

BRIDGE STREET DISTRICT ZONING DISTRICTS

§ 153.066 REVIEW AND APPROVAL PROCEDURES AND CRITERIA

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(A) Intent. The intent of this section is to provide an efficient and predictable review process for rezoning and/or development applications within the Bridge Street District (BSD) zoning districts and to enhance Dublin's reputation for exceptional, carefully considered design and high quality development consistent with the Vision Principles and direction articulated in the Bridge Street District Special Area Plan in the Community Plan. The review and approval procedures and criteria help ensure that new development and redevelopment is served by adequate and efficient infrastructure so as not to burden the fiscal resources of the City, and to protect the health, safety, and general welfare of residents, occupants, and users of property in the BSD districts and surrounding areas of the City.

(B) Required Approvals.

(1) Summary. This section outlines the requirements and procedures for development review specifically within the BSD districts. The review procedures of this section shall be used for all development applications in a BSD district. Table 153.066-A, Summary Procedure Table, describes the review procedures applicable in all BSD districts.

(2) Abbreviations. The following abbreviations and terms are used in this section:

ART: Administrative Review Team

BZA: Board of Zoning Appeals

CC or Council: City Council

PD: Planning Director

PZC or Commission: Planning and Zoning Commission

TABLE 153.066-A: SUMMARY PROCEDURE TABLE						
R = Recommendation D = Decision						
Type of Application	PD	ART	BZA	PZC	Council	Zoning Code Reference
Zoning Code Approvals						
Zoning Map or Text Amendment	R			R	D	§153.234
Conditional Use	R			D		§153.236/§153.066(L)(2)
Special Permit	R		D			§153.231(G)
Use Variance	R		R		D	§153.231(H)(3)
Non-Use (Area) Variance	R		D			§153.231(H)(2)
Other Approvals						
Building Code Appeal						§153.231(I)
Bridge Street District Zoning Districts						
Concept Plan	R			D		§153.066(D)
Concept Plan with a Development Agreement	R			R	D	§153.066(D)
Preliminary Development Plan	R			D		§153.066(E)
Final Development Plan	R			D		§153.066(F)
Minor Project	R	D				§153.066(G)
Administrative Departure	R	D				§153.066(H)
Waivers	R			D		§153.066(I)
Master Sign Plan	R			D		§153.065(H)(2)(e)/ §153.066(J) and (L)(8)
Administrative Approval	D					§153.066(K)
Parking Plan	R			D		§153.066(G)(2)(f) /§153.065(B)
Open Space Fee In Lieu	R			D		§153.066(L)(1)/ §154.064(D)-(E)
Certificate of Zoning Plan Approval	D					§153.233/ §153.066(M)(3)

(C) Pre-Application.

(1) Purpose and Applicability.

- (a) The purpose of the Pre-Application is to provide a potential applicant with a non-binding review by the Director of a development proposal and to provide information on the procedures and policies of the City, including application review procedures.
- (b) Pre-application reviews do not result in a development decision or permit, and shall not obligate the City or the developer to take any action on the proposal.

(2) Review Procedure.

- (a) A request for a pre-application review shall be made in accordance with the provisions of division (M)(1) of this section.
- (b) Requests shall be submitted to the Director, who shall be responsible for circulating any submitted material to the applicable departments for input.
- (c) The Director and staff shall conduct an expeditious review of the submitted materials and provide non-binding input and recommendations. The Director may schedule a meeting with the potential applicant to discuss the request.
- (d) A written summary of the pre-application review shall be provided to the applicant if the Director determines that a summary may result in a more responsive future application.
- (e) Additional pre-application meetings may be requested prior to filing a formal application.
- (f) Any and all written summaries of the pre-application review shall be forwarded to the required reviewing body with a formal application.

(D) Concept Plan.

(1) Purpose and Applicability.

- (a) The purpose of the Concept Plan (CP) is to provide a general outline of the scope, character, and nature of the proposed development that is consistent with the requirements of the BSD, all applicable design guidelines, other related policy and regulatory documents adopted by the City, and the review criteria.
- (b) The CP allows the Planning and Zoning Commission (PZC) the means to evaluate the conceptual proposal for its consistency with §153.057 through §153.066, the Community Plan, including the Bridge Street District Special Area Plan, Bridge Street District Design Guidelines, and other related policy and regulatory

documents adopted by the City, the review criteria, and to consider the proposal within the context of existing and planned development within the vicinity of the project.

- (c) The CP review provides an opportunity for public input at the earliest stage of the development process.
- (d) The CP review is intended to provide clear direction to the applicant by the required reviewing body resulting from its review and approval of the application.
- (e) If the CP is approved by the required reviewing body, such action shall be binding and shall serve as the basis for submittal of the PDP for the proposed development.
- (f) Applicability.
 - 1. Due to the significant amount of infrastructure that will be required as part of the development of the Bridge Street District (BSD), key private development projects will require partnerships with the City to be feasible. To ensure early Council understanding and support for the proposed development, City Council shall review the proposed CP that will involve development agreements with the City. For purposes of this section, "development agreement" shall mean an agreement between an individual or other private entity and the City Council to develop a parcel of land for a use permitted by the City. The development agreement may set out responsibilities of the parties for items such as development time frame, property limits, infrastructure development terms, public and private contributions, development restrictions and other related terms.
 - 2. Prior to consideration of a CP by Council, the Director shall provide a recommendation and the PZC shall provide a recommendation, as otherwise provided for in this section. Those recommendations shall be provided to Council as part of its review and approval of a CP associated with an EDA.
 - 3. All other CP applications not requiring a development agreement shall be reviewed by the PZC.

(2) Review Procedure.

- (a) The Concept Plan (CP) is a mandatory step in the development review and approval process for the Bridge Street District (BSD).
- (b) An application for a CP shall be made in accordance with the provisions of divisions (D)(3) and (M)(1) of this chapter.
- (c) The Planning and Zoning Commission (PZC) shall be the required reviewing body for the CP in the BSD, unless a development agreement is involved then City Council shall be the required reviewing body for the CP in the BSD.

- (d) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the CP application under the criteria of division (D)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.
- (e) The PZC shall review the CP application and the recommendation of the Director, and render its decision based on the criteria of division (D)(4). In the instance the PZC is the required reviewing body, the Commission will render a decision for approval, approval with conditions, or denial and written record of the Commission's decision shall be provided.
- (f) In the instance of a CP associated with a development agreement, the Commission will make a recommendation of approval, approval with conditions, or denial to City Council.
- (g) City Council shall review the CP application and the recommendation of PZC, and render its decision based on the criteria of division (D)(4) of approval, approval with conditions or denial.

(3) Submittal Requirements. It is the intent of these regulations that the Concept Plan (CP) shall indicate overall design of the proposed project. Information submitted should be comprehensive enough to enable the required reviewing body to understand the existing site and concept for the proposed development. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

(4) Review Criteria. The required reviewing body shall make its decision on an application for a Concept Plan (CP) based on each of the following criteria and the recommendation of the Director.

- (a) The conceptual development is consistent with the Community Plan, Bridge Street District Special Area Plan, Bridge Street District Design Guidelines, and other adopted City plans;
- (b) The illustrative lots and blocks, supporting street and pedestrian network, and internal circulation provide a coherent development pattern that aligns with the requirements of §§153.060 Lots and Blocks, 153.061 Street Types, and 153.065 Site Development Standards;
- (c) The proposed land uses allow for appropriate integration into the community, consistent with adopted plans, and align with the requirements of §153.059 Uses;
- (d) The conceptual buildings are appropriately sited and scaled to create a cohesive development character that complements the surrounding environment and meets the intent of the architectural

- requirements of §153.062 Building Types;
- (e) The conceptual design of open spaces, including location and relationship to surrounding buildings, provides for meaningful public gathering spaces that benefit the community;
- (f) The conceptual development allows for the connection and or expansion of public or private infrastructure and the continued provision of services required by the City or other public agency;
- (g) The development concept responds to the requirements of §153.063 Neighborhood Standards, as applicable; and
- (h) The conceptual development addresses consistency with the recommendations, principles, and intent of all applicable design guidelines.

(E) Preliminary Development Plan.

(1) Purpose and Applicability.

- (a) The purpose of the Preliminary Development Plan (PDP) is to establish a framework for the proposed development that is consistent with the requirements of the Bridge Street District, all applicable design guidelines, other related policy and regulatory documents adopted by the City, and the review criteria.
- (b) The PDP allows the Planning and Zoning Commission (PZC) the means to ensure that the proposed development is consistent with the following:
 1. That the street network and block framework provide a coherent and rational development pattern;
 2. That the proposed street types provide for walkable urbanism;
 3. That the proposed building types are appropriate to the location and surrounding neighborhood;
 4. That the proposed development creates the urban place envisioned by applicable neighborhood standards;
 5. That planned open spaces and building types work together to create a well-integrated development;
 6. That the proposed development is consistent with the general development requirements of the City with respect to such elements as infrastructure, transportation, and environmental considerations; and
 7. That the proposed development will contribute to the creation of signature places in the City consistent with the Bridge Street District Special Area Plan through an evaluation of long-term phasing plans, transitional development conditions, and planned placemaking elements.
- (c) The PDP is intended to establish the direction of the proposed

development based on all applicable code requirements and shall refine the proposal based on the approved Concept Plan.

- (d) If a PDP is approved by the Planning and Zoning Commission (PZC), such action shall be binding and shall serve as the basis for submittal of the Final Development Plan (FDP) for the proposed development or phases thereof.

(2) Review Procedure.

- (a) The Preliminary Development Plan (PDP) is a mandatory submittal requirement prior to filing a Final Development Plan (FDP). However, the PDP may be combined with the FDP at the request of the applicant, by motion of the Planning and Zoning Commission (PZC) at the time of Concept Plan (CP) review and approval, or by the Director.
- (b) An application for PDP shall be submitted in accordance with the provisions of divisions (E)(3) and (M)(1) of this section.
- (c) The PZC shall be the required reviewing body for the PDP within the Bridge Street District.
- (d) The Director shall make a recommendation for approval, approval with conditions, or denial of the PDP application under the criteria of division (E)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.
- (e) The PZC shall review the PDP application and the recommendation of the Director and render its decision based on the criteria of division (E)(4) of this section for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.

- (3) Submittal Requirements.** It is the intent of these regulations that a Preliminary Development Plan (PDP) shall provide information that is sufficient to ensure general conformity with the regulations and that can serve as a basis for the future consideration of a Final Development Plan (FDP). Information should be sufficiently detailed to enable the required reviewing body to understand the existing site and the PDP for the proposed project. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

- (4) Review Criteria.** The Planning and Zoning Commission (PZC) shall make its recommendation or its decision on an application for a Preliminary Development Plan (PDP) based on each of the following criteria and the recommendation of the Director:

- (a) The PDP shall be consistent with the approved Concept Plan (CP), the record established by the required reviewing body, the

- associated Staff Report, and the Director's recommendation;
- (b) The development is consistent with the Community Plan, Bridge Street District Special Area Plan, Bridge Street District Design Guidelines, and other adopted City plans;
 - (c) The proposed land uses align with all applicable requirements and use specific standards of §153.059 Uses;
 - (d) The proposed buildings are appropriately sited and are consistent with the requirements of §153.062 Building Types and §153.065 Site Development Standards;
 - (e) The proposed lots and blocks are consistent with the requirements of §153.060 Lots and Blocks;
 - (f) The proposed street types are consistent with the requirements and standards of §153.061 Street Types, including the general pattern of streets, blocks, and development reflected on the BSD Street Network Map, as amended;
 - (g) The design of the internal circulation system, driveways, and any connections to the public realm provide for safe and efficient access for pedestrians, bicyclists, vehicles, and emergency services;
 - (h) The design of buildings is consistent with the City's high quality built environment, while integrating with nearby development;
 - (i) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community, and are consistent with the requirements of §153.064 Open Spaces;
 - (j) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;
 - (k) The proposed development is consistent with the requirements of §153.063 Neighborhood Standards, as applicable;
 - (l) The proposed development provides adequate stormwater management systems and facilities that comply with the applicable regulations of this code and any other applicable design criteria or regulations as adopted by the City or required by other government entities;
 - (m) The proposed development can be adequately serviced by existing and or planned public or private infrastructure consistent with the City's most recently adopted capital improvements program;
 - (n) If the development is to be implemented in phases, each phase has adequate infrastructure to be considered independently without the need for further phased improvements; and
 - (o) The proposed development demonstrates consistency with the

recommendations, principles, and intent of all applicable design guidelines, including but not limited to buildings, open spaces, and streetscapes.

(F) Final Development Plan.

(1) Purpose and Applicability.

- (a) The purpose of the Final Development Plan (FDP) is to confirm compliance with the Preliminary Development Plan (PDP), all requirements of the Bridge Street District (BSD), applicable design guidelines, and other related policy and regulatory documents adopted by the City.
- (b) The FDP allows the Planning and Zoning Commission (PZC) the means to ensure that the proposed development is compliant with the following:
 - 1. That the street network and block framework provide a coherent and rational development pattern;
 - 2. That proposed street types provide for walkable urbanism;
 - 3. That the proposed building types are appropriate to the location and neighborhood, including assuring that the dimensions of a parcel meet the lot size requirements for the applicable building type;
 - 4. That the architecture, building materials and colors, landscaping and buffering, and site layout create a functional, aesthetically appealing urban place;
 - 5. That the proposed development creates the urban place envisioned by applicable neighborhood standards;
 - 6. That planned open spaces and building types work together to create a well-integrated development;
 - 7. That the proposed development is consistent with the general development requirements of the City with respect to such elements as infrastructure, transportation, and environmental considerations; and
 - 8. That the proposed development will contribute to the creation of signature places in the City consistent with the Bridge Street District Special Area Plan through an evaluation of long-term phasing plans, transitional development conditions, and planned placemaking elements.
- (c) The FDP is intended to verify the proposed development, or phases of development, is in compliance with all applicable code requirements, and is consistent with the PDP.
- (d) Prior to applying for site disturbance approval and/or building permits, all development within the BSD District shall require a FDP, as well as the following:

- a. When a project involves the design or construction of new streets, or a proposed realignment or relocation of any street in the general pattern of street development conceptualized by the Bridge Street District Street Network map in §153.061 that is required or permitted by the City;
 - b. When a project requires land subdivision in accordance with Chapter 152; or
 - c. When a project does not meet the criteria for a Minor Project.
- (e) Applications for a FDP shall be reviewed by the PZC, whose approval shall be binding and shall serve as the regulatory and administrative document for zoning compliance.

(2) Review Procedures.

- (a) An application for a Final Development Plan (FDP) shall be submitted in accordance with the provisions of divisions (F)(3) and (M)(1) of this section.
- (b) The Planning and Zoning Commission (PZC) shall be the required reviewing body for the FDP within the Bridge Street District (BSD). The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the final development plan application under the criteria of division (F)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.
- (c) The PZC shall review the FDP application and the recommendation of the Director and render its decision based on the criteria of division (F)(4) of this section for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.

(3) Submittal Requirements. It is the intent of these regulations that a Final Development Plan (FDP) shall provide final project information that is sufficient to ensure general conformity to an approved PDP. In cases where the applicant has been authorized to submit a combined PDP and FDP, then the submittal shall incorporate the required information for the PDP and as required below. Information should be sufficiently detailed to enable the required reviewing body to understand the existing site and the FDP for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

(4) Review Criteria. The Planning and Zoning Commission (PZC) shall make its decision on an application for a Final Development Plan (FDP) based on each of the following criteria and the recommendation of the Director:

- (a) The FDP shall be substantially similar to the approved Preliminary Development Plan (PDP), the record established by the required reviewing body, the associated Staff Report, and the Director's recommendation;
- (b) The proposed development is consistent with the Community Plan, Bridge Street District Special Area Plan, Bridge Street District Design Guidelines, and other adopted City plans;
- (c) The proposed land uses meet all applicable requirements and use specific standards of §153.059 Uses;
- (d) The proposed buildings are appropriately sited and adhere to the requirements of §§153.062 Building Types and 153.065 Site Development Standards;
- (e) The lots and blocks proposed are consistent with the requirements of § 153.060 Lots and Blocks;
- (f) The proposed street types adhere to the requirements and standards of §153.061 Street Types, including the general pattern of streets, blocks, and development reflected on the BSD Street Network Map, as amended;
- (g) The design of the internal circulation system, driveways, and any connections to the public realm provide for safe and efficient access for pedestrians, bicyclists, vehicles, and emergency services;
- (h) The design of buildings is consistent with the City's high quality built environment, while integrating with nearby development;
- (i) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community, and are consistent with the requirements of §153.064 Open Spaces;
- (j) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;
- (k) The proposed development adheres to the requirements of §153.063 Neighborhood Standards, as applicable;
- (l) The proposed development provides adequate stormwater management systems and facilities that comply with the applicable regulations of this code and any other applicable design criteria or regulations as adopted by the City or required by other government entities;
- (m) The proposed development can be adequately serviced by existing and/or planned public or private infrastructure consistent with the City's most recently adopted capital improvements program;
- (n) If the development is to be implemented in phases, each phase has

- adequate infrastructure to be considered independently without the need for further phased improvements; and
- (o) The proposed development demonstrates consistency with the recommendations, principles, and intent of all applicable design guidelines, including but not limited to buildings, open spaces, and streetscapes.

(G) Minor Project.

(1) Purpose and Applicability.

- (a) The purpose of the Minor Project (MP) is to provide an efficient review process for smaller projects in the District that do not have significant community effects, as determined by the Director; and
- (b) The MP is necessary to ensure that eligible applications meet the requirements of this chapter.

(2) Minor Projects Defined. The following shall be considered MP's:

- (a) Additions to principal structures that increase the gross floor area by not more than 25%, or not more than 10,000 square feet gross floor area, whichever is less, existing as of March 26, 2012, or when first constructed, and associated site development requirements;
- (b) Exterior modifications to principal structures involving not more than 25% of any individual façade elevation of the structure;
- (c) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building. Parks, when used to meet requirements as an open space type, as provided in §153.064, shall require a Final Development Plan (FDP);
- (d) Accessory structures 1,000 gross square feet or smaller and accessory uses;
- (e) Modifications to existing structures in accordance with §153.062(B); and
- (f) Parking plans when not associated with a Preliminary Development Plan (PDP) or a FDP.

(3) Review Procedure.

- (a) An application for a Minor Project (MP) shall be made in accordance with the provisions of divisions (G)(4) and (M)(1) of this section.
- (b) The Administrative Review Team (ART) shall be the required reviewing body within the Bridge Street District (BSD).
- (c) The Director shall make a recommendation to the ART for approval, approval with conditions, or denial of the Minor Project under the criteria of division (G)(5). The Director's recommendation shall be

- provided prior to the respective public hearing.
- (d) The ART shall review the MP application and the recommendation of the Director, and render its decision based on the criteria of (G)(5) of this section for approval, approval with conditions, or denial. A written record of the ART's decision shall be provided.
 - (e) The ART may forward any MP application to the Planning and Zoning Commission (PZC) for consideration. In making such a determination, the ART shall conclude that the application raises complex issues, including but not limited to the need for public infrastructure improvements and/or other neighborhood or community-wide effects that would benefit from a public review and decision by the PZC. These applications shall be reviewed against the criteria in (G)(5) of this section.
 - (f) If the application is not approved by the ART, the applicant shall be given the opportunity to revise the application in response to the ART's comments and resubmit for reconsideration.

(4) Submittal Requirements. It is the intent of these regulations that an application for a Minor Project (MP) provides sufficient information to ensure general conformity to the applicable provisions of this code. The information should be sufficiently detailed to enable the required reviewing body to understand the existing site and the MP request for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

(5) Review Criteria. The review criteria applicable to an application for a Minor Project (MP) shall be the review criteria applied to the Final Development Plan (FDP), as found in (F)(4) of this section.

(H) Administrative Departure.

(1) Purpose and Applicability.

- (a) The intent of the Administrative Departure (AD) is to provide an efficient process to allow minor deviations from the strict application of the Bridge Street District (BSD) requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, but remain consistent with the intent of this chapter.
- (b) The AD shall not convey special rights or other approvals that would not otherwise result from a decision under this code.

(2) Administrative Departure Defined. An Administrative Departure (AD) shall be limited to any modification of no greater than 10% to a numeric

zoning standard related to building dimensions, lot dimensions or coverage, open space, landscaping, parking, fencing, walls, screening, or exterior lighting.

(3) Review Procedure.

- (a) An application for an Administrative Departure (AD) shall be made in accordance with the provisions of divisions (H)(4) and (M)(1) of this section.
- (b) The Administrative Review Team (ART) shall be the required reviewing body for administrative departures.
- (c) A request for an AD may be submitted with an application for a Preliminary Development Plan (PDP), Final Development Plan (FDP) or Minor Project (MP), or at any time after those applications have been submitted.
- (d) A request for an AD may be processed simultaneously with a preliminary or final development plan or a minor project to which it relates.
- (e) The Director shall make a recommendation to the ART for approval, approval with conditions, or denial of the AD under the criteria of division (H)(5). The Director's recommendation shall be provided prior to the respective public hearing.
- (f) The ART shall determine whether each requested AD is approved, approved with conditions, or denied. A written record of the ART's decision will be provided. Decisions relative to an approved Final Development Plan (FDP) shall be reported to the Planning and Zoning Commission (PZC).
- (g) Should the ART find that the request does not meet the criteria for an AD, the applicant may request a Waiver under the provisions of division (I) of this section or submit a new application for a FDP or MP.

(4) Submittal Requirements. It is the intent of these regulations that an application for an Administrative Departure (AD) provides sufficient information to ensure general conformity to the applicable provisions of this code. The information should be sufficiently detailed to enable the required reviewing body to understand the existing site, proposed Preliminary Development Plan (PDP), Final Development Plan (FDP) or Minor Project (MP), and the related AD request for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

(5) Review Criteria. The Administrative Review Team (ART) shall make its decision on the requested Administrative Departure (AD) based on the

following criteria:

- (a) The need for the AD is caused by unique site conditions, conditions on surrounding properties, and/or otherwise complies with the spirit and intent of the Community Plan, Bridge Street District Special Area Plan, Bridge Street District Design Guidelines, and other adopted City plans, all applicable requirements within §§153.057 through 153.066;
- (b) The AD is not being requested simply to reduce cost or as a matter of general convenience;
- (c) The AD does not have the effect of authorizing any use, sign, building type, or open space type that is not otherwise permitted in that BSD district; and
- (d) The AD, if approved, will ensure that the development is of equal or greater development quality with respect to design, materials, or other development features than without the AD.

(I) Waiver.

- (1) Purpose and Applicability.** Under the provisions of this section, Waivers are a process to allow deviations from specific code requirements that may only be granted by the required reviewing body.
- (2) Waivers Defined.** A Waiver is defined as a request for a deviation from a requirement of §§153.059 through 153.065, which do not otherwise qualify for an Administrative Departure (AD) under the provisions of division (H) of this section.
- (3) Review Procedure.**
 - (a) An application for a Waiver shall be made in accordance with the provisions of divisions (I)(4) and (M)(1) of this section.
 - (b) The request may be submitted with any application for a Preliminary Development Plan (PDP), Final Development Plan (FDP) or Minor Project (MP).
 - (c) The Director shall make a recommendation to the Planning and Zoning Commission (PZC) for approval, approval with conditions, or denial of the Waiver under the criteria of division (I)(5). Additional Waivers determined by the Director during his/her review, may be included for review by the PZC. The Director's recommendation shall be provided prior to the respective hearing.
 - (d) The PZC shall review the requested Waivers using the criteria of division (5) of this section. Should other Waivers be necessary to resolve conflicts with other requirements of this chapter resulting from the requested Waivers, those Waivers shall also be reviewed by PZC.

- (e) The PZC shall approve, approve with conditions, or deny the Waiver request(s). A written record of the Commission's decision will be provided.

(4) Submittal Requirements. It is the intent of these regulations that an application for a Waiver provides sufficient information to ensure general conformity to the applicable provisions of this code. The information should be sufficiently detailed to enable the Planning and Zoning Commission (PZC) to understand the existing site, proposed Preliminary Development Plan (PDP), Final Development Plan (FDP) or Minor Project (MP), and the related Waiver request for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined (M)(1) and determined by the Director.

(5) Review Criteria. The Planning and Zoning Commission (PZC) shall make its decision on an application for a proposed Waiver based on all of the following criteria and with consideration to the recommendation of the Director:

- (a) The need for the Waiver is caused by unique site conditions, the use of or conditions on the property or surrounding properties, or other circumstance outside the control of the owner/lessee, including easements and rights-of-way;
- (b) The Waiver, if approved, will generally meet the spirit and intent of the Community Plan, Bridge Street District (BSD) Special Area Plan, BSD Design Guidelines, other adopted City plans, and all applicable requirements in §§153.057 through 153.066;
- (c) The Waiver is not being requested solely to reduce cost or as a matter of general convenience;
- (d) The Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, or other similar development features than without the Waiver;
- (e) The requested Waiver is better be addressed through the Waiver rather than an amendment to the requirements of this chapter; and
- (f) The Waiver does not have the effect of authorizing any use or open space type that is not otherwise permitted in that BSD district.

(J) Master Sign Plan.

(1) Purpose and Applicability.

- (a) The purpose of the Master Sign Plan (MSP) is to define the scope, character, and aesthetic quality of signs and sign regulations for an individual tenant, multi-tenant building, or multi-building

development; while allowing an additional degree of flexibility and creativity in sign design and display.

- (b) The MSP review is intended to confirm the proposed sign design or comprehensive sign plan is consistent with the development context, architectural character, and the Bridge Street District (BSD) Design Guidelines. MSPs are not intended to permit larger or more visible signs, and are not intended to permit a greater number of signs without consideration of the BSD Design Guidelines.
- (c) The MSP allows the Planning and Zoning Commission (PZC) the means to evaluate the proposal for its consistency with §153.057 through §153.066, the Community Plan, the BSD Special Area Plan, BSD Design Guidelines, and other adopted City plans, and the review criteria, and to consider the proposal within the context of existing and planned development within the vicinity of the project boundary.
- (d) The MSP is not a mandatory review requirement, except a MSP shall be required for projects meeting any one of the following criteria:
 - 1. Proposals in excess of 50,000 square feet of gross floor area, whether new construction or an expansion to an existing building;
 - 2. Proposals involving five acres or more of development area; or
 - 3. As otherwise required by the Planning Director.

(2) Review Procedure.

- (a) An application for a Master Sign Plan (MSP) shall be submitted in accordance with the provisions of divisions (J)(3) and M(1) of this chapter.
- (b) The Planning and Zoning Commission (PZC) shall be the required reviewing body for MSPs in the Bridge Street District (BSD).
- (c) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the MSP application under the criteria of division (J)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.
- (d) The PZC shall review the MSP application and the recommendation of the Director, and render its decision based on the criteria of division (J)(4) for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.
- (e) The applicant may request additional review meetings with the PZC.

(3) Submittal Requirements. It is the intent of these regulations that the Master Sign Plan (MSP) shall indicate general information, sign design standards, and the area of applicability. Information submitted should be comprehensive enough to enable the required reviewing body to understand the existing site and design concept for the proposed MSP. The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.

(4) Review Criteria. The Planning and Zoning Commission (PZC) shall render its feedback on an application for a Master Sign Plan (MSP) based on each of the following criteria and the recommendation of the Director.

- (a) The MSP is consistent with the Community Plan, Bridge Street District (BSD) Special Area Plan, BSD Design Guidelines, and other adopted City plans;
- (b) The proposed signs are appropriately sited and scaled to create a cohesive character that complements the surrounding environment and meets the intent of the architectural requirements of §153.062 Building Types;
- (c) The proposed signs are not in conflict with public streets, open spaces, utilities, or rights-of-way, and do not impede the continued provision of services required by the City or other public agency;
- (d) The MSP responds to the requirements of §153.063 Neighborhood Standards, as applicable; and
- (e) The MSP addresses consistency with the recommendations, principles, and intent of all applicable design guidelines for signs in the BSD.

(K) Administrative Approval.

(1) Purpose and Applicability.

- (a) The Director may authorize an Administrative Approval (AA) to an approved Final Development Plan (FDP) or Minor Project (MP) that is required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that are necessary to ensure orderly and efficient development.
- (b) Any approved AA must be consistent with the related approved FDP or MP.
- (c) The Director may also authorize an AA to existing structures and associated site improvements that are necessary to complete ordinary maintenance, refurbishment, or Zoning Code compliance.

(2) Minor Modifications Defined. The following are considered Administrative Approvals (AA):

- (a) Adjustments to lot lines;
- (b) Adjustments to the location and layout of parking lots;
- (c) Adjustments to buildings up to 10% in total floor area of the originally approved building, building height(s), or floor plan as it impacts the exterior of the building;
- (d) Substitution of landscaping materials specified in the landscape plan;
- (e) Redesigning and/or relocating stormwater management facilities;
- (f) Relocating fencing, walls, or screening (not including screening walls);
- (g) Modifications to sign location, sign face, and related landscaping and lighting;
- (h) Changes in any building material or color;
- (i) Changes required by outside agencies such as county, state, or federal departments; and/or
- (j) Other modifications deemed appropriate by the Director that do not alter the basic design or any specific conditions imposed as part of the original approval.

(3) Review Procedure.

- (a) An application for an Administrative Approvals (AA) shall be made in accordance with the provisions of divisions (K)(4) and (M)(1) of this section.
- (b) The Director shall be the required reviewing body for applications for an AA.
- (c) The Director shall review the request after receiving a complete application and make a decision to approve, approve with conditions or deny an AA application under the criteria of division (K)(5) of this section. The Director's decision shall be provided to the applicant in writing.
- (d) If denied, or approved with conditions, the applicant shall be given the opportunity to revise the request in response to the Director's comments and resubmit for further consideration.
- (e) Requests not meeting the requirements for an AA shall require the filing and approval of a new application for a Final Development Plan (FDP), Minor Project (MP) or other application, as applicable, in accordance with this section.

(4) Submittal Requirements. It is the intent of these regulations that an application for an Administrative Approval (AA) provides sufficient information to ensure general conformity to the applicable provisions of this code. The information should be sufficiently detailed to enable the Director to understand the existing site and the AA request for the proposed project or a portion thereof. The applicant shall submit an

application and supplemental materials as outlined (M)(1) and determined by the Director.

- (5) Review Criteria.** The Director shall make his or her decision on an application for a proposed Administrative Approval (AA) based on all of the following criteria:
- (a) Adjustments to lot lines do not create additional lots, required setbacks and/or RBZs are maintained, and the boundaries to any approved development plan or minor project are not altered;
 - (b) Adjustments to the location and layout of parking lots maintain the perimeter setbacks, yards and buffers, and required parking;
 - (c) Adjustments for buildings do not alter the character or the use of the originally approved building, building height(s), or floor plans;
 - (d) Substitution of landscaping materials shall be of an equal or greater size than the approved materials;
 - (e) Redesigned and/or relocated stormwater management facilities shall maintain the approved general character of said facilities and the approved stormwater capacities;
 - (f) Relocating fencing, walls, or screening (not including screening walls) shall maintain the same level and quality of materials and screening;
 - (g) Modifications to sign location, sign face, and related landscaping and lighting, shall maintain the approved general sign design, number of signs, and dimensional requirements;
 - (h) Changes in building material shall be similar to and have the same general appearance comparable to or of a higher quality as the previously approved material;
 - (i) Changes in color shall be complimentary to the architectural design and character of the building;
 - (j) The modification is not being requested solely to reduce cost or as a matter of general convenience;
 - (k) The requested modification would better be addressed through the modification rather than an amendment to the requirements of this chapter; and
 - (l) For development plans, the other development plan elements not affected by the AA will be generally consistent with §153.060(A) and §153.061(A).

(L) Other Applicable Approvals.

- (1) Open Space Fee in Lieu.** After a recommendation from the Director in consultation with the Director of Parks and Recreation, the Planning and Zoning Commission (PZC) shall determine whether a request for a payment of a fee in lieu of open space dedication may be approved, as

provided in §153.064(D) and (E).

- (2) **Conditional Uses.** The Conditional Use approval procedures in §153.236 shall apply in the Bridge Street District (BSD) districts. A recommendation from the Director shall be submitted for consideration by the Planning and Zoning Commission (PZC).
- (3) **Zoning Map or Text Amendment.** The amendment procedures of §153.234 shall apply in the Bridge Street District (BSD) districts. In addition, a recommendation from the Director shall be submitted for consideration by the Planning and Zoning Commission (PZC) and City Council.
- (4) **Preliminary and Final Plats.** Reviews of Preliminary and Final Plats shall be governed by Chapter 152 of the Dublin Code of Ordinances.
- (5) **Special Permit.** The Special Permit procedures in §153.231(G) shall apply in the Bridge Street District (BSD) districts.
- (6) **Zoning Variance.** The Zoning Variance procedures in §153.231(H) shall apply in the Bridge Street District (BSD) districts. In addition, a recommendation from the Director shall be submitted for consideration by the Board of Zoning Appeals, and for City Council in the instance of a use variance.
- (7) **Public Tree Permit.** The Tree Permit requirements of §153.134(G) shall apply in the Bridge Street District (BSD) districts.
- (8) **Master Sign Plan.** The Planning and Zoning Commission (PZC) is the required reviewing body for all Master Sign Plans (MSP) in the Bridge Street District (BSD) districts, as provided in § 153.065(J). A recommendation from the Director shall be submitted to the PZC for consideration.

(M) General Provisions.

- (1) **Applications.**
 - (a) Each application required by this section shall be made in writing on a form provided by the City and shall be accompanied by the fee as established by City Council.
 - (b) Applications shall include all information required by the City, unless deemed unnecessary by the Director based on the nature and scale of the proposed development. No application shall be accepted and processed by the City until it is deemed complete by

the Director. If found to be incomplete, the Director shall inform the applicant of any additional materials required to certify that said application is complete.

- (c) After acceptance of a complete application, the Director and/or required reviewing body may request additional materials if deemed necessary to evaluate the proposal.
- (d) No application for a Final Development Plan (FDP) that has been denied by the Planning and Zoning Commission (PZC) shall be resubmitted for a period of one year from the date of the decision, unless permitted by the Director after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.
- (e) The Director may approve the simultaneous review of applications required by this Chapter and/or a subdivision plat required by the Code, if the Director determines that simultaneous review will not adversely impact the achievement of the purpose and intent of this Chapter.
- (f) Where public reviews are required by this Chapter, a written notice of the public meeting shall be sent, not less than ten days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.

(2) Decisions.

- (a) Any application required to be reviewed under this section shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in this section and other applicable provisions of this chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision.
- (b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in this section and other applicable provisions of this chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications.
- (c) Following the approval of a Final Development Plan (FDP) or Minor

Project (MP), the applicant may proceed with the process for obtaining a Certificate of Zoning Plan Approval (CZPA) and Building Permit, consistent with the approval as granted. All construction and development under any Building Permit (BP) shall comply with the approved FDP and MP, and any other approval, as applicable.

- (3) Certificate of Zoning Plan Approval.** A Certificate of Zoning Plan Approval (CZPA) issued by the Director verifying compliance with all applicable zoning requirements is required prior to modification, extension, or alteration of sites and structures, and/or change of use in Bridge Street District (BSD).
- (4) Code Administration.** The Planning and Zoning Commission (PZC) may evaluate and monitor the application of the requirements and standards of §§153.057 through 153.066 by the Director. The PZC may advise the Director as to whether it finds that the requirements or standards (including requests for administrative departures) are being applied correctly, and recommend to City Council any changes needed in the Bridge Street District (BSD) standards and requirements to better implement the Community Plan, BSD Special Area Plan, and the BSD Design Guidelines.
- (5) Duration of Approvals.**

 - (a) An application shall be filed for Preliminary Development Plan (PDP) within one year following the approval of the Concept Plan (CP). If a PDP application is not filed within this period, a new CP shall be required in accordance with the requirements of division (D) of this section.
 - (b) All Final Development Plan (FDP) and Minor Project (MP) approvals made pursuant to this section shall be valid for a period of two years. If an initial Building Permit (BP) and/or Certificate of Zoning Plan Approval (CZPA) for the approved development has not been issued within that two-year period, the applicant shall be required to apply for a new FDP or MP, as applicable, pursuant to this section before obtaining a BP.
 - (c) Abandonment.

 - 1. Once a final approval is granted by the required reviewing body, if significant construction is not started within two years and meaningfully continued, or the Director of Building Standards determines that work has been abandoned for a continuous period of six months, the approval shall lapse and cease to be in effect.
 - 2. The Director of Building Standards shall make the determination of abandonment based on the presence of

one or more of the following conditions:

- a. Removal of construction equipment or supplies;
 - b. Expiration of an active building permit issued by the City;
 - c. Evidence of a failure to maintain the property, such as overgrown weeds, failure to secure buildings, broken windows, or other evidence of lack of maintenance;
 - d. Other actions documented by the Director of Building Standards and/or Director of Planning evidencing an intent to abandon the construction of the project.
3. Once the Director of Building Standards makes a determination of abandonment, if a new Bridge Street District (BSD) application is not submitted within 90 days from the date of the determination, the owner shall restore the site to its previous condition, and/or remove any structures or other evidence of work on the site, within 180 days from the date of the determination of abandonment. If the owner fails to restore the site to its previous condition within 180 days, the City may take any and all actions necessary to restore the site to its previous condition, including removing any structures or other evidence of work, and the costs of removal shall be assessed against the property.

(7) Appeals. The provisions of § 153.231 (F) shall apply.

(Ord. 07-12, passed 3-26-12; Am. Ord. 84-13, passed 11-4-13; Am. Ord. 114- 14, passed 12-8-14)