



City of Dublin Administrative Review Team

# Planning Report

Thursday, October 23, 2014

## Administrative Review – Zoning Code Amendment Bridge Street District Code Modifications

### Case Summary

Agenda Item	1
Case Number	13-095ADMC
Proposal	Amendments to the Bridge Street District zoning regulations (Zoning Code Sections 153.057 – 153.066).
Request	Review and recommendation of approval to the Planning and Zoning Commission and to City Council regarding proposed Zoning Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.
Applicant	Marsha I. Grigsby, City Manager, City of Dublin, 5200 Emerald Parkway, Dublin, Ohio 43017.
Case Manager	Rachel S. Ray, AICP, Planner II   (614) 410-4656   <a href="mailto:rray@dublin.oh.us">rray@dublin.oh.us</a>
Planning Recommendation	<b><i>Recommendation of Approval</i></b> Planning recommends the Administrative Review Team make a recommendation of approval to the Planning and Zoning Commission and City Council for the proposed Bridge Street District Zoning Code amendments.

## Update

### Background

Zoning Code Section 153.066(N)(4) states that the Planning and Zoning Commission and the Architectural Review Board (ARB) may evaluate and monitor the application of the requirements and standards of the Bridge Street District (BSD) zoning requirements and standards, and recommend to City Council any changes needed to better implement the Bridge Street District Plan.

In September 2013, the Planning and Zoning Commission initiated a review of potential amendments to the Bridge Street District zoning regulations. Planning had also identified a series of updates necessary to clarify certain provisions, as well as modify certain regulations to ensure that all projects achieve the intent for development in the BSD. As part of their initial review, the Commission made recommendations to City Council to adopt amendments to Code Sections 153.057-58, the General Purpose and Districts Scope and Intent, and 153.066, Review and Approval Procedures and Criteria. These amendments were effective December 18, 2013.

Between September and December 2013, the Commission also reviewed the existing BSD zoning regulations and provided Planning with comments and considerations to be evaluated as part of a comprehensive update. On July 10, 2014, the Commission reviewed and commented on draft amendments to the first portion of the BSD zoning regulations (153.057 - 153.062(N)). The Commission finished their review of the remainder of the BSD Code (Sections 153.062(O) - 153.066) on September 11, 2014.

The ARB reviewed the proposed Bridge Street District Zoning Code amendments on September 24, 2014. The Board discussed the permitted primary building materials (*no changes made*), as well as colors for multiple-tenant storefront signs in the Historic District and sandwich board signs. The draft Code was minimally revised based on the Board's comments and has been provided for the ARB's review and recommendation to the Commission and Council on October 22, 2014.

Since the Commission and the ARB completed their initial reviews of the Code, Planning has modified the draft provisions as well as had a consultant provide an overall review and analysis of the Code. The final draft incorporating these comments has been provided for the Commission's review and recommendation to City Council at their meeting on October 29, 2014.

#### *BSD Scioto River Neighborhood District*

City Council approved Zoning Code amendments for the new BSD Scioto River Neighborhood District and associated modifications at their meeting on August 25th (effective September 24, 2014). The new language is shown as adopted.

### Consultant Recommendations

Planning engaged a consultant (Justin Goodwin, MKSK Studios) to provide a comprehensive analysis of the proposed BSD Zoning Code amendments to verify that the original intent of the regulations are maintained (to the desired extent), to ensure that there are no conflicts between the proposed amendments, and to recommend language clarifications for user-friendliness. A summarized version of the consultant comments are provided to identify where additional substantive changes were made since the September 11<sup>th</sup> Code draft.

Details	Zoning Code Amendment
Process	<p>Zoning Code Section 153.066(L)(3) requires the Administrative Review Team to make a recommendation to the Planning and Zoning Commission and City Council regarding the modifications to the Zoning Code.</p> <p>Zoning Code Sections 153.066(L)(3) and 153.172(H)(2) also require the Architectural Review Board to make a recommendation on the proposed Code amendment. The ARB is scheduled to review the draft Bridge Street District Development Code and make a recommendation to the Planning and Zoning Commission and Council at their meeting on Wednesday, October 22, 2014.</p>
Overview	<p>A summary of the more significant features of the proposed amendments is provided below for each of the main Code sections. General and technical amendments, such as updating “Bridge Street <u>Corridor</u>” to “Bridge Street <u>District</u>” and “BSC” to “BSD,” have been made throughout the Code.</p> <p>Specific comments and questions raised by the Commission at the July 10 and September 11 review meetings are explained as part of the overview of each main BSD Code Section, following.</p>
153.057 – 153.058 General Purpose and District Scope & Intent	<p>These sections have been updated to include a reference to the new walkability standards added to the Site Development Standards (153.065(I)), and clarifying for users that the zoning district names are not intended to preclude other uses permitted by the Uses section (153.059).</p>
153.059 Uses	<ul style="list-style-type: none"> <li>• Adding intent provisions;</li> <li>• Clarifying provisions for uses permitted only on upper stories;</li> <li>• Clarifying provisions for Existing Uses;</li> <li>• Referring to the Building Types Section for Parking Structures for additional requirements;</li> <li>• Clarifying provisions for principal and accessory uses;</li> <li>• Adding “Exercise and Fitness” and “Skilled Nursing, Rehabilitation, Homes for the Aging, and Nursing Homes” to Table 153.059-A, Permitted and Conditional Uses in BSD Zoning Districts;</li> <li>• Adding provisions to explain the intent of the use specific standards;</li> <li>• Modifying the approach to size-limited uses (<i>Eating and Drinking; Entertainment/Recreation, Indoor; Exercise and Fitness; Personal, Repair and Rental Services; and Retail, General</i>) to allow uses exceeding the size limitations to be considered as conditional uses (instead of prohibited without a Waiver);</li> <li>• Modifying the use specific standards for parking structures, requiring all parking structures visible from a public right-of-way to be conditional uses;</li> <li>• Adding/clarifying design requirements for Drive-in/Drive-through uses (bollards); and</li> <li>• Modifying the use specific standards for outdoor dining and seating, requiring a minimum of five feet of clear area for pedestrian use.</li> </ul> <p>At the July 10<sup>th</sup> PZC meeting, the Commission had requested that “Dwelling, Multiple-Family” uses be restricted to “U,” upper stories only, in the BSD Office and BSD Office Residential zoning districts. The proposed limitation of multiple-family dwellings to upper stories for street-facing façades in the BSD Office and BSD</p>

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	<p>Office Residential districts is not recommended. In particular, this is inconsistent with the intent of the Office Residential district as described in Section 153.058, to “accommodate a mix of office and multiple-family residential development at higher densities and in larger buildings.” There are likely to be acceptable configurations of multiple-family uses consistent with the intent of these zoning districts that will contribute to a well-balanced mix of uses. Instead, Planning proposes a use-specific standard, 153.059(C)(1)(c), that prohibits ground-story multiple-family dwelling units on principal frontage streets in these zoning districts.</p> <p>The Commission also questioned how many sites Code Section 153.059(A)(5)(b)2, would apply to that have multiple Existing <u>Structures</u>. Planning determined that approximately 20 sites are eligible, but not all necessarily include Existing <u>Uses</u>.</p>
<p>153.060 Lots and Blocks</p>	<ul style="list-style-type: none"> <li>• Referencing the principles of walkable urbanism and the proposed walkability standards;</li> <li>• Referencing the Thoroughfare Plan as the guide for the general location of and configuration of certain existing and planned streets;</li> <li>• Clarifying that the provisions of this section apply to projects that require Development Plan Review; and</li> <li>• Relocating the provisions for mid-block pedestrianways to the proposed walkability standards of 153.065(I).</li> </ul>
<p>153.061 Street Types</p>	<ul style="list-style-type: none"> <li>• Referencing the principles of walkable urbanism, the proposed walkability standards and the Thoroughfare Plan;</li> <li>• Designating street type and section determinations as the responsibility of the City Engineer;</li> <li>• Clarifying how to plan for street alignments and existing roadways; and</li> <li>• Relocating the provisions for crosswalks to the proposed walkability standards of 153.065(I).</li> </ul>
<p>Figure 153.061-A, Bridge Street District Street Network Map</p>	<p>The street network map has been updated to depict the following, in accordance with more recent planning efforts completed since the original map was drafted in late 2011:</p> <ul style="list-style-type: none"> <li>• Reconfigured street network east of Riverside Drive based on the general street network of the Bridge Park East Basic Development Plan;</li> <li>• Created a “T” intersection at Tuller Road and (existing) Village Parkway;</li> <li>• Removed the “Tuller Ridge Drive” label from the north/south portion of that roadway (renamed to Dale Drive);</li> <li>• Eliminated Dale Drive as a principal frontage street south of State Route 161;</li> <li>• Eliminated the second vehicular bridge across the Scioto River where the pedestrian bridge is planned, consistent with the Thoroughfare Plan; and</li> <li>• Clarified the street network north of Bridge Street at Franklin Street in the Historic District.</li> </ul> <p>A PDF of the revised street network map has been provided to the ART members in Dropbox, with the notes above identified on the plan (tap the red circles, then tap “Note...” to read the comment).</p>

Details	Zoning Code Amendment
<p>153.062(A)-(N)                      Building Types                      (General                      Requirements)</p>	<ul style="list-style-type: none"> <li>• Enhancing the conditions for modifications to Existing Structures;</li> <li>• Clarifying parking requirements for Existing Structures;</li> <li>• Clarifying review standards applicable to new and Existing Structures in the Historic Core and Historic Residential Districts;</li> <li>• Modifying the “Incompatible Building Types” table to prohibit parking structures to be sited across from or adjacent to existing parking structures;</li> <li>• Clarifying provisions for shopping corridors;</li> <li>• Clarifying the provisions for façade materials, including where glass is used as a primary material;</li> <li>• Clarifying provisions for parallel ridge lines and dormer designs (roof types); façade material transitions; roof materials; colors; awnings; balconies; stoops; chimneys; treatments at terminal vistas; building variety; uses and occupancy requirements; building siting; buildable area determination; use and occupancy requirements; façade transparency; and façade divisions; and</li> <li>• Relocating the provisions for Entrances and Pedestrianways to the proposed walkability standards of 153.065(I).</li> </ul>
<p>153.062(O)                      Building Types Tables                      (Individual Building                      Type Requirements)</p>	<ul style="list-style-type: none"> <li>• The addition of a note to the Use and Occupancy requirements for building types that allow parking to be integrated into the building, that visible parking structures require conditional use review based on the proposed provisions of Code Section 153.059(C)(3)(f);</li> <li>• Clarifying how the Architectural Review District requirements apply to properties in the BSC Historic Residential District;</li> <li>• Clarifying provisions for driveway dimensions for Single-Family Detached building types;</li> <li>• Requiring mid-building pedestrianways for buildings longer than 250 feet for the Single-Family Attached and Loft building types (already required for other building types);</li> <li>• Clarifying how open and unenclosed courtyards may be incorporated into the building siting to meet front property line coverage requirements;</li> <li>• Increasing the transparency requirements for Loft building types from 30% to 60% on street facing facades; and</li> <li>• Clarifying the minimum finished floor elevation requirements for Podium Apartment Buildings.</li> </ul>
<p>153.063                      Neighborhood                      Standards</p>	<p>Limited general and technical amendments are proposed within this section.</p> <p>An updated Figure 153.063-A, BSD Sawmill Center Neighborhood District graphic, is proposed to coincide with the zoning district boundaries and clarify the (limited) locations where the Commercial Center building type is permitted (only on the north side of the east/west portion of Village Parkway (future “Bridge Park Avenue”) and along Sawmill Road). The new graphic, as well as a graphic comparing the existing and revised versions, are provided in Dropbox.</p>

Details	Zoning Code Amendment
<p>153.064 Open Space</p>	<ul style="list-style-type: none"> <li>• Providing criteria for evaluating requests for payment of a fee in lieu of dedicating open space;</li> <li>• Allowing an applicant to pay a fee in lieu of dedicating open space if the required amount of open space is less than the smallest open space type permitted in that zoning district, with approval of the Director of Parks and Open Space;</li> <li>• Clarifying requirements for site furnishings;</li> <li>• Clarifying the intent for public art as an amenity in open spaces;</li> <li>• Allowing Pocket Parks as an open space type in all zoning districts (instead of only in the BSD Residential and Office Residential Districts); and</li> <li>• Allowing Parks (min. 2 acres) as an open space type in all zoning districts except the BSD Historic Transition District.</li> </ul>
<p>153.065(A) Site Development Standards – Purpose and Intent</p>	<ul style="list-style-type: none"> <li>• Referencing the Principles of Walkable Urbanism of Code Section 153.057(D); and</li> <li>• Clarifying applicability to Existing Uses, Existing Structures, and Nonconforming Uses &amp; Structures.</li> </ul>
<p>153.065(B) Site Development Standards – Parking and Loading</p>	<ul style="list-style-type: none"> <li>• Adding an intent statement;</li> <li>• Relocating the provisions for parking for Existing Structures to the Uses section (153.059);</li> <li>• Allowing the required reviewing body to permit on-site parking lots to encroach into setbacks where the result will be coordinated, shared parking arrangements;</li> <li>• Clarifying the parking plan procedures and criteria;</li> <li>• Clarifying parking requirements for temporary and accessory uses;</li> <li>• Adding parking requirements for the new uses added to Table 153.059-A, Permitted and Conditional Uses in BSD Zoning Districts (Exercise and Fitness and Skilled Nursing);</li> <li>• Adding a “shopping center” parking requirement to avoid the need to calculate parking based on frequent turnover of individual tenants (5 parking spaces per 1,000 sq. ft., consistent with the requirements for shopping centers in Zoning Code Section 153.212);</li> <li>• Clarifying the demonstration of parking need for parking plan approval;</li> <li>• Clarifying the bicycle parking location requirements for residential uses;</li> <li>• Allowing public bicycle parking provided by the City and located within the street right-of-way to potentially count toward meeting the minimum bicycle parking requirement provided that the spaces are on the same block face as the subject parcel;</li> <li>• Clarifying the stacking space requirements for parking structures;</li> <li>• Clarifying the requirements for curbs and wheel stops;</li> <li>• Relocating the provisions for Pedestrian Circulation Plans to the proposed walkability standards of 153.065(I); and</li> <li>• Clarifying the loading space requirements, consistent with the Commission’s discussion on September 11, 2014.</li> </ul>
<p>153.065(C) Site Development Standards – Stormwater Management</p>	<ul style="list-style-type: none"> <li>• Adding an intent statement; and</li> <li>• Referencing the Principles of Walkable Urbanism of Code Section 153.057(D).</li> </ul>

Details	Zoning Code Amendment
<p>153.065(D)                      Site Development Standards – Landscaping and Tree Preservation</p>	<ul style="list-style-type: none"> <li>• Including provisions for recommended tree diversity in landscape plans;</li> <li>• Eliminating the perimeter landscape buffering “options” in lieu of an approach that allows the required reviewing body to approve landscape buffering plans on a case by case, site by site basis (given the limited locations this provision will apply);</li> <li>• Eliminating Figures 153.065-B and 153.065-C in lieu of more user-friendly graphics to be developed as part of a future applicants’ guide;</li> <li>• Clarifying street frontage screening requirements.</li> <li>• Relocating the provisions for Required Building Zone Treatment to the proposed walkability standards of 153.065(I); and</li> <li>• Clarifying tree replacement exemptions.</li> </ul> <p>At the September 11<sup>th</sup> meeting, the Commission discussed the proposed amendments to the requirements for structural soils for street trees and around parking lot islands. The proposed language has been reviewed and the following changes have been requested by the City Forester and the Director of Parks &amp; Open Space to reflect the appropriate applications for street trees and interior landscaping conditions:</p> <ul style="list-style-type: none"> <li>• That topsoil or other planting medium approved by the City Forester be used for street trees and parking lot landscaping trees.</li> <li>• For street trees, structural soil or an equivalent material approved by the City Forester shall be placed under paved areas adjacent to tree wells or planting beds, parallel to and behind the curb, and connecting planting beds or tree wells to one another beneath the paved surface within the streetscape planting zone.</li> <li>• The City Forester may require additional structural soil to extend horizontally beyond the planting zone beneath sidewalks or other paved surfaces, as necessary to ensure the long term health of street trees, depending on the planting and paving conditions within individual street types.</li> <li>• Similarly, trees in parking lot islands shall be planted in topsoil approved by the City Forester. The City Forester may require structural soil to be placed beneath paved areas surrounding the peninsula or island, as necessary to ensure the long term health of trees, depending on the planting and paving conditions.</li> <li>• Structural soil shall not be used in planting beds.</li> </ul>
<p>153.065(E)                      Site Development Standards – Fencing, Walls and Screening</p>	<ul style="list-style-type: none"> <li>• Clarifying street wall height where a street wall may be used as a seat wall, consistent with the Commission’s comments at the September 11th meeting; and</li> <li>• Allowing for creative, alternative street wall designs.</li> </ul>

Details	Zoning Code Amendment
<p>153.065(F)            Site Development Standards – Exterior Lighting</p>	<p>Planning engaged a consultant firm specializing in lighting design (Illumination Arts) to recommend a comprehensive update to the City's overall lighting regulations, not just for the Bridge Street District. A comprehensive update to the City's lighting regulations is strongly recommended to reflect current practices and recent technological advancements.</p> <p>Planning is in the process of preparing draft amendments to the City's overall zoning regulations, and therefore no significant modifications to the exterior lighting requirements for the BSD are recommended at this time. However, given the Commission's discussion on September 11<sup>th</sup> regarding decorative lighting and the Commission's request to eliminate references to wattages and specific types of light fixtures (such as incandescent or fluorescent), the proposed amendment refers only to lumens (a standard measure of light emitted from any type of fixture) and is intended to apply in conjunction with the existing requirements for shielding light fixtures (153.065(F)(5)(a)).</p> <p>The exterior lighting regulations continue to refer to the general lighting requirements of Zoning Code Section 153.149 that apply citywide where not otherwise specified in this section.</p>
<p>153.065(G)            Site Development Standards – Utility Undergrounding &amp; Screening</p>	<ul style="list-style-type: none"> <li>• Changing the section name to "Utility Undergrounding and Screening"; and</li> <li>• Adding provisions for siting and screening utility transformers and similar utility structures and clarifying when overhead utility lines should be buried.</li> </ul>
<p>153.065(H)            Site Development Standards – Signs</p>	<p>Planning engaged Studio Graphique, one of the City's sign review consultants, to review the Bridge Street District sign regulations. Their preliminary analysis determined that the proposed amendments are appropriate and consistent with up-to-date zoning regulations for signs in communities like Dublin. They have recommended guidelines to illustrate the intent of the provisions and provide examples of successful applications of the requirements to be more user-friendly. Such guidelines could be incorporated into an applicants' guide for the Bridge Street District.</p> <p>The Commission also discussed the Master Sign Plan purpose and process at their meeting on September 11<sup>th</sup>. The proposed amendment has been modified to clarify applicability, both for individual buildings as well as projects with multiple signs proposed for multiple buildings. Master sign plans are required for all projects with shopping corridors, regardless of whether they meet all of the required zoning requirements for signs.</p> <p>Other proposed amendments include:</p> <ul style="list-style-type: none"> <li>• Clarifying the requirements for sizes of logos and other secondary images, following the Commission's discussion on September 11<sup>th</sup>;</li> <li>• Adding provisions related to quality of sign materials;</li> <li>• Adding "Identification Plaques" as a sign type to Table 153.065-K;</li> <li>• Allowing a single, 1-square-foot window sign indicating the name of the business on the primary entrance for tenant spaces in multiple-tenant buildings with storefronts (limited to low-chroma colors, such as white or black); and</li> </ul>

Details		Zoning Code Amendment
		<ul style="list-style-type: none"> <li>Clarifying the placement and dimensional requirements for various building-mounted sign types.</li> </ul>
153.065(I) Site Development Standards – Walkability Standards		<p>A new section of the Site Development Standards section of the BSD Code is recommended to emphasize the importance of designing sites for pedestrians. The Walkability Standards include an intent statement with walkability objectives and references to the Principles of Walkable Urbanism. Provisions are sectioned in terms of the following objectives:</p> <ul style="list-style-type: none"> <li><i>Connectivity</i> (Mid-Block Pedestrianways and Mid-Building Pedestrianways)</li> <li><i>Safety</i> (Crosswalks and Pedestrian Circulation Plans)</li> <li><i>Comfort and Convenience</i> (Required Building Zone Treatment; Building Entrances; and Seating Areas)</li> </ul> <p>The provisions under each of the objectives were largely replaced from other sections of the BSD Code, with minimal modifications.</p>
153.066 Review and Approval Procedures and Criteria		<p>This section was updated in December 2013, and only minor modifications are proposed. The procedure table has been modified to correct errors and reformatted to eliminate the "A"s (for Appeals) for ease of understanding, and parking plans were added as a review process. Review of subdivisions under the Subdivision Regulations (Chapter 152) was added as one of the four criteria for when Development Plans are required (prior to Site Plan Review).</p>

Recommendation		Adoption of Zoning Code Amendment
Recommendation for Approval		<p>Planning recommends the Administrative Review Team make a recommendation of approval to the Planning and Zoning Commission and City Council for the proposed Zoning Code amendment for the Bridge Street District zoning regulations.</p>