

**SUBJECT:** Proposed text amendments to reflect the creation of the new Planning Department and the responsibilities of the Director of the City Planning Department.

**PURPOSE:**

To obtain approval from the City Planning Commission (CPC) on text amendments to the Zoning Code to change references to the Director of Community Development and Planning to the Director of City Planning and also to change references to the Director of Building and Inspections to the Director of City Planning.

**PROPOSED TEXT AMENDMENT:**

**Director of Community Development and Planning to the Director of City Planning Department**

- 1) **1400-21** – Interpretation of District Boundary Uses
- 2) **1400-21 (e)** – Uncertainty
- 3) **1415-11** - Maximum Height
- 4) **1429-09 (f)** – Concept Plan and Development Program Statement
- 5) **1429-19 (b)** – Limitation on Final Plan Implementation - Renewal
- 6) **1429-23** – Delegation of Duties
- 7) **1431-09** – Three-Month IDC Overlay Districts
- 8) **1439-03** – Director of Community Development & Planning (whole section)
- 9) **1449-03 (a)** – Persons Affected

**Director of Buildings and Inspection to the Director of City Planning Department**

- 10) **1401-01 F4** – Fence
- 11) **1401-01-P18 (d)** – Production of Industry – Limited
- 12) **1403-05** – Land Use Regulations – Single Family Districts (L9)
- 13) **1403-19** – Application of Procedures and Requirements
- 14) **1403-19 (a)** – Application Requirements
- 15) **1405-05** – Land Use Regulations Residential Multi-family Districts (L8)
- 16) **1407-05** – Land Use Regulations – Office District (L9)
- 17) **1409-07** – Land Use Regulations – Commercial Subdistricts (L10)
- 18) **1411-39 (g)** – Marquee Signs
- 19) **1411-47** – Demolition
- 20) **1413-05** – Land Use Regulations - Manufacturing Districts (L4) & (L10)
- 21) **1415-05** – Land Use Regulations – Riverfront Districts (L10)
- 22) **1415-11** – Maximum Heights
- 23) **1415-19** – Ohio River Bank Area
- 24) **1415-21** – Little Miami Riverfront Area Use Review
- 25) **1417-03** – Land Use Regulations – Institutional Residential Districts (L2)
- 26) **1417-11 (c)** – Institutional Buffer Yard Plan – Buffer Yard Plan
- 27) **1417-13 (f)** – Institutional Buffer Yard Standards – Underground Parking

- 28) **1419-17 (b)** – Home Occupations – Permitted Home Occupation Uses
- 29) **1419-25 (c)** – Sexually Oriented Businesses - Approval
- 30) **1419-27 (c)** – Vehicle Repairs - Outdoor Storage
- 31) **1419-33 (b)** – Wireless Communications Facilities – Wireless Communication Network Plan Required
- 32) **1421-01 (a)** – Accessory Residential Structures - Location.
- 33) **1421-27** – Yard Reductions
- 34) **1423-07** – Delayed Landscaping Installation
- 35) **1425-15 (c)** - Location of Parking – Parking on Nearby Lots
- 36) **1425-19** – Off-Street Parking and Loading Requirements
- 37) **1425-23** – Reduced Parking
- 38) **1425-23 (c)** – Housing for the Elderly and Persons with Disabilities
- 39) **1425-25 (a)** – Off-Street Parking and Loading Dimensions – Size
- 40) **1425-33 (b)** – Additional Parking Requirements – Wheel Stops
- 41) **1425-35** – Access Drives and Maneuvering Aisles
- 42) **1425-37 (b)** – Surfacing, Drainage and Grade of Parking and Loading Facilities – Surfacing
- 43) **1427-41** – Removal of Illegal Signs
- 44) **1433-11 (c)** – Exempt Permits – Compliance with a lawful order of the Director of B&I
- 45) **1433-13** – Applications Subject to Review
- 46) **1433-21 (a)** – Approval – Application conforms to the requirements
- 47) **1433-21 (b)** – Approval – Application does not conform to the requirements
- 48) **1435-09** – Notification of Designation
- 49) **1435-13 (a)** – Regulation of Alterations, Demolitions and Environmental Changes – Application
- 50) **1435-17** – Decision Requirements
- 51) **1435-25** – Minimum Maintenance Requirement
- 52) **1435-27 (c)** – Exemptions - Demolition
- 53) **1437-07 (a)** – Applications Subject to Review
- 54) **1437-09 (i)** – Development Standards in UD Overlay Districts
- 55) **1437-11 (a)** – Approval – Application conforms to the requirements
- 56) **1437-11 (b)** – Approval – Application does not conform to requirements
- 57) **1439** – Decision-Making Bodies and Officials - Table of Contents
- 58) **1439-05** – Director of Community Development & Planning (whole section)
- 59) **1439-11 (a)** – Zoning Board of Appeals
- 60) **1441** – Application Procedures, Permits and Certificates -Table of Contents
- 61) **1441-01 (a)** – Common Procedures for Review of Applications - Determination
- 62) **1441-01 (e)** – Hearing Fees
- 63) **1441-03** – Director of Building and Inspections (whole section)
- 64) **1441-05** – Covenants
- 65) **1441-05 (c)** – Release of Covenants
- 66) **1441-07** – Certificate of Compliance
- 67) **1441-09** – Building Permits
- 68) **1441-11** – Certificates of Occupancy and Use
- 69) **1441-13** – Temporary Parking uses in Urban Renewal Areas
- 70) **1441-15** – Certificate of Occupancy for Seasonal Events
- 71) **1441-17** – Effect of Administrative Interpretations
- 72) **1443-03** – Receipt of Application and Staff Reports
- 73) **1443-05** – Public Hearing Schedule and Notice.

- 74) **1443-09 (a)** – Zoning Hearing Examiner Decision - Permit Expiration and Extension
- 75) **1445-11 (a)** – Procedures for Application for Variances, Special Exceptions and Conditional Uses – Application Form and Materials
- 76) **1445-11 (d)(1)** – Property Owner or Authorized Agent
- 77) **1445-11 (d)(2)** – City Agency or Department
- 78) **1447-15** – Application Procedures
- 79) **1447-23** – Reconstruction of Nonconforming Use and Structure
- 80) **1449-09 (a)** – Appeals to Zoning Board of Appeals – Final Decision
- 81) **1449-13** – Procedures for Appeals from Decisions of the Director of B&I
- 82) **1451-01** – Enforcement Responsibility
- 83) **1451-03** – Revocation of Permit
- 84) **1451-05** – Vacation
- 85) **1451-07** – Remedies
- 86) **1451-09** – Violation and Penalties, Criminal and Civil
- 87) **1451-13** – Empowerment of Historic Conservation Regulations

**JUSTIFICATION:**

City Council created a new Planning Department and eliminated the Department of Buildings and Inspections. The Zoning Code must be amended to take out all references to the responsibilities of the Director of Buildings and Inspections as well as the responsibilities of the Director of Community Development and Planning. The Director of the City Planning Department will take on these responsibilities. The 87 sections of the Zoning Code that are listed above will be amended to insert “the Director of the City Planning Department”.

**RECOMMENDATION:**

The Planning staff recommends that the City Planning Commission approve the text amendments to change any references in the Zoning Code to the Director of Buildings and Inspections or the Director of Community Development and Planning, to the Director of the City Planning Department.

**Respectfully Submitted By:**

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Margaret A. Wuerstle, AICP, Chief Planner  
Department of Community Development & Planning

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1/10/08  
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**Approved:**

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Charles C. Graves, III  
Director, City Planning Department