



# **PROPOSED TEXT AMENDMENTS TO REDUCE OR REMOVE DENSITY REQUIREMENTS FROM THE ZONING CODE**

City Planning Commission | February 4, 2022

# BACKGROUND

- May 7, 2021, the Department of City Planning received an Ordinance sponsored by Councilmember Liz Keating (Item 202101677) that would remove density limitations in the zoning code to allow for construction of more housing within Multi-family, Office, Commercial, Urban Mix, Manufacturing, and Riverfront zoning districts.
  - Referred to the Department of City Planning
- The reduction or removal of these limitations is among the strategies the City Administration recommended for increasing the supply and availability of housing within the City in a March 16, 2021 report to City Council
  - Council item 202100478

# BACKGROUND

- June 4, 2021 – The City Planning Commission heard the original proposal which would have eliminated all density requirements for zoning districts that allow multi-family housing
  - Held due to neighborhood concerns and additional engagement
- Additional public staff conferences held:
  - August 4, 2021
  - December 14, 2021
    - Proposal changed to double density in RM-0.7, RM-1.2, and RM-2.0 multi-family zoning districts instead of unlimited
    - Limit height to 50 feet in RM-0.7 instead of unlimited (with additional setbacks)

# EXISTING REGULATIONS

Zoning District	Density Requirement for Multi-family
Residential Mixed (RMX)	2,500 SF per unit/parcel area
Residential Multi-family 2.0 (RM-2.0)	2,000 SF per unit/parcel area
Residential Multi-family 1.2 (RM-1.2)	1,200 SF per unit/parcel area
Residential Multi-family 0.7 (RM-0.7)	700 SF per unit/parcel area
Office Limited	1,200 SF per unit/parcel area
Office General	700 SF per unit/parcel area
All Commercial Districts	700 SF per unit/parcel area
Urban Mix (UM)	700 SF per unit/parcel area
Manufacturing Limited (ML)	2,000 SF per unit/parcel area
Riverfront Residential/Recreational (RF-R)	2,000 SF per unit/parcel area

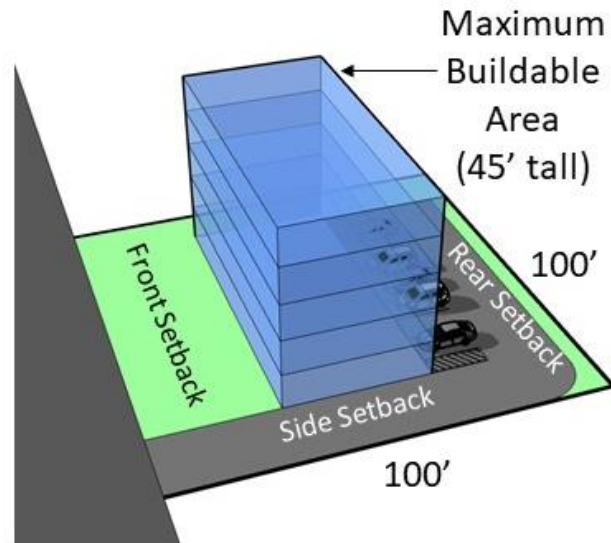
**\* Rehabbing an existing building requires 500 SF/parcel area**

# PROPOSAL

- The proposed zoning regulations affect land area/unit (density) limitations.
  - They do not impact building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc.
  - Single-family zoning districts are not affected by this proposal

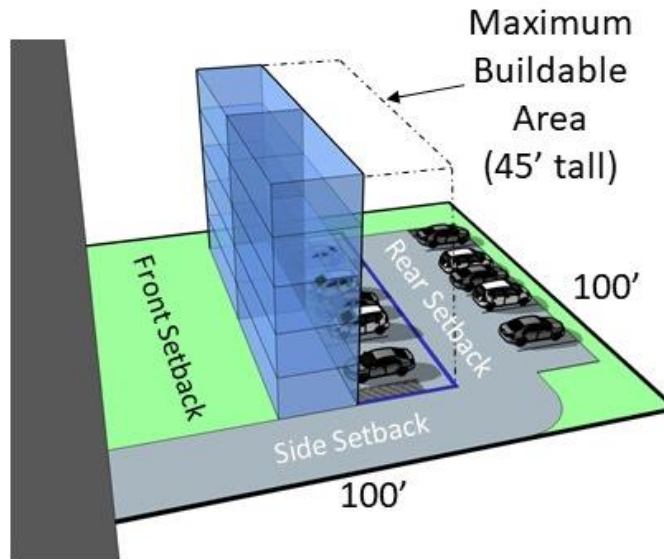
# EX: MULTI-FAMILY IN RM-2.0 ON 10,000 SF LOT

## Existing Regulations



- Density requirement of 2,000 sq. ft. of land/unit
- Maximum of 5 units ( $10,000/2,000 = 5$ )
- 8 parking spaces required ( $5 \times 1.5 = 7.5$  which rounds up to 8)

## Proposed Regulations



- Density requirement of 1,000 sq. ft. of land/unit
- Maximum of 10 units ( $10,000/1,000 = 10$ )
- 15 parking spaces required ( $10 \times 1.5 = 15$ )
- Note reduced building size due to need for parking requirements

## Additional Regulations Required

- 1.5 parking spaces required per unit
- 45-foot maximum building height
- 20-foot front yard setback (Additional 1-foot of setback for each 1-foot of building height above 35 feet)
- Total of 17-foot side setbacks with a minimum of 5 feet on one side (Additional 0.5-foot of minimum side yard setback for each 1-foot of building height above 35 feet)
- 35-foot rear setback
- Buffer yard standards (depends on adjacent zoning district)
- Any Overlay District standards (Historic, Hillside, Urban Design,



# PROPOSAL

- **Section 1405-07 “Development Regulations – Multi-Family”**

- Removes the minimum lot size requirement of 2,500 square feet per residential unit for two and three-family dwellings in the Residential Mixed 1-3 family (RMX) zoning district. It does not allow for more than 3 units per lot.
- Changes the minimum lot size requirement of 2,000 square feet per residential unit to 1,000 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 2.0 (RM-2.0) zoning district.
- Changes the minimum lot size requirement of 1,200 square feet per residential unit to 600 square feet per residential unit for two-family and multi-family dwellings in the Residential Multi-Family 1.2 (RM-1.2) zoning district.
- Changes the minimum lot size requirement of 700 square feet per residential unit to 350 square feet per residential unit for two-family and multi-family dwellings in the Multi-Family 0.7 (RM-0.7) zoning district.
- Changes the maximum height in the Multi-Family 0.7 (RM-0.7) zoning district from unlimited to a maximum of 50 feet.

# PROPOSAL

- **Section 1407-07 “Development Regulations – Office Districts”**

- Removes the minimum lot size requirement of 1,200 square feet per residential unit in the Office Limited (OL) zoning district
- Removes the minimum lot size requirement of 700 square feet per residential unit in Office General (OG) zoning district

- **Section 1409-09 “Development Regulations – Commercial Districts”**

- Removes the minimum lot size requirement of 700 square feet per residential unit (new construction) in all Commercial zoning districts
- Removes the minimum lot size requirement of 500 square feet per residential unit (using an existing building) in all Commercial zoning districts



# PROPOSAL

- **Section 1410-07 “Development Regulations – Urban Mix”**

- Removes the minimum lot size requirement of 700 square feet per residential unit
- Removes the minimum lot size requirement of 700 square feet per residential unit for interior and exterior row houses
- Removes the minimum lot size requirement of 2,000 square feet for “other uses”

- **Section 1413-07 “Development Regulations – Manufacturing Districts”**

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Manufacturing Limited (ML) zoning district

- **Section 1415-09 “Development Regulations – Riverfront Districts”**

- Removes the minimum lot size requirement of 2,000 square feet per dwelling unit in the Riverfront Residential/Recreational (RF-R) zoning district

# PUBLIC COMMENT

- Public Staff Conference held on May 25, 2021
- Presented at City Planning Commission meeting on June 4, 2021
  - Concern that neighborhoods were not given enough time to look at proposal
  - Proposal held by the City Planning Commission with tentative date to come back in September
  - After the feedback from the meeting, the website was updated with additional information to help make this proposal easier to understand
    - Link to website was included in your meeting invite or with the QR code on the right



Link to project website

# PUBLIC COMMENT

- A second public staff conference was held on August 4, 2021
- **Statements of support:**
  - New construction is generally more expensive, which filters down to housing costs/rent...adding additional supply allows demand pressure to slow
  - Many communities want more amenities (parks, grocery stores, things to do, etc.) which requires more people (density) to support it
  - More housing needed at all price points
  - Construction costs to develop/rehab small properties aren't worth it without adding density or with a subsidy
  - Solving the lack of housing units will require incremental broad-based change

# PUBLIC COMMENT

- **Statements of concern:**

- It seems everyone is supportive of housing that is more affordable, but not through this “blanket approach through a code change across the board.”
- This would remove the ability of neighborhoods to have their voices heard and to have any influence on the development in their neighborhood. The proposed change does not recognize the distinctly different neighborhoods with different needs and different concerns in their communities.
- Adding density can over-burden existing infrastructure
- Deregulation (parking, density, etc.) needs to be looked at comprehensively
- This proposal could make it easier to steer low-income housing into existing low-income communities
- Increasing density brings an increase of 1-2 bedroom units, but families typically need at least 3 bedrooms
- Tax abatements were in place to add demand for housing, but now the City says there isn't enough supply

# PUBLIC COMMENT

- After modifications were made to double the permitted density in residential multi-family districts, a third public staff conference was held on December 14, 2021
  - Statements of support and concern were generally the same as after the second public staff conference
- Staff has also received several pieces of written correspondence with similar statements of support and concern
  - Exhibit G
  - Additional correspondence emailed to you Thursday afternoon

# FREQUENTLY ASKED QUESTIONS

- **How does this proposal address affordable housing?**

- Creating more overall units, even at market rate, more units increase supply, which over time can help lower housing costs overall.

- **Do all other regulations still apply?**

- Yes. The maximum building height, setbacks (distance from property lines), parking requirements, Overlay Districts (Historic, Hillside, Urban Design, etc.), buffering, etc. all still apply.

- **Surface parking lots decrease the buildable footprint, but what about parking garages?**

- Above-ground structured parking costs ~\$21,000 a space, with below ground structured parking costing ~\$50,000 a space. Parking garages are structures which as part of the building would still have to adhere to the maximum building height and setback requirements.



# FREQUENTLY ASKED QUESTIONS

- **Does this mean that parking garages will replace single-family homes?**
  - Parking Facilities (lots and garages) are a *Conditional Use* in the RM-2.0, RM-1.2, and RM-0.7 zoning districts, meaning that a public hearing would be necessary to construct one that isn't part of a residential project. *They are not permitted in the RMX or single-family zoning districts.*
- **Why implement this City-wide and not overlay districts targeting specific areas?**
  - Since housing is a regional issue, this proposed ordinance was written to make a greater impact Citywide.

# CONSISTENCY WITH PLANS

## ***GREEN CINCINNATI PLAN (2018)***

- “Encourage population density and transit-oriented development in appropriate locations through zoning and incentives”

## ***PLAN CINCINNATI (2012)***

**VISION:** “Thriving re-urbanization”

## **GUIDING POLICY PRINCIPLES**

- “Increase our Population”
- “Build on our Assets”
- “Be aggressive and strategic in future growth and development”

# CONSISTENCY WITH *PLAN CINCINNATI* (2012)

## LIVE INITIATIVE AREA

- **Strategy:** “Become more walkable”
- **Action Step:** “Revise the City’s Building and Zoning Codes [...] with standards that emphasize traditional neighborhood development over suburban development”

## SUSTAIN INITIATIVE AREA

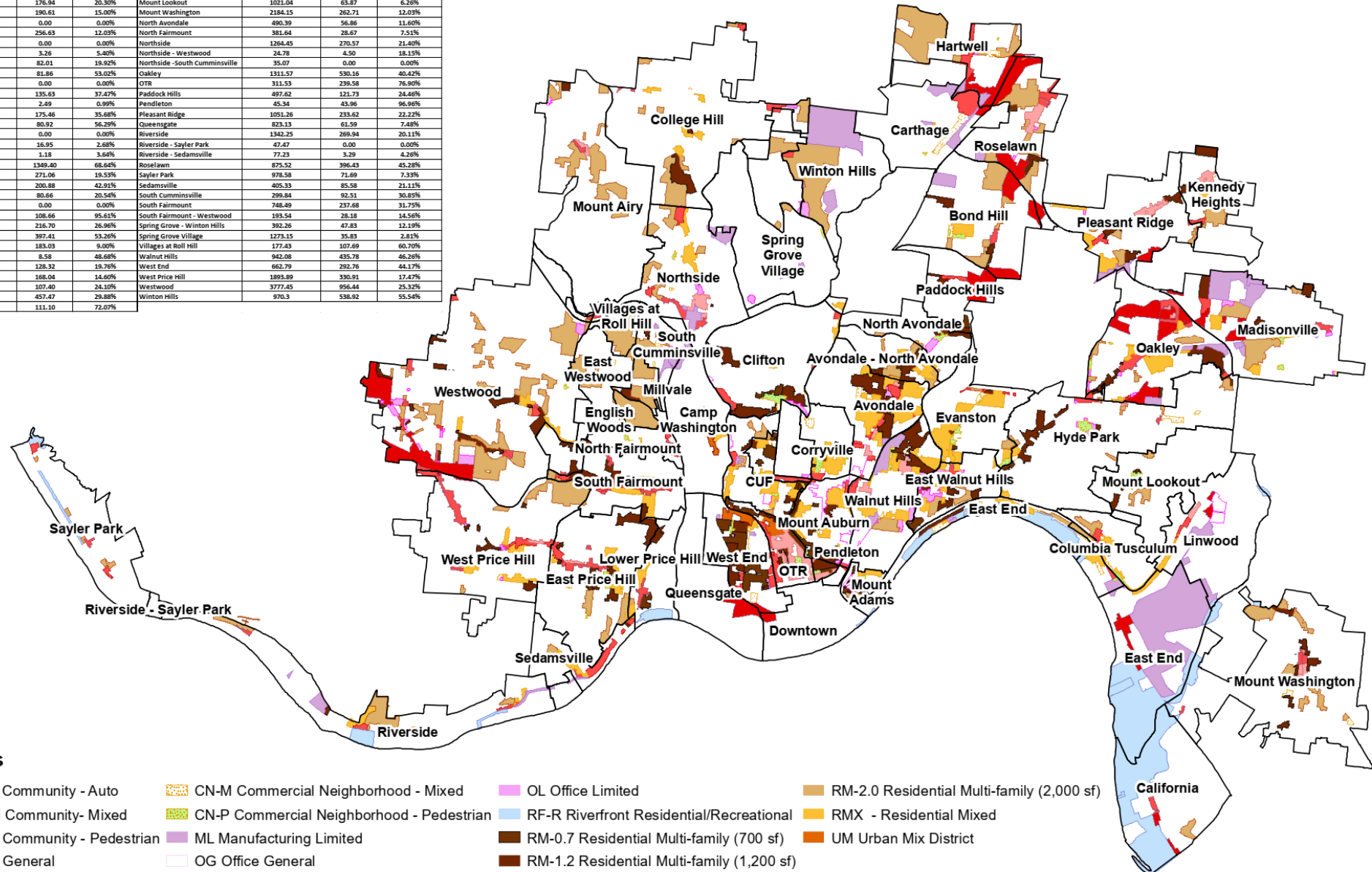
- **Goal 2:** “Preserve our built history”
- **Strategy:** “Develop changes to zoning regulations to remove barriers to the adaptive reuse of buildings”

# ANALYSIS

- This proposal affects approximately 25% of land in the City
- The existing land area/unit density regulations are an obstacle to creating high density housing and walkable, pedestrian-friendly, mixed-use environments
- The historic purpose for this type of density regulation was to regulate development for public safety and health reasons—a concern that is now adequately addressed by modern building codes, fire codes, and other government regulation
- Lifting these existing density requirements will simplify the approval process for the creation of dense housing developments, encouraging increased housing supply and promoting housing affordability

# Density Proposal Breakdown by Neighborhood

NEIGHBORHOOD	NEIGHBORHOOD ACRES	AFFECTED ACRES	PERCENT AFFECTED	NEIGHBORHOOD	NEIGHBORHOOD ACRES	AFFECTED ACRES	PERCENT AFFECTED
Avondale	921.45	423.05	45.91%	Mount Adams	134.66	63.17	46.91%
Avondale - North Avondale	377.01	133.67	35.46%	Mount Airy	2195.89	227.48	10.36%
Bond Hill	1249.33	321.79	25.76%	Mount Airy - Westwood	117.88	0.00	0.00%
California	1314.56	553.36	42.09%	Mount Auburn	510.62	297.08	58.18%
Camp Washington	777.77	42.86	5.51%	Mount Auburn - Walnut Hills	12.95	11.15	86.09%
Carthage	871.78	176.94	20.30%	Mount Lookout	1021.04	63.87	6.26%
Clifton	1270.35	190.61	15.00%	Mount Washington	2184.15	262.71	12.03%
Clifton - Spring Grove Village	54.46	0.00	0.00%	North Avondale	490.39	56.86	11.59%
College Hill	2133.7	256.63	12.03%	North Fairmount	381.64	28.67	7.51%
College Hill - Spring Grove	53.95	0.00	0.00%	Northside	1264.45	270.57	21.40%
College Hill - Winton Hills	60.34	3.26	5.40%	Northside - Westwood	24.78	4.50	18.15%
Columbia Tusculum	411.77	82.01	19.92%	Northside - South Cumminsville	35.07	0.00	0.00%
Columbia Tusculum - East End	154.38	81.86	53.02%	Oakley	1311.57	530.16	40.42%
Columbia Tusculum - Mt Lookout	28.4	0.00	0.00%	OTR	311.53	239.58	76.90%
Corryville	362	135.43	37.47%	Paddock Hills	497.62	121.73	24.46%
Corryville - Heights	250.63	2.49	0.99%	Pendleton	45.34	43.96	96.98%
CUF	491.76	175.46	35.68%	Pleasant Ridge	1051.26	233.62	22.22%
CUF - Heights	143.75	80.92	56.29%	Queensgate	823.13	61.59	7.48%
CUF - Mount Auburn	1.34	0.00	0.00%	Riverside	1342.25	269.94	20.11%
Downtown	631.48	16.95	2.68%	Riverside - Saylor Park	47.47	0.00	0.00%
Downtown - Pendleton	32.41	1.18	3.64%	Riverside - Sedamsville	77.23	3.29	4.26%
East End	1965.88	1349.40	68.64%	Roselawn	875.52	396.43	45.28%
East Price Hill	1387.71	271.06	19.53%	Saylor Park	978.58	71.49	7.33%
East Walnut Hills	468.15	200.88	42.91%	Sedamsville	405.33	85.58	21.11%
East Westwood	392.69	80.66	20.54%	South Cumminsville	299.84	92.51	30.85%
East Westwood - Westwood	2.62	0.00	0.00%	South Fairmount	748.49	237.68	31.75%
English Woods	113.65	108.66	95.61%	South Fairmount - Westwood	193.54	28.18	14.56%
Evanston	803.85	216.70	26.96%	Spring Grove - Winton Hills	392.26	47.83	12.19%
Hartwell	748.14	397.41	53.26%	Spring Grove Village	1273.15	35.83	2.81%
Hyde Park	2034.3	183.03	9.00%	Villages at Roll Hill	177.43	107.69	60.70%
Hyde Park - Oakley	17.63	6.58	48.68%	Walnut Hills	942.08	435.78	46.26%
Kennedy Heights	649.27	128.32	19.76%	West End	662.79	292.76	44.17%
Linwood	1150.68	168.04	14.60%	West Price Hill	1893.89	330.91	17.47%
Lower Price Hill	445.58	107.40	24.10%	Westwood	3777.45	956.44	25.32%
Madisonville	1531.02	457.47	29.88%	Winton Hills	970.3	538.92	55.54%
Millvale	154.16	111.10	72.07%				

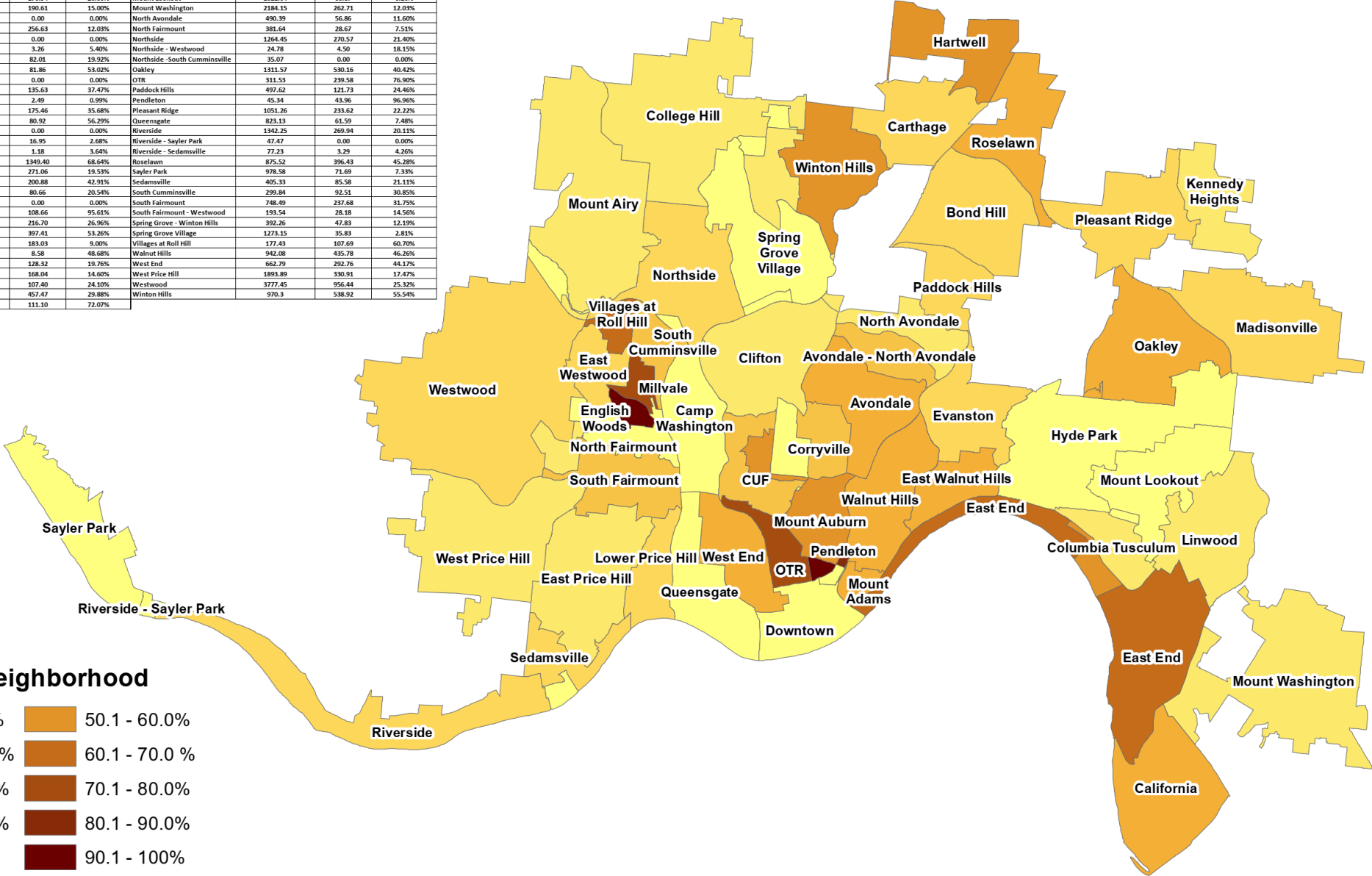


## Zoning Districts

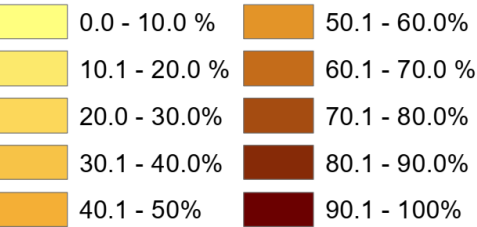
CC-A Commercial Community - Auto	CN-M Commercial Neighborhood - Mixed	OL Office Limited	RM-2.0 Residential Multi-family (2,000 sf)
CC-M Commercial Community- Mixed	CN-P Commercial Neighborhood - Pedestrian	RF-R Riverfront Residential/Recreational	RMX - Residential Mixed
CC-P Commercial Community - Pedestrian	ML Manufacturing Limited	RM-0.7 Residential Multi-family (700 sf)	UM Urban Mix District
CG-A Commercial General	OG Office General	RM-1.2 Residential Multi-family (1,200 sf)	

# Density Proposal Breakdown by Neighborhood

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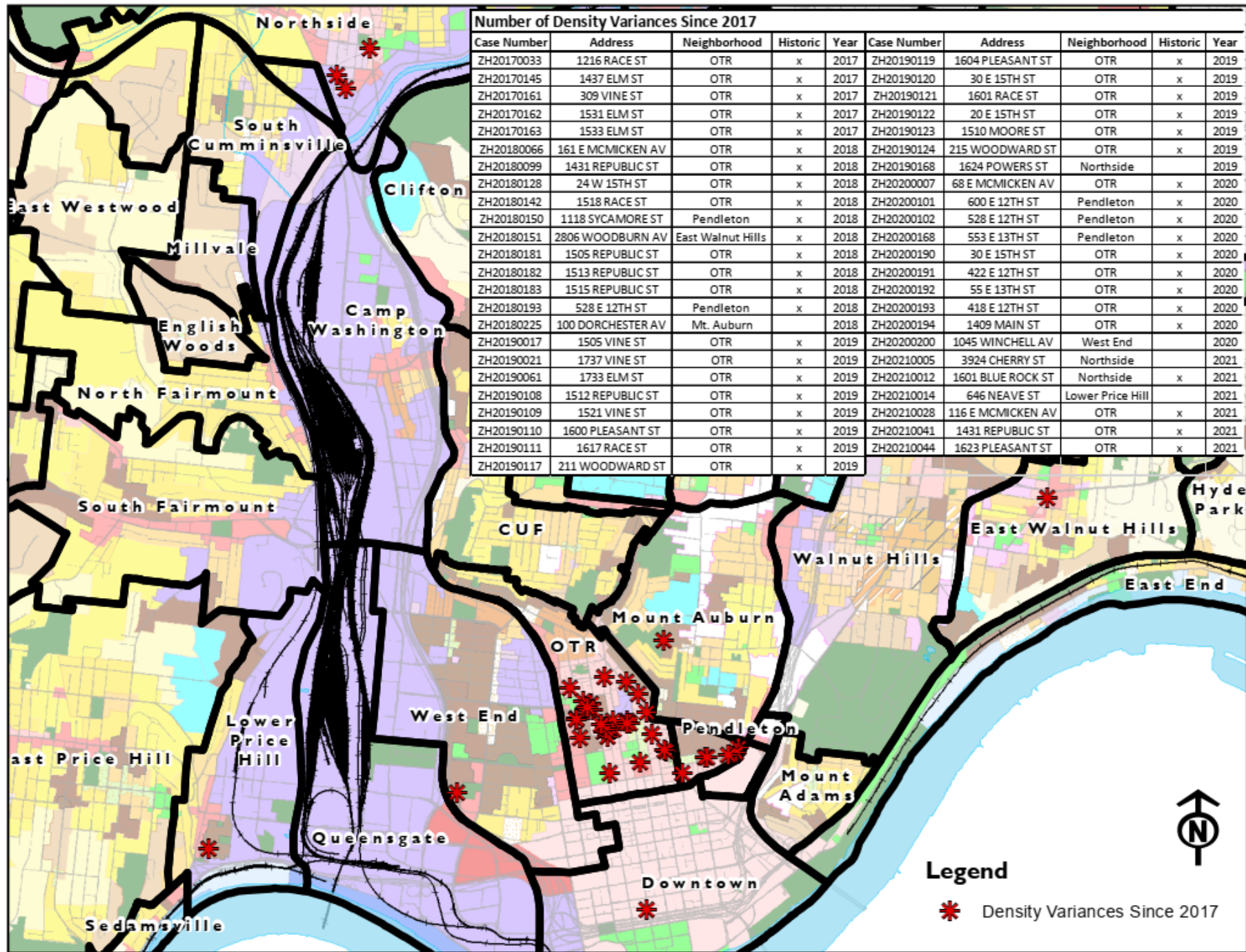
Percent of Neighborhood





# ANALYSIS

- Requirements for variances add time, cost, and uncertainty to the development process—creating a disincentive for development of housing
- Allowing more units per building drives down the per unit development costs of housing development by allowing for economies of scale
- The proposed ordinance only impacts zoning regulations that impose land area/unit (density) limitations. There are other forms of regulating density in the Zoning Code still remain—including use restrictions, building height, setbacks, Overlay Districts (Historic, Hillside, Urban Design), parking requirements, etc.
- Density in Single-Family zoning districts is not affected by this proposal



# CONCLUSIONS

- Consistent with *Plan Cincinnati* (2012) and the *Green Cincinnati Plan* (2018)
- The proposed elimination of land area/unit density limitations for multi-family housing will remove a disincentive and create an incentive for development of dense housing projects
- An increase in supply of housing will promote housing affordability
- Other forms of density regulation still apply

# RECOMMENDATION

The staff of the Department of City Planning and Engagement recommends that the City Planning Commission take the following action:

**APPROVE** the proposed zoning text amendments to modify Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by amending the provisions of Section 1405-03, "Specific Purposes of Multi-Family Subdistricts," Section 1405-07, "Development Regulations," Section 1407-07, "Development Regulations," Section 1409-09, "Development Regulations," Section 1410-07, "Development Regulations," Section 1413-07, "Development Regulations," and Section 1415-09, "Development Regulations," to reduce or remove density limitations in certain zoning districts and thereby remove a barrier to the creation of housing within the city.