

EXHIBIT B

**Regulations and Application Review Guidelines for
Interim Development Control Overlay District No. 88,
“Surface Parking in the Downtown Development Zoning District,” and
Designation of Administrative Reviewer**

Section I. Applications Subject to Review:

The following applications shall be reviewed by the City Planning Commission during the pendency of Interim Development Control Overlay District No. 88, “Surface Parking in the Downtown Development Zoning District”:

(a) Building permits for:

- i. new construction of surface parking facilities;
- ii. alteration, modification, or expansion of surface parking facilities;
- iii. changes in use to a surface parking facility use; and
- iv. site improvements associated with surface parking facilities.

(b) Certificates of compliance for:

- i. new construction of surface parking facilities;
- ii. alteration, modification, or expansion of surface parking facilities;
- iii. changes in use to a surface parking facility use; and
- iv. site improvements associated with surface parking facilities.

(c) Certificates of appropriateness for:

- i. new construction of surface parking facilities;
- ii. alteration, modification, or expansion of surface parking facilities;
- iii. changes in use to a surface parking facility use; and
- iv. site improvements associated with surface parking facilities.

Notwithstanding the foregoing subsections (a), (b), and (c), applications for building permits, certificates of compliance, and certificates of appropriateness to make the following alterations, modifications, or improvements to existing surface parking facilities shall not be subject to review by the City Planning Commission:

- i. Resurfacing that does not increase or expand the existing surface area;
- ii. Restriping;
- iii. New lighting;
- iv. New fencing; and
- v. New landscaping.

Section II. Designated Administrative Reviewer:

Council designates the Department of City Planning and Engagement as the staff reviewing authority for Interim Development Control Overlay District No. 88, “Surface Parking in the Downtown Development Zoning District.”

Section III. Application Review Guidelines:

In addition to any other necessary reviews and approvals as required by the Cincinnati Municipal Code and any other applicable laws, any application subject to review in Section I above shall be reviewed by the City Planning Commission to determine whether the application conforms to all applicable laws, ordinances, and regulations and is in the public interest.

In determining whether the application is in the public interest, the City Planning Commission shall consider those factors listed below that are relevant to the application. The application’s failure to conform to any single factor is not necessarily a sufficient basis for denial.

- a) *Community Character.* The proposal has a density, scale, size, location, programmatic configuration or function, and use that is compatible with, and designed to activate and enhance, the downtown streetscape.
- b) *Placement.* The proposed siting, setbacks, and orientation is designed to maximize multi-modal mobility that emphasizes pedestrian safety, participation, circulation, and connectivity.
- c) *Integration.* The proposal is designed to provide seamless transitions and connections, promoting interconnectivity between adjoining and abutting land uses to avoid disharmonious development patterns.
- d) *Accessibility.* The proposal is designed to promote public and private interactions and accessibility through multi-modal connections to existing or planned street grids or pedestrian-oriented pathways.
- e) *Stormwater Management.* The proposal is designed to address and minimize potential adverse effects relating to off-site stormwater runoff owing to any relative increase in impervious surface area or decrease in vegetative land cover related to the proposed development.
- f) *Zoning.* The proposal conforms to the underlying zone district regulations and is in harmony with the general purposes and intent of the zoning code.
- g) *Guidelines.* The proposal conforms to any guidelines adopted or approved by Council for the district in which the proposed work is located.

- h) *Plans.* The proposal conforms to a comprehensive plan, any applicable urban design or other plan officially adopted by Council, and any applicable community plan approved by the City Planning Commission.
- i) *Proposed Zoning Amendments.* The proposal is consistent with any proposed amendment to the zoning code then under consideration by the City Planning Commission or Council.
- j) *Adverse Effects.* Whether the proposal is likely to impose any adverse effect on the access to the property by fire, police, or other public services; traffic conditions; or the development, usefulness or value of neighboring land and buildings.