

**Honorable City Planning Commission
Cincinnati, Ohio**

December 21, 2007

SUBJECT: A report on a motion from City Council proposing changes to the Zoning Hearing Examiner procedures.

BACKGROUND:

On November 20, 2007 the Economic Development Committee referred a motion to the Department of City Planning for review and report. The Motion recommended six changes to the Zoning Code as it relates to the process of Zoning Hearings for Variances, Special Exceptions, and Conditional Uses. Please see the attached Motion.

Planning Staff responded to the Motion, and the Memo was referred back to the Economic Development Committee. Please see the attached Memo. In the Memo, Planning Staff recommended that City Council make no changes to the Zoning Hearing process. However, staff also stated that if City Council determined that it wished to make changes nonetheless, that it not make these changes through a notwithstanding ordinance, but by following the text amendment process set forth in the Cincinnati Municipal Code, which includes notification of all Community Councils and impacted parties, a recommendation by the City Planning Commission, and an advertised public hearing at City Council.

On December 4, 2007, the Economic Development Committee referred the issue to the City Planning Commission for their review and comment.

This report is for discussion purposes.

Respectfully Submitted,

APPROVED:

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