

## ARCHITECTURAL REVIEW

### § 153.170 HISTORIC DISTRICTS APPLICABILITY.

(A) The regulations contained within this chapter apply to all properties within the boundaries of Historic Dublin, as identified on Appendix F, as well as designated outlying historic properties as specified in Appendix G of the City of Dublin's Zoning Code, and amendments or additions as approved by City Council. All properties located within these designated areas require approval by the Architectural Review Board (ARB) for certain activities related to renovation, rehabilitation, new construction, or demolition as provided in this chapter. The purpose and duties of the ARB are contained in § 153.175.

(B) The designated properties are subject to the regulations of the zoning district in which they are located. Historic Dublin contains the city's four Historic Zoning Districts but may also contain properties that have other zoning designations. The regulations for the Historic Zoning Districts are contained within this subchapter.

(C) The Historic Design Guidelines also apply to all properties within Historic Dublin and properties identified on Appendix G. The Guidelines supplement the review standards contained within the City of Dublin's Zoning Code and will guide the ARB in determining requests for approvals. While the Guidelines are not zoning regulations, they are critical to interpreting the intent of these regulations and should be used in unison with them. The Guidelines provide additional detail and explanation of the regulations and provide important guidance in applying the regulations. The Guidelines are critically important in ARB's consideration of conditions of approval as authorized in § 153.176.

(Ord. 03-21, passed 2-22-21)

### § 153.171 HISTORIC ZONING DISTRICTS PURPOSE AND INTENT.

(A) *Purpose.* The following Historic Zoning Districts are hereby created to promote the preservation and maintenance of the city's historic sites and landmarks and to ensure compatibility and consistency of new development proposals with applicable Zoning Code provisions, the Historic Design Guidelines, and the historic context of the districts.

(B) *Intent.* The titles of each zoning district are intended to describe the predominant land use character and/or special geographic locations rather than a single type of use within Historic Dublin. The following further describes the intent of each of the Historic Zoning Districts.

(1) *Historic Core.* This district applies to the historic center of Dublin. The district focuses on ensuring sensitive infill development and providing an improved environment for walking while accommodating vehicles.

(2) *Historic South.* This district applies to the smaller, cottage-scale buildings on the southern end of South High Street in the historic core of Dublin. The district focuses on ensuring sensitive infill development and redevelopment and providing an improved environment for walking while accommodating vehicles.

(3) *Historic Residential.* The district applies to the residential area of Historic Dublin and encourages the preservation and development of homes on existing or new lots that are comparable in size, mass, and scale, while maintaining and promoting the traditional residential character of the Historic Dublin area.

(4) *Historic Public.* This district applies to a variety of public spaces and facilities, including but not limited to schools, cemeteries, parks, open spaces, and places for recreation.

(Ord. 03-21, passed 2-22-21)

### § 153.172 USES.

(A) *Intent.* This section establishes the desired uses for land and buildings in each of the four Historic Zoning Districts. This is achieved through the variety of permitted, conditional, accessory, and temporary uses allowed in each district. In some cases, special siting and size limitations to establish the desired development character apply.

(B) *General provisions.*

(1) Permitted and conditional uses available in each of the Historic Zoning Districts are shown in Table 153.172A. Permitted and conditional uses may be restricted by location, size, period of operation, or other use-specific standards as designated herein and within the Historic Design Guidelines.

(2) *Table 153.172A – Explanation of Terms.*

(a) Listed uses are defined in §153.002: Definitions.

(b) A "P" in a cell indicates a use that is permitted by right in that zoning district, subject to compliance with any use specific standards referenced in Table 153.172A and the applicable provisions herein.

(c) A "C" in a cell indicates a use that is allowed in that zoning district only upon approval of a conditional use as described in § 153.236 and compliance with any use specific standards referenced in Table 153.172A and the applicable provisions herein.

(d) A "S" in a cell indicates a use that is allowed in that zoning district only if limited in size, subject to compliance with any use specific standards referenced in Table 153.172A and the applicable provisions herein.

(e) A "T" in a cell indicates a use that is allowed in that zoning district for a limited period of time pursuant to a permit

from the city, subject to compliance with any use specific standards referenced in Table 153.172A and the applicable provisions herein.

(f) A blank cell indicates that the use is prohibited in that district.

(3) *Use specific standards.* Additional standards may apply to either permitted or conditional uses in the Historic Zoning Districts. These additional standards are cross referenced in the last column of Table 153.172A .

(4) *Existing uses.*

(a) All permitted or conditional uses under the zoning applicable to a property immediately prior to its rezoning into a Historic Zoning District shall continue to be allowed as permitted or conditional uses on the property, including any expansions of uses or structures as permitted by this chapter, in addition to the permitted and conditional use under the applicable Historic District, provided at least one of the permitted or conditional uses under the prior zoning has been operated continuously in an existing structure and/or associated use area on the property within the 12 months prior to the rezoning of the property into the Historic Zoning District.

(b) Once a use that complies with the Historic Zoning District is established on a lot or parcel, no non-Historic Zoning District use permitted in the prior zoning district may be reestablished. For multiple tenant buildings in existing districts, no non-Historic Zoning District use permitted in the prior zoning district may be reestablished after the entire multiple tenant building is abandoned or all tenant spaces have established uses that comply with those listed for the applicable Historic Zoning District.

(5) *Similar use determination.*

(a) When a proposed land use is not explicitly listed in Table 153.172A, the Director shall determine whether it is reasonably included in the definition of a listed use, or that the proposed use meets the following criteria to the extent that it should be treated as a permitted or conditional use in the district.

1. The use is not specifically listed in any of the Historic Zoning Districts.
2. The use is generally consistent with the intent of the Historic Zoning Districts and this chapter.
3. The use will not materially impair the present or potential use of other properties within the same district or bordering districts.
4. The use has no greater potential impact on surrounding properties than those listed in the district in terms of aesthetics, traffic generation, noise, potential nuisances, and other impacts related to health, safety, and welfare.
5. The use will not adversely affect the relevant elements of the Community Plan, the Historic Design Guidelines, and any other relevant plans or documents.

(b) The Director's written determination shall be provided to the applicant and may be appealed to the Architectural Review Board.

(6) *Principal uses.* Any property is permitted any combination of principal uses in accordance with the requirements of this section and other applicable provision of this section.

(7) *Accessory uses.*

(a) Accessory uses are permitted only in connection with a permitted or approved conditional use on the same property and must be clearly subordinate and incidental to that use.

(b) Temporary uses are governed by time limits as provided by this code.

(c) Any principal use listed in a zoning district in Table 153.172A shall be permitted as an accessory use in the same zoning district.

(8) *Use table.*

<b>TABLE 153.172A: HISTORIC ZONING DISTRICT - USE TABLE</b>					
P=Permitted C=Conditional S=Size Limited T=Time Limited	Historic Core (HC)	Historic South (HS)	Historic Residential (HR)	Historic Public (HP)	Use Specific Standards
<b>TABLE 153.172A: HISTORIC ZONING DISTRICT - USE TABLE</b>					
P=Permitted C=Conditional S=Size Limited T=Time Limited	Historic Core (HC)	Historic South (HS)	Historic Residential (HR)	Historic Public (HP)	Use Specific Standards
<b>Residential Permitted Uses</b>					

Dwelling, Single Family		P	P		YES
Dwelling, Live-Work	P	P			YES
Dwelling, Two-Family	P	P			
<b>Civic/Public/Institutional Permitted Uses</b>					
Cemetery				P	
Community Garden	P	P	P	P	YES
Day Care, Adult and Child	P	P			YES
Educational Facility	P	P		P	
Elementary or Middle School				P	
Government Services, Safety				P	
<b>Civic/Public/Institutional Permitted Uses</b>					
High School				P	
Library, Museum, Gallery	P	P		P	YES
Municipal Parking Lot	P	P		P	
Religious or Public Assembly	C/S	C/S		C/S	YES
Parks and Open Space	P	P	P	P	
Transportation, Park & Ride				C	
Transportation, Transit Station				C	
<b>Commercial Permitted Uses</b>					
Animal Care, General Services, Veterinary Offices, and Veterinary Urgent Care and Animal Hospitals	P	P			YES
Artisan Production	P	P			
Bank	P	P			
Bed and Breakfast	P	P			YES
Conference Center	P/S				YES
Eating and Drinking	P	P		P	YES
Entertainment/Recreation, Indoor	C	C		C	YES
Office, General	P	P			
Office, Medical	P	P			
Parking, Structure	C			C	
Parking, Surface Lot	C				YES
Personal Repair, & Rental Services	P/S/C	P/S/C			YES
<b>Commercial Permitted Uses</b>					
Research & Development	P	P			
Retail, General	P/S/C	P/S/C			YES
Wireless Communications					Refer to Chapter 99
<b>Accessory and Temporary Permitted Uses</b>					
ATM, Walk-Up	P	P			
Bicycle Facilities	P	P	P	P	
Community Activity and Special Event	T	T	T	T	YES
Construction Trailer/Office	T			T	YES
Day Care, Adult or Child	P	P	P	P	YES
Dwelling, Accessory	P	P	P		YES
Dwelling Administration, Rental, or Sales Office	P	P			YES
Eating & Drinking	P	P/S/C			
Essential Utility Services	P	P	P	P	
Exercise and Fitness	P	P	P	P	

Farmers Market	P	P		P	
Food Trucks	T	T	T	T	YES
Home Occupation	P	P	P		YES
Outdoor Dining and Seating	P	P		P	YES
Outdoor Display or Seasonal Sales	T	T		T	YES
<b>Accessory and Temporary Permitted Uses</b>					
Parking, Structure	C			C	
Parking, Surface Lot	P	P		P	
Renewable Energy Equipment	P	P	P	P	YES
Residential Model Home	T	T			
Retail or Personal Services	P	P			
Swimming Pool		P	P	P	YES
Transportation, Transit Stop	P	P		P	
Vehicle Charging Station	P	P		P	YES
Wireless Communications					Refer to Chapter 99

(C) *Use specific standards.*

(1) *Residential uses.*

(a) *Dwelling, single-family.*

1. Single-family detached dwellings shall have no more than one principal building and its permitted accessory structures located on each lot.

2. Single-family dwellings in the Historic Residential (HR) District shall meet the requirements of §153.173.

(b) *Dwelling, live-work.*

1. No more than two non-resident employees are permitted in addition to the resident(s) of the dwelling.

2. The non-residential use must be operated by a resident of the live-work dwelling unit.

3. Signs are permitted in accordance with § 153.173(M).

(2) *Civic/public/institutional uses.*

(a) *Community garden.*

1. Incidental sales of items grown on the premises are permitted. Areas used for sales shall be located at least ten feet from the edge of the pavement of any street. Parking shall be located off-street or in permitted on-street locations.

2. Refuse and compost bins must be constructed to be rodent-resistant and located as far as practicable from abutting residential uses. Refuse must be removed from the site at least once a week.

3. No outdoor work activity that involves power equipment or generators may occur after 9:00 p.m. or prior to 7:00 a.m.

4. One accessory building, not exceeding 100 square feet in gross floor area, may be permitted, provided the location meets all setback requirements applicable to accessory buildings as provided in § 153.074.

(b) *Day care, adult and child.*

1. The use shall at all times comply with the requirements of R.C. Chapter 5104.

2. Outdoor recreation areas shall be located to the side or rear of the principal structure and be enclosed with a permitted fence. The outdoor recreation area shall be screened using fencing and/or landscaping to provide a minimum 50% opaque screen.

3. All outdoor play equipment and shade structures visible from the right-of-way or surrounding properties shall use subdued, earth tone colors.

(c) *Library, museum, gallery.* Incidental sales of refreshments and items related to exhibits or activities at the facility are permitted.

(d) *Religious or public assembly.* Religious or public assembly structures shall be limited to no more than 100,000 square feet of gross floor area, not including associated parking structures.

(3) *Commercial uses.*

(a) Animal care, general services, veterinary offices, and veterinary urgent care, and animal hospitals. All activities shall be conducted indoors. No outdoor animal exercise or activity areas shall be permitted.

(b) *Bed and breakfast.*

1. The property owner shall reside on the property and/or manage the facility. No more than eight guest units are permitted.

2. Guest accommodations are limited to short-term stays of no more than 14 days.

(c) *Conference center.*

1. A one-half acre minimum site size.

2. A 3,000-square foot maximum building size.

3. All parking must be provided on-site.

4. An access management plan demonstrating the ability of the site to accommodate vehicular traffic during peak periods must be approved by the Architectural Review Board.

5. Ground-story, street-facing transparency shall be a minimum of 40%.

(d) *Eating and drinking.*

1. Eating and drinking facilities shall be limited to no more than 3,500 square feet of gross floor area in the Historic Core and Historic South Districts, unless otherwise approved by the Architectural Review Board.

2. Deliveries and refuse (such as but not limited to grease traps, recycling, and trash) pick-up in the Historic South District shall be limited to between the hours of 8:00 a.m. local time and 5:00 p.m. local time.

(e) *Entertainment/recreation, indoor.*

1. Indoor entertainment or recreation uses in the Historic Public District must be owned and operated by either a public or non-profit organization and may not exceed 20,000 square feet of gross floor area unless otherwise approved by the Architectural Review Board.

2. Indoor entertainment or recreation uses in the Historic Core and Historic South Districts may not exceed 3,000 square feet of gross floor area unless otherwise approved by the Architectural Review Board.

(f) *Parking, surface lot.*

1. All surface parking lots shall meet the surface parking lot design requirements of §153.173(F).

2. When constructed as a principal use, surface parking lots shall not have frontage on or have direct access to West Bridge Street or High Street unless permitted by the City Engineer.

(g) *Personal repair, and rental services.*

1. Personal, repair, and rental service establishments shall be limited to no more than 5,000 square feet for single tenant buildings or for multi-tenant buildings in the Historic Core and Historic South Districts, unless otherwise permitted as a conditional use.

(h) *Retail, general.* To avoid large, single tenant uses that detract from the urban, walkable intent of the Historic Districts, general retail uses in the Historic Core and Historic South Districts shall be limited to no more than 5,000 square feet of gross floor area, unless otherwise approved by the Architectural Review Board.

(4) *Accessory and temporary uses.*

(a) *Community activity and special event.*

1. The site of the activity or event shall be adequately served by utilities and sanitary facilities.

2. The activity or event shall not become a safety hazard or public disturbance and shall not cause substantial adverse impacts on surrounding properties or land uses by creating excessive noise, glare, heat, dust, odors, or pollutants as determined by the Chief Building Official, Fire Marshall, and/or Police Chief.

3. A permit shall be obtained for the community activity or special event from the City of Dublin Events Administration.

(b) *Construction trailer/office.* Construction trailers and/or offices shall comply with the setbacks applicable to principal structures on the property, but are not required to comply with street frontage requirements for building types. Construction trailers and/or offices shall comply with the provision of § 153.097.

(c) *Day care, adult or child.*

1. The use shall at all times comply with the requirements of R.C. Chapter 5104.

2. Outdoor recreation areas shall be located to the side or rear of the principal structure and be enclosed with a permitted fence. The outdoor recreation area shall be screened using fencing and/or landscaping to provide a minimum 50% opaque screen.

3. All outdoor play equipment and shade structures visible from the right-of-way or surrounding properties shall use subdued, earth toned colors.

4. Adult and/or child day care uses are prohibited in civic building types as the sole principal use.

(d) *Dwelling, accessory.* An accessory dwelling located in a single-family dwelling must comply with the following standards:

1. No more than one accessory dwelling unit is permitted on a lot with a single-family dwelling.

2. An accessory dwelling unit shall be limited to no more than 800 square feet of gross floor area.

3. When accessory to a single-family dwelling, the accessory dwelling unit may be located either within the single-family dwelling structure or in a permitted accessory structure.

4. When accessory to a single-family dwelling, the accessory dwelling unit shall have a separate entrance from the principal dwelling unit, and that entrance shall not face the front lot line and shall not be located on the same building façade as the principal building entrance closest to the street.

5. The owner of the dwelling must occupy either the principal dwelling unit or the permitted accessory dwelling unit.

6. Ownership of the accessory dwelling unit may not be separate from the ownership of the principal dwelling unit.

(e) *Dwelling administration, rental, or sales office.* These uses shall comply with the provisions of §153.073(B) and setbacks applicable to principal structures on the property.

(f) *Food trucks.*

1. Each food truck shall maintain all valid licenses required by the city, county or state for operation of a business including but not limited to all applicable licenses for a food service business.

2. Each food truck intended to be moved by a motorized vehicle shall maintain a valid registration within the most recent 12-month period.

3. For property with a residential primary use, food trucks may operate on a property for no more than six hours per calendar month, and in no case may be stored on a property outside an enclosed structure. No food truck shall operate before 8:00 a.m. or after 10:00 p.m.

4. For a property with a non-residential primary use, mixed-use, or a vacant commercial parcel, may not operate on a property for more than 14 calendar days per month, and no food truck shall operate before 6:00 a.m. or after 10:00 p.m.

5. Food trucks located within the right-of-way shall be subject to the City of Dublin Police regulations and enforcement.

6. Each food truck shall provide a trash receptacle near the food truck, shall prevent the accumulation of litter or containers from the food truck within 50 feet of the food truck, and shall remove and empty the trash receptacle in a permitted location when the food truck ends sales for the day.

7. Food trucks shall not impede safe site circulation, as determined by the City Engineer.

8. Food trucks shall not use speakers or audio amplification. All associated equipment shall be contained within or on the food truck.

(g) *Home occupations.* All home occupations in the Historic Districts shall comply with the provisions of §153.073.

(h) *Outdoor dining and seating.*

1. Outdoor dining and seating areas, furniture, and enclosures shall be set back at least five feet from the curb and at least five feet from all street trees and street furniture. In no case shall these amenities be placed in a manner that would provide less than six feet of clear area for pedestrian use.

2. The use of outdoor speakers shall comply with the provisions of §132.03(A)(6) of the Dublin City Code.

3. Advertising is not permitted on dining furniture, accessories, or other similar amenities.

4. Dining furniture shall be of the same design, material and color for all furniture associated with the use. When not in regular use, outdoor furniture shall be stored in a location that is not visible to the public, unless the patio furniture is all-weather material, set up for use and not covered in any way, and weather conditions make the use of furniture possible.

5. Any speaker emitting music or sound shall be oriented to direct the sound away from all surrounding properties, parks, and open spaces.

6. Any speaker emitting music or sound shall not operate between the hours of 11:00 p.m. and 8:00 a.m., unless otherwise approved by the Architectural Review Board.

(i) *Outdoor display or seasonal sales.*

1. Outdoor seasonal plant display shall comply with the provisions of §153.099.
2. Outdoor sale of merchandise is permitted, and shall comply with the provisions of §153.099. Merchandise shall only be displayed during the hours of operation for the principal use. No permit is required.
3. Outdoor sales of Christmas trees and pumpkins shall comply with the provisions of Chapter 116 of the Dublin City Code.

(j) *Renewable energy equipment.*

1. In the Historic Zoning districts, only equipment for the collection of solar and geothermal energy is permitted.
2. Ground-mounted equipment shall adhere to the following requirements:
  - a. The collection of geothermal energy is permitted only to the rear of and within five feet of the principal structure.
  - b. Ground-mounted equipment for the collection of solar energy is permitted to the side or rear of the principal structure, but not within five feet of a side or rear property line.
  - c. Ground-mounted renewable energy equipment shall be sited to minimize view from the public right-of-way and surrounding properties and shall be camouflaged to the extent that the equipment can function normally.
3. Roof-top and building-mounted equipment shall adhere to the following requirements:
  - a. Rooftop equipment for the collection of solar energy is permitted provided it extends no more than 18 inches beyond the maximum permitted height of the principal structure.
  - b. Building-mounted renewable energy equipment shall be integrated into the architectural character of the principal structure.

(k) *Residential model home.* Residential model homes shall comply with the provisions of §153.073(B).

(l) *Swimming pool.* Residential swimming pools are permitted in accordance with §153.074(C).

(m) *Vehicular charging stations.*

1. The vehicle charging stations shall be integrated into a permitted or accessory structure, and shall avoid the addition of freestanding structures and equipment to the maximum extent practicable.
2. Any sign or advertising located on the vehicle charging station or related structures shall be permitted a one-square-foot sign. Additional sign area above the one-square-foot will be counted towards the sign allowance for that type of sign applicable to the primary structure on that lot.

(Ord. 03-21, passed 2-22-21)

**§ 153.173 SITE DEVELOPMENT STANDARDS.**

(A) *Intent.* The intent of the Historic Zoning Districts is to foster appropriate development standards that preserve the historic character of the area, emphasizing traditional development patterns and pedestrian-oriented design. The standards encourage design of a comparable size, scale, and mass to the existing development and character.

(B) *Applicability.* The standards set forth in this chapter establish the regulation for the arrangement and development of land and structures within the Historic Zoning Districts. These standards should be applied in connection with the guidelines and in consideration of the physical context in which the subject property is located and shall be applied to all new development within the Historic Zoning Districts and the properties designated on Appendix G.

(C) *General development standards.* Table 153.173A outlines the general development regulations for land and structures within the Historic Zoning Districts. The ARB may grant waivers of these standards or place conditions of approval that exceed these standards based on consideration of the context and character of surrounding structures pursuant to the provisions in § 153.176.

<b>TABLE 153.173A: HISTORIC ZONING DISTRICTS - GENERAL DEVELOPMENT STANDARDS</b>				
<b>Development Standard</b>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential I (HR)</b>	<b>Historic Public (HP)</b>
<b>TABLE 153.173A: HISTORIC ZONING DISTRICTS - GENERAL DEVELOPMENT STANDARDS</b>				
<b>Development Standard</b>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential I (HR)</b>	<b>Historic Public (HP)</b>

Minimum Lot Size	21,000 SF	21,000 SF	8,700 SF	21,000 SF
Minimum Lot Width	60 feet	60 feet	60 feet	60 feet
Maximum Lot Coverage	85%	65%	45%	85%
Maximum Building Height (Refer to Building Height definition)	30 feet	24 feet, unless within 25 feet of the rear property line, then maximum height is 18 feet	24 feet	30 feet
Maximum Building Footprint	N/A	Not to exceed a total of 3,000 SF; No single building shall exceed 1,800 SF	25%	N/A
Front Yard Setback	0 feet	0 feet	See Table 153.173B	15 feet
Side Yard Setback	0 feet	3 feet	See Table 153.173B	10 feet
Rear Yard Building Setback	5 feet	25 feet	See Table 153.173B	20 feet
Rear Yard Pavement Setbacks	5 feet	5 feet	N/A	5 feet
Parking Location	Rear	Rear	See § 153.207	Side or Rear

(D) *Setbacks.*

- (1) Table 153.173B establishes the setback standards for properties within the Historic Residential Zoning District.
- (2) Front property lines.
  - (a) Only one front property line shall be required to be designated on a lot.
  - (b) The front yard setback shall be applied to the front lot line, which is designated as the lot line that the building fronts.
- (3) The ARB may grant waivers of these standards or place conditions of approval that exceed these standards based on consideration of the context and character of surrounding structures pursuant to the provisions in § 153.176.

**TABLE 153.173B: HISTORIC RESIDENTIAL DISTRICT - SETBACKS**

For Properties Fronting onto:	Minimum Front Setback	Minimum Side Yard Setback (ft)	Minimum Total Side Yards (ft)	Minimum Rear Yard Setback Primary Structure (ft)	Minimum Rear Yard Setback Detached Accessory Structures (ft)
Dublin Road	15	4	16		15
Franklin Street	25	4	12		25
High Street (north and south)	15	4	16		15
South Riverview Street (east side)	0	3	12		15



South Riverview Street (west side)	20	3	12	20% lot depth, not to exceed 50 feet	15
North Riverview Street (east side)	0	3	6		15
North Riverview Street (west side)	20	3	6		15
Short Street	20	3	12		15
Roads not otherwise noted above:	20	3	12		15

(E) *Location and scale of structures.*

(1) *Intent.* The intent of this section is to ensure the appropriate siting of primary structures, building additions, and accessory structures.

(2) *General provisions.*

- (a) Primary structures shall be sited to address the street to contribute to the walkable nature of the district.
- (b) Building additions to primary structures shall be subordinate and secondary to the original building.
- (c) Building additions shall be clearly separated from the original structure in design.
- (d) Accessory structures shall be located a minimum of 20 feet behind the front façade of the primary structure.
- (e) Accessory structures shall be subordinate in height than the primary structure; and, shall be subordinate to the primary structure in scale and size.

(3) *Attached garages.*

- (a) Front loaded garages shall be a minimum of 20 feet behind the front façade of the home.
- (b) Front loaded garages shall not exceed 35% of the linear distance of the front elevation of the home.
- (c) Front loaded garage door openings shall be 18 feet or less in distance.

(F) *Parking requirements.*

(1) *Intent.* The intent of this section is to ensure the provision of adequate vehicular and bicycle parking facilities within the Historic Zoning Districts for the use of occupants, employees, and patrons.

(2) *General provisions.*

- (a) Parking area shall be readily accessible by vehicles, bicycles, and pedestrians.
- (b) Required parking shall be provided either on-site, on-street, off-site, or in a parking structure or surface parking lot located within 600 feet of the subject parcel in which the parking lot or structure is located, unless approved by the required reviewing body.

(c) *Applicability to other regulations and guidelines:*

1. The provisions of § 153.207, Parking in Residential Districts, shall apply to development within the Historic Residential Zoning District.

2. All projects shall comply with the Historic Design Guidelines to the maximum extent practicable and consistent with the standards set forth in this chapter.

(3) *Parking location.*

(a) *On-site.*

1. Surface parking provided on-site shall not be located between the principal structure and the public right-of-way, unless permitted by Tables 153.173A and B.

2. Off-street parking may be provided within a principal structure.

3. Parking shall not be located within a setback, as outlined in Tables 153.173A and B, except that parking areas

may extend across contiguous lots in developments with coordinated site design, shared access points and/or shared parking arrangements.

4. Where on-site surface parking is provided on a site included as part of a preliminary development plan, parking may be permitted by the required reviewing body to encroach required setbacks to facilitate coordinated site design and contiguous parking areas.

(b) *Off-site parking.*

1. The use of off-site parking to meet the minimum parking requirement shall require an approved parking plan.

2. If not under single ownership, provisions for off-site parking shall be made by binding agreements between two or more property owners. Written easements which provide for continued use and maintenance of the parking shall be submitted to the city for approval. Any agreement shall include provisions to address changes in use or ownership.

3. If an off-site parking agreement is severed or modified with the result of eliminating required parking for one or more properties, parking for the affected properties shall be brought into full compliance as required by this section, and approval of a new or modified parking plan shall be required.

4. If located off-site, distances to required parking areas shall be measured along a walkway from the nearest pedestrian entrance to the parking area to the main entrance to the principal structure or use being served.

(c) *On-street parking.*

1. On-street spaces may be counted toward meeting the minimum parking requirement for a parcel.

2. On-street spaces shall be on the same side of the street and more than one-half the length of the parking space lies between the two side lot lines of the parcel extended into the street right-of-way.

3. On corner lots, on-street spaces on both street frontages may be counted in the same manner.

4. Credit for on-street parking spaces shall apply to parking for all uses on the parcel rather than any specific use.

5. On-street parking spaces shall not be designated for exclusive use by any specific use, building or lot.

(4) *Electric car charging points.* Parking lots or structures are strongly encouraged to provide at least one electric plug-in service point for every 200 parking spaces. Plug-in points shall be associated with an individual parking space and shall be installed according to appropriate design standards, as approved by the Director. Plug-in points are exempt from the service structure screening requirements of § 153.173(I).

(5) *Parking lot/structure lighting.* Parking lot and parking structure lighting shall comply with the requirements of § 153.173(J).

(6) *Parking lot landscaping.* Parking lot landscaping shall comply with the requirements of §153.173(H).

(7) *Required vehicle parking.*

(a) *Minimum amount required and maximum amount permitted.*

1. Each use shall provide the minimum amount of parking required for that use listed on Table 153.173C and shall be permitted to provide up to the maximum amount of parking on-site, as indicated for that use in Table 153.172A, except as may be modified by the required reviewing body.

2. When calculating minimum and maximum parking requirements, fractional numbers shall be increased to the next whole number.

3. Unless otherwise noted, all square footage requirements are based on indoor gross floor area.

4. Except as noted in Table 153.173C, no additional parking is required for accessory or temporary uses when the square footage of the uses is included in the parking calculation for the gross floor area of the principal use.

5. Parking and loading spaces for uses not addressed in Table 153.172A shall be determined by the Director based on the anticipated parking impacts of the proposed use, its similarity to characteristics of other listed uses, and supporting documentation that may be provided by the applicant.

<b>TABLE 153.173C: REQUIRED VEHICLE PARKING</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
<b>PRINCIPAL USES</b>		
<b>TABLE 153.173C: REQUIRED VEHICLE PARKING</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
<b>PRINCIPAL USES</b>		

<b>Residential</b>		
Dwelling, Single-Family Dwelling, Two-Family	2 per dwelling unit	2 per dwelling unit
Dwelling, Live-Work	2 per dwelling unit	2 per dwelling unit
<b>Civic/Public/Institutional</b>		
Cemetery	Per approved parking plan	
Community Center	Per approved parking plan	
Day Care, Adult or Child	Per approved parking plan demonstrating adequate site circulation, including pick-up and drop-off areas	
Educational Facility	1 per 3 persons maximum occupancy of largest seating area, or maximum building capacity, whichever is higher, as shown on the building permit	125% minimum
Elementary or Middle School	Per approved parking plan demonstrating adequate site circulation, including pick-up and drop-off areas	
Government Services, Safety	2 per 1,000 sq. ft.	150% of minimum
High School	Per approved parking plan demonstrating adequate site circulation, including pick-up and drop-off areas	
Library, Museum, Gallery	Library: 3.3 per 1,000 sq. ft. Museum or Gallery: 1 per 1,000 sq. ft.	125% of minimum
Religious or Public Assembly	1 per 6 persons maximum capacity in the largest seating area, as shown on the building permit	200% of minimum
Parks and Open Space	Per approved parking plan	
Transportation, Transit Station	Per approved parking plan	
<b>Commercial</b>		
Animal Care, General Services, Veterinary Offices, and Veterinary Urgent Care and Animal Hospitals	2.5 per 1,000 sq. ft.	150% of minimum
Artisan Production	2.5 per 1,000 sq. ft.	125% of minimum
Bank	2.5 per 1,000 sq. ft.	125% of minimum
Bed and Breakfast	1 per guest bedroom, plus 1 for operator	150% of minimum
Conference Center	1 per 6 persons maximum capacity in the largest seating area, as shown on the building permit	125% of minimum
Eating and Drinking	10 per 1,000 sq. ft.	125% of minimum
Entertainment/Recreation, Indoor	Theater: 1 per 4 persons maximum capacity in the largest seating area, as shown on the building permit 150% of minimum	
	Sports courts: 2 per court	
	Other uses: Per approved parking plan	
Office, General	Less than 50,000 sq. ft.	2.5 per 1,000 sq. ft. 125% of minimum
	50,000 - 150,000 sq. ft.	3 per 1,000 sq. ft.
	Greater than 150,000 sq. ft.	4 per 1,000 sq. ft.

Office, Medical	2.5 per 1,000 sq. ft. 125% of minimum	
Parking, Structure	N/AN/A	
Parking, Surface Lot	N/AN/A	
Personal, Repair & Rental Services	2 per 1,000 sq. ft. 125% of minimum	
Research & Development	2 per 1,000 sq. ft. 125% of minimum	
Retail, General	3 per 1,000 sq. ft. 125% of minimum	
Wireless Communications	N/AN/A	
<b>Accessory and Temporary Uses</b>	No parking is required for accessory or temporary uses, except as noted below.	
Day Care, Adult or Child	2 per 1,000 sq. ft. 125% of minimum	
Dwelling Administration, Rental or Sales Office	2	
Residential Model Home	1 plus 1 per employee at maximum use	N/A
Swimming Pool	Per approved parking plan	

(8) *Adjustments to required vehicle parking.* The maximum on-site parking requirements may not exceed that permitted by Table 153.173C unless approved by the ARB. The minimum amount of parking required by Table 153.173C may be reduced by approval of the ARB.

(a) *Shared parking calculations.* Where a mix of land uses creates staggered peak periods of parking, shared parking plans that have the effect of reducing the total amount of needed parking spaces may be approved. Parking spaces included in shared parking plans should be equally accessible and available to each of the affected users. The collective provision of off-street parking for two or more buildings or uses may be permitted subject to the following:

1. Shared parking plans may include any lot or structure meeting the parking location requirements. Surrounding lots included in the shared arrangement shall be connected for vehicular passage and shall provide safe and efficient pedestrian access to all uses served by the parking area(s).

2. A request for a shared parking reduction shall be based on a shared parking analysis, including, but not limited to, the following factors:

a. The number of originally required spaces for different uses or facilities sharing the same parking areas as noted in Table 153.173C; and

b. Documented percentages of required parking needed for different uses at different days and times.

3. The adjusted required parking for shared parking areas shall be the largest number of spaces needed for all uses during the most intensive time period of use.

4. Demonstration of parking need. In addition to or in lieu of parking adjustments, the required reviewing body shall be permitted to approve a parking plan for fewer than the minimum required parking spaces or more than the maximum permitted parking spaces based on a demonstration of parking need by the applicant. The required reviewing body shall consider:

a. The land use and development character of the area to be served by the parking facility;

b. The availability of other publicly available parking in the area;

c. The timing of parking use relative to other uses in the area;

d. The parking requirement for similar uses as may be determined by the Director;

e. Whether the all provided parking meets the location requirements;

f. Whether compliance with Table 153.173C is made to the maximum extent practicable;

g. Whether other adjustments as described in this section should apply in conjunction with or in lieu of the requested need-based adjustment; and

h. Whether supporting documentation, if provided, adequately demonstrates that sufficient parking is available to meet projected typical demand.

(9) *Accessible parking spaces.*

(a) Within the total number of off-street parking spaces provided, a minimum number of spaces shall be designated, installed, and managed for use by the physically disabled in compliance with the Ohio Building Code, current edition, chapter on accessibility and the referenced standards therein.

(b) All handicapped parking spaces shall be designated by freestanding signs as provided in the Ohio Manual of

Uniform Traffic Control Devices or as approved by the City Engineer.

(10) *Off-street parking space and aisle dimensions.* Parking spaces and maneuvering aisles shall comply with Table 153.173D.

TABLE 153.173D OFF-STREET PARKING SPACE AND AISLE DIMENSIONS						
Parking Pattern	Aisle Width		Regular Space		Compact Space*	
	1 Way	2 Way	Width	Length	Width	Length
Parallel	12 ft.	18 ft.	9 ft.	23 ft.	8 ft.	20 ft.
30 - 75 degrees	12 ft.	22 ft.	9 ft.	21 ft.	8 ft.	18 ft.
76 - 90 degrees	N/A	22 ft.	9 ft.	18 ft.	8 ft.	16 ft.

\*A maximum of 10% of parking spaces may be designed as compact parking spaces, and all spaces shall be clearly marked and reserved for that use.

(11) *Parking structure design.* Parking structures shall be designed to comply with the minimum requirements outlined below. In addition, parking structures shall be designed to comply with the Historic Design Guidelines to the maximum extent practicable and not inconsistent with the standards in this chapter.

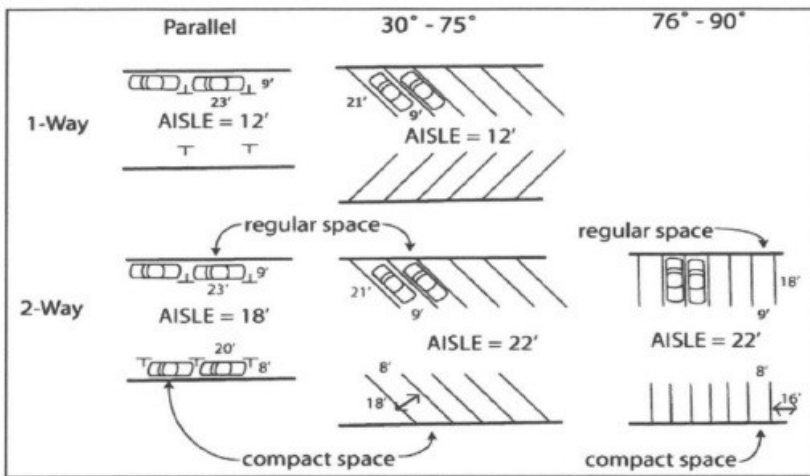


Figure 153.173A - Off-Street Parking Space and Aisle Dimensions

(a) *Entrance/exit lanes.*

1. One entrance lane shall be required for each 300 spaces or part thereof. One exit lane shall be provided for each 200 spaces or part thereof.
2. Single entrance and exit lanes from the street shall be no wider than 16 feet. Double entrance and exit lanes shall be no wider than 24 feet at the street right-of-way. Where more than two entrance or exit lanes are required, a separate entrance/exit shall be provided.
3. Locations of all proposed entrance and exit lanes shall be reviewed and approved by the City Engineer.
4. To reduce the width of sidewalk interruptions and promote walkability, only single entrance lanes may be used unless access is provided from an alley/service street.

(b) *Stacking spaces.* Two vehicle lengths of stacking space, each measuring at least 20 feet long, shall be provided between the street and the garage entry gate. The stacking area shall not be located across a sidewalk or in the public right-of-way. Additional stacking may be required by the City Engineer based upon traffic patterns and street types or may be requested by the applicant based on a circulation plan demonstrating need for the additional stacking spaces.

(c) *Interior circulation.* The interior of the structure shall comply with the following standards.

1. Maximum aisle length shall not exceed 400 feet without providing a cross aisle.

(d) Cross aisles shall be a minimum of 18 feet and no greater than 24 feet in width.

(e) A minimum ceiling clearance height of 12 feet is required where the parking structure has street frontage, excluding the driveway opening, and the parking structure shall be designed and constructed to allow potential occupancy of the first 20 feet of building depth by a commercial or a civic/public/institutional use permitted by Table 153.172A.

(f) Design of all other parking structures and upper levels shall include a minimum ceiling clearance height of eight and one-half feet.

(g) Below-grade parking structure levels shall provide minimum clear heights as required by the Ohio Building Code and the Americans with Disabilities Act.

(12) *Surface parking lot and loading area design and construction.*

(a) *Grading.* All off-street parking and loading areas including parking spaces, driveways, aisles and circulation drives shall be graded and maintained so that water does not unreasonably accumulate on the surface areas or flow or drain onto adjacent public or private properties.

(b) *Surfacing.*

1. All off-street parking and loading areas including parking spaces, driveways, aisles and circulation drives shall be hard-surfaced with asphalt, concrete or a combination of those materials approved by the City Engineer.

2. As an alternative, off-street parking areas may be surfaced with permeable asphalt, permeable concrete or turf blocks, or some combination of permeable and non-permeable surfaces, subject to review by the City Engineer and the Fire Chief. The City Engineer may approve an adjustment to the calculations for required stormwater management and retention measures to reflect greater stormwater volume control through the use of permeable paving.

3. All parking and loading surfaces shall be maintained in compliance with §153.173(F)(14) at all times.

(c) *Driveways.*

1. Any driveways not provided for or regulated by these provisions shall be governed by §153.210. Where conflicting regulations exist between § 153.210 and this section, this section shall prevail.

2. Adequate access to a parking lot shall be provided by clearly defined driveways designed so that vehicles entering or leaving the parking lot will be traveling in a forward motion, unless the City Engineer confirms that an alternative design will protect traffic flow and traffic safety.

3. No driveway shall be permitted directly onto a West Bridge Street and High Street, unless approved by the City Engineer.

4. On other street frontages, driveways shall be limited to one per lot or parcel, whichever requires the fewer number of access points, unless vehicular access is provided from an alley or service drive or the need for an additional driveway on a street is documented based on an access management study approved by the City Engineer.

5. If it is determined that shared driveways will better protect traffic flow or traffic safety on surrounding streets, the City Engineer may require that access to two or more adjacent surface parking or loading areas shall be provided through one or more shared driveways.

6. Driveway aprons connecting parking lots to public roadways may not be constructed with permeable materials.

7. Driveways shall be no wider than 22 feet at the intersection with the adjacent street right-of-way.

8. Curb radii for driveways connecting parking lots to public roadways shall not exceed 20 feet.

(d) *Curbs and wheel stops.*

1. 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 stop and any property line, planting area, street, or building.

2. Planted areas shall be installed at a lower grade than the parking lot pavement, include curbing at the edge of a landscaped area and have openings or gaps allowing drainage from the pavement to enter and percolate through the landscaped areas when used for stormwater management purposes, or if required by the City Engineer.

3. Wheel stops may be used in conjunction with accessible parking spaces where an adjacent walkway is installed at the same grade as the parking space. Wheel stops may be used in addition to raised curbs where necessary to prevent vehicle overhang onto adjacent walkways or near buildings, or in conjunction with curb breaks used for stormwater drainage. Curbs shall be required in all other circumstances.

(e) *Striping.* Parking areas shall be striped and maintained in good condition to be clearly visible with lines to indicate parking space limits. All striping shall comply with the Ohio Manual of Uniform Traffic Control Devices unless an alternative is approved by the City Engineer.

(f) *Parking pedestrian circulation.* For each surface parking area that contains over 100 vehicle parking spaces or contains any parking spaces located more than 350 feet from the main entrance of the principal structure, a pedestrian circulation plan shall be submitted and comply with the walkability and pedestrian circulation standards applicable to parking areas in the design guidelines.

(13) *Required loading spaces.*

(a) *Location.*

1. Off-street loading spaces may only be located on areas of a lot that are not required to be occupied by a principal or accessory structure.
2. Off-street loading areas may not be located on any parking spaces or parking aisles designated to meet the minimum parking requirements of this section, unless approved in a required parking plan demonstrating that the location and timing of loading activities will not conflict with typical parking use on the site or with vehicular or pedestrian circulation.
3. An alley or service street may be used instead of a separate off-street loading space, subject to approval as part of a required parking plan demonstrating that the loading and delivery activities will be coordinated with other users of the alley to minimize access and circulation conflicts.
4. On-street parking spaces may be counted toward meeting the minimum loading space requirement for a parcel provided that the spaces meet the requirements for parking location, and subject to approval as part of a required parking plan demonstrating that the on-street spaces are of adequate size, number and availability to serve the intended delivery vehicle(s) without creating conflicts with surrounding vehicular, bicycle or pedestrian traffic and circulation.
5. Required fire access zones may not be used to meet loading space requirements.
6. No loading dock, or any loading area used for the storage or staging of materials being transported to or from the site associated with commercial uses, shall be located closer than 50 feet to any lot in a residential district unless entirely contained within a completely enclosed building, or screened as required by § 153.173(H), nor shall any loading dock or loading area directly face a residential district.

(b) *Number required.*

1. The minimum number of off-street loading spaces required is listed in Table 153.173F.

<b>TABLE 153.173F:</b>	
<b>MINIMUM LOADING SPACES REQUIRED PER</b>	<b>PRINCIPAL STRUCTURE</b>
25,000 sq. ft. GFA or less	1 space
25,001 - 50,000 sq. ft. GFA	2 spaces
50,001 - 100,000 sq. ft. GFA	3 spaces

2. A loading space plan demonstrating the frequency and type of loading activities will be required to be approved by the Architectural Review Board as part of a Minor Project or Final Development Plan.
3. The required number of loading spaces may be increased or reduced by the required reviewing body when it is demonstrated that the frequency and type of loading activities at that location warrant a different number.
4. For principal structures of 25,000 square feet or less in gross floor area, loading and delivery activities may be conducted using an alley or service street, on-street parking spaces, or other on-site parking area, unless the required reviewing body determines that a dedicated off-street loading space is necessary based on the frequency and type of loading activities anticipated for the use.

(c) *Loading space dimensions and screening.*

1. All off-street loading spaces shall be at least 12-feet wide and 30-feet long with a height clearance of 14 feet, unless the required reviewing body determines that the typical delivery vehicle(s) designated in an approved parking plan can be adequately accommodated by reduced loading space dimensions.
2. Refer to § 153.173(I) for off-street loading area screening requirements.
3. Truck loading and unloading docks and maneuvering areas shall be designed so that truck movements do not interfere with traffic on public streets or off-street parking when vehicles are parked for loading and unloading. Loading areas requiring vehicles to back in from the street are prohibited on West Bridge Street and High Street, unless otherwise permitted by the City Engineer. Vehicles loading or unloading may not extend over any sidewalk or into any public right-of-way between the hours of 6:00 a.m. and midnight, unless located entirely within a designated on-street parking lane or within the vehicular travel lane of an alley or service street as permitted in an approved parking plan.

(14) *Maintenance and use.*

(a) *General provisions.*

1. Unless an equal number of required spaces conforming to Table 153.173C are provided, parking and loading areas shall be maintained and not used for any other purpose while the principal structure or use remains in operation. Other parking arrangements for temporary community activities and special events may be permitted with approval from the City of Dublin Events Administration.
2. All parking lots shall be maintained free of potholes, litter, debris, glass, nails or other dangerous materials.

3. Surfacing, curbing, wheel stops, lighting fixtures, signs, and related appurtenances shall be maintained in good condition. The visibility of pavement markings delineating parking spaces and directional control shall be maintained.

4. Except on a temporary basis in the event of heavy rainfall or snowfall, all off-street parking and loading facilities shall be maintained free of accumulated snow or standing water which may prevent their full use and occupancy.

5. All permeable paving materials shall be maintained in an unbroken condition and shall be regularly swept and vacuumed to prevent blockages of sand, sediment, or other materials that would impair their permeability to water as originally designed.

6. Signs designating the use of individual private parking spaces for specific users, buildings or lots shall not be legible from a public right-of-way, except where such a sign is otherwise required by this chapter.

(b) *Use restrictions.*

1. It is unlawful for any person to park or store any vehicle in a parking lot or parking structure without the consent of the owner, holder, occupant, lessee, agent or trustee of the property.

2. All vehicles parked in a parking lot or parking structure shall be capable of being started and driven and have a valid registration and license within the most recent 12-month period.

3. A recreational and utility vehicle may be located outside of an enclosed structure for up to 72 hours in any 30-day period, provided the owner or person in charge of the recreational and utility vehicle is the owner or a guest of a resident of that property. The vehicle shall be parked on a hard surface and shall not be used for overnight sleeping or living.

4. Off-street parking and loading areas may not be used for material storage, storage or display of vehicles and/or merchandise, or for vehicle or machinery repair or maintenance. If located within an off-street parking or loading area, refuse storage stations and dumpsters shall be located and screened in accordance with § 153.173(I) and shall not interfere with driveway circulation or access to parking spaces and loading areas.

5. Except on parcels where the sale of vehicles is a permitted or approved conditional use of the property, no vehicle may be parked in any off-street parking or loading area for the sole purpose of displaying the vehicle for sale.

6. Unless no other parking area is reasonably available, no vehicle that, at the determination of the Director, is intended for the display of advertising to the public may be parked so as to be visible to traffic on a public street or parking area.

(15) *Bicycle parking.*

(a) *Applicability.*

1. Bicycle parking is required for any development or use with six or more required vehicle parking spaces.

(b) *Minimum number of bicycle parking spaces required.*

1. Bicycle parking spaces shall be required as follows:

a. For residential uses, except attached and detached single-family, one space for every two dwelling units. Up to 50% of required spaces may be provided within garages for multiple-family uses provided the ARB determines that the garage size and dedicated bicycle parking facilities are generally adequate to accommodate these spaces.

b. For civic/public/institutional uses, one space for every 20 required vehicle parking spaces.

c. For commercial uses, one space for every ten required vehicle parking spaces.

2. Provided that bicycle parking is not completely eliminated, required bicycle parking may be increased or reduced by the ARB when it is demonstrated that the level of bicycle activity at that location warrants a different amount.

(c) *Facility type.*

1. Bicycle parking racks, docks, or posts shall be designed and installed to allow a bicycle to be locked to a structure, attached to the pavement, building, or other permanent structure, with two points of contact to an individual bicycle frame. Racks, docks, and posts shall be designed to allow the bicycle frame and one or both wheels to be locked with a U-lock when used as intended. Facility types, designs and locations within the street-right-of-way shall require approval by the City Engineer.

(d) *Location.*

1. Required bicycle parking shall be located within a reasonable walking distance of the principal building entrances being served. The location and design shall ensure that bicycle parking and facilities do not obstruct vehicle parking or pedestrian walkways as required by the Ohio Building Code, the Americans with Disabilities Act, and other applicable state and federal laws, policies and guidelines. Bicycle facilities and parking areas shall meet the sight visibility requirements of this code.

2. Outdoor bicycle parking areas shall be located in well-lit areas.

3. A pedestrian-accessible walk shall be available between the outdoor bicycle parking area and the principal building entrance. Public sidewalks may be used to meet this requirement.



4. Bicycle lockers shall be located inside or to the side or rear of the principal structure, but not within any required setback or required building zone.

5. A property that contains a shared bicycle rental pick-up/drop-off facility that is available and accessible to the public and is part of a system of such facilities designed to encourage bicycle use in the city or region shall be exempt from on-site bicycle parking requirements for the lot on which the shared bicycle facility is located, and for any lots in common ownership located wholly or partially within 1,000 feet of the shared bicycle facility.

6. Public bicycle parking provided by the city and located within the street right-of-way may be counted toward meeting the minimum bicycle parking requirement for a parcel provided that the spaces are on the same block face as the subject parcel.

7. Public bicycle parking spaces shall not be designated for exclusive use by any specific use, building or lot.

(e) *Installation.*

1. Bicycle parking shall be installed according to the dimensional requirements set forth by the manufacturer and the latest edition of the APBP Bicycle Parking Guidelines, or similar industry publication acceptable to the Director.

(G) *Stormwater management.*

(1) Stormwater management practices, such as storage and retention facilities, may be integrated into open spaces. Refer to Chapter 53 for design requirements.

(2) Stormwater features. Stormwater features in open spaces may be designed as formal or natural amenities with additional uses other than stormwater management alone, such as an amphitheater, sports field, or a pond or pool as part of the landscape design. Stormwater features shall not be fenced and shall not be designed or placed so as to impede public use of the land they occupy.

(3) Qualified professional. Stormwater management features incorporated into open spaces shall be designed by a licensed design professional.

(H) *Landscaping and tree preservation.*

(1) *Intent.* The intent of this section is to improve the appearance of the Historic Dublin, and designated outlying properties, reduce noise and air pollution, reduce heat island impacts, protect the character and value of surrounding neighborhoods, and promote public health and safety through appropriate landscaping or street frontages and surface parking lots. This section is also intended to ensure buffering between significantly different land uses, and that trees are preserved and replaced in a manner appropriate to urban environments.

(2) *General.*

(a) The provisions of §§ 153.132 through 153.148 shall apply to Historic Dublin and designated outlying properties, unless specifically modified or waived by the ARB.

(b) Each application for development or redevelopment shall include a landscape plan showing compliance with applicable provisions. The siting of buildings shall avoid the removal of desirable trees in good or fair condition where alternatives consistent with the provisions of this chapter are available.

(c) Protected trees, as defined in this chapter, removed from any portion of a lot consistent with an approved minor project, preliminary or final development plan shall be replaced in accordance with § 153.146, except as provided by § 153.173(G).

(d) Existing trees which are incorporated into the landscape plan shall be protected during construction as required by § 153.145.

(e) Landscape plans shall exhibit diversity in tree selection, as determined to be appropriate by the City Forester and the Director of Parks and Open Space.

(f) In all areas where landscaping is required, the surface area of any landscape bed shall be predominantly covered within four years after installation by living materials, rather than bark, mulch, gravel or other non-living materials. Areas included in rain gardens or other vegetated site features to meet stormwater management requirements are excluded from this requirement with prior approval from the Director.

(g) Areas included in rain gardens or vegetated site features created to meet stormwater management requirements may be counted towards any landscaping required by § 153.173(H) if landscaped to meet the requirements.

(h) All irrigation systems shall be designed, installed, and operated to minimize runoff and over-spray of irrigation water onto roadways, sidewalks, and adjacent properties, and shall be installed with rain sensors to turn the system off during rainy conditions.

(i) Shrubs and plants that exceed two and one-half feet in mature height are prohibited in required sight visibility triangles for site access points as defined in Appendix C and are prohibited in required sight visibility triangles for street intersections as defined by the City Engineer.

(j) If two or more conflicting landscape requirements apply to the same area, the one requiring the most landscaping

shall apply.

(k) A registered landscape architect shall be used to prepare landscape plans required for applications for final development plan.

(3) *Street trees.* When a property is developed or redeveloped in Historic Dublin the applicant shall be required to plant and maintain trees in the street right-of-way pursuant to the following requirements. No existing street trees shall be required to comply with the following requirements unless they are required to be removed and replaced consistent with an appropriate approved application as provided in § 153.176.

(a) A minimum of one tree is required per 40 linear feet of street frontage or fraction thereof. Refer to Table 153.173G, Street Tree Spacing Requirements, for spacing based on tree size and site characteristics.

(b) Street trees shall be planted within streetscape planting zones in tree wells, tree lawns based, or open planting beds based on the applicable street type design requirements.

(c) Street trees shall be planted in topsoil approved by the Director of Parks and Open Space or the City Forester. 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. 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. Structural soil shall not be used in planting beds.

(d) Species and sizes:

1. Street trees shall be from the approved Urban Street Tree List for Dublin, Ohio or other species approved by the City Forester.

2. Street trees shall have a clear trunk of at least seven feet above the ground. The minimum trunk caliper measured at six inches above the ground for all street trees shall be no less than two and one-half inches. Existing trees in good or fair condition may be used to satisfy these requirements with prior approval of the City Forester.

3. Small tree species are permitted for use in planting zones where overhead utility lines exist. Small tree species may also be planted in medians, in addition to medium and/or large tree species, where medians are provided.

(e) Spacing and location. Street trees shall be spaced as set forth in Table 153.173G below unless modified by the City Forester based on unusual site conditions or obstructions.

**TABLE 153.173G STREET TREE SPACING REQUIREMENTS**

	<b>Small Tree</b>	<b>Medium Tree</b>	<b>Large Tree</b>
Spacing range between trees	20 - 25 ft.	30 - 35 ft.	40 - 45 ft.
Minimum distance between trunk and face of curb (at planting)	3 ft.	3 ft.	3 ft.
Minimum distance from intersection	20 ft.	20 ft.	20 ft.
Minimum distance from fire hydrants and utility poles	10 ft.	10 ft.	10 ft.
May be planted within 10 lateral feet of overhead utilities	Yes	No	No

(f) *Maintenance and replacement by property owner.* The property owner shall be required to maintain the street trees for one year after the trees are planted and replace any tree which fails to survive or does not exhibit normal growth characteristics of health and vigor, as determined by the City Forester. The one-year period after the approval of the City Forester shall begin at each planting and shall recommence as trees are replaced.

(g) *Prohibited activities.*

1. No person shall top any tree within the public right-of-way unless specifically authorized by the City Forester. Topping is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree, as determined by the City Forester.

2. Unless specifically authorized by the City Forester, no person shall intentionally damage, cut, carve, transplant, or remove any tree or shrub; attach any rope, wire, nails, advertising posters, or other contrivance to any tree or shrub, allow any gaseous liquid, or solid substance which is harmful to trees or shrubs to come in contact with them; or set fire or permit fire to burn when fire or heat will injure any portion of any tree or shrub.

3. No person shall excavate any tunnels, trenches, or install a drive-way or sidewalk within a radius of ten feet from the trunk of any public tree or shrub without first obtaining the prior written approval from the City Forester.

4. No person shall remove a tree or shrub from the city owned tree lawn, streetscape planting zone or other public property without first obtaining the prior written approval of the City Forester.

5. No person shall by any type of construction reduce the size of a tree lawn or streetscape planting zone without prior written approval of the City Engineer.

6. Decorative lights, strings of lights, electrical cords or wires are not permitted to be attached to any tree for more than four consecutive months.

(h) *Municipal rights.*

1. The city shall have the right to plant, prune, maintain and remove trees, plants and shrubs within public rights-of-way and other public grounds as may be necessary to ensure public safety or to preserve or enhance the environmental quality and beauty of public grounds. This section shall not prohibit the planting of street trees by surrounding property owners providing that the prior written permission of the City Forester has been granted.

2. The City Forester may cause or order to be removed any tree or part of a tree that is in an unsafe condition or which by reasons of its nature is injurious to sewers, electric power lines, gas lines, water lines, or other public improvements, or is affected with any injurious fungi, insect or other pest.

3. The City Forester shall have the right to enter private property to access trees adjacent to public areas for the purposes of proper pruning, after reasonable prior written notice has been given to the property owner.

4. Wherever it is necessary to remove a tree(s) or shrub(s) from a public planting zone or other public property, the city shall endeavor to remove and replant or replace the trees or shrubs. No protected tree within the public right-of-way or on other public grounds shall be removed without prior review by the City Forester, and the trees shall only be removed if the City Forester determines there are no other means available to preserve the tree.

5. The City Forester shall have the right to cause the removal of any dead or diseased tree(s) located on private property within the city and/or cause the removal of branches of trees located on private property that overhang or impede access to public property, when those trees constitute a hazard to life and property, or harbor an epiphytotic disease which constitutes a potential threat to other trees within the city. The City Forester shall notify in writing the owners of the trees to be removed. Removal shall be done by the owners at their own expense within 60 days after the date of service of written notice, unless a longer period is agreed to in writing by the City Forester, to allow time to attempt to treat and cure a salvageable diseased tree. In the event of failure of owners to comply within 60 days, the City Forester shall notify in writing the owners of the trees of the city's authority to remove any tree(s) and charge the cost of removal to the owner as provided by law.

(4) *Perimeter landscape buffer.*

(a) Perimeter landscape buffer is required when a non-residential land use is adjacent to a parcel containing only single-family detached buildings (regardless of whether there is an intervening street, alley, or driveway).

(b) These requirements apply when a site subject to these requirements is developed or redeveloped. No existing development shall be required to install perimeter landscape buffering because of a change in the nature, character, or zoning classification of an adjacent parcel.

(c) The required perimeter landscape buffer area may be located within a utility or other easement with the prior approval of the City Engineer provided all of the landscape requirements are met.

(d) Required buffer materials must be placed on the parcel where development or redevelopment is occurring, unless both the parcel providing the buffering and the parcel being buffered are in common ownership, in which case the buffer may be provided on either or portions of both properties.

(e) Vehicles or other objects shall not overhang or otherwise intrude upon the required perimeter landscape buffer. Refer to § 153.173(F)(12)(d) for curb and wheel stop requirements.

(f) Existing landscape material in good or fair condition may be used to satisfy these requirements with the prior approval of the Director.

(5) *Surface parking and circulation area landscaping.* All surface parking lots containing ten or more parking spaces and other vehicular use areas shall provide landscaping as required by this section.

(a) *Street frontage screening.* Surface parking lots and other vehicular use areas located within 40 feet of a public street shall either be landscaped, or a street wall shall be installed in accordance with § 153.173(l) along the parking lot boundary facing the street to create a visual edge along the public right-of-way.

(b) *Perimeter buffering.* Where a surface parking lot is located within 30 feet of a side, corner side, or rear lot line, and the adjacent property contains only single-family detached building types, the property owner shall install perimeter buffering meeting the requirements of § 153.173(H)(4).

(c) *Interior landscaping.* In addition to required street frontage and perimeter buffering described in the above sections, a minimum of 5% of the interior parking lot area, (including all parking spaces, interior drives, loading docks, drop-off/pick-up lanes, and access drives beyond the right-of-way), shall be landscaped.

(6) *Foundation planting.* Building foundation landscaping is required along all sides of a building facing a public or

private street or open space or facing a surface parking area located on the same lot but is not required for portions of the front or corner side building façades located within ten feet of the front property line and where a streetscape or patio treatment is provided.

(7) *Credit to preserve existing trees.*

(a) *Credit available.* Property owners who demonstrate they have preserved mature, non-diseased trees with a three-inch caliper as measured at diameter breast height (DBH) during development or redevelopment may obtain credits toward required landscaping. Trees intended to be preserved shall be indicated on the landscape plan and shall be protected during construction through use of tree protection fencing around the critical root radius. The total amount of tree credits shall not exceed 50% of the required tree landscaping requirement.

(b) *Amount of credit.* Credit for preserved trees is shown in Table 153.173H. Any preserved trees for which credit is given and that are lost to damage or disease within five years after the credit is awarded, shall be replaced by the land owner with the number of trees for which the credit was granted.

<b>TABLE 153.173H: TREE PRESERVATION CREDITS</b>	
<b>DBH of Preserved Tree (inches)</b>	<b>Number of Trees Credited</b>
Over 12	3
6 inches to 11.9	2
3 inches to 6	1

(8) *Tree preservation.*

(a) *General provisions.*

1. *Tree preservation plan required.*

a. Due to unique and/or noteworthy characteristics including size, species, age, and historical significance, landmark trees and significant groups of mature, healthy trees are community amenities that shall be preserved to the maximum extent feasible.

b. Applicants shall submit a tree preservation plan for approval by the required reviewing body that demonstrates the site landscaping complies with the provisions of § 153.173(H). At the preliminary development plan, the property owner shall submit a copy of the tree preservation plan to the appropriate public utilities in order to alert those public utilities to the proposed placement of the trees in relation to utility service lines.

c. A tree survey prepared by a certified arborist shall be submitted with the tree preservation plan for all final development plan and/or minor project review applications for lots containing existing trees. The tree survey shall include the location, size, condition and species of all existing trees over four-inch caliper as measured at DBH.

d. The tree preservation plan submitted as part of the final development plan and/or minor project review application shall identify all landmark trees and/or significant tree stands on the site, including critical root zones to establish the limits of tree preservation zones, as determined by the required reviewing body.

e. The property owner shall replace inch for inch any protected trees that are removed or lost due to damage, regardless of their location on the lot, except as provided in § 153.173(H)(8)(a)4.

2. *Site layout and design.* Where practicable, site design and architectural layout activities shall preserve existing protected trees and avoid risk of protected tree loss through changes of grade and soil moisture, both on the subject parcel and on surrounding parcels. This includes, but is not limited to, the layout and design of buildings and any associated site improvements including auguring, jacking, or boring to install utilities (as opposed to open cutting). The critical root zones of protected trees on the subject parcel and adjacent parcels shall be reviewed and land disturbance within those zones avoided to the extent reasonable.

3. *Tree removal permit.* The provisions of § 153.143 shall apply, except as provided in section §153.173(H)(8)(a)4.

a. Protected trees used as credit to meet a required tree landscape requirement which die shall be replaced by the land owner with the number of trees for which the credit was granted. Replacement trees may count towards the credit amount for the development.

b. Replacement trees provided pursuant to §153.173(H)(8) shall count towards landscaping required under other portions of this section if they meet the size, type, and location standards for the landscaping required.

4. *Exemptions.* The following activities are not subject to the tree replacement requirements for protected trees as described in § 153.146 provided the proposed tree removal is included in the required application as described in §153.176.

a. Removal of trees that, at the determination of the City Forester, are deemed hazardous or undesirable with respect to structure, species, and/or condition;

b. Removal of trees on any portion of a site required to be occupied by a public street as approved by the City Engineer and the required reviewing body with a development plan review application;

c. Removal of trees which are an obstruction to traffic signals or traffic signs, power lines, or other utilities;

d. Removal of trees necessary for rescue in an emergency or for cleanup after a natural disaster; and

(b) *Maintenance and replacement.*

1. *Street trees and public trees.* Each property owner shall comply with those standards for maintenance, replacement, protection and management of street trees and public trees in § 153.173(H)(3).

2. *Other required landscaping on private property.* For landscaping other than public trees and street trees, each property owner shall:

a. Maintain all required landscaping in good condition, as determined by the City Forester;

b. Remove any landscaping or tree that dies or is required to be removed due to damage or disease within three months after the loss of that landscaping or tree; and

c. Replace the landscaping or tree within three months of its removal.

3. The City Forester may extend times for performance if weather or other conditions prevent performance within the times stated above.

(c) *Alternative landscaping.* In lieu of compliance with the specific requirements of §153.173(H) an owner may propose alternative approaches consistent with the intent of this section to accommodate unique site conditions, abutting or surrounding uses, or other conditions, as deemed appropriate by the required reviewing body. Requests for alternative landscaping shall be reviewed by the required reviewing body with the minor project or final development plan application and approved only if the proposed alternative is equal to or better than the aesthetic, environmental, and buffering functions anticipated with the provisions of this section.

(l) *Fences, walls, and screening.*

(1) *Purpose and intent.* The purpose of these provisions is to establish regulations outlining the use and type of fences, walls and screening. This is for the conversation and protection of property, the assurance of safety and security, the enhancement of privacy, and the improvement of the visual environment.

(2) *Prohibited materials.*

(a) Chain link, vinyl and temporary plastic fences (such as snow fences) are prohibited except during construction as security for construction sites and materials. Fences that are electrically charged, constructed of barbed wire, and razor wire are prohibited. No fence, wall or retaining wall shall be constructed of materials not designed to be used for that purpose. High quality synthetic materials may be approved with the minor project or final development plan by the ARB with examples of successful, high quality installations.

(3) *Fence standards.*

(a) Fences shall be permitted between the principal structure on a lot and the front, side and/or rear property lines; and shall not exceed four feet in height or be more than 50% opaque unless otherwise required by this section or approved by the Architectural Review Board.

(b) The height provisions or the previous sections shall not apply to fences or walls required to comply with the screening standards of this section.

(c) The height provisions shall apply to all portions of retaining walls that extend above grade level, as measured from the elevated side of the retaining wall. Where a fence is located on top of a retaining wall, the combined height of the retaining wall and fence shall not exceed the maximum height permitted for a fence, as measured from the elevated side of the retaining wall.

(4) *Stone wall standards.*

(a) Stone walls are intended to screen vehicular use areas or service areas and/or to define the pedestrian realm.

(b) Stone walls shall be constructed as dry-laid stone.

(c) Stone walls shall be permitted between the principal structure on a lot and the front, side and/or rear property lines; and shall be a minimum of 22 inches in height and shall not exceed 36 inches in height.

(d) Stone walls are prohibited in required sight visibility triangles for site access points and street intersections, as determined by the City Engineer.

(e) Existing stone walls shall be preserved, unless otherwise approved by the Architectural Review Board.

(5) *Roof-mounted mechanical equipment.*

(a) All roof-mounted mechanical equipment (including but not limited to HVAC equipment, exhaust fans, cooling towers, and related guardrails or safety equipment) shall be fully screened from view at ground level on all sides of the

structure and, to the extent practicable, from surrounding buildings of similar height.

(b) The standards of § 153.173(l)(4)(a) shall not apply if the only feasible location for screening would impede the functioning of solar, wind or geothermal energy equipment or systems.

(c) The roof-mounted screening shall not be permitted to exceed the maximum permitted building height, unless approved by the Architectural Review Board.

(6) *Ground-mounted mechanical equipment.*

(a) All ground-mounted mechanical equipment shall be incorporated within the footprint of a principal or accessory structure or shall be fully screened from view on all sides.

(b) The standards of § 153.173(l)(4)(a) shall not apply if the only feasible location for screening would impede the functioning of solar, wind or geothermal energy equipment or systems.

(7) *Outdoor waste and storage container enclosures.*

(a) All waste, refuse, and recycling containers and enclosures shall be incorporated within the footprint of a principal or accessory structure to the maximum extent practicable. If incorporation within the building footprint is not practicable, outdoor waste and storage containers and enclosures shall be fully screened from view on all sides by landscaping or by a decorative wall or fence finished and constructed to match the materials and design of the nearest wall of the principal structure and shall be fully opaque year round.

(b) The wall or screen shall be one foot taller than the height of the waste or storage container or enclosure being screening, up to a maximum of 12 feet.

(c) Chain link, vinyl, EIFS, and unfinished or non-decorated CMU are prohibited screening materials.

(d) Enclosures that contain access doors to accommodate servicing of equipment and emptying of containers shall be self-closing, be constructed out of materials the coordinate with the design and materials of the enclosure and shall remain closed and all containers fully within the structure when not being used.

(8) *Access doors.* Screening structures may contain access doors to accommodate servicing of equipment and emptying or replacement of containers. The access doors shall be self-closing and shall remain closed and all containers fully within the structure when not being used.

(9) *Vegetative screening.* Vegetative screening that complies with the design guidelines may be used to meet the requirements of this § 153.173(l).

(10) *Alternative screening.* In lieu of compliance with the requirements of §153.173(l), an alternative approach to accommodate unique site conditions or surrounding uses may be approved if the required reviewing body determines that the proposed alternative achieves the aesthetic, environmental, and screening results as well or better than compliance with the standards of § 153.065(l).

(J) *Lighting.* The lighting standards within this section are intended to allow adequate night time lighting to protect public safety while also protecting residential uses from excessive night time light and glare, protecting motorists from glare along public rights-of-way, reducing consumption of electricity for lighting purposes, and prohibiting excessive light trespass beyond property lines.

(1) *Exemptions.*

(a) Lighting for single-family detached and single-family attached dwellings.

(b) Pedestrian walkway ground lighting.

(c) Lighting for designated sports fields.

(d) Street lighting.

(2) *Fixture power and efficiency.*

(a) All light fixtures shall meet the standards in Table 153.173I for power and efficiency.

Maximum permitted initial lamp lumens per sq. ft.	9.7 lumens/sq. ft.
Maximum lamp allowance	44,000 lumens
Minimum lumens per watt or energy consumed (as documented by manufacturers specifications or results of an independent testing laboratory)	80 lumens/watt

(3) *Shielding.*

(a) All exterior light sources and lamps that emit more than 900 lumens shall be concealed or shielded with an Illuminations Engineering Society of North America (IESNA) full cut-off style fixture with an angle not exceeding 90 degrees to minimize the potential for glare and unnecessary diffusion on surrounding property. No portion of the lamp, reflector, lens, or refracting system may extend beyond the housing or shield, with the exception of pedestrian lighting.

(b) All light sources shall be designed, located, and installed so that the light source is not directly visible from any surrounding property in a residential district.

(4) *Lighting uniformity.*

(a) Lighting across a horizontal surface shall have an average range from one to three footcandles.

(5) *Light trespass.*

(a) Light generated on site shall not add more than one footcandle to illumination levels at any point at grade level ten feet beyond the property line.

(6) *Lighting plans.*

(a) Lighting plans submitted as part of applicable minor projects or final development plans shall include existing lighting from streets and surrounding buildings developed under these standards, and proposed lighting generated from light poles and building lighting.

(7) *Light poles.*

(a) The base of light poles in parking areas shall be flush with grade. The base of light poles in non-parking areas shall be either flush with grade or mounted on a concrete foundation projecting no more than six inches above grade.

(b) Light poles should be a maximum of 12 feet in height.

(8) *Wall lighting.*

(a) Decorative wall lighting may be used to provide uplighting, downlighting, or other types of lighting accents for buildings within the Historic Zoning Districts. Decorative lighting shall not exceed 900 lumens unless installed and shielded in accordance with this section.

(b) Ground or pole-mounted floodlights are not permitted for façade lighting.

(9) *Canopy lighting.*

(a) All canopy lighting shall use recessed luminaire fixtures and shall be designed and located so as to prevent glare onto surrounding properties.

(b) Highly reflective material shall not be installed on the underside of the canopy.

(10) *Prohibited lighting types.*

(a) Sodium vapor light fixtures are prohibited in Historic Dublin.

(K) *Utility undergrounding and screening.*

(1) In Historic Dublin, all utility lines including but not limited to water supply, sanitary sewer service, electricity, telephone and gas, and their connections or feeder lines shall be placed underground.

(2) All utility connections shall be kept to the rear or the side of the building, out of view or screened. Applicants shall coordinate with utility providers to site transformers and other similar utility structures to the rear or sides of buildings, or otherwise out of view or screened.

(3) Existing above-ground utility lines shall be required to be buried with the provision of new streets, or as otherwise required by the City Engineer.

(L) *Public art.*

(1) Site development may include the installation of public art in accordance with city policies and procedures.

(M) *Signs.*

(1) *Purpose.*

(a) The purpose of signs in the Historic Zoning Districts is to provide identification with high visual quality in a manner that respects the character and scale of residential areas and match the general character and scale of Dublin's original village commercial center. Signs should provide business identification in a manner consistent with the historic appearance and character of the districts, while encouraging a more interesting streetscape.

(b) Signs should provide high quality awareness through graphics that effectively assist in navigation, information, and identification for both pedestrians and vehicles.

(2) *General provisions.*

(a) All applicable requirements of §§ 153.150 through 153.162 shall apply to the signs within Historic Dublin, except as modified herein. In the event of a conflict with the provisions of the Signs Subchapter (§§ 153.150 through 153.162), the provisions of this section shall govern.

(b) Where noted for the purposes of permitted signs, street frontages shall apply only to public streets.

(c) Approval authority.

1. All new ground and building signs within Historic Dublin shall be subject to review and approval by the Architectural Review Board.

2. All signs shall require a permanent sign permit unless otherwise exempted for a specific sign type.

3. Required reviewing bodies shall not address the content of the sign message.

4. Off-premises signs are only permitted with the approval of a master sign plan.

5. All signs located within or projecting over the public right-of-way shall be approved by the City Engineer prior to placement.

6. Notwithstanding any other provision of this code, the design and placement of city sponsored banners for special events or public announcements affixed to public facilities in the right-of-way within the Architectural Review District shall be approved by the City Manager prior to placement.

7. Master sign plan.

a. Any applicant may request approval of a master sign plan that departs from the requirements of this section, provided the purpose and intent of the sign and graphic standards for the Historic Zoning Districts and the Historic Design Guidelines are maintained. The ARB shall determine the appropriateness of signs and their placement given the architecture of buildings within these districts.

b. A master sign plan may be reviewed concurrently with a final development plan or minor project review.

c. A master sign plan shall include, at a minimum: the proposed locations, types, number, heights and sizes of signs, indicated on scaled plans and/or building elevation drawings; proposed materials to be used for sign structures and sign faces; and proposed types of illumination.

d. Where applicable, all signs located within a development shall meet the requirements established in an approved master sign plan. All requirements of this section shall continue to apply except as modified by the master sign plan.

(3) *Sign design and lighting.* All permitted sign types shall be designed with the maximum of creativity and the highest quality of materials and fabrication. It is strongly recommended that all signs be designed by a professional sign designer and be installed by a qualified sign builder or contractor.

(a) *General.* All signs shall have dimensional letters, raised or routed with a minimum one-half inch relief; and shall be constructed of a high-quality, durable material. The provisions of § 153.156(C)(3): Limitations on Sign Shape shall not apply to properties within the Historic Zoning Districts.

(b) *Prohibited sign designs.* Channel letter signs and cabinet signs shall be prohibited. Signs constructed with a raceway shall be prohibited. The provisions of § 153.153 shall apply.

(c) *Illumination.* The illumination of signs is strongly encouraged to help add a sense of liveliness and activity to the area. Unless otherwise noted, signs may be externally illuminated, provided that all exterior lighting meets the requirements of § 153.153(J). Awning signs and sandwich board signs may not be illuminated. Illuminated signs shall be constructed so that conduit and piping for electrical sources are not exposed to view.

(d) *Sign colors and logos/secondary images.* Logos or images used to convey information about the business or use of the building or lot shall be compatible with the size, design, and scale of the sign. Complementary, colorful logos and signs are encouraged to help add character and interest to the building and streetscape.

1. Signs shall be limited to three colors. Black and white are considered colors. The background color shall be considered one of the three permissible colors, unless individually mounted letters are used, in which case the building façade is not considered one of the three colors.

2. Colors used in a registered corporate trademark or symbol shall not be limited in number but shall be considered as one of three permissible colors.

(4) *Sign materials.*

(a) All signs shall be fabricated with high quality, durable, and weather resistant materials. The material shall be compatible with the primary building materials of the structure to which the sign is associated.

(b) All signs shall be fabricated, constructed and installed to conceal fasteners.

(c) The following materials shall be permitted to be used for the construction of sign. The required reviewing body



may approve other materials if determines that the material provides the same quality, durability, and weather resistance as a permitted sign material.

1. All signs except window signs.
  - a. Permitted materials: HDU, cedar, redwood, and treated lumber.
2. Window signs.
  - a. High performance, pressure sensitive, fade resistant vinyl.

(5) *Permitted sign types.*

(a) All sign types permitted for properties within the Historic Core, Historic South, and Historic Public Zoning Districts are listed in Table 153.173J. Refer to § 153.173(M)(5) for number of signs permitted and § 153.173(M)(6) for requirements for specific sign types.

(b) Different sign types may be used on the same frontage.

(c) Where required, setbacks shall be measured from the public street right-of-way or lot line, as applicable.

<b>TABLE 153.173J: SIGN TYPES PERMITTED IN THE ARCHITECTURAL REVIEW DISTRICT</b>		
<b>Sign Type</b>	<b>Code Section Reference</b>	<b>Sign Type Intent</b>
<b>TABLE 153.173J: SIGN TYPES PERMITTED IN THE ARCHITECTURAL REVIEW DISTRICT</b>		
<b>Ground Sign</b>		
Ground Sign	§ 153.173(M)(6)( a); Table 153.173K	Ground signs are intended primarily for buildings with greater front and corner setbacks.
<b>Building-Mounted Signs</b>		
Wall Sign	§ 153.173(M)(6)( b); Table 153.173L	Building-mounted signs are intended to provide visibility for pedestrians and vehicles approaching from different directions and to create a diversity of signs along an active streetscape.
Awning Sign		
Projecting Sign		
Window Sign		
<b>Other Permitted Signs</b>		
Directory Sign	§ 153.173(M)(6)( c); Table 153.173M	Directory signs are intended to provide identification for upper story tenants and/or tenants that are otherwise not permitted an individual identification sign. Directory signs may also be used for restaurant menus and other similar uses.
Display Sign		Display signs are intended to advertise goods or services. Display signs may change frequently and may be attached to or located within 3 feet of a window on the interior of the building. Examples include products for sale or display, and signs that show or describe goods or services offered.
Sandwich Board Sign		Sandwich board signs are intended to be used in areas with high pedestrian and commercial activity.

(6) *Number of permitted signs.*

(a) *Single tenant buildings.* A combination of two different sign types, including ground signs and building-mounted signs, are permitted for the building. For lots with more than one street frontage, one additional ground or building-mounted sign is permitted along the second lot frontage, not to exceed a total of three signs.

(b) *Multiple tenant buildings.* A combination of two different sign types, including ground signs and building-mounted signs, are permitted for each ground floor tenant with a storefront.

(c) An additional building-mounted sign is permitted for each tenant with a storefront where the tenant also has a

dedicated public entrance facing an off-street parking area or parking structure in the same block, provided that the secondary public entrance is located on the side or rear façade of the building.

(d) Tenant spaces located above the ground floor may be identified by a directory sign or by a window sign or projecting sign located adjacent to a common public entrance providing access to the upper floor tenant spaces.

(7) *Specific sign type requirements.*

(a) *Ground signs.*

1. Ground sign height is measured from established grade of the base of the sign to the top of the sign or its frame/support, whichever is taller. The height may not be artificially increased.

2. All ground signs shall comply with the provisions of Table 153.173K: Ground Sign Requirements.

<b>TABLE 153.173K: GROUND SIGN REQUIREMENTS</b>	
<b>TABLE 153.173K: GROUND SIGN REQUIREMENTS</b>	
Number	Refer to § 153.173(L)(5): number of signs permitted
Size	Maximum 8 sq. ft.
Location	Minimum setback of 8 ft. from the street right-of-way or any property line.
Height	Maximum 6 ft.
General	Permitted ground signs may be attached to a freestanding wall or other similar structure on the same lot as the building or use.
	Sign foundations may not be exposed. They shall either be mounted on a masonry base or clad in material compatible with the material used for the sign and the principal structure containing the use with which the sign is associated.
	Ground signs shall be landscaped where appropriate to site conditions.

(b) *Building-mounted signs.*

1. Building-mounted sign types and measurements.

a. Building-mounted signs include wall signs, awning signs, projecting signs, and window signs.

b. Wall sign height is measured directly beneath the sign from the established grade at the base of the structure to which the sign is attached to the top of the sign.

c. Wall sign areas for buildings with storefronts shall be determined by taking the length of the storefront applicable to each tenant and computing sign requirements for that portion of the total wall.

d. Projecting sign height is measured directly beneath the sign from the established grade at the base of the structure to which the sign is attached to the top of the sign but shall not include brackets or equipment which are necessary to attach the sign to the structure. Necessary brackets or equipment shall not be counted as part of the sign area.

2. All building-mounted signs shall comply with the provisions of Table 153.173L: Building-Mounted Signs, except that:

a. Any building-mounted sign associated with a secondary public entrance shall not exceed six square feet in size and shall be located within six feet of the secondary public entrance, as measured horizontally along the building façade.

b. Any projecting sign associated with a common public entrance providing access to upper floor tenant spaces shall not exceed eight square feet and be located within six feet of the common public entrance.

<b>TABLE 153.173L: BUILDING-MOUNTED SIGN REQUIREMENTS</b>	
<b>TABLE 153.173L: BUILDING-MOUNTED SIGN REQUIREMENTS</b>	
<b>Wall Sign</b>	
Number	Refer to § 153.173(L)(5): number of signs permitted
Size	Maximum 8 sq. ft.
	On walls facing public streets

Location	Signs shall be located on the portion of the wall associated with the tenant space or storefront, and/or within 6 ft. of the common public entrance, where not associated with a storefront.
	Wall signs shall not extend more than 14 inches from the face of the structure to which it is attached.
Height	Maximum 15 feet and shall not extend above the roofline.

**TABLE 153.173L:  
BUILDING-MOUNTED SIGN REQUIREMENTS**

**TABLE 153.173L:  
BUILDING-MOUNTED SIGN REQUIREMENTS**

<b>Awning Sign</b>	
Number	Refer to § 153.173(L)(5): number of signs permitted
Size	20% of the cumulative surface of the awning area, not to exceed 8 sq. ft.
Location	Awning signs may be on any portion of the awning, and affixed flat to the surface and shall not extend vertically or horizontally beyond the limit of the awning.
Height	Maximum 15 feet. The lowest portion of an awning sign shall be at least 8 feet above the sidewalk.
<b>Projecting Sign</b>	
Number	Refer to § 153.173(L)(5): number of signs permitted
Size	Maximum 8 sq. ft.
Location	Within 6 ft. of the principal entrance. Projecting signs shall be separated by at least 10 ft. from another projecting sign, as measured along the building façade.
	Projecting signs shall not extend more than 6 ft. from the face of the structure to which it is attached and maintain at least 8 ft. of clearance above the sidewalk. A projecting sign shall be located within 6 ft. of the principal entrance of the building or storefront, as measured horizontally along the building façade.
Height	Maximum 15 feet, or not extending above the sill of the second story window, whichever is lower. The lowest portion of an awning sign shall be at least 8 feet above the sidewalk.
<b>Window Sign</b>	
Number	Refer to § 153.173(L)(5): number of signs permitted
Size	20% of the surface area of the window to which it is attached, not to exceed 8 sq. ft.
Location	Ground floor only, except as permitted by this section
General	Window signs shall only be permitted in lieu of display signs affixed to a window. Refer to Table 153.173M, Requirements for Other Permitted Signs, for Display Sign Requirements.

(c) *Other permitted signs.*

1. Directory signs, display signs, and sandwich boards shall be permitted in accordance with Table 153.173M.

**TABLE 153.173M:  
REQUIREMENTS FOR OTHER PERMITTED SIGNS**

**TABLE 153.173M:  
REQUIREMENTS FOR OTHER PERMITTED SIGNS**

<b>Directory Signs</b>	
Number	1 per public entrance
Location	Located within 6 ft. of the entrance and mounted flat to the wall
Size	Maximum 4 sq. ft.
Height	Ground floor only
<b>Display Signs</b>	

Size	Display signs located within 3 feet of the window shall not exceed 20% of the surface area of the window on which the signs are displayed.
	Display signs affixed to a window shall not exceed 20% of the surface area and shall not be permitted if a window sign is used.
Height	Ground floor only.
<b>Sandwich Board Signs</b>	
Number	1 per ground floor storefront tenant
Location	Sandwich board signs are permitted only immediately in front of the ground story tenant space.
	Signs shall be placed within 6 ft. of the primary ground floor public entrance of the business. Signs shall maintain a minimum unobstructed 5-ft. clearance on sidewalks and shall not impede the safe movement of pedestrians or the safe operation of vehicles. Sandwich board signs shall be removed and stored indoors or in a location not visible to the public during non-business hours.
Size	6 sq. ft. per side
Height	3 ft.
General	Sandwich board signs shall be constructed with a wood or metal frame with a chalkboard or whiteboard face. The sandwich board sign frame shall be finished in subdued colors. Sandwich board signs constructed of plastic, PVC, vinyl, and other similar materials as determined by the Planning Director are prohibited. Tracked line slide letters are prohibited.
Review	Sandwich board signs require approval of a Certificate of Zoning Plan Approval prior to use/installation.

(Ord. 03-21, passed 2-22-21)

**§ 153.174 DESIGN STANDARDS.**

(A) *Intent.* The design standards in this section outline required building details for alterations, additions and new construction, which serve to reinforce the traditional development character of the Historic Zoning Districts.

(B) *Roof type requirements.*

(1) Pitched, hipped, gabled, or a combination are also permitted within the Historic Zoning Districts subject to conformance with the Historic Design Guidelines and subject to approval of the ARB.

(2) *Flat roofs.*

(a) Flat roofs are permitted within Historic Dublin, except for properties that are zoned Historic Core, unless otherwise determined by the ARB to be architecturally appropriate.

(b) Eaves are encouraged on street-facing facades.

(c) Flat roofs are permitted to use a roof material appropriate to maintain proper drainage.

(3) *Parapets.*

(a) Parapets shall be provided on flat roofs that are high enough to screen the roof and any roof appurtenances from view from the street(s) and any adjacent building of similar height or lower, provided that parapets shall be no less than two feet and no more than six feet high. Where a six-foot parapet is insufficient to screen rooftop mechanical equipment a screening structure shall be required.

(b) Parapets shall wrap around all sides of the building.

(4) *Pitched roofs.*

(a) Hipped and gabled roofs are permitted, in addition to roofs with combinations of hips and gables with or without dormers.

(b) Permitted pitch roof materials include dimensional asphalt composite shingles with a 25-year or greater warranty, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. Other high quality simulated examples of these materials may be approved by the ARB with examples of successful, high quality installations in comparable climates.

(c) *Pitch measure.*

1. The principal roof shall have a pitch appropriate to the architectural style of the building. Roofs shall not be sloped less than a 6:12 (rise: run) or more than 12:12, unless otherwise determined to be architecturally appropriate by the ARB.

2. Slopes greater than 12:12 may be used on pitched roofs without a closed ridge to accommodate mechanical equipment within the roof structure and screened from view. These roofs must be designed with the appearance of closed ridges when viewed from all directions at street level and, to the maximum extent practicable, from buildings of similar heights in close proximity. The use of this roof configuration and pitch shall be based on the appropriateness of the roof design to the architectural style.

3. Unless determined to be appropriate to the architectural style of the building, a pitch greater than 3:12 is required on roofs of dormers, porches, balconies, or other minor roofs.

(5) *Gambrel and mansard roofs.*

(a) Gambrel and mansard roofs are permitted only for single-family detached buildings, unless otherwise determined by the ARB to be architecturally appropriate for other uses.

(b) Gambrel and mansard roofs shall be dimensional shingles, cedar shake, slate, or metal. Other high quality simulated examples of these materials may be approved by the ARB with examples of successful, high quality installations in comparable climates.

(6) *Other roof types.*

(a) Other roof types not listed as a specific type but are deemed architecturally appropriate to the proposed building may be approved by the required reviewing body.

(b) Roof terraces and roof plantings are permitted within the Historic Zoning Districts.

(c) Decorative towers that are incorporated into a building design may be permitted in the Historic Zoning Districts subject to approval of the ARB. Decorative towers are additional to and may exceed the maximum building height in the district in which it is located. The maximum width of the tower shall be one-third the width of the front façade of the building or 30 feet, whichever is less. No rooftop appurtenances are permitted on tower roofs.

(7) *Roof elements.*

(a) *Parallel ridge lines.*

1. When appropriate to the architectural character of the building, and where the principal ridge line of any building type runs parallel to any street, gabled ends, perpendicular ridge lines or dormers shall be incorporated to interrupt the mass of the roof.

2. Perpendicular ridge lines are not required to intersect the primary ridge line (i.e. the secondary roof mass may be physically lower than the primary ridge line), provided the appearance is determined to be architecturally appropriate by the required reviewing body.

(b) *Dormer design.*

1. Dormers shall be scaled and detailed appropriate to the architectural character of the building type. Dormer windows should be sized in relation to the windows used in the upper story, and dormers should be no wider than necessary to accommodate the window and coordinated trim. Visibility into permanently unfinished space is prohibited where dormer windows are installed.

(c) *Gable ends.*

1. An architecturally appropriate element such as a vent, window, or other decorative element is required on street facing gable ends.

(d) *Roof penetrations.*

1. Roof penetrations (fans, exhaust, vents, etc.) shall be concealed and shall not be visible from the public street frontage, unless otherwise approved by the Architectural Review Board.

(C) *Entrance design.*

(1) Principal entrances on all buildings shall be at a pedestrian scale, effectively address the street, and be given prominence on the building façade. This may be satisfied through the use of architectural features including, but not limited to, entranceway roofs; sidelight windows, transom window, or other adjacent windows; additional moldings with expression lines; a bay of unique width; or a raised stoop.

(2) Principal entrances on all single-family detached and single-family attached building types shall incorporate open porches or stoops unless otherwise determined by the ARB to be architecturally appropriate.

(3) Doors for commercial uses along all street frontages shall be consistent with the design of principal entrances and include glass and full operating hardware in the design of the door. Exterior doors for residential uses shall also include glass, but this requirement may be met through the use of transom and/or sidelight windows.

(4) Roll-up security grilles shall not be permitted.

(D) *Windows.*

(1) Windows may be wood, metal-clad wood, or vinyl-clad wood. The Architectural Review Board may approve other

high quality synthetic materials with examples of successful, high quality installations in comparable climates.

(2) Highly reflective glass is prohibited. For the purposes of this section, highly reflective glass has an exterior visible reflectance percentage greater than 20%.

(3) Spandrel glass, or heavily tinted glass that impedes views into the interior of the building is prohibited.

(4) Windows shall have architecturally appropriate lintels and projecting sills.

(5) Windows shall have vertical proportions with architecturally or historically appropriate window divisions.

(E) *Shutters.*

(1) If installed, shutters shall be sized to provide complete coverage to the windows when closed, appear operable, and include functioning hardware.

(2) Shutters shall be wood or engineered wood. The ARB may approve other materials with examples of successful, high quality installations in comparable climates.

(F) *Canopies and awnings.*

(1) Awnings and canopies may be used if they function as suitable protection from the elements. To provide suitable protection an awning or canopy may encroach over the sidewalk, provided the lowest portion is at least eight feet above the sidewalk.

(2) Awnings and canopies may be mounted inside frames, above openings and/or below transoms, but installation methods shall be consistent on a building.

(3) Awnings and canopies shall be designed to be consistent with the architecture of the building and other existing awnings and canopies on a building.

(a) *Awnings.*

1. Awnings shall be open on the underside.

2. Awnings shall be made of durable and fade-resistant canvas, decorative metal with metal used for the internal structure, or an alternative, high-quality, durable material, if determined to be architecturally appropriate by the required review body.

3. Awnings shall not be internally illuminated but may be lighted from above by downcast fixtures mounted to the building wall.

(b) *Canopies.*

1. Canopies may be clad with glass, metal, wood, or a combination of these materials.

2. Canopies may be cantilevered or supported from the building wall by metal cables or rods.

3. Canopies may include downward casting light fixtures and may be lighted from above by downcast fixtures mounted to the building wall.

(G) *Balconies.*

(1) *General.*

(a) Balconies shall be a minimum open area of six- feet deep and five-feet wide.

(b) Balconies may be recessed into a building façade. Balconies that are not recessed into the façade shall be independently secured and unconnected to other balconies above and below. Balconies may not extend into a right-of-way.

(2) *Juliet balconies.*

(a) Juliet balconies are permitted only on upper floors of buildings where windows extend to the floor or where doors are present.

(b) Juliet balconies may project up to 24 inches and shall not extend more than six inches past the fenestration.

(c) Juliet balconies used with windows must be secured to the outside window jamb.

(H) *Stoops.*

(1) Stoops may be located on the front and/or corner side façades of the building.

(2) Stoops and steps shall not encroach within the right-of-way.

(I) *Chimneys and vents.*

(1) Chimneys on exterior walls shall be treated as architectural elements.

(2) Chimneys on exterior walls shall extend full height from the ground and vertically past the eave line and must be finished in brick or stone. Cantilevered and shed-type chimneys are prohibited.

(3) Vents shall be finished to match the color of the exterior wall.

(J) *Exterior building material standards.*

(1) *Façade materials.*

(a) Permitted building materials shall be high quality, durable materials including but not limited to stone, manufactured stone, full depth brick, brick veneer, wood siding, glass, and fiber cement siding.

(b) Other high quality synthetic materials may be approved by the required reviewing body with examples of successful, high quality installations in comparable climates.

(2) *Roof materials.*

(a) Permitted roof materials include dimensional asphalt composite shingles with a 25-year or greater warranty, wood shingles and shakes, metal tiles or standing seam, slate and ceramic tile.

(3) *Color.*

(a) Colors for all building materials shall be selected from appropriate historic color palettes from any major paint manufacturer, or as determined appropriate by the required reviewing body.

(K) *Accessory uses and structures.* Accessory buildings and uses are regulated per the requirements set forth in § 153.074.

(Ord. 03-21, passed 2-22-21)

**§ 153.175 ARCHITECTURAL REVIEW BOARD.**

(A) *Purpose.* The purpose of the Architectural Review Board (ARB) shall be to:

(1) Promote the educational, cultural and economic wellbeing of the community through the preservation and maintenance of the historic sites as landmarks and tangible reminders of early architecture in Dublin.

(2) Prevent the deterioration of Historic Dublin and historic sites.

(3) Improve the quality of life in the city.

(4) Implement the recommendations and standards set forth in the Historic Design Guidelines.

(5) Record, protect and preserve cultural resources affected by, or adjacent to, any project.

(B) *Duties.* The Architectural Review Board shall have the following duties:

(1) Review and act upon all applications for alteration, additions, new construction, and demolition within Historic Dublin and designated outlying properties, as outlined in this chapter.

(2) Make recommendations to the Planning and Zoning Commission and City Council for revisions to this chapter or recommend other legislation that would best serve to develop, preserve, restore, and beautify Historic Dublin, and designated outlying properties, as established in § 153.170.

(3) Maintain the Historic Design Guidelines concerning the conservation of historic areas, buildings, and resources. Insofar as practicable, these guidelines shall be considered in the ARB's decisions with respect to alterations, demolitions, and new construction, as appropriate.

(4) Maintain an inventory of all landmarks and preservation districts. The Board may use existing inventories by the Ohio Historic Preservation Office or other recognized agency to fulfill this requirement. The inventory shall be updated periodically to reflect changes, alterations, and demolitions. All inventory materials shall be recorded on Ohio Historic Inventory and/or Ohio Archaeological inventory forms and shall be available through duplicates to the Ohio Historic Preservation Office. This inventory shall be made available to the public upon request.

(5) Make determinations of landmark or background status based on the City of Dublin Historical and Cultural Assessment and other applicable and relevant documentation.

(6) Conduct, cause to be conducted, or assist in a continuing survey of all properties, sites, or areas of architectural, archaeological, historic, and aesthetic interest in the city when it deems necessary.

(7) Undertake efforts to improve the education of the citizens of the city with respect to Dublin's architectural and historical heritage.

(8) Act as a liaison as directed by City Council on behalf of the city to individuals and organizations concerned with historic preservation.

(9) When requested by the city, review all proposed historic registry nominations for properties within the city. When expertise not represented on the ARB is necessary for review of a proposed nomination, the ARB shall seek expert academic or consulting advice before rendering a decision.

(10) Provide a written annual report to the City Council, which shall address at a minimum the Board's activities, cases,

decisions, and special projects. The annual report shall be kept on file and available for public inspection.

(C) *Membership.*

- (1) The Architectural Review Board shall consist of five voting members appointed by City Council.
- (2) Membership of the ARB shall consist of the following, unless otherwise authorized by City Council:
  - (a) A member of the Dublin Historical Society who is recommended by the Society.
  - (b) A person who maintains his or her personal residency within Historic Dublin or one of the designated outlying properties, as outlined in § 153.170.
  - (c) A person who owns commercial property within Historic Dublin.
  - (d) A person who has architectural training or has extensive building or building inspection experience.
  - (e) A person who operates a commercial business within Historic Dublin.
- (3) Members shall have a demonstrated interest, knowledge, or expertise in historic preservation. At least two members should be preservation related professionals, to the extent they are available, such as the professions of architecture, architectural history, history, archaeology, landscape architecture, planning or related disciplines.
- (4) Members shall serve without compensation unless otherwise provided by City Council.
- (5) Each member shall hold office from the date of his or her appointment for a term of three years. Any member may continue in office after his or her term expires until an appointed successor takes office; or until 60 days have elapsed, whichever occurs first.
- (6) All vacancies created by the expiration of the terms, resignations, or other means shall be filled in accordance with the requirements of division (C)(2) above. In the event the requirements of division (C)(2) cannot be met, City Council may fill vacancies as it may deem appropriate. Vacancies shall be filled within 60 days as prescribed in Article VII of the City Charter. A member appointed to fill a vacancy shall serve out the term of the previous member.
- (7) The ARB shall establish its rules and regulations, and guidelines with approval from City Council.
- (8) The ARB shall elect a chairperson and vice-chairperson as set forth in its rules and regulations.
- (9) The ARB will hold a regular monthly meeting unless there is no business to come before the ARB. Special meetings may be called as set forth in the ARB's rules and regulations. All meetings of the ARB shall be open to the public as prescribed in Article VII of the City Charter.

(Ord. 03-21, passed 2-22-21)

**§ 153.176 REVIEW AND APPROVAL PROCEDURES AND CRITERIA.**

(A) *Intent.* The intent of this section is to provide an efficient, predictable, and context-based review process for development applications in Historic Dublin and designated outlying properties, as outlined in § 153.170.

(B) *Required approvals.*

- (1) This section outlines the requirements and procedures for the development review specifically within Historic Dublin and designated outlying properties. The review procedures of this section shall be used for all development applications in Historic District and designated outlying properties, as outlined in this section.
- (2) The Architectural Review Board shall review and make a determination regarding the following application requests:
  - (a) Requests for alterations or changes to architectural features of existing sites and structures.
  - (b) Requests for additions or new construction to existing sites and structures.
  - (c) Signs.
  - (d) Demolition.
- (3) Applications for review by the Architectural Review Board are not required for the following:
  - (a) Ordinary maintenance to correct any deterioration, decay, or damage to a structure or site and to restore the structure as nearly as practicable to an original state prior to its deterioration, decay or damage.
  - (b) Interior building improvements that do not involve any exterior changes, alterations, or modifications, including minor mechanical items such as residential roof vents and plumbing pipes.
  - (c) Landscaping for single-family dwellings.
- (4) No building permit or certificate of zoning plan approval shall be issued by the Chief Building Official or the Director and/or their designees for any proposal which is subject to the Architectural Review Board's review unless approval has been granted in accordance with the requirements of this chapter.



(5) All other applicable requirements of §§153.170 through 153.178 apply to all development within the areas under the jurisdiction of the Architectural Review Board, as provided in this subchapter.

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

- (1) BZA: Board of Zoning Appeals;
- (2) CC or Council: City Council;
- (3) ARB: Architectural Review Board;
- (4) PD or Director: Planning Director; and
- (5) PZC or Commission: Planning and Zoning Commission.

<b>TABLE 153.176A: SUMMARY PROCEDURE TABLE</b>						
R=Recommendation D=Decision A=Administrative Appeal RF=Review & Feedback						
Type of Application	PD	ARB	BZA	PZC	Counc il	Zoning Code Reference
<b>TABLE 153.176A: SUMMARY PROCEDURE TABLE</b>						
R=Recommendation D=Decision A=Administrative Appeal RF=Review & Feedback						
Type of Application	PD	ARB	BZA	PZC	Counc il	Zoning Code Reference
<b>Zoning Code Approvals</b>						
Zoning Map or Text Amendment	R	R		R	D	§ 153.234
Conditional Use	R	R		D		§ 153.236
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 )
<b>Other Approvals</b>						
Building Code Appeal			D			§ 153.231(I)
<b>Historic District Applications</b>						
Pre-Application	RF					§ 153.176(D)
Informal Review	RF	RF				§ 153.176(E)
Concept Plan	R	D				§ 153.176(F)
Concept Plan with a Development Agreement	R	R			D	§ 153.176(D)
Preliminary Development Plan	R	D				§ 153.176(G)
Final Development Plan	R	D	A			§ 153.176(H)
Minor Project	R	D	A			§ 153.176(I)
Demolition	R	D	A			§ 153.176(J)
Administrative Departure	R	D				§ 153.176(K)
Waivers	R	D				§ 153.176(L)
Master Sign Plan	R	D				§ 153.173(L)/ § 153.176(M)
Administrative Approval	D	A				§ 153.176(N)
Certificate of Zoning Plan Approval	D					§ 153.233/ § 153.176(P)(3 )

(D) *Pre-application.*

(1) *Purpose and applicability.*

(a) The purpose of the pre-application submittal is to provide a potential applicant with a non-binding review 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 procedures.*

(a) A request for a pre-application review shall be made in accordance with the provisions of division (P)(1) of this

section.

(b) Requests shall be submitted to the Director, who shall be responsible for circulating any submittal material to the applicable departments for input.

(c) The Director and staff shall use reasonable efforts to conduct an expeditious review of the submitted materials and provide non-binding input and recommendations.

(d) The Director may schedule a meeting with the potential applicant to discuss the request or may provide a written summary of the staff review.

(e) Additional staff reviews of the pre-application submittal may be requested by the applicant 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.

(E) *Informal review.* Prior to submittal of an application for a Concept Plan (CP), an applicant may submit an Informal application for review of a development concept with the ARB. Such submittal shall include a completed application form and supporting material sufficient to describe the development concept. The review of the informal submittal shall be non-binding upon the ARB and the applicant, however, it is intended to provide feedback by the ARB that should inform the preparation and subsequent review of the CP. The Planning Director shall prepare a brief analysis and comments that will be submitted to the ARB with the application.

(F) *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 policy direction of the Community Plan, the Historic Design Guidelines, the requirements of the Historic Zoning Districts and those applicable to designated outlying properties, other related policy and regulatory documents, and the review criteria, and to consider the proposal within the context of existing and planned development within the vicinity of the project.

(b) The CP allows the required reviewing body the means to ensure that the proposed concept is consistent with the following:

1. That the proposed land uses are consistent with Community Plan, Historic Design Guidelines, and applicable Zoning Code requirements;
  2. That the proposed development and layout are generally compatible with the existing development pattern and scale of development within Historic Dublin; or surrounding development for the designated outlying properties;
  3. That the proposed development concept generally preserves and maintains the historic nature of a given site;
- and
4. That the proposed development concept has the potential to create a walkable, pedestrian scale place.

(c) The CP review provides an opportunity for public input at an early 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 it shall serve as a basis for preparation by the applicant of the Preliminary Development Plan (PDP) for the proposed development.

(f) For projects that will propose a development agreement due to the need for development timeframe, public infrastructure, public and private contributions, development restrictions, or other related items, City Council shall serve as the required reviewing body for the CP. In those cases, the Director and the Architectural Review Board shall each review the CP and provide a recommendation to Council to approve, approve with conditions, or disapprove the CP.

(2) *Review procedure.*

(a) The CP is a mandatory step in the development review and approval process.

(b) An application for a CP shall be made in accordance with the provisions of divisions (P)(1) of this chapter.

(c) The ARB shall be the required reviewing body for the CP in Historic Dublin and any designated outlying property, unless a development agreement is proposed in conjunction with a proposed project, then City Council shall be the required reviewing body for the CP.

(d) The Director shall make a recommendation to the ARB for approval, approval with conditions, or denial of the CP application under the criteria of division (F)(4) of this section.

(e) The ARB shall review the CP application, the minutes of the ARB meeting if an informal review was requested by the applicant, the Director's recommendation, and render its decision based on the criteria of division (F)(4). In the instance the ARB is the required reviewing body, the Board will render a decision for approval, approval with conditions, or denial and written record of the Board's decision shall be provided.

(f) In the instance of a CP associated with a proposed development agreement, the Board will make a recommendation of approval, approval with conditions, or denial to City Council.

(g) City Council shall review the CP application and the recommendations of ARB and the Director, and render its decision based on the criteria of division (F)(4) of approval, approval with conditions, or denial.

(3) *Submittal requirements.* It is the intent of these regulations that the 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, and to evaluate consistency with the review criteria in division (F)(4). The applicant shall submit an application and supplemental materials as outlined in division (P)(1) and determined by the Director.

(4) *Review criteria.* The required reviewing body shall make its decision on an application for a CP based on each of the following criteria and may consider the recommendation of the Director and, if City Council is the required reviewing body, the recommendation of the ARB. For applications associated with a development agreement, the ARB shall apply these criteria in the formulation of its recommendation to City Council.

(a) The CP is consistent with the applicable policy guidance of the Community Plan, applicable Zoning Code requirements, and other applicable city plans, and citywide administrative and financial policies;

(b) The CP is consistent with the Historic Design Guidelines;

(c) The CP conforms to the applicable requirements of the Code;

(d) The CP is consistent with surrounding historic context, character, and scale of the immediately surrounding area and the district as a whole;

(e) The applicant or applicant's representative has demonstrated that it has technical expertise and experience with appropriate construction methods consistent with sound historic preservation practices;

(f) The illustrative lots, supporting street and pedestrian network, and internal circulation provide a coherent development pattern and the conceptual locations of access points to surrounding streets will avoid adverse impacts on surrounding neighborhoods and traffic infrastructure;

(g) The proposed land uses allow for appropriate integration into the community, consistent with adopted plans, and align with the requirements of § 153.172 Uses;

(h) The conceptual buildings are appropriately sited and scaled to create a cohesive development character that complements the surrounding environment, and conforms to the architectural requirements of § 153.174 Design Standards and the Historic Design Guidelines;

(i) The conceptual design of open spaces, including location and relationship to surrounding buildings, provides for meaningful public gathering spaces that benefit the community both within and outside the proposed development; and

(j) The CP 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) *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 Community Plan, Historic Design Guidelines, applicable Zoning Code requirements, other adopted plans, policies, and regulations, and the review criteria.

(b) The PDP allows the ARB to ensure that the proposed development is consistent with the following:

1. That the street network provides a coherent and rational development pattern, and provide for walkable urbanism;

2. That the proposed building and site layout is appropriate to the location and surrounding neighborhood;

3. That planned open spaces and building types within the development are integrated in order to complement each other;

4. That the building design considers the general massing, scale and arrangement of other structures in the immediate vicinity;

5. That the architectural design be compatible the surrounding character and reflect key buildings and landmarks within Historic Dublin.

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;

7. That the proposed development will contribute to the creation of signature places in the city.

(c) The PDP is intended to establish the direction of the proposed development based on all applicable code requirements and shall refine the approved CP.

(d) If a PDP is approved by the ARB, 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) An application for a PDP may not be submitted prior to the review and approval of a CP.

(b) The PDP is a mandatory submittal requirement prior to filing a FDP. However, the PDP may be combined with the FDP at the request of the applicant, by motion of the ARB following its approval of the CP, or if recommended by the Director and agreed by the applicant.

(c) An application for PDP shall be submitted in accordance with the provisions of divisions (P)(1) of this section.

(d) The ARB shall be the required reviewing body for the PDP within Historic Dublin and for designated outlying properties.

(e) The Director shall make a recommendation for approval, approval with conditions, or denial of the PDP application under the criteria of division (G)(4) of this section.

(f) The ARB shall review the PDP application and the recommendation of the Director and render its decision based on the criteria of division (G)(4) of this section for approval, approval with conditions, or denial. A written record of the Board's decision shall be provided to the applicant.

(3) *Submittal requirements.* It is the intent of these regulations that a 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 FDP. Information submitted should be sufficiently detailed to enable the ARB to understand the existing site and the PDP for the proposed development, and to evaluate consistency with the review criteria in division (G)(4). The applicant shall submit an application and supplemental materials as outlined in division (P)(1) and determined by the Director.

(4) *Review criteria.* The ARB shall make its decision on an application for a PDP based on each of the following criteria:

(a) The PDP shall be consistent with the approved 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, the Historic Zoning Districts requirements, applicable Zoning Code requirements, other adopted city plans, and related policies;

(c) The PDP is consistent with the Historic Design Guidelines;

(d) The proposed land uses align with all applicable requirements and use specific standards of §153.172 Uses;

(e) The proposed PDP is consistent with surrounding historic context, character, and scale of the immediately surrounding area and the district as a whole;

(f) The proposed buildings are appropriately sited and scaled to create a cohesive development character that complements the surrounding environment, and conforms to the requirements of §§ 153.173 and 153.174, and the Historic Design Guidelines;

(g) The proposed lots conform to the requirements of §153.173;

(h) The proposed street types conform to the requirements and standards;

(i) The proposed 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;

(j) The proposed design of buildings conforms to the Zoning Code and is consistent with the Historic Design Guidelines, while integrating with nearby development;

(k) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community both within and outside the proposed development;

(l) 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;

(m) 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;

(n) 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;

(o) If the development is to be implemented in phases, each phase has adequate infrastructure to serve the development independently without the need for further phased improvements;

(p) The proposed development demonstrates consistency with the recommendations, principles, and intent of all applicable design standards and guidelines, including but not limited to buildings, open spaces, and streetscapes; and

(q) The applicant or applicant's representative has demonstrated that it has technical expertise and experience with appropriate construction methods consistent with sound historic preservation practices.

(H) *Final development plan.*

(1) *Purpose and applicability.*

(a) The purpose of the final development plan (FDP) is to confirm compliance with the PDP, all applicable requirements of the Code, Community Plan, Historic Design Guidelines, and other adopted plans, policies, and regulations, and the review criteria.

(b) The FDP allows the ARB to ensure that the proposed development is compliant with the following:

1. That the street network provides a coherent and rational development pattern, and provide for walkable urbanism;
2. That the proposed building are appropriate to the location and neighborhood, including assuring that the dimensions of a parcel meet the lot size requirements for the applicable zoning district;
3. That the architecture, building materials and colors, landscaping and buffering, and site layout create a functional, aesthetically appealing urban place;
4. That planned open spaces and building are integrated in order to complement each other;
5. 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
6. That the proposed development will contribute to the creation of signature places in the city.

(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) All development within Historic Dublin and designated outlying properties shall require an approved FDP prior to applying for site disturbance approval, CZPA, and/or building permits. In addition, the following development activities shall also require an approved FDP:

1. When a project involves the design or construction of new streets, or a proposed realignment or relocation of any street that is required or permitted by the city;
2. When a project requires land subdivision in accordance with Chapter 152; or
3. When a project does not meet the criteria for a Minor Project (MP).

(e) Applications for a FDP shall be reviewed by the ARB, 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 FDP shall be submitted in accordance with the provisions of divisions (H)(4) and (P)(1) of this section.

(b) The PDP may be combined with the FDP at the request of the applicant, by motion of the ARB at the time of CP review and approval, or recommended by the Director.

(c) The ARB shall be the required reviewing body for the FDP within the Historic Zoning Districts, and other designated outlying properties.

(d) The Director shall make a recommendation to the ARB for approval, approval with conditions, or denial of the final development plan application under the criteria of division (H)(4) of this section.

(e) The ARB shall review the FDP application and the recommendation of the Director and render its decision based on the criteria of division (H)(4) of this section for approval, approval with conditions, or denial. A written record of the Board's decision shall be provided.

(3) *Submittal requirements.* It is the intent of these regulations that a 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 ARB to understand the existing site and the FDP for the proposed project or a portion thereof, and to evaluate consistency with the review criteria in division (H)(4). The applicant shall submit an application and supplemental materials as outlined in division (P)(1) and determined by the Director.

(4) *Review criteria.* The ARB shall make its decision on an application for a FDP based on each of the following criteria:

(a) The FDP shall be substantially similar to the approved PDP, and consistent with 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, other adopted city plans, and citywide administrative and financial policies;

- (c) The proposed development is consistent with the Historic Design Guidelines;
- (d) The proposed FDP is consistent with surrounding historic context, character, and scale of the immediately surrounding area and the district as a whole;
- (e) The proposed land uses conform to all applicable requirements and use specific standards of § 153.172 Uses;
- (f) The proposed buildings are appropriately sited and conform to the requirements of §153.173 Site Development Standards and the Historic Design Guidelines;
- (g) The proposed street layout and lots conform to the requirements;
- (h) The proposed 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;
- (i) The proposed design, architecture, and materials of buildings is consistent with the Historic Design Guidelines, while integrating with nearby development, and avoids overshadowing of existing historic structures and landmarks;
- (j) The proposed site design, landscaping, screening, and buffering is consistent with the §153.173 and § 153.174, and the Historic Design Guidelines;
- (k) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community, benefit the community both within and outside the proposed development;
- (l) 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;
- (m) 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;
- (n) 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;
- (o) If the development is proposed to be implemented in phases, each phase has adequate infrastructure to serve the development independently without the need for further phased improvements;
- (p) The proposed development demonstrates consistency with the recommendations, principles, and intent of all applicable design standards and guidelines, including but not limited to buildings, open spaces, and streetscapes; and
- (q) The applicant or applicant's representative has demonstrated that it has technical expertise and experience with appropriate construction methods consistent with sound historic preservation practices.

(l) *Minor project.*

(1) *Purpose and applicability.* The purpose of the minor project (MP) is to provide an efficient review process for smaller projects that do not have significant community effects.

(2) *Minor projects defined.* The following projects shall be considered eligible for review and approval as an MP:

(a) Individual single-family detached dwelling units, including new construction, additions, alterations, and exterior modifications.

(b) Development of mixed use and nonresidential principal structures of 3,000 square feet or less gross floor area and associated site development requirements.

(c) Additions to principal structures that increase the gross floor area by not more than 25%, or not more than 1,500 square feet gross floor area, whichever is less, existing as of the effective date of this amendment, or when first constructed, and associated site development requirements.

(d) Exterior modifications to principal structures, except as outlined in the Administrative Approval §153.176(N).

(e) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building.

(f) Accessory structures and uses.

(g) Parking plans when not associated with a 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 (l)(5) and (P)(1) of this section.

(b) The ARB shall be the required reviewing body for the MP.

(c) The Director shall make a recommendation to the ARB for approval, approval with conditions, or denial of the MP

under the criteria of division (I)(5).

(d) The ARB shall review the MP application and the Director's recommendation, and render its decision based on the criteria of (I)(5) of this section for approval, approval with conditions, or denial. A written record of the ARB's decision shall be provided.

(e) If the application is not approved by the ARB, the applicant shall be given the opportunity to revise the application in response to the ARB comments and resubmit for reconsideration.

(f) Decisions of the ARB are appealable to the BZA.

(4) *Submittal requirements.* It is the intent of these regulations that an application for a 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. An archeological assessment should be included. The applicant shall submit an application and supplemental materials as outlined in division (P)(1) and determined by the Director.

(5) *Review criteria.* The Architectural Review Board (ARB) shall make its decision on an application for a MP based on each of the following criteria and the recommendation of the Director:

(a) The MP shall be consistent with the Community Plan, applicable Zoning Code requirements, Historic Design Guidelines, and adopted plans, policies, and regulations;

(b) In cases where a MP is proposed within or as part of an approved PDP or FDP, the MP shall be consistent with such approved PDP or FDP;

(c) The MP shall be consistent with the record established by the required reviewing body, the associated staff report, and the Director's recommendation;

(d) The proposed land uses meet all applicable requirements and use specific standards of §153.172 Uses;

(e) The proposed development is consistent with the Historic Design Guidelines;

(f) The proposed MP is consistent with surrounding historic context, character, and scale of the immediately surrounding area and the district as a whole;

(g) The proposed buildings are appropriately sited and conform to the requirements of §153.173 Site Development Standards and the Historic Design Guidelines; and

(h) The proposed site improvements, landscaping, screening, signs, and buffering shall meet all applicable requirements of the code and respond to the standards of the Historic Design Guidelines.

(J) *Demolition.*

(1) *Purpose and applicability.*

(a) The intent of a demolition is to provide an efficient process to demolish a structure within Historic Dublin or a designated outlying property.

(2) *Demolition defined.* The following projects shall be considered eligible for review and approval as a demolition:

(a) If the property that is to be demolished is categorized as a landmark building per a determination of the ARB using the Dublin 2023 Historic District Map, the property owner or applicant shall demonstrate by credible evidence that the property owner will suffer economic hardship if the request to demolish is not granted. In determining whether the property owner has demonstrated economic hardship the Board shall consider the factors established in § 153.176(J)(5)(a).

(b) If the property that is to be demolished is categorized as a background, the property owner or applicant shall demonstrate one of the criteria outlined in § 153.173(J)(5)(b) is met.

(c) If a property owner believes that a property designated as a landmark property by the ARB is in fact background, it may present evidence to the ARB to that effect. Such a determination will be considered a waiver under § 153.176(L) and shall be subject to the waiver procedures. The ARB will be guided in its determination by the National Register of Historic Places criteria, including the National Register Bulletin 15 "How to Apply the National Register Criteria for Evaluation".

(3) *Review procedures.*

(a) An application for a demolition shall be made in accordance with the provisions of the divisions (J)(5) and (P)(1) of this section.

(b) The ARB shall be the required reviewing body for applications for a demolition within Historic Dublin and for any designated outlying properties.

(c) The ARB shall review the request after receiving a complete application and make a decision to approve, approve with conditions, or deny, a demolition application under the criteria of division (J)(5) of this section. A written record of the

Board's decision shall be provided.

(d) The ARB may impose a waiting period not to exceed one year. During this period the ARB and the applicant shall make every reasonable effort to find an alternative to demolition. During this period, the owner of the structure shall maintain and preserve the structure to prevent further deterioration. If the Board and the applicant do not agree on a means of preserving the structure within the specified waiting period, the application for demolition may be approved or denied.

(e) A request for demolition may be transferred with the sale of the property. A new owner shall not be required to re-apply. However, the requirements of this section shall continue to apply to any new owner(s).

(f) A landmark property shall not be demolished until a replacement structure has been approved by the ARB.

(g) The applicant or owner shall provide documentation of identified cultural resources as part of the assessment outlined in § 153.174J(4) prior to demolition. Documentation shall be provided to Dublin Planning staff and may include photo or video evidence.

(4) *Submittal requirements.* It is the intent of these regulations that a demolition shall provide adequate information to justify the request to remove a structure. 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. An assessment of cultural resources is required to be submitted with the application and supplemental materials as outlined in division (P)(1) and determined by the Director.

(5) *Review criteria.* The Architectural Review Board (ARB) shall make its decision on an application for a demolition based on each of the following criteria and the recommendation of the Director:

(a) If the property that is to be demolished is categorized as a landmark building, the applicant shall demonstrate by credible evidence that the property owner will suffer economic hardship if the request to demolish is not granted. In determining whether the property owner has demonstrated economic hardship the Board shall consider the following factors:

1. Will all economically viable use of the property be deprived without approval of the demolition.
2. Will the reasonable investment-backed expectations of the property owner be maintained without approval of the demolition.
3. Was the economic hardship created or exacerbated by the property owner.
4. In evaluating the factors established in divisions (J)(5)(a)1. through (J)(5)(a)3. above, the ARB may consider any or all of the following:
  - a. A property's current level of economic return.
  - b. Any listing of the subject property for sale or rent, price asked, and offers received, if any, within the previous two years, including testimony and relevant documents.
  - c. The feasibility of alternative uses for the property that could earn a reasonable economic return.
  - d. Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property.
  - e. Knowledge of landmark designation or potential designation at time of acquisition.
  - f. Economic incentives and/or funding available to the applicant through federal, state, city, or private programs.

(b) If the property that is to be demolished is categorized as a background building, the property owner shall demonstrate one of the following criteria are met.

1. By credible evidence the property owner will suffer economic hardship if the request to demolish is not granted. In determining whether the property owner has demonstrated economic hardship the Board shall consider the factors established in § 153.176(J)(5)(a).

2. The structure contains no features or architectural, historic, or archeological significance to the character of the area in which it is located.

3. The location of the structure impedes the orderly development of the District, substantially interferes with the purposes of the District, or detracts from the historical character of its immediate vicinity; or, the proposed construction to replace the demolished structure significantly improves the overall quality of the Architectural Review District without diminishing the historic value of the vicinity or the District.

(K) *Administrative departures.*

(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 code 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 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 AD shall be made in accordance with the provisions of divisions (K)(5) and (P)(1) of this section.
- (b) The ARB shall be the required reviewing body for administrative departures.
- (c) A request for an AD may be submitted with an application for a PDP, FD, MP, or at any other time as may be necessary.
- (d) A request for an AD may be processed simultaneously with a PDP, FDP, or MP to which it relates.
- (e) The Director shall make a recommendation to the ARB for approval, approval with conditions, or denial of the AD under the criteria of division (K)(5).
- (f) The ARB shall determine whether each requested AD is approved, approved with conditions, or denied. A written record of the ARB's decision will be provided.
- (g) Should the ARB 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, as applicable.

(4) *Submittal requirements.* It is the intent of these regulations that an application for an AD provides sufficient information to evaluate whether the request should be granted under divisions (K)(2) and (K)(5). The information should be sufficiently detailed to enable the required reviewing body to understand the existing site, proposed AD, and the related PDP, FDP or MP for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in division (P)(1) and determined by the Director.

(5) *Review criteria.* The ARB shall make its decision on the requested 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, Historic Design Guidelines, other adopted city plans and policies, and all applicable requirements within §§ 153.170 through 153.178;
- (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 the applicable zoning district;
- (d) The AD, if approved, does not adversely impact the pedestrian experience; and
- (e) The AD, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other development features than without the AD.

(L) *Waivers.*

(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 ARB.

(2) *Waivers defined.* The following shall be considered eligible for review and approval as an waiver:

- (a) A deviation from a requirement of §§153.172(C) through 153.174, which do not otherwise qualify for an AD under the provisions of division (K) of this section; or
- (b) A request for determination of a landmark versus background structure.

(3) *Review procedure.*

- (a) An application for a waiver shall be made in accordance with the provisions of divisions (L)(4) and (P)(1) of this section.
- (b) The ARB shall be the required reviewing body for waivers. In cases where a waiver is submitted with a Minor Project (MP), the ARB shall be the required reviewing body for both the waiver and the MP.
- (c) The waiver may be submitted with any application for a PDP or FDP.
- (d) The Director shall make a recommendation to the ARB for approval, approval with conditions, or denial of the waiver under the criteria of division (L)(5). Additional waivers determined by the Director during his/her review, may be included for review by the ARB.
- (e) The ARB shall review the requested waiver using the criteria of division (L)(5) of this section. Should other waivers be necessary to resolve conflicts with other requirements of this chapter resulting from the requested waiver, those waivers shall also be reviewed by ARB.

(f) The ARB shall approve, approve with conditions, or deny the waiver request. A written record of the ARB decision will be provided.

(4) *Submittal requirements.* It is the intent of these regulations that an application for a waiver provides sufficient information to evaluate whether the waiver should be granted under divisions (L)(3) and (L)(5). The information should be sufficiently detailed to enable the ARB to understand the existing site, proposed PDP, FDP, or 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 (P)(1) and determined by the Director.

(5) *Review criteria.* The ARB shall make its decision on an application for a proposed waiver based on all of the following criteria:

(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 not negatively impact the historic context of the immediately surrounding area or the district as a whole;

(c) The waiver, if approved, will generally meet the spirit and intent of the Community Plan, Historic Design Guidelines, other adopted city plans and policies, and all applicable requirements in §§ 153.170 through 153.178;

(d) The waiver is not being requested solely to reduce cost or as a matter of general convenience;

(e) The waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the waiver;

(f) The requested waiver is better addressed through the waiver rather than an amendment to the requirements of this chapter; and

(g) The waiver does not have the effect of authorizing any use that is not otherwise permitted in the applicable zoning district.

(h) In the event of waivers from numeric or dimensional standards, the waiver does not exceed 20%.

(i) In the event of waivers from determinations of landmark or background status, the provisions in §153.175(J) shall also apply.

(M) *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 Historic 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 Historic Design Guidelines.

(c) The MSP allows the ARB the means to evaluate the proposal for its consistency with §§153.170 through 153.178, the Community Plan, Historic 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.

(2) *Review procedure.*

(a) An application for a MSP shall be submitted in accordance with the provisions of divisions (M)(3) and (P)(1) of this chapter.

(b) The ARB shall be the required reviewing body for MSPs in Historic Dublin.

(c) The Director shall make a recommendation to the ARB for approval, approval with conditions, or denial of the MSP application under the criteria of division (M)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.

(d) The ARB shall review the MSP application and the recommendation of the Director, and render its decision based on the criteria of division (M)(4) for approval, approval with conditions, or denial. A written record of the Board's decision shall be provided.

(e) The applicant may request additional review meetings with the ARB.

(3) *Submittal requirements.* It is the intent of these regulations that the MSP shall indicate general information, sign design standards, and the area of applicability. Information submitted should be comprehensive enough to enable the ARB 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 (N)(1) and determined by the Director.

(4) *Review criteria.* The ARB shall render its feedback on an application for a MSP based on each of the following criteria and the recommendation of the Director.

(a) The MSP is consistent with the Community Plan, Historic Design Guidelines, and other adopted city plans and policies;

(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 § 153.174 Design Standards and the Historic Design Guidelines; and

(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.

(N) *Administrative approval.*

(1) *Purpose and applicability.*

(a) The Director may authorize an Administrative Approval (AA) to an approved FDP or MP that is required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that is necessary to ensure orderly and efficient development.

(b) Any approved AA must be consistent with the intent of 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) *Administrative approval defined.* The following are considered AA's:

(a) Adjustments to lot lines;

(b) Adjustments to the location and layout of parking lots;

(c) Adjustments of up to 10% in total building floor area or floor plan;

(d) Adjustments to building height up to 10% for no more than 10% of the floorplate of the highest occupied floor when necessary to accommodate building equipment or features required to comply with building code;

(e) Substitution of landscaping materials specified in the landscape plan;

(f) Redesigning and/or relocating stormwater management facilities;

(g) Relocating fencing, walls or screening (not including screening walls);

(h) Modifications to sign location, sign face, landscaping and lighting;

(i) Changes in building material;

(j) Changes in building color, in compliance with the approved Historic Paint Color palette;

(k) Changes required by outside agencies such as the county, state, or federal departments; and/or

(l) 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 AA shall be made in accordance with the provisions of divisions (N)(4) and (P)(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 (N)(5) of this section. The Director's decision shall be provided to the applicant in writing.

(d) The Director may forward any AA application to the ARB for consideration. In making such a determination, the Director shall conclude that the application raises complex issues, including that the proposal is of such magnitude that it has a detrimental effect on the approved development or there are neighborhood or community wide effects that may result if the proposal is approved, that would benefit from a public review and decision by the ARB.

(e) 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.

(f) Requests not meeting the requirements for an AA shall require the filing and approval of a new application for a FDP, MP or other application as applicable, in accordance with this section.

(g) Decisions may be appealed to ARB.

(4) *Submittal requirements.* It is the intent of these regulations that an application for an AA provides sufficient

information to ensure general conformity to the applicable provisions of this code and the approved FDP or MP, and to evaluate whether the AA should be granted under division (N)(2) and (N)(5). 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 (P)(1) and determined by the Director.

(5) *Review criteria.* The Director shall make his or her decision on an application for a proposed 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 PDP, FDP, or MP are not altered;
- (b) Adjustments to the location and layout of parking lots maintain the perimeter setbacks, yards, 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 except as provided for in division (K)(2);
- (d) Substitution of landscaping materials shall be of an equal or greater size and quality as 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 previously approved material; such changes shall be of equal or higher quality than the previously approved material;
- (i) Changes in color shall be complementary 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; and
- (k) The requested modification would be better addressed through the modification rather than an amendment to the requirements of this chapter or to the approved FDP or MP.

(O) *Other applicable approvals.*

(1) *Conditional uses.* The conditional use approval procedures in §153.236 shall apply in the Historic Zoning Districts. The PZC is the required reviewing body for Conditional Use applications.

(2) *Zoning map or text amendment.* The amendment procedures of § 153.234 shall apply in the Historic Zoning Districts. In addition, a recommendation from the Director shall be submitted for consideration by the PZC and City Council.

(3) *Preliminary and final plats.* Reviews of preliminary and final plats shall be governed by Chapter 152 of the Dublin Code of Ordinances.

(4) *Special permit.* The special permit procedures in §153.231(G) shall apply in the Historic

(5) *Zoning variance.* The zoning variance procedures in §153.231(H) shall apply in the Historic Zoning 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.

(6) *Public tree permit.* The tree permit requirements of §153.134(G) shall apply in the Historic Zoning Districts.

(P) *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 the 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 FDP that has been denied by the ARB 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 subchapter 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 subchapter. The provisions of § 153.176(G) and (H) govern relative to the filing of a combined PDP and FDP.

(f) Where public reviews are required by this subchapter, 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) The ARB shall apply the standards and guidelines within the context of a site to either grant waivers or place conditions of approval that impose additional restrictions. In considering waivers or conditions that impose additional restrictions, the ARB shall consider the historic context of the immediately surrounding area and the district as a whole.

(d) Following the approval of a FDP or MP, the applicant may proceed with the process for obtaining a certificate of zoning plan approval (CZPA) and building permit (BP), consistent with the approval as granted. All construction and development under any BP shall comply with the approved FDP and MP, and any other approval, as applicable.

(3) *Certificate of zoning plan approval.* A 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 the Historic Zoning Districts.

(4) *Code administration.* The ARB may evaluate and monitor the application of the requirements and standards of §§ 153.170 through 153.178 by the Director. The ARB may advise the Director as to whether it finds that the requirements or standards (including requests for an AA) are being applied correctly, and recommend to City Council any changes needed to better implement the Community Plan, Historic Design Guidelines, and other related policy and regulatory documents adopted by the city.

(5) *Duration of approvals.*

(a) Because the review of an informal application is non-binding on the city and does not result in a decision by the ARB, the comments made during the informal application review do not expire. However, if the applicant makes any material change in the informal application following the review, the applicant should not assume that the previous informal review comments remain applicable to the revised application.

(b) An approved CP shall be valid for a period of no more than one year. If an application has not been filed for a PDP for at least a portion of the site within that one-year period, then the CP shall no longer be valid. A new CP application shall be required in accordance with the requirements of this chapter.

(c) An approved PDP shall be valid for a period of no more than two years. If a FDP application for at least a portion of the site has not been filed within that two-year period, then the PDP shall no longer be valid. A new PDP application shall be required in accordance with this chapter.

(d) An approved FDP shall be valid for a period of no more than two years. If a building permit and/or CZPA has not been filed for at least a portion of the project within the two-year period, the FDP shall no longer be valid. A new FDP application shall be required in accordance with this chapter.

(e) An approved MP shall be valid for a period of no more than two years. If a building permit and/or CZPA for at least one portion of the site has not been filed within that two-year period, then the MP shall no longer be valid. A new MP application shall be required in accordance with this chapter.

(f) *Abandonment.*

1. Once a final approval is granted by the required reviewing body, if 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 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 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.

(Ord. 03-21, passed 2-22-21)

### **§ 153.177 PROCEDURES FOR HISTORIC DISTRICT DESIGNATION, EXPANDING THE ARCHITECTURAL REVIEW DISTRICT, AND ESTABLISHING LANDMARKS.**

(A) Requests to establish or remove an area, property, or properties not included in a Historic Zoning District or to designate an individual property or site as a landmark for protection, or to remove or otherwise change a designation, may be initiated by the ARB or the owner of the proposed property. Upon initiation of the request by the ARB, the owner shall be notified by the city by registered mail of the request. The notification shall include a request for the owner's written comments and written consent for designation.

(B) In the event the owner(s) written consent to the proposed designation for the property is not received, the ARB shall schedule a public hearing on the proposed designation with notice as provided for ARB hearings. In addition, the ARB shall cause the notice to be published in a newspaper of general circulation of the city.

(C) In considering the designation of any area, place, building, structure, or similar object in the city as a landmark, preservation site, or for inclusion in a Historic Zoning District, the ARB shall consider the proposal in terms of the following criteria prior to making a recommendation to the Planning and Zoning Commission:

(1) In character, interest or value as part of the development, heritage or cultural characteristics of the City of Dublin, State of Ohio, or United States.

(2) Its location as a site of a significant historic event.

(3) Its identification with a person who is significantly contributed to the culture and development of the region.

(4) Its exemplification of the cultural, economic, social, or historic heritage of the region.

(5) Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style.

(6) Its embodiment of distinguishing characteristics of an architectural type or specimen, or the embodiment of distinctive styling features, or an example of skilled craftsmanship which characterize a building and/or outbuilding.

(7) Its identification as the work of an architect or master builder whose individual work has influenced the development of the region.

(8) Its embodiment of elements of architectural design, detail, materials, or craftsmanship which represent a significant architectural innovation.

(9) The effect of the designated area on the surrounding areas, and the projected development of the community.

(10) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, the community, or the city.

(D) After review the ARB shall forward a recommendation to the Planning and Zoning Commission which shall review the proposal, the recommendation of the ARB, and the criteria of division (C) above and mark a recommendation to City Council concerning the proposed designation.

(E) The City Council shall consider the findings and recommendations of the ARB and the Planning and Zoning Commission in making its determination with respect to the proposed designation of an area, property, or site as a landmark or preservation district.

(F) The city shall notify any owner or any person having a legal or equitable interest in the affected property of the decision by Council. All affected city departments, boards, and commissions shall also be notified.

(G) A request for demolition may be transferred with the sale of the property. A new owner shall not be required to re-apply. However, the requirements of this section shall continue to apply to any new owner(s).

(H) If the ARB considers an application for demolition or removal of a historically and architecturally significant structure within the District, the Board may impose a waiting period not to exceed one year. During this period the HCPC and the applicant shall make every reasonable effort to find an alternative to demolition. During the waiting period the owner of the structure shall maintain and preserve the structure to prevent further deterioration. If the Board and the applicant do not agree on a means of preserving the structure within the specified waiting period, the application for demolition may be approved or disapproved. The imposition of the waiting period is subject to appeal in accordance with the provisions of § 153.231(F).

(Ord. 03-21, passed 2-22-21)

**§ 153.178 MAINTENANCE.**

(A) *Intent.* The section is intended to ensure the owner of a structure or property within Historic Dublin or designated outlying structure or property provide sufficient and reasonable care, maintenance and upkeep appropriate to ensure any building's upkeep and to prevent its destruction by deterioration.

(B) Any parking area, pedestrian way, landscaping, sign, or other site element shall also be properly maintained in a safe and functional condition, and be maintained to ensure its historical value. This provision shall be in addition to all other applicable code provisions.

(C) Nothing in this subchapter shall be construed to prevent any ordinary maintenance or repair of an exterior architectural feature or site now or hereafter located within Historic Dublin or on a designated outlying property which involves no change in material, design, arrangement, texture or color; nor shall anything in this chapter be construed to prevent the construction, reconstruction, alteration, modification, or demolition of any feature which the Chief Building Official shall certify, pursuant to appropriate provisions of the Codified Ordinances or state law regarding public safety, as being an unsafe or dangerous condition.

(D) The Architectural Review Board may present evidence of a violation to the city for appropriate action.

(Ord. 03-21, passed 2-22-21)