

New Subdivision Rules and Regulations DRAFT 11/13/2018

Community Council Presentation
November 28, 2018

Definition and Importance

2

- What is a subdivision?
 - The creation of new lots or property lines from existing parcels
- Why are subdivision regulations important?
 - Ensure lots are adequately and appropriately designed for land development
 - Establish appropriate lot design and public infrastructure design and performance standards
 - Identify and coordinate the design, construction, and performance of necessary public and private infrastructure to ensure that developed land is adequately supported by public services

Why now?

- The City's current Subdivision Rules were adopted by the City Planning Commission in 1954, revised in 1993, and last modified in 2009
- The existing rules are limited in scope, ambiguous, and unresponsive to the desires of the administration, the community, and developers
- Larger-than-average parcels have been undergoing lot subdivisions that have created new sized parcels and new construction, changing neighborhood density and potentially neighborhood character
- New Subdivision Rules will allow the City to better manage future growth

- The City Planning Commission is the sole platting authority for the City of Cincinnati
- On May 19, 2018, the City Planning Commission temporarily suspended Chapter 6 of the Subdivision Rules and Regulations for 100 days over the neighborhoods of Hyde Park and Mt. Lookout
- The temporary suspension of Chapter 6 of the Subdivision Rules and Regulations was renewed on August 17, 2018 up until and through December 31, 2018
- However, the applicability of the Subdivision Rules regulate layout and development all across the City

- The Economic Growth and Zoning Committee created a Working Group to propose solutions to the issues of subdivisions and the impacts on neighborhood character
- The Subdivision and Zoning Working Group has been meeting weekly since its initial meeting on June 19, 2018
- The Working Group has been discussing and editing the draft versions of the new Subdivision Rules and Regulations

Subdivision and Zoning Working Group

- The Working Group was established by ordinance with the following members:
 1. The Mayor or his designee
 2. One member of the Economic Growth and Zoning Committee or designee
 3. One member of the City Planning Commission
 4. One member of the Mt. Lookout Community Council
 5. One member of the Hyde Park Neighborhood Council
 6. One member of the Cincinnati Area Board of Realtors
 7. Two members of the Home Builder's Association

- The current draft:
 - Modifies the distinction between Major and Minor subdivisions
 - Definitively outlines a procedural process, incorporating public hearings early in the development process
 - Changes the review process for rear lots (panhandle lots)
 - Includes new standards for natural resource restoration and landscaping standards
 - Allows variation from the subdivision rules to incentivize superior urban design and conservation

- Comparison and differences between:
 - Existing Rules
 - First draft - 9/12/2018
 - Current draft – 11/13/2018

Major vs. Minor Subdivision Definition

9

- Existing Rules
 - Minor – the creation of 5 or fewer lots that does not involve the creation of a new street
 - Major – the creation of 6 or more or lots related to the creation of a new street
- First Draft
 - Unchanged but required all subdivisions to be reviewed by the City Planning Commission

Major vs. Minor Subdivision Definition

10

- Current Draft
 - Minor – the creation of 3 or fewer lots, excluding factor which may impact public services
 - Major- the creation of 4 or more lots or any subdivision satisfying certain factors likely to impact public services

Major vs. Minor Subdivision Procedure

11

- Existing Rules
 - Minor – approved administratively if it meets the requirements of the Subdivision Regulations and Zoning Code (size, setbacks, etc.)
 - Major – reviewed by the City Planning Commission over one or more phased public hearings
- First Draft
 - Both major and minor reviewed by the City Planning Commission over one or more phased hearing process
 - City Planning is granted flexibility to tailor the amount of process required

- Current Draft
 - Minor – approved administratively if it meets the requirements of the Subdivision Regulations and Zoning Code (size, setbacks, etc.)
 - Major – reviewed by the City Planning Commission over one or more phased public hearing process
 - Phased approvals permitted
 - City Planning is granted flexibility to tailor the amount of process required

- Existing Rules
 - Hardship variances from Subdivision Regulations permitted
- First Draft
 - Hardship variances from subdivision regulations permitted
 - Relief from Zoning Code also permitted

- Current Draft
 - Hardship variances from Subdivision Regulations permitted
 - Variances from Subdivision Regulations permitted to incentivize **superior urban design** or **resource conservation**
 - Use of sustainable design elements
 - Outdoor areas and pedestrian friendly environments
 - Cluster housing
 - Relief from zoning code permitted

- Existing Rules
 - Rear lot or “panhandle lots” permitted by right if they meet the standards in the Subdivision Regulations
- First Draft
 - Rear lot subdivisions may be permitted conditionally after City Planning Commission approval
 - Access strip (the “handle”) must be at least 30 feet wide

- Current Draft
 - Rear lot subdivisions may be permitted conditionally after CPC approval
 - Access strip (the “handle”) must be at least 21 feet wide
 - New natural resource and landscaping standards

- Existing Rules
 - Minor – No notification, done administratively if it meets the requirements of the Subdivision Regulations and Zoning Code (size, setbacks, etc.)
 - Major - Mailed notification within ten days to adjacent property owners
- First Draft
 - All proposed subdivisions - mailed notice to all property owners within 100 feet and ten calendar days before the City Planning Commission meeting

- Current Draft
 - Minor – signage posted on subject parcel within 24 hours of a submitted application
 - Notice of decision sent to all property owners within 100 feet of the subject parcel(s)
- Major - signage posted on subject parcel within 24 hours of a submitted application
 - Notice sent by mail to all property owners within 200 feet of subject parcel(s) and within ten calendar days
 - Notice of decision also sent

- Superior urban design variances (Sec. 500-05)
 - Preservation of resources through sustainable development practices
 - Dedication of outdoor recreation areas
 - Enhanced streetscape designs to promote a pedestrian friendly environment
 - Integration of architectural elements, materials, physical characteristics, and public art specific to the area to promote community identity and heritage

- Conservation variances (Sec. 500-07)
 - Enhancement, conservation or protection of mature trees, water courses, soils, wetlands, or scenic resources
 - Preservation of open greenspace or historic sites
 - Preservation of unique natural land features
 - Cluster Housing

- Revisions and edits taken from comments and questions from tonight's meeting
- Subdivision and Zoning Working Group meeting tomorrow morning at 8:00 a.m.
- December 7, 2018 - Overview presented to City Planning Commission for comments and questions
 - Necessary revisions based on City Planning Commission's comment and questions
- December 31, 2018 – Chapter 6 temporary suspension for Hyde Park and Mt. Lookout expires

Questions and Comments?