



Environmental Advisory Board

Meeting Agenda

February 25, 2026 3:00 P.M.

Centennial II HR Conference Room B

805 Central Avenue, Cincinnati, Ohio 45202

Virtual Attendance through Microsoft Teams

Order of Business

- I. Public Comment**
- II. Call to Order**
- III. Administrative Action***
 - Approval of January 28, 2026 – Meeting minutes
- IV. Office of Environment and Sustainability Comments**
 - TBD
- V. Information/Updates**
 - Mill Creek Valley Conservancy District Updates – Dave Schmitt

- VI. Items for Vote***
 - Officer Elections:
 - Chair Nominees: Dave Schmitt, Ericka Copeland, Susan Sprigg
 - Vice Chair Nominees: Ericka Copeland, Susan Sprigg

- VII. Open Discussion**
 - GCP Action Items with Policy Focus
 - Orientation to Mission of group, prior policy comments, focuses for 2026
- VIII. Presentations**
 - Climate Migration - OES

- IX. Next Meeting**
 - The next EAB meeting is scheduled for Wednesday, March 25, 2025, at 3:00 PM.

- X. Adjournment**

**Board Action Requested*

Agenda Packet Materials:

- Draft meeting minutes from 1/28/2026
- 2026 GCP Action Items with Policy Focus

Environmental Advisory Board

Minutes of January 28, 2026

Members Present:

- **Virtual:** Andrew Musgrave; Ericka Copeland; Nathan Alley; Susan Sprigg; Ashlee Young; Dave Schmitt; Kylie Johnson; Van Sullivan; Briana Mazzolini-Blanchard; Doug Walton; Emmy Schroeder; Megan O’Keefe; Michael Roman; Nayana Shah; Sarah Kent

Members Absent: Carla Walker; Monica Perdomo; Rico Blackman; Yasmine Allen

Staff Present: Oliver Kroner; Amanda Testerman; Erin Kabel

Meeting: A meeting of the Environmental Advisory Board was held on January 28, 2026, at 3:00 PM virtually through Microsoft Teams

Meeting Agenda:

- I. **Public Comment**
- II. **Call to Order at 3:05 PM**
- III. **Administrative Action***
 - Approval of December 17, 2025 – Meeting minutes
- IV. **Information/Updates**
 - New Board member updates: Welcome to new members; Briana Mazzolini-Blanchard; Carala Walker; Megan O’Keefe; Michael Roman; Sarah Kent; Yasmine Allen
 - MSD Budget and Stormwater Management Update- Larry Falkin
 - Green Umbrella Leadership Transition Update
 - Officer Nominations
 - Dave Schmitt: Chair
 - Elections will take place at the February meeting. Please contact Amanda Testerman & Erin Kabel at eab@cincinnati-oh.gov with additional nominations for Chair & Vice Chair
- V. **Office of Environment & Sustainability Comments**
 - SOPEC Updates
 - Center Hill Solar Updates
 - 2025 GCP Progress Report
 - i. <https://www.cincinnati-oh.gov/oes/news/2025-gcp-progress-report-released/>
- VI. **Items for Vote***
 - **Motion to approve bylaw amendment to add language to by-laws Article II, section A: ‘Members of the Board are appointed by the City Manager. There shall be a minimum of nine and a maximum of ~~14~~ 19 members on the Board’ and Article IV, section D: “A quorum of the Board is at least eight a majority of the active members. Any action of the Board requires an affirmative vote of at least a majority of the members present.” Yes – 11 votes; No – 0 votes [PASSES]**
- VII. **Presentations**
 - None
- VIII. **Open Discussion**
 - Mill Creek Conservancy District – Dave
 - Reflections & Strategic Prioritization – Kylie
- I. **Next Meeting**
 - Wednesday, February 26, 2026, at 3:00 PM
- II. **Adjournment at 4:31 PM**

GCP Actions with Policy Aspects

Focus Area	Action #	Action	Status	Status Description
Buildings & Energy	B&E.1	Improve building performance by implementing policies like benchmarking, building performance standards, or other relevant energy standards	In progress	(12/2025) - Completed four BPS stakeholder sessions during summer 2025. submitted report containing BPS recommendations to Council (3/25) The City is working with UC professor Amanda Webb and other Ohio cities on a BPS focused grant that started in January 2024. The grant is currently analyzing utility and building data. Stakeholder engagement will begin soon. (10/24) The City received a grant with the same partners to fund implementation of BPS. While the grant agreement was executed, it is unclear if the grant will move forward. (4/24) Benchmarking report provided to council.
Buildings & Energy	B&E.3	Recognize the role embodied carbon plays in the built environment and align incentive programs to encourage the reuse of existing buildings	Suggested	(12/2025) No direct action to date. BPS discussions are an effort to make existing buildings more efficient. Tax credits and abatements also encourage reuse of existing buildings.
Buildings & Energy	B&E.5	Create incentives to encourage developers to electrify new buildings or install infrastructure so buildings can easily convert to all-electric in the future	Suggested	(12/2025) No action to date. (3/2025) Federal incentives will help. Attempted to get it included in the Residential Tax Abatement Program. Commercial Tax Abatement will be up for review soon so opportunity is on the horizon.
Buildings & Energy	B&E.9	Create policies that will increase the energy efficiency of residential single and multi-family buildings in order to decrease energy poverty	In progress	(12/2025) Proposed BPS would apply to multi-family. Large multi-family are efficient. Need to address single family and 4 unit multi-family to get most gains (3/2025) The BPS grant with UC professor Amanda Webb will look at standards for large multifamily housing. There are no discussions surrounding single family homes.
City Operations	CO.6	Create policy for the procurement of sustainable goods for internal City supplies and materials informed by a city audit to develop strategic priorities	Suggested	Sustainable Fleet Policy is a working model with many challenges. Conversations happening around similar approach for Facilities. Focused on EV procurement
City Operations	CO.18	Organize facility managers to create a sustainable facility policy for new city buildings	In progress	Discussions with Facilities about approach. Revolving Loan Fund created. EECBG audits underway. Green building checklist drafted and reviewed with CMO and Facilities. KZF Masterplan for police and fire nearing completion.
Community Activation	CA.2	Build and present a case for long-term funding mechanisms that drive emissions reductions. Reallocate the resources generated to reduce disparate impacts.	In progress	Railroad sale provides funding for capital investments to improve facilities and infrastructure; Revolving Energy Loan Fund established to invest in energy savings measures and capture energy credits; Exploration of Mercantile Aggregation Program to decarbonize commercial energy load and generate revenue stream for climate work
Community Activation	CA.3	Support codification of climate justice and racial equity in City decision-making mechanisms	In progress	EAB submitted recommendations around codifying environmental justice Dec 2025; Office of Opportunity launched and new Director hired - focused on Financial Freedom Blueprint implementation; I-Team relaunched and finding their legs; Cincy OnTrack - percentage of funding by neighborhood median income tracked; GARE membership still live, but use unknown; LEED Tax Abatement restructured to offer tiers of abatement based on community socio-economic factors; Rising Fifteen localizes strategy of Justice40, being used semi-formally in Council decision-making framework
Food	F.9	Implement the Milan Urban Food Policy Pact related to good governance, sustainable diets & nutrition, social & economic equity, food production, food supply & distribution and food waste	In progress	Attended MUFPP Summit in October 2025 & connected with other North American cities; convening in March 2026 with other signatory cities; OES hired Consultant to do deep dive analysis on MUFPP, create dashboard of the 26 recommendations determining current status and mapping out future work. Explore potential Award submission 5/31/205 deadline; Creation of Food Contracts and Purchasing report for Council to inform policy potential related to healthy, local food. 6/2024 Brick Gardens is playing in all spaces; sustainable diets and nutrition and social & economic equity are probably focus; Food Waste Piece: CO- composting program at Camp Washington and beyond; Collaboration model? Interstate with Rust Belt; Continuing to look at network and what work is being done; developing network of FW reclamation; Support compst Production across many sites; continue making compost at Camp; Bioreactors; Hamilton COunty working related to Food Waste; NRDC suggesting potential policy changes
Mobility	M.7	Develop policies to ensure that vehicle charging infrastructure is available to all residents including those who live in multi-family buildings and in homes without driveways	In progress	Worked with Planning and one of their interns to evaluate updates to City code that will reflect need for EV charging. Zoning administrator was in the conversations and it has traction. OES working with GPI on its Charging Smart designation. Leveraging EV charging vendor and grants to bring chargers to neighborhoods that need them. Status of CFI grant in limbo but OKI grants moving forward.
Mobility	M.9	Develop policies and incentives to ensure new construction is prepared for EV charging	In progress	Worked with Planning and one of their interns to evaluate updates to City code that will reflect need for EV charging. Zoning administrator was in the conversations and it has traction. OES is working with GPI on its Charging Smart designation.

GCP Actions with Policy Aspects

Focus Area	Action #	Action	Status	Status Description
Mobility	M.10	Continue to invest in complete streets to improve connectivity between neighborhoods	In progress	City passed a Complete Streets ordinance in November 2022. DOTE currently examining using Complete Streets principles to transform Central Parkway. Currently in final design and engineering. Published a report of complete streets related features that were installed in 2024.
Mobility	M.16	Embrace zoning reform that increases density near transit, reduces or eliminates parking requirements across the city, and minimizes the use of surface parking lots	Completed	Connected Communities passed in June of 2024. Council addressed surface parking lots in CBD. Council has expressed desire to update/amend some parts of policy.
Natural Environment	NE.4	Implement policies that protect existing trees during development efforts	Suggested	Report by Xavier Intern on options from other municipalities, example ordinances complete. Potential option for EAB to provide suggestions to committee. Motion #202302795 passed by Council in December requesting: "the Administration supplement its process for granting easements to third parties. This supplement should include (but not limited to): detailed guidelines for community engagement and communication for easements authorizing large-scale construction or earth movement with the potential to impact neighbors, and restoration and replacement of removal of trees and vegetation."
Natural Environment	NE.8	Strengthen air emissions regulations	Suggested	Xavier intern project focused on study of municipal air regulations with comparison to see what action municipalities have taken determined there are limited actions US Cities have successfully taken. Most examples are from other countries with poorer air quality. Ohio EPA released a draft of the "Second 10-Year Maintenance Plan for the Ohio Portion of the Cincinnati, OH-KY-IN 8-Hour Ozone Maintenance Area" - this plan shows that Hamilton county is projected to meet the maintenance requirements, but only because of the projected emission decreases for on-road/mobile sources. Otherwise they have a projected increase in area VOCs and NOx emissions. On/road mobile source data came from OKI. NY using building performance focused on GHG emissions~energy use. This is separate from air permitting requirements.
Natural Environment	NE.13	Implement policies which promote and protect public greenspaces in new developments	Suggested	
Natural Environment	NE.15	Implement policies that restrict development in forested and/or biodiverse areas	Suggested	Report by Xavier intern on options from other municipalities, example ordinances complete. Potential option for EAB to provide suggestions to committee.
Resilience & Climate Adaptation	R.1	Incentivize green infrastructure projects in communities with extreme heat and flood vulnerabilities	In progress	KCB includes green infrastructure elements in all of their greenspaces OES created 1-pager and infographic on updated website. FUSE climate resilience project included aspects of this action including listening tour, landscape analysis, and grant support. Hamilton County Conservation District has started the 2025-2030 long term strategic plan, which has a watershed focus area. OES was invited to participate in a planning workshop. MSD, SMU, MCA, Parks, OKI, Hamilton County Conservation District, and many others highlighted in FUSE listening tour report.
Resilience & Climate Adaptation	R.8	Continue to implement affordable and mixed-income housing strategies to stabilize communities	In progress	Connected Communities Zoning Reform Ordinance Passed 6/5/2024. Continue supporting repurposing of industrial and commercial office space to residential land use including through brownfield redevelopment. This is being funded in part through state and federal brownfield grants, tax credits, tax incentive financing, opportunity zones. Continued to foster relationship with orgs including CMHA, the Port, and DCED among others. Studies recently completed applicable to this action include the City's Financial Blueprint and the City's Futures Commission Report, both of which include more detailed recommended actions. Cincinnati formally awarded Bloomberg American Sustainable Cities initiative funding in March 2024 to support a three member i-team to work with the mayor's office to address financial and climate racial inequities including a focus on affordable housing. Their work began in September 2024 with new new i-team in Fall 2025.
Resilience & Climate Adaptation	R.14	Protect landslide-prone hillsides and overland flood risk zones through land development policies, such as Low Impact Development	In progress	FEMA BRIC TA grant submitted in 2024 to address landslide area in Evanston - not awarded. FEMA BRIC PROTECT Grant for \$10 Million - awarded to DOTE. Grant project includes stabilization of 10 landslide prone areas in the City. Action item landscape analysis of existing city land development policies as administered by DOTE and B&I. City council report from DOTE & B&I on landslide in progress work (assessing, investigating, remediating, started, progress, completed).

GCP Actions with Policy Aspects

Focus Area	Action #	Action	Status	Status Description
Zero Waste	ZW.1	Increase the number of multi-family dwellings with recycling infrastructure	In progress	Recycling Partnership Grant awarded to fund multifamily recycling pilot program. Our goal is 3000 units. So far we have 461 launched, 1312 commitments, and 889 left to recruit (802 student housing, 131 market rate).
Zero Waste	ZW.3	Require permitted public events and events held on City property use best available recycling practices and include recycling service costs in the permit fee	In progress	No progress on policy requirement, the activities listed are currently voluntary. Hamilton County already provides infrastructure (bins). 1/31/25 Rumpke Contract has been updated to allow special event management. Last Mile Food Rescue rescued 10,000 lbs of food at 11 Special events in Cincinnati in 2025 including Oktoberfest, Taste of Cincinnati, Zoo LaLa, Asian Food Festival and others. Also Hamilton County ReSource provided zero waste consulting to Cincinnati Wine Festival (80% diversion from tasting events) and Paddelfest 2025 (94.34% waste diversion) La Soupe works with the USOpen & Riverbend (outside City limits) and LMFR also does other venues outside city limits. Riverroots event had a well organized recycling program.
Zero Waste	ZW.8	Incentivize recycling and diversion innovation by increasing the cost of waste generation and disposal	In progress	Raising the cost of garbage is critical to spur investments in circular economy recycling initiatives. Pay as You Throw (PAYT) report completed by OES Intern; Hamilton County has cost estimates for necessary compost infrastructure. Hamilton County Policy committee considering tier 2 increase. This potential increase could generate about 3 million a year and fund class II aerated static pile (ASP) system as recommended by consultants. Next policy meeting is Nov. 19, 2025 and this issue is expected to be discussed
Zero Waste	ZW.14	Support funding, siting, and development of a local, large-scale Class II compost facility	In progress	CPRG Grant submission with OKI included funding for multi-scale compost facilities - not awarded; 1/29/25: HCR received USDA grant to site ClassII; OES USDA#2 grant supports Common Orchard site development to ClassII; HCR consultant working with Common Orchard for site analysis and Class II prep. Consultant Compost Evaluation and Siting report recommends 3 mid-size aerated static pile (ASP) 6 to 8 acre sites to be able to divert the amount of organics currently being landfilled. These will cost 7 to 14 million each. The Hamilton County Policy committee is discussing options as to how to site and fund this. HCR issued an RFP and will be partnering with Xavier University to apply for an Ohio EPA Community Development Grant for an in-vessel composting system. Xavier University would use the system to compost food scraps from campus dining and restaurants.
Zero Waste	ZW.17	Utilize policy and fees to discourage the use of single-use plastics including plastic bags	Suggested	On hold due to State ban; Athens v State of Ohio litigation outcome coming that will determine what we can do. Kroger reported spring of 2025 that they are implementing reusable bag pilots in locations that have bag bans. In locations where bag bans are not in place (like Cincinnati) there are not plans for pilots in place at this time
Zero Waste	ZW.18	Reduce litter and illegal dumping through public communications strategy and stronger enforcement	In progress	OES purchased 48 recycling containers for DORA Districts to assist with litter reduction; Additional 25 containers in Central Biz District to reduce litter; Council approved ordinance 729-31 on 11/15/23 allowing the city to impound a vehicle used to illegally dump trash. Two other ordinances aimed at reducing litter also got approval--Fencing vacant lots and AMENDING Section 729-7, "Setting Out Containers," to ensure the clean and safe storage of garbage containers and dumpsters. KCB reports that Don't Dump the Nati was a success in 2024. 986 vehicles dropped off 342 tons of waste resulting in a 30 percent decrease in illegal dumping hotspots. OES supported 2025 Dont Dump the Nati to allow for diversion and recycling.

Dear City of Cincinnati Council Members,

As members of the City of Cincinnati Environmental Advisory Board (EAB), we agree it is a timely moment to share our thoughts and recommendations for the upcoming FY26 budget cycle, especially considering that 2026-2031 will represent the City's first six-year capital plan utilizing the full benefit of Cincinnati Southern Railway (CSR) Trust Disbursements.

We recommend that you maximize this unique opportunity to invest in climate adaptation and resilience planning to ensure long-term sustainability for our communities. **This includes prioritizing electric vehicle charging infrastructure, renewable energy, energy efficiency upgrades, and continued investments in ecosystems and green infrastructure solutions.**

We appreciate the bold climate leadership of the City Administration and City Council, and we applaud you for committing sustained funding in the budget for 2023 Green Cincinnati Plan (GCP) efforts and implementation. This funding prioritization demonstrates your commitment to sustainability, equity, and resilience. While dedicated GCP funding was a major step in the right direction, we recognize that the first round of CSR Trust Disbursements is another critical opportunity to center environmental justice and equity in budget decision-making.

The "Cincy on Track" plan was created to ensure that the CSR Trust Disbursements are thoughtfully and intentionally spent in a way that prioritizes projects that will most benefit historically underserved minority and low-income populations. As the [2023 report states](#), "The Administration will prioritize projects to drive increased equity in our City by analyzing the demographics of the beneficiaries most directly affected by each proposed project and identifying those projects that can deliver the most benefit to historically underserved minority and low-income communities. The intent is that this methodology for decision making will create and institutionalize a new approach that will drive consistently equitable infrastructure funding and improve service delivery to our communities in the greatest need moving forward."

As you determine which projects to prioritize, we respectfully remind you of the above stated intent of the funds to drive increased equity in our City and identify projects that can deliver the most benefit to historically underserved minority and low-income communities. Please carefully review where investments have historically been prioritized and consider which neighborhoods have been subject to disinvestment.

Allocating this funding to projects that address equity, environmental justice, and climate resiliency is critical in a moment where Justice40 and other federal funding opportunities have evaporated. If federal Inflation Reduction Act and Bipartisan Infrastructure Law rollbacks continue, we estimate a loss of over \$1.7 billion in critical climate investments for Hamilton County alone, and over \$2.6 billion in our 10-county region ([source](#)). This is a conservative estimate, as the calculation does not include Climate Pollution Reduction Grant funds and it is not clear what other funds may not be included.

Additionally, *The Bill is Coming Due: Calculating the Financial Cost of Climate Change to Ohio's Local Governments*, is a first of its kind report that provides a conservative estimate of the additional costs of climate change impacts that municipalities across the state will incur, including Cincinnati. The report estimates that Ohio municipal spending will need to increase annually by \$1.8 billion to \$5.9 billion by 2050 to keep up with current spending levels. All of the costs outlined in the report are conservative estimates. We know that the true costs and impacts of climate change are predicted to be much higher, which further highlights how imperative it is that we act now to protect our communities.

The Green Cincinnati Plan and your past efforts have put our City on the map as a national leader in sustainability, but it is unrealistic for us to continue being a leader if the budget doesn't reflect climate equity and resiliency as priorities. Cincinnati must evolve and invest now to ensure an equitable and resilient future for our city. We thank you for your consideration and climate leadership.

Thank you,

City of Cincinnati Environmental Advisory Board

Dear City of Cincinnati Council Members,

Stormwater is a present and growing challenge for all cities, and Cincinnati is no exception. The water that falls on the hard surfaces of parking lots, buildings, and pavement has many detrimental effects – including increased risk of flooding in our neighborhoods, increased pollutants in our waterways, and increased risks to our drinking water.

Cities must find ways to responsibly manage stormwater. For this reason, the City of Cincinnati Environmental Advisory Board (EAB) recommends that City Council adopt a resolution supporting the use of an Impervious Surface Fee (ISF) to fund the Metropolitan Sewer District's (MSD) stormwater expenses.

The EAB recommends that the resolution also include the following:

- A call for an offsetting reduction of approximately 50% in current sewer charges.
- Support robust credits or allowances for properties that control their own stormwater using stormwater best management practices (BMPs).
- Endorse a timeline resulting in support for inclusion of the ISF in MSD's 2026 budget proposal.

Adoption of an ISF would yield 5 important benefits.

1) An ISF will expand the scale of improved stormwater management in our city.

For many properties, on-site solutions are the cheapest and best way to manage stormwater. Property owners have no incentive to adopt such measures without an ISF that gives credit for BMPs. MSD cannot do it alone. Let's make stormwater management part of everybody's job!

2) An ISF will reduce Combined Sewer Overflows (CSO) into our streams and rivers.

By incentivizing stormwater BMPs, the amount of stormwater entering MSD's stormwater system will be significantly reduced. This in turn will result in fewer CSO discharges into the Mill Creek and other area water bodies during rain events. This will both reduce MSD's cost of treating stormwater and help MSD meet the water quality goals mandated by the Consent Decree.

3) An ISF is a more equitable way to fund stormwater costs.

MSD's analysis shows that about half of their budget is spent managing stormwater, but none of their revenue is based on stormwater generation. Properties that generate excessive runoff should pay their fair share of MSD's stormwater costs. Only half of MSD's budget is spent managing sewage, but sewer users are forced to pay 100% of

MSD's costs. Right now, properties that generate excessive runoff are being subsidized by the average ratepayer. That's just not fair.

4) An ISF will reduce costs for most residential ratepayers.

MSD's affordability study shows that current sewer rates pose a significant hardship for many ratepayers, especially low-income residential customers. MSD's analysis shows that shifting a portion of stormwater management costs from sewer users to stormwater generators through an ISF would provide net savings to most residential customers, and especially low-income customers.

5) An ISF will provide a more adequate funding base for MSD.

MSD's 2025 budget disclosed hundreds of millions of dollars worth of deferred maintenance that it can't afford to perform. The recently completed 10-year plan for wet weather improvements accomplishes only a small percentage of the work needed to keep sewage out of our streams and basements. MSD can't raise more money presently because sewer rates already overburden many ratepayers. The ISF will enable some overall budget growth for MSD, which is urgently needed.

The Impervious Surface Fee has been under discussion for many years, and MSD has generated multiple reports quantifying its potential positive impacts for the district and for residents. On behalf of the Cincinnati Environmental Advisory Board, we thank you for your consideration of our recommendation and we would be happy to answer questions or provide any additional details and materials in support of this recommendation.

Thank you,

City of Cincinnati Environmental Advisory Board

Resolution Supporting Hamilton County's Adoption of an Impervious Surface Fee

Expressing the support of the Mayor and the City Council of the City of Cincinnati for a Hamilton County-wide Impervious Surface Fee to fund stormwater management.

WHEREAS, stormwater management consumes approximately half of the Metropolitan Sewer District's (MSD's) budget, and sewage management consumes the other half of MSD's budget; and

WHEREAS, none of MSD's revenue is based on stormwater generation, and sewer users are forced to pay nearly all of MSD's budget; and

WHEREAS, this system of funding MSD's operations is deeply unjust, and an Impervious Surface Fee would correct this injustice, reduce total MSD charges for most residential customers, and provide even more savings for most low-income ratepayers; and

WHEREAS, stormwater Best Management Practices (BMPs), such as bioswales, pervious pavement, detention basins and rain gardens, are often the cheapest and most effective means of controlling stormwater; and

WHEREAS, MSD's existing rate structure gives area landowners no incentive to implement BMPs, so water runs off and becomes MSD's responsibility; and

WHEREAS, communities that have adopted Impervious Surface Fees with "credits" for installing BMPs have seen significant increases in the use of BMPs and significant reductions in stormwater discharges; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. MSD should propose an Impervious Surface Fee at a rate that would fund MSD's stormwater obligations in its 2026 budget proposal and all subsequent budget proposals.

Section 2. MSD should propose an equal and offsetting reduction in its sewage-based charges for 2026, structured in a way that maximizes relief for residential and low-income customers.

Section 3. MSD should include in its Impervious Surface Fee proposal a system of credits that reward landowners for installing and maintaining stormwater BMPs.

Section 4. The Mayor and City Manager are encouraged to engage with the Hamilton County Commissioners to encourage adoption and implementation of an Impervious Surface Fee as part of MSD's annual budget.

Dear City of Cincinnati Council Members,

On behalf of the Environmental Advisory Board (EAB), **we respectfully recommend that the City pursue membership in the Sustainable Ohio Public Energy Council (SOPEC)** to enable the development of a Mercantile Aggregation Program (MAP).

SOPEC, a Council of Governments with over 40 member communities, offers a proven operational platform for energy aggregation. By joining, the City would gain access to MAP—a program designed to aggregate commercial and industrial electricity customers and leverage renewable energy resources. **Importantly, SOPEC membership requires no financial commitment or mandate from the City.**

While the City's existing residential aggregation program—approved by voters in 2011—has been successful, it excludes large commercial users. A MAP would fill this gap for mercantile customers through an opt-in model, offering green energy, competitive pricing, and opportunities to partner with local renewable projects. Businesses are drawn to MAPs for their streamlined purchasing, price stability, and access to innovative energy solutions such as behind-the-meter solar, storage, and grid services.

Developing a MAP aligns directly with the City's 2023 Green Cincinnati Plan goals to reduce emissions 50% by 2030 and achieve carbon neutrality by 2050. **The potential impact is significant: mercantile electric customers consume over 3.5 billion kWh annually—three times the residential sector.** Capturing this market is essential to meeting our City's climate goals. Additionally, adoption would position Cincinnati as a national leader in energy policy innovation, as no U.S. city has yet implemented a MAP.

In closing, joining SOPEC to launch a Mercantile Aggregation Program offers Cincinnati a unique opportunity to lead nationally in energy innovation, building on its successful residential aggregation model. The program would drive substantial emissions reductions, support local businesses in meeting sustainability goals, and attract investment in renewable energy and green jobs. It would also enhance energy resilience for critical infrastructure and City facilities, while offering potential revenue streams to fund climate initiatives or support the City's general budget.

We urge the City to seize this opportunity to lead, innovate, and accelerate our transition to a clean energy future.

Thank you,
City of Cincinnati Environmental Advisory Board

To: Councilmember Meeka Owens
From: City of Cincinnati Environmental Advisory Board
Date: December 18, 2025
Subject: Initial Recommendations for Codifying Environmental Justice in Cincinnati

Dear Councilmember Owens,

The Environmental Advisory Board (EAB) respectfully submits this set of initial recommendations for your consideration to advance codification of environmental justice in city decision-making mechanisms, with the attached Fair Shake Environmental Services assessment and Climate Equity Indicators Report as supporting documents.

We recommend both immediate steps and long-term exploration. By starting with an administrative baseline (recommendations 1 and 2) and directing staff to analyze more complex tools (recommendations 3 and 4), Council can ensure that Cincinnati builds a defensible, equitable framework that prioritizes community voice and aligns with the city's Climate Equity Indicators Report and the Green Cincinnati Plan. These recommendations represent the first phase of the Board's work, and additional recommendations may be offered in the future.

Recommendations:

1. **Update Climate Equity Indicators Report:** Request that Council submit a motion to update the 2021 report to track progress and disparities (e.g., urban heat, air quality, energy burden).
2. **Improve Citywide Language Access:** Work with the Administration on language access processes. Pilot a centralized contract and appoint a Language Access Coordinator; begin with translation of essential EJ-related materials.
3. **Explore Participatory Budgeting:** Direct staff to conduct a feasibility study, referencing Columbus' successful 2025 initiative and Cincinnati's charter city authority.
4. **Explore Community Benefits Fund:** Request legal and financial analysis of whether a dedicated revenue model (similar to Portland's Clean Energy Fund) is viable under Ohio law and in Cincinnati.

These recommendations reflect several months of EAB discussions with Fair Shake Legal Services and the Office of Environment and Sustainability. We have distilled those conversations into a phased approach tailored to Cincinnati's community and government landscape. Included below are key findings from the Fair Shake assessment that support our recommendations. We welcome further discussion and stand ready to support you and Council in advancing this work. Thank you for your continued equity and climate justice leadership for our city.

Sincerely,

City of Cincinnati Environmental Advisory Board

Fair Shake Assessment Supporting Findings

- **Language Access (Page 4):** Cities budget \$200k-\$1.4M annually; centralized contracts reduce costs.
- **Participatory Budgeting (Page 8):** Columbus launched a \$9M initiative for 2026; Cleveland faced state preemption; Ohio law requires elected officials to sign off on expenditures, limiting community-only decision authority.
- **Portland Clean Energy Fund (Page 10):** Dedicated revenue stream for community-driven climate projects via surcharge on large retailers; governed by a community-appointed committee.
- **Cincinnati-specific considerations (Page 18):** Most tools in assessment are complementary; participatory budgeting must avoid state preemption; permit-denial authority may reduce needs for Community Benefit Agreements; administrative tools (language access, reporting) strengthen all other mechanisms by ensuring transparency and reducing redundancy.
- **Key Themes (Page 16):** Administrative actions are quick, low legal risk, low-cost; Contractual actions are enforceable with medium implementation complexity, but are limited in scope as they only apply to incentivized projects; Statutory actions are the strongest legal tool but legally complex.

Goal: codify environmental justice across city decision-making processes.

- This scan provides a range of examples to spark ideas about what types of laws and/or processes could work for Cincinnati to codify environmental justice across city decision-making processes.
- We used Cincinnati’s Equity Framework and the City’s [community engagement framework](#) (developed by IAP2) to help assess each example.
- No policy or law is perfect. All of these represent a range of ways cities have tried to incorporate equity into city decision-making, and there are pros and cons to all options, along with ways that they could be strengthened and adapted to Cincinnati’s context, strengths, existing laws, and goals.

GCP Equity Framework

- 1. Recognitional equity**—a commitment to identifying and acknowledging injustices affecting specific populations that institutions, including government, have created.
- 2. Procedural equity**—a commitment to ensuring that priority community members have a voice in the process to develop and implement programs and policies in an effort to shift power, build trust, and drive accountability.
- 3. Distributional equity**—a commitment to develop policies and programs that result in the distribution of benefits across all segments of a community, prioritizing those with the highest need.
- 4. Restorational equity**—a commitment to correct past harms through repairing degraded relationships, communities, and other resources.
- 5. Transformational equity** - a commitment to prioritize the needs and rights of priority communities by addressing the structural conditions that cause social and racial injustice

				
Inform	Consult	Involve	Collaborate	Own
Provide the community with balanced and objective information to assist them in understanding the problems, alternatives, opportunities, and/or solutions	Obtain community feedback on analysis, alternatives, and/or decisions	Work directly with the community throughout the process to ensure their concerns and aspirations are consistently understood and considered	Partner with the community in each aspect of the decision, including the development of alternatives and the identification of the preferred solution	Place the final decision making in the hands of the community

Questions to consider:

- How could something like this support the codification of environmental justice across city decision-making processes?
- When should this process be triggered to reach environmental justice?
- What pieces of equity does this address? Are there ways that this could be strengthened to hit more pieces of equity?
- Who should have accountability, oversight, and enforcement?
- What would success look like for this to be passed and implemented? What are concrete measures of success?
- What would this look like here? What could work well within our City and where would the struggle points come from?
- What types of training would be needed for the City and community?
- How can we get feedback from the community to help inform next steps?

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LANGUAGE ACCESS

<p>Chicago, IL – “Citywide Language Access to Ensure the Effective Delivery of City Services” This Ordinance requires “pertinent City departments” to create a language assistance plan, translate public documents, and give language access services.</p>	
Process	<p>A language access coordinator makes a language access policy. This plan shall include four factors, which are:</p> <ul style="list-style-type: none"> • The number of limited-English proficiency (LEP) persons; • Number of LEP persons who use the department; • The importance of services to the LEP persons; and • Resources to provide language services. <p>The language access policy must have the following for LEP persons:</p> <ul style="list-style-type: none"> • Translate essential public files; • Interpretation services; • Train workers and managers on language access procedures; • Post signage about free interpretation services; • Create a monitoring system for the language services; and • Create public awareness strategies. <p>The language access plans should address the needs of new populations of LEP persons. Measures of Success: Reports filed (translations, access data)</p>
Equity Framework	<ul style="list-style-type: none"> • Recognitional – recognizes that residents with LEP have been excluded in public participation in the past if all city documents and processes happen in English. • Procedural (Inform) – provides additional information to help communities with LEP understand city laws and participate in participation opportunities. • Restorational – acknowledges that land-use laws, processes, and policies have excluded LEP residents in the past, and strives to correct that through repaired relationships and resources.
Highlights + Considerations	<p>More Information, and details about other cities such as NYC and Chapel Hill, NC are listed here.</p> <p>Chicago promotes compliance through reporting and auditing. The Language Access Coordinator must file reports. The reports include:</p> <ul style="list-style-type: none"> • Files translated; • Number of translated forms used/requested; • Number of people who used service; • Number of staff people who speak more than one language. <p>The ordinances' use of “pertinent” is vague. So, it could be useful to create guidelines on what departments are required. This may be particularly important as Cincinnati becomes an area for climate refugees.</p>

Costs	<ul style="list-style-type: none"> • Costs of language access across large U.S. cities includes: translation, telephonic interpretation, compensation for bilingual staff, and on-site interpreters. • There is not a national city standard - cost depends on city size, whether the interpretation is centralized or paid out of a department budget, how many languages are made a priority, and how many people on staff are bi-lingual versus who is hired out of house. • Different ways cities are implementing that can impact cost: <ul style="list-style-type: none"> ○ Working to integrate language access into everyday government work, such as budgeting, communications, and program planning so it becomes a part of ongoing city operations: <ul style="list-style-type: none"> ▪ Portland, OR: "As City bureaus work to operationalize language equity into bureau programs, services, activities, planning, decision-making, resource allocation, and policy making," ▪ Boston Zoning Commission: interpretation automatically happens in Spanish, Cantonese, Mandarin, Vietnamese, Haitian Creole, and Cape Verdean Creole, and additional interpreting services and document translation services are available upon request at no cost. ○ Beginning with a Language Access Plan and appointing a Language Access Coordinator in different agencies to manage translation, interpretation, and training (similar to the ordinance above): <ul style="list-style-type: none"> ▪ Philadelphia - "all city departments will designate a language access coordinator charged with overseeing the development of a language access implementation plan." ▪ Houston - "All City departments that provide services directly to the public shall designate a <u>Language Access Coordinator</u> (Coordinator) to effect the creation and execution of the department's Language Access policy and implementation plan." ▪ Minneapolis – The Neighborhood and Community Relations Department oversees the Language Access Plan and helps City departments create and implement plans. Departments must budget for translation and interpretation services within their departmental budget. ○ Using vendor contracts and hiring strategically: <ul style="list-style-type: none"> ▪ Many cities hire companies to provide translation and interpretation. ▪ Centralized contracts (one contract that all departments use) can often save money. ▪ Some cities also budget for staff training and incentives. 														
	<table border="1"> <thead> <tr> <th>City</th> <th>What That Includes</th> <th>Rough Budget Estimation</th> </tr> </thead> <tbody> <tr> <td>Boston</td> <td>2021 Planning and Development's Department's interpretation and translation efforts</td> <td>\$200,000/year</td> </tr> <tr> <td>Seattle</td> <td>2022 for Seattle Department of Transportation work under their language access program.</td> <td>\$396, 464/year</td> </tr> <tr> <td>New Orleans</td> <td>Pilot budget allocation to include Language Access Coordinator and consultant (\$118,789); translation and interpretation (\$250,000; and tech and infrastructure needs (\$133,500).</td> <td>\$500,000 start-up pilot Language Access Plan, with estimate of \$229,000 general funds annually.</td> </tr> <tr> <td>New York City</td> <td>Start-up and annual fees for centralized interpretation services available to immigrants across the five boroughs and will recruit, train and dispatch interpreters to City-funded legal service providers, community navigation sites and City Council offices.</td> <td>\$1.4 million</td> </tr> </tbody> </table>	City	What That Includes	Rough Budget Estimation	Boston	2021 Planning and Development's Department's interpretation and translation efforts	\$200,000/year	Seattle	2022 for Seattle Department of Transportation work under their language access program.	\$396, 464/year	New Orleans	Pilot budget allocation to include Language Access Coordinator and consultant (\$118,789); translation and interpretation (\$250,000; and tech and infrastructure needs (\$133,500).	\$500,000 start-up pilot Language Access Plan, with estimate of \$229,000 general funds annually.	New York City	Start-up and annual fees for centralized interpretation services available to immigrants across the five boroughs and will recruit, train and dispatch interpreters to City-funded legal service providers, community navigation sites and City Council offices.
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More Information	<ul style="list-style-type: none"> • https://sustainablecitycode.org/brief/language-access-for-land-use-processes-2/ • https://www.chicago.gov/city/en/depts/mayor/supp_info/office-of-new-americans/language-access.html

STRENGTHEN PUBLIC PARTICIPATION IN DEVELOPMENT APPROVAL PROCESSES

<p>Calabasas, CA – “Community Development Forum Requirement”</p> <p>This ordinance requires two community forums for new, large developments. The goal is to inform and engage the community before and during large developments seeking local permits. The forum requires the developer to hear and consider the ideas and concerns of citizens during the initial design process and permit review process.</p>	
Process	<p>The ordinance requires large developments (larger than 10,000 sq. ft. or requiring a zone change, variance, or other modification) to host two community development forums.</p> <p>Forum #1 is required before submitting a development application to the municipality. The forum must:</p> <ul style="list-style-type: none"> • Be scheduled Monday through Thursday and starting at 6 or 7pm. • Be held close to the development project site, at one of two community centers. • Be widely publicized. The ordinance spells out the different way the developer needs to notify the public, including direct mailing to all residents who live in that city zone, and ways the municipality will help notify the public, including notifying homeowners’ associations, the media, and to develop an email/mail list of people who request notice around this development. • Provide all pertinent information, including a detailed list of information that must be shared, such as preliminary plans, zoning and aerial maps, contact information. • Provide an opportunity for the public to engage with the project’s design team and other subject matter experts. The proper may, at their option, use a “hands on” or interactive design process. <p>Forum #2 is required after the review committee has met and is considering the project application. This forum is intended for the applicant to tell the public about the project proposals and updates after the first forum and tell the public about the benefits that the project will contribute to the community.</p> <ul style="list-style-type: none"> • Be scheduled Monday through Thursday and starting at 6 or 7pm. • Be held at council chambers or one of two community centers. • Be widely publicized like forum #1. • Provide all pertinent information, including an updated project plan, renderings or models, a written narrative about issues like traffic, parking, potential environmental impacts and mitigations. • Include municipal planning staff to answer questions; • Host small-group discussions with members of the project’s design and engineering teams and answer specific questions from members of the public. Additionally, “the city anticipates the public will have specific questions regarding project impacts such as traffic, noise, or grading of concern... thus the applicant is required to have...members of the project team qualified to answer questions regarding those...” <p>The developer is required to submit a written summary after the first and second forum to the municipality which includes a summary of public comments, suggestions, and concerns, and how those comments, suggestions, and concerns will be addressed.</p> <p>Measures of Success: Meeting records</p>

Equity Framework	<ul style="list-style-type: none"> • Procedural (Consult) - This ordinance enables early and proactive community engagement, and could help marginalized communities participate and ensure their ideas and concerns are heard and considered because it requires: <ul style="list-style-type: none"> • Public input before the initial development proposal is submitted; • Stronger notification than traditional notices (that are only found on the development site and in a local newspaper); • The developer to hear and answer questions from the community; • Requirement to have experts on-hand to answer environmental questions; • Small group discussion to give additional ways for community members to ask questions; • The developer will submit questions and concerns, and how they will address those questions and concerns. • Transformational – Strives to shift power dynamics to ensure that community member concerns are actively thought through and incorporated into Company decision-making. (Often, community meetings result in the Company telling the community what to do, however this law requires them to respond to community feedback.)
Highlights	<ul style="list-style-type: none"> • This ordinance requires small-group discussion as part of an official public participation process, which can provide additional avenues for the community to participate in decision-making processes. • This ordinance also puts the onus on the developer to engage, hear, and integrate community ideas and concerns early into their design plans. • The ordinance does not require the Developer to change their plans because of community feedback, so additional ‘carrots and/or sticks’ could be added to ensure that community voice is integrated. • No measures of assessment, so it’s challenging to be able to assess how well this ordinance is working.
Additional Information	<ul style="list-style-type: none"> • https://www.cityofcalabasas.com/government/community-development/planning-division/development-review

<p>Pittsburgh, Pennsylvania – “Registered Community Organization” This ordinance tries to increase communication and public participation in city development decisions by ensuring ‘recognized’ neighborhood coalitions receive timely and accurate information.</p>	
Process	<p>An RCO is a non-profit or group of non-profits that register with the Department of City Planning as stakeholders of a specific neighborhood. RCO’s then take the lead in helping to be a conduit between the City and residents. They also play a major role in Development Activity Meetings.</p> <p>Development Activity Meetings:</p> <ul style="list-style-type: none"> • Development Activity Meetings are required for any projects that meet certain criteria and require a Public Hearing through the Planning Commission, Zoning Board, or a few other City Departments. • Developers apply to the City and must coordinate with the local Registered Community Organization and Neighborhood Planner to schedule the Meeting. <p>RCOs must:</p> <ul style="list-style-type: none"> • Notify residents about Development Activity Meetings (D.A.M); • Host D.A.M. at an open, ADA accessible facility, or virtually; • Provide feedback to the developer; and • Create an agenda, take meeting notes for D.A.M, and share them publicly. RCO’s can create the type of agenda and facilitation that best meets their communities’ needs.

	<ul style="list-style-type: none"> One example of a very strong, community-driven Development Activity Meeting process is the Hill District CDC, who facilitates a community vote. If the community has a positive response, the Hill District supports the proposal. If the community has a negative response, the Hill District CDC provides feedback and makes recommendations to the Developer, who then refines and sets up a second Development Review Panel. <p>RCO Benefits Include:</p> <ul style="list-style-type: none"> Receive notice of local projects. Guaranteed D.A.M. with the project developer prior to a public hearing. Develop Neighborhood Plans used by the Planning Commission. Featured on official maps, brochures, and directories. <p>Council can still vote to approve developments even without the approval of the RCO.</p> <p>Measures of success: Meetings held</p>
Equity Framework	<ul style="list-style-type: none"> Procedural equity (Consult) – recognizes the expertise of local organizations and ensures that those organizations have a ‘seat-at-the-table’ for development proposals.
Highlights + Considerations	<ul style="list-style-type: none"> RCOs are established in different neighborhoods in Pittsburgh and are designed to reflect the attitudes of community members. Pittsburgh allows multiple organizations to serve as RCO’s for one geography. This can be a pro because it ensures multiple viewpoints can be heard. It can also be a con and can cause conflict between organizations. An example of a messy development that highlights this push/pull.
Additional Information	<ul style="list-style-type: none"> https://www.pittsburghpa.gov/Business-Development/City-Planning/Planning-Programs/Registered-Community-Organizations/Development-Activities-Meeting https://www.pittsburghpa.gov/Business-Development/City-Planning/Planning-Programs/Registered-Community-Organizations https://www.publicsource.org/pittsburgh-registered-community-organization-program-development-divisive-system/

COMMUNITY-DRIVEN BENEFITS AND FUNDING

<p>Unincorporated King County – “Participatory Budgeting”</p> <p>This process allows community members to spend approximately \$8,850,000 annually of dollars in their community on capital projects.</p>	
Process	<ul style="list-style-type: none"> This program focuses on five environmental justice communities in King County. This is a collaboration between County staff and residents. Residents make up a steering committee that creates rules, has final decision-making power on funding decisions, and facilitates community engagement to gather additional resident feedback. County staff administers the process, provides logistical and facilitation support to the Steering Committee. “Membership on the steering committee is open to all members of the public who live, work, attend school, play, and/or worship in the communities they seek to represent, or who can demonstrate some other strong connection to that community, such as having been displaced from there due to gentrification.” King County staff “take steps to recruit people of color and those who are LGBTQIA, youths, seniors, immigrants, refugees, and/or who have low incomes or disabilities, as well as people from other underrepresented groups”, and includes youth, business and community-based organizations. <p>The process includes:</p>

	<ul style="list-style-type: none"> • Design – the steering committee creates the process and allocates funds to each community. • Idea Collection – community members submit project ideas in person, online, by phone, or via paper. • Proposal Development – volunteers work with County staff to create project proposals. • Voting – Community members vote on proposals through ranked choice voting. The Steering Committee facilitates engagement “to engage descendants of enslaved African Americans, Native Americans, and other communities of color.” Any resident age 12 and older can vote without citizenship or identification requirements. • Funding – County provides funds. <p>Funds can be spent on capital projects, which has included things like sidewalk and street improvements, park improvements, community gardens, and public art.</p> <p>Measures of Success: Engagement data, Budget tracking of funded projects</p>
<p>Equity Framework</p>	<ul style="list-style-type: none"> • Recognitional equity – names and recognizes communities that have been negatively impacted by lack of funding. • Procedural equity (Own) – gives decision-making power to those historically left out, including “LGBTQIA, youths, seniors, immigrants, refugees, and/or who have low incomes or disabilities, as well as people from other underrepresented groups” • Distributional equity – prioritizes capital project funding in communities that need it the most. • Restorational equity – attempts to correct past harms by ensuring communities lead and make decisions about how capital funding is spent in their community. • Transformational - prioritizes and sets aside funding for capital investments from the City budget to EJ communities.
<p>Highlights + Considerations</p>	<ul style="list-style-type: none"> • Anti-displacement is listed as a priority area for proposals – “capital projects must incorporate measures to prevent displacement and ensure stability and well-being for vulnerable populations...” • Participatory Budgeting in Cleveland: <ul style="list-style-type: none"> ○ 2020-2022: The Participatory Budgeting Cleveland Coalition advocated for 6% of the city’s ARPA funds (\$30.8 million) to be reserved for a participatory budgeting process. The Coalition collaborated with the Mayor, even in his reduction of \$30.8 million to \$5.5 million. The legislation died in Committee. ○ 2023: PB CLE coalition launched a ballot initiative to require Cleveland to give 2% of the General Fund to participatory budgeting (looking toward Boston’s as an example). A lot of community education and engagement happened, even amongst some challenges with the ballot language. <ul style="list-style-type: none"> ▪ Oct. 10 - Senate Bill 158 – State Senator Cirino introduced this bill to outlaw participatory budgeting. This bill passed the Senate but died on the House floor. ▪ Nov. 8 - Cleveland vote – the referendum failed to pass with a vote of 51% to 49%. ○ Jan 2024: Senate Bill 91 is signed by DeWine – the bill is mostly about waste, fraud, or abuse reporting requirements for government employees. House Republicans added language banning future participatory budgeting proposals and the new law “precludes local governments from employing the concept of participatory budgeting in allocating public funds...” and “...all local government expenditures must be approved by the entity’s legislative body and can’t only be approved by a vote by residents.” <ul style="list-style-type: none"> ▪ The new law DOES state that residents can offer input. ▪ Rep. Skindell also argued by the law doesn’t apply to cities where voters have adopted a charter form of government that gives them greater flexibility to set local laws. • Participatory Budgeting in Columbus:

	<ul style="list-style-type: none"> ○ Oct. 2025: Columbus City Council introduced a \$9 million participatory budgeting initiative for 2026 to “empower community members to have direct say in how a portion of the public budget is spent” and an ordinance to approve the funding of \$225,000.00 for participatory-budgeting start-up expenses, including committee member stipends, food, and ‘design-phase’ costs.
Additional Information	<ul style="list-style-type: none"> • https://cdn.kingcounty.gov/-/media/king-county/depts/local-services/director/programs/participatory-budgeting/2023-2024-pb-guidebook-en.pdf?rev=48a9f669bb574fa9b73ee1d017795ce4&hash=AB54E1F56074A26C6C50B971743A9106 • https://www.westsideseattle.com/robinson-papers/2024/12/18/king-countys-participatory-budgeting-program-empowers-communities • https://southseattleemerald.org/news/2022/08/25/king-county-communities-make-history-with-participatory-budget-process

<p>Portland, Oregon – “Portland Clean Energy Community Benefits Fund”</p> <p>This law creates a sustainable municipal revenue stream which funds community-led clean energy, energy efficiency, and workforce investments throughout the city, as well as in “priority” neighborhoods and communities.</p>	
<p>Process</p>	<ul style="list-style-type: none"> • Large retailers (those with gross revenues nationally exceeding \$1 billion, and \$500,000 in Portland), have to pay a surcharge of 1% on gross revenues from retail sales in Portland (excluding basic groceries, medicines, and healthcare services.) • This 1% is put into the Portland Clean Energy Fund. • Nonprofits and government entities submit grants to access funding for the following priorities: <ul style="list-style-type: none"> ○ Renewable energy and energy efficiency projects; ○ Climate jobs training, apprenticeship, and contractor development projects; ○ Regenerative agriculture and green infrastructure projects; ○ Transportation decarbonization projects; ○ Organizational capacity building projects; ○ Other projects that reduce or sequester greenhouse gases. • The Clean Energy Community Benefits Fund Committee reviews grant applications and makes recommendation on which grants should be funded. Committee members are appointed by the Mayor and confirmed by City Council, and lists specific areas of expertise, including: racial, ethnic, and economic diversity that represents the city; expertise with climate action goals and planning; and renewable energy, energy efficiency, and workforce development.
<p>Equity Framework</p>	<ul style="list-style-type: none"> • Recognitional equity – names and recognizes communities that have been negatively impacted by lack of funding. • Procedural equity (Collaborate) – gives decision-making power (via recommendations to Council) to a community committee, and has the goal of committee representation to reflect the City’s “racial, ethnic, and economic diversity”. • Distributional equity – creates a surcharge for big-box retailers that recognizes the impact they have on greenhouse gas emissions locally, and ensures that funding goes to City solutions to reduce harm from greenhouse gas emissions, specifically in “priority” communities. • Transformational – creates an ongoing and sustainable fund for city climate reduction and mitigation projects.
<p>Highlights + Considerations</p>	<ul style="list-style-type: none"> • Funded projects include: <ul style="list-style-type: none"> ○ Rooftop solar in low-income households; ○ Community-solar projects; ○ Updated lighting, greening, HVAC systems in local schools; ○ Net-zero energy multi-using housing units; ○ Tree planting to reduce urban heat and pedestrian safety near schools.
<p>Additional Information</p>	<ul style="list-style-type: none"> • https://www.portlandcleanenergyfund.com • https://civicwell.org/civic-news/currents-portland-energy/

<p>Detroit, MI – “Community Benefit Ordinance”</p> <p>This ordinance requires that eligible projects must negotiate a Community Benefits Agreement (CBA) with the Neighborhood Advisory Council for eligible projects. A CBA is a legally binding agreement between a community coalition and developer which outlines specific, measurable benefits and protections the development agrees to in exchange for the coalition’s support.</p>	
Process	<p>This ordinance requires that developments that meet specific criteria must negotiate a Community Benefits Agreement (CBA) with a Neighborhood Advisory Council for eligible projects. A CBA is a legally binding agreement between a community coalition and developer which outlines specific, measurable benefits and protections the development agrees to in exchange for the City’s support.</p> <p>Project eligibility is determined by the cost/value of the project:</p> <ul style="list-style-type: none"> • Tier 1: The project costs: \$75+ million USD AND the project accepts tax breaks from the city (\$1 million USD or more) OR the project uses city-owned land that is valued at least \$1 million USD. • Tier 2: The project costs \$3+ million USD AND the project accepts tax breaks (\$300,000 or more) from the city OR uses city-owned land that is valued at \$300,000 or more. <p>This ordinance sets requirements for a Neighborhood Advisory Council to negotiate on the CBA for projects that go through this process. Each Neighborhood Advisory Council includes 9 total members from the community:</p> <ul style="list-style-type: none"> • 2 community members living around the project. • 4 other community members selected by the Detroit Development Department • 3 additional community members, 2 to be selected by council-at-large members, and 1 to be selected by the council member of the district that is most impacted by the project. <p>The ordinance also sets standards for enforcement of the CBA, including the establishment of an Enforcement Committee consisting of:</p> <ul style="list-style-type: none"> • 1 member of the Legislative Policy Division • 1 member of the HR Department • 1 member from the Law Department • 1 member from the Planning & Development Department • 1 non-voting member of the Neighborhood Advisory Council <p>Community benefits are not set by the ordinance but are determined and negotiated for each project by the Neighborhood Advisory Council, the Planning & Development Department, and the developer. Some benefits have included affordable housing, first-source hiring, and green space.</p> <p>Measures of Success: Oversight committee compliance reports</p>
Equity Framework	<ul style="list-style-type: none"> • Procedural equity (Collaborate) – makes sure residents have a ‘seat-at-the-table’ and power to negotiate benefits and protections. • Distributional equity – ensures that communities receive at least some measurable, tangible, community-driven benefits and protections when new developments are trying to enter their community. • Restorational equity – strives to build trust and collaboration between City, residents, and developers by giving residents decision-making power. • Transformational equity – creates an automatic structure to give communities decision-making power, instead of requiring communities to advocate to get a ‘seat-at-the-table’.
Highlights	<p>This ordinance was passed by a ballot measure. On the ballot were two competing community benefit ordinances – this example that was ultimately passed was the less progressive of the two. To see the story of this ordinance and the second ordinance option, take a look at this story shared by the Equitable Detroit Coalition and the Detroit People’s Platform.</p>

	This is the first CBO that was created in the country, and has been followed by many other cities, including Cleveland.
More Information	<ul style="list-style-type: none"> • CBO Overview • https://www.wri.org/research/detroits-community-benefits-ordinance-lessons-learned-about-community-engagement-process

ASSESS AND/OR MITIGATE NEGATIVE IMPACTS

<p>New York City, New York – “City Environmental Quality Review”</p> <p>This process (mandated by a State law) adapts the federal NEPA policy and requires the City to think through environmental consequences – both good and bad – before deciding about approvals, permits, city funding, or action being taken by a city agency.</p>	
Process	<p>The CEQR is a disclosure process to help with decision-making, not an approval process.</p> <p>A CEQR view starts when a city agency has funding and undertaking to approve. If an answer to any of the following questions is "yes" then CEQR starts:</p> <ul style="list-style-type: none"> • Does the project need approval or permits from any city agency? • Will city funding be requested to complete the project? • Is the project undertaken by a city agency? <p>CEQR has different levels of review by asking the following questions. The CEQR glossary with terms is here, and it mirrors the federal process.</p> <ul style="list-style-type: none"> • Type II actions have ‘no significant effect on the environment. Examples: repair of existing structures, minor construction, some small zoning changes or uses. <ul style="list-style-type: none"> • If YES, then no further review is needed. • Type I actions are anticipated to have “significant adverse environmental impacts.” Examples: land use, zoning changes, land acquisitions, residential construction, water usage, parking <ul style="list-style-type: none"> • If YES, then a review is completed. Projects can require a full Environmental Impact Statement including required public participation if they are found to have potential significant effects. • The Environmental Impact Statement includes alternatives and ways the city could mitigate harm around these issue areas and more: land use, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design, natural resources, hazardous materials, infrastructure, waste, energy, transportation, air quality, noise, and public health. • Unlisted actions are those that don’t fit into Type I or II and the impact is known. Examples: minor zoning variances, small construction activities, projects impacting historic or ecologically sensitive areas. <ul style="list-style-type: none"> • If YES, then a review is completed. Projects without impact require no further action. Projects with potential impact start moving through the Type I process. <p>Ultimately, this is a process to help decision-making, but the City can still decide it wants even if the Review shows a major negative impact.</p> <p>Measures of Success: Public disclosure (EIS reports)</p>
Equity Framework	<ul style="list-style-type: none"> • Procedural equity (Inform) – provides information to City Council and residents that they would not typically have, including how the facility will impact their lived environment. • Distributional equity – strives to force the city to understand consequences of potential projects and think through alternatives and ways to mitigate potential harm (although this is more hypothetical than concrete.)
Highlights + Considerations	<ul style="list-style-type: none"> • Public involvement is decided on a sliding scale based on how severe the potential impact may be. Type I actions are more likely than Type II actions to receive public comment.

	<ul style="list-style-type: none"> The project can still move forward even if the CEQR shows inequitable outcomes.
Additional Information	<ul style="list-style-type: none"> https://scholarship.law.columbia.edu/cgi/viewcontent.cgi?article=5446&context=faculty_scholarship https://www.nyc.gov/site/oec/environmental-quality-review/ceqr-basics.page

<p>New York City, NY – “Requiring a Citywide Equitable Development Data Tool and Racial Equity Reports on Housing and Opportunity”</p> <p>This ordinance requires a racial impact analysis in land-use applications that meet certain criteria, with the goal to assess how a land use decision may impact those living in and around the proposed development.</p>	
Process	<p>Developers pick their application type from the following:</p> <ul style="list-style-type: none"> Text change to zoning that affects 5 or more districts; Historic district designation that affects 4 or more city blocks; Seeking to change the permitted floor area in a construction district, where a building has at least 100,000 square feet of floor area; Acquisition of land to have a non-residential project containing at least 50,000 square feet of floor area; Acquisition of land to have a residential project that has at least 50,000 square feet of floor area; An increase in permitted residential floor area of at least 50,000 square feet; An increase in permitted non-residential floor area of at least 200,000 square feet; or A decrease in permitted floor area or number of housing units on at least four contiguous city blocks. <p>The application must have the following guidelines:</p> <ul style="list-style-type: none"> A summary of the Racial Equity Report, listing demographics of the area; Description of residential cost after the proposed project; Details of the non-residential uses of the development area; Estimate the number of jobs created because of the development; Use the Equitable Development Tool to create a community profile summary of the developed area; Describe how the proposed project will further fair housing; and Use the Equitable Development Tool to list how community development expands: demographic; household economic security; housing cost, quality, and security. <p>The impacted community board and borough president are given copies of the Racial Equity Report. The impacted council member, the public advocate, and the council speaker post the report on its website. The application can still be approved even if the assessment shows high racial impacts or resident feedback.</p> <p>Measures of Success: reports filed</p>
Equity Framework	<ul style="list-style-type: none"> Recognition – recognizes that Communities of Color have been negatively impacted by land-use decisions in the past. Procedural (Inform) – provides additional information to help communities understand the impact the development could have on their community.
Highlights + Considerations	<ul style="list-style-type: none"> Ordinances requiring racial impact analysis have a shorter history in land-use decisions but have been used for longer in ordinances about the local criminal justice systems. More Information, and details about other cities such as Montgomery County, MD and Hoffman Estates, IL are listed here.

	<ul style="list-style-type: none"> • This may be a particularly helpful tool to think about housing costs and gentrification but does not apply to all land-use decisions, so could still leave gaps. • The law builds on NYC’s “Little NEPA” environmental analysis process to include racial impact analysis as well. The project can still move forward even if the report shows inequitable outcomes. • Recommendations to strengthen this NYC ordinance (as of Spring, 2025 from Pratt): <ul style="list-style-type: none"> ○ Provide training to community boards, elected officials, and the public on this process; ○ Developers should be required to present their findings to boards, City Council, and the public instead of just submitting as a technicality; ○ Update the Equitable Development Tool so that the public is more easily able to navigate.
Links + Info	<ul style="list-style-type: none"> • https://sustainablecitycode.org/brief/racial-impact-analysis-in-local-land-use-applications-2/ • https://advocate.nyc.gov/press/nyc-council-vote-racial-impact-study-legislation-aimed-fighting-gentrification-fundamentally-changing-land-use • https://www.prattcenter.net/uploads/0625/1749063304640338/Making-the-Most-RERs.pdf • https://www.pratt.edu/news/nycs-racial-equity-reports-another-look/

<p>Chicago – “Hazel Johnson Cumulative Impacts Ordinance” This law requires developers seeking a zoning permit for “heavy industrial land uses” (either expansion or new build) to conduct a cumulative impact study. An Environmental Justice Advisory Board assesses the cumulative impact study and provides recommendations to the Chief Sustainability Officer.</p>	
Process	<p>This law does four main things:</p> <ol style="list-style-type: none"> 1. Requires the City to conduct a Cumulative Impact Study and to develop an Environmental Justice Action Plan every five years. The Cumulative Impact Study includes community input; data around environmental, health, social, and historical data indicators; maps that identify EJ priority areas; proposed changes to the EJ Action Plan, and recommendations. 2. Creates an Environmental Justice Advisory Board. Members are appointed by the Mayor and include: 10 representatives of EJ priority areas; one representative of each of the three NGOs focused on environmental and climate issues in the City; one qualified expert in public health; one qualified expert in environmental or climate issues; one member of the business community; and up to two additional members. <ul style="list-style-type: none"> • The board helps the City conduct and implement the Cumulative Impact Study and develop the EJ Action Plan; • Reviews, assesses, advises, and recommends on implementation of the Action Plan and other EJ work, policies and ordinances; and • Review zoning cumulative impact studies and provide recommendations to the Chief Sustainability Officer. 3. Creates a new staff position, the Environmental Justice Project Manager, that reports to the Chief Sustainability Officer and oversees EJ issues across City departments. 4. Change zoning laws - Requires permit-seekers who are proposing projects that are defined as ‘heavy industrial land uses’ to conduct a Cumulative Impact Study. This includes: manufacturing, recycling, waste-related, and other intensive industrial uses. <ul style="list-style-type: none"> • The study evaluates the project’s impact on public health, safety, environmental justice, and the environment within at least a mile radius of the project. • Between 14-35 days after the study is submitted, the developer must hold at least one community meeting to share the study and hear comments. The City’s Zoning Administrator can require modification of the meeting’s date, time, location, and purpose of the meeting, and the developer must notify everyone living within ½ mile radius of the project.

	<ul style="list-style-type: none"> All City groups that received a copy of the study (the EJ Advisory Board, Chief Sustainability Officer, Zoning Administrator, Dept. of Public Health, Dept. of Transportation) have 30 days after the community meeting to submit their comments and recommendations on the study and project. The zoning approval body can use the cumulative impact study to justify approving or denying a ‘heavy industrial land uses’ application. <p>Measures of success: 5-year EJ Action Plan/cumulative studies, zoning decisions</p>
Equity Framework	<ul style="list-style-type: none"> Recognitional – studies, names and recognizes that EJ communities have been negatively impacted by permitting decisions in the past. Procedural (Consult and Involve) - ensures at least one public meeting to hear community concerns and questions and provides EJ Advisory Board Members additional advisory powers. Distributional - strives to avoid disproportionate and/or cumulative harm to a community.
Highlights + Considerations	<ul style="list-style-type: none"> This policy was created through a lifetime of advocacy, and ongoing work by EJ leaders and organizations throughout the city and is named after the “grandmother of EJ” in Chicago. The project can still move forward even if the study shows inequitable outcomes. This ordinance hasn’t passed yet (was introduced in April 2025) but has the strong support of environmental justice groups and organizations, who helped to develop the ordinance. It is confirmed as active but is not yet law.
Additional Information	<ul style="list-style-type: none"> https://chicago.councilmatic.org/legislation/o2025-0016697/ https://www.chicago.gov/city/en/depts/cdph/supp_info/Environment/cumulative-impact-assessment.html https://www.peopleforcommunityrecovery.org/hazel-m-johnson-cumulative-impacts-ordinance https://www.chicagoreporter.com/environmental-racism-and-chicagos-new-ordinance-fighting-for-reform/ https://metroplanning.org/in-support-of-the-hazel-johnson-cumulative-impacts-ordinance/

<p>New Jersey – “Environmental Justice Law”</p> <p>This law requires the Department of Environmental Protection to evaluate environmental and public health impacts of certain facilities when reviewing applications and requires the state to deny permits if the developer cannot prove they will not avoid disproportionate impacts.</p>	
Practicality	<p>This law has a seven-step process:</p> <ol style="list-style-type: none"> Determination of Applicability – specific extra-polluting industries or facilities in an ‘overburdened’ community. Initial Screen – DEP gives the applicant information to guide their application, including environmental, cumulative, and public health stressors. Determination of Application Requirements Preparation and Review of an Environmental Justice Impact Statement – developer assesses and prepares a report detailing existing environmental and public health stressors; adverse environmental and public health stressors; presence of adverse cumulative stressors; potential environmental and public health stressors associated with facility; whether the facility can avoid causing a disproportionate impact;

	<p>measure the facility will propose to implement to avoid a disproportionate impact; how the facility serves a compelling public interest to the overburdened community.</p> <ol style="list-style-type: none"> 5. Public Participation – at least one in-person public hearing is held, along with a minimum 60-day public comment period. 6. Department Review 7. Department Decision – <ul style="list-style-type: none"> • If a facility can avoid disproportionate impact: approves and imposes conditions to ensure disproportionate impact doesn’t happen. • If a facility cannot avoid disproportionate impact: denies for new facilities (unless it demonstrates it serves “compelling public interest”) or requires conditions to address environmental and health stressors for permit renewals or expansions. <p>Measures of success: Permits denied in EJ areas</p>
Equity Framework	<ul style="list-style-type: none"> • Recognitional - names and recognizes that EJ communities have been negatively impacted by permitting decisions in the past. • Procedural (Consult) - ensures at least one public meeting to hear community concerns and questions. (Consult) • Distributional - strives to avoid disproportionate and/or cumulative harm to a community. • Transformational - changes the typical process and requires the department to deny a permit if the application shows disproportionate harm.
Highlights + Considerations	<ul style="list-style-type: none"> • This policy explicitly states provisions for public participation. This policy very clearly outlines what the applicant is required to do to make sure the public is involved through meetings, testimony, public comment, and the applicant must respond. • Would need to identify the approvals that the city could withhold – for example, zoning approval or building permits. • One of the only laws that both gives the agency power to deny a permit application and requires that they deny the permit application if there will be proven disproportionate impact.
Additional Information	<ul style="list-style-type: none"> • https://dep.nj.gov/wp-content/uploads/ej/docs/ej-rule-frequently-asked-questions.pdf • https://dep.nj.gov/wp-content/uploads/ej/docs/njdep-ej-rule-flow-chart.pdf • https://kleinmanenergy.upenn.edu/commentary/blog/finally-njs-groundbreaking-environmental-justice-law-is-enforceable/

Key Themes:

Spectrum of Equity and Engagement:

Starting at the end goal can help define both the type of equity that is most critical for the policy, as well as the level of engagement that is needed to get there. Each of these policies is written and implemented in ways that directly affects the primary type of equity it is trying to achieve, and the level of engagement that results from the work. This kind of action can look like providing important information in a more accessible way (Chicago's language access rules), asking for individual input (community forums, Pittsburgh RCOs), sharing power with the community (Detroit's Community Benefits Ordinance, participatory budgeting), or in the instance of New Jersey's EJ law, creating safeguards to block harmful projects.

Questions to consider:

1. Ten years from now, how will you know if you’ve been successful?
2. To reach that point, what type(s) of equity is most needed to intentionally build?
3. To reach that definition of equity, what level of engagement is most needed?

Different policy tools have varying levels of accountability and power. These can broadly be grouped into three categories: Administrative, Contractual, and Statutory Tools.

- **Administrative Tools:** These focus more on access and disclosure. They can raise awareness and encourage accountability but do not necessarily guarantee outcomes.
 - Chicago Language Access Ordinance (2015) – Calls for translation, interpretation, signage and training for Limited English Proficiency residents across city agencies.
 - NYC CEQR (1977, updated 2014) – Requires environmental impact reviews for projects of certain size or impact but does not guarantee the cessation of those projects regardless of review findings.
 - NYC Racial Equity Reports (2021) – Developers must produce racial equity reports for qualifying land-use changes.
- **Contractual Tools:** Transforms community input into enforceable commitment.
 - Detroit Community Benefits Ordinance (2016) – Large projects that get public subsidies must negotiate legally binding Community Benefits Agreements with a Neighborhood Advisory Council.
- **Statutory Tools:** These provide the legal authority to block, reshape, or mandate changes to projects.
 - New Jersey EJ Law (2020) – The state must assess cumulative environmental and health impacts in overburdened communities when reviewing permit applications.
 - Chicago Hazel M. Johnson Cumulative Impacts Ordinance (2024) – Requires cumulative impact studies for heavy industrial projects, creates an Environmental Justice (EJ) Advisory Board, and mandates recurring EJ Action Plans.
- The level of accountability invoked by these tools can also be broadly categorized in terms of strength and power:
 - Administrative (Disclosure only) = Weak
 - Contractual (Binding and enforceable) = Medium
 - Statutory (Authority with enforcement power) = High

Questions to consider:

- Which of these is the biggest gap to equity-based decision-making now? Prioritize the gaps from biggest to smallest.
- Residents being aware of decisions and/or projects □ focus on data and administration policies
- Residents understanding decisions and/or projects □ focus on data and administration policies
- Residents having a voice in decisions and/or projects □ focus on contract-based tools
- Residents having decision-making power in decision and/or projects □ focus on statutory tools

“Triggers” Determine When Equity Applies

The specific types, sizes, or locations of projects determine what activates—triggers—a rule to apply. Many of these examples, such as NYC’s racial equity reports, Detroit’s Community Benefit Ordinance, and Chicago’s Environmental Justice cumulative impact study, only become necessary if rezoning is above a set threshold, smaller harmful projects may pass undetected and accumulate to create larger detrimental impacts.

Questions to consider:

1. Create a list of projects that have negatively impacted environmental justice in the past?
2. If you were to plot those on a graph, what is the median, average, and range of them in terms of size, cost, City incentives, and project type? What does this tell you about the triggers that would make the biggest impact?

Measures of Success

Cities evaluate EJ codification tools in different ways:

This resource is part of Fair Shake Environmental Legal Service’s Community Democracy Resource Library. For more information and additional resources, tools, and levers, visit: www.fairshake-els.org.

- Chicago Language Access – Annual reports track languages served, and which documents are translated.
- Detroit CBO (Community Benefits Ordinance) – Oversight committee monitors compliance with agreements and publicizes outcomes.
- King County Participatory Budgeting (2021) – Tracks the implementation of projects selected by the residents and allocates those funds accordingly.
- Hazel Johnson Ordinance – Requires citywide cumulative impact studies and updated EJ Action Plans every five years.
- NJ EJ Law – Measures if permit applications are denied in EJ communities.

Infrastructure Needs and Support

Effective implementation of new policy tools requires appropriate staffing and resources:

- Staff – Chicago created a new EJ Project Manager who could coordinate policy implementation.
- Staff time – Pittsburgh's RCOs need municipal staff to organize recognition and engagement.
- Budget – King County PB relies on staff facilitation and outreach funding.
- Translation and Accessibility – Translation budgets are mandated as per Chicago's Language Access Ordinance.
- Meetings and Community Logistics – Calabasas forums need accessible venues and outreach for residents.

Without the necessary resources to facilitate them, even the best policies risk becoming symbolic rather than effective.

Considerations for Cincinnati When considering how to codify EJ in Cincinnati, certain challenges should be weighed:

- Community input without action – Policy tools like CEQR and racial equity reports disclose risks but do not alter any outcomes.
- Threshold loopholes – Detroit's CBO applies only if projects cross a certain threshold, which can allow for smaller equally harmful projects to proceed unmitigated. Likewise, NYC's Racial Equity Reports apply only to certain rezonings.
- Representation challenges – Who speaks for 'community', and how do you know if it's reached?
- Resource needs – New policy tools often require new staff, increased budget/allocations, and enforcement mechanisms to be effective.
- Proactive vs. Remedial – Most codification tools seek to shape future decisions/mitigate future harms, but do not redress existing damages like pre-existing landfills or industrial sites.
- Do any of these EJ Codification Efforts Conflict with Each Other? The majority of these efforts do not conflict, but could compliment each other with careful intentionality and planning. Things to plan around:
 - Permit denials & Community Benefit Agreements - If Cincinnati were to adopt a model similar to NJ's, where the city could deny certain projects if those projects stood to harm the community, it might replace the need for CBAs.
 - Participatory budgeting & state law - The state government might push back against participatory budgeting as they did in [Cleveland](#). However, Columbus is moving forward with participatory budgeting, and there may be avenues and structure that the City can make sure that the community's role is to 'inform' Council's decisions.
 - Community Meetings and Reports - Many ordinances require community meetings at key points in development, along with ongoing opportunities for public feedback. Cincinnati should take a coordinated and intentional approach to ensure these meetings are meaningful and not repetitive if multiple ordinances are implemented. Likewise, several ordinances call for reports before and after development. Establishing a consistent reporting framework would reduce redundancy and provide clear data to support strong decision-making.

Ordinance Equity Comparisons

	"Teeth" (how much size and power they hold)	Recognitional Equity	Procedural Equity + Level of Engagement	Distributional Equity	Restorational Equity	Transformational Equity
<p>Chicago, IL – “Citywide Language Access to Ensure the Effective Delivery of City Services”</p> <p>Ensures that all City documents and processes are translated.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: disclosure •Enforceability: weak 		Inform			
<p>Calabasas, CA – “Community Development Forum Requirement”</p> <p>Requires a participatory and transparent process for developers to hear and acknowledge resident concerns, questions, and feedback at least twice.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: advisory •Enforceability: weak/medium 		Consult			
<p>Pittsburgh, Pennsylvania – “Registered Community Organization”</p> <p>Provides a forum for trusted community organizations to have an automatic ‘seat-at-the-table’ to learn about proposed developments.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: disclosure •Enforceability: weak 		Consult			
<p>Unincorporated King County – “Participatory Budgeting”</p> <p>Gives residents ownership of millions of dollars of county budget to make decisions about how to spend it on capital improvement projects in their neighborhoods.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: semi-binding •Enforceability: medium 		Own			
<p>Portland, Oregon – “Clean Energy Community Benefits”</p> <p>This law creates a sustainable municipal revenue stream which funds community-led clean energy, energy efficiency, and workforce investments throughout the city, as well as in “priority” neighborhoods and communities.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: binding •Enforceability: high 		Collaborate			

<p>Detroit, MI – “Community Benefit Ordinance” Requires a developer to negotiate and sign a Community Benefits Agreement with a neighborhood coalition for developments that meet certain criteria before the City will approve the project.</p>	<ul style="list-style-type: none"> •Power: contractual •Accountability: binding •Enforceability: high 		Collaborate			
<p>New York City, New York – “City Environmental Quality Review” Requires the City to understand + and - environmental impacts, and alternatives, before a development or project that meets certain criteria is approved or funded.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: disclosure •Enforceability: weak 		Inform			
<p>New York City, NY – “Requiring a Citywide Equitable Development Data Tool and Racial Equity Reports on Housing and Opportunity” Requires a racial impact analysis in land-use applications that meet certain criteria to understand how the development will impact housing and wellbeing.</p>	<ul style="list-style-type: none"> •Power: administrative •Accountability: disclosure •Enforceability: weak 		Inform			
<p>Chicago – “Hazel Johnson Cumulative Impacts Ordinance” Requires ‘heavy industrial use’ permit applications to conduct a Cumulative Impact Study and gives EJ Advisory Board advisory power.</p>	<ul style="list-style-type: none"> •Power: statutory •Accountability: statutory (permit denial) •Enforceability: high 		Consult and Involve			
<p>New Jersey – “Environmental Justice Law” Requires a permitting department to deny a permit if the applicant cannot prove they will avoid disproportionate impacts.</p>	<ul style="list-style-type: none"> •Power: statutory •Accountability: statutory (permit denial) •Enforceability: very high 		Consult			