established prior to the effective date of this Zoning Code. The use has the rights of Chapter 1447, Nonconforming Uses and Structures except for the provisions of § 1447-09 Expansion of Nonconforming Use and § 1447-11 Substitution of a Nonconforming Use.
- L12 Publicly owned or operated park and recreation facilities are permitted. All park and recreation facilities, private or non-profit, require a conditional use approval.
- L13 Attached single-family is only permitted as part of a cluster housing development. See § 1403-13.
- L14 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 6. That Section 1403-05, “Land Use Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1405-05. - Land Use Regulations.

Schedule 1405-05 below prescribes the land use regulations for RM Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1405-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1405-05. Except as otherwise

indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.

- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1405-05: Use Regulations - Residential Multi-family Districts

Use Classifications	RMX	RM-2.0	RM-1.2	RM-0.7	Additional Regulations
Residential Uses					
Bed and breakfast home	P	P	P	P	See § 1419-09
Day care home - Adult	C	C	P	P	
Day care home - Type A	C	C	L4	L4	
Day care home - Type B	L4	L4	L4	L4	
Group residential					
Congregate housing	—	—	P	P	
Convents and monasteries	P	P	P	P	
Fraternities, sororities, dormitories	—	—	C	P	
Patient family homes	—	—	P	P	
Rooming houses	—	—	—	L2	
Shared housing for the elderly	L1	L1	L1	L1	
Permanent residential					
Single-family dwelling	P	P	P	P	See § 1403-11
Attached single-family dwelling	L15	P	P	P	See § 1403-11
Rowhouse, single-family dwelling	L15	P	P	P	
Two-family dwelling	P	P	P	P	
Three-family dwelling	P	P	P	P	

Multi-family dwelling	L3	P	P	P	
Residential care facilities					
Assisted living	C	C	P	P	
Developmental disability dwelling	P	P	P	P	
Nursing home	C	C	P	P	
Special assistance shelter	—	—	—	C	
Transitional housing					
Programs 1—4	—	P	P	P	
Programs 5—6	—	—	—	—	
Public and Semipublic Uses					
Clubs and lodges	C	C	C	C	
Community service facilities	C	C	C	P	
Cultural institutions	C	C	C	P	
Parks and recreation facilities	P	P	P	P	
Public safety facilities	C	C	P	P	
Religious assembly	P	P	P	P	
Schools, public or private	P	P	P	P	
Commercial Uses					
Bed and breakfast inns	C	C	C	P	See § 1419-09
Business services	—	—	—	L6,7	
Convenience markets	—	L16	L16	L7	
Food markets	—	L16	L16	L7	
Funeral and interment services	—	—	—	L6	

Loft dwelling units	—	L14	L14	L14	See § 1419-23
Medical services and clinics	—	—	—	L6,7	
Offices	—	—	—	L6,7	
Parking facilities	—	C	C	C	See Chapter 1425
Personal instructional services	—	—	—	L6,7	
Personal services	—	—	—	L6,7	
Recreation and entertainment					
Indoor or small-scale	—	—	—	L6,7	
Transportation, Communication and Utilities					
Public utility distribution system	C	C	C	C	
Transportation facilities					
Railroad right-of-way	P	P	P	P	
Wireless communication antenna	L9	L9	L9	L9	See § 1419-33
Wireless communication tower	C	C	C	C	See § 1419-33
Agriculture and Extractive Uses					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422
Gardens	P	P	P	p	See Chapter 1422
Accessory Uses					
Any accessory use not listed below	L8	L8	L8	L8	
<u>Accessory dwelling unit</u>	<u>L18</u>	<u>L18</u>	<u>L18</u>	<u>L18</u>	<u>See § 1421-06</u>

Home occupations	P	P	P	P	See § 1419-17
Commercial vehicle parking	L11	L11	L11	L11	
Day care center	L4, L17	L4, L17	L4, L17	L4, L17	
Rooming unit	L10	L10	L10	L10	
Transitional housing	L13	L13	L13	L13	
Commercial services	—	P	P	P	See § 1419-35, 1419-37
Refuse storage areas	P	P	P	P	See § 1421-35
Drive box	L12	L12	L12	L12	
Fences and walls	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	See § 1421-39
Portable storage containers	P	P	P	P	See § 1419-24
Nonconforming Uses					See Chapter 1447

Specific Limitations

- L1 The minimum lot area for every resident is 500 square feet and the minimum living area for every resident is 250 square feet.
- L2 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.
- L3 Multi-family dwellings of four or more units must be legally established prior to the effective date of this Zoning Code. The use has the rights of Chapter 1447, Nonconforming Uses and Structures except for the provisions of § 1447-09 Expansion of Nonconforming Use and § 1447-11 Substitution of a Nonconforming Use.
- L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L5 Not to exceed 3,000 square feet in gross floor area.
- L6 Permitted only on arterial streets.

- L7 Permitted on the ground floor occupying less than 2,500 sq. ft.; more space requires a conditional use approval.
- L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L9 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public or public utility building or structure.
- L10 No more than two rooming units may be rented or leased in any dwelling.
- L11 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:
- a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.
 - b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.
 - c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.
- L12 Accessory to a public or semi-public use, provided the drive box is at least 100 feet from any property used for residential purposes.
- L13 Limited to transitional housing conforming to Paragraph 1401-03-T(c)(5) as an accessory use to public and semi-public uses. The use requires conditional use approval.
- L14 Limited to City Council designated Live/Work Districts.
- L15 Attached single-family dwellings and Rowhouse single-family dwellings of four or more units require conditional use approval.
- L16 Permitted on the ground floor in multi-family buildings with a minimum of 50 dwelling units, occupying 1,200 square feet or less of gross floor area and having a separate exterior entrance: structures with less than 50 dwelling units require conditional use approval; food markets occupying more than 1,200 square feet of gross floor area require conditional use approval.
- L17 Permitted only if accessory to a public or semi-public use.
- L18 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 7. That Section 1407-05, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1407-05. - Land Use Regulations.

Schedule 1407-05 below prescribes the land use regulations for O Office Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1405-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1407-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1407-05: Use Regulations - Office Districts

Use Classifications	OL	OG	Additional Regulations
Residential Uses			
Bed and breakfast home	P	P	See § 1419-09
Day care home - Adult	P	P	
Day care home - Type A	L8	L8	
Day care home - Type B	L8	L8	
Group residential			
Congregate housing	P	P	
Convents and monasteries	P	P	
Fraternities and sororities	P	P	
Patient family homes	P	P	
Rooming house	—	L7	
Shared housing for elderly	P	P	

Permanent residential			
Single-family dwelling	P	L1	
Attached single-family dwelling	P	L1	
Rowhouse, single-family dwelling	P	—	
Two-family dwelling	P	L1	
Multi-family dwelling	P	L1	
Transitional housing			
Programs 1—4	P	P	
Program 5	—	P	
Program 6	—	C	
Public and Semipublic Uses			
Clubs or lodges	C	P	
Colleges, public or private	—	C	
Cultural institutions	P	P	
Day care center	P	P	
Government facilities and offices			
Offices	P	P	
Hospitals	—	C	
Parks and recreation facilities	P	P	
Public safety facilities	P	P	
Religious assembly	P	P	
Schools, public or private	P	P	See § 1419-12
Commercial Uses			

Animal services	—	P	See § 1419-05
Banks and financial institutions	P	P	See § 1419-13
Bed and breakfast inns	C	C	See § 1419-09
Business services	P	P	
Commercial meeting facility	L2	P	
Eating and drinking establishments			
Restaurants, full service	—	L4,5	See § 1419-21
Restaurants, limited	—	L4,5	See § 1419-21
Convenience markets	L4, 5	L4, 5	
Food markets	L4,5	L4,5	
Funeral and interment services	P	P	
Hotels and commercial lodging	—	P	
Laboratories, commercial	C	P	
Medical services and clinics	P	P	
Offices	P	P	
Parking facilities	C	C	See Chapter 1425
Personal instructional services	L3,4	L4	
Personal services	L3,4	L4	
Transportation, Communications and Utilities Uses			
Communications facilities	—	C	
Public utility distribution system	C	C	
Transportation facilities			
Heliports	—	C	

Railroad right-of-way	P	P	
Wireless communication antenna	L6	L6	See § 1419-33
Wireless communication tower	C	C	See § 1419-33
Agriculture and Extractive Uses			
Animal keeping	C	C	See Chapter 1422
Farms	C	C	See Chapter 1422
Gardens	P	P	See Chapter 1422
Accessory Uses			See Chapter 1421
Any accessory use not listed below	L9	L9	
<u>Accessory dwelling unit</u>	<u>L13</u>	<u>L13</u>	<u>See § 1421-06</u>
Home occupations	P	P	See § 1419-17
Rooming unit	L10	L10	
Refuse storage areas	P	P	See § 1421-35
Drive box	L11	L11	
Fences and walls	P	P	See § 1421-33
Exterior lighting	P	P	See § 1421-39
Small-scale specialized incinerator	—	L12	
Portable storage containers	P	P	See § 1419-24
Nonconforming Uses			See Chapter 1447

Specific Limitations

- L1 For new construction, permitted only above the ground floor in mixed-use building on arterial streets. Modification requires conditional use approval pursuant to the procedures and criteria of Chapter 1445, Variances, Special Exceptions, and Conditional Uses. Pre-existing permanent residential uses are permitted.
- L2 Not to exceed 3,000 square feet in gross floor area.

- L3 Permitted only on arterial streets.
- L4 Permitted on the ground floor occupying less than 2,500 sq. ft.; more space requires a conditional use approval.
- L5 Drive-through facilities are not permitted.
- L6 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public, commercial or public utility building or structure.
- L7 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; no more than five rooming units for every building, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.
- L8 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L9 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L10 The maximum number of rooming units is two.
- L11 Accessory to a public or semi-public use, provided the drive box is at least 100 feet from any property used for residential purposes.
- L12 Accessory to hospitals, medical services, clinics commercial laboratories and research and development uses, provided the incinerator is located on a roof or at least 100 feet from any property used for residential purposes.
- L13 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 8. That Section 1409-07, “Land Use Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1409-07. - Land Use Regulations.

Schedule 1409-07 below prescribes the land use regulations for C Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1409-07 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1409-07. Except as otherwise

indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.

- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1409-07: Use Regulations - Commercial Subdistricts

Use Classifications	CN-P	CN-M	CC-P	CC-M	CC-A	CG-A	Additional Regulations
Residential Uses							
Bed and breakfast home	P	P	P	P	—	—	See § 1419-09
Day care home - Adult	P	P	P	P	P	—	
Day care home - Type A	L3	L3	L3	L3	L3	—	
Day care home - Type B	L3	L3	L3	L3	—	—	
Group residential							
Congregate housing	P	P	P	P	P	P	
Convents & monasteries	P	P	P	P	—	—	
Dormitories	P	P	P	P	P	—	
Fraternities & sororities	P	P	P	P	—	—	
Patient family homes	P	P	P	P	—	—	
Rooming houses	L1	L1	L1	L1	—	—	
Shared housing for elderly	P	P	P	P	—	—	
Permanent residential							
Single-family dwelling	P	P	P	L2	L2	—	
Attached single-family dwelling	P	P	P	—	—	—	

Two-family dwelling	P	P	P	L2	L2	—	
Multi-family dwelling	P	P	P	L2	L2	—	
Residential care facilities							
Assisted living	P	P	P	P	P	—	
Developmental disability dwelling	P	P	P	L2	L2	—	
Nursing home	P	P	P	P	P	—	
Special assistance shelter	C	C	C	C	C	C	
Transitional housing							
Programs 1—4	P	P	P	L2	L2	—	
Program 5	—	—	—	P	P	P	
Program 6	—	—	—	C	P	P	
Public and Semipublic Uses							
Clubs and lodges	P	P	P	P	P	P	
Colleges, public or private	—	—	—	C	P	P	
Community service facilities	P	P	P	P	P	P	
Cultural institutions	P	P	P	P	P	P	
Day care center	P	P	P	P	P	P	
Government facilities and offices							
Offices	L9	L9	P	P	P	P	
Hospitals	—	—	—	—	—	P	
Park and recreation facilities	P	P	P	P	P	P	

Public maintenance facilities	—	—	—	—	C	C	
Public safety facilities	P	P	P	P	P	P	
Religious assembly	P	P	P	P	P	P	
Schools, public or private	P	P	P	P	P	P	See § 1419-12
Commercial Uses							
Ambulance services	—	—	—	—	P	P	
Animal service facilities	P	P	P	P	P	P	See § 1419-05
Banks and financial institutions	L9	L9	P	P	P	P	
Bed and breakfast inns	P	P	P	P	P	P	
Building maintenance services	—	—	—	—	P	P	
Building materials sales and services	—	—	—	L5	L5	P	
Business services	L9	L9	P	P	P	P	
Commercial meeting facility	—	—	—	P	P	P	
Eating and drinking establishments							
Convenience markets	L9	L9	P	P	P	P	
Drinking establishments	L9	L9	L9	P	P	P	
Restaurants, full service	L9	L9	L9	P	P	P	See § 1419-21
Restaurants, limited	L9	L9	P	P	P	P	See § 1419-21
Food markets	L9	L9	P	P	P	P	
Food preparation	L9	L9	P	P	P	P	

Funeral and interment services	P	P	P	P	P	P	
Garden supply stores and nurseries	—	—	—	L5	L5	P	
Hotels and commercial lodging	—	—	—	P	P	P	
Laboratories, commercial	L9	L9	P	P	P	P	
Loft dwelling units	P	P	P	P	P	P	See § 1419-23
Maintenance and repair services	L9	L9	P	P	P	P	
Medical services and clinics	L9	L9	P	P	P	P	
Offices	L9	L9	P	P	P	P	
Parking facilities	C	P	C	P	P	P	See Chapter 1425
Personal instructional services	L9	L9	P	P	P	P	
Personal services	L9	L9	P	P	P	P	
Private vehicular storage Lot	—	—	—	—	P	P	
Recreation and entertainment							
Indoor or small-scale	L9	L9	P	P	P	P	
Outdoor or large-scale	—	—	—	—	C	P	
Retail sales	L9	L9	P	P	P	P	
Vehicle and equipment services							
Vehicle and equipment sales and rental	—	—	—	C	L7	P	

Car wash	—	—	—	P	P	P	See § 1419-11
Fuel sales	—	P	—	P	P	P	See § 1419-15
Vehicle repair	—	—	—	C	P	P	See § 1419-27
Industrial Uses							
Production industry							
Artisan	C	C	C	C	P	P	
Limited	—	—	—	—	P	P	
Warehousing and storage							
Contractor storage	—	—	—	—	L5	L5	
Indoor storage	—	—	—	—	P	P	
Wholesaling and distribution	—	—	—	—	P	P	
Transportation, Communication and Utilities Uses							
Communications facilities	P	P	P	P	P	P	
Public utility distribution system	P	P	P	P	P	P	
Radio and television broadcast antenna	—	—	—	—	C	C	
Transportation facilities							
Heliports	—	—	—	—	C	C	
Railroad right-of-way	P	P	P	P	P	P	
Transportation passenger terminals	—	—	—	—	P	P	
Wireless communication antenna	L4	L4	L4	L4	L4	L4	See § 1419-33

Wireless communication tower	C	C	C	C	C	C	See § 1419-33
Agriculture and Extractive Uses							
Animal keeping	P	P	P	P	P	P	See Chapter 1422
Farms	C	C	C	P	P	P	See Chapter 1422
Gardens	P	P	P	P	P	P	See Chapter 1422
Accessory Uses							See Chapter 1421
Any accessory use not listed below	L6	L6	L6	L6	L6	L6	
<u>Accessory dwelling unit</u>	<u>L12</u>	<u>L12</u>	<u>L12</u>	<u>L12</u>	<u>L12</u>	<u>—</u>	<u>See § 1421-06</u>
Refuse storage areas	P	P	P	P	P	P	See § 1421-35
Drive box	L10	L10	L10	L10	L10	L10	
Commercial vehicle parking	P	P	P	P	P	P	
Exterior lighting	P	P	P	P	P	P	See § 1421-39
Small-scale specialized incinerator	L11	L11	L11	L11	L11	L11	
Portable storage containers	P	P	P	P	P	P	See § 1419-24
Nonconforming Uses							See Chapter 1447

Specific Limitations

- L1 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.

- L2 Permitted only above the ground floor in a mixed use building. Modification requires conditional use approval pursuant to the procedures and criteria of Chapter 1445, Variance, Special Exceptions, and Conditional Uses.
- L3 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L4 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public, commercial or public utility building or structure.
- L5 Permitted provided that outside storage is screened with an 8 ft. privacy fence.
- L6 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted except where expressly prohibited. All others require conditional use approval.
- L7 Permitted on arterial streets with a maximum site size of two acres. Vehicle loading and unloading must occur on-site.
- L8 Use is limited to 2,500 square feet and the use must be located within a mixed-use building; more space requires conditional use approval.
- L9 Use is limited to 15,000 square feet; more space requires conditional use approval.
- L10 The storage space is less than 30 cubic yards; enclosed by a screen fence or within a structure; and at least 100 feet from any property used for residential purposes.
- L11 The material incinerated is generated on-site and is located on a roof or at least 100 feet from any property used for residential purposes.
- L12 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 9. That Section 1410-05, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 14010-05. - Land Use Regulations.

Schedule 1410-05 below prescribes the land use regulations for UM District. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1410-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1410-05. Except as otherwise

indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.

- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1410-05: Use Regulations – Urban Mix District

Use Classifications	UM	Additional Regulations
Residential Uses		
Group Residential		
Bed and breakfast home	P	See § 1419-09
Day care home - Adult	P	
Day care home - Type A	L2	
Day care home - Type B	L2	
Group residential		
Congregate housing	P	
Convents and monasteries	L7	
Fraternities, sororities, dormitories	L7	
Patient family homes	L7	
Rooming houses	L1	
Shared housing for the elderly	L7	
Permanent Residential		
Single-family dwelling	P	See § 1403-11
Attached single-family dwelling	P	See § 1403-11
Rowhouse, single-family dwelling	P	
Two-family dwelling	P	

Multi-family dwelling	P	
Residential Care Facilities		
Assisted living	P	
Developmental disability dwelling	P	
Nursing home	P	
Special Assistance Shelter	C	
Transitional Housing		
Programs 1 - 4	P	
Program 5, 6	—	
Public and Semipublic Use		
Clubs and lodges	P	
Colleges, Public or Private	P	
Community service facilities	C	
Cultural institutions	P	
Day Care Center	P	
Government Facilities and Offices		
Offices	P	
Hospitals	P	
Parks and recreation facilities	P	
Public maintenance Facilities	C	
Public safety facilities	P	
Religious assembly	P	
Schools, public or private	P	See § 1419-12

Commercial Uses		
Ambulance Services	C	
Animal Services	C	See § 1419-05
Banks and Financial Institutions	L9	See § 1419-13
ATM, Stand Alone	C	
Bed and breakfast inns	P	See § 1419-09
Building maintenance services	P	
Building material sales & services	L3	
Business services	P	
Commercial meeting facilities	C	
Eating and Drinking Establishments		
Convenience markets	L9	
Drinking establishments	P	See § 1419-21
Restaurants, Full Service	L9	See § 1419-21
Restaurants, Limited Service	L9	See § 1419-21
Food markets	L9	
Food preparation	P	
Funeral and interment services	P	
Garden supply stores & nurseries	C	
Hotels & commercial lodging	P	
Laboratories, commercial	L6	
Loft dwelling units	P	See § 1419-23
Maintenance & repair services	P	

Medical services and clinics	P	
Offices	P	
Parking facilities	C	See § 1425, § 1411-25
Personal instructional services	P	
Personal services	P	
Recreation and Entertainment		
Indoor or small scale	P	
Outdoor or large scale	C	
Retail sales	L6	
Vehicle & Equipment Services	L10	
Car wash	L10	See § 1419-11
Vehicle repair	L11	See § 1419-27
Industrial Uses		
Production industry		
Artisan	P	
General	C	
Limited	P	
Research & development	C	
Warehouse & Storage		
Contractor's storage	L3	
Indoor storage	P	
Wholesale & distribution	C	
Transportation, Communication and Utilities		

Communications facilities	C	
Public utility distribution system	L12	
Transportation Facilities		
Heliports	C	
Railroad right-of-way	P	
Transportation passenger terminals	C	
Wireless communication antenna	L4	See § 1419-33
Wireless communication tower	C	See § 1419-33
Agriculture and Extractive Uses		
Animal keeping	P	See Chapter 1422
Farms	C	See Chapter 1422
Gardens	P	See Chapter 1422
Accessory Uses		
Any accessory use not listed below	L5	
<u>Accessory dwelling unit</u>	<u>L14</u>	<u>See § 1421-06</u>
Commercial services	P	See § 1419-35, 37
Commercial vehicle parking	P	
Drive box	L13	
Exterior lighting	P	See § 1421-39
Fences and walls	P	See § 1421-33
Home occupations	P	See § 1419-17
Refuse storage areas	P	See § 1421-35
Rooming unit	L8	

Small scale specialized incinerator	—	
Transitional Housing	—	
Portable Storage Containers	P	See § 1419-24
Nonconforming Uses		See Chapter 1447

Specific Limitations

- L1 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.
- L2 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear.
- L3 Permitted provided outdoor storage is screened so as not to be visible from adjacent streets.
- L4 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public, public utility, a commercial or industrial building or structure.
- L5 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L6 Use is limited to 15,000 square feet.
- L7 A separate entrance for access to rooming units must be provided in a MIX-use building.
- L8 No more than two rooming units may be rented or leased in any dwelling.
- L9 Drive through facilities are not permitted.
- L10 Permitted as an accessory use located within a parking garage.
- L11 Permitted within a fully enclosed structure.
- L12 The facility must be underground, within a building or on the roof within an enclosure.
- L13 Accessory to a public or semi-public use provided that the drivebox is at least 100 feet from any property used for residential purposes.
- L14 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 10. That Section 1411-05, “Land Use Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1411-05. - Land Use Regulations.

Schedule 1411-05 below prescribes the land use regulations for DD Downtown Development Use Subdistricts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1411-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1411-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1411-05: Use Regulations – Downtown Development Use Subdistricts

Use Classifications	DD-A	DD-B	DD-C	DD-D	Additional Regulations
Residential Uses					
Bed and breakfast home	P	P	P	P	See § 1419-09
Day care home - Adult	P	P	P	P	
Day care home - Type A	L12	L12	L12	L12	
Day care home - Type B	L12	L12	L12	L12	
Group residential					
Convents and monasteries	L1	L1	L1	L1	
Fraternities and sororities	L1	L1	L1	L1	
Patient family homes	L1	L1	L1	L1	

Rooming houses	L2	L2	L2	L2	
Shared housing for elderly	L1	L1	L1	L1	
Permanent residential					
Single-family dwelling	P	P	P	P	
Attached single-family dwelling	P	P	P	P	
Single-family rowhouse	P	P	P	P	
Multi-family dwelling	P	P	P	P	
Two-family dwelling	P	P	P	P	
Residential care facilities					
Assisted living	—	P	P	—	
Developmental disability dwelling	P	P	P	P	
Nursing home	—	P	P	—	
Special assistance shelter	C	C	C	C	
Transitional housing					
Programs 1—5	P	P	P	P	
Program 6	L11	L11	L11	L11	
Public and Semipublic Uses					
Clubs and lodges	P	P	P	P	
Colleges, public or private	P	P	P	P	
Community service facilities	P	P	P	P	
Cultural institutions	P	P	P	P	

Day care center	P	P	P	P	
Government facilities and offices					
Correctional institutions	—	—	C	—	
Offices	P	P	P	P	
Hospitals	P	P	P	P	
Park and recreation facilities	P	P	P	P	
Public maintenance facility	—	P	P	P	
Public safety facilities	P	P	P	P	
Religious assembly	P	P	P	P	
Schools, public or private	P	P	P	P	See § 1419-12
Commercial Uses					
Animal service facilities	—	C	C	—	See § 1419-05
Banks and financial institutions	L3	L3	L3	L3	
ATM, stand-alone	—	—	C	C	See § 1419-07
Bed and breakfast inns	P	P	P	P	See § 1419-09
Building maintenance services	—	—	P	—	
Business services	P	P	P	P	
Commercial meeting facilities	L4	L4	L4	L4	
Eating and drinking establishments					

Convenience markets	L3	L3	L3	L3	
Drinking establishments	P	P	P	P	
Restaurants, full service	L3	L3	L3	L3	See § 1419-21
Restaurants, limited	L3	L3	L3	L3	See § 1419-21
Food markets	L3	L3	L3	L3	
Food preparation	P	P	P	P	
Funeral and interment services	—	—	P	—	
Hotels and commercial lodging	P	P	P	P	
Laboratories, commercial	L4	—	L4	L4	
Loft dwelling units	P	P	P	P	See § 1419-23
Maintenance and repair services	P	P	P	P	
Medical services and clinics	L4	P	L4	L4	
Offices	L4	P	L4	L4	
Parking facilities	L13	L13	L13	L13	See § 1411-25
Personal instructional services	L5	L5	P	L5	
Personal services	P	L6	P	P	
Recreation and entertainment					
Indoor or small-scale	L5	L5	P	L5	
Outdoor or large-scale	C	—	C	C	
Retail sales	P	L6	P	P	

Vehicle and equipment services					
Vehicle and equipment sales and rental	L7	—	L7	—	
Car wash	L7	L7	L7	L7	See § 1419-11
Vehicle repair	—	—	L8	—	See § 1419-27
Industrial Uses					
Production industry					
Artisan	—	—	P	P	
Limited	—	—	P	—	
Research and development	—	—	C	—	
Warehousing and storage					
Indoor storage	—	—	P	—	
Wholesaling and distribution	—	—	P	—	
Transportation, Communication and Utilities					
Communications facilities	P	—	P	P	
Public utility distribution system	L9	L9	L9	L9	
Public utility maintenance yard	—	—	C	—	
Public utility plant	C	—	C	—	
Transportation facilities					
Heliports	C	—	C	C	

Transportation passenger terminals	C	C	C	C	
Watercraft and riverfront facilities					
Commercial piers and ports	—	—	—	P	
Marinas	—	—	—	P	
Wireless communication antenna	L10	L10	L10	L10	See § 1419-33
Wireless communication tower	C	C	C	—	See § 1419-33
Agriculture and Extractive Uses					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422
Gardens	P	P	P	P	See Chapter 1422
Accessory Uses					See Chapter 1421
<u>Accessory dwelling unit</u>	<u>L14</u>	<u>L14</u>	<u>L14</u>	<u>L14</u>	<u>See § 1421-06</u>
Nonconforming Uses					See Chapter 1447

Specific Limitations

- L1 A separate entrance for access to rooming units must be provided in a mixed-use building.
- L2 Only rooming houses licensed pursuant to Chapter 855, Rooming Houses of the Municipal Code are allowed. A separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-23.
- L3 Drive-through facilities are not permitted.

- L4 Not permitted as a principal ground floor use in locations indicated on Map 1411-17: Commercial Continuity Overlay.
- L5 Permitted only above the ground floor in a mixed-use building. Modification requires conditional use approval pursuant to Chapter 1445-Variances, Special Exceptions and Conditional Uses.
- L6 Permitted on the ground floor only.
- L7 Permitted as a secondary use located within a parking garage.
- L8 Permitted only if the entire use and storage is within an enclosed structure.
- L9 The facility must be underground, within a building or on the roof within an enclosure.
- L10 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public, public utility, commercial or industrial building or structure.
- L11 Programs may not exceed 50 resident occupants.
- L12 Fencing must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L13 See 1411-25.
- L14 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 11. That Section 1413-05, “Land Use Regulations,” of the Cincinnati Municipal Code is hereby amended as follows:

§ 1413-05. - Land Use Regulations.

Schedule 1413-05 below prescribes the land use regulations for M Manufacturing Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1413-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1413-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1413-05: Use Regulations - Manufacturing Districts

Use Classifications	MA	ML	MG	ME	Additional Regulations
Residential Uses					
Day care home—Adult	P	—	—		
Day care home—Type A	L9	—	—		
Day care home—Type B	L1	—	—		
Group residential					
Convents and monasteries	—	L1	—	—	
Fraternities and sororities	—	L1	—	—	
Patient family homes	—	L1	—	—	
Rooming houses	—	L1	—	—	
Shared housing for the elderly	P	L1	—	—	
Permanent residential					
Single-family dwelling	P	L1	—	—	
Attached single-family dwelling	P	L1	—	—	See § 1403-13
Two-family dwelling	—	L1	—	—	
Multi-family dwelling	—	L1	—	—	
Residential care facilities					
Developmental disability dwelling	P	P	—	—	
Special assistance shelter	—	C	—	—	
Transitional housing					

Programs 1—4	—	P	P	—	
Programs 5, 6	—	—	P	—	
Public and Semipublic Uses					
Community service facilities	P	P	—	—	
Day care center	P	P	L3	—	
Government facilities and offices					
Correctional institutions	—	—	C	—	
Facilities and installations	—	—	C	—	
Juvenile detention facilities	—	—	C	—	
Offices	P	P	P	—	
Park and recreation facilities	P	P	—	—	
Public maintenance facilities	—	P	P	—	
Public safety facilities	C	P	P	P	
Religious assembly	P	P	—	—	
Schools, public or private	P	P	—	—	See § 1419-12
Commercial Uses					
Ambulance services	—	P	P	—	
Animal service facilities	—	P	P	—	See § 1419-05
Banks and financial institutions	—	P	P	—	
Building maintenance services	—	P	P	—	
Building materials sales and services	—	P	P	P	
Business services	—	P	P	—	

Eating and drinking establishments					
Convenience markets	—	L5	L5	—	
Drinking establishments	—	P	P	—	
Restaurants, full service	—	P	P	—	See § 1419-21
Restaurants, limited	—	P	P	—	See § 1419-21
Food markets	—	L5	L5	—	
Food preparation	P	P	P	—	
Garden supply stores and nurseries	P	P	—	—	See § 1419-16
Laboratories, commercial	—	P	P	—	
Loft dwelling units	P	P	P	—	See § 1419-23
Maintenance and repair services	P	P	P	—	
Medical services and clinics	—	P	P	—	
Offices	P	P	P	P	
Parking facilities	—	P	P	C	See Chapter 1425
Personal instructional services	P	P	P	—	
Personal services	—	L5	L5	—	
Private vehicular storage lot	—	—	P	—	
Recreation and entertainment					
Indoor or small-scale	—	P	P	—	
Outdoor or large-scale	—	C	—	—	
Retail sales	—	L5	L5	—	
Sexually oriented business	—	—	P	—	See § 1419-25

Vehicle and equipment services					
Vehicle and equipment sales and rental	—	L2	L2	—	
Car wash	—	L3	P	—	See § 1419-11
Fuel sales	—	L3	P	—	See § 1419-15
Vehicle repair	—	—	P	—	See § 1419-27
Automobile holding facility	—	—	L4	—	
Industrial Uses					
Production industry					
Artisan	P	P	P	P	
General	—	—	P	P	
Intensive high-impact	—	—	C	C	See § 1419-19
Limited	P	P	P	P	
Research and development	P	P	P	—	
Warehousing and storage					
Contractor's storage	—	C	P	—	
Indoor storage	—	P	P	—	
Oil and gas storage	—	—	C	C	
Outdoor storage	—	—	C	C	
Metal waste salvage yard/junk yards	—	—	C	C	
Waste management					
Waste collection	—	P	P	P	See § 1419-31

Waste disposal	—	—	C	C	
Waste transfer	—	—	C	C	See § 1419-31
Wholesaling and distribution	P	P	P	P	
Transportation, communication and utilities					
Communications facilities	P	P	P	—	
Public utility distribution system	—	P	P	P	
Public utility maintenance yard	—	P	P	P	
Public utility plant	—	C	P	P	
Radio and television broadcast antenna	—	P	P	—	
Transportation facilities					
Airports	—	L6	—	—	
Heliports	—	L6	L6	L6	
Railroad train yards	—	L7	L7	L7	
Railroad right-of-way	—	P	P	P	
Transportation passenger terminals	—	P	P	P	
Truck terminal and warehouse	—	—	L7	L7	
Wireless communication antenna	L13	L8	L8	L8	
Wireless communication tower	—	C	C	C	
Agriculture and Extractive Uses					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422

Gardens	P	P	P	P	See Chapter 1422
Mining and quarrying	—	—	C	C	
Accessory Uses					See Chapter 1421
Any accessory use not listed below	L10	L10	L10	L10	
<u>Accessory dwelling unit</u>	<u>L17</u>	<u>L1, L17</u>	<u>—</u>	<u>—</u>	<u>See § 1421-06</u>
Refuse storage area	L12	L12	L12	L12	See § 1421-35
Drive box	L11	L11	L11	L11	
Commercial vehicle parking	L14	P	P	P	
Exterior lighting	P	P	P	P	See § 1421-39
Composting facilities	P	—	—	—	See § 1421-37
Home occupation	P	—	—	—	See § 1419-17
Rooming unit	L15	—	—	—	
Retail Sales	L16	—	—	—	
Portable Storage Containers	P	P	P	P	See § 1419-24
Nonconforming Uses					See Chapter 1447

Specific Limitations

- L1 New residential is permitted only when abutting an existing residential use or structure.
- L2 Permitted on arterial street only. Vehicle loading and unloading must occur on-site.
- L3 Permitted only as an accessory use to a use allowed in the district.
- L4 The facility must be completely enclosed on all sides with a six foot screen fence which is protected from damage by a guardrail or other barriers approved by the Zoning Administrator. Must be located at least 100 feet from a residential district.
- L5 Permitted only if occupying less than 5,000 sq. ft. in ML and 10,000 sq. ft. in MG.

- L6 Landing strip, pad, or apron may not be located within 500 ft. of a residential district boundary.
- L7 Not allowed within 250 ft. of a residential use in a Residential District.
- L8 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public or semi-public, public utility, a commercial or industrial building or structure.
- L9 Fencing a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L10 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L11 The storage space is less than 30 cubic yards; enclosed by a screen fence or within a structure; and at least 100 feet from any property used for residential purposes.
- L12 Provisions of § 1421-35 apply when refuse storage.
- L13 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to an agricultural, public or semi-public or public utility building or structure.
- L14 One commercial vehicle may be parked or stored on residential property with the following provisions:
 - a. Commercial vehicles with current license owned by a resident of the residential property on which it is stored or parked may not exceed two tons in capacity.
 - b. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.
- L15 No more than two rooming units may be rented or leased in a single-family dwelling.
- L16 Retail sales of products manufactured or wholesaled on the premises, when incidental and subordinate to a principal permitted use, provided that the floor area devoted to such retailing shall not exceed 35 percent of the floor area devoted to such principal use, but in no case shall the retail floor area exceed 5,000 square feet.
- L17 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 12. That Section 1415-05, "Land Use Regulations," of the Cincinnati Municipal

Code is hereby amended as follows:

§ 1415-05. - Land Use Regulations.

Schedule 1415-05 below prescribes the land use regulations for RF Riverfront Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1415-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1415-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1415-05: Use Regulations - Riverfront Districts

Use Classifications	RF-R	RF-C	RF-M	Additional Regulations
Residential Uses				
Bed and breakfast home	P	—	—	See § 1419-09
Day care home - Adult	C	—	—	
Day care home - Type A	C	—	—	
Day care home - Type B	L8	—	—	
Permanent residential				
Single-family dwelling	P	—	—	
Attached single-family dwelling	P	—	—	
Rowhouse single-family dwelling	P	—	—	
Two-family dwelling	P	—	—	
Multi-family dwelling	P	—	—	

Public and Semipublic Uses				
Community service facilities	P	—	—	
Cultural institutions	P	P	—	
Day care centers	P	P	—	
Government facilities and offices				
Facilities and installations	—	C	C	
Offices	P	P	—	
Parks and recreation facilities	P	—	—	
Public maintenance facilities	C	P	—	
Public safety facilities	P	P	P	
Religious assembly	P	P	P	
Schools, public and private	P	—	—	See § 1419-12
Commercial Uses				
Bed and breakfast inns	P	—	—	See § 1419-09
Eating and drinking establishments				
Drinking establishments	L1,2,3	L2,3	—	
Restaurants, full service	L1,2,3	L2,3	—	See § 1419-21
Restaurants, limited	L1,2,3	L2,3	—	See § 1419-21
Garden supply stores and plant nurseries	P	—	—	
Hotels and commercial lodging	L3	L3	—	
Recreation and entertainment				
Outdoor or large-scale	P	—	—	

Industrial Uses				
Production industry				
General	—	L4,6	L4,7	
Intensive high-impact	—	—	L4,7	See § 1419-19
Limited	—	L4,6	L4,7	
Metal waste salvage yard/junk yards	—	—	C	
Wholesaling and distribution	—	L4	L4	
Transportation, Communications and Utilities Uses				
Public utility distribution system	P	P	P	
Public utility plant	—	P	P	
Transportation facilities				
Railroad right-of-way	P	P	P	
Railroad train yards	—	L9	L9	
Transportation passenger terminals	P	P	P	
Watercraft and riverfront facilities				
Barge terminals	—	L6	L7	
Boat and ship yards	L6	L6	P	
Commercial piers and ports	—	P	—	
Marinas	P	P	—	
Marine sales and services	—	P	—	
Wireless communication antenna	L5	L5	L5	See § 1419-33

Wireless communication tower	C	C	C	See § 1419-33
Agriculture and Extractive Uses				
Animal keeping	P	P	P	See Chapter 1422
Farms	C	P	P	See Chapter 1422
Gardens	P	P	P	See Chapter 1422
Accessory Uses				See Chapter 1421
Any accessory use not listed below	L10	L10	L10	
<u>Accessory dwelling unit</u>	<u>L16</u>	—	—	<u>See § 1421-06</u>
Home occupation	P	—	—	See § 1419-17
Laundries and commissaries	L11	L11	—	
Refuse storage areas	L15	L15	L15	See § 1421-35
Drive box	L12	—	—	
Exterior lighting	P	P	P	See § 1421-39
Outside equipment storage areas	C	—	—	
Office uses	—	L13	L13	
Retail and repair	—	L14	—	
Portable Storage Containers	P	P	P	See § 1419-24
Nonconforming Uses				See Chapter 1447

Specific Limitations

- L1 Outdoor eating and drinking areas require a conditional use approval. Presentation of entertainment is not permitted in such areas.
- L2 Drive-through facilities are prohibited.
- L3 Permitted in marinas and boatyards otherwise a conditional use approval is required.
- L4 Use requires direct access to barge facilities.
- L5 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to an agricultural, multi-family, public or semi-public, public utility, commercial or industrial building or structure.
- L6 All storage to be in completely enclosed facilities.
- L7 Outdoor storage of chemicals, minerals and aggregate requires a conditional use approval.
- L8 Fencing must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L9 Not allowed within 250 feet of a residential use in a Residential District.
- L10 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L11 Accessory to a marina.
- L12 Accessory to a public or semi-public use, provided the drive box is at least 100 feet from any property used for residential purposes and is outside the 100-year floodplain.
- L13 Accessory to a permitted or conditional use but may not exceed 20,000 square feet of gross floor area.
- L14 Retail sales or repair of products incidental to the industrial uses of the district but may not exceed 5,000 square feet of gross floor area.
- L15 Provisions of § 1421-35 apply when refuse storage area is within 100 feet of any property used for residential purposes.
- L16 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 13. That Section 1417-03, "Land Use Regulations," of the Cincinnati Municipal Code is hereby amended as follows:

§ 1417-03. - Land Use Regulations.

Schedule 1417-03 below prescribes the land use regulations for IR Institutional Residential Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1417-03 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1417-03. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

Schedule 1417-03: Use Regulations - Institutional-Residential Districts

Use Classifications	IR	Additional Regulations
Residential Uses		
Bed and breakfast home	P	See § 1419-09
Day care home - Adult	P	
Day care home - Type A	L6	
Day care home - Type B	L6	
Group residential	P	
Permanent residential		
Single-family dwelling	P	
Attached single-family dwelling	P	
Two-family dwelling	P	
Multi-family dwelling	P	
Residential care facilities		

Assisted living	P	
Developmental disability dwelling	P	
Nursing home	P	
Transitional housing		
Programs 1—4	P	
Programs 5,6	C	
Public and Semipublic Uses		
Colleges, public or private	P	See § 1417-05
Community service facilities	P	
Cultural institutions	P	
Day care center	P	
Government facilities and offices		
Offices	P	
Hospitals	P	See § 1417-05
Park and recreation facilities	P	
Public safety facilities	P	
Religious assembly	P	
Schools, public or private	P	See § 1417-05 and § 1419-12
Commercial Uses		
Laboratories, commercial	P	See § 1417-05
Medical services and clinics	P	
Offices	P	
Transportation, Communication and Utilities		

Communications facilities	P	
Public utility distribution system	C	
Transportation facilities		
Heliports	C	
Transportation passenger terminals	P	
Wireless communication antenna	L1	See § 1419-33
Wireless communication tower	C	See § 1419-33
Agriculture and Extractive Uses		
Animal keeping	P	See Chapter 1422
Farms	C	See Chapter 1422
Gardens	P	See Chapter 1422
Accessory Uses		See Chapter 1421 and § 1417-05
Any accessory use not listed below	L2	
<u>Accessory dwelling unit</u>	<u>L7</u>	<u>See § 1421-06</u>
Drive box	L5	
Home occupations	P	See § 1419-17
Refuse storage area	L4	See § 1421-35
Rooming unit	L3	
Exterior lighting	P	See § 1421-39
Portable storage containers	P	See § 1419-24
Nonconforming Uses		See Chapter 1447

Specific Limitations

- L1 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to multi-family, public or semi-public, public utility or commercial building or structure.
- L2 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district other than those specified in § 1417-05 are permitted. All others require conditional use approval.
- L3 The maximum number of rooming units is two.
- L4 Provisions of § 1421-35 apply when refuse storage area is within 100 feet of any property used for residential purposes.
- L5 The storage space is less than 30 cubic yards; enclosed by a screen fence or within a structure; and at least 100 feet from any property used for residential purposes.
- L6 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L7 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

Section 14. That Section 1501-12, “Class F Civil Offenses,” of the Cincinnati Municipal Code is hereby amended to read as follows:

(a) A person who violates a standard of conduct set forth in a provision of Cincinnati Municipal Code Chapter 1001, Air Quality, is liable for the civil fine specified in Section 1501-99 for a Class F Civil Offense. If the person charged shows in accordance with Section 1501-15 that the violation has been corrected, the otherwise applicable civil fine is reduced by 50%. If a person has previously been found to have violated the same provision of the Cincinnati Municipal Code within one year, that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in Sec. 1501-99 and is not subject to reduction for correction of the violation.

(b) A person who violates Cincinnati Municipal Code ~~Chapter~~ Section 701-2(B)(4), “Leash Required; Responsibility for Injury,” multiple times is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense.

(c) A person who violates Cincinnati Municipal Code Section 1421-06(1)(1), “Accessory Dwelling Units,” is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense.

Section 15. That existing Sections 1401-01-T3, “Two-Family Dwelling,” 1403-05, “Land Use Regulations,” 1405-05, “Land Use Regulations,” 1407-05, “Land Use Regulations,” 1409-07, “Land Use Regulations,” 1410-05, “Land Use Regulations,” 1411-05, “Land Use Regulations,”

1413-05, “Land Use Regulations,” 1415-05, “Land Use Regulations,” 1417-03, “Land Use Regulations,” 1421-01, “Accessory Residential Structures,” and 1501-12, “Class F Civil Offenses,” of the Cincinnati Municipal Code are hereby repealed.

Section 16. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2023

Aftab Pureval, Mayor

Attest: _____
Clerk

New language underscored. Deleted language indicated by strike through.