

[Summarized] Consultant Review Comments Incorporated into the Proposed Draft BSD Code Amendment

** Refer to the Draft Zoning Code text for proposed language (wording may be modified slightly from the consultant's recommendations). **

1. § 153.057-058 General Purpose and Bridge Street Districts Scope and Intent

1.1. 153.057(D) Principles of Walkable Urbanism

The provision now includes references to “implementing requirements” in addition to principles, including the following sentence: “Zoning Code Section 153.065(I) contains requirements for creating the walkable urbanism desired by the City and consistent with the Principles of Walkable Urbanism.”

We recognize the intent for creating the separate Walkability Standards section, but the proposed phrasing could be interpreted as suggesting that Section 065(I) constitutes *the only* implementing requirements relevant to the principles. However, the principles are intended to have broader application and cover a wider range of topics than included in Section 065(I). Because creating walkable places is one of the core goals of the entire Bridge Street District planning effort, a larger number (and perhaps the majority of requirements throughout the BSD Code) are in some way connected to that goal. It may be appropriate to rephrase the provision to better capture this overall relationship. One approach would be as follows:

To advance the purposes of the Bridge Street District zoning districts as described in §153.057 (A) through (C), the following principles of walkable urbanism ~~and implementing requirements~~ will serve as a guiding framework to be used in the review of zoning and development proposals subject to the ~~provisions~~ requirements of §§153.058 through 153.066. Individual principles ~~or requirements~~ may not apply in all circumstances, but should be used where appropriate to ensure the requirements and standards of these zoning districts are applied in a manner that contributes to the creation of walkable, mixed use urban environments as envisioned by the Bridge Street District Plan. In addition to a wide variety of development requirements throughout §§153.058 through 153.066 intended to support walkability in the Bridge Street District, Zoning Code Section 153.065(I) contains specific requirements for creating ~~the walkable urbanism~~ safe and comfortable pedestrian-oriented development desired by the City and consistent with the Principles of Walkable Urbanism.

2. § 153.059 Uses

2.1. 153.059(A)(1) Intent

Recommended Clarifications:

The intent of §153.059 is to establish uses for land and buildings desired in each BSD zoning district based on the vision for each area described in the Dublin Community Plan (Bridge Street District Area Plan) and the Bridge Street District's five Vision Principles. This is achieved through the variety of permitted, conditional, accessory and temporary uses allowed in each zoning district, in some cases with special siting and size limitations to establish the development character articulated in the Dublin Community Plan.

2.2. 153.059(A)(3) Intent

The provision clarifies that the zoning district titles describe a general land use character and “shall not preclude other uses from being established in each district.” Although implied, it may also be appropriate to specify that the titles are not intended to *require* any specific use, as follows:

The titles of each zoning district describe the predominant land use character and/or special geographic locations rather than a single type of use. Zoning district titles

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shall not be construed as requiring a particular use and shall not preclude other uses from being established in each district, as permitted in this section. Refer to §153.058, BSD Districts Scope and Intent, for the intent of each zoning district.

2.3. 153.059(B)(1) and (2) General Provisions and Explanation of Terms

Provision (B)(1) implies that all allowable principal or accessory uses are either permitted or conditional. However, the Explanation of Terms (B)(2) lists Permitted uses, Upper-story uses, Conditional uses, Size-limited uses, and Temporary uses. It is unclear if “U”, “S”, and “T” uses are considered permitted by right or conditional. This becomes more clear upon referencing Table 153.059-A. While not critical, this could be further clarified by modifying (B)(1) as follows:

Permitted and conditional uses available in each BSD zoning district are shown in Table 153.059-A. Permitted and conditional uses may be restricted by location, size, period of operation, or other use-specific standards as designated in Table 153.059-A.

2.4. 153.059(B)(2)(c) General Provisions – Explanation of Terms (Upper Floor Uses)

Minor Clarification: Because “U” represents the word “upper”, it is more accurate to specify that it applies to uses on floors *above* the ground floor. However, the phrase “upper floor” has been removed from the draft provision, so the meaning is no longer obvious. Note that key in Table 153.059-A lists “U” as “Permitted on upper floor only.” This raises the question of how uses are governed for basements/floors below the ground floor. While not critical, consider revising as follows:

A “U” in a cell indicates a use that is allowed by right in that BSD zoning district on any floor of the structure ~~other than above~~ the ground floor, subject to compliance with any use specific standards referenced in the Use Table and the applicable provisions of Chapter 153. Permitted or conditional uses not specified as “U” may occur on any floor, including basements or lower levels, subject to use specific standards, unless otherwise restricted by specific building type requirements of §153.062(O).

2.5. 153.059(B)(5)(b)1 Existing Uses (multi-tenant buildings)

This provision would read more accurately if worded to mirror the structure of (b)(2), as follows:

For parcels with a single Existing Structure configured as a multi-tenant building ~~For multi-tenant buildings in Existing Structures~~, once the entire multi-tenant building is abandoned, demolished and/or all tenant spaces have established uses under the applicable BSD zoning district, no non-BSD use permitted in the prior zoning district may be re-established on the parcel.

2.6. 153.059(B)(8)(c) Accessory Uses

The following wording would be more precise:

Any principal use listed in a zoning district in Table 153.059-A ~~may also be~~ is also permitted as an accessory use in the same zoning district.

PLANNING: Changed to “shall be.”

2.7. 153.059(C)(3)(f)(1) Use Specific Standards – Parking, Structure

The provision states that “Any parking structure completely screened by occupied space and not readily visible form a public street right-of-way . . . is a permitted use.” It is unclear how the phrase “readily visible” will be applied. A more objective measure is recommended. Consider revising as follows:

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~~Any parking structure~~ Parking structures completely lined with ~~screened by~~ occupied space along a public or private street frontage and parking structures located on the interior of blocks, with other building types located between the parking structure and the street, are permitted uses. ~~and not readily visible from a public street right-of-way (or private street designed to serve as a neighborhood street in accordance with §153.061(C) is a permitted use.~~ All other parking structures, including podium parking structures, are conditional uses.

The revised provision also notes that podium parking structures are conditional uses. This has the effect of rendering an entire building type, technically permitted in four BSD zoning districts, as requiring a conditional use approval in all circumstances. If this is the intent, the conditional use requirement should be noted in the Building Types section.

PLANNING: Made appropriate notations on individual building type tables.

3. § 153.060 Lots and Blocks

3.1. 153.060(C)(2) General Block and Lot Layout – Maximum Block Size

The required subdivision provision is proposed to be eliminated. We assume this because subdivision is now listed as a criterion triggering Development Plan review. However, this may also be an effort to allow blocks to be created with either public (subdivided) or private (non-subdivided) streets. If this is the intent, the block measurement provisions will need to be revised accordingly. If not the intent, it may still be appropriate to note that blocks are intended to be created through subdivision. As currently proposed, the text reference to Table 153.060-A Maximum Block Dimensions, has also been eliminated. Consider a revised version of subsection (a), as follows:

(a) Required Subdivision

Unless otherwise permitted by this chapter, all developments meeting the Development Plan Review requirements of §153.066(E)(1)(b)2-4, shall subdivide to meet the maximum block sizes as required by Table 153.060-A, Maximum Block Dimensions.

4. § 153.062(A) through (N) General Building Type Requirements

4.1. 153.062(B)(2)(b)(5) Existing Structures

The second use of the word "requirements" is redundant.

4.2. 153.062(B)(2)(c)(1) Parking for Existing Structures

The provision could be clarified and simplified, as follows:

Existing Structures improved ~~which do not have the minimum number of parking or loading spaces required by this chapter, and must provide additional parking and/or loading spaces in conjunction with an improvement~~ as permitted in §153.062(B)(2)(b), shall provide the minimum parking and loading spaces required by Tables 153.065-A and 153.065-C.

4.3. 153.062(B)(2)(e)(2) Determination of Building Type

This new provision states that if the required reviewing body designates an Existing Structure as a permitted BSD building type, then all further improvements to the property must be brought into conformance with BSD requirements. This may be impractical in some situations. Consider adding the phrase "to the maximum extent practicable, as determined by the required reviewing body."

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4.4. 153.062(C)(2)(a) and (b) Shopping Corridors

Consider the following addition and reorganization:

- (a) These building types shall be clustered into continuous street frontages uninterrupted by other building types, ~~or parking areas~~ or driveway curb cuts for a minimum of 300 linear feet, as measured along the sidewalk. ~~Street frontages may turn the corner and continue along an intersecting street provided the minimum required length of the shopping corridor is located along the principal frontage street.~~
- (b) The required shopping corridor shall be designated along a principal frontage street unless otherwise permitted by the required reviewing body.
- (c) Street frontages may turn the corner and continue along an intersecting street provided the minimum required length of the shopping corridor is located along the principal frontage street.

PLANNING: Incorporated recommended changes, in addition to changing (c) from "Street frontages..." to "Shopping corridors..."

4.5. 153.062(D)(2)(b)(1) Roof Type Requirements – Pitched Roof – Pitch Measure

Consider the following revision for clarification:

The principal roof shall have a pitch appropriate to the architectural style, as determined to be architecturally appropriate by the required reviewing body, and ~~Unless otherwise deemed architecturally appropriate by the required reviewing body, roofs~~ shall not be sloped less than a 6:12 (rise:run) or more than 12:12, as unless otherwise determined to be architecturally appropriate.

4.6. 153.062(E)(1)(b) Façade Materials

Consider the following revision:

For individual façades over 1,000 square feet, exclusive of windows and doors ~~(except where glass is a permitted primary material)~~, a combination of permitted primary materials shall be used to meet the 80% requirement, unless otherwise approved by the required reviewing body. For building designs using glass as an integral façade material (e.g. glass curtain wall design), windows and doors may be included in the calculated façade area when determining compliance with this requirement.

4.7. 153.062(E)(1)(f) Façade Materials

The word "utilized" should be revised to "use", consistent with other word choice revisions in the Code.

4.8. 153.062(E)(4) Materials - Color

Consider the following clarification:

Colors for all painted elements, fiber cement siding, EIFS and other similar materials shall be selected from appropriate historic color palettes from any major paint manufacturer, or as determined appropriate by the required reviewing body. This requirement shall not apply to building-mounted signs.

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4.9. 153.062(H)(3)(b)2 Awnings

Consider replacing the phrase "Awnings may be made of . . ." to "Awnings shall be made of . . ." This would appear to be more consistent with the intent of the provision.

4.10. 153.062(I)(1)(b) Balconies – Connection to Building

Consider the following revision, if consistent with the City's intent:

Balconies may be recessed into a building façade. Balconies that are not ~~integral to~~ recessed into the façade shall be independently secured and unconnected to other balconies above and below. Balconies may project into the RBZ or forward of the RBZ but may not extend into a right-of-way or be considered as part of a structure used to meet front or corner RBZ requirements.

4.11. 153.062(I)(4) Chimneys

A requirement for vent color has been added. Consider re-titling provision (4) as "Chimneys and Vents" and separating the requirements into sub-provisions.

4.12. 153.062(J)(2) Treatments at Terminal Vistas

The phrase "pronounced change in building height" has been added as a method of providing a terminal vista. This should be clarified to require a "pronounced increase in building height" to better reflect the intent.

4.13. 153.062(N)(1)(a)4 Street Frontage

The words "width" and "length" are both used. Consider only using the word "length" and revising for clarity as follows:

Front property line coverage is determined by measuring the ~~width-length~~ of the principal structure and length of a street wall within the RBZ and parallel to the front property line, divided by the maximum ~~width-length~~ of the front RBZ (not including side setbacks).

4.14. 153.062(N)(1)(a)6 Street Frontage

As a point of order, provision 6 (previously provision 4) would be more appropriately located before provision 2, but this change is not critical to the function of the Code.

4.15. 153.062(N)(3)(b)2 and 3 Uses and Occupancy Requirements

Provision 2 should reference applicable Use Specific Standards. Provision 3 could be clarified to better reflect how these requirements are addressed for individual building types and depicted in the building type graphics, as follows:

When parking is permitted within the building, an active, occupied space must be incorporated along the building façade, ~~unless otherwise permitted~~ meeting the location and minimum dimensional requirements indicated for individual building types. Occupied space does not include storage areas, utility space, or parking.

4.16. 153.062(N)(4)(a)3-4 Façade Transparency – Blank Wall Limitations

Consider the following revisions for clarity:

3. Blank walls are prohibited, ~~windowless walls shall have a rectangular area of not~~ No more than 30% of each building façade per story, as measured from floor to floor, and no horizontal distance greater than 15 feet per story shall be blank or windowless.

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4. Windows may be clustered along an elevation, provided the minimum façade transparency requirements and blank wall limitations are met using other architectural features, such as material transitions, façade divisions, projections or shadow lines, corbelling or alternate brick course details, or other design details that will add visual interest to windowless wall sections, as determined to be architecturally appropriate by the required reviewing body.

PLANNING: Made recommended changes, except kept "windowless" in the first sentence of 3.

5. § 153.062(O) Individual Building Type Requirements

5.1. 153.062(O)(4) Loft Building

The 20% general transparency requirement is not consistent with traditional loft-style buildings. Consider increasing this requirement to a minimum of 50%. See examples below.



6. § 153.064 Open Space Types

6.1. 153.064(E) Fee-In-Lieu of Open Space

Consider the following revisions for clarity of process:

Fee-In-Lieu of Open Space

- (1) ~~Except as noted in §153.064(E)(5), t~~The following requirements shall be met where the ~~Planning and Zoning Commission~~required reviewing body has determined that a payment of a fee-in-lieu of open space is permitted. Refer to §153.066 for the procedures for open space fee in lieu determination.

- (2) Fee-In-Lieu Calculation

The payment of fees-in-lieu of open space shall be collected prior to the issuance of a building permit for each phase of development and shall be calculated using the following method:

- (a) Calculate the total acreage of required open space from §153.064(C)(1)-(4) as applicable;

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- (b) Multiply the acreage of required open space by its estimated average value per acre. This value shall be established from time to time by resolution of City Council.
- (c) Multiply the value of the required open space as determined in §153.064(E)(2)(b) by the required open space to obtain the open space fee.

(3) Use of Open Space Fee

Unless otherwise specifically directed by City Council, all fees collected shall be deposited in a fund which shall be used only for land acquisition, development, maintenance and operation of publicly accessible open spaces in the Bridge Street District as outlined in §153.064.

(4) Fee-In-Lieu of Determination

Except as noted in §153.064(E)(5), the Planning and Zoning Commission shall determine ~~The required reviewing body shall find all of the following considerations are met in determining~~ whether a request to pay a fee-in-lieu of open space dedication should be approved, upon a finding that all of the following considerations are met:-

- (a) That the amount of open space required by the nature and development intensity of the use would yield a lesser benefit than paying the fee.
- (b) That open space is available in adjacent or nearby developments (within 660 feet of the principal entrance(s) to each building) that is equal to or in excess of the calculated area for all developments individually.
- (c) That physical conditions unique to the site make it impractical to provide the required open space.
- (d) That providing the required open space would hamper an efficient site layout, as determined by the required reviewing body.
- (e) That providing the required open space would conflict with the Principles of Walkable Urbanism as provided in §153.065(I).

6.2. 153.064(G)(4)(d) General Requirements – Public Art

The syntax is somewhat awkward. Consider rephrasing:

The incorporation of public art, ~~including but not limited to physical works of two- and three-dimensions that can be incorporated into walls, pavement, or freestanding~~ are-is highly encouraged as an amenity in all open spaces. Public art includes, but is not limited to, works of two- or three-dimensions and may be freestanding, or incorporated into walls, pavement or other surfaces.

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7. § 153.065(A) Site Development Standards – Purpose and Applicability

7.1. 153.065(A)(3) Intent

Consider adding a reference to the Principles of Walkable Urbanism of Section 153.057(D) in provision (A)(1). Note that the word “Chapter” (provision (A)(3)) is not capitalized in other locations in the Code.

8. § 153.065(B) Parking and Loading

8.1. 153.065(B)(1)(b)1.B Parking Location

As an alternative to eliminating the requirement, consider specifying that this condition may be approved as part of a Development Plan Review where future adjacent development phases will be required be designed with coordinated parking arrangements.

8.2. 153.065(B)(2)(4) Required Vehicle Parking – Shopping Center

A separate shopping center parking requirement is appropriate. Consider a higher parking ratio, such as 5 per 1,000 square feet or analyze existing shopping center parking demands within the Bridge Street District to develop a customized ratio that would account for typical proportions of restaurant uses within shopping centers.

8.3. 153.065(B)(3)(d)6 Required Bicycle Parking – Location

Consider allowing the use of any publicly-owned bicycle parking spaces located on the same block as the subject parcel to be counted toward the bicycle parking requirements.

8.4. 153.065(B)(5)(d)1 Parking Structure Design – Pedestrian Safety

The word “exterior” suggests that stairways would be located outside of a parking structure. The word “perimeter” would be more accurate.

8.5. 153.065(B)(6)(d)1 Curbs and Wheel Stops

Revise for syntax and punctuation:

Raised or rolled concrete curbs or wheel stops at least five inches high shall be installed where necessary to prevent vehicle conflicts with abutting landscape areas, sidewalks, streets, buildings or lot lines. There shall be a minimum of four feet of clear walkway area and; at least two and one-half feet between a curb or wheel stops and any property line, planting area, street, or building.;

9. § 153.065(D) Landscaping and Tree Preservation

9.1. 153.065(D)(2)(e) Tree Diversity

Recognizing that this provision is written as an “encouragement” rather than an actual requirement, we have concerns with the aesthetic impact this approach would have, particularly for smaller sites with space limitations and where more formal urban design aesthetics are appropriate. The percentage diversity goal may be more appropriate for large sites and certainly for parks and greenways, where a more natural or arboretum aesthetic is desirable. If the intent is to protect against species-specific health issues like Emerald Ash Borer, the goal may be better achieved at district, neighborhood or block level, rather than a site by site basis.

PLANNING: Noted “where practical.”

9.2. 153.065(D)(3)(b) Street Trees – Planting Zones

As currently drafted, the term “planting zone” is used as an alternative to tree lawn. However, as described in Section 153.061 and in the definitions section, “planting zone” (also “furnishings zone”) is the physical portion of the streetscape in which street trees or other streetscape plantings are located, and may take on a variety of design forms. Consider the following revision:

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Street trees shall be planted within streetscape planting zones in tree wells, tree lawns or open planting beds ~~or planting zones~~ based on the applicable street type design requirements. Refer to §153.061 for more information regarding street types.

9.3. 153.065(D)(5)(a)4 Surface Parking and Circulation Area Landscaping – Street Frontage Screening

The new provision 4 under Street Frontage Screening requires landscape screening for parking lots along alleys or service streets. This is not typical of urban alley conditions, where space is often limited and service functions are intentionally co-located. Note also that Section 153.060(C)(9)(e) states that “Alleys or service streets shall not be considered street frontage and shall not be subject to street frontage requirements described in §153.059 to 153.065.” Consider a more general provision that allows the required reviewing body to require a landscape treatment along an alley edge where space and maneuverability conditions allow.

PLANNING: Added “Unless otherwise approved by the required reviewing body.”

10. § 153.065(G) Utility Undergrounding

- 10.1. Consider renaming this section “Utility Undergrounding and Screening”, as both conditions are now addressed in the revised provisions.

11. § 153.065(I) Walkability Standards

11.1. 153.065(I)(2)(a)4 Mid-Block Pedestrianways – Design

The following revision would be more accurate:

The mid-block pedestrianway shall be landscaped and include shade trees spaced at 30 to 35 feet on center except as exempted by §153.065(I)(2)(a)5. Trees may be staggered. ~~except as required by §153.065(I)(2)(a)5.~~

11.2. 153.065(I)(4)(a)3 Required Building Zone Treatment – 12-foot Clear Sidewalk Width

While 10 to 12 feet is a desirable target width for sidewalks in highly walkable mixed use environments, we encourage a more flexible approach. Great urban streets often include various activities such as dining and seating the blend into sidewalk spaces, adding vibrancy and character to the street environment. We recommend allowing outdoor dining and seating to encroach the sidewalk/streetscape area, while maintaining an 8-foot wide clear walking area.

12. § 153.066 Review and Approval Procedures and Criteria

12.1. 153.066(E)(1)(b) Development Plan Review – Conditions for Required Review

The word “or” should be moved to the end of provision 3. Provision 4 should be reworded to mirror the structure of provisions 1 through 3, with the phrase “The application involves. . .”.