



**To:** Members of Dublin City Council  
**From:** Dana L. McDaniel, City Manager  
**Date:** February 16, 2021  
**Initiated By:** Jennifer M. Rauch, AICP, Planning Director  
Nichole M. Martin, AICP, Planner II  
**Re:** Ord. 03-21  
Amendments to Zoning Code Sections 153.002, 153.158-153.160, 153.162-153.163, 153.165-153.166, 153.170-153.178, and Appendices F and G to address the Architectural Review Board development requirements and procedures and Historic Dublin boundary. (Case 19-007ADMC)

## Summary

Ordinance 03-21 is a request for review and approval amendments to the City of Dublin Zoning Code requirements addressing the Architectural Review Board development requirements and procedures and Historic Dublin boundary.

## Updates

At the first reading of the ordinance on February 8, 2021, City Council requested Entertainment/Recreation, Indoor be conditionally permitted in the Historic Core and Historic South District in addition to the existing allowance in Historic Public. Staff has updated the proposed Zoning Code to reflect the request and incorporated use specific standard for Entertainment/Recreation, Indoor to ensure sensitivity to surrounding neighborhoods.

Entertainment/Recreation, Indoor is defined as "A facility or area providing opportunities for physical exercise, physical training or improvement of health for the general public or members of an organization. This use includes but is not limited to: theaters, bowling alleys, dance halls, game centers, gymnasiums, health clubs, exercise and fitness facilities, and climbing wall centers." Staff recommends no more than 3,000 square feet of gross floor area of Entertainment/Recreation, Indoor be conditionally permitted in the Historic Core and Historic South Districts, which would accommodate a yoga studio or similar low-impact facilities.

## Background

On June 20, 2018, City Council held a work session to discuss updates to the Bridge Street Code and the Historic District. As part of this, City Council directed Planning to remove the Historic District from the Bridge Street District, make modifications to the existing zoning districts and the Historic Dublin boundary, and ensure this work coincides with the update to the *Historic Dublin Design Guidelines (HDDG)*. The proposing amendments implement this direction and include the following overall changes:

### *Historic District Boundary Changes & Outlying Properties Updates*

- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking Garage have been removed from the Historic District, but remain within the Bridge Street District. As part of their review, some members of Architectural Review Board (ARB) expressed concern about the boundary change and the removal of these properties from the Historic District. Based on Council's direction the proposed boundary changes remain in the draft map.
- The eastern boundary of the Historic District has been moved to the west side of the Scioto River, with the exception of the Scioto River Bridge, which remains under the ARB's purview.
- The western boundary of the Historic District has been extended to align with western property line of the Dublin City School property.
- Appendix F has been updated to reflect the proposed boundary changes.
- City-owned historic properties have been added to Appendix G, the list of outlying historic properties.

### *ARB Zoning Code*

The existing Architectural Review Board section of the Zoning Code has been updated to reflect the proposed zoning districts. The requirements within the proposed zoning districts build upon the existing BSD districts, which had previously incorporated zoning standards from the pre-BSD historic zoning districts. This approach was intended to protect existing property owners by retaining a majority of the existing use and general development standards. However, these new districts contain additional use and site development restrictions that balance historic preservation, while also allowing for appropriate infill or redevelopment. The proposed Code will also rely heavily on the revised HDDG to ensure compatibility with the surrounding character and design standards within the Historic District. The proposal changes also include updated approval process and demolition sections.

### **Case History**

The draft Code, Rezoning, and Guideline documents are the result of a multi-year stakeholder committee, public engagement, and Board and Commission review process. In 2018, the Historic Dublin Stakeholder Committee met four times (June 14, July 12, August 2, and August 30, 2018) to identify opportunities for revisions to the Historic District Zoning Code and Guidelines. Upon completion of the stakeholder's work, drafts of the Code and Guidelines were reviewed by the ARB on July 10, July 24, November 20, 2019, and June 17, July 29, and November 18, 2020. The Planning and Zoning Commission (PZC) reviewed the documents and provided comments on July 11, 2019 and September 5, 2019, and January 7, 2021.

In addition to these reviews by the ARB and PZC, staff held two public meeting at the Dublin Community Church on October 9, 2018 and August 15, 2019, as well as, office hours for two hours each Wednesday in August 2019 (August 7, 14, 21 and 28) to provide an additional method of communication and input for the public.

### **Recommendation of the Architectural Review Board**

At their November 18, 2020 meeting, the ARB reviewed and recommended approval to PZC for the proposed Architectural Review District Zoning Code amendments. The draft Code

documents reflect the final recommendation of the Board at that meeting.

The ARB also reviewed the proposed updates to the HDDG, and requested additional modifications prior to a recommendation of approval. The modified version will be reviewed by the ARB at their February meeting, and following their recommendation the modifications would be reviewed by the Commission and Council in March.

### **Recommendation of the Planning and Zoning Commission**

At their January 7, 2021 meeting, PZC reviewed and recommended approval to City Council of the proposed amendments. The Commission discussion centered on understanding the proposed limits to the building coverage, the appeals process, the proposed regulations for food trucks, the demolition criteria, sign designs allowances, and parking requirements. The Commission requested the following changes, which have been incorporated into the draft before City Council for review and approval:

- Support of ARB's recommendation to move the western Historic District boundary to align with the western property line of the Dublin City School.
- Verification that the use specific standards for Bed and Breakfast do not conflict with recently approved Short Term Rental requirements.
- Recommendation to reduce the maximum permitted area for retail uses.
- Request to strengthen the intent language.
- Recommendation demolition section to include documentation of cultural assets found on site.
- Modifications to the total permitted height for light poles in parking areas.

### **City Council Recommendation**

Recommendation of approval of Ordinance 03-21 at the second reading/public hearing on February 22, 2021.

# RECORD OF ORDINANCES

Ordinance No. 03-21

Passed \_\_\_\_\_, \_\_\_\_\_

**AMENDMENTS TO ZONING CODE SECTIONS 153.002, 153.158-153.160. 153.162-153.163, 153.165-153.166, 153.170-153.178, AND APPENDICES F AND G TO ADDRESS THE ARCHITECTURAL REVIEW BOARD DEVELOPMENT REQUIREMENTS AND PROCEDURES AND HISTORIC DUBLIN BOUNDARY. (CASE 19-007ADMC)**

**WHEREAS**, it is necessary from time to time to amend Dublin's Zoning Code to protect the health, safety and welfare of the citizens of the City of Dublin, and

**WHEREAS**, Section 153.172 of the City of Dublin Zoning Code states that the Architectural Review Board may make recommendations to the Planning and Zoning Commission and City Council for additions or revisions to this chapter or recommend other legislation that would best serve to develop, preserve, restore and beautify the District, and

**WHEREAS**, the Planning and Zoning Commission reviewed and recommended adoption of the proposed amendments to Sections 153.002, 153.158-153.160, 153.162-153.163, 153.165-153.166, 153.170-153.178, and Appendices F and G of the Dublin Codified Ordinances (Zoning Code) to remove the Historic District from the Bridge Street District and amend development requirements and boundaries for the Historic District on January 7, 2021 because it serves to improve the health, safety and welfare of the citizens of the City of Dublin,

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Dublin, \_\_\_\_\_ of its elected members concurring, that:

Section 1. Sections 153.002, 153.158-153.160, 153.162-153.163, 153.165-153.166, 153.170-153.178, and Appendices F and G of the Codified Ordinances of the City of Dublin is hereby amended and shall provide as attached to this Ordinance:

Section 2. This ordinance shall be effective on the earliest date permitted by law.

Passed this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor - Presiding Officer

ATTEST:

\_\_\_\_\_  
Clerk of Council

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

## § 153.002 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning, as determined by the Director.

(A) *Uses definitions.*

(1) *Uses definitions - A*

(a) **ACCESSORY STRUCTURE or BUILDING.** A subordinate structure or building, the use of which is incidental to and customarily used in connection with the principal structure or use and which is located on the same lot with the principal structure or use.

(b) **ACCESSORY USE.** A subordinate use which is incidental to and customarily used in connection with the principal structure or use and which is located on the same lot with a principal structure or use, unless otherwise permitted by this chapter.

(c) **ANIMAL CARE.**

1. **GENERAL SERVICES.** A facility providing grooming, daycare, boarding, and training for household pets.

2. **VETERINARY OFFICES.** A facility for medical, dental, or other health services related to the diagnosis and treatment of animals' illnesses, injuries, and physical ailments, but not including crematory services.

3. **VETERINARY URGENT CARE AND ANIMAL HOSPITALS.** A facility for emergency care for the treatment of animal illnesses, injuries, or physical ailments, but not including crematory services.

(d) **ARTISAN PRODUCTION.** Establishments manufacturing and/or assembling small scale products. Artisan production includes, but not limited to food, beverage, and bakery products; printmaking and photography; art; leather products; soap and candles; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production.

(e) **ATM, WALK-UP.** An automated teller machine installed on the exterior face of a building accessible only by pedestrians.

(f) **ATTACHED ACCESSORY USE/STRUCTURE.** Any use and/or structure that is integrated visually, structurally and architecturally with the principal structure, has an attached roof with similar design to the principal structure, permits access between the principal structure and the addition either internally or under the roof, and/or shares a common wall with the principal structure or is connected to the principal structure by an enclosed space.

(g) **AUTO-ORIENTED COMMERCIAL FACILITY.** A facility where a service is rendered or a sales transaction is made while the patron is typically not required to exit a vehicle, or a facility that includes services rendered directly on, to, or for vehicles. Auto-oriented commercial facilities include, but are not limited to establishments with drive-in/drive-through services, drive-up ATMs (automated teller machines), car washes (all types), fueling/service stations, facilities specializing in vehicle maintenance (oil changes, installation of car accessories, and other similar minor vehicle service facilities), and stand-alone parking lots. The sale of vehicles (new or used) is not included within this definition.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(2) *Uses definitions - B*

(a) **BED AND BREAKFAST.** A private home providing accommodations to the traveling public in habitable units for compensation, and is generally limited to short-stay facilities. This use includes the provision of related accessory and incidental services such as eating and drinking, meeting rooms, and the sale of gifts and convenience goods.

(b) **BICYCLE FACILITIES.** Any amenity or element including, but not limited to, bicycle racks, lockers, and showers intended for use by either recreational or commuter cyclists.

(3) *Uses definitions - C*

(a) **CIVIC USE.** A use in a building or location that provides for community meetings and/or activities including, but not limited to, government administration, school administration, recreation center (public or private), Chamber of Commerce, Arts Council, public library, or other public buildings owned or operated by the city.

(b) **COMMUNITY ACTIVITY.** An activity that is open to the general public and sponsored by a public, private, nonprofit or religious organization that is educational, cultural, or recreational in nature. This use includes but is not limited to school plays and church fairs. (See also **SPECIAL EVENT.**)

(c) **COMMUNITY CENTER.** A public or not-for-profit facility offering meeting, activity, and/or recreation space and facilities that is available to the public with or without a fee charged. This definition may include space within a commercially used building, provided that the facility is available to the public.

(d) **COMMUNITY GARDEN.** An area for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family generally organized and managed by a public or not-for-profit organization. Incidental sales are permitted.

(e) **COMMUNITY RESIDENCE.** A family-like residential living arrangement for five or more unrelated individuals with disabilities in need of the mutual support furnished by other residents of the community residence as well as the support services provided by any staff of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which provides habilitative or rehabilitative services related to the disabilities of the residents. A community residence seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community. Because it is extremely unlikely that a group of more than 12 people can successfully emulate a family and prevent an institutional atmosphere from developing, no more than 12 individuals may live in a community residence. Its primary purpose is to provide shelter in a family-like environment; treatment is incidental as in any home. Inter-relationships between residents are an essential component. A community residence shall be considered a residential use of property for purposes of all zoning and building codes. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor residential facilities for prison pre-parolees or sex offenders. The term "community residence" includes the following two categories:

1. **FAMILY COMMUNITY RESIDENCE.** A relatively permanent living arrangement with no limit on length of tenancy for five or more unrelated individuals with

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

disabilities, including but not limited to Adult Family Homes and Adult Care Facilities licensed by the Department of Mental Health and Addiction Services under R.C. § 5119.34.

2. **TRANSITIONAL COMMUNITY RESIDENCE.** A temporary living arrangement, with a limit on length of tenancy, for five or more unrelated individuals with disabilities.

(f) **CONFERENCE CENTER.** A facility designed to accommodate and support meetings or conferences. The facility may be either freestanding or incorporated into a hotel or office facility, and may include eating and drinking facilities but excluding overnight lodging if not part of a hotel.

(g) **CONSTRUCTION AND CONTRACT SERVICE TRADES.** Facilities used for the repair of machinery, equipment, products or by-products. May include outdoor storage of materials, supplies or equipment as an accessory use.

(h) **CONSTRUCTION TRAILER/OFFICE.** A trailer or portable building used to provide temporary work space for construction management personnel during the construction of a building or facility.

(i) **CORPORATE RESIDENCE.** An accessory use integrated as part of a principal structure or in an accessory structure available in conjunction with a nonresidential use that provides temporary housing for personnel or visitors and is not available to the general public.

(4) *Use definitions - D*

(a) **DATA CENTER.** A facility with typically lower employee counts than general office uses that houses computer systems and associated data and is focused on the mass storage of data.

(b) **DAY CARE, CHILD OR ADULT.** An adult day care facility offers social, recreational and health-related services in a protective setting to individuals who cannot be left alone during the day because of health care and social need, confusion or disability. A child day care is a facility providing non-medical care and supervision outside the home for minor children, provided the supervision is less than 24 hours per day and the facility is licensed by the State of Ohio. This definition includes preschools, nursery schools, and other similar facilities.

(c) **DISABILITY.** A physical or mental impairment that substantially limits one or more of an individual's major life activities, impairs an individual's ability to live independently, having a record of such an impairment, or being regarded as having such an impairment. People with disabilities do not include drug addicts or alcoholics when they are using alcohol, illegal drugs, or using legal drugs to which they are addicted.

(d) **DISH ANTENNA.** An outside accessory antenna that is linked to a receiver located on the same lot and used for the reception of signals transmitted by stations licensed by the Federal Communications Commission in the Radio Broadcast Services including AM, FM and TV.

(e) **DISTRICT ENERGY PLANT.** A facility that is not a public utility and that generates electrical energy for distribution to a defined area containing ten or more structures.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(f) **DRIVE-IN/DRIVE-THROUGH.** A structure or building feature, including but not limited to a service window, automated device, or other equipment that is designed to provide sales and service to patrons who remain in their motor vehicles, including associated driveways and driving aisles by which patrons reach the structure or building feature.

(g) **DWELLING.**

1. **ACCESSORY DWELLING.** A dwelling unit for occupancy by an individual who is providing services to a principal use of the property, such as watchmen, maintenance personnel, or temporary guests, including corporate residences; or an accessory dwelling associated with a single-family dwelling, two-family dwelling, or townhouse dwelling.

2. **DWELLING ADMINISTRATION, RENTAL, OR SALES OFFICES.** A permanent or temporary building or office used to administer a building containing dwelling units or to market the rental or sale of dwelling units on or near the property within a defined development site.

3. **LIVE-WORK DWELLING.** A structure including residential dwelling units connected with principal non-residential uses listed as permitted uses within a particular zoning district. The predominant character of the structure is intended to be harmonious with residential areas.

4. **MULTIPLE-FAMILY DWELLING.** A building arranged or intended for three or more households living independently of each other in separate dwelling units, any two or more of which may be provided with a common entrance or hall. Dwellings located on upper stories of a structure with non-residential uses on other stories are included in the definition of multiple-family dwelling.

5. **SINGLE-FAMILY DWELLING.** A detached or attached building arranged or designed to be occupied by one family, the structure having only one principal dwelling unit.

6. **TOWNHOUSE.** A building consisting of three or more dwelling units attached to each other through the use of shared party walls on one or both sides, with each unit having a ground floor and a separate entrance.

7. **TWO-FAMILY DWELLING.** A building arranged or designed to be occupied by two families, the structure having only two dwelling units with separate entrances.

(5) *Uses definitions - E*

(a) **EATING & DRINKING.** A facility that prepares or serves food or beverages directly to the public for on- or off-premise consumption. This use includes but is not limited to sit down or take-out restaurants, cafes or coffee shops, ice cream parlors, and may also include uses such as taverns, brewpubs, or wine bars.

(b) **EATING & DRINKING (ACCESSORY).** Eating & drinking when accessory to a principal use of the property, and when the facilities are designed and intended for use primarily by residents or occupants of the principal use of the property.

(c) **EDUCATIONAL FACILITY.** A facility offering classes, training courses, or skill development to the public, employees or to members of an organization. This use includes but

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

is not limited to vocational, business, or technical schools, training centers, colleges, and universities, but does not include an elementary, middle, or high school.

(d) **ELEMENTARY OR MIDDLE SCHOOL.** A facility providing education to students in kindergarten through eighth grades using a curriculum recognized by the State of Ohio, and including related assembly, sports, and activity areas, but not including facilities regularly used for housing or sleeping of students.

(e) **ENTERTAINMENT/RECREATION, INDOOR.** A facility or area providing opportunities for physical exercise, physical training or improvement of health for the general public or members of an organization. This use includes but is not limited to: theaters, bowling alleys, dance halls, game centers, gymnasiums, health clubs, exercise and fitness facilities, and climbing wall centers.

(f) **ESSENTIAL UTILITY SERVICES.** Facilities used to provide utility services to a building or property, including but not limited to water pipes, sewer pipes, electric lines and boxes, telecommunication lines or fiber optic equipment, gas regulator stations, and storm drainage pipes. This use does not include major utilities such as water or sewer treatment plants, electric generating plants, and other facilities that are primary rather than accessory uses of the sites on which they are located. Wireless communication facilities are also not included in this definition.

(g) **EXERCISE AND FITNESS.** A facility or area providing opportunities for exercise or fitness for the general public or members of an organization, including but not limited to health or exercise rooms and swimming pools, when accessory to a principal use of the property.

### (6) *Uses definitions - F*

(a) **FAMILY.** A family consists of any person living alone or any of the following groups living together as a single housekeeping unit that shares common living, sleeping, cooking, and eating facilities: (1) any number of people related by blood, marriage, adoption, guardianship, or other duly and legally authorized custodial relationship and no more than two unrelated individuals who provide care or assistance or are domestic employees, (2) two unrelated individuals and their children related to either of them and their foster children, or (3) four unrelated individuals. A family does not include any society; club; boarding or lodging house; fraternity; sorority; or group of individuals whose association is seasonal or similar in nature to a resort, motel, hotel, boarding or lodging house, nor that is institutional in nature.

(b) **FARMERS MARKET.** An area, which may or may not be in a completely enclosed building, where on designated days and times, growers and producers of horticultural and agricultural products may sell those products and/or other incidental items directly to the public.

(c) **FOOD TRUCK.** A mobile food and beverage unit which is temporarily stored on a privately-owned lot where food items are sold to the general public. May be motorized or unmotorized. Food truck includes food vehicle, food trailer, food cart, and temporary commercial structures designed for the sale of food and beverages accessory to the primary structure/use.

(d) **FUELING/SERVICE STATION.** A facility used primarily for the sale of vehicle fuels, oils or accessories. Services may include maintenance and lubrication of automobiles and

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

replacement or installation of minor parts and accessories but shall not include major repair work such as engine or transmission replacement, body and fender repair or spray painting. This use may include the retail sales of convenience goods.

(7) *Uses definitions - G*

(a) **GOVERNMENT SERVICES.**

1. **GENERAL.** A facility providing the administration of local, state, or federal government services or functions.

2. **SAFETY.** A facility providing police, fire, or emergency medical services to the surrounding community.

3. **SERVICE.** A facility providing government services that includes vehicle and equipment parking and/or service or maintenance yards.

(8) *Uses definitions - H*

(a) **HEDGE.** A row of dense, closely spaced living plant material composed of vines, trees, shrubs, bushes or combination thereof.

(b) **HELIPAD/HELIPORTS.** An aviation accessory devoted to the landing, takeoff and storing of helicopters.

(c) **HIGH SCHOOL.** A facility providing education to students from ninth through 12th grades using a curriculum recognized by the State of Ohio and including related assembly, sports and activity areas, but not facilities regularly used for the housing or sleeping of students.

(d) **HOME OCCUPATION.** A business or occupation incidental and subordinate to a principal residential use conducted within a dwelling. Examples include but are not limited to: artist's studio, office, teaching, or consultancy.

(e) **HOSPITAL.** Any facility in which in-patients are provided diagnostic, medical, surgical, obstetrical, psychiatric, or rehabilitation care for a continuous period longer than 24 hours, or a medical facility operated by a health maintenance organization.

(f) **HOTEL.** A building or series of buildings providing accommodations to the traveling public in habitable units for compensation, and includes but is not limited to both short-stay and extended stay facilities. This use includes the provision of related services such as eating and drinking, meeting rooms, and the sale of gifts, and convenience goods.

(9) *Uses definitions - I (reserved for future use)*

(10) *Uses definitions - J (reserved for future use)*

(11) *Uses definitions - K (reserved for future use)*

(12) *Uses definitions - L*

(a) **LARGE FORMAT RETAIL.** A retail or wholesale use of 20,000 square feet or more of gross floor area as a single use area.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(b) **LIBRARY, MUSEUM, GALLERY.** Facilities containing collections of books, manuscripts, and similar materials for study and reading, or exhibiting works of art or objects in one or more of the arts and sciences.

(13) *Uses definitions - M*

(a) **MANUFACTURING AND ASSEMBLY.** A facility used for the fabrication, assembly, finishing, packaging or processing of components and/or finished goods.

(b) **MEDICAL AND DIAGNOSTIC LABORATORY.** A facility for sampling, photographing, analyzing or testing bodily fluids and other medical specimens. These facilities may not include laboratories for the sole purpose of research.

(c) **MINI-STORAGE.** A facility of leased or owned structures available to the general public for the storage of goods.

(d) **MIXED USE.** A mixed use development consists of two or more principal uses such as residential and commercial uses, and where the arrangement of buildings and uses share internal and external vehicular and pedestrian circulation, open spaces, and other similar development features. A mixed use development may occur either vertically within a structure, or horizontally within multiple structures as part of a coordinated development.

(e) **MOTOR VEHICLE REPAIR, MAJOR.** A facility or area where major mechanical (engine, transmission or other major mechanical systems) or body work is conducted on vehicles and/or trailers.

(14) *Uses definitions - N*

(15) *Uses definitions - O*

(a) **OFFICE.**

1. **CALL CENTER.** A facility providing customer service or sales requests by telecommunication or other data means.

2. **FLEX.** A facility including office, research, laboratory, manufacturing, clean assembly, warehousing, or other related activities whose configurations and construction methods allow for easy conversion of interior and exterior space.

3. **GENERAL.** A facility providing executive, management, administrative, or professional services. This use includes corporate offices, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses or corporations. General office uses may include the administration of local, state, or federal government services or functions. This facility does not include medical offices, call centers, or flex offices.

4. **MEDICAL.** A facility providing medical, dental, or other health services relating to the diagnosis and treatment of human illnesses, injuries, and physical ailments treated in an office setting. This includes outpatient surgery, rehabilitation, incidental laboratories and other related activities, but does not include overnight patient stays.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(b) **OUTDOOR DINING AND SEATING.** An area accessory to an eating and drinking facility or a retail business in which food and beverages are served, offered for sale, or are available for consumption outside of the principal structure.

(c) **OUTDOOR DISPLAY OR SEASONAL SALES.** The display of goods outside the principal structure on the site for the purpose of marketing or sales for a temporary period of time typically not exceeding three months in any calendar year, when accessory to a principal use of the property.

(d) **OUTDOOR SEASONAL PLANT DISPLAY.** An area adjacent to a retail business that, as an outdoor accessory use, displays live garden plant material for sale by the adjacent principal retail business. Display may include live plants such as flowers and trees suitable for planting or landscaping.

(e) **OUTDOOR SERVICE FACILITY.** If not otherwise defined as outdoor seasonal plant display, an area that is not fully enclosed by solid walls and a roof and where services are rendered or goods are displayed, sold, or stored. Outdoor service facilities may include, but are not limited to outdoor dining areas, restaurant patios, outdoor storage areas, open-air markets, garden stores, and stand-alone parking lots.

(16) *Uses definitions - P*

(a) **PARKING.**

1. **MUNICIPAL PARKING.** A parking lot or structure owned or controlled by the city or other public entity available for use by the general public.

2. **PARKING, ACCESSORY.** Parking that is provided to comply with minimum off-street parking requirements in this chapter for a principal use of the property or a designated nearby property, and that is provided exclusively to serve occupants of or visitors to a principal and/or accessory use.

3. **PARKING STRUCTURE.** A facility used for vehicle parking and where there are a number of floors or levels on which parking takes place, either freestanding or integrated into a building.

4. **PARKING STRUCTURE, ACCESSORY.** A structure that contains parking provided to comply with minimum off-street parking requirements in this chapter for a principal use of the property or a designated nearby property, and that is provided exclusively to serve occupants of or visitors to a principal and/or accessory use.

5. **SURFACE PARKING LOT.** The use of land to provide off-street parking for vehicles. For the purposes of the BSD districts in §§ 153.057 to 153.066, surface parking does not include driveways for single-family attached or detached residential units.

(b) **PARKS AND OPEN SPACE.** Public or private land that has been identified for active or passive parks or property to be left in a generally natural state.

(c) **PERSONAL, REPAIR, & RENTAL SERVICES.** A facility or establishment that provides services associated with personal grooming, personal instruction or education, the maintenance of fitness, health and well-being, or the rental, servicing, maintenance, or repair of

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

consumer goods. This use includes but is not limited to yoga centers, beauty salons, barbers and hairdressers, meditation centers, massage centers, dry cleaning shops, tailors, shoe repair, and electronics repair shops. This facility does not include motor vehicle, recreational vehicle, or heavy equipment repair or rental.

(d) **PORTABLE CLASSROOM.** A manufactured structure not permanently attached to the ground, used on a temporary basis in conjunction with a permanent structure to provide educational services.

(e) **PORTABLE NONRESIDENTIAL STRUCTURES.** A building(s) or similar structure(s) designed for occupation which is not placed on a permanent foundation. The definition shall include construction trailers, portable classrooms, tents, trailers and any other uses which may be proposed for these structures.

(f) **PRINCIPAL USE.** The primary or predominant use of a lot, parcel, or structure.

(g) **PUBLIC SAFETY FACILITY.** A facility used to provide police, fire, or emergency medical services to the community.

(16) *Uses definitions - Q*

(17) *Uses definitions - R*

(a) **RELIGIOUS OR PUBLIC ASSEMBLY.** A facility in which the public or members of an organization gather to engage in collective activities, which may include worship, study, relaxation, service activities, assembly space, or recreation. This use includes but is not limited to churches, mosques, synagogues, temples, clubs, meeting halls, and social organizations.

(b) **RENEWABLE ENERGY EQUIPMENT OR ALTERNATIVE ENERGY EQUIPMENT.** Equipment for the collection of solar, wind or geothermal energy or its conversion to electrical energy or heat for use on the same property or for incidental sale to a utility when that equipment is accessory to a permitted or approved conditional principal use of the property.

(c) **RENEWABLE WIND EQUIPMENT.** Equipment for the collection of wind energy or its conversion to electrical energy or heat for use on the same property or for incidental sale to a utility when that equipment is accessory to a permitted or approved conditional use of the property. Includes both building mounted and ground mounted units. Ground mounted units have a foundation and are not dependent on a building for structural support.

(d) **RESEARCH AND DEVELOPMENT.** A facility or area for conducting scientific research, synthesis, analysis, investigation, testing, or experimentation, and including the fabrication of prototypes, assembly, mixing and preparation of equipment and components incidental or necessary to the conduct of such activities. Research and development includes support facilities, but not including facilities for the manufacture or sale of products except as may be incidental to the main purpose of the laboratory.

(e) **RESIDENTIAL MODEL HOME.** A residential structure used by a licensed homebuilder/developer, real estate worker or realtor to demonstrate construction, display built-in amenities and color selection charts to prospective home buyers and promote the sale or lease of housing units.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(f) **RETAIL, GENERAL.** A facility or area for the retail sale of general merchandise or food to the general public for direct use and not for wholesale. This use includes but is not limited to sale of general merchandise, clothing and other apparel, flowers and household plants, dry goods, convenience and specialty foods, hardware and similar consumer goods.

(g) **RETAIL OR PERSONAL SERVICES (ACCESSORY).** General retail, as defined, when accessory to a non-retail or personal service principal use of the property.

(18) *Uses definitions - S*

(a) **SEXUALLY ORIENTED BUSINESS ESTABLISHMENT.** A commercial establishment including adult cabaret, adult store, or adult theater primarily engaged in persons who appear nude/semi-nude, live performances, films or other visual representations, adult booths, or sale or display of adult material.

(b) **SPECIAL EVENT.** A temporary outdoor use of land for the purposes of a gathering, including but not limited to a fair, festival, celebration, or fundraiser.

(c) **SWIMMING POOL.** Any confined body of water, with a rim/deck elevation less than one foot above the existing finished grade of the site, exceeding 100 square feet in water surface area, and 24 inches in depth, designed, used, or intended to be used for swimming or bathing purposes.

(19) *Uses definitions - T*

(a) **TRANSPORTATION.**

1. **PARK-AND-RIDE.** A facility providing parking and shelter for transit passengers or carpooling that typically includes parking lots and associated structures located along or near public transit routes.

2. **TRANSIT STATION.** When a transit station is the principal use of the property, it is a facility where public transit vehicles load and unload patrons, and where patrons may transfer between public transit lines. This use does not include park and ride or ride-sharing facilities, transit vehicle repair or maintenance facilities, bus stops located on public property, or bus stops accessory to a principal use of the property.

3. **TRANSIT STOP.** An incidental area, either along the public right-of-way or on a private site, with shelters or other related amenities for patrons waiting for buses or other forms of public transportation. A transit stop shall not include a transit station, park-and-ride, or other major transit facility.

(b) **TRUCK AND VAN RENTAL ESTABLISHMENT.** A business that deals in the retail and/or wholesale rental of trucks and commercial vans used for such purposes as moving and storage, transportation of goods, and other similar uses.

(20) *Uses definitions - U*

(a) **UTILITIES.**

1. **ELECTRIC SUBSTATION.** A facility where electricity generation, transmission and distribution system is managed through the use of transformers.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

2. **RENEWABLE ENERGY FACILITIES.** Commercial-scale operations for the collection of solar, wind, or geothermal energy and its conversion to electrical energy for sale to a public utility.

(21) *Uses definitions - V*

(a) **VEHICLE SALES, RENTAL, AND REPAIR.** A facility or area used for the retail sale of vehicles (new or used) and related vehicle service facilities, renting of vehicles, repairing vehicles or the sale and installation of tires, batteries, and other minor accessories and services for vehicles. This use does not include supplies, tires, or parts unrelated to repairs being performed on the premises, or a fueling/service station.

(b) **VEHICLE CHARGING STATION.** When accessory to a permitted or approved primary use of the property, vehicle charging stations are facilities or areas at which electric powered or hybrid powered motor vehicles can obtain electrical current to recharge batteries.

(22) *Uses definitions - W*

(a) **WAREHOUSING AND DISTRIBUTION.** Facilities and accessory uses for the mass storage and movement of goods as well as transportation, logistics, maintenance and fleet parking.

(b) **WHOLESALE AND DISTRIBUTION.** Facilities and accessory uses for the mass storage and movement of goods as well as transportation, logistics, maintenance and fleet parking.

(c) **WIRELESS COMMUNICATION.** Wireless communications facilities and related terms are defined in § 99.04 of this Code of Ordinances.

(B) *General definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning, as determined by the Director.

(1) *General definitions - A*

(a) **ABANDONED SIGN.** A sign associated with an abandoned use, a sign that remains after the termination of the business, or a sign on its immediate premises not adequately maintained and not repaired within the specified time under § 153.162.

(b) **ABOVEGROUND POOL.** Any confined body of water, with a rim/deck elevation more than one foot above the existing finished grade of the site, exceeding 100 square feet in water surface area, and 24 inches in depth, designed, used, or intended to be used for swimming or bathing purposes.

(c) **ADMINISTRATIVE OFFICIAL.** The official charged with the administration and enforcement of this chapter. For the city, the administrative official is the Director of Land Use and Long Range Planning.

(d) **ADMINISTRATIVE REVIEW TEAM or ART.** An administrative body of the city and Washington Township officials responsible for certain administrative reviews and approvals as designated in this chapter.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

- (e) **AGGREGATE DIAMETER.** The combined diameter of a multiple trunk tree measured at breast height (see **DIAMETER BREAST HEIGHT**).
- (f) **AISLE.** That portion of the off-street parking and loading area that provides access to parking, stacking or loading spaces, exclusive of driveways and parking and loading spaces.
- (g) **ALLEY.** A secondary access way typically not less than 20 feet in width available for public use or transportation and affording vehicular access to abutting property.
- (h) **ALTERATION.** Any change, addition or modification in construction or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to in this chapter as "altered" or "reconstructed." Any action to change, modify, reconstruct, remove or demolish any exterior features of an existing structure or of the site. 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 is excluded from the definition of alteration, provided the work does not involve a change in type and/or color of building materials.
- (i) **ANIMATED SIGN.** Any sign that uses or has the appearance of movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene.
- (j) **APPLICANT.** Any person who applies for a zoning approval through the provisions of this chapter.
- (k) **ARCADE.** A roofed or built structure, extending over the sidewalk or square, open to the street except for supporting columns, piers, or arches.
- (l) **ARCHITECTURAL CHARACTER.** The architectural style, general design, and general arrangement of the exterior of a building or other structure intended to recreate a period of history, architectural theme or other similar effect.
- (m) **ARCHITECTURAL REVIEW BOARD** or **ARB.** The Architectural Review Board of the city, as created in § 153.172.
- (n) **ARCHITECTURAL REVIEW DISTRICT**, or **HISTORIC DISTRICT.** The Architectural Review District of the city. The term may also be used to refer to Ohio Historic Inventory Properties as provided in § 153.170, where appropriate.
- (o) **ARCHITECTURAL STYLE.** The predominant historic features that make a building or other structure notable or historically identifiable architectural styles within given areas of the historic district, as described in § 153.172 4(B)(4), the Historic Design Guidelines or in other defined areas.
- (p) **ARTICULATION.** Detailing, decoration, expression lines, shadow lines, and other similar techniques used to provide architectural interest.
- (q) **AUTOMATED TELLER MACHINE (ATM).** An electronically operated device used to conduct financial transactions on site, by means of direct computerized access. These devices may be accessible by vehicle and/or pedestrians.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(r) **AUTO-SHARE PARKING SPACE.** A parking space designated for use only by a vehicle owned or leased by an entity and made available to members of the entity for their shared use. Examples of this use include spaces reserved for a ZipCar or Flexcar vehicle.

(s) **AWNING.** A roof-like covering, often adjustable, over a door, window, or other opening in a structure, designed to provide protection against the elements such as sun, wind, or rain.

(t) **AWNING SIGN.** A sign painted on or affixed to an awning.

#### (2) *General definitions - B*

(a) **BANNER.** A non-rigid cloth, plastic, paper, or canvas sign, used on a temporary basis, typically related to a special event or promotion that is cultural, educational, charitable, or recreational in its function, under the sponsorship of a for-profit establishment or business, or a public, private nonprofit or religious organization.

(b) **BENCH SIGN.** Any sign painted on, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public roadway.

(c) **BICYCLE CIRCULATION PLAN.** A detailed plan showing the location of all site access points, bicycle facilities, and travel routes expected to be used by bicyclists.

(d) **BICYCLE FACILITIES.** All amenities or elements including bicycle racks, lockers, and showers intended to assist either recreational or commuter cyclists.

(e) **BILLBOARD.** An off-premise sign directing attention to a specific business, product, service, entertainment or other activity sold, offered, or conducted off-site.

(f) **BLAND ELEVATION.** An elevation that lacks the minimum required openings and architectural features, such as windows, doors, exterior chimneys, or other similar architectural features.

(g) **BLANK WALL.** A façade or portion of a façade with no windows or doors or other elements of transparency.

(h) **BLOCK.** The aggregate of lots, pedestrianways and alleys or service lanes, whether public or private, typically surrounded on all sides by public streets.

(i) **BLOCK FACE.** The aggregate of all the building façades on one side of a block. Lots with their front property line and buildings with their front façade along the block face are referred to as "fronting" on the block or street.

(j) **BLOCK PERIMETER.** The horizontal distance around the boundaries of the block.

(k) **BOARD OF ZONING APPEALS, or BZA.** The Board of Zoning Appeals of the city.

(l) **BOARD ORDER.** The official document issued by the Architectural Review Board or Board of Zoning Appeals containing the official record of a final action or recommendation on an application for a review required by the ARB or BZA in accordance with this chapter.

(m) **BRIDGE STREET DISTRICT (BSD).** A planned area of the city generally bounded on the east by Sawmill Road, on the north and west by I-270, and including land

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

within the Architectural Review District boundaries and along the north and south sides of SR 161.

- (n) **BUILDABLE AREA.** Portions of a site or lot where development is permitted.
  - (o) **BUILDING.** A structure intended for shelter, housing or enclosure of persons, animals or chattel. When separated by dividing walls without openings, each internal portion of the structure so separated shall be deemed a separate building.
  - (p) **BUILDING ACTIVITY AREA.** The area of a lot in which construction and building activities occur.
  - (q) **BUILDING ENTRANCE.** An access door into the building primarily intended for pedestrian use.
  - (r) **BUILDING FAÇADE.** See **FAÇADE.**
  - (s) **BUILDING FOOTPRINT, MAXIMUM.** The total area on a site that is used by all buildings, both primary and accessory, attached and detached, measured to the eave line. Parking lots, landscaping, patios, decks, swimming pools, and other non-building facilities are not included in the building footprint.
  - (t) **BUILDING, HEIGHT.** The vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, unless otherwise specified by this chapter.
  - (u) **BUILDING IDENTIFICATION SIGN.** A type of wall sign which is physically attached to a building façade and intended to provide an identity for buildings with three or more stories and high visibility along a street. Building identification signs are typically used to communicate a general name or address for a building or associated development, or to identify a major commercial tenant within the building.
  - (v) **BUILDING-MOUNTED SIGN.** A sign which is physically attached to a building façade or associated appurtenance, and intended to provide visibility for either pedestrians or motorists. Building-mounted signs are typically used to identify commercial tenants within the building or to identify the general name of a residential building or associated development. Within the Bridge Street Corridor districts, building-mounted signs include wall signs, projecting signs, awning signs and window signs, but do not include other types of signs that may be attached to a building, such as building identification signs and directory signs.
  - (w) **BUILDING TYPE.** Required building forms for new construction and renovated structures within districts specified in this chapter.
  - (x) **BUS SHELTER SIGN.** Any sign painted on or affixed to any bus shelter.
- (3) *General definitions - C*
- (a) **CALIPER.** The diameter of a tree trunk six inches above the existing grade or proposed planted grade. This measurement is used for nursery-grown trees.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

- (b) **CANOPY.** A freestanding or connected roof-like structure designed to offer protection from the weather.
- (c) **CHANGE.** Any new construction, alteration, demolition, or removal or other construction involving any property subject to the provisions of this chapter including signs, landscaping, and tree removal. **CHANGE** shall not include ordinary maintenance or repair of any property if no change in material, design, color, or outward appearance is undertaken.
- (d) **CHANGEABLE COPY SIGN.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic or manual means without altering the face or surface of the sign.
- (e) **CHANNEL LETTERS.** The outline of a letter, border, or similar object with a vertical side wall to confine the lighting on the face either to restrict vision at an angle or to prevent light spillage over adjacent areas.
- (f) **CHAPTER.** Chapter 153 of the Codified Ordinances of Dublin, unless otherwise specified.
- (g) **CHIMNEY.** A structure projecting from the exterior wall of a house and enclosing or appearing to enclose a flue that carries off smoke. It may or may not extend vertically to the eaves line or have a foundation/connection to ground.
1. **CANTILEVERED CHIMNEY.** A chimney that projects from the exterior wall and does not have a foundation or extension to the ground.
  2. **SHED-TYPE CHIMNEY.** A chimney that does not extend full height vertically to the eaves line. A shed chimney typically includes a direct vent outlet in the chimney wall.
- (h) **CISTERN.** An underground storage component of a rainwater harvesting system typically larger than 80 gallons.
- (i) **CITY.** The City of Dublin, Ohio.
- (j) **CITY COUNCIL, or COUNCIL.** The legislative body of the city.
- (k) **COMMERCIAL VEHICLE.** Any vehicle used or designed to be used for business or commercial purposes including but not limited to: bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, or any other non-recreational trailer used for commercial purposes, stage bed truck, step van, tank truck, tar truck, or other commercial type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or commercial truck.
- (l) **COMMISSION.** The Planning and Zoning Commission of the city.
- (m) **COMMUNITY PLAN.** The current adopted Community Plan of the city and any amendments thereto.
- (n) **COMPACT PARKING SPACE.** A vehicle parking space, with dimensions smaller than a standard vehicle parking space, that is intended to be occupied by smaller vehicles. (See § 153.065(B)(4)).

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(o) **CONCEPT PLAN.** A plan that generally indicates the overall design of a proposed PUD or BSD project with sufficient information to enable the applicant and the city to discuss the concept for the proposed development and to determine if the proposal is generally consistent with the Community Plan and other applicable plans of the city.

(p) **CONDITIONAL USE.** A use allowed in a zoning district after approval is granted by the Commission according to the provisions of § 153.236.

(q) **CONSTRUCTION SIGN.** A sign that identifies the project and, if desired, owners, lenders, contractors, architects, and engineers of a project under construction.

(r) **CONTRIBUTING.** The status assigned to buildings and other cultural resources that add to the historic associations, historic architectural qualities, or archaeological values for which the district is significant. The resource itself may be individually eligible for listing in the National Register; or it may fall short of the requirements for individual listing, but because it retains sufficient integrity to add to the significance of the property, the resource is classified as contributing. The resource may also be capable of yielding important information about the period of significance.

(s) **CORBEL.** A build out of one or more courses of brick or stone from the face of a wall, traditionally to form a support for timbers.

(t) **CORNER FAÇADE.** Any building face generally oriented along a corner side property line, either within the corner required building zone or behind the corner setback.

(u) **CORNER SIDE PROPERTY LINE.** For corner lots occupied by a single building, the corner side property line is the lot line abutting the street right-of-way from which the corner required building zone (RBZ) or corner side setback, as applicable, is measured.

(v) **CORNICE.** Overhang of a pitched roof at the eaves line, usually consisting of a fascia board, a soffit for a closed cornice, and appropriate moldings. Molded projections which crown or finish the part of the roof to which they are affixed are included in the definition of cornice.

(w) **COURTYARD.** An outdoor area enclosed by a building on at least three sides.

(x) **CRITICAL ROOT ZONE.** The area inscribed by an imaginary line on the ground beneath a tree having its center point at the center of the trunk of the tree and having a radius equal to one foot for every inch of diameter breast height.

(y) **CROSSWALK.** Designated paths intended for pedestrians to use for crossing the street right-of-way, typically at intersections and sometimes at mid-block.

(z) **CURB LINE.** The face of a curb along a curbed public or private street.

(aa) **CULTURAL RESOURCES.** Tangible remains of past human activity that include architectural and archeological resources specifically buildings, structures, sites, objects, and districts. Includes prehistoric sites; historic or prehistoric objects or collection; rock inscription; earthworks, canals, or landscapes; monuments and infrastructure.

(4) *General definitions - D*

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

- (a) **DAY.** Calendar day.
- (b) **DECKING (POOL).** The concrete, cement, wood, metal, brick, or other material surrounding or immediately adjacent a swimming pool.
- (c) **DEMOLITION.** The complete or substantial removal or planned destruction of any structure.
- (d) **DETERIORATION.** The impairment of value or usefulness of a structure or site through action of the elements or lack of maintenance or upkeep.
- (e) **DEVELOPMENT SIGN.** A temporary sign indicating such things as the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors and similar public or private individuals or firms having a role or interest with respect to the development, structure, or project, whether public or private.
- (f) **DIAMETER BREAST HEIGHT (DBH).** The diameter of a tree measured at four and one-half feet above the existing grade at the base of the tree. This measurement is used for existing forest trees.
- (g) **DIRECTIONAL SIGN.** A temporary or permanent sign that provides information regarding location, instructions for use, or functional/directional data, but not used for advertising or identification.
- (h) **DIRECTOR.** The Director of Planning of the city.
- (i) **DIRECTORY SIGN.** Small signs or placards affixed to a wall or elevation adjacent to the main entrance to a multiple-tenant building typically used to list tenants located within the building.
- (j) **DIRECT VENT OUTLET.** An outlet through an exterior wall associated with the air supply and/or exhaust of a fire burner. It may or may not occur in a projecting box/chimney.
- (k) **DISPENSING STATION.** The point of service for a fuel station at which a vehicle is fueled. A dispensing station is that location serving one vehicle, regardless of the number of individual fueling pumps or nozzles at the point of service.
- (l) **DISPLAY SIGN.** Signs incorporated into the window display of a business intended to advertise the goods and/or services associated with businesses and intended to change frequently. Display signs may be attached to or located within three feet of a window and may include restaurant menus or products for sale or display.
- (m) **DORMER.** A window set vertically in a structure projecting through a sloping roof; also the roofed structure containing that window or a ventilating louver.
- (n) **DOUBLE-FRONTAGE LOT.** A lot having frontage along two public streets.
- (o) **DRIVEWAY.** The hard paved surface of a lot that is specifically designated and reserved for the movement of motor vehicles to and from a public or private street. This definition includes the area from the street providing access to and from the lot and any maneuvering areas.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(p) **DRIVEWAY APRON.** A solid area of approved paving material immediately adjacent to and connecting a public or private street to a parking lot, parking structure, or driveway.

(5) *General definitions - E*

(a) **EAVE.** The lower edge of a pitched roof; it typically overhangs beyond the side of a building.

(b) **ELECTRONIC SCOREBOARD.** An electronically-controlled changeable copy sign used to display scoring information for sporting events, typically located on a sports field.

(c) **ELEVATION.** A geometric projection of the front, side, or rear outer surface of a building onto a plane perpendicular to the horizontal; a vertical projection.

(d) **ENTRY FEATURE SIGN.** An on-premises ground-mounted sign that graphically identifies a residential subdivision and/or multiple-family development. For commercial uses, see **JOINT IDENTIFICATION SIGN.**

(e) **EPIPHYTIC.** The sudden and destructive development of a plant disease, usually over large areas.

(f) **ESTABLISHED GRADE LINE.** The average finished grade for a site. All references to sign height are from the established grade line unless otherwise noted.

(g) **EXISTING STRUCTURE.** For the purposes of § 153.062, **EXISTING STRUCTURES** are structures that are lawfully existing but may not comply with the requirements of the chapter because of restrictions such as front property line occupation, lot coverage, required build zone, buildable area, height, or other requirements related to the structure.

(h) **EXISTING USE.** For the purposes of § 153.059, **EXISTING USES** are uses that are lawfully existing at the effective date of this amendment.

(i) **EXPRESSION LINE.** An architectural treatment extending or offset from the surface plane of the building wall. Expression lines typically delineate the transition between floor levels and the base-middle-top of a building.

(j) **EXTERIOR ARCHITECTURAL FEATURE.** A prominent or significant part or element of a building, structure, or site. Features include the architectural style and general arrangement of the exterior of the structure including building materials, windows, doors, lights, signs, dry-laid stone fences and other fixtures appurtenant thereto. Features shall include the style, material, color, height, area, and lighting, and location of a sign regulated by this chapter.

(6) *General definitions - F*

(a) **FAÇADE.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and architectural elements. May also be referred to as the building façade.

(b) **FASCIA.** A horizontal piece (such as a board) covering the joint between the top of a wall and the projecting eaves; also called fascia board.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(c) **FENCE.** Any permanent or temporary partition, structure, or other material erected as a dividing structure, barrier or enclosure, and not an integral portion of a structure requiring a building permit.

(d) **FINAL DEVELOPMENT PLAN.** A detailed plan showing the location of all site improvements, including easements, utilities, buildings, parking areas, circulation routes, points of ingress and egress, transportation and other public improvements (both on- and off-site), landscaping, architectural drawings, loading and unloading zones, service areas, ground signs, directional signs, location of refuse containers, lighting and accessory structures, and other similar improvements, and may include a subdivision plat of a proposed PUD or BSD project. Critical dimensions are shown unless otherwise required.

(e) **FLAG.** Any fabric or bunting containing the officially recognized and adopted colors, patterns, or symbols used as the official symbol of a government, political, or corporate entity.

(f) **FLAG LOT.** An interior lot located generally to the rear of another lot but with a narrow portion of the lot extending to the public street.

(g) **FLASHING SIGN.** Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

(h) **FLAT ROOF.** A roof with no visible slope and no parapet.

(i) **FLOOR AREA, GROSS (GFA).** The sum of the gross horizontal area of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The gross floor area of a building shall include the basement floor area only if more than one-half of the basement height is above finish lot grade and/or is otherwise considered to be a half-story. Areas excluded from the definition of GFA include any space devoted to off-street parking or loading, areas of basements (except as provided above), breezeways, porches, or attached garages.

(j) **FOR SALE/FOR LEASE SIGN.** A sign indicating the sale, rental, or lease of a structure or property.

(k) **FOUNDATION CLADDING.** An aesthetic enhancement to the foundation concealing exposed portions with an approved material.

(l) **FREESTANDING SIGN.** See **GROUND SIGN.**

(m) **FRIEZE BOARD.** A decorated band along the upper part of an exterior wall. In house construction a horizontal member connecting the top of the siding with the soffit of the cornice.

(n) **FRONTAGE.** The orientation of a lot line or building façade along, and typically parallel to, a street, block face or open space type. This term may also refer to the orientation of an open space type along a street.

(o) **FRONT FAÇADE.** Any building face generally oriented along a front property line, either within the front required building zone (RBZ) or behind the front setback.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(p) **FRONT PROPERTY LINE (FPL).** The boundary of a lot within a BSC district abutting the street right-of-way, from which the front required building zone (RBZ) or front setback, as applicable, is measured.

(q) **FURNISHINGS ZONE.** A hardscape area that extends to the sidewalk from the back of curb, edge of pavement or edge of a cycletrack, in which street trees in tree wells, street furniture, lighting, and street signs may be located. Furnishings zones are typically used adjacent to commercial buildings. (See also, **PLANTING ZONE**).

### (7) General definitions - G

(a) **GABLE.** The vertical triangular end of a building from cornice or eaves to ridge; the similar end of a gambrel roof; the end wall of a building; and/or a triangular part of a structure.

(b) **GARAGE.** An accessory building or part of a principal structure used primarily for the storage of passenger vehicles as an accessory use.

1. **ALLEY-LOADED GARAGE.** A garage with vehicular access from a public or private alley or drive typically from the rear of the property.

2. **COURTYARD-STYLE GARAGE.** A garage with vehicular access through an enclosed or partially enclosed pavement area that is located to the front of a principal structure typically providing access to a side-loaded garage.

3. **FRONT-LOADED GARAGE.** A garage with vehicular access doors primarily oriented toward the same street right-of-way or private street as the front façade of the principal structure.

4. **SIDE-LOADED GARAGE.** A garage with vehicular access doors primarily oriented toward one of the side lot lines or a secondary public right-of-way or private street.

(c) **GAS-INFLATABLE SIGN/DEVICE.** Any device which is capable of being expanded by any gas and used on a permanent or temporary basis to attract attention to a product or event. This definition includes both hot and cold-air balloons tethered or otherwise anchored to the ground.

(d) **GATEWAY SIGN.** A sign, typically placed along a major roadway at or near the edge of a significant city attraction or land use, used to introduce the entry to the attraction.

(e) **GOVERNMENTAL SIGN.** A sign erected and maintained pursuant to and in discharge of any government functions or required by law, ordinance, or other governmental regulations.

(f) **GREEN ROOF.** A green roof, or 'living roof,' system is an extension of the existing roof which involves a high quality water proofing and root repellent system, filter cloth, a lightweight growing medium, and plants. Green roofs may be flat or low-slope and serve such purposes as absorbing rainwater, providing insulation, creating a habitat for wildlife, urban agriculture, as well as helping to lower urban air temperatures.

(g) **GROUND SIGN.** Any sign which is physically attached to a foundation. These are commonly known as freestanding, pole, pylon, or monument signs.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(8) *General definitions - H*

(a) **HARD SURFACED OR PAVED AREA.** Includes but is not limited to patios, driveways, courtyards, tennis courts, basketball courts, volleyball courts, swimming pool decks and walkways (water area excluded), and bicycle paths. Hard surfaced or paved areas may be constructed of pervious or semi-pervious materials, which are typically not counted toward lot coverage or are counted at a reduced percentage due to water absorption capabilities.

(b) **HIGHLY TRANSPARENT LOW REFLECTANCE.** Windows, doors, or other openings in a structure allowing light and clear views between the interior and exterior of the structure a majority of the time.

(c) **HISTORIC DISTRICT.** The portion of the Architectural Review District generally referred to as Historic Dublin, and as defined by § 153.170.

(d) **HISTORIC SITE.** The location, structures, features or other integral part of a city, state, or United States designated archaeological or historic site.

(e) **HISTORICAL AND CULTURAL ASSESSMENT.** A document providing a detailed inventory and evaluation of relevant historic and cultural resources including the identification of 'contributing' and 'non-contributing' cultural resources. The assessment may also provide strategies and recommendations for historic preservation.

(9) *General definitions - I*

(a) **ILLUMINATED SIGN.** Any sign lighted by or exposed to artificial lighting either by light on or in the sign or directed toward the sign.

(b) **IMPERVIOUS SURFACE.** Any hard surface, man-made area that does not absorb water, such as principal and accessory structure roofs, sidewalks, parking, driveways, and other surfaces constructed with impermeable material.

(c) **INCIDENTAL SALES.** Sale of goods or services that are clearly secondary to the principal use of the property, generally provided for the convenience of customers and occupying less than 5% of the gross floor area of the principal use.

(d) **INFORMATION SIGN.** A sign displaying necessary information for the convenience and safety of residents and visitors, and containing no advertising.

(e) **INTERIOR LANDSCAPING.** The use of landscape materials within the innermost boundaries of the landscape buffer zone and perimeter landscaping.

(f) **INTERIOR TREE LAWN.** A continuous lawn area between rows of parking spaces.

(g) **INTERRUPTING VERTICAL WALL.** A wall used to define and break up vertical building increments to reduce the overall scale of the building façade.

(10) *General definitions - J*

(a) **JOINT IDENTIFICATION SIGN.** A sign that identifies the name, through type, graphics, or other symbols, of a shopping center, office park, industrial park, or other building complex more than one use on the same lot or in the same structure, occasionally allowed in addition to the permitted signs of the individual occupants.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(11) *General definitions - K*

(12) *General definitions - L*

(a) **LANDMARK.** Any property or site which has special character, archaeological, historical, aesthetic or architectural value as part of the heritage, development or cultural characteristics of the city, state, or the United States designated as a landmark pursuant to the provision of this chapter, and including all property located in the city listed on the National Register of Historic Places.

(b) **LANDSCAPED AREA.** An area that is permanently devoted and maintained to the growing of shrubbery, grass and other plant material.

(c) **LANDSCAPING.** The planning, installation and maintenance of a combination of trees, shrubs, vines, ground covers, flowers (annuals/perennials), and turf. May include natural features (e.g. stone, ponds, naturalized areas) and structural features, including fountains, reflecting pools, sculptures/art work, walls (retaining/freestanding), fences, trellis/pergolas, and seating areas (benches/tables/chairs). Exposed soil or other non-living organic material such as mulch shall not constitute landscaping.

(d) **LARGE FORMAT RETAIL.** A retail or wholesale use of 20,000 square feet or more of GFA.

(e) **LARGE TREE.** Any tree species which normally attains a full-grown height equal to or greater than 50 feet.

(f) **LIGHTING TRESPASS.** A condition in which light is cast in a location that is not permitted or at a level that is higher than permitted by this chapter.

(g) **LIVABLE AREA.** The total square footage of the livable area of a residential principal use or structure for all rooms meeting Council of American Building Officials (CABO) requirements for sleeping, living, cooking, or dining purposes, but excluding such places as attics, basements (unless finished and meeting the aforementioned CABO requirements), garages, and similar spaces.

(h) **LIVING WALL.** A hedge, hedgerow, or wall that is partially or completely covered with vegetation.

(i) **LOADING FACILITY.** The portion of the building, structure, or site where access is permitted for loading and unloading activities related to building uses.

(j) **LOADING SPACE.** A space dedicated for use by vehicles loading and unloading within or adjacent to a building as required by this chapter.

(k) **LOGO.** See **PRIMARY IMAGES** and **SECONDARY IMAGES**.

(l) **LOT.** Includes the words "plot" and "parcel." A lot may or may not be specifically designated as such on public records. A lot may also include a condominium unit and any limited common element under and surrounding the condominium unit, which together meet the minimum yard and area requirements of this chapter.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(m) **LOT, CORNER.** A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting on a curved street shall be considered a corner lot for the purposes of this chapter if the arc has a radius of less than 150 feet and the tangents to the curve form an interior angle of less than 135 degrees. The tangents are measured at the two points where the lot lines meet the curve, or the straight street line is extended.

(n) **LOT COVERAGE.** The part or percentage of the lot occupied by impervious surfaces and semi-pervious surfaces.

(o) **LOT DEPTH.** The average horizontal distance between front and rear lot lines.

(p) **LOT LINE.**

1. **GENERAL.** A line bounding or demarcating a plot of land or ground as established by a plat of record. Includes the words "property line."

2. **FRONT LOT LINE.** In the case of an interior lot, the front lot line separating the lot from the street right-of-way. In the case of a corner lot, or double frontage lot, the front lot line is the line separating the lot from either street, unless otherwise designated by a plat, PUD or other lot line requirements of this chapter. (See also, **FRONT PROPERTY LINE**)

3. **REAR LOT LINE.** Typically, the rear lot line is the lot line opposite the front lot line that separates the lot from an alley, rear lane, or from the rear of another lot. In the case of a lot pointed at the rear, the rear lot line, for purposes of measuring the rear yard setback, shall be an imaginary line parallel to the front lot line that is not less than ten feet long and lies farthest from the front lot line and wholly within the lot.

4. **SIDE LOT LINE.** Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from another lot is an interior side lot line. (See also, **CORNER SIDE PROPERTY LINE**).

(q) **LOT, MINIMUM.** A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with any yards, open spaces, lot width and lot area required by this chapter.

(r) **LOT WIDTH.** In BSC districts only, the horizontal distance between side lot lines as measured along the front property line. Lot widths meet the minimum distance required by the building type(s) located on the lot. In all other districts, the horizontal distance between side lot lines as measured at the two points where the building line or setback line intersects the side lot lines. The lot widths meet the minimum distance required by the district in which the lot is located, excluding easements for public or private streets.

(s) **LUMEN.** The amount of light equal to one footcandle of light falling on one square foot of area.

(13) *General definitions - M*

(a) **MAIN ENTRANCE.** The primary door for pedestrians into the building that provides access to the majority of the uses within the building. It is generally located on the front façade.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

- (b) **MASONRY.** Natural or natural-appearing stone or brick.
  - (c) **MEDIUM TREE.** Any tree species which normally attains a full-grown height of between 30 and 50 feet.
  - (d) **MID-BLOCK.** The portion of the block located approximately within the middle third of the block length.
  - (e) **MID-BLOCK PEDESTRIANWAY.** A defined pathway, dedicated to pedestrians and separated from vehicles, that extends through a block from a street to a parallel or nearly parallel street or alley.
  - (f) **MID-BUILDING PEDESTRIANWAY.** A pathway, dedicated to pedestrians, intended to provide safe, well-lit, and convenient access through buildings from the public sidewalk to the rear or side of a building. Mid-building pedestrianways may coincide with mid-block pedestrianways.
  - (g) **MONUMENT SIGN.** A ground sign attached to a wall or a base constructed specifically for the display of the sign. A common example is a permanent subdivision sign.
  - (h) **MULTI-TENANT BUILDING.** A building consisting of multiple tenant spaces, typically separated by common walls within a fully enclosed portion of the building, and which may or may not share a corridor, lobby area or other internal common space.
- (14) *General definitions - N*
- (a) **NATIONAL REGISTER OF HISTORIC PLACES.** A list of properties by the National Park Service that includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.
  - (b) **NATIONAL TRUST FOR HISTORIC PRESERVATION.** A private, nonprofit membership organization dedicated to saving historic places and revitalizing America's communities.
  - (c) **NO-BUILD ZONE (NBZ).** An open area where construction is prohibited. All structures including, but not limited to buildings, parking, driveways, sidewalks, sheds, swimming pools, patios, decks or other accessory structures, fences, antennae and basketball courts or other sport courts are prohibited in order to preserve open space.
  - (d) **NO DISTURB ZONE (NDZ).** An area designated on a subdivision plat required to remain free of any structures including, but not limited to, drives, walks, buildings and outbuildings, sheds, fences, swimming pools, decks, swing sets/play structures, satellite dish antennae, basketball courts, etc., and an area with existing natural features that cannot be disturbed, removed, or physically altered.
  - (e) **NONCONFORMING STRUCTURE.** A structure or portion thereof lawfully existing at the effective date of this chapter or amendments thereto, which does not conform to the provisions of this chapter for the district in which it is located.
  - (f) **NONCONFORMING SIGN.** A sign lawfully existing at the effective date of this chapter or amendments thereto which does not conform to the requirements set forth in this chapter for the district in which it is located.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(g) **NONCONFORMING USE.** A use of land or a structure lawfully existing at the effective date of this chapter or amendments thereto which does not conform to the use requirements set forth in this chapter for the district in which it is located of a building.

(h) **NONCONTRIBUTING.** The status assigned to buildings and other cultural resources that do not add to the historic architectural qualities, historic associations, or archaeological values for which a property is significant. An assignment of “non-contributing” status to a resource may be because the building or resource lacks historic integrity, or the resource does not individually meet the National Register criteria.

(i) **NON-STREET FAÇADE.** Any building face not fronted along a street or open space type.

(15) *General definitions - O*

(a) **OCCUPANCY.** The use or intended use of a building or structure.

(b) **OCCUPIED SPACE.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

(c) **OFF-STREET LOADING SPACE.** A cubical area for parking one commercial vehicle for pickups and deliveries, located in a building or in the open on the same lot as the use the space is intended to serve.

(d) **OFF-STREET PARKING SPACE.** A quadrangular area for parking one motor vehicle, which is located in a structure or in the open, which has access to a public street and is exclusive of the right-of-way of any public or private street or any driveway, aisle, circulation drive or off-street loading space.

(e) **OHIO HISTORIC INVENTORY.** A program of the State of Ohio developed to serve as an accurate and continuing record of the architectural and historic properties existing in the state.

(f) **OPACITY.** An imaginary vertical plane extending from the established grade to a required height in which a required percent of the vertical plane acts as a visual screen from adjacent property use.

(g) **OPAQUENESS.** The degree to which a wall, fence, structure or landscaping is solid or impenetrable to light or vision in a generally uniform pattern over its surface, usually expressed in terms of percentage of area.

(h) **OPEN HOUSE.** A temporary public showing of a structure available for sale, rental, or lease.

(i) **OPEN SPACE TYPE.** A park or open space as required by § 153.064.

(j) **OPEN SPACE TYPE FRONTAGE.** The orientation of a lot line, building façade or block face directly adjacent to an open space type, with no intervening public or private street.

(k) **ORDINARY MAINTENANCE.** Exterior work which does not involve any change in material, texture or color, design, or arrangement. Examples include repainting a house with the same color; residing a wood building with wood-siding and painting the same color.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(l) **OWNER.** The legal person(s) of record having ownership of or valid legal interest in a property.

(16) *General definitions - P*

(a) **PARALLEL RIDGE LINE.** A main roof ridge line parallel to an adjacent street.

(b) **PARAPET ROOF.** A roof type with a low vertical wall projecting above the building roof line along the perimeter of the building.

(c) **PARKING SETBACK LINE.** A line specifically established by the city, zoning district, or subdivision plat which determines the minimum distance that parking, loading or maneuvering may be located from a street right-of-way line.

(d) **PEDESTRIAN CIRCULATION PLAN.** A detailed plan showing the location of all site access points, sidewalks, walkways, bicycle facilities, and travel routes expected to be used by pedestrians.

(e) **PEDESTRIAN FACILITIES.** All amenities or elements including sidewalks, walkways, benches, pedestrian lighting, and other similar facilities intended to assist or be used by pedestrians.

(f) **PEDESTRIAN LIGHTING.** Lighting that improves walkway illumination for pedestrianways.

(g) **PEDESTRIAN PATH.** A sidewalk, path, walkway or other similar facility that is intended for ordinary use by pedestrians.

(h) **PEDESTRIAN REALM.** That portion of the street right-of-way typically comprised of the streetscape, including pedestrian facilities, such as a sidewalk, path/trail, or off-street bicycle facility, and a street buffer such as a planting zone or furnishings zone.

(i) **PEDESTRIANWAY.** A pathway designed for use by pedestrians, located mid-block or within the middle-third of a building or structure, allowing pedestrian movement from one street to another without traveling along the block's perimeter.

(j) **PENNANT.** A flag or banner often longer at one end than the other, usually tapering to a point(s).

(k) **PERIMETER LANDSCAPE BUFFER ZONE.** That area adjacent to any vehicular use area or along common boundaries in which the perimeter landscape requirements of this chapter are to be met.

(l) **PERIMETER LANDSCAPING.** The use of landscape materials within the perimeter landscape buffer zone to achieve the required opacity.

(m) **PERMANENT SIGN.** Any sign permanently attached or affixed to a building or the ground, as permitted by this chapter.

(n) **PERMANENT STRUCTURE.** Any structure that is not a temporary structure.

(o) **PERSON.** Includes any association, firm, partnership, trust, governmental body, corporation, or organization, as well as an individual.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

- (p) **PERSONAL AUTOMOBILE.** Any vehicle that seats fewer than ten passengers, is registered as a passenger vehicle or a non-commercial truck, and is used for the sole purpose of transporting resident(s) and guest(s) to and from daily activities.
- (q) **PERVIOUS SURFACE.** A paved or non-paved area that allows water to filter into the ground.
- (r) **PITCHED ROOF.** A roof with a slope that includes, but is not limited to, hipped, gable, mansard and gambrel roofs.
- (s) **PLANNED UNIT DEVELOPMENT (PUD).** A form of a planned development that includes one or more uses permitted by right or as conditional uses and which is established according to the requirements of § 153.052, or was approved as a PUD prior to the adoption of these regulations.
- (t) **PLANNING AND ZONING COMMISSION, or COMMISSION.** The Planning and Zoning Commission of the city.
- (u) **PLANTING ZONE.** A landscape area that extends to the sidewalk from the back of curb, edge of pavement or edge of a cycletrack, in which street trees, swales, lighting, and street signs may be located. Sidewalks may cross the planting zone. Planting zones are typically used adjacent to residential buildings. (See also, **FURNISHINGS ZONE**)
- (v) **PLINTH.** A continuous, usually projecting course of stone or brick forming the base or foundation of a wall.
- (w) **POLE SIGN.** See **GROUND SIGN**.
- (x) **POLITICAL SIGN.** A sign concerning candidates for elective office, public issues and similar matters to be decided by the public at an election.
- (y) **PORTABLE SIGN.** Any sign that is designed to be or capable of being moved or transported, and not permanently affixed or attached to any building, structure, or grounds.
- (z) **PRELIMINARY DEVELOPMENT PLAN.** A plan, submitted at the time of rezoning to a PUD or BSD project, outlining permitted and conditional land uses, development sites, major circulation patterns, critical natural areas to be preserved, open space areas and linkages, buffer areas, entryways, and major utilities and their relationship with surrounding uses. For the purposes of §§ 153.050 through 153.056, a preliminary development plan shall include a composite plan and any other development plan adopted prior to effective date of these regulations that are still in force.
- (aa) **PRESERVE or PRESERVATION.** The process, including maintenance, of treating an existing building to arrest or slow future deterioration, stabilizing the structure and providing structural safety without changing or adversely affecting the character or appearance of the structure.
- (bb) **PRIMARY FAÇADE MATERIAL.** The permitted building material or materials used for the majority of the façades of a building.
- (cc) **PRIMARY IMAGE.** The name of the use or business identified on a sign. (See also **SECONDARY IMAGE**)

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(dd) **PRINCIPAL FRONTAGE STREET.** A street designated to establish the street frontage orientation of lots and building façades. Principal frontage streets are intended to create pedestrian-oriented block faces by establishing continuous street-facing façades with limited driveway interruptions. Front lot lines and front façades are oriented along principal frontage streets, and the building address is typically designated along these frontages.

(ee) **PRINCIPAL ENTRANCE.** The primary door into the building for pedestrians for which access is available to the majority of the uses within the building. It is generally located on the front façade.

(ff) **PRINCIPAL STRUCTURE.** Any building or structure in which the principal use of the lot or parcel takes place.

(gg) **PRINCIPAL USE.** The main or primary use of a property, building, or site.

(hh) **PRODUCT SIGN.** A sign typically located in a window, advertising a product or service offered by a business.

(ii) **PROJECTED IMAGE.** An image projected onto a building, structure, or sign.

(jj) **PROJECTING SIGN.** A sign that is wholly or partly dependent upon a building for support or suspended from a pole attached to a building and extending 14 inches or more from the building or structure. Projecting signs are typically installed perpendicular to the building face upon which they are attached.

(kk) **PROJECTION.** Any component of a structure that extends out from the principal structure.

(ll) **PROMOTIONAL SIGNS.** A temporary sign that provides information regarding time, place, and the like of a special event, community activity or similar activity.

(mm) **PROTECTED TREE.** Any tree having a diameter of six inches DBH or larger or having an aggregate diameter of 15 inches DBH or larger or a tree which has been designated by the city to be of high value or interest to the city because of its location or historic association, or other professional criteria.

(nn) **PYLON SIGN.** See **GROUND SIGN.**

### (17) *General definitions - Q*

(a) **QUOIN.** Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap around the corner of an elevation and join two abutting walls.

### (18) *General definitions - R*

(a) **RACEWAY.** An elongated metal enclosure used to mount individual channel lettering and to conceal related transformers and wiring.

(b) **RAIN BARREL.** An above-ground prefabricated storage receptacle with an automatic overflow diversion system that collects and stores storm water runoff from the roof of a structure that would have been otherwise routed into a storm drain.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(c) **RECREATIONAL VEHICLE.** Any motorized vehicle and/or associated non-motorized equipment used for camping, traveling, boating, or other leisure activities including, but not limited to campers, boats, travel trailers, motor buses (more than nine passengers), motor homes, snow mobiles, wave runners, and other vehicles designed for traveling on water (motorized and non-motorized). Trailers used for transporting this type of vehicle are also included within this definition.

(d) **REFACING.** Any alteration to the face of a sign involving the replacement of materials or parts. **REFACING** does not refer to replacing the entire sign structure or the removal of the sign.

(e) **REMOVE or REMOVAL (TREES).** The causing or accomplishing of the actual physical removal of a tree, or the effective removal through damaging, poisoning, or other direct or indirect action resulting in, or likely to result in, the death of a tree.

(f) **REQUIRED BUILDING ZONE (RBZ).** An area in which the front or corner façade of a building is required to be placed. The zone dictates the minimum and maximum distance a structure may be placed from a property line.

(g) **REQUIRED REVIEWING BODY.** The Administrative Review Team, City Council, Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals when required by § 153.066 to render a final decision on any application required for development within the BSC districts.

(h) **ROOF.**

1. **PRINCIPAL ROOF.** The roofed area of a building enclosed by the main rafters, as opposed to the common rafters.

2. **ROOF DECK.** In a typical roof system, the roof deck is the roofing material layer between the primary structural components (trusses & joists) and either insulative layers or weatherproofing layers.

3. **ROOF HEIGHT.** The height of a roof as required to be measured by this chapter.

4. **ROOF LINE.** The uppermost line or point of the façade or parapet of a flat roof structure, or the lower edge of an eave, gable or rake of a sloped roof structure.

(i) **ROOF SIGN.** Any sign erected on or above the roof line of a building.

(19) *General definitions - S*

(a) **SANDWICH BOARD SIGN.** A sign with two hinged boards which is intended to be placed on the ground.

(b) **SEATS.** The number of seating units installed or indicated on plans, or each 30 lineal inches of stands, benches or pews. Unless otherwise specified in this chapter, it is assumed that a seating unit occupies seven square feet of floor area for fixed seating and 15 square feet of floor area for uses without fixed seating, exclusive of aisles and assembly areas.

(c) **SECONDARY FAÇADE MATERIAL.** The permitted material or materials used to accent a building's primary façade materials.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(d) **SECONDARY IMAGE.** Any and all text, graphics, or images displayed on a sign in addition to the name of the use or business, including but not limited to registered/copyrighted images or text, pictorial representations, tag lines, products and phone numbers.

(e) **SECTION.** In the text, the term **SECTION** refers to the numeral under which it appears in this subchapter.

(f) **SECURED.** A building which has all points of entry into the structure closed by use of windows and doors which are in proper working order, intact, without holes, broken elements, and are locked.

(g) **SEMI-PERVIOUS SURFACE.** A material that allows for absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

(h) **SERVICE STRUCTURES.** Structures including, but not limited to, loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site.

(i) **SETBACK.** The minimum distance required by this chapter from the property line and/or right-of-way line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line and/or right-of-way line. May also be referred to as the building line.

(j) **SHADOW LINE.** A decorative, three dimensional, linear architectural element, horizontal or vertical, protruding or indented from the exterior façade of a building enough to create a shadow. It is typically utilized to delineate stories of a building.

(k) **SHALL.** Is mandatory.

(l) **SHOPPING CORRIDOR.** Continuous mixed use street frontage with retail uses occupying the ground floor of buildings located on streets with a highly articulated pedestrian realm.

(m) **SIGN.** A sign is defined as any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, whether permanent or temporary, which is affixed to, painted on, represented directly or indirectly upon, or projected onto a building, structure, lot, or other device, whether mobile or affixed to the ground, and which directs attention to any object, product, place, activity, person, institution, organization, or business. Signs regulated by this chapter includes all signs visible from any public right-of-way or adjacent property, including interior signs oriented towards the exterior façade of any building or structure as well as back-lighted translucent panels or strip lighting affixed to any wall or roof which serves to identify and attract attention rather than illuminate space for human activity.

(n) **SIGN FACE.** The surface intended for the display of information on the sign.

(o) **SIGN STRUCTURE.** The supporting unit of a sign face, including, but not limited to, frames, braces and poles.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(p) **SITE.** Any defined space or ground, including ground occupied by buildings, parking areas, service areas, undeveloped lands, and ground adjacent to structures.

(q) **SITE PLAN.** Includes the documents and drawings required by this chapter to ensure that a proposed land use or activity is in compliance with city requirements and state and federal statutes.

(r) **SMALL TREE.** Tree species which normally attains a full-grown height of under 30 feet.

(s) **SOFFIT.** The exposed undersurface of any overhead component of a building.

(t) **STACKING SPACE.** A space designed to be occupied by a vehicle while waiting to order or to be served at a drive-through window or drive-up ATMs, or while waiting to enter a parking lot, parking structure, fuel station, dispensing station, or loading area.

(u) **STOREFRONT.** The portion of a building façade serving as the front elevation of an individual tenant space, including an entrance and windows providing physical and visual access into the tenant space, typically limited to the ground story and located along a street-facing façade.

(v) **STORY.** A habitable level within a building measured from finished floor to finished floor.

1. **GROUND STORY.** The first floor of a building that is level to or elevated above the finished grade on the front and corner façades, excluding basements or cellars, accessible from the established grade through the use of a ramp or steps.

2. **HALF STORY.** A story either in the base of the building, partially below and partially above grade (visible basement), or a story fully within the roof structure with transparency facing the street.

3. **UPPER STORY.** The floors located above the ground story of a building, including any half-stories within the roof structure.

(w) **STREAMER.** A ribbon-shaped or cord-like rope which may have pennants and/or banners attached and which is stretched or hung between two or more supports.

(x) **STREET FAÇADE.** A building face with frontage along and typically parallel to a public street. Street façades are designated as either front or corner façades, and are oriented in relation to the front or corner side property lines.

(y) **STREET FRONTAGE.** The orientation of a lot line, building façade, block face or open space type along, and typically parallel to, a public street. A building façade oriented along a street frontage is also referred to as the street façade.

(z) **STREETSCAPE.** The various components that make up the pedestrian realm, both in the right-of-way and along private lot frontages within required building zones, including tree lawns, pavement, parking spaces, planting areas, street furniture, street trees, streetlights, sidewalks, front yard fences, etc.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/8/21 – Clean Version

(aa) **STREET RIGHT-OF-WAY.** The public or private right-of-way permitting associated streetscape elements and typically consisting of both a vehicular and pedestrian realm.

(bb) **STREET RIGHT-OF-WAY LINE.** A line that separates the street right-of-way from a contiguous property.

(cc) **STREET TERMINATION.** The point at which a street ends, requiring vehicles, bicycles, and pedestrians to turn the corner of a block.

(dd) **STREET TYPE.** Required street configurations with specific combinations of right-of-way, pavement width, pedestrian and bicycle facilities, travel lanes, and parking lanes intended to result in a desired street character.

(ee) **STREET WALL.** An opaque, freestanding wall or an opaque combination of landscaping and fencing, built along the frontage line, or along the same building line as the building façade, typically intended to screen vehicular use areas or service areas and/or to define the pedestrian realm.

(ff) **STRUCTURE.** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having permanent location on the ground, including advertising signs, billboards, mobile homes (located for occupancy on a permanent foundation) and other construction or erection with special function or form, except fences or walks. Includes the word "building."

(gg) **STRUCTURE, PRINCIPAL.** A structure in which is conducted the principal use of the lot on which it is situated.

(hh) **STUCCO.** A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

(ii) **SUBORDINATE.** A building or structure that is secondary or incidental to the primary building, structure, or use on a lot.

#### (20) *General definitions - T*

(a) **TENANT SPACE.** A designated area within a building dedicated to an individual tenant, whether by condominium ownership or a contractual relationship between an owner and renter or lessee, where the renter or lessee is considered a primary tenant. Typically, a tenant space is not directly accessible to other tenant spaces through an internal doorway, but may be accessible via a common corridor or lobby area.

(b) **TERMINAL VISTA.** The result of a "T", "L", or "Y" shaped street intersection or a change in street alignment or topography where the views down a street terminate at a lot or parcel instead of continuing down the street.

(c) **THROUGH LOT.** A lot, with the exception of a corner lot, that has frontage on two public streets, not including alleys or service lanes.

(d) **TOWER.** A vertical element of a building or structure, generally rectilinear or cylindrical in plan, which extends above the rest of the building or structure. Communication towers and wireless communication structures are not included in this definition.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(e) **TRAILBLAZER SIGN.** A government sign typically within the public right-of-way identifying company logos for lodging, gasoline stations, restaurants and other such establishments.

(f) **TRAILER SIGN.** Any sign which is attached to, supported by, or part of a structure which is designed to move on trailer wheels, skids, or other similar devices, or transported, pushed, or pulled by a motor vehicle.

(g) **TRANSPARENCY.** The ability to see through with clarity. An opening in the building wall allowing light and views between interior and exterior for a majority of the time. Measured as glass area for buildings and as open area for parking structures.

(h) **TREE.** Any self-supporting woody plant together with its root system, growing upon the earth usually with one trunk, or multi-stemmed trunk system, supporting a definitely formed crown.

(i) **TREE LAWN.** That part of a street not covered by sidewalk, bikepath, or other paving, lying between the property line and that portion of the street right-of-way that is paved and usually used for vehicular traffic.

(j) **TREE PRESERVATION AREA.** The area of a parcel of land in which all trees shall be protected during all phases of construction.

(k) **TREE PRESERVATION PLAN.** A proposal which includes a tree survey and a written plan with text and/or graphic illustrations indicating the methods which are to be used to preserve existing trees during construction, and methods for ongoing maintenance, including fertilizing and pruning.

(l) **TREE PRESERVATION ZONE.** An area designated on a subdivision plat with restrictions noted regarding the removal of trees.

(m) **TREE REMOVAL PERMIT.** The permit required by this chapter to be issued in order to remove any protected tree within the corporate limits of the city.

(n) **TREE SURVEY.** A graphic display drawn to scale, not to exceed 1" = 50', showing all existing trees on a site with a six-inch DBH or greater, species, conditions, and outline of the critical root zones.

(o) **TREE WELL.** An opening in a sidewalk to accommodate street trees and other understory plantings such as perennials, groundcover, ornamental grass, and low growing shrubs. Tree wells are typically covered by an approved grate or other covering.

(p) **TRIM.** The finished woodwork or similar architectural element used to enhance, border or protect the edges of openings or surfaces, such as windows or doors.

(q) **TURRET.** A small tower, characteristically corbelled from a corner.

(21) *General definitions - U*

(a) **USED OR OCCUPIED.** As applied to any land or structure intended, arranged or designed to be used or occupied.

(22) *General definitions - V*

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(a) **VACANT STRUCTURE.** Any building or structure, in whole or in part, including an accessory building, which has become vacant or abandoned for a period of at least thirty (30) consecutive days and which also meet at least one of the following conditions:

- (1) Is open to casual entry or trespass;
- (2) Is damaged to an extent which prohibits safe human occupancy;
- (3) Demonstrates a lack of property maintenance and upkeep;
- (4) Is under notice for being in violation of City ordinances;
- (5) Has been secured or boarded up for at least thirty days;
- (6) Has utilities disconnected or not in use;
- (7) Is under a condemnation notice or legal order to vacate; or
- (8) Is structurally unsound.

(b) **VEHICULAR REALM.** That portion of the street right-of-way comprised of vehicle travel lanes, on-street bicycle facilities, and on-street parking lanes.

(c) **VEHICULAR USE AREA.** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more vehicles of any type, whether moving or at rest, including, but not limited to, driveways, parking lots, loading and unloading areas, parking and maneuvering areas within manufactured home parks, and sales and service areas.

(d) **VERTICAL GARDEN.** See **LIVING WALL.**

(e) **VINYL SIDING ACCESSORIES.** Exterior secondary design elements that serve to provide more visual interest and complement the primary home design.

(f) **VISIBLE BASEMENT.** A half story partially below grade and partially exposed above grade with required transparency provided on the street façade.

(g) **VISION REPORT.** The Bridge Street Corridor Vision Report adopted by City Council and as amended.

(23) *General definitions - W*

(a) **WALL LIGHTING.** Accent, emergency, or safety lights intended to illuminate portions of a building façade.

(b) **WALL SIGN.** Any sign attached to or erected against the inside or outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the plane of the building or structure and extending less than 14 inches from the building or structure.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

(c) **WATER TABLE.** A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

(d) **WINDOW SIGN.** Any signs, posters, symbols and other types of identification or information about the use or premises directly attached to the window of a building or erected on the inside of the building and visible from any public area or adjacent property.

(24) *General definitions - X*

(25) *General definitions -Y*

(a) **YARD.**

1. **FRONT YARD.** An area extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of a principal structure.

2. **REAR YARD.** An area extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal structure.

3. **SIDE YARD.** An area between the side line of the lot and the principal structure extending from the front lot line to the rear lot line.

(26) *General definitions - Z*

(a) **ZONING DISTRICT.** A portion of the city within which certain uses of land and/or structures are permitted and within which certain regulations and requirements apply under the provisions of this chapter.

1. **RESIDENTIAL DISTRICT.** The Restricted Suburban Residential District, the Limited Suburban Residential District, the Suburban Residential District (R-3), the Suburban Residential District (R-4). The Two-Family Residential District, the Urban Residential District, the BSC Residential district, the BSC Historic Residential district and all Planned Districts with predominantly residential uses.

2. **NON-RESIDENTIAL DISTRICT.** All districts not listed under **RESIDENTIAL DISTRICT.**

(b) **ZONING ORDINANCE, or ZONING CODE, or CODE.** This chapter.

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

## 153.058(B)~~(5)~~ BSD Historic Core

~~This district applies to the historic center of Dublin and reinforces the character of this area as the centerpiece of the Bridge Street District. The district focuses on ensuring sensitive infill development and redevelopment and providing an improved environment for walking while accommodating vehicles. The district accepts building types that are consistent with the historic development pattern of Historic Dublin, subject to review by the Architectural Review Board, and permit similar uses that support a highly walkable setting, as listed in Table 153.059-A.~~

## 153.058(B)~~(6)~~ BSD Historic South

~~This district is intended to apply 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. The district accepts building types that are consistent with the historic development pattern of Historic Dublin, subject to review by the Architectural Review Board, and permits similar uses that support a highly walkable setting, as listed in Table 153.059-A.~~

## 153.058(B)~~(7)~~ BSD Historic Residential

~~The intent of this district is to permit 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. The purpose of these regulations is to protect the scale and character of the original platted village by maintaining regulations consistent with the previous Historic Residential zoning in place prior to the adoption of this amendment, as listed in Table 153.059-A.~~

## 153.058(B)~~(8)~~(5) BSD Sawmill Center Neighborhood

## 153.058(B)~~(9)~~(6) BSD Historic Transition Neighborhood

This district complements the ~~BSD~~ HD Historic Core district by accommodating a variety of building types within a finer grained street and block network and uses consistent with that district. It accommodates uses similar to those in the ~~BSD~~ HD Historic Core district, as listed in Table 153.059-A. Development allows an extension of the walkable mixed use character of the ~~BSD~~ HD Historic Core district on the larger parcels within this district. The district is subject to the specific neighborhood standards defined in 153.063(D). These requirements establish open space patterns and location requirements for building types, provide additional residential opportunities, and extend the small scale commercial activities of the ~~BSD~~ HD Historic Code district.

## 153.058(B)~~(10)~~(7) BSD Indian Run Neighborhood

## 153.058(B)~~(11)~~(8) BSD Scioto River Neighborhood

## 153.058(B)~~(12)~~(9) BSD Vertical Mixed Use

## 153.058(B)~~(13)~~(10) BSD Public

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

Table 153.059-A: Permitted and Conditional Uses in BSD Districts

Delete columns: Historic Core, Historic South, Historic Residential

~~153.059(C)(1)(a) 5. Single family dwellings in the BSD Historic Residential District shall meet the requirements of §153.063(B) and shall not be required to meet the standards of §153.062(O)(1).~~

153.059(C)(3)(c)1. Eating and drinking facilities shall be limited to no more than 3,500 square feet of gross floor area for single tenant buildings in the ~~BSD Historic South~~, BSD Office, BSD Office Residential, and BSD Residential districts, unless otherwise permitted as a conditional use.

~~153.059(C)(3)(e)2. To avoid large scale uses that detract from the intended scale of the Historic South district, exercise and fitness uses shall be limited to no more than 3,600 square feet of gross floor area.~~

153.059(C)(3)(j)1. To avoid large, single tenant uses that detract from the urban, walkable intent of the Bridge Street District, general retail uses in the BSD Residential, Office Residential, Office, Commercial, ~~Historic Core~~ and Public districts shall be limited to no more than 20,000 square feet of gross floor area, unless otherwise permitted as a conditional use.

153.059(C)(4)(f) Home Occupations

~~All home occupations in the BSD Historic Residential district shall comply with the provisions of §153.073.~~ In all ~~other~~ BSD zoning districts, home occupations shall comply with the following standards.

153.059(C)(4)(j) Renewable Energy Equipment

~~1. In the BSD Historic Core and BSD Historic Residential districts, only equipment for the collection of solar and geothermal energy is permitted.~~

~~2.~~1. Ground-mounted equipment for the collection of geothermal energy is permitted only to the rear of and within five feet of the principal structure.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/8/21 – Clean Version**

~~3-2.~~ 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. 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.

~~4-3.~~ Building-mounted renewable energy equipment shall be integrated into the architectural character of the principal structure.

~~5-4.~~ Ground-mounted renewable energy equipment shall be sited to minimize view from the public right-of-way and adjacent properties, and shall be camouflaged to the extent that the equipment can function normally.

TABLE 153.060-A. MAXIMUM BLOCK DIMENSIONS

Delete rows: Historic Core, Historic South, Historic Residential

153.062 (B)(2)(f)

~~2. For Existing Structures within the BSD Historic Core and Historic Residential Districts, the Architectural Review Board shall determine those building type requirements that will apply to specific buildings.~~

~~3. All new construction in the BSD Historic Core District shall meet the requirements of 153.062, §§153.170 through 153.180, and the Historic Dublin Design Guidelines.~~

~~4. All new construction in the BSD Historic Residential District shall meet the requirements of §153.063(B), §§153.170 through 153.180 and the Historic Dublin Design Guidelines, in addition to the requirements of §153.062 as determined to be architecturally appropriate by the Architectural Review Board.~~

TABLE 153.062-A. PERMITTED BUILDING TYPES IN EACH BSD ZONING DISTRICT

Delete columns: Historic Core, Historic South, Historic Residential

153.062(D)(2)(f) Roof Heights

~~1. In the BSD Historic Core district, roofs without occupied space and/or dormers shall have a maximum height on street-facing elevations equal to the maximum floor height permitted for the building type, or as otherwise approved by the Architectural Review Board.~~

~~2-1.~~ ~~In all other districts,~~ Roofs without occupied space and/or dormers shall be a maximum of one and a half times the maximum floor height permitted for the building type on street-facing façades, unless otherwise appropriate to the building type and location.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

### 153.062(D)(3) Flat Roof

(a) Flat roofs are permitted in all districts. ~~except the BSD Historic Core district, unless otherwise determined by the required reviewing body to be architecturally appropriate.~~

### 153.062(E)(1) Materials

~~(f) EIFS and architectural metal panels and cladding shall not be used in the Historic Core district.~~

153.062 (O)(11)(b) Height: Maximum Height: 5 stories; ~~3 stories in BSD Historic Core District~~

### 153.062 (O)(1)

Notes: ~~<sup>1</sup> All new construction in the BSD Historic Residential District shall meet the requirements of §153.063(B), §§153.170 through 153.180 and the Historic Dublin Design Guidelines, in addition to the requirements of §153.062 as determined to be architecturally appropriate by the Architectural Review Board.~~

~~<sup>2</sup> <sup>1</sup> Garage doors shall be no taller than nine feet. No single garage door shall be wider than 18 feet.~~

~~<sup>3</sup> <sup>2</sup> Where alley/service street access is not feasible at the determination of the City Engineer, driveways for single-family detached buildings shall meet the requirements of §153.210, except that driveways shall be limited to 10 feet in width at the right-of-way.~~

153.063(A)(3) The BSD Historic Transition Neighborhood District serves as a bridge between the existing historic scale of the **BSD HD** Historic Core District and the more contemporary, larger scale of the BSD Indian Run Neighborhood District.

### 153.063(B) ~~BSD HISTORIC RESIDENTIAL DISTRICT~~

#### ~~(1) Development Intent~~

~~While included as part of the Neighborhood Standards, it is the intent of this district to maintain the existing conditions of this important neighborhood. The BSD Historic Residential neighborhood represents a snapshot in time that should be maintained, preserved, and protected.~~

~~(2) The following standards for arrangement and development of land and buildings are required:~~

#### ~~(a) Lot Area~~

~~For each dwelling unit, there shall be a lot area not less than 8,712 square feet (0.2 acre).~~

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

~~(b) Lot Width~~

~~Lots shall be a minimum of 60 feet in width with a minimum frontage of 60 feet along a public street.~~

~~(c) Height~~

~~No residential structure shall exceed 35 feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and as reviewed and accepted by the Architectural Review Board.~~

~~(d) Lot Coverage~~

~~Combined square footage of all principal and accessory structures and impervious surfaces shall not exceed 50% of the lot area, unless otherwise approved by the Architectural Review Board.~~

~~(e) Front, Side, and Rear Yards~~

~~All lots shall have minimum setbacks as noted in Table 153.063-A.~~

153.063 ~~(C)~~(B) BSD SAWMILL CENTER NEIGHBORHOOD DISTRICT

153.063 ~~(D)~~(C) BSD HISTORIC TRANSITION NEIGHBORHOOD DISTRICT

1. Development Intent

The Historic Transition Neighborhood presents a unique opportunity within the Bridge Street District. Transitional elements include building on the ~~BSD~~ HD Historic Core District's strong gridded pedestrian and street network and providing appropriate connections to the BSD Indian Run Neighborhood. A balance of land uses will be important to support the smaller scale retail, service, and entertainment uses in the ~~BSD~~ HD Historic Core. Other limited areas of BSD Historic Transition Neighborhood border the Historic District and require sensitive treatment to maintain complementary relationships to adjacent districts.

153.063 ~~(E)~~(D) BSD INDIAN RUN NEIGHBORHOOD DISTRICT

153.063 ~~(F)~~(E) BSD SCIOTO RIVER NEIGHBORHOOD DISTRICT

153.063(D)(4)(b) Building Height

Buildings located across a street from or adjacent to the ~~BSD~~ HD Historic Core District shall be limited to two and a half stories.

153.063(D)(5)(a) Historic Sites and Structures

Historic sites and structures listed on the National Register and/or the Ohio Historic Inventory shall be preserved to the extent practicable with redevelopment unless otherwise approved by the ~~Architectural Review Board pursuant to §153.171~~ Planning and Zoning Commission.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

### 153.063(D)(6)(b) Open Space Character

1. The BSD Historic Transition Neighborhood District is intended to complement the ~~BSD~~ HD Historic Core District by accommodating a variety of building types within a finer grained street and block network and uses consistent with the district. Development shall be planned to allow an extension of the walkable mixed use character of the ~~BSD~~ HD Historic Core District.

### 153.065(D)(4)(a)

2. With the exception of the ~~BSD~~ HD Historic Core district, when a non-residential land use is adjacent to a parcel containing only single-family detached building types (regardless of whether there is an intervening street, alley, or driveway).

### 153.065(E)(2)(b)

~~3. Street walls in the BSD Historic Core shall be constructed as stacked stone walls, unless otherwise approved by the required reviewing body.~~

~~4.~~ 3. Street walls shall be a minimum of 22 inches where seating is intended; all other street walls shall be a minimum of 30 inches. No street wall shall exceed 36 inches in height.

~~5.~~ 4. Street walls 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 determined by the City Engineer.

### 153.065 (H)(1)(d) ~~BSD-Historic Core and~~ Historic Transition Neighborhood Districts

The purpose of signs in ~~these~~ ~~this~~ districts is to provide for pedestrian-oriented signs that 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.

### 153.065 (H)(3)(d) ~~BSD-Historic Core and~~ Historic Transition Neighborhood Districts

1. Signs in these districts shall be subject to the requirements of §153.065(H)(4) through (7) as applicable, unless a master sign plan is approved by the ~~required reviewing body~~ ~~Architectural Review Board (ARB)~~ (refer to §153.065(H)(2)(b)6).

2. All new ground and building-mounted signs in ~~those parts of~~ the BSD ~~Historic Core and~~ Historic Transition districts ~~that fall within the Architectural Review District boundaries~~ shall be subject to review and approval by the ~~required reviewing body~~ ~~Architectural Review Board~~.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/8/21 – Clean Version

### 153.065 (H)(6) Number of Permitted Signs

Refer to §153.065(H)(6)(d) for the number of signs permitted in the BSD ~~Historic Core and Historic Transition Neighborhood Districts and to §§153.150 through 153.163 for the BSD Historic Residential district~~. For all other BSD zoning districts, the number of permitted signs shall be in accordance with subsections §153.065(H)(6)(a)-(c). Refer to Table 153.065-G, Sign Types Permitted in BSD zoning districts, for the list of permitted signs and the intent of each sign type.

153.065(H)(7)(c)1. In addition to any other permitted signs, one building identification sign is permitted per street frontage for buildings with three or more stories. Building identification signs are not permitted in the BSD ~~Historic Residential, Historic Core, or portions of the Historic Transition Neighborhood districts that fall within the Architectural Review District boundaries~~ unless approved by the ~~required reviewing body Architectural Review Board~~ through a master sign plan (refer to §153.065(H)(2)(b)6).

TABLES 153.065-H, 153.065-I, 153.065-J, and 153.065-K

Modify Headers: BSD ~~Historic Core District; and BSD Public and~~ Historic Transition Neighborhood Districts ~~within the Architectural Review District Boundaries~~

### 153.066 (N) ~~(6) Architectural Review Board Authority~~

~~Until otherwise amended, the Architectural Review Board (ARB) shall be the required reviewing body for the following districts: BSC Historic Core, Historic Residential, Historic South, and Historic Transition Neighborhood, as outlined in §153.170 through 153.180 in the Codified Ordinances. The ARB shall be sole authority for Waivers and Master Sign Plans in the above noted zoning districts, pursuant to the standards and criteria in §153.066.~~

### 153.066 (N) ~~(7)-(6)~~ Single-Family Detached Homes

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/22/21 – City Council Clean Version

## § 153.170 HISTORIC DISTRICTS APPLICABILITY.

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 Section 153.175.

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 chapter.

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 Section 153.176.

## § 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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.

### § 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (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,

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
<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	
High School				P	
Library, Museum, Gallery	P	P		P	YES

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<b>Table 153.172A: Historic Zoning District – Use Table</b>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
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
Research & Development	P	P			
Retail, General	P/S/C	P/S/C			YES
Wireless Communications					Refer to Chapter 99 of Dublin Code of Ordinances
<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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<b>Table 153.172A: Historic Zoning District – Use Table</b>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
Construction Trailer/Office	T	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	
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
Parking, Structure	C			C	
Parking, Surface Lot	P	P		P	
Renewable Energy Equipment	P	P	P	P	YES
Residential Model Home	T	T			YES
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 of Dublin Code of Ordinances

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/22/21 – City Council Clean Version

## (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 10 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 pm or prior to 7:00 am.
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 O.R.C. 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (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 1/2-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 percent.

- (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 am local time and 5:00 pm 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 O.R.C. 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 8:00am or after 10:00 pm.
  4. For a property with a non-residential primary use, mixed-use, or a vacant

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 am or after 10:00 pm.

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 pm and 8:00 am, 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 Code Section 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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

**§ 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 Section 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 (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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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 Code Section 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 Section 153.176

**Table 153.173B: Historic Residential District – Setbacks**

<b><i>For Properties Fronting onto:</i></b>	<b><i>Minimum Front Setback (ft)</i></b>	<b><i>Minimum Side Yard Setback (ft)</i></b>	<b><i>Minimum Total Side Yards (ft)</i></b>	<b><i>Minimum Rear Yard Setback Primary Structure (ft)</i></b>	<b><i>Minimum Rear Yard Setback Detached Accessory Structures (ft)</i></b>
Dublin Road	15	4	16	20% lot depth, not to exceed 50 feet	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		15

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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.

(2) 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

### (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 section 153.207, Parking in Residential Districts, shall apply to development with 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 Section 153.173(I).

#### (5) Parking Lot/Structure Lighting

Parking lot and parking structure lighting shall comply with the requirements of Section 153.173(J).

#### (6) Parking Lot Landscaping

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

Parking lot landscaping shall comply with the requirements of Section 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>Residential</b>		
Dwelling, Single-Family Dwelling, Two-Family	2 per dwelling unit	2 per dwelling unit
Dwelling, Live-Work	2 per dwelling unit	3 per dwelling unit
<b>Civic/Public /Institutional</b>		
Cemetery	Per approved parking plan	
Community Center	Per approved parking plan	

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<b>Table 153.173C: Required Vehicle Parking</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
Community Garden	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% of 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, Park & Ride	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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<b>Table 153.173C: Required Vehicle Parking</b>			
<b>Use</b>	<b>Minimum Required</b>		<b>Maximum Permitted</b>
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/A		N/A
Parking, Surface Lot	N/A		N/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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<b>Table 153.173C: Required Vehicle Parking</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
Retail, General	3 per 1,000 sq. ft.	125% of minimum
Wireless Communications	N/A	N/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	N/A
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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- 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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

(10) Off-street Parking Space and Aisle Dimensions

Parking spaces and maneuvering aisles shall comply with Table 153.173D.

<b>TABLE 153.173D OFF-STREET PARKING SPACE AND AISLE DIMENSIONS</b>						
<b>Parking Pattern</b>	<b>Aisle Width</b>		<b>Regular Space</b>		<b>Compact Space*</b>	
	<b>1 Way</b>	<b>2 Way</b>	<b>Width</b>	<b>Length</b>	<b>Width</b>	<b>Length</b>
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.

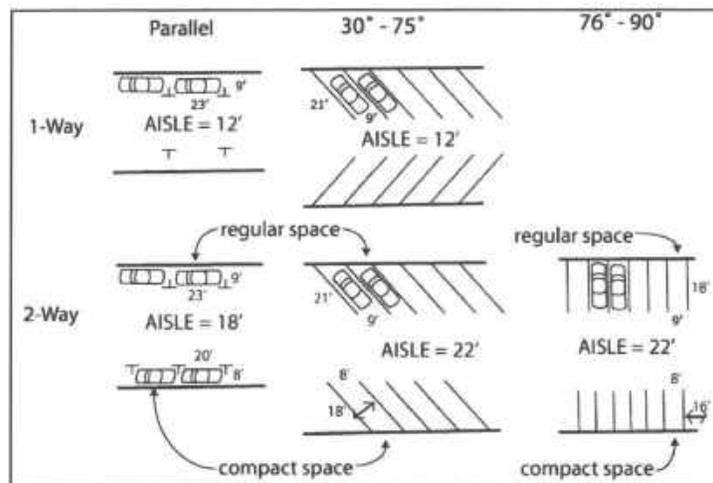
\*A maximum of 10% of parking spaces may be designed as compact parking spaces, and all spaces shall be clearly marked and reserved for that use.

FIGURE 153.173A – OFF-STREET PARKING SPACE AND AISLE DIMENSIONS

(11) Parking Structure Design

Parking structures shall be designed to comply with the minimum requirements

In addition, parking structures shall be designed to comply with the extent not with in in



outlined below. In addition, parking structures shall be designed to comply with the Historic Design Guidelines to the maximum practicable and consistent with the standards in this chapter.

(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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 section 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**

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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 section 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: MINIMUM LOADING SPACES REQUIRED PER 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 am 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 10 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

- (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 sections 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 land-scape 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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 run-off 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,

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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.

<b>TABLE 153.173G STREET TREE SPACING REQUIREMENTS</b>	<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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

#### **(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 de-fined 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 rea-sons 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 re-view by the City Forester, and the trees shall only be re-moved 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 dis-ease 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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(I) 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 10 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 section 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

#### (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 re-moved 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.

#### (I) **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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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(I)(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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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(I)(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(I).
- (10) Alternative Screening - In lieu of compliance with the requirements of §153.173(I), 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

results as well or better than compliance with the standards of §153.065(I).

**(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

<b>TABLE 153.173I: FIXTURE POWER AND EFFICIENCY</b>	
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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 10 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

### **(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 section 153.150 through 153.164 shall apply to the signs within Historic Dublin, except as modified herein. In the event of a conflict with the provisions of the Signs Chapter (sections 153.150-153.164), 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 .5-inch relief; and shall be constructed of a high-quality, durable material. The provisions

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

of Section 153.158(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 Section 153.154 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 §153.154(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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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 section 153.173(M)(5) for number of signs permitted and section 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>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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<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>
		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>	
Number	Refer to §153.173(L)(5): number of signs permitted

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<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.
Location	On walls facing public streets
	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.
<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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

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.
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(c) Other Permitted Signs

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

<b>Table 153.173M: Requirements for Other Permitted Signs</b>	
<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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<b>Table 153.173M: Requirements for Other Permitted Signs</b>	
	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.

**§ 153.174 DESIGN STANDARDS**

**(a) Intent**

The design standards in this section outlines 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

1. 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.

2. 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

(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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/22/21 – City Council Clean Version

- (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**

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

(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 section 153.074.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

### **§ 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 Section 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 contributing or noncontributing 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 Section 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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 (2) above. In the event the requirements of division (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.

#### **§ 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 Section 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

- (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 sections 153.170 through 153.178 apply to all development within the areas under the jurisdiction of the Architectural Review Board, as provided in this chapter.

C. Abbreviations.

The following abbreviations and terms are used in this section:

BZA: Board of Zoning Appeals

CC or Council: City Council

ARB: Architectural Review Board

PD or Director: Planning Director

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	Council	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>						

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

<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	Council	Zoning Code Reference
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(F)
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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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;
- (e) The proposed lots conform to the requirements of §153.173;
- (f) The proposed street types conform to the requirements and standards.
- (g) 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;
- (h) The proposed design of buildings conforms to the Zoning Code and is consistent with the Historic Design Guidelines, while integrating with nearby development;
- (i) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community both within and outside the proposed development;
- (j) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;
- (k) The proposed development 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;
- (l) 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;
- (m) 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; and

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (n) 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.
  - (o) 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:

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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:

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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; and
- (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.
- (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.

#### **I. 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 Section 153.176N.
- (e) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building.
- (f) Accessory structures and uses.
- (h) Parking plans when not associated with a PDP or a FDP.

##### **(3) Review Procedure**

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (a) An application for a minor project MP shall be made in accordance with the provisions of divisions (I)(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.
  - (g) 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;

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (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 contributing building per a determination of the ARB using the City of Dublin Historical and Cultural Assessment 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 Section 153.176(J)(5)(a).
- (b) If the property that is to be demolished is categorized as a non-contributing building per a determination of the ARB using the City of Dublin Historical and Cultural Assessment the property owner or applicant shall demonstrate one of the criteria outlined in Section 153.173(J)(5)(b) is met.
- (c) If a property owner believes that a property designated as a contributing property by the ARB is in fact non-contributing, it may present evidence to the ARB to that effect. Such a determination will be considered a Waiver under Section 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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 contributing 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 contributing building per the City of Dublin Historical and Cultural Assessment 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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 (1) – (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 non-contributing building per the City of Dublin Historical and Cultural Assessment 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 section 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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, FDP, or 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

(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 §§ 153.172C 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 contributing versus non-contributing 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

review by the ARB.

- (e) The ARB shall review the requested Waiver using the criteria of division (5) of this section. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

- (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 contributing or noncontributing status, the provisions in Section 153.175(J)(c) 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Clean Version

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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

#### **(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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

(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 Zoning Districts.
- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.

- (e) The Director may approve the simultaneous review of applications required by this Chapter and/or a subdivision plat required by the Code, if the Director determines that simultaneous review will not adversely impact the achievement of the purpose and intent of this Chapter. 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 Chapter, a written notice of the public meeting shall be sent, not less than ten days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.
- (2) Decisions.
- (a) Any application required to be reviewed under this section shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in this section and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision.
  - (b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in this section and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications.
  - (c) 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

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.

### **§ 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Clean Version**

- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Clean Version**

approved or disapproved. The imposition of the waiting period is subject to appeal in accordance with the provisions of sections 153.231(F).

### **§ 153.178 MAINTAINENCE**

- (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.

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/22/21 – City Council Redline Version

## § 153.170 HISTORIC DISTRICTS APPLICABILITY.

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 Section 153.175.

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 chapter.

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 Section 153.176.

## § 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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.

### § 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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,

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
<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	
High School				P	
Library, Museum, Gallery	P	P		P	YES

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Table 153.172A: Historic Zoning District – Use Table</b>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
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
Research & Development	P	P			
Retail, General	P/S/C	P/S/C			YES
Wireless Communications					Refer to Chapter 99 of Dublin Code of Ordinances
<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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Table 153.172A: Historic Zoning District – Use Table</b>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
Construction Trailer/Office	T	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	
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
Parking, Structure	C			C	
Parking, Surface Lot	P	P		P	
Renewable Energy Equipment	P	P	P	P	YES
Residential Model Home	T	T			YES
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 of Dublin Code of Ordinances

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/22/21 – City Council Redline Version

### (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 10 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 pm or prior to 7:00 am.
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 O.R.C. 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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 1/2-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 percent.

- (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 am local time and 5:00 pm 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.**

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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** ~~10,000~~ square feet of gross floor area, unless otherwise **approved by the Architectural Review Board** ~~permitted as a conditional use.~~
- (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 O.R.C. 5104.
  2. Outdoor recreation areas shall be located to the side or rear of the principal

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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 8:00am or after 10:00 pm.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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 am or after 10:00 pm.
  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 pm and 8:00 am, 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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 Code Section 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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

**§ 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 **promote 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 Section 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 (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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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 Code Section 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 Section 153.176

**Table 153.173B: Historic Residential District – Setbacks**

<b><i>For Properties Fronting onto:</i></b>	<b><i>Minimum Front Setback (ft)</i></b>	<b><i>Minimum Side Yard Setback (ft)</i></b>	<b><i>Minimum Total Side Yards (ft)</i></b>	<b><i>Minimum Rear Yard Setback Primary Structure (ft)</i></b>	<b><i>Minimum Rear Yard Setback Detached Accessory Structures (ft)</i></b>
Dublin Road	15	4	16	20% lot depth, not to exceed 50 feet	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		15

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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.

(2) 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

### (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 section 153.207, Parking in Residential Districts, shall apply to development with 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 Section 153.173(I).

#### (5) Parking Lot/Structure Lighting

Parking lot and parking structure lighting shall comply with the requirements of Section 153.173(J).

#### (6) Parking Lot Landscaping

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

Parking lot landscaping shall comply with the requirements of Section 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>Residential</b>		
Dwelling, Single-Family Dwelling, Two-Family	2 per dwelling unit	2 per dwelling unit
Dwelling, Live-Work	2 per dwelling unit	3 per dwelling unit
<b>Civic/Public /Institutional</b>		
Cemetery	Per approved parking plan	
Community Center	Per approved parking plan	

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Table 153.173C: Required Vehicle Parking</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
Community Garden	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% of 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, Park & Ride	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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Table 153.173C: Required Vehicle Parking</b>			
<b>Use</b>	<b>Minimum Required</b>		<b>Maximum Permitted</b>
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/A		N/A
Parking, Surface Lot	N/A		N/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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Table 153.173C: Required Vehicle Parking</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
Retail, General	3 per 1,000 sq. ft.	125% of minimum
Wireless Communications	N/A	N/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	N/A
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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- 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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

(10) Off-street Parking Space and Aisle Dimensions

Parking spaces and maneuvering aisles shall comply with Table 153.173D.

<b>TABLE 153.173D OFF-STREET PARKING SPACE AND AISLE DIMENSIONS</b>						
<b>Parking Pattern</b>	<b>Aisle Width</b>		<b>Regular Space</b>		<b>Compact Space*</b>	
	<b>1 Way</b>	<b>2 Way</b>	<b>Width</b>	<b>Length</b>	<b>Width</b>	<b>Length</b>
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.

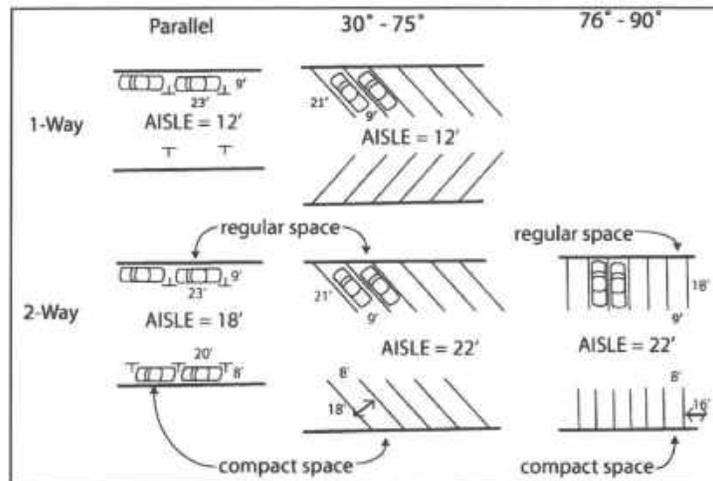
\*A maximum of 10% of parking spaces may be designed as compact parking spaces, and all spaces shall be clearly marked and reserved for that use.

FIGURE 153.173A – OFF-STREET PARKING SPACE AND AISLE DIMENSIONS

(11) Parking Structure Design

Parking structures shall be designed to comply with the minimum requirements

In addition, parking structures shall be designed to comply with the Historic Design Guidelines to the extent not inconsistent with the standards in this chapter.



(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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 section 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**

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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 section 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: MINIMUM LOADING SPACES REQUIRED PER 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 am 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 10 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

- (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 sections 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 land-scape 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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 run-off 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,

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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.

<b>TABLE 153.173G STREET TREE SPACING REQUIREMENTS</b>	<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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

#### **(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 de-fined 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 rea-sons 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 re-view by the City Forester, and the trees shall only be re-moved 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 dis-ease 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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(I) 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 10 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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 section 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

#### (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 re-moved 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.

#### (I) **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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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(I)(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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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(I)(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(I).
- (10) Alternative Screening - In lieu of compliance with the requirements of §153.173(I), 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

results as well or better than compliance with the standards of §153.065(I).

**(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

<b>TABLE 153.173I: FIXTURE POWER AND EFFICIENCY</b>	
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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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 10 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 ~~either~~ flush with grade ~~or mounted on a concrete foundation projecting no more than 36 inches above 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

(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 section 153.150 through 153.164 shall apply to the signs within Historic Dublin, except as modified herein. In the event of a conflict with the provisions of the Signs Chapter (sections 153.150-153.164), 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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**

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

All signs shall have dimensional letters, raised or routed with a minimum .5-inch relief; and shall be constructed of a high-quality, durable material. The provisions of Section 153.158(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 Section 153.154 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 §153.154(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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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 section 153.173(M)(5) for number of signs permitted and section 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>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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Sign Type</b>	<b>Code Section Reference</b>	<b>Sign Type Intent</b>
		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.

**Table 153.173K: Ground Sign Requirements**

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<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.
Location	On walls facing public streets
	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.
<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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

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.
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(c) Other Permitted Signs

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

<b>Table 153.173M: Requirements for Other Permitted Signs</b>	
<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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<b>Table 153.173M: Requirements for Other Permitted Signs</b>	
	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.

**§ 153.174 DESIGN STANDARDS**

**(a) Intent**

The design standards in this section outlines 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

1. 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.

2. 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

- (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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

2/22/21 – City Council Redline Version

- (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**

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

(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 section 153.074.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

### **§ 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 Section 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 contributing or noncontributing 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 Section 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 (2) above. In the event the requirements of division (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.

### **§ 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 Section 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

- (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 sections 153.170 through 153.178 apply to all development within the areas under the jurisdiction of the Architectural Review Board, as provided in this chapter.

C. Abbreviations.

The following abbreviations and terms are used in this section:  
 BZA: Board of Zoning Appeals  
 CC or Council: City Council  
 ARB: Architectural Review Board  
 PD or Director: Planning Director  
 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	Council	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>						

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**2/22/21 – City Council Redline Version**

<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	Council	Zoning Code Reference
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(F)
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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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;
- (e) The proposed lots conform to the requirements of §153.173;
- (f) The proposed street types conform to the requirements and standards.
- (g) 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;
- (h) The proposed design of buildings conforms to the Zoning Code and is consistent with the Historic Design Guidelines, while integrating with nearby development;
- (i) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community both within and outside the proposed development;
- (j) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;
- (k) The proposed development 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;
- (l) 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;
- (m) 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; and

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (n) 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.
  - (o) 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:

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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:

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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; and
- (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.
- (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.

#### **I. 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 Section 153.176N.
- (e) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building.
- (f) Accessory structures and uses.
- (h) Parking plans when not associated with a PDP or a FDP.

##### **(3) Review Procedure**

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (a) An application for a minor project MP shall be made in accordance with the provisions of divisions (I)(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.
  - (g) 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;

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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 contributing building per a determination of the ARB using the City of Dublin Historical and Cultural Assessment 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 Section 153.176(J)(5)(a).
    - (b) If the property that is to be demolished is categorized as a non-contributing building per a determination of the ARB using the City of Dublin Historical and Cultural Assessment the property owner or applicant shall demonstrate one of the criteria outlined in Section 153.173(J)(5)(b) is met.
    - (c) If a property owner believes that a property designated as a contributing property by the ARB is in fact non-contributing, it may present evidence to the ARB to that effect. Such a determination will be considered a Waiver under Section 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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 contributing property ~~may~~ 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 contributing building per the City of Dublin Historical and Cultural Assessment 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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 (1) – (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 non-contributing building per the City of Dublin Historical and Cultural Assessment 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 section 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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, FDP, 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

(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 §§ 153.172C 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 contributing versus non-contributing 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

review by the ARB.

- (e) The ARB shall review the requested Waiver using the criteria of division (5) of this section. Should other Waivers be necessary to resolve conflicts with other requirements of this Chapter resulting from the requested 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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 contributing or noncontributing status, the provisions in Section 153.175(J)(c) 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

#### **(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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

(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 Zoning Districts.
- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.

- (e) The Director may approve the simultaneous review of applications required by this Chapter and/or a subdivision plat required by the Code, if the Director determines that simultaneous review will not adversely impact the achievement of the purpose and intent of this Chapter. 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 Chapter, a written notice of the public meeting shall be sent, not less than ten days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.
- (2) Decisions.
- (a) Any application required to be reviewed under this section shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in this section and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision.
  - (b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in this section and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications.
  - (c) 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 2/22/21 – City Council Redline Version

- (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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

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.

### **§ 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **2/22/21 – City Council Redline Version**

- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

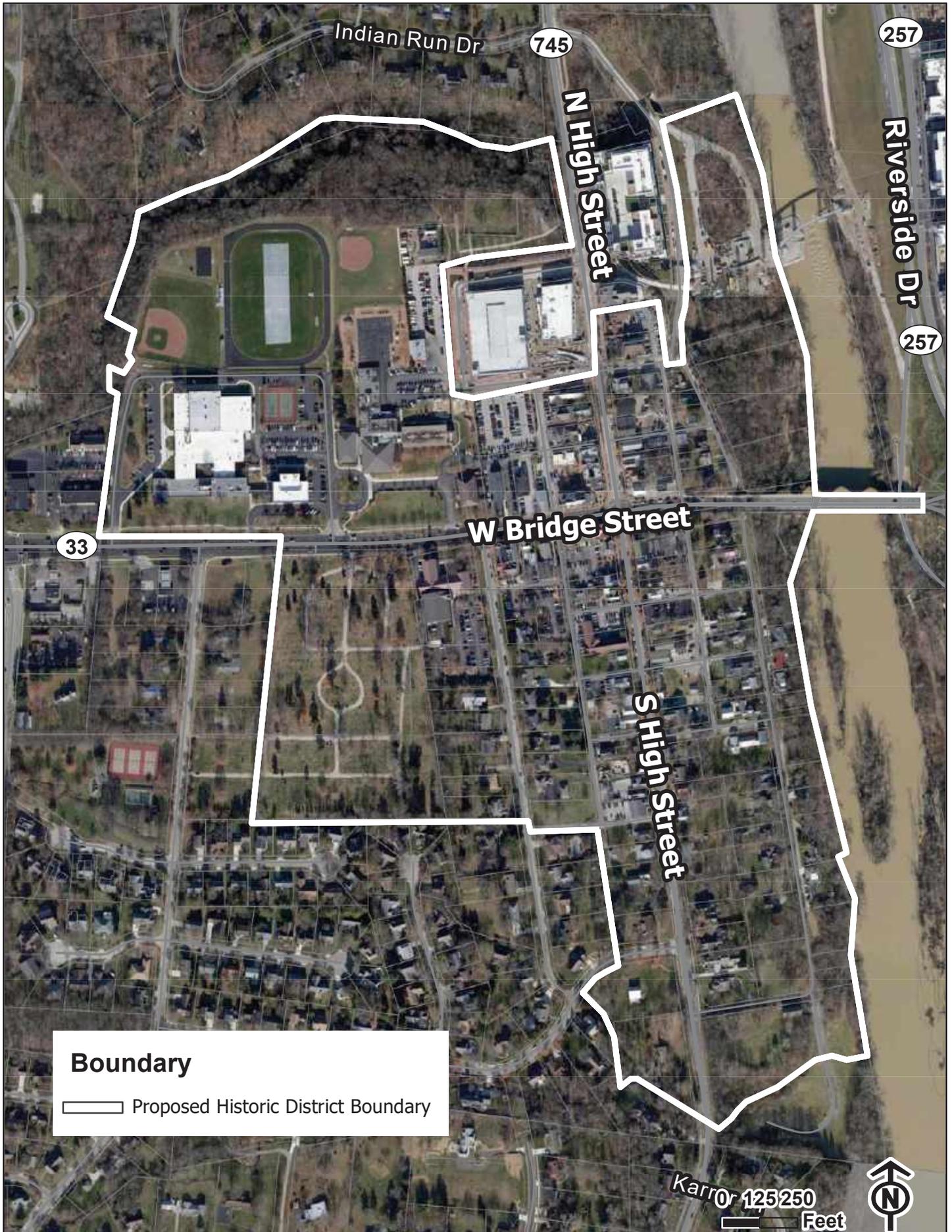
### **2/22/21 – City Council Redline Version**

approved or disapproved. The imposition of the waiting period is subject to appeal in accordance with the provisions of sections 153.231(F).

#### **§ 153.178 MAINTAINENCE**

- (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.

# Proposed Appendix F



**PROPOSED APPENDIX G**  
**Properties Outside Architectural Review District**  
**ARB: Recommendation of approval to PZC - November 18, 2020**  
**PZC: Recommendation of approval to CC - January 7, 2021**

1. Brand, Asher Residence – 5281 Brand Road
2. Coffman, Fletcher House – 6659 Coffman Road
3. Cramer Homestead – 5927 Rings Road
4. Davis, James Barn & Farm – 5707 Dublin Road
5. Dun, John Homestead – 8055 Dublin-Bellepoint
6. Gelpi Residence (Dublin Arts Council) – 7125 Riverside Drive
7. Holder-Wright Earthworks – 6985 Emerald Parkway
8. Llewellyn Farms Barn – 4845 Belfield Drive
9. Maroa Wilcox Memorial – Norn Street & Woerner-Temple (PID 273-009779)
10. Mitchell Barn (Earlington Park) – 5585 Brand Road
11. Mitchell Cemetery (on Cardinal Health Campus) – Emerald Parkway (PID 273011174)
12. Mt. Zion Cemetery – Kinross Court and Memorial Drive (PID 273000448)
13. Rings Farm – 6665 Shier Rings Road
14. St. John’s Lutheran Cemetery – Avery Road (PID 274000024)
15. St. John’s Lutheran Church & Sandy Corners Cemetery – Rings Road (PID 274000155 and 274000031)
16. Summit View Farm – 8115 Conine Drive
17. Tuller Barn – Brand and Ashbaugh Road
18. Washington Township School (Graham Residence) – 4915 Brand Road
19. Brown-Harris Cemetery - Lot 6 - University Boulevard, Phase II
20. Ferris Cemetery - SR 257 (Riverside Drive) at Bright Road
- ~~21. 5436 Dublin Road (House and Cabin)~~
- ~~22. 5051 Brand Road (Home)~~

## ***ARCHITECTURAL REVIEW***

### **§ 153.170 ARCHITECTURAL REVIEW DISTRICT BOUNDARIES.**

*Jurisdictional Boundaries for the Architectural Review District.* The Architectural Review District generally applies to properties in the original Village of Dublin and vicinity as identified on Appendix F, as well as other outlying, historic properties specified in Appendix G which may be added in accordance with Code section 153.175.

### **§ 153.171 DEFINITIONS.**

The following definitions shall apply to the provisions of this Chapter applicable to the Architectural Review District, unless the context clearly indicates or requires a different meaning.

#### **(A) Definitions “A”**

- (1) **ALTERATION.** Any change, addition or modification in construction or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to in this Chapter as "altered" or "reconstructed." Any action to change, modify, reconstruct, remove or demolish any exterior features of an existing structure or of the site within the Architectural Review District. 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 is excluded from the definition of *alteration*, provided the work does not involve a change in type and/or color of building materials.
- (2) **APPLICANT.** Any person who applies for an Architectural Review Board Order in order to undertake any change on property subject to review by the ARB.
- (3) **ARCHITECTURAL CHARACTER.** The architectural style, general design, and general arrangement of the exterior of a building or other structure including the type of the light fixtures, signs and other associated fixtures.
- (4) **ARCHITECTURAL REVIEW DISTRICT, or DISTRICT.** The Architectural Review District of the City. The term may also be used to refer to *Ohio Historic Inventory Properties* as provided in § 153.170, where appropriate.

- (5) ARCHITECTURAL REVIEW BOARD or BOARD, or ARB. The Architectural Review Board of the City, as created in § 153.172.
  - (6) ARCHITECTURAL STYLE. The predominant historic architectural styles within given areas of the District, as described in § 153.174 (B)(4).
- (B) BOARD ORDER. The official document issued by the Architectural Review Board containing the official record of a final action or recommendation on an application for a review required by the ARB in accordance with this Chapter.
- (C) Definitions “C”
- (1) CHANGE. Any new construction, alteration, demolition, or removal or other construction involving any property subject to the provisions of this Chapter including signs, landscaping, and tree removal. *Change* shall not include ordinary maintenance or repair of any property if no change in material, design, color, or outward appearance is undertaken.
  - (2) CITY. The City of Dublin, Ohio.
  - (3) CITY COUNCIL, or COUNCIL. The legislative body of the City.
- (D) Definitions “D”
- (1) DEMOLITION. The complete or substantial removal or planned destruction of any structure located in the District.
  - (2) DETERIORATION. The impairment of value or usefulness of a structure or site through action of the elements or lack of maintenance or upkeep.
  - (3) DIRECTOR. The Director of Land Use and Long Range Planning for the City.
- (E) EXTERIOR ARCHITECTURAL FEATURE. A prominent or significant part or element of a building, structure, or site. Features include the architectural style and general arrangement of the exterior of the structure including building materials, windows, doors, lights, signs, dry-laid stone fences and other fixtures appurtenant thereto. “Feature” shall include the style, material, color, height, area, and lighting, and location of a sign regulated by this Chapter.
- (F) Definitions “H”
- (1) HISTORIC SITE. The location, structures, features or other integral part of a city, state, or United States designated archaeological or historic site.
  - (2) HISTORIC DISTRICT. The portion of the Architectural Review District generally referred to as Historic Dublin, or the original Village of Dublin and its immediate vicinity.

(G) Definitions “L”

- (1) **LANDMARK.** Any property or site which has special character, archaeological, historical, aesthetic or architectural value as part of the heritage, development or cultural characteristics of the city, state, or the United States designated as a “landmark” pursuant to the provision of this chapter, and including all property located in the city listed on the National Register of Historic Places.
- (2) **LANDSCAPING.** Site modifications subject to ARB review of plant cover or materials, excluding sites used for single-family residential purposes.

(H) Definitions “N”

- (1) **NATIONAL TRUST FOR HISTORIC PRESERVATION .** A private, nonprofit membership organization dedicated to saving historic places and revitalizing America's communities.
- (2) **NATIONAL REGISTER OF HISTORIC PLACES.** A list of properties by the National Park Service that includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archeology, engineering, and culture.

(I) Definitions “O”

- (1) **OWNER.** The legal person(s) of record having ownership of a property.
- (2) **ORDINARY MAINTENANCE.** Exterior work which does not involve any change in material, texture or color, design, or arrangement. Examples include repainting a house with the same color; residing a wood building with wood-siding and painting the same color.
- (3) **OHIO HISTORIC INVENTORY.** A program of the State of Ohio developed to serve as an accurate and continuing record of the architectural and historic properties existing in the state.

(J) Definitions “P”

- (1) **PERSON.** Includes any association, firm, partnership, trust, governmental body, corporation, organization, as well as an individual
- (2) **PLANNING AND ZONING COMMISSION or COMMISSION.** The Planning and Zoning Commission of the City.
- (3) **PRESERVE or PRESERVATION.** The process, including maintenance, treating an existing building to arrest or slow future deterioration, stabilizing the structure and providing structural safety without changing or adversely affecting the character or appearance of the structure.

- (K) **SITE.** Any space or ground within the District, including ground occupied by buildings, parking areas, service areas, undeveloped lands, and ground adjacent to structures.

**§ 153.172 ARCHITECTURAL REVIEW BOARD, PURPOSE, MEMBERSHIP, AND OPERATION**

(A) *Purpose.*

- (1) The purpose of the Board shall be to promote the educational, cultural and economic well being of the community through the preservation and maintenance of the District and historic sites as landmarks and tangible reminders of early architecture in Dublin; and to prevent the deterioration of the District and historic sites.
- (2) The duties of the Board shall be accomplished through the review of construction, alteration, maintenance and demolition within the District and individual sites subject to ARB review; to preserve their architectural features and characteristics; to make recommendations as to land use within the District and historic sites; to restore and maintain their basic character together with other uses appropriate to the District or a historic site's unique nature; and to recommend legislation designed to promote these purposes.

(B) *Establishment; members.* The Architectural Review Board shall consist of five voting members appointed by Council.

- (1) Membership of the ARB shall consist of the following:
  - (a) A member of the Dublin Historical Society recommended by the Society.
  - (b) A person who maintains his/her personal residence within the District or one of the designated landmark properties as herein defined.
  - (c) A person who owns commercial property within the District.
  - (d) A person who has architectural training or has had extensive building or building inspection experience.
  - (e) A person who operates a commercial business within the District.
- (2) 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.

- (3) Members shall serve without compensation, unless otherwise provided by Council.
- (C) *Terms of office.* Each member shall hold office from the date of his/her appointment for a term of three years. Any member may continue in office after his/her term expires until an appointed successor takes office; or until 60 days has elapsed, whichever occurs first.
  - (D) *Vacancies.* All vacancies created by the expiration of the terms, resignations, or other means shall be filled in accordance with the requirements of (B) above. In the event the requirements of (B) cannot be met, 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.
  - (E) *Rules of Procedure and Guidelines.* The Board shall establish its Rules of Procedure and Guidelines with approval from City Council.
  - (F) *Organization.* The Board shall elect a chairperson and vice-chairperson as set forth in its Rules of Procedure and Guidelines.
  - (G) *Meetings.* The Board will hold a regular monthly meeting unless there is no business to come before the Board. Special meetings may be called at any time by the Chair. At least 48 hours written notice of the time and place shall be given by the City or by the Chair to each member of the Board. All meetings of the Board shall be open to the public as prescribed in article VII of the city Charter.
  - (H) *Duties.* The Board shall have the following duties:
    - (1) Review and act upon all applications for an ARB Board Order as required by this Chapter.
    - (2) Make recommendations to the Planning and Zoning Commission and City Council for additions or revisions to this Chapter or recommend other legislation that would best serve to develop, preserve, restore and beautify the District.
    - (3) Maintain guidelines (in accordance with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings) concerning the conservation of historic areas, buildings, and resources. In so far as practicable, these guidelines shall be considered in the Board's decisions with respect to approvals of alterations, demolitions, and new construction as appropriate for historic structures or historic sites within the District.

- (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) 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.
- (6) Undertake efforts to improve the education of the citizens of the city with respect to Dublin's architectural and historical heritage.
- (7) Act as a liaison as directed by Council on behalf of the City to individuals and organizations concerned with historic preservation.
- (8) When requested by the City, review all proposed historic registry nominations for properties within the City. When expertise not represented on the Board (e.g. archaeologist) is necessary for review of a proposed nomination, the Board shall seek expert academic or consulting advice before rendering a decision.
- (9) 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.

**§ 153.173 BOARD ORDER PROCEDURE**

- (A) 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 ARB review unless a Board Order has been issued in accordance with the requirements of this chapter.
- (B) *Board Order Requirements.* A Board Order shall be required for the following:
  - (1) Recommendations to City Council to establish areas for an historic property or properties not included in the District or to designate an individual property or site as a landmark for protection in accordance with the requirements of Section §153.175.

- (2) Recommendations to the Planning and Zoning Commission for:
  - (a) Rezoning to Historic Residential and Historic Core Districts and portions of the Historic Transition District within the Architectural Review District in accordance with the requirements of §153.234.
  - (b) Amendments to the Zoning Code provisions of the Historic Residential, Historic Core and Historic Transition Districts in accordance with the requirements of §153.234.
  - (c) Rezoning and preliminary development plans and final development plans for Planned Development District applications in accordance with the requirements of § 153.052.
  - (d) Conditional use applications in accordance with the requirements of §153.236.
  
- (3) Requests for new construction or additions to existing sites and structures for the following, unless excepted in (C), below:
  - (a) Permitted Uses in the Historic Residential District, excluding requests for home occupations and accessory uses and structures as provided in §153.074.
  - (b) Permitted Uses in the Historic Core District and portions of the Historic Transition District within the Architectural Review District.
  - (c) Permitted Uses listed on Appendix G.
  - (d) Signs.
  
- (4) Requests for demolition of a structure in accordance with the requirements of Section §153.176.
  
- (5) Requests for alterations or changes to architectural features of existing sites and structures, including signs.
  
- (C) *Board Order Not Required.* The following do not require a Board Order.
  - (1) 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.
  - (2) 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.
  - (3) Landscaping for single-family dwellings.
  
- (D) *Application.*

- (1) Applications for review by the Administrative Review Team (ART) and the ARB shall be filed in accordance with the procedures and forms required by the City. In conducting its inquiry and review, the City, ART and Board may request from the applicant any additional information, sketches and data as it shall reasonably require in making a determination.
  
- (E) *Process*: Applications for Board Orders shall be processed in accordance with the provisions of §153.066.
  
- (F) Decisions
  - (a) A Board Order shall require approval by a majority vote of a quorum of members. The Board shall cause notice in writing to be provided to the applicant stating the reasons for the decision.
  - (b) The Board shall keep a record of its proceedings, including copies of information, sketches and data needed to clarify the record or any amendment to it. The Board in its consideration may require any additional materials it deems necessary to evaluate the application's conformance to the review standards of §153.174 and §153.066. The Board may consider the advice of those consultants whose opinion is sought by the Board with respect to any application for a Board Order.
  - (c) Decisions of the ARB may be appealed to the Board of Zoning Appeals in accordance with the provisions of §153.231 (F).
  - (d) *Conditions*. In making any decision provided for in this Section, the ARB may attach any conditions regarding the location, character and other features of the application as it may deem reasonable to ensure that applicable standards of review for the decision are met. Conditions attached shall be stated in the motion for approval, including the reasons for each condition imposed.

**§ 153.174 BOARD ORDER STANDARDS OF REVIEW.**

- (A) A Board Order as required in § 153.173 shall be approved only after a finding by the Board that the Review Standards of this Section have been satisfied. All applications that comply with the Review Standards shall be approved by the Board.
  
- (B) *General Review Standards*. The following general review standards shall be met by every application prior to approval of a Board Order.
  - (1) The Board shall determine whether the request will be appropriate to the preservation of the historic and architectural character of the

District, or of the historic property pursuant to the criteria specified in this Section.

- (2) Decisions of the Board shall:
  - (a) Improve the quality of life in the city and achieve the spirit and purpose of this Chapter as described in § 153.172;
  - (b) Consider the protection of property values in order to further the City's goals of sound economic and community development; and
  - (c) Consider the Standards and Recommendations of the Historic Dublin Design Guidelines.
  
- (3) *General Character*
  - (a) The design of new structures and of additions to existing structures, including new site improvements, shall take into account the architectural style, general design, arrangement, texture, materials and color of other structures and site within the District and immediate vicinity.
  - (b) Where changes have taken place in the course of time as evidence of the history and development of adjacent or nearby buildings, structures or sites, if these changes are deemed to have acquired significance and would be compromised by the proposed new development, then this significance shall be recognized and respected in the design of the new development.
  
- (4) *Architectural Style.* There are a number of intermixes of architectural styles, as well as a larger number of buildings of such modest nature or so extensively remodeled to effectively lose all architectural importance. It is with reference to the basic architectural character of the key buildings noted above that the need for compatibility in the future construction in the District should be made. Compatibility does not infer imitation, but rather an appropriate design in terms of scale, building materials and detail. The architectural character of the various areas of the District consists mainly of four themes:
  - (a) Simple rectangular commercial buildings with exterior construction of rubble or random Ashlar limestone, one, one and one-half, or two stories high with gable roof and ridgeline parallel to the street, mainly of the era of 1820 to 1890.
  - (b) Simple rectangular commercial buildings and outbuildings with exterior construction of frame with horizontal siding and corner trim, one, one and one-half, or two stories high with gable roof and ridgeline parallel to the street, mainly of the era of 1820 to 1890.

- (c) Residential buildings with exterior construction of rubble or random Ashlar limestone, or red brick laid up in common bond, or frame with horizontal siding and corner trim, mainly of the era of 1820 to 1890.
  - (d) Residential buildings with stone on facades, one to one-half stories, mainly of the era 1950-1970.
- (5) *Massing and Building Form.* Massing of new buildings shall be generally similar to those in adjacent and nearby buildings. Building forms should generally reflect those of the architectural style of the building and the Historic District. Variations of gabled roof forms are preferred. Window to wall ratios should be appropriate to the type and use of building constructed.
- (6) *Color.* and approved by the Architectural Review Board shall be used for exteriors for all new structures to be built, and reconstruction, remodeling and exterior maintenance of existing structures within the Architectural Review District. Fluorescent or luminescent colors are prohibited.
- (7) *Signs.* Signs should be designed to complement the nineteenth century Early American character of the district by incorporating design features common to signs from the 1800s. Materials should complement the architectural character of the District and colors should be consistent with the era of the building. Sign types consistent with the character of the Historic District include wall, projecting, window, awning, and sandwich boards.
- (8) *Landscaping.* The landscape design of the site should be of the structures on the site. Plant material and methods for installation shall be selected respecting the nature of the urban environment and the survivability and diversity of the plant species. Non-plant material shall be of a type associated with the origin or era in which the structure was originally built. Significant features of the original landscape, e.g., stone walls, shall be preserved.
- (9) *Archaeological.* Every reasonable effort shall be made to record, protect and preserve archaeological resources affected by, or adjacent to, any project.
- (C) *Alterations to Buildings, Structure and Site.* In addition to the General Review Standards, the following shall be met by applications for alterations to existing buildings, outbuildings, structures, and sites prior to approval of a Board Order.

- (1) Every reasonable effort shall be made to ensure that the use of the property will involve minimal alteration of an existing building, structure or site and its environment.
  - (2) The alteration shall conform to the distinguishing, original exterior qualities or character of the structure, its site, and its environment.
  - (3) The distinguishing original qualities or character of a period building, structure, site and/or its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural or environmental features should be avoided when possible.
  - (4) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.
  - (5) Whereas changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment, if these changes are deemed to have acquired significance, then this significance shall be recognized and respected.
  - (6) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
  - (7) Significant architectural features which have deteriorated should be repaired rather than replaced, wherever possible. In event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities whenever possible. Repair or replacement of architectural features should be based on accurate duplication of the feature, and if possible, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
  - (8) The surface cleaning of structures, if provided as part of the application, shall be undertaken with methods designed to minimize damage to historic building materials. Sandblasting and other cleaning methods that will damage the historic building materials should be avoided.
- (D) *Additions to Existing Buildings, Structures, and Site.* In addition to the General Review Standards, the following shall be met by applications for additions to existing buildings, outbuildings, structures, and site prior to approval of a Board Order.

- (1) Materials for additions should be traditional to the District, but need not match those of the original structure to which the addition is attached.
- (2) Contemporary design for additions to existing properties shall not be discouraged when they do not destroy significant historical, architectural or cultural materials, and the design is compatible with the size, scale, color, material and character of the property, neighborhood or environment. Roofline additions are discouraged or should be placed and designed to have the least amount of visual impact.
- (2) Additions should be clearly distinguishable from the original structure by keeping additions at a smaller scale where appropriate or other similar measures. The intent of an addition should be that if the additions or alterations were removed the essential form and integrity of the original structure would be unimpaired. Additions should generally be located to the rear of the original building so that the most significant and visible faces of historic properties are given priority. Additions to the front should be clearly separated from the original building and simplified in design to not detract from the historic aspects of the structure.
- (3) All buildings, structures and sites shall be recognized as products of their own time. Additions with no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.

**§ 153.175      PROCEDURE FOR ESTABLISHING FUTURE HISTORIC DISTRICT BOUNDARIES, PROPERTIES, AND LANDMARKS.**

- (A) Requests to establish or remove an area or an historic property or properties not included in the 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 Board, or the owner of the proposed properties. Upon initiation of the request by the Board, 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 Board shall schedule a public hearing on the proposed designation with notice as provided for Board hearings. In addition, the Board shall cause the notice to be published in a newspaper of general circulation in the city.

- (C) In considering the designation of any area, place, building, structure, or similar object in the city as a landmark or preservation site, the Board shall consider the proposal in terms of the following criteria prior to making a recommendation to the Planning and Zoning Commission:
- (1) Its 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 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 examples 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; and
  - (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 Board shall forward a recommendation to the Planning and Zoning Commission which shall review the proposal, the recommendation of the Board, and the criteria of (C), above, and make a recommendation to the City Council concerning the proposed designation.
- (E) The City Council shall consider the findings and recommendations of the Board and the 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.

**§ 153.176 DEMOLITION.**

- (A) In cases where an applicant applies for a Board Order to demolish a structure within the Architectural Review District, the application may be approved when the applicant is able to demonstrate economic hardship or unusual and compelling circumstances, or at least two of the following conditions prevail:
  - (1) The structure contains no features of architectural and historic significance to the character of the area in which it is located.
  - (2) There is no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.
  - (3) Deterioration has progressed to the point where it is not economically feasible to restore the structure and such neglect has not been willful.
  - (4) The location of the structure impedes the orderly development, 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 demolition significantly improves the overall quality of the Architectural Review District without diminishing the historic value of the vicinity or the District.
- (B) 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).
- (C) If the Board 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 ARB 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 § 153.180.

**§ 153.177 ECONOMIC HARDSHIP OR UNUSUAL AND COMPELLING CIRCUMSTANCES.**

- (A) For any application relating to property in an area covered by this subchapter the applicant bears the burden for demonstrating that an application is related to economic hardship or unusual and compelling circumstances in accordance with the standards of this section. The applicant is encouraged to seek assistance from the City in determining information helpful in demonstrating this burden.
- (B) It is recognized that the level of documentation of economic hardship or unusual and compelling circumstances required of an applicant may vary as may be appropriate to each case. The following documentation may be required as deemed necessary by the Board.
  - (1) The amount paid for and date of purchase of the property if purchased within two years prior to the application; copies of the two most recent appraisals of the property; real estate tax bills or receipts for the two years immediately preceding the application; any listings of the property for sale or rent; any written offers to purchase or rent the property; any consideration of the applicant for adapting the property to a new use; and a detailed cost comparison of the work proposed by the applicant and any alternative consistent with architectural standards and guidelines for the property.
  - (2) For all income-producing property: annual gross income from and itemized operating expenses for the property for the past two years; and evidence that the owner or applicant has made a reasonable effort to obtain an economic return thereon.
  - (3) For showing substantial reduction in the value of the property: estimates of the value of the property with applicant's requested proposal and with alternatives consistent with the architectural standards and guidelines for the property.
  - (4) For showing that alternatives are not within applicant's financial means: a statement of applicant's annual income and expenses either as an income tax return and budget or as an accountant's statement; and an estimated differential in initial and annual costs between applicant's proposal and conformity to architectural standards and guidelines for the property. Actual bids shall be preferred.
- (C) In addition to the materials required by this subchapter and (B), above, an applicant who desires to present a case for economic hardship or unusual and compelling circumstances may provide the following as appropriate:

- (1) A statement of relevant circumstances.
  - (2) For showing that no other reasonable means exist for saving the property: copy of condemnation or housing order based on deteriorated condition of property; a structural analysis by a licensed architect, engineer or contractor experienced in alterations to historic properties as to the structural soundness of the property or architectural feature accompanied by the individual's or firm's qualifications for making such analysis; documentation that property has been offered for sale.
  - (3) For showing that the property cannot be reasonably maintained in the manner desired by the Board: a report by a licensed architect, engineer or contractor experienced in alterations to historic properties that the unusual design, materials, texture or details prohibit the reasonable maintenance of the property or exterior architectural feature with an explanation as to how the property's location is not conducive to its reasonable maintenance accompanied by the individual's or firm's qualifications for making the report.
- (D) The following criteria shall be used for all applicants to determine the existence of a substantial economic hardship:
- (1) Denial of a certificate will result in a substantial reduction in the economic value of the property;
  - (2) Denial of a certificate will result in a substantial economic burden on the applicant because the applicant cannot reasonably maintain the property in its current form;
  - (3) No reasonable alternative exists consistent with the architectural standards and guidelines for the property;
  - (4) The owner has been unable to sell the property.
- (E) The following criteria shall be used for all applicants to determine the existence of unusual and compelling circumstances:
- (1) The property has little or no historical or architectural significance.
  - (2) The property cannot be reasonably maintained in a manner consistent with the pertinent architectural standards and guidelines.
  - (3) No reasonable means of saving the property from deterioration, demolition or collapse other than applicant's proposal exists.

- (F) A non-profit organization shall submit information demonstrating that in meeting the requirements of this Chapter it cannot financially or physically achieve its purpose. To demonstrate this requirement, the organization shall submit in addition to materials of (C) and (D) above, a copy of its charter and bylaws or mission statement; an explanation of how the applicant's proposed construction, alteration or demolition is essential to the purposes of the organization and how the Board's recommendation conflicts therewith; an estimated differential in costs between applicant's proposal and consistency with the architectural standards and guidelines for the property (actual bids preferred); and documentation of the organization's tax-exempt status.

**§ 153.178 FAILURE TO MAINTAIN.**

The owner of a structure or property within the Architectural Review District shall provide sufficient and reasonable care, maintenance and upkeep appropriate to ensure any building's upkeep and to prevent its destruction by deterioration. 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. By resolution the Architectural Review Board may present evidence of a violation to the City for appropriate action.

**§ 153.179 ORDINARY MAINTENANCE**

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 the Architectural Review District 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.

**§ 153.180 APPEALS.**

Any applicant aggrieved by a decision of the ARB may appeal the decision to the City of Dublin Board of Zoning Appeals in accordance with the requirements of § 153.231. The Board of Zoning Appeals shall forward a copy of its minutes regarding the appeal decision to the ARB.

Indian Run stream bed

Riverside City is  
west right-of-way of SR 201 north of Bridge Street

N. High Street

western boundary of cemetery extended north

W. Bridge Street

City of Dublin  
Cemetery

Franklin Street

N. High Street

with lane

Schole River

east right-of-way line of the Schole River south of Bridge Street

southern boundary of cemetery extended east

temporary extension of Main Lane

S. Riverside Street

Washington Drive

Cooley Ditch



**APPENDIX G: PROPERTIES OUTSIDE ARCHITECTURAL REVIEW DISTRICT  
LOCATED ON OHIO HISTORICAL INVENTORY**

<b>LOCATION</b>	<b>ADDRESS</b>
Brand, Asher, Residence	5381 Brand Rd.
Coffman, Fletcher, House	6659 Coffman Rd.
Davis, Alexander, Cabin	5436 Dublin Rd.
Davis, Alexander, House	5436 Dublin Rd.
Davis, James, Barn	5707 Dublin Rd.
Davis, James, Farm	5707 Dublin Rd.
Dun, John, Homestead	8055 Dublin-Bellepoint
Holder-Wright Works	Bright Rd./Riverside Dr.
Cramer Homestead	5927 Rings Rd.
St. John's Lutheran Church	6135 Rings Rd.
Thompson, Builder House	5051 Brand Rd.
Washington Township School	4915 Brand Rd.

('80 Code, Appendix G)



## BOARD ORDER

# Architectural Review Board

Wednesday, January 7, 2021 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**7. Architectural Review Board Zoning Code Amendment  
19-007ADMC Administrative Request – Code Amendment**

**Proposal:** An amendment to the Zoning Code including definitions, architectural review, Bridge Street District districts, and appendixes F & G to address the Historic Dublin Boundary and Architectural Review Board development standards and procedures.

**Request:** Review and recommendation of approval to City Council for the ARB Zoning Code Amendment under the provisions of Zoning Code Section 153.170.

**Applicant:** Dana L. McDaniel, City Manager, City of Dublin

**Planning Contacts:** Jennifer M. Rauch, AICP, Planning Director  
Nichole M. Martin, AICP, Planner II

**Contact Information:** 614.410.4690, jrauch@dublin.oh.us  
614.410.4635, nmartin@dublin.oh.us

**Case Information:** www.dublinohiousa.gov/arb/19-007

**MOTION:** Ms. Fox moved, Mr. Grimes seconded, to recommend approval to City Council for the Administrative Request for an amendment to the ARB Zoning Code including definitions, architectural review, Bridge Street District districts, and appendixes F & G to address the Historic Dublin Boundary and Architectural Review Board development standards and procedures.

**VOTE:** 7 – 0

**RESULT:** The ARB Zoning Code Amendment was recommended for approval and forwarded to City Council.

**RECORDED VOTES:**

Jane Fox	Yes
Warren Fishman	Yes
Kristina Kennedy	Yes
Mark Supelak	Yes
Rebecca Call	Yes
Leo Grimes	Yes
Lance Schneier	Yes

**STAFF CERTIFICATION**

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Jennifer M. Rauch, AICP, Planning Director



[Motion carried 7-0.]

Ms. Kennedy moved, Mr. Grimes seconded approval of the Master Sign Plan with the following conditions:

- 1) The applicant update the plans to provide the dimensions of the monument structure (ground sign), subject to Planning approval, prior to submitting for permanent sign permits through Building Standards.
- 2) The applicant ensure that any additional directional or ATM signs meet Code.
- 3) The applicant utilize a metal or similarly durable and high-quality material for fabrication and construction of the ground sign, subject to Planning staff approval.

Vote: Ms. Fox, yes; Mr. Supelak, yes; Ms. Call, yes; Ms. Kennedy, yes; Mr. Schneier, yes; Mr. Grimes, yes; Mr. Fishman, yes.

[Motion carried 7-0.]

Ms. Call clarified that the applicant has requested that a large-scale mockup not be a condition for approval. Mr. Grimes moved, Ms. Kennedy seconded approval of the Final Development Plan with no conditions.

Vote: Ms. Fox, no; Mr. Schneier, yes; Ms. Call, no; Mr. Fishman, no; Ms. Kennedy, yes; Mr. Supelak, no; Mr. Grimes, yes.

[Motion failed 3-4.]

## **7. Architectural Review Board Zoning Code Update, 19-007ADMC, Administrative Request – Code Amendment**

A request for an amendment to the Zoning Code sections including definitions, architectural review, Bridge Street District districts, and appendixes F & G to address the Historic Dublin Boundary and Architectural Review Board development standards and procedures.

## **8. Historic District Rezoning, 20-188Z, Zoning Review**

A request for area rezoning from the Bridge Street District (BSD) to Historic District (HD) designations in conjunction with the Architectural Review Board Zoning Code amendments.

### **Staff Presentation**

Ms. Rauch stated that Greg Dale, consultant, McBride Dale Clarion, and Kathleen Bryan, Architectural Review Board chair, are present to assist in the presentation and answer questions. In 2018, Council directed staff to look at the Historic District and remove it from the Bridge Street District. The intent was to also draft development standards, parameters and guidelines that would preserve the character of the Historic District. It was believed that having the Historic District included in the greater Bridge Street District was eroding the Historic District, and development was not consistent with the desired character and context. That effort included amending the boundaries to remove the Library, Parking Garage and the Bridge Park West Z1 and Z2 Buildings and the plaza between them from the Historic District. The development within those areas is not consistent with the character and context of the Historic District. Changing the Districts also required amending the Zoning Code to ensure the Code requirements were consistent. The supplemental Guideline documents are nearing completion, and those will be provided for the Commission's consideration at an upcoming meeting. The draft Code, Rezoning, and Guideline documents are the result of a multi-year stakeholder committee, public engagement, and Board and Commission review process. The Architectural Review Board (ARB) reviewed and recommended approval to the Planning and Zoning Commission (PZC) for the proposed Historic District Zoning Code amendments and the rezoning at their November 18, 2020 meeting. The rezoning component is primarily administrative, essentially changing the nomenclature of the Districts. Ms. Rauch summarized the rezoning and boundary changes, as follow:

### Historic District Rezoning

- Properties remaining within the Historic District boundary and previously zoned as a Bridge Street District zoning will be rezoned into new Historic Zoning Districts: HR, Historic Residential, HC, Historic Core, HS, Historic South, and HP, Historic Public.
- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking were proposed to be rezoned from Bridge Street District - Historic Transition Neighborhood (BSD-HTN) to Bridge Street District - Scioto River Neighborhood (BSD-SRN). The ARB members recommended these properties retain the Historic Transition Neighborhood District zoning classification, and any future modifications be under the purview of the Planning and Zoning Commission.
- The six residential parcels, along N. Riverview Street, were proposed to be rezoned from Bridge Street District - Historic Core (BSD-HC) to Historic District – Historic Core (HD-HC). The ARB recommended these properties be rezoned to Historic District – Historic Residential (HD-HR) to retain the neighborhood character.
- The Dublin City Schools property, Dublin Cemetery, Indian Run greenway, Indian Run Cemetery, Riverside Crossing Park West, Dublin Spring Park, and the Karrer Barn property are proposed to be included in a new HD-Public District.
- An updated zoning map has been created for review, and an area rezoning of the properties is included with the Zoning Code amendment, which aligns with the new zoning districts.

### Historic District Boundary Changes & Outlying Properties Updates

- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and the Downtown Dublin Parking Garage have been removed from the Historic District, but remain within the Bridge Street District. As part of their review, some members of the Architectural Review Board expressed concern about the boundary change and the removal of these properties from the Historic District. Based on Council's direction the proposed boundary changes remain in the draft map.
- The eastern boundary of the Historic District has been moved to the west side of the Scioto River, with the exception of the Scioto River Bridge, which remains under the Architectural Review Board's purview.
- Appendix F in the proposed Code has been updated to reflect the proposed boundary changes.
- City-owned historic properties have been added to Appendix G, the list of outlying historic properties.

### Architectural Review Board Zoning Code Update

Greg Dale, Consultant, McBride Dale Clarion, 5721 Dragon Way #300, Cincinnati, OH 45227, stated that Ms. Bryan, ARB Chair, is also present for this discussion. The ARB review process included six meetings and a page-by-page review of the proposed amendments, which resulted in a number of proposed changes. ARB has been equally involved in a thorough review of the Historic District Design Guidelines, which are being finalized for an anticipated recommendation to the Planning and Zoning Commission. Essentially, the Guidelines provide policy guidance for the ARB in applying the Code. The proposed HD Zoning Code changes address: Permitted Uses; Use Specific Standards; Site Standards (calibrating the standards to address residential compatibility); Development Standards (most of which were carried over from the current regulations; Design Standards; Procedures; Demolition regulations; and Definitions. The draft Code documents reflect the ARB's final recommendations.

Ms. Bryan, ARB Chair, stated that the ARB invested a significant amount of time in their review, and they have presented a clean final draft for the Commission's consideration and recommendation.

### **Public Comments**

Kathleen Bryan, 84 S. Riverview Street, Dublin Ohio 43017:

“Thank you for taking the time to consider the changes recommended by the Architectural Review Board to the Code for Dublin. Great time and care has been given to the changes before you tonight. The ARB held several meetings throughout the past year, inviting and encouraging public input. We feel the changes recommended will help preserve and protect Historic Dublin while providing opportunities for home owners to upgrade and enhance their properties. Sincerely, Kathleen Bryan, Chair “

### **Commission Questions/Discussion**

Ms. Call stated that the Commission appreciates the time and effort spent in this process. The public comment was demonstrative of the amount of attention to detail and public engagement that went into this effort.

Mr. Grimes requested clarification of the dividing line that separates the school property.

Ms. Rauch responded that the line through the middle of the property reflects the current boundary, which aligns with the historic 1919 school building. Staff has discussed with Dublin Schools the possibility of moving the boundary further west. The School’s desire was to keep it in the same location; therefore, the proposal adheres to the School’s request to keep it as it currently exists, maintaining the 1919 Building under ARB’s purview.

Mr. Grimes stated that previously, the Commission discussed the issue of overbuilding on an existing lot. Has that issue been addressed in this draft?

Ms. Rauch responded that there was a significant amount of study and in-depth discussion among staff on this topic. This draft looks at overall lot coverage, appropriate setbacks, and maximum building coverage. The intent is that a proposed building may not cover a lot end-to-end. Their review considered and attempted to balance the needs of the historic properties and the need to permit development.

Mr. Dale noted that topic probably received more discussion than any others.

Ms. Bryan noted that staff members actually went out and measured houses on different streets to define the peak height. The desire is to preserve the historic quality in the District. For those who want to build bigger, there are many other places in which to do this; Historic Dublin may not be one of those.

Ms. Fox stated that one of the issues was that the Code did not address the authority of the ARB in the event of a conflict with BZA. When such conflict occurs, ARB should have the authority to make the final decision within the Historic District. Does this amendment provide the Board with that authority?

Mr. Dale responded that he believes it does. There is now a balance between the Code, the Design Guidelines and discretion by the Board.

Ms. Rauch stated that this concern was discussed and was addressed in a clear manner.

Ms. Fox stated that the intent is not to make the process more difficult but more clear. In regard to the boundaries, she does not believe the Library, Buildings Z1 and Z2, and the Downtown Parking Garage should be under the Commission’s review. They should be under the ARB’s review as a Transition District. If we want ARB to control the Historic District, ARB should be able to control the heart of it. In addition, she believes the entire School site should be included in the Historic District. The Indian Run Ravine runs along the entire perimeter of the School site. It is a cultural amenity that should be protected. She believes the entire ravine should be included in the Historic District. In regard to the properties on N. Riverview, which the City recently purchased, its intent was to preserve those properties as residential to the extent possible. However, it may not be possible with every property. One or two at the end may need to be developed commercially.

Ms. Bryan stated that ARB would like to see those preserved as residential. We are quickly losing our Historic footprint. We need to keep that in mind with the decisions that are being made.

Ms. Fox stated that perhaps the live-work option could be applicable here.

Ms. Bryan responded that would be historically accurate; so the ARB would have no objection.

Ms. Call requested clarification regarding the maximum building footprint within the Historic South District.

Ms. Rauch stated that under Historic Residential, live-work is not a Permitted Use. However, that issue can be discussed and a recommendation could be considered. In regard to the maximum building footprint in the HS District, that limitation was taken from the current Bridge Street District Building Type requirements. At the southern end of the District, Historic South transitions to Residential. It is beneficial to limit the size of the buildings there, and discourage large commercial buildings.

Ms. Call stated that she was attempting to understand the differential between 1,800 square feet in any one building but a total of 3,000 square feet. That would permit a secondary building that was nearly the size of the primary building.

Ms. Rauch stated that is not in the Historic Residential District. The Historic South District would permit a live-work unit.

Ms. Fox requested clarification about the bed and breakfast use. The text states that the property owner shall reside on the property or manage the facility. There is a small historical, bed and breakfast property in the Historic-Commercial Core District. The owner lives in California, but he has the property managed by local professional management. It is a nice tourist amenity, offering visitors an opportunity to stay in a historic structure. Would that facility be compliant or not?

Ms. Rauch stated that it was not the intent for there to be a conflict with short-term rentals.

Mr. Boggs stated that before this case comes before Council, he and Ms. Rauch would clarify that situation. There is a need to ensure there is no conflict between these regulations and the short-term rental regulations, which are new.

Ms. Fox referred to the language regarding General Retail Uses in the Historic Core, which states they should be limited to no more than 10,000 square feet of gross floor area. The largest building she is aware of in the Historic South District is 5,000 square feet. Where would there be 10,000 square feet for Retail – General use?

Ms. Rauch stated that there was a previous discussion on this topic, and the intent was to revise that.

Ms. Call inquired what it was changed to.

Ms. Rauch stated that she does not recall at this time.

Ms. Fox stated that the language indicates that food trucks may not operate more than six hours per calendar month. Would food trucks, such as that behind Magnolia's, be permitted to remain permanently?

Ms. Rauch responded that they would not. Regulations were added to address that issue more clearly.

Ms. Fox stated that the Intent (page 12) is important. The language reads, "The standards promote design of a comparable size, scale and mass to the existing development character." She would like the word "promote" to be replaced with a stronger word.

Ms. Fox requested clarification of a cultural assessment.

Ms. Rauch responded that it is required with a request for Demolition of contributing structures. It is an inventory of items that could be impacted by the demolition.

Ms. Fox stated that with a Demolition, there appears to be no requirement to document the interior. If an applicant provides a reason of economic burden, what proof is required.

Mr. Dale stated that review criteria is provided on pp. 76-77. The primary criteria for buildings that are contributing is a demonstration that there is no economically viable use of the property. Tools were added to assist the Board in making that determination.

[Discussion continued regarding proposed amendments.]

### **Public Comments**

Denise King, 170 S. Riverview Street, Dublin Ohio 43017:

"As a resident of the Historic District and active member of the community, I want the P & Z Commission members to know that the process for considering, negotiating and finalizing the Code updates and zoning for the HD has been fulsome. From 2018 to now there have been about 18 meetings, some large, some small,

on these issues and the HD Guidelines. Anyone from anywhere in Dublin, residents and business owners have had ample opportunities for input. The issues most important to the HD and Franklin residents are maintaining the character, scale, height, lot coverage, setbacks and sightlines that make the HD what it is. There was a lot of give and take and a lot of buy-in to bring the code and zoning to what is presented to you today. Please build on this comprehensive effort by adding your blessing and forwarding them to City Council for adoption. We've talked and talked. It's time to act. Thank you."

The Commission provided direction to staff to make the minor changes to the language of the proposed Amendment as was noted in the discussion.

Ms. Fox moved, Mr. Grimes seconded a recommendation of approval to City Council of the Historic District Code Amendment and Appendixes F & G.

Vote: Mr. Schneier, yes; Ms. Call, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Supelak, yes; Mr. Grimes, yes; Ms. Fox, yes.

[Motion carried 7-0.]

Ms. Call clarified that the Commission is not in favor of dividing the school site, and the recommendation is that the entire School site would be included in the Historic District and under the ARB's purview.

Mr. Grimes moved, Mr. Fishman seconded a recommendation of approval to City Council of the area rezoning from the Bridge Street District to the Historic District designations, as clarified.

Vote: Ms. Fox, yes; Mr. Schneier, yes; Ms. Call, yes; Mr. Fishman, yes; Ms. Kennedy, yes; Mr. Supelak, yes; Mr. Grimes, yes.

[Motion carried 7-0.]

## **COMMUNICATIONS**

- Planning Director Rauch reported that Senior Planner Claudia Husak had accepted the Planning Director position in Powell, Ohio. Her last day with the City will be Tuesday, January 6.
- Ms. Call recommended to staff that prompts be provided in the staff reports, alerting the Commission of any Code associated with the application on which future revisions are anticipated.
- The next regular meeting will be on Thursday, January 21, 2021.

The meeting was adjourned at 10:16 p.m.

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Chair, Planning and Zoning Commission

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Assistant Clerk of Council

**To:** Members of the Planning and Zoning Commission  
**From:** Jennifer M. Rauch, AICP, Planning Director  
Nichole M. Martin, AICP, Planner II  
**Date:** January 7, 2021  
**Re:** Historic District – Zoning Code Updates (19-007ADMC) and Rezoning (20-188Z)

## Summary

The Architectural Review Board (ARB) reviewed and recommended approval to the Planning and Zoning Commission (PZC) for the proposed Historic District Zoning Code amendments and Rezoning at their November 18, 2020 meeting. The draft Code and Rezoning documents reflect the final recommendation of the Board at that meeting, and are included in this packet as a clean version. Staff recommends the Planning and Zoning Commission review the proposed Zoning Code amendments, and proposed Zoning Map and make a recommendation of approval to City Council.

The ARB also reviewed the proposed updates to the Historic Design Guidelines, and requested additional modifications prior to a recommendation of approval. The modified version will be reviewed by the ARB at their January meeting, and following their recommendation the modifications would be reviewed by the Commission in February.

## Case History

The draft Code, Rezoning, and Guideline documents are the result of a multi-year stakeholder committee, public engagement, and Board and Commission review process. In 2018, the Historic Dublin Stakeholder Committee met four times (June 14, July 12, August 2, and August 30, 2018) to identify opportunities for revisions to the Historic District Zoning Code and Guidelines. In detail, the ARB has conducted six reviews of the documents on July 10, July 24, November 20, 2019, and June 17, July 29, and November 18, 2020. In addition, staff held two public meeting at the Dublin Community Church on October 9, 2018 and August 15, 2019, as well as, office hours for two hours each Wednesday in August 2019 (August 7, 14, 21 and 28) to provide an additional method of communication and input for the public. The PZC reviewed the documents and provided comments on September 5, 2019, which had initially been introduced to the Commission on July 11, 2019.

## Background

The proposing amendments include the following overall changes:

### *Historic District Boundary Changes & Outlying Properties Updates*

- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking Garage have been removed from the Historic District, but remain within the Bridge Street District. As part of their review, some members of Architectural Review Board expressed concern about the boundary change and the removal of these properties from the Historic District. Based on Council's direction the proposed boundary

changes remain in the draft map.

- The eastern boundary of the Historic District has been moved to the west side of the Scioto River, with the exception of the Scioto River Bridge, which remains under the Architectural Review Board’s purview.
- Appendix F in the proposed Code has been updated to reflect the proposed boundary changes.
- City-owned historic properties have been added to Appendix G, the list of outlying historic properties.

### *HD Rezoning*

- Properties remaining within the Historic District boundary and previously zoned as a Bridge Street District zoning will be rezoned into new Historic Zoning Districts: HR, Historic Residential, HC, Historic Core, HS, Historic South, and HP, Historic Public.
- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking were proposed to be rezoned from Bridge Street District - Historic Transition Neighborhood (BSD-HTN) to Bridge Street District - Scioto River Neighborhood (BSD-SRN). During the Architectural Review Board review, the members recommended these properties retain the Historic Transition Neighborhood District zoning classification, but any future modifications be under the purview of the Planning and Zoning Commission.
- The six residential parcels, along N. Riverview Street, were proposed to be rezoned from Bridge Street District - Historic Core (BSD-HC) to Historic District – Historic Core (HD-HC). During the Architectural Review Board review, the members recommended these properties be rezoned to Historic District – Historic Residential (HD-HR) to retain the neighborhood character.
- The Dublin City Schools property, Dublin Cemetery, Indian Run greenway, Indian Run Cemetery, Riverside Crossing Park West, Dublin Spring Park, and the Karrer Barn property are proposed to be included in a new HD-Public District.
- An updated zoning map has been created for review and an area rezoning of the properties is included with the Zoning Code amendment, which align with the new zoning districts.

### *HD Zoning Code*

The existing Architectural Review Board section of the Zoning Code has been updated to reflect the proposed zoning districts. The requirements within the proposed zoning districts build upon the existing BSD districts, which had previously incorporated zoning standards from the pre-BSD historic zoning districts. This approach was intended to protect existing property owners by retaining a majority of the existing use and general development standards. However, these new districts contain additional use and site development restrictions that balance historic preservation, while also allowing for appropriate infill or redevelopment. The proposed Code will also rely heavily on the revised Historic Design Guidelines to ensure compatibility with the surrounding character and design standards within the Historic District. The proposal changes also include updated approval process and demolition sections.

### **Recommendation**

Staff requests the Planning and Zoning Commission review the proposed final documents for Zoning Code Updates (19-007ADMC) and Rezoning (20-188Z) and make a recommendation of approval of these applications to City Council.



## BOARD ORDER

# Architectural Review Board

Wednesday, November 18, 2020 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

#### 4. Architectural Review Board Zoning Code Amendment 19-007ADMC Administrative Request – Code Amendment

Proposal: An amendment to Zoning Code Sections 153.002, 153.058, 153.059, 153.062, 153.063, 153.065, 153.170 through 153.180, and Appendix F & G to address the Historic Dublin Boundary and Architectural Review Board development standards and procedures.

Request: Review and recommendation of approval to the Planning and Zoning Commission under the provisions of Zoning Code Sections 153.232 and 153.234, and the *Historic Dublin Design Guidelines*.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contacts: Jennifer M. Rauch, AICP, Planning Director  
Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4690, jrauch@dublin.oh.us  
614.410.4635, nmartin@dublin.oh.us

Case Information: www.dublinohiousa.gov/arb/19-007

**MOTION:** Ms. Kramb moved, Mr. Cotter seconded, to recommend approval to the Planning and Zoning Commission for the amendment to Zoning Code Sections 153.002, 153.058, 153.059, 153.062, 153.063, 153.065, 153.170 through 153.180, and Appendix F & G to address the Historic Dublin Boundary and Architectural Review Board development standards and procedures.

**VOTE:** 4 – 0

**RESULT:** The Administrative Request was recommended for approval and forwarded to the Planning and Zoning Commission.

#### RECORDED VOTES:

Gary Alexander	Yes
Kathleen Bryan	Yes
Amy Kramb	Yes
Sean Cotter	Yes
Frank Kownacki	Absent

#### STAFF CERTIFICATION

DocuSigned by:

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Nichole M. Martin, AICP, Planner II





# BOARD ORDER

## Architectural Review Board

Wednesday, November 18, 2020 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

### 5. Historic District Rezoning 20-188Z

### Zoning Review

Proposal: Area rezoning from the Bridge Street District (BSD) to Historic District (HD) designations in conjunction with the Architectural Review Board Zoning Code Updates.

Request: Review and recommendation of approval to the Planning and Zoning Commission under the provisions of Zoning Code Section 153.232.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contacts: Jennifer M. Rauch, AICP, Planning Director  
Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4690, jrauch@dublin.oh.us  
614.410.4635, nmartin@dublin.oh.us

Case Information: www.dublinohiousa.gov/arb/20-188

**MOTION:** Ms. Kramb moved, Mr. Alexander seconded, to recommend approval with two conditions to the Planning and Zoning Commission for the area rezoning from the Bridge Street District (BSD) to Historic District (HD) designations in conjunction with the Architectural Review Board Zoning Code Updates:

- 1) The properties proposed to be rezoned to BSD-Scioto River Neighborhood District remain BSD-Historic Transition District; and,
- 2) The six (6) residential North Riverview Street properties be rezoned to HD-Residential District.

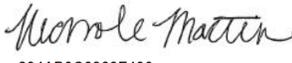
**VOTE:** 4 – 0

**RESULT:** The area Rezoning from the Bridge Street District to Historic District was recommended for approval with two conditions and forwarded to the Planning and Zoning Commission.

#### RECORDED VOTES:

Gary Alexander	Yes
Kathleen Bryan	Yes
Amy Kramb	Yes
Sean Cotter	Yes
Frank Kownacki	Absent

#### STAFF CERTIFICATION

DocuSigned by:  
  
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Nichole M. Martin, AICP, Planner II



~~Mr. Cotter stated that the Board's concern with the previous design is that it presented a trip hazard. Do the proposed walls have a greater height next to the sidewalk?~~

~~Mr. Krawetzki stated that the concept remains the same, but there is less wall engaging with the sidewalk. Per ADA standards, an edge is necessary to prevent wheelchairs, etc. from rolling off the sidewalk. The height must be a minimum of four inches but not so high as to require guardrails. The wall will not reduce the width of the sidewalk, but will engage with its edge.~~

~~Ms. Kramb stated that this design does provide opportunities now, however, where a person could step off the sidewalk and into the grassy area. With a solid wall, there would be no opportunity to move out of the way of oncoming pedestrian or bicycle traffic.~~

~~Mr. Cotter inquired if there are streetlight poles all the way from the Bridge Street intersection to John Wright Lane.~~

~~Mr. Krawetzki responded that they extend to John Wright Lane and perhaps a short distance past it.~~

~~Ms. Bryan inquired if staff has the Board input necessary to proceed.~~

~~Mr. Krawetzki responded affirmatively.~~

~~Ms. Martin explained that the Board is not requested to make a determination, because, typically, improvements within the right-of-way are not under the Board's purview. However, members of Council thought it would be important for the ARB to provide input within the Historic District. She requested clarification of the Board's support for the project.~~

~~Ms. Bryan responded that, in general, the Board is supportive of the revised design. Members vary in their preference for elliptical or angular wall formation, and would prefer a mix of large and small tree wells.~~

#### **4. Architectural Review Board Zoning Code Update, 19-007ADMC, Administrative Request – Code Amendment**

Ms. Bryan stated that this is a request for a recommendation to the Planning and Zoning Commission for an amendment to Zoning Code Sections 153.002, 153.058, 153.059, 153.062, 153.063, 153.065, 153.170 through 153.180, and Appendices F & G to address the Historic Dublin Boundary and Architectural Review Board development standards and procedures.

#### **Board Discussion**

Ms. Bryan inquired if members had any other changes to request in the draft Code amendment.

Ms. Kramb requested minor wording changes in the Definitions, including in the Definitions for Contributing and Non-contributing, delete the wording, "It was present during the period of significance and..."

Board members indicated that they had no changes in the text or in Appendices F and G.

Ms. Kramb moved, Mrs. Cotter seconded to request Planning and Zoning Commission review of the proposed Code Amendment and recommendation of approval to City Council

Vote on the motion: Mr. Alexander, yes; Ms. Bryan, yes; Mr. Cotter, yes; Ms. Kramb, yes.

[Motion carried 4-0]

## **5. Historic District Rezoning, 20-188Z, Zoning Review**

Ms. Bryan stated that this is a request for a recommendation to the Planning and Zoning Commission for area rezoning from the Bridge Street District (BSD) to Historic District (HD) designations in conjunction with the Architectural Review Board Zoning Code Updates.

### **Staff Presentation**

Ms. Rauch stated this rezoning is ultimately moving/renaming Historic District properties that had previously been included in the Bridge Street District back to Historic District designations. A list of those parcels with their previous designations and their new designations has been provided in the meeting packet, as well as a map of the related districts and boundaries. The proposed changes are as follow:

#### HD Rezoning Changes:

- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking are proposed to be rezoned from Bridge Street District - Historic Transition (BSD-HT) to Bridge Street District - Scioto River Neighborhood (BSD-SRN).
- Properties remaining within the Historic District boundary and previously zoned as a Bridge Street District zoning will be rezoned into new Historic Zoning Districts: HR, Historic Residential, HC, Historic Core, HS, Historic South, and HP, Historic Public. These proposed zoning districts build upon the existing BSD districts (which had previously incorporated zoning standards from the pre-BSD historic zoning districts). This will protect existing property owners by retaining a majority of the existing use and general development standards. However, these new districts will contain certain site development restrictions and will rely heavily on the revised Historic Design Guidelines to ensure compatibility with the surrounding character and design standards within the Historic District.
- The Dublin City Schools property, Dublin Cemetery, Indian Run greenway, Indian Run Cemetery, Riverside Crossing Park West, Dublin Spring Park, and the Karrer Barn property are proposed to be included in a new HD-Public District.
- An updated zoning map has been created for review and an area rezoning of the properties is included with the Zoning Code amendment, which align with the new zoning districts.
- The existing Architectural Review Board section of the Zoning Code has been updated to reflect these changes, as well as approval process changes and updates to the demolition section.

#### Historic District Boundary Changes & Outlying Properties Updates

- The parcels that contain the development of Bridge Park West Buildings Z1 and Z2, West Plaza, CML Dublin Branch and Downtown Dublin Parking Garage have been removed from the Historic District, and remain within the Bridge Street District and have Bridge Street District zoning. The proposed Historic District boundary has been modified to reflect this proposed change.
- The eastern boundary of the Historic District has been moved to the west side of the Scioto River, with the exception of the Scioto River Bridge, which remains under the Architectural Review Board's purview.
- Appendix F in the proposed Code has been updated to reflect the proposed boundary changes.
- City-owned historic properties have been added to Appendix G, the list of outlying historic properties.

## **Board Discussion**

Mr. Alexander inquired if any consideration had been given to zoning N. Riverview Street the same as the residential district across Bridge Street. As we change the zoning to provide protection for those residential properties, the fabric of the neighborhood is the same on the other side of the bridge. It does not seem appropriate that those homes are not afforded the same protection as the rezoning will provide to the other residential properties.

Ms. Rauch stated that staff has discussed this and agrees, but the Board's discussion and recommendation is necessary.

Ms. Bryan stated that she agrees and would be supportive of rezoning that portion of N. Riverview Street to Historic District Residential, as well.

Ms. Rauch stated that it would involve the six properties that are currently proposed as Historic Core.

Ms. Bryan stated that the zoning would allow commercial development; however, there are some historic homes there. Currently, they have no protection.

Mr. Cotter and Ms. Kramb expressed agreement that there is a need to address the situation for those properties.

Ms. Kramb stated that she disagrees with rezoning Bridge Park West, the Library and the Garage from the BSD Historic Transition District. She prefers those structures remain in a Transition District than be in the Scioto River Neighborhood. If several years in the future the existing buildings were to be torn down, it would be preferable that buildings that are appropriate in a transition neighborhood replace them, not big box retail, as the Scioto River Neighborhood zoning would permit. The type of structures on the east side of the river are not what we desire to have abutting the Historic District.

Consensus of all Board members was that the designated parcels should remain as they are, within the BSD Historic Transition District. No rezoning of those properties should occur.

Ms. Rauch indicated that staff has no objection. That change will be included in the proposed rezoning that will be submitted to the Planning and Zoning Commission and City Council.

## **Public Comment**

Garrick Daft, 21 Indian Run Drive, Dublin, OH, stated:

"What is the difference between the Scioto River Neighborhood zoning and the previous Historic Transition zoning?"

Ms. Rauch stated that as has been noted, it would allow for additional Building Types and potentially additional Building Height and Uses different than permitted within the Historic Transition zoning. Retaining the Historic Transition District zoning would be more compatible with a transition into the Historic District.

Ms. Kramb moved, Mr. Alexander seconded to request Planning and Zoning Commission review of the proposed rezoning with the following amendments:

- Newer development areas (Garage, Library, Bridge Park West) remain BSD-Historic Transition (not be rezoned to BSD-Scioto River Neighborhood).

- The six (6) North Riverview Street parcels zoned BSD-Historic Core be rezoned to Historic District - Historic Residential.

and recommendation of approval of City Council.

Vote on the motion: Mr. Cotter, yes; Ms. Kramb, yes; Mr. Alexander, yes; Ms. Bryan, yes.

[Motion carried 4-0]

## **6. Historic Design Guidelines, 18-037ADM, Administrative Request**

Ms. Bryan stated that this is a request for a recommendation to the Planning and Zoning Commission for new Historic Design Guidelines applicable to properties located within the Architectural Review District and its outlying historic properties.

### **Staff Presentation**

Ms. Martin stated that Planning staff, along with the consultant team have finalized a draft of the updated Historic Design Guidelines based on input from meetings with the Historic District stakeholder committee in 2018 and extensive input from the public and the Architectural Review Board. The public input includes four stakeholder meetings, six public meetings, and 11 public hearings. The Guidelines contain clearer standards that complement the proposed Zoning Code update, as well as incorporate updated graphics. Prior to the July 29, 2020 Board meeting, the ARB conducted four reviews of these initial draft documents on July 10, July 24 and November 20, 2019, and on June 17, 2020. The following is a summary of the revisions made to the Historic Design Guidelines following the July 29, 2020 meeting. Minor clerical changes were also made at the direction of the Board. Tonight's review will focus on the Architectural Styles section. In the Guidelines, there was a discrepancy between Architectural Styles and Building Types. In staff's interpretation, an Architectural Style is based on the elements of a building that make it identifiable to a particular period of time. These elements may include design details and ornamentation. A Building Type is based on the form, floorplan, configuration and number of stories. A Building Type does not determine the Architectural Style. Building Types of a similar form can occur under various Architectural Styles. In July, ARB reviewed the Architectural Styles and Types. She would like to point out the Folk Style, including the gabled front, gabled front wing and side gable. In July, those were identified as Architectural Styles. They are very dissimilar from other Architectural Styles, such as Greek Revival, Gothic Revival, and Queen Anne. The gabled front, gabled wing and side gable are actually a reference to the building form. With the revision to the Architectural Styles section, updates have been made to ensure consistency with the Paint Colors document and provide clarity. [reviewed changes made in Style categories.]

Following discussion, Board members were not supportive of the proposed changes from the July 29 version and recommended that staff return to that version and make a few changes as noted tonight. The Board did not believe there were many issues with that version. Mr. Alexander and Ms. Kramb are available to provide input on the process before the next hearing.

Ms. Kramb moved, Ms. Bryan seconded that the case be tabled.

Vote: Mr. Alexander, yes; Ms. Bryan, yes; Mr. Cotter, yes; Ms. Kramb, yes.

[Motion approved 4-0]



# BOARD DISCUSSION

## Architectural Review Board

Wednesday, July 29, 2020 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

### 1. Historic Dublin Zoning Code Amendments Administrative Request – Code

Proposal: Review (no vote) of revisions based on June 2020 feedback regarding proposed Zoning District modifications, Historic Dublin boundary changes, amendments to the Zoning Code, and revisions to Appendix G.

Request: Informal review, feedback, and recommendations for a future application under the provisions of Zoning Code Sections 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4635, nmartin@dublin.oh.us

Case Information: [www.dublinohiousa.gov/special-projects/arb-code-amendments/](http://www.dublinohiousa.gov/special-projects/arb-code-amendments/)

**RESULT:** The Board reviewed and provided feedback on updates to the proposed Zoning Code Amendments for the Historic Dublin area and outlying historic properties. The Board appreciated research regarding Bed and Breakfasts and the threshold for a Minor Project. Additional direction was provided on Conference Centers, building coverage, loading zones, stonewalls/fences, and demolition.

#### MEMBERS PRESENT:

Gary Alexander	Yes
Kathleen Bryan	Yes
Amy Kramb	Yes
Sean Cotter	Yes
Frank Kownacki	Yes

#### STAFF CERTIFICATION

DocuSigned by:  
  
297AB0C6363F490  
Nichole M. Martin, AICP, Planner II



## **CASES:**

### **1. Historic Dublin Zoning Code Amendments, – Historic Dublin, 19-007ADMC, Administrative Request – Code**

Ms. Bryan stated that this application is a request for review (no vote) of revisions based on the Board's previous feedback regarding proposed Zoning District modifications, Historic Dublin boundary changes, amendments to the Zoning Code, and revisions to Appendix G under the provisions of Zoning Code Sections 153.232 and 153.234.

### **2. Historic Dublin Design Guidelines, 18-037ADMC, Administrative Request**

Ms. Bryan stated that this application is a request for review (no vote) of revisions based on the Board's previous feedback regarding comprehensive updates to the *Historic Dublin Design Guidelines* to revise design recommendations and address discrepancies with Zoning Code requirements under the provisions of Zoning Code Sections 153.066 and 153.171.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT REVIEW**

Mr. Dale stated that the changes the Board requested at the June 17, 2020 Special Meeting have been made, and a revised draft is provided for the Board's review and consideration this evening. There are three items in particular on which the Board's input is requested: conference centers, loading space requirements and lot coverage.

Some of the major changes made include:

### Zoning Map Boundary Changes

City Council previously directed staff to change the Historic District boundary. However, at the June 17 meeting, some ARB members indicated that they have concerns and do not support those changes. Based on City Council's direction, the proposed boundary changes remain in the draft map, but staff will communicate the Board's concerns when this document is referred to the Planning and Zoning Commission and City Council for their consideration.

### Appendix G

The list identifying outlying historic properties has been updated to incorporate the Brown-Harris Cemetery and Ferris Cemetery, as requested.

### Uses

Changes were made to the Use Table (Table 153.172A), including removing High Schools as a Permitted Use from the Historic Core (HC) and Historic South (HS) Districts; removing Hotels from the HC District; and adding Accessory Dwellings to the Historic Residential (HR) District.

### Conference Centers

Per the Board's request, Conference Centers as a permitted use in the HC District has been added to Table 153.172A. However, staff is seeking additional guidance regarding the use specific standards that should accompany this use. The Zoning Code defines Conference Centers as: "A facility designed to accommodate and support meetings or conferences. The facility may be either freestanding or incorporated into a hotel or office facility, and may include eating and drinking facilities but exclude overnight lodging if not part of a hotel." "Eating and drinking facilities" include food preparation on-site. Staff requests guidance from the Board on how best to regulate Conference Centers that are appropriately scaled for the Historic Core. As a comparison, The Exchange at Bridge Park is an approximately 18,000-square-foot building on a .59-acre site and accommodates up to 500 guests. The recommended standards for Conference Centers in the HC District would be for a slightly smaller facility than The Exchange at Bridge Park. The proposed standards are:

- 1/2-acre maximum site size; 15,000 square foot maximum building size;
- Parking must be provided on site pursuant to a parking plan approved by ARB;
- An access management plan must be approved by ARB demonstrating the site's ability to accommodate vehicular traffic during peak periods;
- Windows must be included on all elevations facing a public right-of-way per the Historic Design Guidelines.

Board members expressed concern with the proposed square footage and lot size. Consensus of the Board was a Conference Center either could be defined as a permitted Accessory Use, size not to exceed 1,800 square feet (consistent with the existing CoHatch facility), or it could remain as a stand-alone facility but with a reduced lot size. Staff will consider those options and revise the language for the next draft.

#### Bed and Breakfast

The Board had requested that staff survey other communities to determine whether the 8-guest unit limit in the use specific standards for Bed and Breakfast use was reasonable. Other communities in Ohio and the nation were reviewed for reference, and staff determined that the unit limitation varies from 3-9 units. Because the 8-unit limit was found to be common, no changes were made.

#### Development Standards

The Board requested that a Maximum Building Footprint for Historic Residential properties be included in the Development Standards. Staff conducted a random sampling of residential building footprints throughout the District. Table 153.173A has been revised to include a Maximum Building Footprint in the Historic South (HS) District of 1,800 square feet not to exceed 3,000 square feet and in the Historic Residential (HR) District not to exceed 25%.

Mr. Alexander inquired if "Maximum Building Footprint" is defined in another part of the Code, as it is not included here. He clarified that all the numbers he had provided to Mr. Dale earlier included all other buildings on the site in the calculation.

Ms. Rauch responded that, currently, there is no definition; however, one would be added.

Ms. Martin stated that their calculation included only the house.

Ms. Kramb stated that in her earlier review, she included everything.

#### Loading Standards

The Board had requested staff to consider revising the loading space requirements in Table 153.173F to be tied to uses, instead of square footage. After study, staff recommends applicants be required to submit a loading space plan as part of the application approval process. The Board requested that clarification be provided that this requirement applies only to new construction.

#### Minor Project Thresholds

Staff noted that per the direction of the Board, the square footage thresholds for Minor Projects in Section 153.176(I) were reduced. The Board made no further modifications.

#### Addition of New Section – Food Trucks

Ms. Rauch inquired if the Board would have any objection to including in the next revision a definition and standards for permitting food trucks on a commercial property on a permanent basis. Board members had no objection to that addition.

#### Ground Mounted Renewable Energy

Mr. Cotter inquired, in regard to Item J (c) on p. 12, if "Ground Mounted Renewable Energy" equipment would count as lot coverage.

Ms. Martin responded that if it is on the ground and does not allow water to percolate through it, or has a hard surface, it would count as lot coverage. In the case of a condenser unit for an air conditioning unit, the dimensions of the concrete pad on which the equipment sits are counted toward lot coverage.

#### Archaeological/Cultural Assessment

Mr. Alexander inquired if the "architectural assessment," referred to in Item I (4) on page 75 and as a "cultural assessment" on page 77, is the same assessment currently prepared by the City's Architectural Consultant, or is it a report to be provided by the applicant?

Ms. Rauch responded that it is a new, additional report, which the applicant would be responsible for providing.

Ms. Kramb requested that "cultural assessment" in this context be provided, perhaps by stating that, "a professional assessment of the cultural resources is required."

#### Simplification of Review Process

Mr. Alexander inquired if this process has moved from a focus on making the review process less difficult. With additional, new requirements, will the process be made more difficult?

Ms. Rauch responded that the intent of the amendment is to make the expectations more clear. The Board's review is very detailed, and members have frequently expressed the need for more information and detail to be provided. The new requirements may be more onerous, but the goal is to make the process more straightforward.

Mr. Dale stated that the intent with the amended regulations and guidelines is to provide more predictability.

Ms. Rauch stated that a palette of recommended paint colors in the Historic District also is being developed for the Board's consideration. Staff approval of paint projects within the District utilizing a Board-approved palette should simplify the review process. Staff also is working on simplifying/clarifying the sign approval process for small businesses.

The Board requested that, consistent with the intent in the Historic District, under I (4) Stone Wall Standards, in Item (c), clarification be provided that the stacked stones should be dry laid. In this section, also provide language that clarifies that existing stone walls are a site element, and the ARB has purview over alterations or changes to architectural features of existing sites and structures. Stone walls are also addressed in the Guidelines, under Fences and Walls.

### **DRAFT HISTORIC DESIGN GUIDELINES REVIEW**

The Board reviewed the revisions that had been made to the draft Historic Design Guidelines following direction given at the June 17, 2020 meeting, including:

- Neighborhood Character Description, 2.3, to emphasize preservation in lieu of development.
- Architectural Styles, 2.9, to better address context and vernacular issues.
- Building Additions, 4.12, to incorporate the concept of subordinate and secondary as a key requirement; a definition for subordinate was included.
- Graphic Illustrations - Language was added to clarify they are merely examples of approaches that could be taken that comply with the Guidelines. Limiting architectural and site design creativity should be avoided.

The Board requested minor clarifications and corrections to the Guidelines and updated names and titles under Acknowledgements.

#### Next Steps

Ms. Rauch stated that a final draft would be prepared for the ARB's final review and recommendation to the Planning and Zoning Commission for their subsequent review and recommendation to City Council.

Ms. Bryan noted that it would be advisable for one or two ARB members to be present for the PZC and Council reviews to answer any questions that might be raised.

The next meetings of the ARB will be a Special Meeting on August 12, 2020 and a regular meeting on August 26, 2020.



# BOARD DISCUSSION

## Architectural Review Board

Wednesday, June 17, 2020 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**1. Historic Dublin Zoning Code Amendments  
19-007ADMC**

**Administrative Request - Code**

Proposal: Review of feedback and recommendations (no vote) of revisions for the proposed Zoning District modifications, Historic Dublin boundary changes, amendments to the Zoning Code, and revisions to Appendix G.

Request: Informal review, feedback, and recommendations for a future application under the provisions of Zoning Code Sections 153.232, 153.234, and the *Historic Dublin Design Guidelines*.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4635, nmartin@dublin.oh.us

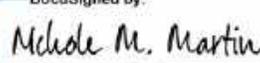
Case Information: [www.dublinohiousa.gov/arb/19-007](http://www.dublinohiousa.gov/arb/19-007)

**RESULT:** The Board reviewed and provided feedback on updates to the proposed Zoning Code Amendments for the Historic Dublin area and outlying historic properties. Additional direction was provided on development standards, loading standards, and Appendix G. The Board requested Staff further explore Bed and Breakfasts, Conference Centers, and the threshold for a Minor Project.

**MEMBERS PRESENT:**

Gary Alexander	Yes
Kathleen Bryan	Yes
Amy Kramb	Yes
Sean Cotter	Yes
Frank Kownacki	Yes

**STAFF CERTIFICATION**

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Nichole M. Martin, AICP, Planner II





## SPECIAL MEETING MINUTES

# Architectural Review Board

Wednesday, June 17, 2020

### CALL TO ORDER

Ms. Bryan, Chair, called the June 17, 2020 meeting of the Architectural Review Board to order at 6:30 p.m. and provided the following opening comments: "Welcome to a virtual meeting of the City of Dublin Architectural Review Board. The Ohio Legislature passed several emergency laws to address the pandemic, including the ability for public entities to have virtual meetings. We appreciate this ability to maintain our continuity of government. For the present time, we are holding our meetings online and live streaming those meetings on YouTube. You can access the live-stream on the City's website. The meeting procedure for each case this evening will begin with staff presentation followed by an opportunity for the applicant to make a presentation. The Board will then have the opportunity to ask clarifying questions prior to hearing public comment. Finally, the Board will deliberate on each case based on the information introduced. To submit any questions or comments during the meeting, please use the form under the streaming video on the City's website. These questions and comments will be relayed to the Board by the meeting moderator. We want to accommodate public participation and comment to the greatest extent possible. We welcome your comments on cases. Please use a valid name and address when submitting your comments and refrain from making any inappropriate comments."

### PLEDGE OF ALLEGIANCE

Ms. Bryan led the Pledge of Allegiance.

### ROLL CALL

Board Members present: Mr. Alexander, Mr. Cotter, Ms. Bryan, Mr. Kownacki and Ms. Kramb  
Staff present: Ms. Rauch, Ms. Martin  
Consultant: Greg Dale, McBride Dale Clarion

### ACCEPTANCE OF DOCUMENTS

Mr. Kownacki moved, Ms. Kramb seconded, to accept the documents into the record.

Vote on the motion: Mr. Alexander, yes; Mr. Cotter, yes; Ms. Bryan, yes; Mr. Kownacki, yes; Ms. Kramb, yes.

(Approved 5—0)

Ms. Bryan briefly explained the rules and procedures of the Architectural Review Board (ARB) and swore in any staff or member of the public who planned to address the Board during the meeting. The Board has the responsibility to review and make recommendations on the following two Administrative Requests.

#### 1. ARB Code Amendments – Historic Dublin, 19-007ADMC, Administrative Review - Code

Ms. Bryan stated that this is a request for feedback and recommendations (no vote) regarding revisions to the proposed Zoning District modifications, Historic Dublin boundary changes, amendments to the Zoning Code, and revisions to Appendix G under the provisions of Zoning Code Sections 153.232 and 153.234.

## **2. Historic Dublin Design Guidelines, 18-037ADMC, Administrative Review**

Ms. Bryan stated that this is a request for feedback and recommendations (no vote) of comprehensive updates to the Historic Dublin Design Guidelines regarding design recommendations and discrepancies with Zoning Code requirements.

### **Background**

Greg Dale, Consultant, McBride Dale Clarion, stated that he and Ms. Rauch would be leading the review of the draft ARB Code Amendments and Historic District Guidelines, which propose changes to the Zoning Code Land Use regulations that apply to the Historic District and the Historic District Guidelines. The Code and the Design Guidelines are separate but related documents. The Zoning Code provides the "shalls;" the Design Guidelines provides the "shoulds." This two-year process began with the creation of a stakeholder committee with interests in the Historic District. Four stakeholder meetings were held in 2018, and six public events were held, including open houses and office hours. Much time was spent working with the citizens and stakeholders to understand the underlying goals to be achieved. The results represent the consensus of the community. This is ARB's eighth review of the documents. It has been reviewed by the Planning and Zoning Commission (PZC), Community Development Committee (CDC) and City Council, and that input has been incorporated. Mr. Dale summarized the changes that have been made to date.

### **DRAFT HISTORIC DISTRICT CODE AMENDMENT REVIEW**

The Board reviewed the draft and recommended the following revisions.

- Zoning Map Boundary Changes

Some members expressed concerns about the proposed zoning map boundary changes. Based on City Council's direction, the proposed boundary changes will remain in the draft map, but staff will communicate the members' concerns in future transmittals to the PZC and City Council.

- Uses

Revise Permitted Use Table 153.172A as follows:

1. Remove High Schools as a permitted use from the Historic Core (HC) and Historic South (HS) Districts;
2. Remove Hotels from the HC District;
3. Investigate whether the 8-guest unit limit for Bed and Breakfasts is reasonable;
4. Add Accessory Dwellings to the Historic Residential (HR) District;
5. Investigate permitting Residential in HC;
6. Add Conference Centers as a permitted use in the HC District;
7. Provide Definition for Artisan Production (HC and HS).

- Accessory and Temporary Uses

Under (h) Outdoor seating, revise counts toward lot coverage.

- Development Standards

Review and inclusion of a maximum building footprint in Table 153.173A: for Historic South -1,800 square feet, not to exceed 3,000 square feet per building, and Historic Residential – 25%. Add cross reference in Definitions to clarify measurement of Building Height.

- Setbacks

Provide guidance in Table 153.173B re. designation of Front Yard setback and front property line on a lot as being where the front door or postal address is located.

- Loading Standards

Revise the loading space requirements in Table 153.173F to be tied to uses, rather than square footage.

- Tree Preservation

In addition to Commercial Development, add the Tree Preservation requirements to New Residential Development, 153.173(H).

- Fences, Walls and Screening

Revise "street" walls in Section 153.173(I-4) to "stone" walls.

- Minor Project Thresholds

Reduce the square footage thresholds for Minor Projects in Section 153.176(I).

### **Public Comment**

Alan and Mary Szuter, 80 Franklin Street, Dublin, OH, provided the following comments:

*Comment #1:*

Please permit (P) Residential in the Historic Core.

*Comment #2:*

- Please no hotels in any of the Historic Districts.
- You define "Bed & Breakfast" under the Permitted Uses chart, does that include Air BnB type uses?
- Accessory Dwelling should be permitted in Historic Residential.
- Why are food trucks allowed in the HR?
- Use of speakers within 500 feet of residential should be required to be cut off at 9:00 PM (4-6h).
- Do not change lot coverage from 50% to 45% for HR. The HR is more dense than the rest of the City.

*Comment #3:*

Continuation of comments from previous note-

- Rear yard setbacks at 20% would make ours 35 feet; it is currently 25 feet.

*Comment #4:*

Continuation of comments-

- Outdoor waste container storage should be required to adhere to the guidelines whenever the principal use of the building changes.

*[Review of Draft Code continued.]*

- Outdoor Waste Container Storage Containers

Require Commercial uses to comply to the same regulations as Residential uses.

- Signs

Regarding the requirement that signs can contain three colors, provide clarification that black and white are considered colors and a corporate logo counts as one color, regardless of the number of colors incorporated in that logo.

- Cultural Assessment

Recommended replacing the term archeological assessment with cultural assessment (or use both terms where needed), in Section 153.175A5, and Section 153.176J5; add definitions for Cultural and for Preservation Districts in Definitions.

- Review Criteria

Clarify that the applicant "or the applicant's representative" must demonstrate that they have technical expertise and experience with appropriate construction methods consistent with sound historic preservation practices.

- Minor Project Thresholds

Reduce the square footage thresholds for Minor Projects in Section 153.176(I).

- Appendix G

Include the Brown-Harris Cemetery and Ferris Cemetery in the list identifying outlying historic properties.

## **DRAFT HISTORIC DESIGN GUIDELINES REVIEW**

The Board reviewed the Draft Historic Design Guidelines and recommended the following revisions:

- Neighborhood Character Description

Revise description in Section 2.3 to emphasize preservation rather than development, in particular the term "selective redevelopment" in the 4<sup>th</sup> item under Street Character.

- Structure

Due to the Historic Preservation nature of this document, revise the nomenclature from "structure" to "building."

- Architectural Styles

Revise description in Section 2.9 to better address context and vernacular issues. Delete third sentence of paragraph 1, first sentence of paragraph 2, and in paragraph 3, revise second sentence from "Each building...demonstrates...." to "Each building....may demonstrate..."

- Contributing vs. Non-Contributing Buildings

In Section 3.3, remove second bullet item re. Non-contributing buildings; use the definition from the Consultant's report, if desired.

- Maintenance and Construction

In Section 4.2, before Item A, add statement, "Following are common considerations regarding property maintenance and construction. The recommendations are not comprehensive in nature. Property owners should refer to the Secretary of the Interior's Standards with regard to appropriate maintenance and construction standards."

- Building Additions

Revise guidelines for new additions in Section 4.12A to incorporate the concept of "subordinate and secondary" as a key requirement. Provide Secretary of Interior's definition for "subordinate." Remove requirement in 4.12H that windows be smaller than the original building's windows, and eliminate 4.12I re. stone watertables.

- Graphic Illustrations

Provide language with the graphic illustrations to clarify they are simply examples of approaches to complying with the guidelines, to avoid limiting architectural and site design creativity.

[Review completed.]

**NEXT STEPS**

Ms. Rauch stated that the draft ARB Code Amendments Historic Dublin Design Guidelines would be revised with redlining per the Board's recommendations and provided for the Board's consideration at a Special Meeting on July 29. The revised documents and additional requested documents will be provided to members on July 10 to provide ample time for their review preceding the July 29 discussion.

**ADJOURNMENT**

The meeting was adjourned at 9:30 p.m.

*Kathleen Bryan*  
Chair, Architectural Review Board

*Judith K. Beal*  
Deputy Clerk of Council



## BOARD DISCUSSION

# Architectural Review Board

Wednesday, November 20, 2019 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**6. Historic Dublin – ARB Code Amendments  
19-007ADMN**

**Administrative Request - Code**

Proposal: Review of development standards for the Zoning Code Amendments that address the Historic Dublin Zoning Districts.  
Request: Review and recommendation to City Council regarding proposed Zoning Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.  
Applicant: Dana L. McDaniel, City Manager, City of Dublin  
Planning Contact: Jennifer M. Rauch, AICP, Planning Manager and Interim Planning Director  
Contact Information: 614.410.4690, jrauch@dublin.oh.us  
Case Information: www.dublinohiousa.gov/arb/19-007

**RESULT:** Staff has received the guidance needed from the Architectural Review Board and would formulate a final draft for the Board's consideration and recommendation.

**MEMBERS PRESENT:**

Shannon Stenberg	Yes
Gary Alexander	Yes
Andrew Keeler	Yes
Kathleen Bryan	Yes
Robert Bailey	Yes

**STAFF CERTIFICATION**

Jennifer M. Rauch, AICP  
Planning Manager and Interim Planning Director



- ~~2) That the applicant revise the landscape design to reflect staff's suggestions, and to decrease the square feet of gravel limestone used;~~
- ~~3) That the applicant work to refine and revise the window layout prior to submission of the Final Development Plan.~~

~~Vote: Mr. Bailey, yes; Ms. Bryan, yes; Mr. Keeler, yes; Mr. Alexander, yes; Ms. Stenberg, no.  
(Motion passed 4-1)~~

#### **5. Property at 25 North Street, 19-103ARB, Architectural Review Board**

~~Ms. Stenberg stated that this is an application for the demolition of an existing 2-story commercial building zoned Bridge Street District Historic Core.~~

##### **Staff Presentation**

~~Ms. Martin stated that this is a request for demolition of the existing 1.5-story structure at 25 North Street, regarding which the Board just reviewed a Preliminary Development Plan. The 4,500 sq. ft. commercial building is located to the rear of a historic structure on a 0.27-acre parcel within Historic Dublin. The site is located at the intersections of N. High Street and North Street, and N. Blacksmith Lane and North Street. The condition of the structure has deteriorated since its construction in the 1960s. It was last renovated in 1993. The applicant has provided interior photos to document the condition and extensive renovations that would be required, should the building be retained. The Historic and Cultural Assessment conducted by the City in 2017 identified the building as non-contributing. Two of the four demolition criteria must be met. Staff has found that two of the four have been met, and staff recommends approval of the demolition with one condition.~~

~~There was no public comment.~~

##### **Board Discussion**

~~There was no Board discussion.~~

~~Ms. Bryan moved, Mr. Keeler seconded to approve the demolition request with the following condition:~~

- ~~1) That the order to allow demolition not be issued by the City until the ARB has approved a Final Development Plan for a new structure.~~

~~Vote: Mr. Alexander, yes; Mr. Keeler, yes; Ms. Bryan, yes; Mr. Bailey, yes; Ms. Stenberg, yes.  
(Motion passed 5-0)~~

#### **6. Historic Dublin – ARB Code Amendments, 19-007ADMN, Administrative Request - Code**

~~Ms. Stenberg stated that this is a request for the review of development standards in the Zoning Code Amendments addressing the Historic Dublin Zoning Districts.~~

## Staff Presentation

Greg Dale, Consultant, McBride Dale Clarion, stated that this is ARB's third review of the draft ARB Code amendments and Historic Dublin Guidelines. The amendments are being made per Council's direction to remove the Historic District from the Bridge Street District. Since ARB's last review, a public meeting and designated office hours were held to receive public input. The Planning and Zoning Commission conducted a review on September 5, 2019. There are a few remaining issues on which ARB input is desired.

### 1. Uses - Hotel and Multi-Family

Based on the Board's previous direction, staff is recommending that "hotel" be eliminated as a permitted use in the HS, Historic South District, but remain permitted in the HC, Historic Core District, with the addition of Use Specific Standards that target small scale, boutique hotels.

Staff also recommends that "multi-family" be revised to "two-family" as a permitted use in the HS, Historic South District, and in the HC, Historic Core District. The provision would allow for attached row homes while eliminating the opportunity for large-scale condominium projects.

Mr. Alexander inquired if they had looked at how economics are changing in the area and what uses would be compatible with the structures for the purpose of reuse. How does the economic return and value impact what could be located here?

Mr. Keeler stated that it needs to be economically feasible for a prospective buyer to acquire a property here and renovate it to an appropriate use.

Mr. Alexander stated that if the variance process provides sufficient flexibility for a hybrid of uses, it might be fine.

Mr. Keeler stated that it is a prospective buyer's responsibility to do their homework to ensure they do not overpay for the property and understand the requirements and limitations for renovating it to an appropriate use.

Mr. Dale inquired if the concern is if there is sufficient flexibility of uses in these buildings.

Mr. Alexander responded affirmatively. There should be a hybrid of uses for buildings that are not single-use. There is a problem because these small buildings are expensive to renovate and there are limitations on what the uses can be. If the variance process can address this question, however, perhaps it is not an issue.

Ms. Bryan stated that this difficulty is reflected in the recent cases of demolition by neglect.

Ms. Martin stated that in regard to the mixing of uses, there is not a better zoning mechanism than a form-based code, which permits a mix. The exception would be the Residential District, which has a narrow range of uses. An example of a different use renovation would be Co-Hatch.

Mr. Dale agreed that the previous case is a good example of a new, mixed use.

### 2. Development Standards – Historic Residential District

The Board discussed tailoring the proposed development standards (See Tables 153.173A and 153.173B) for the HR, Historic Residential District to align with the prevailing conditions. The Board's input is requested on the following three issues: building height, lot coverage, and setbacks.

### Setbacks

In regard to setbacks, there is an opportunity to consolidate some of the setback requirements in Table 153.173B. Suggested is a minimum front yard setback of 20 feet; a minimum sideyard setback of 3 feet; a minimum total side yard of 12 feet; and a rear yard setback of 15 feet.

Ms. Stenberg stated that she would have no objection to doing so.

Mr. Keeler inquired how those numbers would have impacted some of the recent cases on South High Street, specifically the Dyas properties.

Ms. Martin stated that the applications would have met these requirements.

Mr. Alexander stated that the Board is interested in preventing long houses on deep lots. In many communities, the rear setback is one-quarter of the lot depth or there is a minimum setback of 40 feet.

Mr. Keeler stated that recently, residents have spoken about the need to preserve the back yards. If we allow a smaller setback, we would not be addressing their concerns. At the same time, there are recent cases that would have been able to take advantage of more lot coverage than they did. Residents have stated that they purchased their homes under one set of rules, and now the City is changing its rules. In general, would the proposed numbers make the rules more liberal, not more restrictive?

Ms. Martin stated that the only area where the rear yard setback would be more liberal is on Franklin Street.

Mr. Dale stated that the new Code amendment also will provide the Board ability to impose conditions, based upon context, beyond the standards.

Mr. Alexander stated that, looking at the Franklin Street setback, he is concerned the change could create some problems.

Ms. Martin noted that the building setback would also apply to detached garages.

Mr. Alexander noted that in some cities, there is a separate line item for detached garages.

[Discussion continued regarding setbacks.]

Mr. Dale stated that Ms. Martin has suggested a possible requirement that would tie setbacks proportionally to depth. They will work on drafting that language.

### Lot Coverage

Mr. Dale stated that, currently, the lot coverage is 50%. In comparison, the lot coverage of other residential districts in the City is 45%. Staff's recommendation is to leave it as is, however, because the Historic District typically has more intense uses.

Ms. Bryan responded that she would prefer that it be reduced, due to recent issues with large homes being approved on these small lots. They are changing the scale and texture of this neighborhood.

Ms. Stenberg stated that perhaps the requirement should be closer to 40% in the residential district.

Mr. Keeler noted that recent buyers of properties would object to the rules changing after their purchase of a property.

Ms. Bryan responded that there is always the ability to request a waiver.

Mr. Keeler stated that there should be a mandate that realtors disclose that properties within the Historic District may have stricter guidelines.

Ms. Bryan agreed that there is a need to disclose this information. New buyers to the District should be made aware of the restrictions.

Ms. Martin noted that in January 2019, the City sent postcards to every property owner in the Historic District making them aware that their property was located in the Architectural Review District and any exterior, site or paint alterations must be reviewed and approved. ARB meeting dates were provided, as well.

Mr. Bailey stated that versus mandating, educating the realtors would be the best possibility.

Mr. Keeler noted that if realtors know a rule exists, ethically, they are obligated to disclose it. Therefore, if the City provides the information to them, the City is doing its job. They are then relying on the realtors to do their job.

Mr. Alexander stated that in looking at the list of lot coverage variations, a 10% reduction is significant. Many communities base the percentage on lot size, i.e. the percentage increases with a smaller lot size. Reducing the percentage to 40% in this District would be a concern.

Mr. Dale stated that is the reason staff recommended not changing the percent from 50%. It is a baseline standard, which can be adjusted through the process.

Ms. Bryan stated that she would be in favor of setting the baseline lower and allowing the applicant to request more.

Mr. Dale noted that Ms. Martin has suggested a proportional lot coverage. Developing the right formula, however, could be difficult.

Mr. Alexander stated that there are some communities that do this, rather than treating small lots the same as large lots. Setting the percent at 40% may result in more variance requests. In addition, granting a number of variances results in Code changes.

Mr. Bailey stated that he would prefer to make it 45% universal throughout the City, or at a minimum, utilize a sliding scale.

Mr. Keeler stated that he would prefer not to have a more subjective process, relying upon variances. He would prefer to leave the percentage as it is, or to have the lot percentage based upon the lot size. That process would result in fewer waivers being needed.

Ms. Bryan stated that in the draft documents, only two of the 48 residential properties exceeded 50%; the remainder were less.

Mr. Dale noted that the lower percentages correspond with larger lots.

Ms. Bryan stated that the City is beginning to lose the diversity characteristics of the neighborhood because of the larger homes. The smaller homes are looking dwarfed and out of place.

Mr. Dale stated that lot coverage is only one tool for addressing this issue.

[Discussion continued regarding lot coverage.]

Mr. Keeler inquired what other tools could address the issue.

Mr. Dale stated that a sliding scale could be used. They could look at a potential sliding scale for small, medium and large lots with different percentages. Dealing more comprehensively than that with the issue is probably an issue for a future discussion.

Ms. Martin stated that staff would provide a recommendation for lot coverage for ARB's consideration prior to their making a formal recommendation to the Planning and Zoning Commission.

### Building Height

Mr. Dale stated that the current requirement is 35 feet. Staff's analysis indicates that is too tall, given the area context. He noted that in the Historic South District, the maximum height is 24 feet. Perhaps that height would be appropriate for the residential district.

Ms. Martin noted that accumulating accurate data on the existing building heights was difficult, particularly for truly historical buildings. Many of the buildings in the information provided were measured to the peak of the roof. The 24-foot height in the Historical South District is measured to the midpoint of the eaves -- historically, they have measured to the midpoint of the eaves.

Ms. Bryan stated that the method of measuring needs to be specified.

Mr. Keeler stated that, presently, there is not a sufficiently broad sampling on which to make a decision.

Mr. Alexander stated that a 24-foot height requirement would not be particularly onerous.

Ms. Bryan inquired if the current 35-foot requirement was to the midpoint of the eaves.

Mr. Dale responded affirmatively.

Mr. Alexander stated that in most residential communities, the 35-foot measurement is to the peak.

Ms. Stenberg stated that the Board has always interpreted that as being to the peak, although it may have been measured differently for commercial properties.

Ms. Bryan stated that it will be important to be very clear with these new documents.

Mr. Dale stated that when Zoning Codes, in general, establish how to measure height, they refer to measuring it at the midpoint of the gable. Historically, staff has used that definition for calculating height, which is the reason 35 feet has been considered too high.

Board consensus was to change the number to 24 feet.

Ms. Bryan inquired about the possibility of addressing maximum square footage of homes.

Mr. Dale stated that would be one of the other tools to which he referred. It would involve some research and analysis to come up with a good number. Perhaps that possibility could be studied and the Code modified accordingly in the future.

Ms. Bryan requested that staff make a note to consider that possibility for addressing concerns in the Historic Residential area.

Mr. Dale stated that they have received the guidance needed from the ARB and would formulate a final draft for the Board's consideration and recommendation.

### **Communications**

Ms. Bryan inquired if the potential development of the property at 156 and 158 S. High Street was no longer under consideration.

Ms. Martin stated that accordingly to her knowledge, the property owner is in search of other potential buyers interested in custom-built homes.

There were no further communications.



## RECORD OF DISCUSSION

# Planning & Zoning Commission

Thursday, September 5, 2019 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

**1. Historic Dublin – ARB Code Amendments  
19-007ADMN**

**Administrative Code**

Proposal: Introduction of amendments to Zoning Code Sections 153.170 through 153.180, and Appendices F and G that include the creation of Historic Zoning Districts, associated requirements, and revisions to the procedures of the Architectural Review Board.

Request: Review and recommendation regarding proposed Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Jennifer M. Rauch, AICP, Interim Planning Director

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: [www.dublinohiousa.gov/arb/19-007](http://www.dublinohiousa.gov/arb/19-007)

**RESULT:** The Commission reviewed and commented on the proposed amendments to the Zoning Code and Historic District boundary and zoning district changes. The Commission was supportive of the proposed documents and provided minor edits to the Code language. The members provided guidance and recommended minor changes to the proposed uses, site development standards, review procedures and property maintenance. Overall, the Commission was supportive of the proposed general boundary changes, removal from the BSD, and rezoning of the properties from Bridge Street District Zoning Districts to the Historic Dublin Zoning Districts, and the proposed changes to the Zoning Code with minor amendments.

**MEMBERS PRESENT:**

Victoria Newell	Yes
Jane Fox	Absent
Warren Fishman	Yes
Kristina Kennedy	Absent
William Wilson	Yes
Mark Supelak	Yes
Rebecca Call	Yes

**STAFF CERTIFICATION**

Jennifer M. Rauch, AICP  
Interim Planning Director





## RECORD OF DISCUSSION

# Planning & Zoning Commission

Thursday, September 5, 2019 | 6:30 pm

The Planning and Zoning Commission took the following action at this meeting:

**2. Historic Dublin Design Guidelines  
18-037ADMN**

**Administrative Code**

Proposal: Introduction of modifications to the *Historic Dublin Design Guidelines* that apply to Historic Dublin properties and properties identified on Appendix G.

Request: Review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Section 153.172.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Jennifer M. Rauch, AICP, Interim Planning Director

Contact Information: 614.410.4690, [jrauch@dublin.oh.us](mailto:jrauch@dublin.oh.us)

Case Information: [www.dublinohiousa.gov/arb/18-037](http://www.dublinohiousa.gov/arb/18-037)

**RESULT:** The Commission reviewed and commented on the proposed amendments to the *Historic Dublin Design Guidelines*. The Commission was supportive of the proposed documents and provided minor edits to the *Guidelines* language. The members provided guidance and recommended minor changes to the maintenance section of the document. Overall, the Commission was supportive of the proposed *Historic Dublin Design Guidelines* with minor amendments.

**MEMBERS PRESENT:**

Victoria Newell	Yes
Jane Fox	Absent
Warren Fishman	Yes
Kristina Kennedy	Absent
William Wilson	Yes
Mark Supelak	Yes
Rebecca Call	Yes

**STAFF CERTIFICATION**



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Jennifer M. Rauch, AICP  
Interim Planning Director





## MEETING MINUTES

### Planning & Zoning Commission

Thursday, September 5, 2019

#### CALL TO ORDER

Ms. Newell, Chair, called the meeting to order at 6:30 p.m.

#### PLEDGE OF ALLEGIANCE

Ms. Newell led the Pledge of Allegiance.

#### ROLL CALL

Commission members present: Victoria Newell, William Wilson, Mark Supelak, Rebecca Call, and Warren Fishman  
Commission members absent: Jane Fox and Kristina Kennedy  
Staff members present: Jennifer Rauch, Chase Ridge, Phil Hartmann  
Consultant: Greg Dale, McBride Dale Clarion

#### ACCEPTANCE OF DOCUMENTS

Mr. Fishman moved, Mr. Wilson seconded to accept the documents into the record.

Vote: Ms. Call, yes; Mr. Supelak, yes; Mr. Fishman, yes; Ms. Newell, yes; Mr. Wilson (Motion passed 5-0)

Ms. Newell stated the Planning and Zoning Commission is an advisory board to City Council when rezoning and platting of property is under consideration. For those cases, City Council will receive recommendations from the Commission. For other cases, the Commission has the decision-making responsibility, and anyone who wishes to address the Commission on any of the administrative cases must be sworn in.

Ms. Newell stated that the agenda order is typically determined at the beginning of the meeting by the Chair. All of the cases tonight are Administrative Review and will be heard in the order in which they were published.

#### V. ADMINISTRATIVE REVIEWS

Ms. Rauch requested that the two cases be considered together.

##### 1. Historic Dublin – ARB Code Amendments, 19-007ADMN

Ms. Newell stated that this case is an introduction of amendments to Zoning Code Sections 153.170 through 153.180, and Appendices F and G that include the creation of Historic Zoning Districts, associated requirements, and revisions to the procedures of the Architectural Review Board.

## **2. Historic Dublin Design Guidelines 18-037ADMN**

Ms. Newell stated that this case introduces proposed amendments to the Historic Dublin Design Guidelines that govern Historic Dublin properties and properties identified on Appendix G.

### **Staff Presentation**

Ms. Rauch stated that the amendments to the Code and the Design Guidelines that govern the Historic District are in response to Council's direction to staff last year. A stakeholders committee was established to help work through the Design Guidelines. Council's direction also was to remove the Historic District from the Bridge Street Code, ensuring that it aligns with the vision of Council and the community for the District. Council was concerned about the development pressures in that area not aligning with the scale and character that Council and the community wanted to be preserved there. In the Commission's packet, drafts of the proposed amendments to the Code and Guidelines were provided, including potential boundary changes. The goal is to rezone these properties back to a Historic Zoning District, and attempt to retain the uses and development standards similar to what was in Bridge Street District, but remove building type tables that promoted a high-density feel and return the historic districts to traditional zoning code standards, which are more user friendly. The drafts for both documents and the Historic District boundaries are the same as were provided to the ARB, which that Board reviewed in June and July. A public review meeting was held in August and four "office hour" opportunities in the District on Wednesdays during the month of August. Following's PZC's review today, all feedback received will be incorporated into revised drafts for the ARB and PZC's formal reviews and recommendation to City Council.

### **Boundary Map**

Ms. Rauch described the current boundary and zoning for the Historic District. Staff is in discussions with Dublin Schools to determine if the boundary that bisects the school site should be extended further to the west or further to the east and place the 1919 Building and the Indian Run Cemetery in Appendix G and under ARB's purview. The overall intent is to keep the boundaries close to the same. The eastern boundary was moved from the east side to the west side of the river, retaining the bridge within the boundary. Council also has directed that the library, the parking garage, the Bridge Park West Z1 and Z2 buildings, and the plaza be removed from the Historic District. The proposed boundary map shows all proposed changes except any related to the school site, while those discussions continue. With the amendments, it will be essential to rezone these properties to a Historic District zoning classification. The area that is currently Bridge Street Historic Core will become Historic District Core, Historic District South and Historic Residential. The properties that Council wanted to be removed from the Historic District would be zoned Scioto River Neighborhood, which is consistent with what is across the street. The Code amendment will establish the zoning changes.

### **Historic Dublin – ARB Code Amendments, 19-007ADMN**

Mr. Dale stated that he would highlight the recommended changes in each section. To clarify, the Commission will be reviewing proposed amendments to the Historic District Code, which are part of the overall zoning regulations. The amendments will be adopted by ordinance. The Commission will also review the proposed Historic District Design Guidelines, which reside outside of the Code at the policy level, but are linked to the Code. The Design Guidelines provide guidance on how to

apply the Code. An 85-page draft of the proposed Code amendments has been provided to the Commission for their review, approximately half of which are site development standards that were carried over from the previous districts. Those pages received very little comment from the ARB or the public. [Review per section ensued.]

**§153.170 Historic Districts Applicability.**

**§153.171 Historic Zoning Districts Purpose and Intent.**

No additional changes were recommended in the above two sections.

**§153.172 – Uses.**

Mr. Dale noted that the Use Table 153.172A, on pp. 4-5, was also pulled forward from the previous version.

- Hotels – p. 5

ARB recommended that hotels be removed as a Permitted Use in the Historic South District. Hotels in the Historic Core would remain; however, use-specific standards will be added.

- Schools – p.4

ARB also requested that Elementary and Middle Schools be removed as Permitted Uses in the Historic Core, Historic South and Historic Residential Districts, and permitted in the Historic Public District only (subject to School boundary determination).

Ms. Call requested definition of a Hotel. Does it also include the Airbnb use?

Mr. Dale responded that the City has been looking at short-term rentals as a zoning question. His assumption is that Hotels would not be defined to include that use; it will be a separate category.

Ms. Call stated that most of her concern revolves around the use type and ancillary implications, such as parking structures and hours. If it is being handled as a separate item, she has no further questions on that matter.

Mr. Dale responded that this is an item that use specific standards could address.

Ms. Newell requested clarification as to where hotels would be permitted.

Mr. Dale responded that it would only be in the Historic Core.

Ms. Newell stated that she does not believe a hotel in the Historic Core is appropriate.

Ms. Rauch stated that concern was also raised in a public meeting. It could be removed from that district, as well.

Ms. Newell stated that a hotel is out of scale with the character of the Historic District. A hotel would dwarf most of the structures in the Historic Core or anywhere in the Historic District.

Ms. Call inquired if the Code provides the Commission the ability to limit hotel structure types. She can envision a quaint, two-story bed and breakfast with an architectural historic character in the Historic District, but if a hotel could be more than that, it would not be appropriate. If the definition required a hotel to be fitting for the Historic District, she would have no objection to it there.

Mr. Dale stated that it would be within the realm of the Commission's perspective to do so. Some of the issue could be addressed by setback, building height and building scale compliance. However, if the Commission is not satisfied that type of safety net is sufficiently tight to catch

potential issues, a definition of a hotel with the type of character fitting to the District could be created. For instance, the use could be called an inn or a bed and breakfast establishment. It would be a separate category with a separate definition that would prohibit a structure of the scale of a national chain product.

Ms. Newell stated that bed and breakfast is listed, which is the type of business that can be run in a residential home. While the first floor of a home would be eight to nine feet in height, the scale of a typical hotel is a concern. A commercial building, such as a hotel, would have a taller plate height – 12-14 feet up to the second floor level. That expands the scale of the structure and results in a height that is double that of a typical 2.0 or 1.5-story building in the Historic District.

Mr. Supelak stated that if a bed and breakfast or a boutique hotel was done in a way to fit the District, it could be good. The ancillaries that go with it – porte cochere, parking spaces, etc., impact the District, as well.

Ms. Newell stated that she likes the description as “boutique.” There are cases of historic structures, such as an old jail, that have been turned into exclusive places to stay while also preserving a very historic facility. She would prefer not to preclude that type of creativity.

Mr. Dale stated that they could draft a provision that would permit a boutique-type hotel and include definition, height, setback and scale requirements.

Ms. Call inquired if that would be handled within the zoning, or could there be separate design standards relative to that zoning to address it.

Mr. Dale responded that it could be listed as a Permitted Use, and then the Design Guidelines would apply. With those, the ARB will be able to consider scale, massing, relationship with surrounding buildings, materials and compatibility issues.

Ms. Call inquired if the Design Guidelines would apply based upon the zoning. Is it possible to be specific regarding in which historic districts the hotel design guidelines would apply?

Mr. Dale responded that would be addressed in a use specific standards category. It would be possible to define the circumstances under which a boutique hotel would be acceptable in certain districts and not in other districts.

Mr. Fishman stated that he has been in boutique hotels that are four stories high. Nothing that resembles a hotel would be appropriate in the Historic District. The composition of the ARB will be different in the future, so this definition would need to be very specific.

Mr. Supelak stated that Commissioners are very concerned about possible issues with this use, but he is willing to withhold judgment until he has seen the consultant’s draft of this standard.

Ms. Call stated that it would be necessary to have use-specific standards.

Mr. Dale responded that if the Commission continues to see some risk after reviewing the standard, they could make the decision not to include it. There is also the option of making it a Conditional Use, which would subject it to an additional level of review.

### **§153.172 – Site Development Standards**

- (A) Intent
- (B) Applicability
- (C) General Development Standards

Table 153.173A provides regulations for land and structures within the historic zoning districts. Generally speaking, all of the measurements in this table already are in place and have been incorporated into the amendment.

Three points of concern:

1. Maximum building height – 35 feet in Historic Residential District. While that is a standard residential building height standard, there is concern that it is not appropriate in this particular district. The consensus seems to be that is too tall compared to what currently exists. 29-30 feet may be more compatible with existing buildings.
2. Maximum lot coverage – An impervious surface (buildings, driveways, etc.) of 65% in the Historic South District and 50% in the Historic Residential District. There is concern that percentage is too high in those districts. The direction they have been hearing is to reduce both the height and the maximum lot coverage.

Ms. Call stated that there is a minimum lot size of 8,700 feet in the Historic District. What is the standard for the rest of the City?

Ms. Rauch stated that it depends on the zoning.

Mr. Dale inquired if 8,700 feet would be on the low end.

Ms. Call stated that there are no huge yards in historic districts. The 50% maximum lot coverage allows for a livable structure on a smaller lot.

Ms. Rauch noted that the City has many lots that are very narrow but long. There are concerns about new development in the Historic District. Fitting long houses with large footprints on these lots is out of character in the District. Although it is important to have zoning that allows people to redevelop or make appropriate additions, there is a need to ensure that it is appropriate within the district.

Mr. Dale clarified the relationship between the zoning standards and the Design Guidelines. When a proposal does not meet zoning standards, a waiver can be requested. Design Guidelines address respect for context and compatibility. If in applying the Guidelines, ARB believes certain modifications should be made, they will be able to condition their approval on that modification being made.

3. Side Yard and Rear Yard Setbacks – Residents expressed concerns. What happens to the rear of their homes is a very important part of the character of that neighborhood, although the public may not see rear yards from the public right-of-way. They are continuing to work on those numbers.

Mr. Wilson inquired if the maximum lot coverage numbers in the Historic South District are near the coverage that exists today.

Ms. Rauch responded that staff currently is conducting an audit of the numbers.

Mr. Fishman stated that in the Historic Residential District the lot coverage is 50%; however, with some of those new houses, there is actually 90% lot coverage. He observed an addition being made to a garage that impacts the neighbor's ability to use that portion of his yard.

Ms. Rauch stated that most of those large homes do meet lot coverage requirements without need for a waiver. The lots are small. If the Commission is not satisfied with the standards, they can revisit them.

Mr. Fishman inquired how the requirement for 50% lot coverage would be controlled.

Mr. Dale stated that they need to calibrate the numbers as closely as possible to an overall prevailing condition in the area. From block to block, they will vary. The approach is to allow the ARB the flexibility to grant waivers where the amount is exceeded or to make it more restrictive based upon surrounding context. This provides a standard for District-wide conditions.

Mr. Fishman stated that suggestion would appear to exasperate the problem. He would prefer to make restrictions differently. It would seem if lots are close in proximity, the next applicant within that area should be permitted only 50% coverage. Otherwise, the greenspace will disappear in the District.

Mr. Dale stated that greenspace is one of the factors that the ARB would be asked to consider. Ultimately, there need to be guidelines. ARB exists to exercise discretion, to look at the conditions and make certain choices.

Ms. Call stated that he has mentioned two options, either more restrictive, not permitting waivers or to grant waivers. Is there opportunity for a hybrid, whereby a waiver could be granted up to a certain percent? For example, if they meet certain standards, ARB has the ability to flex from 50% -- perhaps even 40%, maximum lot coverage up to 60%, given those standards.

Mr. Dale responded that it could be written in that manner. It could be specific to lot coverage, lot width, or by creating a limitation on the increment up to which the Board could grant waivers.

Ms. Call responded that she would prefer the requirements be more restricted and grant them more flexibility up to a certain number with which we all have a comfort level.

Ms. Newell stated that she likes the waiver process. There was a time when residents in the Historic District were required to come before the BZA due to simple issues, such as the fact that their homes were a couple of feet off the property line, and that was preventing them from being able to add simple decks, etc. She likes having the waiver process in the hands of the ARB, as opposed to requiring residents to go to multiple boards.

Mr. Dale stated that the waiver could be limited to a certain ceiling, and granting of the waiver could be tied to context-based decisions.

Mr. Fishman stated that on page one, number 3 under Historic Zoning Districts Purpose and Intent, item B-3 states that the Historical Residential 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. On page 3, item 5-3 under "Similar Use Determination" requires that the use will not materially impair the present or potential use of other properties within the same district or bordering districts. Certainly, we would not be abiding by the latter provision.

Mr. Dale stated that the Similar Use Determination is different. It is intended to allow for the possibility of uses that did not previously exist, i.e. record stores versus CD stores. In regard to mass and scale, the core standard for the Design Guidelines is that things need to be similar in size, scale and massing. If waivers are limited to a certain percentage, and it is clear that they need to be context sensitive, the Guidelines should achieve the desired result.

Ms. Newell stated that in the Historic District, each property has an individual character with buildings reflective of different architectural periods. It is important to have the flexibility to judge each property individually within context with surrounding properties. A waiver gives the ARB ability to do so. The Code for the District must not be so rigid that it prevents that opportunity.

Mr. Dale stated that there are Waiver Standards and Criteria in the draft document. He is hearing that the Commission wants some limited flexibility.

Ms. Call stated that there might be new architectural ideas that violate Code. If the Code is so strict that it does not allow for those type of variances, there is no other mechanism by which to consider such opportunities.

Mr. Fishman inquired if it is possible to add a condition for how the proposal would affect the surrounding properties.

Mr. Dale responded affirmatively. He noted that in the remainder of the section up to page 50, General Standards are addressed, such as landscaping, lighting and parking. Those regulations already exist and were carried forward into this draft. Neither the public nor ARB offered comments on those items.

Ms. Call stated that new parking garages recently were added in the area immediately adjacent to these Districts. Since their addition, have there been any suggestions from ARB or the public to revisit the topic of parking?

Mr. Dale responded that there has been no such suggestion. However, communities should continue to monitor their parking situation. Due to shared and autonomous vehicles, etc., parking needs will be changing substantially in the next few years.

Mr. Supelak inquired if she is concerned that these are relaxed or reduced standards.

Ms. Call responded that the minimum parking requirement for a historic residential property was two spaces per home. Now, many of the homes are larger. As the occupant profile per home changes, the parking profile per home changes, as well.

Ms. Rauch responded that this is the parking standard for Bridge Street; it is not specific to historic structures. It is in line with the rest of the community.

Mr. Wilson stated that this is the Historic District. Do we want to preserve it to continue to be historic? When waivers are issued, modernization occurs. The historic character may be lost. Most of us have visited cities in Europe where buildings have existed 200 – 300 years. Those cities have strict rules prohibiting changes to their historic buildings. Although interior changes are permitted, nothing on the façade or the foundation can be changed. They also want to preserve the existing greenspace. Dublin has other areas that can accommodate modern and larger homes. The Historic District is a very important portion of this city. Do we want to keep it the same for many years, or do we want to permit it to transform over time and lose the specific attractiveness that it has had?

Mr. Dale responded that, based on the feedback received during the committee, public and ARB review process, this is a historic preservation effort. However, it will also accommodate property owners making exterior changes to their buildings subject to tight standards that will require preservation of the historic character of the buildings. There may be instances where new structures are desired, as well. Based on their understanding of the values of this community, there is no intent that the district will be transitioning out of its historic character.

### **§ 153.174 Design Standards**

Mr. Dale stated that the intent was to have consistency between the Code standards and the Design Guidelines. The Code standards are the "shalls"; the Design Guidelines are the "shoulds." ARB requested that any "shalls" be removed from the Guidelines. Essentially, numbers and other details in this section have been cleaned up. For instance, ARB requested clarification that shutters must be operable.

Ms. Call inquired if there is a list of the "shall" items that were removed from the Guidelines.

Mr. Dale responded that there were only two:

1. On page 53, Entrance Design – pedestrian entrances on all buildings shall be pedestrian scale.
2. Balconies, Stoops and Canopies. These items should be more character-driven than have specific numbers.

Ms. Rauch stated that, currently, making any change to the color of a building in the Historic District requires ARB review. ARB has suggested compiling a color palette that the Board will approve, which would enable administrative reviews of color by staff.

Mr. Fishman noted that some communities have had those in place, such as Muirfield. Over time, colors evolve and color palettes may need to change.

Mr. Dale responded that, periodically, ARB could modify that color palette, if desired.

Ms. Newell stated that the stakeholders committee discussed this topic at length. While on a Victorian home, five colors could be appropriate, on a vernacular building, perhaps only one color would be appropriate. It is difficult to incorporate that into guidelines.

Ms. Rauch stated that the existing Guidelines do address the need for consistency with the appropriate time frame.

Mr. Supelak inquired if, potentially, the approved color palettes could be incorporated into the Design Guidelines.

Ms. Rauch responded that there is opportunity to include it or provide as a separate document.

Mr. Dale stated that although staff would administer the color palette, an application could be referred to ARB, if the request warranted their review.

### **J. Demolition**

Mr. Dale stated that the Code revision provides a set of criteria for contributing versus non-contributing buildings. The City has conducted an extensive survey of the District. They are attempting to reduce that to a simple inventory list of contributing versus non-contributing buildings. Contributing buildings must provide proof of economic hardship for their demolition request. If the building is non-contributing, the standards are less rigid.

Ms. Newell inquired about the ability to address properties where the owner has intentionally permitted their historic property to decline, because they have other plans for that property.

Mr. Dale responded that the term for that practice is demolition by neglect. The Zoning Code is not a maintenance document. Many communities have tried to supplement their zoning regulations with maintenance requirements. Some communities have required owners to license any empty buildings and maintain them. Additional guidelines or standards would be included to attempt to minimize that possibility; however, it is difficult to enforce.

Mr. Supelak stated that under Review Criteria, item 4-d refers to, "Any evidence of self-created hardship through deliberate neglect or inadequate maintenance of the property."

Mr. Dale stated that is the pertinent section. It may be difficult to use as the basis for denial, if it is the only reason.

Ms. Rauch stated that this issue also is being reviewed from a City-wide perspective. That effort will dovetail with this.

Mr. Fishman stated that there are incidences where an aging homeowner passes. That individual's home, which has declined from lack of maintenance, is purchased, and the new owner wants to tear it down with the argument that the deterioration was not due to their neglect.

Mr. Dale stated that is sometimes a legitimate argument. This has been the Achilles Heel of preservation efforts. Aging historic buildings are expensive to maintain. The best direction is to supplement City standards with strong maintenance requirements.

Ms. Newell stated that she likes the suggestion to provide notification when a building is vacated. Empty buildings need to have a minimum temperature inside, or mold and other issues will develop. Even a new building will deteriorate in such conditions.

Mr. Fishman stated that the City of Columbus has a process to address empty buildings following a fire. Thirty days after a fire event, an inspector checks the building to see if any re-construction of the damaged building has begun or if said construction has proceeded without a license. In either case, the building owner is cited. He would assume there could be a similar inspection process for maintenance, not fire inspections.

Mr. Dale stated that this would be an appropriate policy issue for the Commission to raise. There are other policy areas related to enforcement and maintenance that are important for a holistic approach.

### **Public Comment**

Denise Franz King, 170 S. Riverview Street, Dublin stated that she appreciates the Commission's emphasis on preserving the character of the open space in the Historic District. The residents appreciate that the Commission has listened to their concerns. Their primary concern is with the new, long homes being placed on the small lots in the district. There is a structure on S. Riverview that is so close to the house next door that she would have assumed the Fire Department would have considered that proximity unacceptable. She appreciates the authority being given to ARB to take context with the neighborhood into account, so that a 35-ft. house is not permitted on the south end of the street where the diminutive ranch homes are located. The scale, lot coverage and height are very important. They would request that no additional over-sized buildings be

added to their neighborhood, cutting off the sunlight and air to the adjacent properties. She invited Commission members to join her on a walk through the neighborhood.

### **Historic Dublin Design Guidelines, 18-037ADMN**

Mr. Dale stated that one of the main objectives of this revision was to take the City's existing Guidelines and turn them into a more user-friendly document. Currently, substantial language in the Guidelines is essentially background information, and within that information, there may be only two guidelines. In addition, the operative words are not consistent. They have attempted to clean up that language for clarification purposes. They also cleaned up some internal inconsistencies, eliminated duplications, etc. They did not attempt to change the Guidelines. They are sufficiently strong, but will now be more effective. The document has seven chapters. The first three chapters consist of the Introduction, History and Intent, and Context and Character. The actual Guidelines are in chapters four through seven and provide guidelines for Rehabilitation, New Construction, Site Considerations and Signs.

#### **3.2 Using the Guidelines**

This item states that, "the underlying premise of the Guidelines is preservation and rehabilitation." It is not to transition away from Historic. There has been some discussion about the relationship of these Guidelines to the Secretary of the Interior's Standards for the Treatment of Historic Properties. That document provides 8-9 standards for the treatment of historic properties. Although the standards are broad, guiding principles, that Office has published guidance that is more specific to each.

Ms. Newell noted that there are actually a total of 10 standards.

Mr. Dale stated that they are quite familiar with those standards and believe these Guidelines are consistent with those. As a local government, Dublin has the opportunity to customize its Guidelines, although they are based on the national standards. Beginning with the Overview section on page 37, additional guidance was provided in regard to the discretionary nature of the Architectural Review Board's (ARB) decisions. The operative words used in these Guidelines are "should," "should not" and "avoid".

#### **4.1 General**

In item 1.C, alternative materials are addressed. This item states that, "If it is not practical to retain the original materials or features due to the condition, availability, safety or energy efficiency of original materials, then quality contemporary substitute materials, when approved by the Board, should replicate the material being replaced. Those materials may be selected from a pre-approved list of alternative materials if it is demonstrated that they have the same characteristics of pre-approved materials." New and often better materials continue to be developed.

##### **4.11 Building Additions**

Items C and D address additions to an original building. The ARB requested that both items be converted to Code standards, where they would have more force.

## **New Construction**

With this item, effort was extended to obtain the consensus of the community. At an earlier public meeting, residents were asked, using visual examples, to indicate their preference for new construction in the Historic District, i.e. historical replications, modern, but in scale with the area, or historically representative – similar to. The majority opinion centered between historical replication and historically representative. Residents indicated that there were other places in the City appropriate for bold architectural construction; Historical Dublin was not the place. The intent of historical representation is to be very respectful of the historical fabric, similar to, yet discernable as a new construction.

In summary, the revised Design Guidelines are a cleaned-up checklist of what previously existed, which should be more user-friendly for staff and the public.

## **Commission Discussion**

Ms. Call stated that she believes Signs are difficult to get right, and he has done a remarkable job on this section of the Guidelines. She appreciates the emphasis placed on respect for the historical community.

Mr. Dale thanked her for the comment.

Ms. Newell stated that she has a great love for historical properties. She is curious as to the reason he would not want to incorporate a reference to the Secretary of Interior's Guidelines for Historic Preservation. They are very good standards.

Mr. Dale responded that these standards are consistent with the national guidelines, but they are based upon those previously written specifically for Dublin. Although the Secretary of the Interior's guidelines are broad, they do provide other documents with more details, which offer models for community use. Those documents are much more detailed than what is proposed tonight. What they learned from all the input received is the general opinion that, for the most part, the current process works. It is not broken but simply needs to be improved. To discard what the City has and begin over with the Secretary of the Interior's standards was not necessary.

Ms. Newell stated that she was not suggesting the current standards be discarded, but there are helpful details in the Secretary of the Interior's Guidelines – masonry, for example. Historic structures have historic masonry and mortar, which are very high in lime content. Historic bricks were fired at different temperatures than bricks are fired today. If contemporary mortar is used on historic and aged brick, it deteriorates the brick. The mortar will not expand and contract in the same way the original mortar did. In addition, it is possible to over tuck-point a building. There are styles of grout lines consistent with historic structures. There were grapevine-type mortar joints, and mortar joints were intentionally recessed from the face of the brick, which contribute to the character of the building. The inclination is to "butter" those joints, thinking they are inadequate, when in fact, there may be nothing wrong with masonry. This is one of the details provided by the Secretary of the Interior's Guidelines that are not reflected in these proposed documents.

Mr. Dale responded that in any community, the level of review followed is a matter of local culture and acceptance. Some communities would consider the details to which she referred too onerous to follow. They attempted to listen to the community's input, and residents expressed satisfaction

with the level of detail in the current review system. That is a policy question, however, for the Commission to determine.

Mr. Supelak stated that those details would appear to reflect technical expertise in the review. Ms. Newell responded that it relates somewhat to the maintenance of the structures. The purpose of the Secretary of Interior's Guidelines was to provide ways to protect historic property. When federal funds are involved, the federal government can control what occurs on projects that are deemed historic properties. Some neighborhoods can fall into that classification and become protected properties. Their intent was to prevent projects that would destroy the original historic character of buildings. It does not prevent renovation of the building or accommodating new uses for the building. The goal was to preserve, not restore, to recognize and preserve the significant architectural characters that distinguish the buildings as historic. For instance, masonry sealants should never be applied to historic masonry buildings. It will seal the moisture in and the brick will deteriorate. Often, it is not appropriate to use contemporary materials on historic material, as it can be devastating to the original material.

Mr. Supelak stated that reflects a need for a technical knowledge base, which has its place. It may be a different document, separate from the Design Guidelines, but made available for the ARB's review considerations. However, including it in the Guidelines would make that information available to the public. The typical bricklayer would not be aware of such information.

Mr. Fishman stated that, previously, the German Village ARB standards provided this level of specificity, i.e. the type of mortar to use, not sealing or painting the brick. Could the ARB have a set of those standards to consider when renovations are proposed? Those types of specifics are important. He has seen brick crumble because it had been sealed, painted or mortared incorrectly. Mr. Dale stated that these are maintenance standards for historic buildings.

Ms. Newell stated that some of those actions could destroy the historic character of a building. If the Board cannot recognize those features in a building and know how to protect them, then those structures will be placed at risk.

Mr. Dale responded that it would require the ARB and staff to administer and enforce those standards, if they were made part of the approval process. Some communities provide a historic properties maintenance guide.

Ms. Newell stated that could be appropriate, if staff would incorporate it in their review.

Mr. Fishman stated that while it is appropriate to provide it as maintenance information, applicants for new projects should be told that it is essential for their approval. If not, a few years hence, the brick will have deteriorated and be falling off.

Ms. Rauch stated that the Guidelines originally provided maintenance standards; however, those were removed from the proposed document, as there are other guidance and reference resources available. The City can provide those resources online for users and homeowners.

Ms. Newell stated that some communities will incorporate examples into their Guidelines.

Mr. Fishman suggested that staff look at German Village's Guidelines. They have done a good job in addressing the preservation of their historical brick buildings.

Mr. Dale responded that German Village's Guidelines are very similar to what has been proposed. Years ago, the City of Cincinnati published "The Old House Handbook," which provides the type of guidance to which Mr. Fishman is referring. Perhaps that reference could be provided as a companion to the Design Guidelines.

Mr. Fishman responded that the City might not be able to control the maintenance, or how a homeowner tuck-points his home. However, when applications for new projects are submitted, the Board could require it for approval of those projects.

Ms. Call stated that the Zoning and Design Guidelines should have those specific areas covered, but guidance for the maintenance of historical buildings is lacking.

Mr. Fishman responded that an application for restoration of a building is the opportunity to require that the brick material on the building exterior be handled in a particular way. Guidelines can be provided to the applicant on the type of mortar necessary, avoidance of sealant, etc.

Ms. Rauch responded that level of guidance previously existed in the Guidelines but was removed. Ms. Newell suggested that people view the masonry on the 1919 Building, which has been very poorly tuck-pointed over the years. It is possible to remove that tuck-pointing, and the building could be restored to what it should be. Looking at the rear of that building, in particular, will provide adequate proof of the importance of providing this type of guidance.

Mr. Dale stated that he would try to summarize and add that information in the Rehabilitation section. He would add a section that would essentially require the applicant or allow the ARB to review the technical nature of the rehabilitation. The applicant can be required to demonstrate that they will be using acceptable historically sensitive rehabilitation techniques. Although this discussion is focusing on masonry, the same situation can be present with a wood, shingles or foundation block. The applicant can be provided information on available guidance resources.

Mr. Supelak inquired if there would be value in adding that reference in the Guidelines or in the Building Permit process, so that there is technical expertise available to the user.

Mr. Fishman stated that ARB would need to be aware of the standards to require adherence to them.

Mr. Dale responded that it would begin at the staff level.

Mr. Wilson stated that this item could be referred to as appropriate construction methods. He participated in the Bridge Street District Code amendment. This is following a similar process. He is happy that both the Historic District Code and the Design Guidelines will be in accord.

Mr. Dale responded that "Appropriate Construction Methods" would be a good title for the additional section.

Ms. Newell expressed appreciation on behalf of the Commission for Mr. Dale and staff's work on the revisions.

Mr. Dale responded that the ARB has provided valuable input in their two previous reviews, and the Commission's guidance will further improve the amendments to these documents.

### **Next Steps**

Ms. Rauch stated that the Site Development Standards would be provided to the ARB for their review. Following that discussion, all of the input will be incorporated into final amended documents. Those documents will be reviewed by ARB, and they will make a recommendation for approval to the Commission. At that point, the Commission will conduct a final review and make a recommendation for approval to City Council. The goal is to complete this by year end.

Ms. Newell requested that staff provide an opportunity for absent Commissioners, Ms. Fox and Ms. Kennedy, to offer comments. When developing a new Code for the City, it is important to have all Commissioners' input.

Ms. Rauch stated that she met with Ms. Fox last week. She provided some questions that were touched upon in this discussion, but they may need clarification. Staff could offer opportunity to Ms. Fox and Ms. Kennedy for additional comments.

### **ADJOURNMENT**

The meeting was adjourned at 8:16 p.m.

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Chair, Planning and Zoning Commission

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Deputy Clerk of Council



## BOARD ORDER

# Architectural Review Board

Wednesday, July 24, 2019 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**5. Historic Dublin – ARB Code Amendments  
19-007ADMN**

**Administrative Code**

**Proposal:** Introduction of amendments to Zoning Code Sections 153.170 through 153.180, and Appendices F and G that include the creation of Historic Zoning Districts, associated requirements, and revisions to the procedures of the Architectural Review Board.

**Request:** Review and recommendation regarding proposed Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.

**Applicant:** Dana L. McDaniel, City Manager, City of Dublin

**Planning Contacts:** Jennifer M. Rauch, AICP, Interim Planning Director and Nichole M. Martin, AICP, Planner II

**Contact Information:** 614.410.4690, jrauch@dublin.oh.us; and 614.410.4635, nmartin@dublin.oh.us

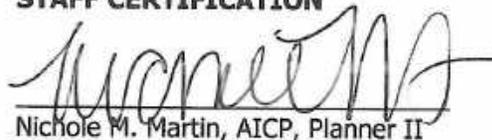
**Case Information:** www.dublinohiousa.gov/arb/19-007

**RESULT:** Following the Special Meeting of the ARB on July 10, 2019, the Board reviewed and provided comments on the proposed ARB Code Amendments and the *Historic Dublin Design Guidelines*. Staff facilitated discussion on items identified as part of the Special Meeting that require additional input. The Board supported not modifying the Historic South Development Standards established in 2017. Although, the Board agreed that 'hotel' should be eliminated as a permitted use in the Historic South District. The Board's discussion focused on the Historic Residential development standards. Members indicated a desire to limit the length of homes through setbacks and maximum lot coverage.

**MEMBERS PRESENT:**

Shannon Stenberg	Yes
Gary Alexander	Yes
Andrew Keeler	Yes
Kathleen Bryan	Yes
Robert Bailey	Yes

**STAFF CERTIFICATION**



Nichole M. Martin, AICP, Planner II





## BOARD ORDER

# Architectural Review Board

Wednesday, July 24, 2019 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**6. Historic Dublin Design Guidelines  
18-037ADMN**

**Administrative Code**

Proposal: Introduction of modifications to the *Historic Dublin Design Guidelines* that apply to Historic Dublin properties and properties identified on Appendix G.

Request: Review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Section 153.172.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contacts: Jennifer M. Rauch, AICP, Interim Planning Director and Nichole M. Martin, AICP, Planner II

Contact Information: 614.410.4690, jrauch@dublin.oh.us; and 614.410.4635, nmartin@dublin.oh.us

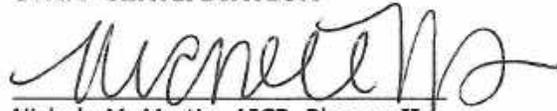
Case Information: [www.dublinohiousa.gov/arb/18-037](http://www.dublinohiousa.gov/arb/18-037)

**RESULT:** Following the Special Meeting of the ARB on July 10, 2019, the Board reviewed and provided comments on the proposed ARB Code Amendments and the *Historic Dublin Design Guidelines*. Staff facilitated discussion on items identified as part of the Special Meeting that require additional input. The Board supported not modifying the Historic South Development Standards established in 2017. Although, the Board agreed that 'hotel' should be eliminated as a permitted use in the Historic South District. The Board's discussion focused on the Historic Residential development standards. Members indicated a desire to limit the length of homes through setbacks and maximum lot coverage.

**MEMBERS PRESENT:**

Shannon Stenberg	Yes
Gary Alexander	Yes
Andrew Keeler	Yes
Kathleen Bryan	Yes
Robert Bailey	Yes

**STAFF CERTIFICATION**



Nichole M. Martin, AICP, Planner II



Ms. Martin responded affirmatively. An Administrative Appeal could be made to the Board of Zoning Appeals. She does not foresee that being necessary. The City's Engineering Department will work with the property owner.

Mr. Bailey moved, Ms. Bryan seconded approval of the Architectural Review Board application with one condition:

- 1) That the design be revised to use an asphalt/gravel hybrid to be reviewed by Engineering at the Building Permit stage.

Vote: Mr. Alexander, yes; Ms. Stenberg, yes; Ms. Bryan, yes; Mr. Bailey, yes.  
(Approved 4-0 with one abstention)

Mr. Keeler returned to the meeting.

Ms. Stenberg stated that the following two agenda cases would be discussed together.

**5. Historic Dublin – ARB Code Amendments, 19-007ADMN, Administrative Code**

Ms. Stenberg stated that this is an introduction of amendments to Zoning Code Sections 153.170 through 153.180, and Appendices F and G that include the creation of Historic Zoning Districts, associated requirements, and revisions to the procedures of the Architectural Review Board.

**6. Historic Design Guidelines, 18-037ADMN, Administrative Code**

Ms. Stenberg stated that this is an introduction of modifications to the *Historic Dublin Design Guidelines* that apply to Historic Dublin properties and properties identified on Appendix G.

Ms. Martin stated that at a July 10 Special Meeting, ARB reviewed the proposed amendments to the ARB Code and Historic Design Guidelines. That discussion continues tonight. Throughout August, staff will be engaging the residents, commercial property owners and business owners in the District. Postcards will be mailed to residents in the District inviting them to sign up to provide a 30-minute public input on the proposed amendments. Every Wednesday, either she or Ms. Rauch will hold office hours at the Dublin Chamber of Commerce to meet with the residents. The Board's recommendations will be incorporated into the proposed amendments, and on August 15, 6:00-8:00 p.m., there will be a public open house at the Dublin Community Church for discussion of this topic.

Ms. Bryan inquired if the Board would receive a copy of that update to review.

Ms. Martin responded affirmatively. The next steps are Board and Commission reviews. After ARB completes its reviews, PZC will also review the documents and make a recommendation to City Council.

Greg Dale, Consultant, McBride Dale Clarion led the continuing review of the proposed amendments. The previous review on July 10 identified some needs for editorial corrections, which staff has made. It also identified needed refinements to some metrics within the Code development standards. Those include the height requirements in the Historic Residential District; the 50% minimum lot coverage; and varied setbacks (reflected in Table 153.17) in different locations. The team is working on proposed amendments to those requirements. Members of the public expressed concerns at the previous meeting regarding the Historic South District. It is his understanding that within the last couple of years, the City completed an extensive process to

engage the public and calibrate the standards for the Historic South area. Although that area can be revisited, it is their view the focus should be on the Historic Residential District. He requested the Board's preference on re-studying the Historic South District.

Ms. Stenberg responded that an extensive review of the Historic South District occurred in 2017, involving public meetings. There are records of those meeting discussions, which reflect the positions considered and how the decisions were made that reflected the best options. The Vine and Tap building mentioned at the June 10 Special Meeting was a topic of the Historic South District discussion in 2017. She is satisfied with the decisions made at that time.

Mr. Alexander inquired if in the Historic South District, a differentiation in lot coverage is made for commercial uses versus residential uses.

Ms. Martin responded that, currently, in the Historic South District, there is no differentiation in lot coverage standards for commercial versus residential uses. Most of the properties in that district are commercial properties adjacent to South High Street.

Ms. Bryan stated that issue was discussed because there will be several potential new builds in that District. She would like to see a distinction between lot coverage for commercial and residential properties.

Mr. Dale inquired if she is referring to the Historic South District in particular. Ms. Bryan responded affirmatively.

Ms. Bryan stated another concern is that in Table 153.17-2a, page 5, it is stated that hotels are permitted. If hotels are permitted, there need to be standards; currently, there are none.

Ms. Martin inquired if the Board would prefer that permission for hotels in the Historic South District be eliminated, but the bed and breakfast option be retained.

Board members concurred with the suggestion.

Mr. Dale offered a proposal related to the relationship between the Code and the Guidelines. At the previous meeting, language was suggested that where there was a conflict between the two, that the Zoning Standards would control. He would suggest language be added in the Code that would provide ARB the ability to place conditions on approvals that might deviate from the zoning standards. The ARB already has a mechanism for exceeding the Code, which is a waiver. Likewise, ARB should have the ability through conditions to reduce or trim the approval to make it comply with Guidelines. That would provide ARB the flexibility to make the Guidelines and the Code conform.

Board members expressed agreement with that suggestion.

Mr. Dale stated that they are working on recommendations that will be responsive to the other concerns raised at the July 10 meeting.

Mr. Alexander stated that there were public comments about renovations of homes in the Historic Residential District evolving into long homes. Will a recommended solution be offered that would limit the lengths of the structures?

Mr. Dale inquired if the concern is with length or with the width, as well.

Ms. Alexander stated that there are some homes that now extend a great length from the front property line to the rear of the lot.

Ms. Martin stated that in other residential zoning districts in the City, there is the option of addressing the issue through the maximum lot coverage percentage and the maximum structure percentage.

Mr. Dale responded that there are other options for addressing it, as well, such as the Guideline that additions not dominate the original building. However, there is also the accumulative effect of additions, either the width or the depth.

Ms. Bryan stated that there is also a concern that on some lots, demolished structures have been replaced with new, long homes. She noted that the residents on S. Riverview Street are conducting a house-by-house assessment, documenting the lot coverages and heights so that the City can have a profile of the homes in the neighborhood. Context is critical, in view of the new building requests that will be submitted.

Mr. Dale agreed that it is largely about context, so documenting that information is valuable.

### **Public Comment**

Steve Rudy, 129 S. Riverview Street, Dublin, OH stated that he has begun to conduct a survey of the homes on S. Riverview Street, and has provided a preliminary draft to Ms. Rauch. The information indicates definite build lanes, which is common in subdivisions. He lives in a backyard neighborhood. He would be willing to let the Board view that vista from his backyard. He is hopeful that the revised Code language will preserve the existing backyard vista. He has seen recommendations about preserving characteristics, but those characteristics have not been defined. He believes a section in the Code should provide for consideration of shared open space and directly inquire what a proposed development would do to the surrounding properties. Unquestionably, a couple of the recent projects have had a negative impact on the neighboring properties. A number of \$1 million homes in the District have been negatively impacted by recent approvals that have not reigned in the development footprint. New homes have been permitted to be wedged onto the small lots, overpowering the surrounding homes. When he purchased his home 25 years ago, the ARB requirements were provided in his closing documents for signature. Evidently, some people were not required to make a similar commitment when purchasing historic inventory. As a side note, he was late in understanding that Pat Grabill's architectural ideas were on the architectural arc of a small, rural German town. He was trying to build small town America. He is concerned that the recent long homes being built have lower level, rear entry garages. The backyard greenspace is being replaced with views of long, tall buildings with parked cars at the rear. He would prefer side-entry garages. When he added an addition to his home, he resisted the City's recommendation for a garage in his backyard and added a side garage, thereby preserving the shared greenspace.

Ms. Stenberg stated that she appreciates Mr. Rudy's suggestion of providing the Board access to his backyard to view that greenspace. In her visits to the District, she has had street access only. She inquired if there would be a way to provide opportunity to the residents to submit photos of their greenspace, which would make the Board aware of that greenspace character.

Ms. Martin responded that perhaps Mr. Rudy could facilitate that with his neighborhood.

Ms. Bryan stated that the ARB walking tour of the Historic District is due to be rescheduled. This might be the right time for that.

Ms. Newell stated that she is supportive of rezoning this area to a PUD. She believes the design is harmonious with Tartan Ridge if the setbacks are staggered within the site, as the applicant has indicated. This architecture character does need to be reflective of what already exists in Tartan Ridge, which is a unique development within the City. The architecture also needs to reflect that uniqueness and individuality. In regard to the size of the lots, these are comparable to other empty nester developments. Having 12 feet between the homes is greater than some of the other empty nester communities that have been approved. In regard to the loss of retail, there are some neighborhoods with a mix of retail that have not proven to be successful long-term. One of those is Indian Run Meadows; the businesses in that commercial area experience frequent turnover. While she understands Ms. Fox's support for retaining a retail use, she also understands the reason residents do not want that mix within their neighborhood. Where retail uses have existed, they have struggled and, ultimately, some have become offices rather than retail establishments.

[Ms. Newell noted that Ms. Fox expressed her apologies for departing the meeting early to attend a Special City Council meeting.]

Mr. Smith stated that they have received beneficial feedback from the Commission. They will review and consider the suggestions made and return with a responsive application that is mutually acceptable.

## **VII. ADMINISTRATIVE UPDATES**

### **1. Historic Dublin – ARB Code Amendments & Historic Dublin Design Guidelines**

Ms. Rauch stated that over a year ago, City Council directed staff to remove the historic districts from the Bridge Street District, making the historic districts stand-alone districts with their own standards. Staff has undertaken an amendment to the Code to achieve that, as well as an update to the Historic District Design Guidelines. This has resulted in some modifications to the boundaries of the Historic District. The intent is to retain the existing standards to the extent possible. ARB conducted its first review of the amendments at a Special Meeting on July 10, and staff is preparing responses to their comments. Public input sessions are being scheduled during the next couple of weeks. If desired, links to the draft documents can be shared with Commissioners. Tentatively in August, PZC will see the proposed amendments in a formal review capacity and, ultimately, make a recommendation to Council for adoption.

### **2. Bridge Street District – Code Amendment & Design Guidelines**

Ms. Rauch stated that in 2016, City Council and PZC held a joint work session to identify desired changes to the Bridge Street Code. Those identified were to the Historic South District, existing commercial signage, and an overall update to the Bridge Street Code. An extensive review process has occurred including the consultant and stakeholders within the District, and a Bridge Street Code update and accompanying guidelines have been drafted. A final document accompanied with graphics will be prepared, public input sessions will follow, and ultimately, the Commission's review and recommendation to Council.

Mr. Fishman inquired the northern boundary of the Bridge Street District.  
Ms. Rauch responded that it is I-270.



# BOARD DISCUSSION

## Architectural Review Board

Wednesday, July 10, 2019 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**1. ARB Code Amendments – Historic Dublin  
19-007ADMC**

**Administrative Review - Code**

**Proposal:** Introduction of amendments to Zoning Code Sections 153.170 through 153.180, and Appendices F and G that include the creation of Historic Zoning Districts, associated requirements, and revisions to the procedures of the Architectural Review Board.

**Request:** Review and recommendation regarding proposed Code amendments under the provisions of Zoning Code Sections 153.232 and 153.234.

**Applicant:** Dana L. McDaniel, City Manager, City of Dublin

**Planning Contact:** Jennifer M. Rauch, AICP, Interim Planning Director

**Contact Information:** 614.410.4690, jrauch@dublin.oh.us

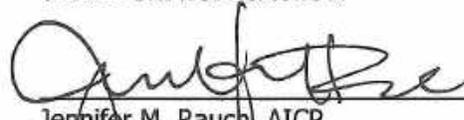
**Case Information:** www.dublinohiousa.gov/arb/19-007

**RESULT:** The Board generally supported the boundary modifications and removal of the Historic District from the Bridge Street Code. The members expressed concern about the removal of the Bridge Park West Z1 and Z2 buildings from the Historic District as it limits the ability to regulate the design of the site as it transitions into the District. The Board was supportive of the draft Code amendments, including retaining the level of detail found in the Code. The members recommended additional language to the applicability standards to ensure there is clarity in applying the *Historic Dublin Design Guidelines* in conjunction with the Code. There was significant discussion related to the Site Development Standards related to Historic Residential and the recommendation that the standards reflect the existing and desired development character in that area. Minor modifications were recommended to the Design Standards, Review Procedures and Maintenance sections.

**MEMBERS PRESENT:**

Shannon Stenberg	Yes
Gary Alexander	Yes
Andrew Keeler	Absent
Kathleen Bryan	Yes
Robert Bailey	Yes

**STAFF CERTIFICATION**



Jennifer M. Rauch, AICP  
Interim Planning Director





# BOARD DISCUSSION

## Architectural Review Board

Wednesday, July 10, 2019 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

### 2. **Historic Dublin Design Guidelines** **18-037ADMC**

### Administrative Review

Proposal: Introduction of amendments to the *Historic Dublin Design Guidelines* that govern Historic Dublin properties and properties identified on Appendix G.

Request: Review and recommendation of approval to City Council for proposed amendments to the Zoning Code under the provisions of Zoning Code Section 153.172.

Applicant: Dana L. McDaniel, City Manager, City of Dublin.

Planning Contact: Jennifer M. Rauch, AICP, Interim Planning Director

Contact Information: 614.410.4690, jrauch@dublin.oh.us

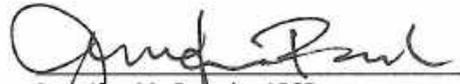
Case Information: www.dublinohiousa.gov/arb/18-037

**RESULT:** The Board was supportive of the draft *Historic Dublin Design Guidelines*. Members recommended changes to the applicability standards to ensure there is clarity in applying the Guidelines in conjunction with the Code. The Board members provided feedback and recommended changes to the subsections within the Rehabilitation and New Construction sections.

#### MEMBERS PRESENT:

Shannon Stenberg	Yes
Gary Alexander	Yes
Andrew Keeler	Absent
Kathleen Bryan	Yes
Robert Bailey	Yes

#### STAFF CERTIFICATION



Jennifer M. Rauch, AICP  
Interim Planning Director





## SPECIAL MEETING MINUTES

# Architectural Review Board

Wednesday, July 10, 2019

### CALL TO ORDER

Chair Stenberg called the meeting to order at 6:30 p.m.

### PLEDGE OF ALLEGIANCE

Ms. Stenberg led the Pledge of Allegiance.

### ROLL CALL

Board Members present: Shannon Stenberg, Gary Alexander, Kathleen Bryan, Robert Bailey  
Board Members absent: Andrew Keeler (excused)  
Staff present: Jennifer Rauch, Nichole Martin  
Consultant: Greg Dale, McBride Dale Clarion

### ACCEPTANCE OF DOCUMENTS

Mr. Alexander moved, Ms. Bryan seconded, to accept the documents into the record.

Vote on the motion: Mr. Alexander, yes; Ms. Bryan, yes; Mr. Bailey, yes; Ms. Stenberg, yes.  
(Approved 4 – 0)

Ms. Stenberg briefly explained the rules and procedures of the Architectural Review Board (ARB) and swore in any staff or member of the public who planned to address the Board during the meeting.

Ms. Rauch and Greg Dale, Consultant, McBride Dale Clarion, led the review of the draft ARB Code Amendments and Historic Guidelines.

### **1. ARB Code Amendments – Historic Dublin, 19-007ADMC, Administrative Review - Code**

The Chair indicated that this is an introduction of amendments to Zoning Code Sections 153.170 through 153.180, and Appendices F and G that include the creation of Historic Zoning Districts, associated requirements, and revisions to the procedures of the Architectural Review Board.

### **Case Presentation**

Ms. Rauch stated that this is ARB's first review of the draft ARB Code amendments and Historic Dublin Guidelines. The amendments were necessary due to Council's direction to remove the Historic District from the Bridge Street District. The intent was to lift out the requirements in the Bridge Street Code that pertained to the Historic District, retaining them as intact as possible. Historic Residential, Historic Core and Historic South district requirements remain the same. An attempt was made to maintain the character of the Districts and minimize the influences of the

Bridge Street District on the Historic Districts. The Historic District Guidelines have also been revised and streamlined to address construction and materials. The Code and the Design Guidelines should relate to one another. The Zoning Code provides the "shalls;" the Design Guidelines provides the "should." With the Code amendments, it will be essential to rezone these properties to a Historic District zoning classification. Although the same standards are maintained, the nomenclature changes, which impacts the boundaries of the districts. No formal actions will be taken at this meeting. The intent of this discussion is to obtain ARB's initial comments and recommendations. Public comment will be taken tonight. Next steps in the review process will include additional reviews with ARB and more specific public input sessions prior to formal review and approval. The Historic District Guidelines draft reflects the work of the stakeholder committee, which reviewed the Guidelines last fall. The culmination of the stakeholder committee review was a public meeting, where discussion focused on whether new construction and additions should look identical to historic, modern and contemporary, or some point between the two. The public input indicated a preference for traditional design compatible with existing historical structures.

### **Public Comment**

Denise Franz King, 170 S. Riverview St., Dublin stated that she lives in the Historic District. She thanks Council and ARB for their efforts to improve the Historic District Guidelines and for removing the Historic District south of S.R.161 from the Bridge Street District. This proposed amendment has resulted from an outpouring of public interest, and the Historic District neighborhood continues to be very interested in this topic. In terms of specific comments regarding the Guidelines, in Sections 2.6, 5.0(c) and 5.3, there should be a reference to lot coverage. People are drawn to S. Riverview, not just because of the historic buildings on the north end, but also because of the pastoral ambience of the yards on the south end. There are deeper setbacks on the south end of the street than on the north. New construction should have the same setbacks as the existing homes on the street, which will help preserve the ambience of the neighborhood.

### Boundary Changes

Ms. Rauch described the current boundary and the zoning districts that make up the Historic District. Council has directed that the library, the parking garage, the Bridge Park West Z1 and Z2 buildings and the plaza be removed from the Historic District. That area would be rezoned to the BSD-Scioto River Neighborhood District standards. Those buildings do not set a precedent that Council wants to see continued within the district. Removing them from the district helps to clarify Council's intent. The western boundary was moved from the east side to the west side of the river, retaining the bridge within the boundary. With this change, the area that is currently Bridge Street Historic Core will become Historic District Core, Historic District South and Historic Residential. City Council reviewed this proposal in May and questioned whether the boundary that bisects the school site should be extended further to the west or further to the east and place the 1919 Building and the Indian Run Cemetery in Appendix G, as they are the only historic structures in that area. City Council has requested that all City-owned properties that are historic be added to Appendix G.

Ms. Bryan stated that she has no objection to the boundary being moved from one side of the river to the other; however, there have been previous attempts to claim the islands and build on them. It is important to ensure that does not occur.

Mr. Rauch responded that the islands do not have zoning, and that is not the intent of this boundary change.

The Board expressed support for the proposed general boundary changes, removal and rezoning of the properties from the Bridge Street Zoning District to the Historic Zoning Districts. They expressed concerns regarding removal of Buildings Z1 and Z2 from the Historic District, as it limits the ability to regulate the design of the buildings and sites to ensure sensitive transition into the Historic District.

Mr. Alexander stated that he believes removing the Z1 and Z2 buildings from the Historic District is a mistake. Those buildings reveal the value of the ARB. If they had not been reviewed by ARB, it is likely the fronts of the buildings would look similar to the backs and have a massing comparable to the Library. Because they were required to address the historic conditions along the street, the present building forms resulted. Those buildings could remain within the Historic District, yet similar buildings along High Street could be avoided. Zoning controls the coverage. There are other ways to address the concern about precedence in the district.

Ms. Rauch inquired the Board's preference on the boundary as it relates to the Schools. The school site can be retained within the Historic District boundary or the boundary could be moved -- but the historic structures could be retained in Appendix G. The intent is to meet with the School District regarding their preference on the boundary, as well.

Ms. Stenberg noted that if the boundary is moved, there is the potential of a structure that is not historic being demolished and replaced with new construction not compatible with the Historic District. Mr. Alexander's previous comments about removing Buildings Z1 and Z2 from the Historic District are applicable here, as well. It may be valuable to have ARB's review on new construction as well as the 1919 structure, but it will be helpful to know the School District's preference.

Mr. Bailey inquired why the school site was bisected.

Ms. Rauch responded that she believes that the intent was to ensure the 1919 Building would be subject to ARB's review.

ARB members indicated a preference for retaining the school site within the Historic District boundary to ensure sensitive transition into the District.

Ms. Rauch stated that the attempt was made to retain the Bridge Street standards in terms of uses. Building types were eliminated, but applicable items, such as height, massing, scale and location of parking lot were incorporated into each of the historic zoning districts that have been created. Minimal changes were made because property owners have expectations related to their existing property, particularly the Historic South District; efforts were made to keep that district at a small scale.

Greg Dale, Consultant, McBride Dale Clarion led the review of the proposed Code amendment by sections, and Board members recommended the following corrections/clarification be made to the following sections:

Section 153.170 - Applicability

- Add "demolition" to applicability section.
- Add language to clarify the applicability of the Code and Historic Design Guidelines.

#### 153.172 - Uses

- Removal of elementary or middle school use from Historic Residential uses.

Ms. Stenberg inquired about the need to address Airbnb uses.

Ms. Rauch indicated that Council is working on a citywide policy pertaining to that use.

#### *153.173 – Site Development Standards*

Mr. Dale stated that this section contains the standards applied to this geographic area as part of the Bridge Street District. The City's Zoning Code provides general standards regarding parking, landscaping, signage and lighting, but a higher level of the standards were developed for the Bridge Street District. Because the standards do not apply to historic preservation, should they be continued in the free-standing historic districts?

The Board expressed a preference for retaining the standards for site development to help preserve the historic fabric of the area.

Significant Board discussion focused on Table 153.173A, specifically related to Historic Residential and Historic South standards, and the following direction was given:

- Increase the side yard and rear yard setbacks, particularly if the house is larger and takes up more space on the lot in the Historic Residential District.
- Decrease the permitted building height in the Historic Residential District.
- Decrease the permitted building footprint in the Historic Residential District to ensure compatibility with existing/historic residential properties.
- Review lot coverage requirements for the Historic Residential District (currently 50%) and Historic South District (currently 65%).
- Staff to bring back information about existing conditions in Historic Dublin and additional standards for the ARB to review that address public comments and ARB's concerns.

#### *153.174 – Design Standards*

Mr. Dale stated that there is a potential overlap between the standards and the guidelines. Is the Board satisfied with how these standards read relative to the Guidelines, which are the more discretionary standards?

The Board provided the following direction:

- Under Pitched Roof, clarify the intent of numbers 2 and 3 and potentially change it to read, "completed gable ends required."
- Gambrel and mansard roof materials should include dimensional shingles.
- Replace the overly prescriptive language of "a raised stoop of at least three steps and a minimum depth of five feet and width of five feet" from entrance designs with "a raised stoop," with no details.
- Stoop dimensions are too specific. Dimensions should be eliminated from the Code and a section should be added to the Guidelines to address the design intent and usability of a stoop.
- In the section regarding shutters, state that operable shutters are required.
- Review and clarify the section regarding canopies, as new construction and rehab guidelines do not clearly align. Consider adding language to the new construction section.

- Review balcony requirements allowing 40% of a façade to be made of balcony. Consider eliminating and adding clarifying language in the Guidelines.
- Clearly define the masonry material that chimneys and vents must be clad in to indicate whether cultured stone is included. This could occur in the exterior building materials section.
- Support provided for provision of a palette of building colors to be administered by staff.

*153.175 – Architectural Review Board*

- Suggestion of ARB name change to Historic Preservation Commission was discussed. Results of anonymous survey taken earlier indicated members' preference for retaining the current name. Concern was expressed that "preservation" indicates an interest in maintaining everything as it is and could infer that the Board is not interested in redaptive reuse or new construction.

*153.176 – Review Procedures*

Ms. Rauch noted that this process reflects what was approved for the Bridge Street District. In addition, although the ART will continue to exist, its review will no longer be necessary in the Historic District. Cases will go directly to ARB for consideration.

- Board was supportive of providing more stringent demolition review criteria that is based on contributing and non-contributing, including ability to add a condition that an archeological/historical survey be completed to document or preserve any artifacts. Clearly define structures identified as non-contributing and contributing to ensure it is clear to the Board and the applicant, as it relates to the demolition criteria. Demolition of contributing buildings to be approved only if there is demonstration of a real economic hardship.
- Clarify that the term "property owner" under the review criteria for demolition also includes applicant or representative.

*153.178 – Maintenance*

- Include additional language about how to deal with/address the topic of demolition by neglect. Potentially include language to address more stringent property maintenance standards.

*Documents – General Direction/Comments*

- Requested a consistency in numbers spelled out versus using the number.
- Members provided and will forward to staff any additional minor edits to the language.

**Public Comment [continued]**

Steve Rudy, 129 S. Riverview Street, Dublin, stated that he is pleased that the ARB is discussing lot coverage. His concern is that the current parameters permit large structures in the residential district. During the 25 years he has lived here, the trend has changed from the minimal front yard setbacks and long backyards to very long houses that extend a great distance to the back of the lot. Although the long homes drive up the value of the property on which they sit, they drive down the value of the surrounding, moderately sized homes. Those property owners who have been faithful to the characteristics of the district they selected are now being punished by what is not really infill development. It is a redevelopment and recharacterization. The current Code is actually very liberal regarding building on a footprint with a greater height – up to 35 feet in Historic

Residential. The sides of the new homes are set three feet from the north lot line with the length of the houses extending backwards on the lot. The new homes are not a preservation of the scale and character of the district, and that new pattern is negatively impacting the surrounding homes. The Board needs to determine what preservation in the Historic Residential district means. He believes the sight line, tree canopy and open space on the lots are part of preservation. The relaxing ambience that is drawing people to his home and this street will soon disappear. The Guidelines have always implied that setting should be considered, but that has not been appreciated. He is concerned as the backyards in the neighborhood are turning into sideyards.

Mr. Dale stated that the basic parameters of the Historic Residential district in the Code were taken from what existed in the Bridge Street District, and that was taken from the original Historic District. Those have been the basic parameters in the past. However, the purpose of this review is to revisit these issues. Looking at the HD Guidelines, one of the operating principles for new construction is that it be similar in scale, scope and lot coverage. If the metrics are not achieving the similar context sensitive design, that discussion should occur at this time. Staff can explore options.

Mr. Alexander stated that there are other communities dealing with this issue concerning narrow lots, but they have zoning parameters that Dublin does not have that could be explored. One such option would be a requirement that the sideyard setback increases as the home extends further into the lot. Another parameter other communities are using to deal with this issue is a profile coefficient based on lot depth, i.e., as the house extends deeper in the lot, the height is required to become lower. Other communities have reduced the 35-foot height limit to 29 feet. These communities have the same lot coverage of 50% for a 60-foot wide lot. Another option is to encourage detached garages to reduce the mass of the homes.

Ms. Bryan stated that she is concerned about the 65% lot coverage in the Historic South district. Ms. Rauch responded that is the case because there are more commercial uses with parking in that district.

Ms. Bryan stated that the Historic South district encompasses the South High street area where some of the new building is occurring.

Mr. Dale inquired if the Board would like them to explore some of the options that were mentioned. Mr. Alexander responded that would be dependent upon their mandate from Council.

Ms. Rauch stated that it is appropriate to look at what other communities are doing as the public review process proceeds. A 35-foot height maximum is standard for residential throughout the City, but perhaps that should not be applicable here. For the City's industrial districts, there are other standards or formulas. The standards for setbacks in the residential districts were not arbitrary. They were a continuance of the standards for existing development, in particular the Historic Residential District.

In response to Ms. Bryan's inquiry about 65% lot coverage in Historic South, Ms. Rauch indicated staff would look into the context of the earlier discussion regarding that district and provide it to the Board.

## **2. Historic Dublin Design Guidelines, 18-037ADMC, Administrative Review**

The Chair indicated that this is an introduction of amendments to the Historic Dublin Design Guidelines that govern Historic Dublin properties and properties identified in Appendix G.

Mr. Dale stated that this is substantially a housekeeping effort. A significant amount of the current language does not actually provide guidelines. They have extracted the guidelines and provided a checklist for reviews.

The Board reviewed the draft Historic Dublin Design Guidelines and provided the following direction:

*General*

- Provide references to applicable Code Sections throughout the Guidelines.
- Ensure Historic Dublin's boundary is consistent on all maps throughout.

In response to Ms. Bryan's inquiry, Ms. Rauch indicated that updates of Appendix F (boundary map for the Historic Districts), Appendix G and Definitions would be provided with the Code update.

*Natural Features*

- 2.1 - Consider revising sections related to the uniqueness of limestone only to Dublin.

*Neighborhood Character*

- 2.3 - Add language to Historic Residential Neighborhood about compatibility of lot coverage with surrounding residential properties.

*User's Guide*

- 3.4 - Clarify the language related to the applicability of the zoning regulations and the guidelines to ensure potential conflicts between the Code regulations and the Guidelines are minimized.

*Rehabilitation*

- 4.1 C – The preference is original material; if not available, alternative materials from an ARB pre-approved list are acceptable.
- 4.5 D – Authority should be provided to ARB to delegate approval of colors to staff based upon a preapproved color palate - correct spelling of "palate" to "palette."
- 4.6 B – End the sentence after "exterior."
- 4.7 G – Retain only the first sentence. Delete the subsequent sentence, as it is not a feasible construction method.
- 4.11 C and D – Add these sections to the Code.
- 4.11 H – Clarify that materials need to be compatible with the District, but not match the original historic structure. A cross reference with 4.1C should be provided.
- 4.11 K- There is a need to address materials appropriate for an addition differing from materials appropriate for rehabilitation, such as fiber cement siding. Another item to address is whether additions should be placed under new construction in the Guidelines versus in the rehabilitation section.
- 4.13 D – Clarify that treated wood needs to be painted on exposed sections only.

### *New Construction*

- 5.1 C – Add language about compatible massing and lot coverage.
- 5.3 A – Add language about lot coverage compatibility and ensure the section references adjacent properties. The reference to other buildings in the district is too broad.
- 5.3 B - Ensure the section references neighboring properties. The district-wide reference is too broad.
- Include language addressing setbacks to ensure they match adjacent properties.
- Add a section on canopies.

Mr. Dale noted that regarding new construction, the philosophy of historical preservation was discussed at length, and significant public input was obtained, including results of a visual preference survey. One of the ideas that resulted was that new construction in historic districts should look historic. The other side of the spectrum was modern contemporary that was compatible, and in the middle of the spectrum was historic representation. Results of the public input was a preference that new construction not be a historical replication but similar.

Mr. Alexander stated that an architect would be able to build a modern building that fits in the historic district, although none is present in Dublin at this time. The OSU Campus Gateway South is a good example of new construction that fits well in a traditional community. He dislikes losing that creative opportunity here.

Mr. Dale responded that the proposed revision reflects a fair representation of the public input. Although contemporary construction can work in a historic district, including that opportunity would involve a high risk. An architect could believe their design works in that district, but the general public could disagree.

Ms. Bryan requested that the Design Guidelines contain a reference to Code Section 153.173 and 173b, as a point of reference. She inquired if there have been any efforts to have an archaeologist look for potential artifacts when a building is demolished. For instance, on the Eger property, there was the original log cabin.

Ms. Rauch responded that situation is not addressed in the proposed revision to the Guidelines. However, in the past, conditions have been added to some cases requiring that the property be assessed for documentation of historical significance or potential retrieval of artifacts from the site.

Mr. Dale responded that he would look into the possibility of a Code revision that would provide the Board the ability to add a condition to a demolition approval that an archeological/historical survey be completed to document and preserve any artifacts.

### **Public Comment**

Steve Rudy, 129 S. Riverview Street, Dublin, stated that in the Table of Uses, schools and daycare are a permitted use in the Historic Residential District. Is that a reflection of the fact that a school is currently located in the Historic District?

Ms. Rauch responded that in most districts, schools are compatible with a residential use. If the Board does not believe that to be true in this case, it can be revised.

Mr. Rudy indicated that his concern is that a school structure with modern architecture would be proposed for the Historic Residential District. Although the architecture does not need to be "old," it should be compatible to the District and charming.

Merlina Galbreath, 4203 Hertford Lane, Dublin, stated that she lives one mile south of Historic Dublin, and she and her husband own the commercial building at 75 South Street in the Historic District. She concurs with all of Mr. Rudy's comments, including that while it is not necessary to replicate age in new construction, it is important to achieve a compatible charm. According to the proposed district map, their commercial building would be located in the Historic South District. In the same district but on the east side of South High Street, there is primarily residential. She is curious why their building and the adjacent L-shaped building where Vine and Tap is located would be bundled in with the Historic South District. The uses are very different. On the west side of South High Street, there are not the same dynamics as exist with the neighbors on the east side. The request was made earlier to look at lot coverage for the Historic South District. If the lot coverage were to be reduced from 65% to 50%, it would limit what a potential developer could do. It may not be realistic to re-develop their sites. In her opinion, the area where their building and the Vine and Tap are located should be in the Historic Core. The uses of their buildings are more in line with the goals of that area.

Ms. Rauch responded that they were originally in the Historic Core, but following Council's direction two years ago, that area was removed from that district and rezoned. The intent was to ensure that development in the Historic South District was sensitive to the context. Although it is a different scale of residential, those buildings do abut Franklin Street, which is residential.

Mr. Alexander stated that Ms. Galbreath is correct. With commercial use, a lot percent coverage lower than 65% is not possible, because the parking requirements are onerous. Perhaps in an area where there is also single-family residential on the other side of the street, there may be a way to tweak the requirement. Perhaps that side of the street could be limited to residential use with a lot coverage requirement of 50%, while on the other side there is commercial use with a 65% lot coverage.

Ms. Galbreath stated that the west side is different from the east side in regard to residential use. How would this consideration be made -- through a change to the district map or by variances? Mr. Alexander stated this area could become a "patchwork" area, because there are houses on that side with office uses. If the houses with office uses were permitted 65% lot coverage, it would not be a desirable situation for the neighboring single-family homes.

Ms. Bryan concurred that it is important to avoid having large homes that cover most of the lot. Some language needs to be added to ensure that does not occur.

Ms. Rauch stated that staff would research the possibilities for lot coverage for existing historic structures versus new structures and provide some suggestions for the next meeting.

Ms. Bryan noted that a density similar to the Short North or German Village is not desired here. It is important to protect the rare pastoral ambience that exists here.

Mr. Dale stated that it would be essential for the Code to address the issue first. The Guidelines alone are insufficient.

Board members requested that when future cases are brought before the Board, the district in which the property is located be identified.

Ms. Martin indicated that future case presentations would provide that information.

**Next Steps**

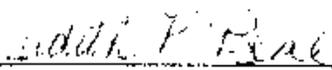
Ms. Martin outlined the review schedule and public input opportunities for the ARB Code Amendments for Historic Dublin and the Historic Dublin Design Guidelines.

**ADJOURNMENT**

The meeting was adjourned at 8:50 p.m.

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Chair, Architectural Review Board

  
Deputy Clerk of Council

# ARB MEETING

## HISTORIC DISTRICT CODE UPDATE AND DESIGN GUIDELINES

### Meeting Notes

July 10, 2019

ARB Members: Shannon Stenberg, Gary Alexander, Kathleen Bryan, Rob Bailey

Staff: Jenny Rauch, Nicki Martin

Consultant: Greg Dale, McBride Dale Clarion

### Key Topics Discussed

- Introduced the purpose and goal of the amendments; specifically, Council's direction regarding the proposed amendments.
- Reviewed the background of the proposed amendments, including the request for removal of the Historic District from the Bridge Street District, concerns and issues raised over time, and the reason for the update.
- Reviewed the difference between the zoning code (shalls) and the design guidelines (shoulds).
- Provided an overview of the memo that highlighted the general organizational changes and significant content changes to the Zoning Code and Historic Design Guidelines (HDG)
- Identified the intent of the discussion was focused on ARB's initial review comments. Public comment was permitted. Staff shared next steps would include public input sessions prior to formal public review and approval process.

### ARB General Comments

- Supportive of proposed documents.
- Supportive of retaining the level of detail found in the Code.
- Minor edits to language.
- Consistency in numbers spelled out v. using the number.

### Public Comments

- Request to provide additional language in several sections to address lot coverage regarding residential development to ensure it is compatible with surrounding properties.
- Similar request related to building setbacks.
- Concerns raised about lot coverage for Historic South properties.



## **Boundary Changes**

- Supportive of the proposed general boundary changes, removal from the BSD, and rezoning of the properties from Bridge Street District Zoning Districts to the Historic Zoning Districts.
- Concerns about removing Buildings Z1 and Z2, etc. as it limits the ability to regulate the design of the sites/buildings as it transitions into the Historic District.
- Discuss with schools about their plans for the site and desire to remain under ARB's purview. ARB prefers to retain school within the boundary to ensure sensitive transition into the District.

## **Zoning Code**

### *153.170 - Applicability*

- Add 'demolition' to applicability section.
- Add language to clarify the applicability of the Code and Historic Design Guidelines.

### *153.072 - Uses*

- Removal of Elementary or Middle School use from Historic Residential uses.

### *153.173 – Site Development Standards*

- Significant discussion about Table 153.173A, specifically related to Historic Residential and Historic South standards.
- Increased side yard and rear yard setbacks, particularly if the house is larger and takes up more space on the lot in Historic Residential.
- Decrease the permitted building height in Historic Residential.
- Decrease the permitted building footprint in Historic Residential to ensure compatibility with existing/historic residential properties.
- Review lot coverage requirements for Historic Residential and Historic South.
- Staff to bring back information about existing conditions in Historic Dublin and additional standards for the ARB to review that address public comment and ARB's concerns.

### *153.174 – Design Standards*

- Under Pitched Roof clarify the intent of numbers 2 & 3 and potentially change it to read 'completed gable end required'.
- Gambrel and mansard roof materials should include dimensional shingles.
- Remove the language 'of at least three steps and a minimum depth of five feet and width of five feet' from entrance designs.



- Shutter section should be clarified to state operable shutters are required.
- Review and clarify the section regarding canopies, as new construction and rehab guidelines do not clearly align. Consider adding language to the new construction section.
- Review balcony requirements allowing 40% of a façade to be made of balcony. Consider eliminating and adding clarifying language in the HDG.
- Stoop dimensions are too specific. Dimensions should be eliminated from the Code and a section should be to the Guidelines to address the design intent and usability of a stoop.
- Under chimneys and vents are permitted to be clad in 'masonry', which needs to be more clearly defined. This could occur in the exterior materials section below.
- Board was supportive of approving a palette of building colors for staff to administer.

#### *153.176 – Review Procedures*

- Clearly define structures identified as non-contributing and contributing to ensure it is clear to the Board and the applicant, as it relates to the demolition criteria.
- Board was supportive of the more stringent demolition review criteria that is based on contributing and non-contributing.
- Clarify that the text 'property owner' under the review criteria for the demolition should also include applicant or representative.

#### *153.178 – Maintenance*

- Include additional language about how to deal with/address the topic of demolition by neglect. Potentially include language to address more stringent property maintenance standards.

### **Guidelines**

#### *General*

- Provide references to applicable Code Sections throughout the Guidelines.
- Ensure Historic Dublin's boundary matches on all maps throughout.

#### *Natural Features*

- Consider revising sections related to the uniqueness of limestone only to Dublin.

#### *Neighborhood Character*

- Add language to Historic Residential Neighborhood about compatibility of lot coverage with surrounding residential properties.



### *User's Guide*

- Clarify the language related to the applicability of the zoning regulations and the guidelines. Want to ensure the potential conflicting regulations and guidelines are minimized.

### *Rehabilitation*

- 4.5 D – Spelling of palate
- 4.6 B – End the sentence after “exterior.”
- 4.7 G – Retain only the first sentence. Delete the subsequent sentence, as is not a feasible construction method.
- 4.10 C and D – Add these sections to the Code.
- 4.11 H – Clarify that materials need to be compatible with the District, but not match the original historic structure. Cross reference with 4.1C should be provided.
- 4.11 K- Concerns about materials appropriate for an addition differ from materials appropriate for rehabilitation (i.e. where does fiber cement siding fit). Discussion about whether additions should be addressed under new construction in the Guidelines versus in the rehabilitation section.
- 4.13 D – Clarify that treated wood needs to be painted on exposed sections only.

### *New Construction*

- 5.1 C – Add language about compatible massing and lot coverage.
- 5.3 A – Add language about lot coverage compatibility and ensure the section references neighboring properties. The districtwide reference is too broad.
- 5.3 B - Ensure the section references neighboring properties. The districtwide reference is too broad.
- Include language addressing setbacks to ensure they match adjacent properties.
- Add section on canopies.

### **Next Steps**

- Make revisions to Code and Guidelines based on the ARB’s comments and public comments.
- Provide additional information regarding the general development standards, particularly lot coverage, residential building height, and residential setbacks.
- Outline schedule and public input opportunities.



Ms. Woodworth stated that a strong downtown is an entertainment destination for people. Retail is specialty infill. Hotel market numbers show room nights increased and revenue per available room has been maintained.

Vice Mayor Amorose Groomes stated that the DCVB just provided a report showing a decrease in room rate.

Ms. Woodworth stated that there is a perceived need for meeting space. While not part of her study, it did come up often in interviews with businesses.

In response to Ms. De Rosa, Ms. Woodworth stated that the smaller organizations did mention it as well.

Hotel market prospects show about 550-870 rooms over the next 10 years. She is aware that two hotels are planned.

Mr. Reiner stated that people will be drawn to Dublin for restaurants and the new bridge.

Ms. Woodworth stated that the recreation market has not yet been tapped and there are many opportunities.

Ms. De Rosa asked the presenters to share what other communities are doing, what Dublin should be doing and what are the cautions.

Ms. Volk stated that she feels strongly that Dublin can't stop now. There is a great foundation for a great expanded downtown. It does not impinge upon neighborhoods but enhances the neighborhoods and the rest of the City. It is providing alternatives in residential, retail offerings and the kind of office space available. Even in cities that are overall losing populations like Detroit and Baltimore, they are expanding in their core because more people are choosing to live in walkable neighborhoods. She does not see that changing significantly with the next generation – the "I-Gen." They may be more disruptive than the millennials in terms of the changes they have made in way of life. Keeping flexibility in mind for the future is essential.

In response to Ms. De Rosa's request for a cautionary note, Ms. Woodworth stated that she would caution not to over-park. Mobility is changing and we will be in a world of automated shuttles, and transit will become cheaper. She also advised to maintain a mix of uses.

Vice Mayor Amorose Groomes shared hearing the CEO of Honda talk about the future of cars and transportation. The capacity of existing roadways could quadruple. He stated that the biggest losers in vehicle automation will be the major metro cities who have major investments in mass transit.

Ms. Volk stated that Greenville, NC, started with commercial uses and now have a lot of residential. She often cites Dublin as an example because of Bridge Park.

Ms. Woodworth stated that residential is there for the office. The different product types are important to both executives and to new talent.

### **Historic District Code Update and Design Guidelines**

Ms. Rauch provided a quick overview of the Historic District projects. The boundary changes are in order. The bigger questions for staff are regarding the code updates. Council's direction was to pull the Historic District out of Bridge Street Code and go back to the previous districts. Staff felt there are details still included from Bridge Street that are necessary to retain in the Historic District, for example, landscaping and signs. However, these details do make it more complex in the Historic District. Staff would like the feedback of the committee regarding the code update

In response to a question from Vice Mayor Amorose Grooms, Ms. Rauch stated that the Z1, the Plaza, Z2, the library and the parking garage would all be placed in the Scioto neighborhood.

Vice Mayor Amorose Grooms stated that she did not see any work reflected that ARB has done on this. Ms. Rauch stated that ARB has not reviewed it yet; staff wanted to check-in with Council first. ARB is aware of the work underway.

Mr. Dale stated that they did meet with ARB in the process to gather their input. Ms. Rauch stated that this is the first draft.

Vice Mayor Amorose Grooms stated that they had talked about renaming the Architectural Review Board. Perhaps that should be done first so the document does not have to be adjusted later.

Ms. Rauch stated there are two parts of this:

- Zoning regulations and new districts; and
- Consolidation of the ARB section of the code (name, membership, responsibilities, etc.).

Ms. Rauch stated that the name would be the Historic Preservation Commission based upon their responsibilities.

In response to Ms. De Rosa, the name was brought up from staff conversation. Mr. Papsidero stated that the emphasis has been on preservation and ARB's jurisdiction has been growing.

Ms. De Rosa stated that naming can be a sensitive topic and suggesting that ARB could have suggestions for a name change.

Mr. Reiner agreed that changing the name makes sense.

Ms. De Rosa agreed, but wants to be sensitive to its membership.

Mr. Papsidero stated that the constituency nationally is the Association of Preservation Commissions. Mr. Dale added that preservation is their charge.

In response to Ms. De Rosa's question regarding the historic boundaries around the school, Ms. Rauch stated that the map looks the way it does because they were trying to capture the 1919 building. She suggested that the 1919 building could be covered under Appendix G as a historic building outside of the district that still falls under ARB review.

Vice Mayor Amorose Grooms stated that a transition area is needed and that is what this section is. It is important to keep as much as possible in the Historic District that isn't redeveloped.

In response to Ms. De Rosa's question regarding why not put it all in, Vice Mayor Amorose Grooms stated that it is a downzoning for the balance of that property.

Ms. Rauch stated that it is not historic. The map looks this way because of trying to capture the 1919 building and follows the parcel lines.

Vice Mayor Amorose Grooms stated that it could be bigger, but the key items are the cemetery and the 1919 building. Discussion followed regarding what the Schools could do.

Mr. Papsidero stated that the east side of Sells Middle School would have to go to ARB, but the west side would go to ART for review. They would have to rezone for other uses as currently, only public use is allowed. Vice Mayor Amorose Grooms stated that she wanted to redraw the lines so that the school building will all be reviewed by the same body.

Ms. De Rosa stated it might be a worthwhile conversation with the schools.

Ms. Rauch stated that the Code attempts to consolidate the ARB current section of code with the new zoning districts being removed from the BSD. It includes boundaries of the district, the uses permitted within those districts, site development standards, setbacks, parking, etc.

Vice Mayor Amorose Groomes stated that she believes ARB should review this since they work specifically with this code. She wants board members to think critically about how this is used and how they will use it.

Ms. De Rosa is satisfied that it is all in one place. She asked for an update on the “should” and “shalls” of the guidelines and code.

Mr. Dale stated that much of the work involves just cleaning up the language. The revisions try to pull out what really are guidelines and simplify and streamline this for use by the Board. He also pointed out that page 21 of the guidelines goes into detail about what is meant by *should*, *should not* and *avoid*. These are discretionary guidelines that are intended to have flexibility.

Vice Mayor Amorose Groomes stated that she has heard the code defined as a math problem. The guidelines are the artistic rendering of it – the artist application of what is permitted. She believes that this is the mistake of the form based code – trying to put them together. It is appropriate for Council to review the policy document (the guidelines) first.

Mr. Reiner complimented the great detail in the different styles of architecture.

Vice Mayor Amorose Groomes agreed and stated that the proposed additions and rehabilitations are really well done.

In response to Ms. De Rosa’s question about review and approval of the document, Vice Mayor Amorose Groomes stated that Council should decide if this is consistent with the kind of policy they desire for the Historic District.

Mr. Reiner stated it is really well done.

Ms. De Rosa stated that feedback from ARB could be helpful, especially since there are so many specifics.

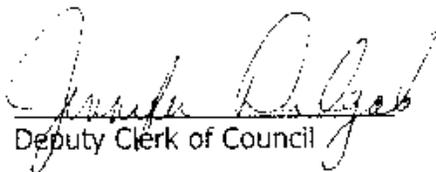
Ms. Rauch clarified that the ARB will review this and then it will go to Council for approval.

In response to Ms. De Rosa’s request about public input sessions, Ms. Rauch stated that stakeholder meetings have been helpful in defining guidelines. This group has not seen the final version since their input was provided.

Ms. De Rosa stated that it seems appropriate that the stakeholder group should see the final copy.

Vice Mayor Amorose Groomes stated that she agrees that is appropriate. She also suggested that they talk about the name of the board at their next meeting.

The meeting was adjourned at 3:39 p.m.

  
Deputy Clerk of Council

~~Mr. Papsidero stated that Council has expressed interest in updating the Bridge Street District Traffic Study, and Engineering is requesting funding in the 2019 CIP to complete that update. Vice Mayor Amorose Groomes asked about the cost of this update, but that information was not readily available.~~

### **Historic District Code and Guidelines**

Ms. Rauch stated that there were three tasks from the June work session, which were:

- Historic District boundaries;
- Historic District regulations; and
- Historic District Design Guidelines.

In terms of the boundary discussion, Ms. Rauch stated that staff reviewed the potential modifications to the boundary of the Historic District. She provided a map to illustrate the proposed changes, which are:

- Removal of the northern area – Z1, Z2, the Plaza, and Library /Garage – and giving it a Bridge Street District designation.  
Ms. Rauch stated that when Z1 and Z2 were reviewed by Council as part of the basic plan, the required reviewing body designation was given to the ARB, so there will be a little clean up required with that. It would no longer be under ARB. Mr. Papsidero stated some of those items would go through ART.
- Addition of a West Bridge Street area; and
- Relocation of the eastern boundary.

Mr. McDaniel asked for clarification on Council's direction regarding the reviewing bodies for these areas.

Mr. Papsidero stated that the way the Code is written is if 20% of a façade or frontage is affected with a change that falls under the purview of ART as a minor project.

Vice Mayor Amorose Groomes stated that with the Code re-write, Council is removing the ART from being a reviewing body and being an advising body.

Mr. Papsidero stated that ART is being removed as a recommending body, meaning they will not be providing recommendations to anyone, but retaining the minor project. They are reducing the number of eligible project that could go to ART.

Vice Mayor Amorose Groomes stated that there are a number of properties throughout the City that are reviewed by ARB that aren't in the Historic District -- they are designated by address. She suggested designating these properties by address and having them reviewed by ARB but out of the Historic District.

Mr. Papsidero stated the properties she is referring to are historic structures and that is why they are designated in that way.

Vice Mayor Amorose Groomes clarified that they wouldn't have to be historic structures to be designated to ARB.

Ms. Rauch sought clarification on which reviewing body would be designated.

Vice Mayor Amorose Groomes suggested these properties be reviewed by ARB and added to the list of properties that are reviewed by ARB but outside the Historic District. She asked that staff provide a memo to Council about whether or not that is possible.

Ms. Fox stated that not adjusting the boundaries around these buildings would leave the reviewing body as ARB simply because they are within the Historic District.

Ms. Rauch stated that was true and there could be regulations about how these properties are

dealt with differently.

Ms. Fox stated that, going forward, there would be the protection of ARB looking at this area under their purview.

Vice Mayor Amorose Groomes clarified that the intent is to remove these properties from the Historic District so that other properties in the District cannot use them as examples of permissive developments throughout the Historic District. She wants to know if they can be placed on the list of ARB reviewed properties outside the District and then see what can be done from there.

Mr. Reiner asked for clarification of the intent. When the area around Oscar's is re-developed in the future, for example, that does not prevent them from building condos along the river, correct? Or is the suggestion that there are such limitations in place so that would not be allowed?

Ms. Rauch stated that the Historic Core permits a variety of uses including multi-family --, it is really about the context and the height.

Mr. Reiner agreed that he would like the Historic District to continue looking historic, but if someone wanted to propose a historic façade with something different behind it, that would be allowed.

Ms. Rauch stated that the regulations and guidelines could be written to allow that.

Vice Mayor Amorose Groomes gave the example of town center one and town center two.

Mr. Reiner stated he doesn't want to be exclusionary.

Ms. Rauch stated that the second bullet point relates to expanding the west boundary of the Historic District to include Shawan Falls/Corbins Mill Drive.

Ms. Fox stated that she thought that the boundary was proposed to be moved to Frantz Road. She is concerned about the difference in appearance with the Kroger and the strip mall in place. Is there a way to make it feel more cohesive as you enter the City and have all of this complement each other? She wants to avoid a diverse look.

Ms. Rauch stated that could be done with the larger Code update in terms of the scale and character of this area of the District in that zoning designation.

Ms. De Rosa asked if would simply be included in the Historic District.

Mr. Papsidero stated that the Dublin Plaza ownership has some strong objections to being subject to a historical advisory board. The same outcome can be reached through the Code because they would be reducing the height along West Bridge Street.

Ms. Fox stated that ARB needs to be involved in the Dublin Plaza, but it is important that all four corners of Shawan Falls and Corbins Mill are developed with the same perspective.

Ms. De Rosa asked why ARB would be the reviewing body versus Planning and Zoning Commission.

Mr. Papsidero stated that it could be, however the suggestion from Council at the last work session was to have it all under ARB.

Vice Mayor Amorose Groomes stated that the Historic Transition zoning was to extend all the way to Frantz Road. She didn't believe that had anything to do with the reviewing body.

Mayor Peterson asked for more information about the resistance from the owners of Dublin Plaza to being under the historical advisory board jurisdiction.

Mr. Papsidero explained that there is a different level of review with ARB versus Planning and Zoning Commission.

Vice Mayor Amorose Groomes stated that the area should be a Historical Transition zoning under the purview of Planning and Zoning Commission and extend to Frantz Road.

Ms. De Rosa agreed.

Ms. Fox stated that there are other historic transitions, so are we changing the way historic

transition is reviewed for all the areas or for just this one?

Mr. Papsidero stated that this can be easily addressed to match Council's intent.

Ms. Rauch moved to the third bullet point -- for clean-up purposes, staff is recommending moving the eastern boundary of the Historic District. The boundary doesn't fully align with Riverside Crossing Park. Therefore, Planning recommends the eastern boundary of the Architectural Review District move from the east side of the Scioto River to the western side, with the exception of the Scioto River Bridge, which would remain under ARB's purview.

Vice Mayor Amorose Groomes asked how many buildable lots exist in this area.

Ms. Rauch stated there are none -- sometimes cases would go to ARB, sometimes to Planning and Zoning Commission. Staff is suggesting that the parkland specifically and the bridge would remain under ARB purview.

The consensus of Council was agreement with this recommendation.

Ms. Rauch stated they are moving away from the form-based Code and moving toward the form and scale in the guidelines. She asked if Council agreed with this direction.

The consensus among Council members was agreement.

Ms. Rauch moved on to the final item on the agenda, the guidelines. Earlier this summer there were a series of stakeholder committee meetings to talk through the direction given by Council. There were great discussions and great feedback came out of these meetings. The consultant did an analysis to make sure that the guidelines did indeed include guidelines. The next steps will be to hold a public meeting and obtain some feedback -- largely related to new construction. Then a document will be drafted with the goal of completing the public review process before the end of the year.

Ms. Fox sought clarifications on what is meant by a minor modification.

Mr. Papsidero stated that minor modifications are specific to minor projects and ART.

Ms. Fox stated she would like to review the minor modification language.

Mr. Papsidero commented regarding the role of ART in the Bridge Street District. ART still plays a role in approving minor projects, but for a very narrow category. He asked Council members if they concurred with ART having limited legal authority to approve projects.

Vice Mayor Amorose Groomes stated that things that come up during construction where the elevation or dimensions were off by a small margin are okay for ART, but the problem occurs when a 20% of a 200,000 square foot building ends up being a very big portion of the building. The actual numbers triggering the reviewing body may be preferable than a percentage in these cases.

Mr. Papsidero stated most of what is in that category are storefronts and patios. He gave an example of the new restaurant that before ART and the waiver was under PZC purview. After the issue was resolved, it did not go back to PZC. Because of the size, it remained with ART.

Vice Mayor Amorose Groomes suggested that perhaps it would have to come back to PZC only if it were in conflict with the Code.

Mr. Papsidero stated that waivers are never before ART, those always go to the Planning and Zoning Commission.

Ms. Fox stated this entire process is very complex. Her desire is that the process be clear and not complicated so that PZC can make things the best they can be.



## BOARD DISCUSSION

# Architectural Review Board

Wednesday, August 22, 2018 | 6:30 pm

The Architectural Review Board took the following action at this meeting:

**1. Historic Dublin Design Guidelines - Update  
18-037ADM**

**Administrative Request – Other**

Proposal: To update the *Historic Dublin Design Guidelines* applicable to properties located within the Architectural Review District and its outlying sites.

Request: Introduction and discussion for proposed amendments to the *Historic District Design Guidelines* under the provisions of Zoning Code Sections 153.172 and 153.174.

Applicant: Dana L. McDaniel, City Manager, City of Dublin

Planning Contact: Jennifer M. Rauch, AICP, Planning Manager

Contact Information: 614.410.4690, jrauch@dublin.oh.us

Case Information: www.dublinohiousa.gov/arb/18-037

**RESULT:** The Board conducted an informal review of the proposed update of the *Historic Dublin Design Guidelines*, which are applicable to properties located within the Architectural Review District and its outlying sites. Staff provided an overview of City Council's direction to remove the Historic District from the Bridge Street District, to modify the existing zoning districts and the Architectural Review District (ARB) boundary, and ensure this work coincides with the update to the *Historic Dublin Design Guidelines (HDDG)*. The Board, staff and the consultant discussed the need for improvements within the *Guidelines* related to infill and new construction, particularly in light of development pressures within the District. The Board agreed with the assessment that the *Guidelines* need to be simplified to provide clearer direction to the Board, staff and residents. There was also discussion about how to address alternative materials, addition to staff's discretion for approving changes, and removal of vague language from the document. Overall the Board was supportive of the proposed direction.

**MEMBERS PRESENT:**

David Rinaldi	Yes
Shannon Stenberg	Absent
Jeffrey Leonhard	Yes
Gary Alexander	Yes
Andrew Keeler	Yes

**STAFF CERTIFICATION**

Jennifer M. Rauch, AICP, Planning Manager





## MEETING MINUTES

# Architectural Review Board

Wednesday, August 22, 2018

### AGENDA

**1. Historic Dublin Design Guidelines - Update  
18-037ADM Administrative Request – Other (Discussion Only)**

The Chair, David Rinaldi, called the meeting to order at 6:32 p.m. and led the Pledge of Allegiance. Other Board Members present were: Jeffrey Leonhard, Gary Alexander, and Andrew Keeler. Shannon Stenberg was absent. City representatives were: Jennifer Rauch, Lori Burchett, and Laurie Wright.

#### Administrative Business

##### Motion and Vote

Mr. Alexander moved, Mr. Leonhard seconded, to accept the documents into the record. The vote was as follows: Mr. Keeler, yes; Mr. Rinaldi, yes; Mr. Leonhard, yes; and Mr. Alexander, yes. (Approved 4 – 0)

##### Motion and Vote

Mr. Keeler moved, Mr. Alexander seconded, to approve the meeting minutes from June 27, 2018, as presented. The vote was as follows: Mr. Leonhard, yes; Mr. Rinaldi, yes; Mr. Alexander, yes; and Mr. Keeler, yes. (Approved 4 – 0)

**1. Historic Dublin Design Guidelines - Update  
18-037ADM Administrative Request – Other**

The Chair, David Rinaldi, said the following proposal is a request to update the *Historic Dublin Design Guidelines* applicable to properties located within the Architectural Review District and its outlying sites. This is a request for an introduction and discussion for proposed amendments to the *Historic District Design Guidelines* under the provisions of Zoning Code Sections 153.172 and 153.174.

Jennifer Rauch said she did not have a formal presentation but wanted to inform the Board of the work that has been done with the *Guidelines* and also provide updates about the latest work session with City Council and their direction for Staff. She said Greg Dale is the consultant and is here this evening. He will open the discussion about the *Historic District Design Guidelines* (HDDG) and other amendments under consideration. Staff would like to obtain the Board's feedback before moving forward.



Ms. Rauch reported that Council was updated on the HDDG and on the changes to the Bridge Street District Code (BSD) as a whole at the Work Session on June 20, 2018, and Council provided Staff with a direction to remove the Historic District from the Bridge Street District Code. She explained Council finds the character of the Historic District will be better maintained outside of the Bridge Street District. She said the Code would need to be updated to align with that objective. She reported Council also reviewed the boundaries of the Historic District.

Ms. Rauch reported Council also reviewed the boundaries of the Historic District. She indicated Council was particularly concerned about the Z1 and Z2 Buildings in Bridge Park West, the new library, and parking garage. She reported Council did not believe those projects were in character with the Historic District and therefore should be removed from the district. That way, she explained, developers or people redeveloping properties in the Historic District do not point to those projects as precedent-setting development. She said no formal action has been taken, as of yet. She indicated when Staff meets with Council next week, they will state how far west the boundary should extend to help with the streetscape as more areas are redeveloped. As a result, the ARB may have more design control over current development in that area, which could be a significant change. She indicated there would then be a need for new requirements on the west side.

Ms. Rauch said if an area is being removed from the BSD Code requirements, there is still Historic Residential, Historic Core, and Historic South Districts. She said those areas are under a form-based code so Staff and the ARB will have to create new standards or go back to some type of pre-Bridge Street Code standard and update the HDDG to ensure the character is defined. She noted Staff determined all of this is intertwined so these changes should be made simultaneously.

Ms. Rauch said Staff is in the very early stages of developing the Code, using the pre-Bridge Street Code standards as a base, and the changes to the HDDG are underway but to be discussed this evening. She stated the goal is to get the pieces to fit together in a cohesive manner. She asked if the Board had any questions.

David Rinaldi asked if there was a draft Code the ARB could review. Ms. Rauch said there was not one to share at this point. She said the pre-Bridge Street Code standards were like a lot of our standard districts and covered uses, setbacks, maximum building height and were very similar to the Historic Residential District. She emphasized that is the direction Council wanted. She explained that the form-based code would not be used with the very specific design requirements, and having concerns with height, density levels, and the intensity of development and redevelopment that the Bridge Street District Code allows. She said Council's requests align with the feedback received from the public so Staff agreed it is a good direction to go.

Ms. Rauch said the Zoning Code for the Historic Residential, Historic Core, Historic South, and Historic Transition Districts will need to be simplified in a way that makes sense to a user, to Staff, and the Board for reviews and the HDDG will also need to align with the new Code.

Mr. Rinaldi agreed that working on the Zoning Code and the HDDG simultaneously makes sense. Ms. Rauch said since Staff started the changes for the HDDG, those changes are helping to frame the basis for the Code in terms of form, character, and scale for new and infill development because the current HDDG were lacking those elements.

Gary Alexander noted that buildings Z1 and Z2 were approved before he was on the Board. He said the only hesitation he might have to that suggestion is – being in the district impacted the look of those buildings. He indicated that even though the scale may be off, the back side of those buildings should be considered and what the front could have looked like compared to the back; the front is clearly more appropriate for the district than what the back side would have been. He said being in the district, had a positive impact on the shape of those buildings.

Mr. Rinaldi recalled the front of buildings Z1 and Z2 looked a lot like the back when the applicant first came forward with a proposal at seven stories high. Mr. Alexander said Mr. Rinaldi reinforced his point. He suggested the City could point to the library and state it was not approved by the ARB and it was an institutional and political issue that could not be overcome. He restated to be careful with buildings Z1 and Z2; if the Board made an attempt to work within the HDDG, what is proposed on the front of those buildings should also continue within the HDDG. Ms. Rauch reported that Staff had a similar concern and outlined that very point in a memo to Council. She cited that the boundaries have not been officially determined at this point. She added the streetscape character and street level design features will have some impact. She said she would definitely make sure Mr. Alexander's point gets relayed to Council.

Ms. Rauch said, in terms of the HDDG, Council had directed Staff in the spring of 2018 to kick off the revamping and updating of the HDDG. She reported, the stakeholder group to start reviewing the HDDG and provide feedback on what they liked or did not like about the HDDG. She said the committee has been formed comprised of an ARB representative, David Rinaldi; the Planning and Zoning Commission (PZC) Chair, Victoria Newell; a Historic Society Representative, two residents; two business owners, and a business tenant. She reported the Committee has met three times with another meeting scheduled next week to talk about the HDDG. She indicated they have discussed what should be included, added, what is challenging with the existing guidelines, and graphics, etc. She said they completed an exercise to determine strengths and weaknesses of development versus preservation and a mapping exercise to determine what the committee thought was a good representation of the historic district and which sites or developments were challenging.

Andrew Keeler referred to the map that had red and green notations that represented positive and negative comments the committee had about different properties within the Historic District. He asked if there was a consensus amongst the committee members. Ms. Rauch answered the committee did not go into a lot of discussion about the map but in the end, based on a lot of the conversations after the fact, it seemed there were similar concerns with the scale. For the most part, she reported, the committee was fairly aligned overall for achieving preservation with the development of the district, which is such a small area, while understanding there are development pressures, as well.

Mr. Keeler said being new to the Board, he viewed the HDDG as purely helpful guidelines and the Zoning Code as the Code. He asked if other cities like Boston, Philadelphia, and Alexandria for examples, offered guidelines or if they simply had a Code to work from or a combination of both. Greg Dale, McBride Dale Clarion, said he is the consultant working with the group, whereas he is really just getting started on this. To answer Mr. Keeler's question, he said in terms of a "Code is a Code", that is the law, that is the regulation and the HDDG live outside the Code that references the HDDG. He said that is pretty common. He stated he could not answer specifically to those cities but he has worked with a lot of boards like the ARB, including those that focus on historic preservation. He said there are other communities that use a similar arrangement that is not necessarily tied to historic preservation but tied simply to architectural review.

Mr. Dale noted one of the things to be discussed is the idea that inside the Code the standards are as clear and objective as they can be including typical standards found in a zoning code – uses, dimensional standards, heights, and setbacks, and the like. Adversely, he said, the standards that are the more discretionary and require more judgement would remain in the HDDG. He said the current basic arrangement this city uses is pretty common.

Mr. Dale shared some high level observations he had perceived so far:

- Staff, Boards, and the Commission have all done a good job at dealing with historic buildings
- Problems are with infill and new construction while there is pressure for new development
- The Zoning Code has not provided a lot of guidance for new construction

- *Historic District Design Guidelines* need to be simplified – “recommendations” are made and editorials need to be removed as they blur the standards
- HDDG provided advice for maintenance very well but that should be separate from the standards
- The standards should be isolated so they are easy to apply (a checklist was suggested)

Mr. Alexander said the recommendations in the HDDG are dated – windows for example have not kept up with the new materials available and it calls for true divided lites, which is extremely difficult to get an insulated glass so manufacturers make an alternative to that but the current guidelines may not allow it. He said HardiePlank has been recognized but now there are all kinds of resin-based sidings available that are not vinyl. He suggested that under Doors, we could list what has been approved and what has not been approved but again, they have to be updated.

Mr. Dale agreed. He indicated a lot of communities with historic districts have wrestled with the alternative use of new materials that did not exist in the past. He suggested flexibility be built in to the guidelines because new materials probably come out now often enough. He stated the issue of the extent to which the Board wants to consider and allow alternative materials and how guidelines are applied to those needs to be considered.

Mr. Keeler recommended the durability of a product should be determined by Building Standards or someone in the Administrative Review Team (ART) because he believes this is out of the ARB’s purview and the others understand the properties of HardiePlank vs Cedar vs Redwood, for example as well as lites for windows.

Mr. Keeler said he struggles with how genuine a project should be. He indicated there is a difference of opinion on the Board, which is good. He reported his house has true divided lites, original glass of which he pulled every pane and replaced old glass with old glass, and put glazing in and painted it. He said there are arguments that the windows not durable but they are genuine. If this Board is trying to preserve history, he said, did they want to get in the weeds about the details for historically appropriate materials.

Mr. Rinaldi said probably two-thirds of the information in the HDDG is about maintenance and not design guidelines. He said when you drill down to the true guidelines, there is not much content.

Mr. Alexander said the HDDG is very clear about restoration when restoration is possible, addressing windows specifically and is consistent with other community standards. He noted that what Mr. Keeler did on his house was restoration because it was possible. He said the HDDG also notes when restoration is not possible. He said we also have to address new construction. He indicated everyone on this Board should be updated on materials but an employee in the building department can bring that expertise that the Board can rely on. He suggested that person could provide a list of what is approved and the reasons why.

Mr. Keeler indicated new construction is an area that needs to be addressed as well as design instead of just restoration and repair. He asked if the Board would be able to hold a property to a different standard than a new build. Mr. Dale answered affirmatively. He explained the justification with a historic building is there is demonstrable public interest and being concerned about how authentic and genuine restoration is handled versus a structure or development that is new.

Mr. Dale referred to the standards from the Secretary of the Interior that is addressed philosophically.

“Two part rehabilitation philosophy, retention of original and historic building materials to the greatest extent possible, and avoiding the creating of a false historic appearance. ”

Mr. Dale questioned how both is accomplished. He said the new construction standards in the back of HDDG state:

“Be creative, it can look new, but conform, size, material, setbacks.”

Mr. Dale stated that was the central philosophical struggle in historic preservation. He asked how the Board recognizes a non-historic building but rather a new building that appears new but it should also fit in the district. With existing, contributing historic buildings, he suggested, the Board be more concerned about authenticity. With new buildings, he said, the Board has the ability to build a new building.

Mr. Alexander said he compared the Code to the HDDG and the Code states buildings should represent the spirit of time in which they are built but the approved materials do not. He referenced the HDDG for the siding and certain types of masonry that is permitted. He said that is the conflict – using the Code applying it to new buildings. He agreed buildings should look like the current spirit of time so a few years from now someone would recognize a building that was built in 2018 but the material list needs to be updated to allow for that.

Mr. Dale said he is probably pointing out the obvious but this Historic District is not a homogenous district; there is a lot of diversity, building style, ages, and architectural style. He suggested a very modern and contemporary building would be jarring in the Historic District but at some point, some of the buildings that were built there 100 years ago, or 50 years ago, might have looked jarring or ahead of their time.

Mr. Dale noted between the Zoning Code content and the content in the HDDG, there seems to be a disconnect at times so those differences should be explored and aligned. For example, he said both documents address demolitions. He said the Code language addresses demolitions in terms of very specific kinds of finding that need to be made but then demolition gets discussed in the HDDG. He said the information needs to be in one place or the other or the information needs to be consistent in both. He said earlier a member stated the Code is what applies and the HDDG is a guide, an amplification in applying the Code.

Mr. Keeler referred to the Zoning Code that speaks to architectural character. – The architectural style general design and general arrangement of the exterior of a building and other structure including the type of light fixtures, signs, and other associated fixtures. He stated he did not view light fixtures, signs, or other fixtures as part of the architectural character. He said he is not an architect but sees the character defined by the elements of the building, 3-dimensional hard pieces of the building. He stated the door bell, door knocker, and light fixtures should not be included in determining character and therefore, would be less restrictive to someone coming before the Board. He believes it is not the Board's business to tell an applicant what kind of light fixtures should be used.

Ms. Rauch said all those details, historically, help make up the architectural character. She explained there is a vast difference between light fixtures that were used 100 years ago vs current light fixtures.

Jeff Leonard said the Board has discussed porch furniture for certain projects including materials and whether chairs should be black or brown. He said there is nothing in the HDDG about furniture to which Ms. Rauch agreed. She said that is part of this discussion – what content/information the Board would like to see in the HDDG.

Mr. Rinaldi said the HDDG provides guidance for those elements because they are very prominent by the building.

Mr. Keeler said there is specific guidance on signs. Mr. Rinaldi said the guidelines for signs is very restrictive in the HDDG and when the BSD Sign Guidelines were adopted the HDDG went a different

direction. He asked the Board if they have any sense as to where they want the guidelines for the Historic District to land.

Mr. Dale said these districts are being extracted from the BSD Code so certain guidelines in the BSD Code that this Board would like to remain for the Historic Districts, need to be made known. He pointed out that right now signs are a good example. He emphasized the Historic Districts should be free-standing. He said that is what he and the Board will be going through. He said ultimately, the decision is up to City Council. To address the question of what is in the Code and what is in the HDDG are the key issues, he emphasized.

Mr. Keeler reported that he Googled architectural character because he is not an architect but he was not able to find anything that defines character beyond structural type elements like brackets and windows, etc.

Mr. Rinaldi said he disagreed with Mr. Keeler because he believed the exterior elements were important. He said if there was an application for a historic commercial building on High Street and they want to put a Chihuly glass structure on the front, that would not be appropriate, and he would not approve it. He explained that sort of modern element would distract from the historic character. He indicated he would like to have some guidance/standards that state if the guidelines are met, the applicant would not need to come before the Board. He said he does not know how to define that.

Mr. Dale asked if there are certain additional applications that Staff could sign off on. Ms. Rauch answered the applications would be more that dealt with maintenance. She said if an applicant is replacing something with like-for-like materials (color, material, design) then they are not required to go before the ARB. She said if an applicant has a yellow building and want to paint it green, the applicant needs to come before this Board or if the applicant would like to replace a door with something that looks different, they would also need the Board's approval.

Mr. Leonhard asked if there were pre-approved paint colors to choose from. Ms. Rauch answered there were not but the guidelines and standards can be changed now. She said for a historic structure there are appropriate colors, tones, and color combinations. Mr. Rinaldi interjected that what colors might have been appropriate for one period of time might not have been appropriate for another.

Mr. Alexander added some communities allow Staff to determine if a paint color is appropriate and can approve it without addressing the Board. Mr. Dale asked the Board to consider additional standards/requirement that could be delegated for Staff/Administrative Approval. Mr. Rinaldi said it might be helpful to state at each meeting the actions that were taken by Staff. Lori Burchett asked if there would be a difference between residential and commercial requirements. Mr. Dale answered those are possibilities.

Ms. Rauch indicated that some people do not want to come before the Board because the process is cumbersome and if someone is in the Historic District, there is a higher level of scrutiny but they should expect that. She said balancing that might be challenging. She agreed and reported Staff works hard to minimize the inertia before it comes before the Board because they want to uphold the standards but at the same time, trying to be somewhat practical when possible.

Mr. Alexander said if there were clear cut requirements someone could follow to make decisions early to meet the application deadline, the applicant gets on the agenda and can get it done. He thought that would definitely help.

Mr. Leonhard said he joined the Board to understand the process of making changes on his own home. He reported his house was remodeled in 2008 – the person that owned it at that time was on the ARB and there is not a single divided lite pane window in his entire house.

Mr. Rinaldi asked if the Board should consider residential off of High Street because it is such an important core that needs the same level of scrutiny that other buildings have on High Street that may be the ones behind and particularly those that are deemed historic and maybe there should be a different approach. He gave the example of a 1968 ranch home versus an 1800 commercial building on High Street. Ms. Rauch said we need to account for properties that are actually historic but are newer. She said they all should be held to the same scrutiny.

Mr. Dale asked if guidelines should be distinguished geographically. He admitted the process of updating these documents should not be too complicated but properties off of High Street versus those that are on High Street might need to be treated differently.

Mr. Leonhard said what is visible from High Street is one thing but what is on the back could be another story. He cited the property the Tackett's just proposed to renovate as an example. He asked what boundaries would be changed. Ms. Rauch said that still needed to be determined.

Mr. Dale said there needs to be guidelines for new construction so it is designed to fit within the fabric of the Historic District. He said clues will need to be taken from the historic fabric that exists.

Mr. Keeler referred to Zoning Code Section 153.176A(1) Demolition – a structure contains no features of architectural or historical significance in the character of the area in which it is located. He asked if the City can exempt certain properties so you already know going in that one is taken care of.

Ms. Rauch said a Historic and Cultural Assessment was completed and determined what structures and properties were contributing and what is not contributing so there is a better baseline for that now. Before the assessment of all the properties, she explained it was challenging to understand what should be considered historic. She stipulated the historic nature was determined only from the outside. She said that is one of the four criteria an applicant would have to meet. She said the burden is on the property owner to demonstrate that.

Mr. Keeler asked if the assessment just applied to properties within the Historic District. Ms. Rauch answered this is part of the discussion because the assessment also applied to properties on Appendix G, which are outside the district. Mr. Keeler asked how someone would prove that and demonstrate criteria #1. Mr. Dale clarified that two of the four criteria have to be met. Ms. Burchett said Staff will run through the criteria with the applicant to identify areas that staff feels the applicant will need to make a case, etc.

Ms. Rauch said the role of the ARB is largely the preservation of the district, so the goal is not to make it simpler for people to demolish their structures.

Mr. Keeler surmised there is probably a 1960s or 70s house with a bad roof, cinder block construction, in very poor condition but since it is in the Historic District that applicant would have to spend a half hour explaining to the Board why the structure needs to be demolished. Ms. Burchett indicated that typically what is typically seen with the demolition requests are like a garage that was on the rear of the property built with a block foundation, elements had been removed from it, there were no historical features based on potential age and that is where the applicant demonstrated there were no historic architectural features. She said if Staff has evidence that there were historic architectural features to be preserved, Staff could then provide that information.

Ms. Burchett said the Board has the discretion to form their own opinion to approve a demolition even if Staff may have determined the applicant did not meet any of the criteria; the Board may have a different opinion.

Mr. Keeler inquired about the condition of imposing a waiting period on an applicant and what situation would cause such a provision. Ms. Burchett said Staff may not want to see something demolished; they may ask the applicant to take more time to see what can be done to save the structure. Staff also does not want something demolished without something going into its place so typically Staff would see a demolition request paired with a new development request.

Mr. Dale said where he has seen that come into play is when someone comes in making the economic argument – they state they have run the numbers, cannot afford the cost of renovation, will not be able to get a reasonable economic return or it is so deteriorating they cannot renovate. He said he has seen instances where Boards conclude – the applicant was making a good case but it was a borderline call and the Board would determine to give the owner more time to see if there are other alternatives. He said he has witnessed preservation organizations that try and purchase property or someone coming in and saying they could help the applicant with their economic analysis. He explained the waiting period is basically a cooling off period in the hopes someone will come up with something to save the building, coming in with an idea or provide assistance.

Mr. Dale gave an example of an applicant that claimed their building was unsafe, it had deteriorated through no fault of his own, it was not demolition by neglect, and the applicant can demonstrate they meet all the criteria but he has no idea what he wants to do with the property as he is not ready, and not in a financial position to have a reuse plan but he needs to remove the building. Mr. Alexander asked if that would be a building Code issue if the chief building official had determined it was a public hazard. Mr. Dale said issues of health, safety, and welfare usually override all preservation issues so that would be something to check into.

Mr. Rinaldi said the Board needs to see the structure inside and out in a demolition request. Mr. Dale said typically with these types of demolition requirements like the City has, where someone is literally trying to claim the economically viable use part that gets into a very technical kind of set of issues. He said a structural engineer study can be requested so the applicant can really demonstrate to the Board that not just exterior but the mechanical systems and the structural integrity of the building. He said it is a high level of proof to come in and say that the building cannot be reused in an economically feasible manner.

Mr. Rinaldi recalled a case where the Board was not permitted inside the house and had to make a judgement call from what was visible from the outside and there was an engineer's report but the applicant hired the engineer and he would like to be able to see for himself what the engineer is talking about versus just relying on the written document from someone the applicant hired.

Mr. Dale emphasized the Board is entitled to request adequate information before a decision is made. Ms. Burchett said, specifically for contributing structures. Ms. Rauch recalled after that happened, the City decided to hire a third-party consultant to help with future cases. She said as a Board, they have discussed what level of detail they would like to see, what the burden of proof was, and what the applicant had to provide to make the Board feel comfortable reviewing a demolition request.

Mr. Rinaldi stated this Board needs to understand they serve all of Dublin, not just the Historic District.

Mr. Dale asked the Board to focus in on Zoning Code Section 174, the actual standards of a review. He said those standards need to tie to these guidelines a little more clearly.

Ms. Rauch said Staff will continue to work with the committee on guidelines while simultaneously working on the other elements that City Council had directed them to do. She noted there is a Work Session

planned with City Council to talk about each of these pieces and where we are with that and get further direction from them, particularly as it relates to the boundary because that then impacts our zoning and the map, etc. She said they will review some draft guideline pieces with the committee and digest those into the three sections, which will eventually evolve into a draft guideline but that will also need to align with the Zoning Code.

The Board and Mr. Dale discussed the best way to approach revisions for the HDDG and the Zoning Code. Mr. Dale suggested the Board determine what the categories are, what they are trying to achieve, and then determine what really goes in the Code and what really needs to go in the HDDG. He recommended any editorial comments should be eliminated.

The Chair asked the Board if they had any further comments. [There were none.]

### **Communications**

The Chair requested communications. [There were none.]

### **Adjournment**

With no communications to share, the Chair adjourned the meeting at 7:52 pm.

As approved by the Architectural Review Board on September 26, 2018.

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

## § 153.170 HISTORIC DISTRICTS APPLICABILITY.

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 Section 153.175.

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 chapter.

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 Section 153.176.

## § 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- 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.

### § 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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,

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
<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	
High School				P	
Library, Museum, Gallery	P	P		P	YES

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Table 153.172A: Historic Zoning District – Use Table</b>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
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	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
Research & Development	P	P			
Retail, General	P/S/C	P/S/C			YES
Wireless Communications					Refer to Chapter 99 of Dublin Code of Ordinances
<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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Table 153.172A: Historic Zoning District – Use Table</b>					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	<b>Historic Core (HC)</b>	<b>Historic South (HS)</b>	<b>Historic Residential (HR)</b>	<b>Historic Public (HP)</b>	<b>Use Specific Standards</b>
Construction Trailer/Office	T	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	
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
Parking, Structure	C			C	
Parking, Surface Lot	P	P		P	
Renewable Energy Equipment	P	P	P	P	YES
Residential Model Home	T	T			YES
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 of Dublin Code of Ordinances

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

## (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 10 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 pm or prior to 7:00 am.
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 O.R.C. 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (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 1/2-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 percent.

- (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 am local time and 5:00 pm local time.

- (e) *Entertainment/Recreation, Indoor.* Indoor entertainment or recreation uses in the Historic Public District must be owned and operated by either a public or non-profit organization.

- (f) *Parking, Surface Lot*

1. All surface parking lots shall meet the surface parking lot design

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 10,000 square feet of gross floor area, unless otherwise permitted as a conditional use.

(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 O.R.C. 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 8:00am or after 10:00 pm.
  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 am or after 10:00 pm.
  5. Food trucks located within the right-of-way shall be subject to the City of Dublin Police regulations and enforcement.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 pm and 8:00 am, 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*

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 Code Section 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.

## § 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 promote design of a comparable size, scale, and mass to the existing development and character.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

**(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 Section 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 (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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

Parking Location	Rear	Rear	See Code Section 153.207	Side or Rear
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**(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 Section 153.176

<b>Table 153.173B: Historic Residential District – Setbacks</b>					
<b><i>For Properties Fronting onto:</i></b>	<b><i>Minimum Front Setback (ft)</i></b>	<b><i>Minimum Side Yard Setback (ft)</i></b>	<b><i>Minimum Total Side Yards (ft)</i></b>	<b><i>Minimum Rear Yard Setback Primary Structure (ft)</i></b>	<b><i>Minimum Rear Yard Setback Detached Accessory Structures (ft)</i></b>
Dublin Road	15	4	16	20% lot depth, not to exceed 50 feet	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		15
North Riverview Street (east side)	0	3	6		15
North Riverview	20	3	6		15

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

Street (west side)					
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.

(2) 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

(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 section 153.207, Parking in Residential Districts, shall apply to development with 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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 Section 153.173(I).

#### **(5) Parking Lot/Structure Lighting**

Parking lot and parking structure lighting shall comply with the requirements of Section 153.173(J).

#### **(6) Parking Lot Landscaping**

Parking lot landscaping shall comply with the requirements of Section 153.173(H).

#### **(7) Required Vehicle Parking**

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

(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>Residential</b>		
Dwelling, Single-Family Dwelling, Two-Family	2 per dwelling unit	2 per dwelling unit
Dwelling, Live-Work	2 per dwelling unit	3 per dwelling unit
<b>Civic/Public / Institutional</b>		
Cemetery	Per approved parking plan	
Community Center	Per approved parking plan	
Community Garden	Per approved parking plan	

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Table 153.173C: Required Vehicle Parking</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
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% of 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, Park & Ride	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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Table 153.173C: Required Vehicle Parking</b>			
<b>Use</b>	<b>Minimum Required</b>		<b>Maximum Permitted</b>
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/A		N/A
Parking, Surface Lot	N/A		N/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/A		N/A

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Table 153.173C: Required Vehicle Parking</b>		
<b>Use</b>	<b>Minimum Required</b>	<b>Maximum Permitted</b>
<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	N/A
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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

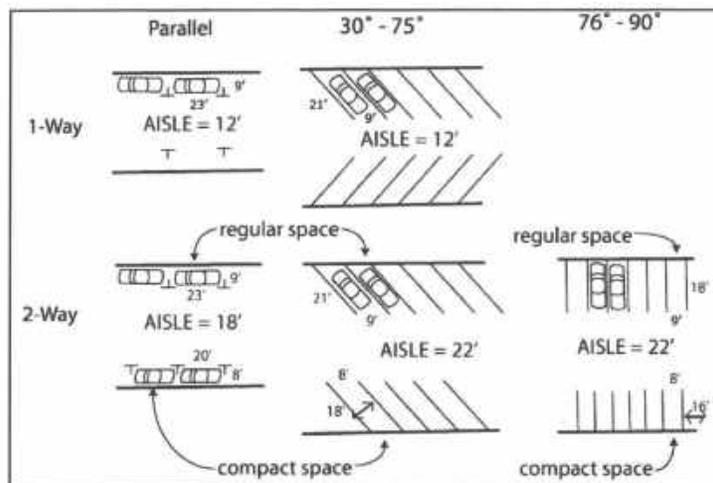
<b>TABLE 153.173D OFF-STREET PARKING SPACE AND AISLE DIMENSIONS</b>						
<b>Parking Pattern</b>	<b>Aisle Width</b>		<b>Regular Space</b>		<b>Compact Space*</b>	
	<b>1 Way</b>	<b>2 Way</b>	<b>Width</b>	<b>Length</b>	<b>Width</b>	<b>Length</b>
Parallel	12 ft.	18 ft.	9 ft.	23 ft.	8 ft.	20 ft.
30-75 degrees	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.

FIGURE 153.173A – OFF-STREET PARKING SPACE AND AISLE DIMENSIONS

(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 in this chapter.



(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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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 section 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**

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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 section 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: MINIMUM LOADING SPACES REQUIRED PER 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 am 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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 10 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

- (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 sections 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 land-scape 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (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 run-off 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,

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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.

<b>TABLE 153.173G STREET TREE SPACING REQUIREMENTS</b>	<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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

### **(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 de-fined 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 rea-sons 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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 re-view by the City Forester, and the trees shall only be re-moved 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 dis-ease 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (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(I) 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 10 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 section 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

### (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 re-moved 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.

### (I) **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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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 of 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(I)(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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (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(I)(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(I).

- (10) Alternative Screening - In lieu of compliance with the requirements of §153.173(I), 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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

results as well or better than compliance with the standards of §153.065(I).

**(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

<b>TABLE 153.173I: FIXTURE POWER AND EFFICIENCY</b>	
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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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 10 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 either flush with grade or mounted on a concrete foundation projecting no more than 36 inches above 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

(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 section 153.150 through 153.164 shall apply to the signs within Historic Dublin, except as modified herein. In the event of a conflict with the provisions of the Signs Chapter (sections 153.150-153.164), the provisions of this section shall govern.
- (b) Where noted for the purposes of permitted signs, street frontages shall apply only to public streets.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

### (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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

(a) General

All signs shall have dimensional letters, raised or routed with a minimum .5-inch relief; and shall be constructed of a high-quality, durable material. The provisions of Section 153.158(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 Section 153.154 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 §153.154(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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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 section 153.173(M)(5) for number of signs permitted and section 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>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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Sign Type</b>	<b>Code Section Reference</b>	<b>Sign Type Intent</b>
		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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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.

<b>Table 153.173M: Requirements for Other Permitted Signs</b>	
<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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<b>Table 153.173M: Requirements for Other Permitted Signs</b>	
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.

**§ 153.174 DESIGN STANDARDS**

**(a) Intent**

The design standards in this section outlines 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

1. 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.

2. Parapets shall wrap around all sides of the building.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

#### (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 (1) 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

### (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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

**(k) Accessory Uses and Structures**

Accessory buildings and uses are regulated per the requirements set forth in section 153.074.

### **§ 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 Section 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (5) Make determinations of contributing or noncontributing 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 Section 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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 (2) above. In the event the requirements of division (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.

### **§ 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 Section 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.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

- (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 sections 153.170 through 153.178 apply to all development within the areas under the jurisdiction of the Architectural Review Board, as provided in this chapter.

C. Abbreviations.

The following abbreviations and terms are used in this section:

- BZA: Board of Zoning Appeals
- CC or Council: City Council
- ARB: Architectural Review Board
- PD or Director: Planning Director
- 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	Council	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)

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

<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	Council	Zoning Code Reference
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(F)
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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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;
- (e) The proposed lots conform to the requirements of §153.173;
- (f) The proposed street types conform to the requirements and standards.
- (g) 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;
- (h) The proposed design of buildings conforms to the Zoning Code and is consistent with the Historic Design Guidelines, while integrating with nearby development;
- (i) The proposed open spaces are appropriately sited and designed to conserve or enhance natural features as appropriate, enhance the community both within and outside the proposed development;
- (j) The scale and design of the proposed development allows for the adequate provision of services currently furnished by or that may be required by the City or other public agency including, but not limited to, fire and police protection, public water and sanitary sewage services, recreational activities, traffic control, waste management, and administrative services;
- (k) The proposed development 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;
- (l) 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;

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (m) 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; and
- (n) 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.
- (o) 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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;

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (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; and
- (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.
- (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.

### I. 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 Section 153.176N.
- (e) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building.
- (f) Accessory structures and uses.
- (h) Parking plans when not associated with a PDP or a FDP.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

#### **(3) Review Procedure**

- (a) An application for a minor project MP shall be made in accordance with the provisions of divisions (I)(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.
- (g) 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;

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (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 contributing building per a determination of the ARB using the City of Dublin Historical and Cultural Assessment 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 Section 153.176(J)(5)(a).
    - (b) If the property that is to be demolished is categorized as a non-contributing building per a determination of the ARB using the City of Dublin Historical and Cultural Assessment the property owner or applicant shall demonstrate one of the criteria outlined in Section 153.173(J)(5)(b) is met.
    - (c) If a property owner believes that a property designated as a contributing property by the ARB is in fact non-contributing, it may present evidence to the ARB to that effect. Such a determination will be considered a Waiver under Section 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

- (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 contributing property may not be demolished until a replacement structure has been approved by the ARB.
- (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 contributing building per the City of Dublin Historical and Cultural Assessment 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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

4. In evaluating the factors established in (1) – (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 non-contributing building per the City of Dublin Historical and Cultural Assessment 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 section 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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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 §§ 153.172C 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 contributing versus non-contributing 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 (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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

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 contributing or noncontributing status, the provisions in Section 153.175(J)(c) shall also apply.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (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.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (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);

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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 Zoning Districts.
  - (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 Chapter and/or a subdivision plat required by the Code, if the Director determines that simultaneous review will not adversely impact the achievement of the purpose

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

and intent of this Chapter. 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 Chapter, a written notice of the public meeting shall be sent, not less than ten days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.
- (2) Decisions.
- (a) Any application required to be reviewed under this section shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in this section and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision.
  - (b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in this section and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications.
  - (c) 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

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

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;

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- 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.

### **§ 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.

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

- (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 sections 153.231(F).

### **§ 153.178 MAINTAINENCE**

- (A) Intent

## **DRAFT HISTORIC DISTRICT CODE AMENDMENT**

### **1/7/21 – Clean Version**

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.

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

## § 153.002 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning, as determined by the Director.

(A) *Uses definitions.*

(1) *Uses definitions - A*

(a) **ACCESSORY STRUCTURE or BUILDING.** A subordinate structure or building, the use of which is incidental to and customarily used in connection with the principal structure or use and which is located on the same lot with the principal structure or use.

(b) **ACCESSORY USE.** A subordinate use which is incidental to and customarily used in connection with the principal structure or use and which is located on the same lot with a principal structure or use, unless otherwise permitted by this chapter.

(c) **ANIMAL CARE.**

1. **GENERAL SERVICES.** A facility providing grooming, daycare, boarding, and training for household pets.

2. **VETERINARY OFFICES.** A facility for medical, dental, or other health services related to the diagnosis and treatment of animals' illnesses, injuries, and physical ailments, but not including crematory services.

3. **VETERINARY URGENT CARE AND ANIMAL HOSPITALS.** A facility for emergency care for the treatment of animal illnesses, injuries, or physical ailments, but not including crematory services.

(d) **ARTISAN PRODUCTION.** Establishments manufacturing and/or assembling small scale products. Artisan production includes, but not limited to food, beverage, and bakery products; printmaking and photography; art; leather products; soap and candles; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production.

(e) **ATM, WALK-UP.** An automated teller machine installed on the exterior face of a building accessible only by pedestrians.

(f) **ATTACHED ACCESSORY USE/STRUCTURE.** Any use and/or structure that is integrated visually, structurally and architecturally with the principal structure, has an attached roof with similar design to the principal structure, permits access between the principal structure and the addition either internally or under the roof, and/or shares a common wall with the principal structure or is connected to the principal structure by an enclosed space.

(g) **AUTO-ORIENTED COMMERCIAL FACILITY.** A facility where a service is rendered or a sales transaction is made while the patron is typically not required to exit a vehicle, or a facility that includes services rendered directly on, to, or for vehicles. Auto-oriented commercial facilities include, but are not limited to establishments with drive-in/drive-through services, drive-up ATMs (automated teller machines), car washes (all types), fueling/service stations, facilities specializing in vehicle maintenance (oil changes, installation of car accessories, and other similar minor vehicle service facilities), and stand-alone parking lots. The sale of vehicles (new or used) is not included within this definition.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(2) *Uses definitions - B*

(a) **BED AND BREAKFAST.** A private home providing accommodations to the traveling public in habitable units for compensation, and is generally limited to short-stay facilities. This use includes the provision of related accessory and incidental services such as eating and drinking, meeting rooms, and the sale of gifts and convenience goods.

(b) **BICYCLE FACILITIES.** Any amenity or element including, but not limited to, bicycle racks, lockers, and showers intended for use by either recreational or commuter cyclists.

(3) *Uses definitions - C*

(a) **CIVIC USE.** A use in a building or location that provides for community meetings and/or activities including, but not limited to, government administration, school administration, recreation center (public or private), Chamber of Commerce, Arts Council, public library, or other public buildings owned or operated by the city.

(b) **COMMUNITY ACTIVITY.** An activity that is open to the general public and sponsored by a public, private, nonprofit or religious organization that is educational, cultural, or recreational in nature. This use includes but is not limited to school plays and church fairs. (See also **SPECIAL EVENT.**)

(c) **COMMUNITY CENTER.** A public or not-for-profit facility offering meeting, activity, and/or recreation space and facilities that is available to the public with or without a fee charged. This definition may include space within a commercially used building, provided that the facility is available to the public.

(d) **COMMUNITY GARDEN.** An area for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family generally organized and managed by a public or not-for-profit organization. Incidental sales are permitted.

(e) **COMMUNITY RESIDENCE.** A family-like residential living arrangement for five or more unrelated individuals with disabilities in need of the mutual support furnished by other residents of the community residence as well as the support services provided by any staff of the community residence. Residents may be self-governing or supervised by a sponsoring entity or its staff which provides habilitative or rehabilitative services related to the disabilities of the residents. A community residence seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community. Because it is extremely unlikely that a group of more than 12 people can successfully emulate a family and prevent an institutional atmosphere from developing, no more than 12 individuals may live in a community residence. Its primary purpose is to provide shelter in a family-like environment; treatment is incidental as in any home. Inter-relationships between residents are an essential component. A community residence shall be considered a residential use of property for purposes of all zoning and building codes. The term does not include any other group living arrangement for unrelated individuals who are not disabled nor residential facilities for prison pre-parolees or sex offenders. The term "community residence" includes the following two categories:

1. **FAMILY COMMUNITY RESIDENCE.** A relatively permanent living arrangement with no limit on length of tenancy for five or more unrelated individuals with

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

disabilities, including but not limited to Adult Family Homes and Adult Care Facilities licensed by the Department of Mental Health and Addiction Services under R.C. § 5119.34.

2. **TRANSITIONAL COMMUNITY RESIDENCE.** A temporary living arrangement, with a limit on length of tenancy, for five or more unrelated individuals with disabilities.

(f) **CONFERENCE CENTER.** A facility designed to accommodate and support meetings or conferences. The facility may be either freestanding or incorporated into a hotel or office facility, and may include eating and drinking facilities but excluding overnight lodging if not part of a hotel.

(g) **CONSTRUCTION AND CONTRACT SERVICE TRADES.** Facilities used for the repair of machinery, equipment, products or by-products. May include outdoor storage of materials, supplies or equipment as an accessory use.

(h) **CONSTRUCTION TRAILER/OFFICE.** A trailer or portable building used to provide temporary work space for construction management personnel during the construction of a building or facility.

(i) **CORPORATE RESIDENCE.** An accessory use integrated as part of a principal structure or in an accessory structure available in conjunction with a nonresidential use that provides temporary housing for personnel or visitors and is not available to the general public.

(4) *Use definitions - D*

(a) **DATA CENTER.** A facility with typically lower employee counts than general office uses that houses computer systems and associated data and is focused on the mass storage of data.

(b) **DAY CARE, CHILD OR ADULT.** An adult day care facility offers social, recreational and health-related services in a protective setting to individuals who cannot be left alone during the day because of health care and social need, confusion or disability. A child day care is a facility providing non-medical care and supervision outside the home for minor children, provided the supervision is less than 24 hours per day and the facility is licensed by the State of Ohio. This definition includes preschools, nursery schools, and other similar facilities.

(c) **DISABILITY.** A physical or mental impairment that substantially limits one or more of an individual's major life activities, impairs an individual's ability to live independently, having a record of such an impairment, or being regarded as having such an impairment. People with disabilities do not include drug addicts or alcoholics when they are using alcohol, illegal drugs, or using legal drugs to which they are addicted.

(d) **DISH ANTENNA.** An outside accessory antenna that is linked to a receiver located on the same lot and used for the reception of signals transmitted by stations licensed by the Federal Communications Commission in the Radio Broadcast Services including AM, FM and TV.

(e) **DISTRICT ENERGY PLANT.** A facility that is not a public utility and that generates electrical energy for distribution to a defined area containing ten or more structures.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(f) **DRIVE-IN/DRIVE-THROUGH.** A structure or building feature, including but not limited to a service window, automated device, or other equipment that is designed to provide sales and service to patrons who remain in their motor vehicles, including associated driveways and driving aisles by which patrons reach the structure or building feature.

(g) **DWELLING.**

1. **ACCESSORY DWELLING.** A dwelling unit for occupancy by an individual who is providing services to a principal use of the property, such as watchmen, maintenance personnel, or temporary guests, including corporate residences; or an accessory dwelling associated with a single-family dwelling, two-family dwelling, or townhouse dwelling.

2. **DWELLING ADMINISTRATION, RENTAL, OR SALES OFFICES.** A permanent or temporary building or office used to administer a building containing dwelling units or to market the rental or sale of dwelling units on or near the property within a defined development site.

3. **LIVE-WORK DWELLING.** A structure including residential dwelling units connected with principal non-residential uses listed as permitted uses within a particular zoning district. The predominant character of the structure is intended to be harmonious with residential areas.

4. **MULTIPLE-FAMILY DWELLING.** A building arranged or intended for three or more households living independently of each other in separate dwelling units, any two or more of which may be provided with a common entrance or hall. Dwellings located on upper stories of a structure with non-residential uses on other stories are included in the definition of multiple-family dwelling.

5. **SINGLE-FAMILY DWELLING.** A detached or attached building arranged or designed to be occupied by one family, the structure having only one principal dwelling unit.

6. **TOWNHOUSE.** A building consisting of three or more dwelling units attached to each other through the use of shared party walls on one or both sides, with each unit having a ground floor and a separate entrance.

7. **TWO-FAMILY DWELLING.** A building arranged or designed to be occupied by two families, the structure having only two dwelling units with separate entrances.

(5) *Uses definitions - E*

(a) **EATING & DRINKING.** A facility that prepares or serves food or beverages directly to the public for on- or off-premise consumption. This use includes but is not limited to sit down or take-out restaurants, cafes or coffee shops, ice cream parlors, and may also include uses such as taverns, brewpubs, or wine bars.

(b) **EATING & DRINKING (ACCESSORY).** Eating & drinking when accessory to a principal use of the property, and when the facilities are designed and intended for use primarily by residents or occupants of the principal use of the property.

(c) **EDUCATIONAL FACILITY.** A facility offering classes, training courses, or skill development to the public, employees or to members of an organization. This use includes but

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

is not limited to vocational, business, or technical schools, training centers, colleges, and universities, but does not include an elementary, middle, or high school.

(d) **ELEMENTARY OR MIDDLE SCHOOL.** A facility providing education to students in kindergarten through eighth grades using a curriculum recognized by the State of Ohio, and including related assembly, sports, and activity areas, but not including facilities regularly used for housing or sleeping of students.

(e) **ENTERTAINMENT/RECREATION, INDOOR.** A facility or area providing opportunities for physical exercise, physical training or improvement of health for the general public or members of an organization. This use includes but is not limited to: theaters, bowling alleys, dance halls, game centers, gymnasiums, health clubs, exercise and fitness facilities, and climbing wall centers.

(f) **ESSENTIAL UTILITY SERVICES.** Facilities used to provide utility services to a building or property, including but not limited to water pipes, sewer pipes, electric lines and boxes, telecommunication lines or fiber optic equipment, gas regulator stations, and storm drainage pipes. This use does not include major utilities such as water or sewer treatment plants, electric generating plants, and other facilities that are primary rather than accessory uses of the sites on which they are located. Wireless communication facilities are also not included in this definition.

(g) **EXERCISE AND FITNESS.** A facility or area providing opportunities for exercise or fitness for the general public or members of an organization, including but not limited to health or exercise rooms and swimming pools, when accessory to a principal use of the property.

### (6) *Uses definitions - F*

(a) **FAMILY.** A family consists of any person living alone or any of the following groups living together as a single housekeeping unit that shares common living, sleeping, cooking, and eating facilities: (1) any number of people related by blood, marriage, adoption, guardianship, or other duly and legally authorized custodial relationship and no more than two unrelated individuals who provide care or assistance or are domestic employees, (2) two unrelated individuals and their children related to either of them and their foster children, or (3) four unrelated individuals. A family does not include any society; club; boarding or lodging house; fraternity; sorority; or group of individuals whose association is seasonal or similar in nature to a resort, motel, hotel, boarding or lodging house, nor that is institutional in nature.

(b) **FARMERS MARKET.** An area, which may or may not be in a completely enclosed building, where on designated days and times, growers and producers of horticultural and agricultural products may sell those products and/or other incidental items directly to the public.

(c) **FOOD TRUCK.** A mobile food and beverage unit which is temporarily stored on a privately-owned lot where food items are sold to the general public. May be motorized or unmotorized. Food truck includes food vehicle, food trailer, food cart, and temporary commercial structures designed for the sale of food and beverages accessory to the primary structure/use.

(d) **FUELING/SERVICE STATION.** A facility used primarily for the sale of vehicle fuels, oils or accessories. Services may include maintenance and lubrication of automobiles and

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

replacement or installation of minor parts and accessories but shall not include major repair work such as engine or transmission replacement, body and fender repair or spray painting. This use may include the retail sales of convenience goods.

(7) *Uses definitions - G*

(a) **GOVERNMENT SERVICES.**

1. **GENERAL.** A facility providing the administration of local, state, or federal government services or functions.

2. **SAFETY.** A facility providing police, fire, or emergency medical services to the surrounding community.

3. **SERVICE.** A facility providing government services that includes vehicle and equipment parking and/or service or maintenance yards.

(8) *Uses definitions - H*

(a) **HEDGE.** A row of dense, closely spaced living plant material composed of vines, trees, shrubs, bushes or combination thereof.

(b) **HELIPAD/HELIPORTS.** An aviation accessory devoted to the landing, takeoff and storing of helicopters.

(c) **HIGH SCHOOL.** A facility providing education to students from ninth through 12th grades using a curriculum recognized by the State of Ohio and including related assembly, sports and activity areas, but not facilities regularly used for the housing or sleeping of students.

(d) **HOME OCCUPATION.** A business or occupation incidental and subordinate to a principal residential use conducted within a dwelling. Examples include but are not limited to: artist's studio, office, teaching, or consultancy.

(e) **HOSPITAL.** Any facility in which in-patients are provided diagnostic, medical, surgical, obstetrical, psychiatric, or rehabilitation care for a continuous period longer than 24 hours, or a medical facility operated by a health maintenance organization.

(f) **HOTEL.** A building or series of buildings providing accommodations to the traveling public in habitable units for compensation, and includes but is not limited to both short-stay and extended stay facilities. This use includes the provision of related services such as eating and drinking, meeting rooms, and the sale of gifts, and convenience goods.

(9) *Uses definitions - I (reserved for future use)*

(10) *Uses definitions - J (reserved for future use)*

(11) *Uses definitions - K (reserved for future use)*

(12) *Uses definitions - L*

(a) **LARGE FORMAT RETAIL.** A retail or wholesale use of 20,000 square feet or more of gross floor area as a single use area.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(b) **LIBRARY, MUSEUM, GALLERY.** Facilities containing collections of books, manuscripts, and similar materials for study and reading, or exhibiting works of art or objects in one or more of the arts and sciences.

(13) *Uses definitions - M*

(a) **MANUFACTURING AND ASSEMBLY.** A facility used for the fabrication, assembly, finishing, packaging or processing of components and/or finished goods.

(b) **MEDICAL AND DIAGNOSTIC LABORATORY.** A facility for sampling, photographing, analyzing or testing bodily fluids and other medical specimens. These facilities may not include laboratories for the sole purpose of research.

(c) **MINI-STORAGE.** A facility of leased or owned structures available to the general public for the storage of goods.

(d) **MIXED USE.** A mixed use development consists of two or more principal uses such as residential and commercial uses, and where the arrangement of buildings and uses share internal and external vehicular and pedestrian circulation, open spaces, and other similar development features. A mixed use development may occur either vertically within a structure, or horizontally within multiple structures as part of a coordinated development.

(e) **MOTOR VEHICLE REPAIR, MAJOR.** A facility or area where major mechanical (engine, transmission or other major mechanical systems) or body work is conducted on vehicles and/or trailers.

(14) *Uses definitions - N*

(15) *Uses definitions - O*

(a) **OFFICE.**

1. **CALL CENTER.** A facility providing customer service or sales requests by telecommunication or other data means.

2. **FLEX.** A facility including office, research, laboratory, manufacturing, clean assembly, warehousing, or other related activities whose configurations and construction methods allow for easy conversion of interior and exterior space.

3. **GENERAL.** A facility providing executive, management, administrative, or professional services. This use includes corporate offices, law offices, architectural firms, insurance companies and other executive, management or administrative offices for businesses or corporations. General office uses may include the administration of local, state, or federal government services or functions. This facility does not include medical offices, call centers, or flex offices.

4. **MEDICAL.** A facility providing medical, dental, or other health services relating to the diagnosis and treatment of human illnesses, injuries, and physical ailments treated in an office setting. This includes outpatient surgery, rehabilitation, incidental laboratories and other related activities, but does not include overnight patient stays.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(b) **OUTDOOR DINING AND SEATING.** An area accessory to an eating and drinking facility or a retail business in which food and beverages are served, offered for sale, or are available for consumption outside of the principal structure.

(c) **OUTDOOR DISPLAY OR SEASONAL SALES.** The display of goods outside the principal structure on the site for the purpose of marketing or sales for a temporary period of time typically not exceeding three months in any calendar year, when accessory to a principal use of the property.

(d) **OUTDOOR SEASONAL PLANT DISPLAY.** An area adjacent to a retail business that, as an outdoor accessory use, displays live garden plant material for sale by the adjacent principal retail business. Display may include live plants such as flowers and trees suitable for planting or landscaping.

(e) **OUTDOOR SERVICE FACILITY.** If not otherwise defined as outdoor seasonal plant display, an area that is not fully enclosed by solid walls and a roof and where services are rendered or goods are displayed, sold, or stored. Outdoor service facilities may include, but are not limited to outdoor dining areas, restaurant patios, outdoor storage areas, open-air markets, garden stores, and stand-alone parking lots.

(16) *Uses definitions - P*

(a) **PARKING.**

1. **MUNICIPAL PARKING.** A parking lot or structure owned or controlled by the city or other public entity available for use by the general public.

2. **PARKING, ACCESSORY.** Parking that is provided to comply with minimum off-street parking requirements in this chapter for a principal use of the property or a designated nearby property, and that is provided exclusively to serve occupants of or visitors to a principal and/or accessory use.

3. **PARKING STRUCTURE.** A facility used for vehicle parking and where there are a number of floors or levels on which parking takes place, either freestanding or integrated into a building.

4. **PARKING STRUCTURE, ACCESSORY.** A structure that contains parking provided to comply with minimum off-street parking requirements in this chapter for a principal use of the property or a designated nearby property, and that is provided exclusively to serve occupants of or visitors to a principal and/or accessory use.

5. **SURFACE PARKING LOT.** The use of land to provide off-street parking for vehicles. For the purposes of the BSD districts in §§ 153.057 to 153.066, surface parking does not include driveways for single-family attached or detached residential units.

(b) **PARKS AND OPEN SPACE.** Public or private land that has been identified for active or passive parks or property to be left in a generally natural state.

(c) **PERSONAL, REPAIR, & RENTAL SERVICES.** A facility or establishment that provides services associated with personal grooming, personal instruction or education, the maintenance of fitness, health and well-being, or the rental, servicing, maintenance, or repair of

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

consumer goods. This use includes but is not limited to yoga centers, beauty salons, barbers and hairdressers, meditation centers, massage centers, dry cleaning shops, tailors, shoe repair, and electronics repair shops. This facility does not include motor vehicle, recreational vehicle, or heavy equipment repair or rental.

(d) **PORTABLE CLASSROOM.** A manufactured structure not permanently attached to the ground, used on a temporary basis in conjunction with a permanent structure to provide educational services.

(e) **PORTABLE NONRESIDENTIAL STRUCTURES.** A building(s) or similar structure(s) designed for occupation which is not placed on a permanent foundation. The definition shall include construction trailers, portable classrooms, tents, trailers and any other uses which may be proposed for these structures.

(f) **PRINCIPAL USE.** The primary or predominant use of a lot, parcel, or structure.

(g) **PUBLIC SAFETY FACILITY.** A facility used to provide police, fire, or emergency medical services to the community.

(16) *Uses definitions - Q*

(17) *Uses definitions - R*

(a) **RELIGIOUS OR PUBLIC ASSEMBLY.** A facility in which the public or members of an organization gather to engage in collective activities, which may include worship, study, relaxation, service activities, assembly space, or recreation. This use includes but is not limited to churches, mosques, synagogues, temples, clubs, meeting halls, and social organizations.

(b) **RENEWABLE ENERGY EQUIPMENT OR ALTERNATIVE ENERGY EQUIPMENT.** Equipment for the collection of solar, wind or geothermal energy or its conversion to electrical energy or heat for use on the same property or for incidental sale to a utility when that equipment is accessory to a permitted or approved conditional principal use of the property.

(c) **RENEWABLE WIND EQUIPMENT.** Equipment for the collection of wind energy or its conversion to electrical energy or heat for use on the same property or for incidental sale to a utility when that equipment is accessory to a permitted or approved conditional use of the property. Includes both building mounted and ground mounted units. Ground mounted units have a foundation and are not dependent on a building for structural support.

(d) **RESEARCH AND DEVELOPMENT.** A facility or area for conducting scientific research, synthesis, analysis, investigation, testing, or experimentation, and including the fabrication of prototypes, assembly, mixing and preparation of equipment and components incidental or necessary to the conduct of such activities. Research and development includes support facilities, but not including facilities for the manufacture or sale of products except as may be incidental to the main purpose of the laboratory.

(e) **RESIDENTIAL MODEL HOME.** A residential structure used by a licensed homebuilder/developer, real estate worker or realtor to demonstrate construction, display built-in amenities and color selection charts to prospective home buyers and promote the sale or lease of housing units.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(f) **RETAIL, GENERAL.** A facility or area for the retail sale of general merchandise or food to the general public for direct use and not for wholesale. This use includes but is not limited to sale of general merchandise, clothing and other apparel, flowers and household plants, dry goods, convenience and specialty foods, hardware and similar consumer goods.

(g) **RETAIL OR PERSONAL SERVICES (ACCESSORY).** General retail, as defined, when accessory to a non-retail or personal service principal use of the property.

(18) *Uses definitions - S*

(a) **SEXUALLY ORIENTED BUSINESS ESTABLISHMENT.** A commercial establishment including adult cabaret, adult store, or adult theater primarily engaged in persons who appear nude/semi-nude, live performances, films or other visual representations, adult booths, or sale or display of adult material.

(b) **SPECIAL EVENT.** A temporary outdoor use of land for the purposes of a gathering, including but not limited to a fair, festival, celebration, or fundraiser.

(c) **SWIMMING POOL.** Any confined body of water, with a rim/deck elevation less than one foot above the existing finished grade of the site, exceeding 100 square feet in water surface area, and 24 inches in depth, designed, used, or intended to be used for swimming or bathing purposes.

(19) *Uses definitions - T*

(a) **TRANSPORTATION.**

1. **PARK-AND-RIDE.** A facility providing parking and shelter for transit passengers or carpooling that typically includes parking lots and associated structures located along or near public transit routes.

2. **TRANSIT STATION.** When a transit station is the principal use of the property, it is a facility where public transit vehicles load and unload patrons, and where patrons may transfer between public transit lines. This use does not include park and ride or ride-sharing facilities, transit vehicle repair or maintenance facilities, bus stops located on public property, or bus stops accessory to a principal use of the property.

3. **TRANSIT STOP.** An incidental area, either along the public right-of-way or on a private site, with shelters or other related amenities for patrons waiting for buses or other forms of public transportation. A transit stop shall not include a transit station, park-and-ride, or other major transit facility.

(b) **TRUCK AND VAN RENTAL ESTABLISHMENT.** A business that deals in the retail and/or wholesale rental of trucks and commercial vans used for such purposes as moving and storage, transportation of goods, and other similar uses.

(20) *Uses definitions - U*

(a) **UTILITIES.**

1. **ELECTRIC SUBSTATION.** A facility where electricity generation, transmission and distribution system is managed through the use of transformers.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

2. **RENEWABLE ENERGY FACILITIES.** Commercial-scale operations for the collection of solar, wind, or geothermal energy and its conversion to electrical energy for sale to a public utility.

(21) *Uses definitions - V*

(a) **VEHICLE SALES, RENTAL, AND REPAIR.** A facility or area used for the retail sale of vehicles (new or used) and related vehicle service facilities, renting of vehicles, repairing vehicles or the sale and installation of tires, batteries, and other minor accessories and services for vehicles. This use does not include supplies, tires, or parts unrelated to repairs being performed on the premises, or a fueling/service station.

(b) **VEHICLE CHARGING STATION.** When accessory to a permitted or approved primary use of the property, vehicle charging stations are facilities or areas at which electric powered or hybrid powered motor vehicles can obtain electrical current to recharge batteries.

(22) *Uses definitions - W*

(a) **WAREHOUSING AND DISTRIBUTION.** Facilities and accessory uses for the mass storage and movement of goods as well as transportation, logistics, maintenance and fleet parking.

(b) **WHOLESALE AND DISTRIBUTION.** Facilities and accessory uses for the mass storage and movement of goods as well as transportation, logistics, maintenance and fleet parking.

(c) **WIRELESS COMMUNICATION.** Wireless communications facilities and related terms are defined in § 99.04 of this Code of Ordinances.

(B) *General definitions.* For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning, as determined by the Director.

(1) *General definitions - A*

(a) **ABANDONED SIGN.** A sign associated with an abandoned use, a sign that remains after the termination of the business, or a sign on its immediate premises not adequately maintained and not repaired within the specified time under § 153.162.

(b) **ABOVEGROUND POOL.** Any confined body of water, with a rim/deck elevation more than one foot above the existing finished grade of the site, exceeding 100 square feet in water surface area, and 24 inches in depth, designed, used, or intended to be used for swimming or bathing purposes.

(c) **ADMINISTRATIVE OFFICIAL.** The official charged with the administration and enforcement of this chapter. For the city, the administrative official is the Director of Land Use and Long Range Planning.

(d) **ADMINISTRATIVE REVIEW TEAM or ART.** An administrative body of the city and Washington Township officials responsible for certain administrative reviews and approvals as designated in this chapter.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (e) **AGGREGATE DIAMETER.** The combined diameter of a multiple trunk tree measured at breast height (see **DIAMETER BREAST HEIGHT**).
- (f) **AISLE.** That portion of the off-street parking and loading area that provides access to parking, stacking or loading spaces, exclusive of driveways and parking and loading spaces.
- (g) **ALLEY.** A secondary access way typically not less than 20 feet in width available for public use or transportation and affording vehicular access to abutting property.
- (h) **ALTERATION.** Any change, addition or modification in construction or any change in the structural members of a building, such as walls or partitions, columns, beams or girders, the consummated act of which may be referred to in this chapter as "altered" or "reconstructed." Any action to change, modify, reconstruct, remove or demolish any exterior features of an existing structure or of the site. 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 is excluded from the definition of alteration, provided the work does not involve a change in type and/or color of building materials.
- (i) **ANIMATED SIGN.** Any sign that uses or has the appearance of movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene.
- (j) **APPLICANT.** Any person who applies for a zoning approval through the provisions of this chapter.
- (k) **ARCADE.** A roofed or built structure, extending over the sidewalk or square, open to the street except for supporting columns, piers, or arches.
- (l) **ARCHITECTURAL CHARACTER.** The architectural style, general design, and general arrangement of the exterior of a building or other structure intended to recreate a period of history, architectural theme or other similar effect.
- (m) **ARCHITECTURAL REVIEW BOARD** or **ARB.** The Architectural Review Board of the city, as created in § 153.172.
- (n) **ARCHITECTURAL REVIEW DISTRICT**, or **HISTORIC DISTRICT.** The Architectural Review District of the city. The term may also be used to refer to Ohio Historic Inventory Properties as provided in § 153.170, where appropriate.
- (o) **ARCHITECTURAL STYLE.** The predominant historic features that make a building or other structure notable or historically identifiable architectural styles within given areas of the historic district, as described in § 153.172 4(B)(4), the Historic Design Guidelines or in other defined areas.
- (p) **ARTICULATION.** Detailing, decoration, expression lines, shadow lines, and other similar techniques used to provide architectural interest.
- (q) **AUTOMATED TELLER MACHINE (ATM).** An electronically operated device used to conduct financial transactions on site, by means of direct computerized access. These devices may be accessible by vehicle and/or pedestrians.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(r) **AUTO-SHARE PARKING SPACE.** A parking space designated for use only by a vehicle owned or leased by an entity and made available to members of the entity for their shared use. Examples of this use include spaces reserved for a ZipCar or Flexcar vehicle.

(s) **AWNING.** A roof-like covering, often adjustable, over a door, window, or other opening in a structure, designed to provide protection against the elements such as sun, wind, or rain.

(t) **AWNING SIGN.** A sign painted on or affixed to an awning.

### (2) *General definitions - B*

(a) **BANNER.** A non-rigid cloth, plastic, paper, or canvas sign, used on a temporary basis, typically related to a special event or promotion that is cultural, educational, charitable, or recreational in its function, under the sponsorship of a for-profit establishment or business, or a public, private nonprofit or religious organization.

(b) **BENCH SIGN.** Any sign painted on, located on, or attached to any part of the surface of a bench, seat, or chair placed on or adjacent to a public roadway.

(c) **BICYCLE CIRCULATION PLAN.** A detailed plan showing the location of all site access points, bicycle facilities, and travel routes expected to be used by bicyclists.

(d) **BICYCLE FACILITIES.** All amenities or elements including bicycle racks, lockers, and showers intended to assist either recreational or commuter cyclists.

(e) **BILLBOARD.** An off-premise sign directing attention to a specific business, product, service, entertainment or other activity sold, offered, or conducted off-site.

(f) **BLAND ELEVATION.** An elevation that lacks the minimum required openings and architectural features, such as windows, doors, exterior chimneys, or other similar architectural features.

(g) **BLANK WALL.** A façade or portion of a façade with no windows or doors or other elements of transparency.

(h) **BLOCK.** The aggregate of lots, pedestrianways and alleys or service lanes, whether public or private, typically surrounded on all sides by public streets.

(i) **BLOCK FACE.** The aggregate of all the building façades on one side of a block. Lots with their front property line and buildings with their front façade along the block face are referred to as "fronting" on the block or street.

(j) **BLOCK PERIMETER.** The horizontal distance around the boundaries of the block.

(k) **BOARD OF ZONING APPEALS, or BZA.** The Board of Zoning Appeals of the city.

(l) **BOARD ORDER.** The official document issued by the Architectural Review Board or Board of Zoning Appeals containing the official record of a final action or recommendation on an application for a review required by the ARB or BZA in accordance with this chapter.

(m) **BRIDGE STREET DISTRICT (BSD).** A planned area of the city generally bounded on the east by Sawmill Road, on the north and west by I-270, and including land

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

within the Architectural Review District boundaries and along the north and south sides of SR 161.

- (n) **BUILDABLE AREA.** Portions of a site or lot where development is permitted.
  - (o) **BUILDING.** A structure intended for shelter, housing or enclosure of persons, animals or chattel. When separated by dividing walls without openings, each internal portion of the structure so separated shall be deemed a separate building.
  - (p) **BUILDING ACTIVITY AREA.** The area of a lot in which construction and building activities occur.
  - (q) **BUILDING ENTRANCE.** An access door into the building primarily intended for pedestrian use.
  - (r) **BUILDING FAÇADE.** See **FAÇADE.**
  - (s) **BUILDING FOOTPRINT, MAXIMUM.** The total area on a site that is used by all buildings, both primary and accessory, attached and detached, measured to the eave line. Parking lots, landscaping, patios, decks, swimming pools, and other non-building facilities are not included in the building footprint.
  - (t) **BUILDING, HEIGHT.** The vertical distance measured from the grade to the highest point of the coping of a flat roof; to the deck line of a mansard roof; or to the mean height level between the eaves and ridge of a gable, hip or gambrel roof, unless otherwise specified by this chapter.
  - (u) **BUILDING IDENTIFICATION SIGN.** A type of wall sign which is physically attached to a building façade and intended to provide an identity for buildings with three or more stories and high visibility along a street. Building identification signs are typically used to communicate a general name or address for a building or associated development, or to identify a major commercial tenant within the building.
  - (v) **BUILDING-MOUNTED SIGN.** A sign which is physically attached to a building façade or associated appurtenance, and intended to provide visibility for either pedestrians or motorists. Building-mounted signs are typically used to identify commercial tenants within the building or to identify the general name of a residential building or associated development. Within the Bridge Street Corridor districts, building-mounted signs include wall signs, projecting signs, awning signs and window signs, but do not include other types of signs that may be attached to a building, such as building identification signs and directory signs.
  - (w) **BUILDING TYPE.** Required building forms for new construction and renovated structures within districts specified in this chapter.
  - (x) **BUS SHELTER SIGN.** Any sign painted on or affixed to any bus shelter.
- (3) *General definitions - C*
- (a) **CALIPER.** The diameter of a tree trunk six inches above the existing grade or proposed planted grade. This measurement is used for nursery-grown trees.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (b) **CANOPY.** A freestanding or connected roof-like structure designed to offer protection from the weather.
- (c) **CHANGE.** Any new construction, alteration, demolition, or removal or other construction involving any property subject to the provisions of this chapter including signs, landscaping, and tree removal. **CHANGE** shall not include ordinary maintenance or repair of any property if no change in material, design, color, or outward appearance is undertaken.
- (d) **CHANGEABLE COPY SIGN.** A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged by mechanical, electronic or manual means without altering the face or surface of the sign.
- (e) **CHANNEL LETTERS.** The outline of a letter, border, or similar object with a vertical side wall to confine the lighting on the face either to restrict vision at an angle or to prevent light spillage over adjacent areas.
- (f) **CHAPTER.** Chapter 153 of the Codified Ordinances of Dublin, unless otherwise specified.
- (g) **CHIMNEY.** A structure projecting from the exterior wall of a house and enclosing or appearing to enclose a flue that carries off smoke. It may or may not extend vertically to the eaves line or have a foundation/connection to ground.
1. **CANTILEVERED CHIMNEY.** A chimney that projects from the exterior wall and does not have a foundation or extension to the ground.
  2. **SHED-TYPE CHIMNEY.** A chimney that does not extend full height vertically to the eaves line. A shed chimney typically includes a direct vent outlet in the chimney wall.
- (h) **CISTERN.** An underground storage component of a rainwater harvesting system typically larger than 80 gallons.
- (i) **CITY.** The City of Dublin, Ohio.
- (j) **CITY COUNCIL, or COUNCIL.** The legislative body of the city.
- (k) **COMMERCIAL VEHICLE.** Any vehicle used or designed to be used for business or commercial purposes including but not limited to: bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, or any other non-recreational trailer used for commercial purposes, stage bed truck, step van, tank truck, tar truck, or other commercial type vehicle licensed by the Ohio State Bureau of Motor Vehicles as a commercial vehicle or commercial truck.
- (l) **COMMISSION.** The Planning and Zoning Commission of the city.
- (m) **COMMUNITY PLAN.** The current adopted Community Plan of the city and any amendments thereto.
- (n) **COMPACT PARKING SPACE.** A vehicle parking space, with dimensions smaller than a standard vehicle parking space, that is intended to be occupied by smaller vehicles. (See § 153.065(B)(4)).

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

(o) **CONCEPT PLAN.** A plan that generally indicates the overall design of a proposed PUD or BSD project with sufficient information to enable the applicant and the city to discuss the concept for the proposed development and to determine if the proposal is generally consistent with the Community Plan and other applicable plans of the city.

(p) **CONDITIONAL USE.** A use allowed in a zoning district after approval is granted by the Commission according to the provisions of § 153.236.

(q) **CONSTRUCTION SIGN.** A sign that identifies the project and, if desired, owners, lenders, contractors, architects, and engineers of a project under construction.

(r) **CONTRIBUTING.** The status assigned to buildings and other cultural resources that add to the historic associations, historic architectural qualities, or archaeological values for which the district is significant. The resource itself may be individually eligible for listing in the National Register; or it may fall short of the requirements for individual listing, but because it retains sufficient integrity to add to the significance of the property, the resource is classified as contributing. The resource may also be capable of yielding important information about the period of significance.

(s) **CORBEL.** A build out of one or more courses of brick or stone from the face of a wall, traditionally to form a support for timbers.

(t) **CORNER FAÇADE.** Any building face generally oriented along a corner side property line, either within the corner required building zone or behind the corner setback.

(u) **CORNER SIDE PROPERTY LINE.** For corner lots occupied by a single building, the corner side property line is the lot line abutting the street right-of-way from which the corner required building zone (RBZ) or corner side setback, as applicable, is measured.

(v) **CORNICE.** Overhang of a pitched roof at the eaves line, usually consisting of a fascia board, a soffit for a closed cornice, and appropriate moldings. Molded projections which crown or finish the part of the roof to which they are affixed are included in the definition of cornice.

(w) **COURTYARD.** An outdoor area enclosed by a building on at least three sides.

(x) **CRITICAL ROOT ZONE.** The area inscribed by an imaginary line on the ground beneath a tree having its center point at the center of the trunk of the tree and having a radius equal to one foot for every inch of diameter breast height.

(y) **CROSSWALK.** Designated paths intended for pedestrians to use for crossing the street right-of-way, typically at intersections and sometimes at mid-block.

(z) **CURB LINE.** The face of a curb along a curbed public or private street.

(aa) **CULTURAL RESOURCES.** Tangible remains of past human activity that include architectural and archeological resources specifically buildings, structures, sites, objects, and districts. Includes prehistoric sites; historic or prehistoric objects or collection; rock inscription; earthworks, canals, or landscapes; monuments and infrastructure.

(4) *General definitions - D*

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (a) **DAY.** Calendar day.
- (b) **DECKING (POOL).** The concrete, cement, wood, metal, brick, or other material surrounding or immediately adjacent a swimming pool.
- (c) **DEMOLITION.** The complete or substantial removal or planned destruction of any structure.
- (d) **DETERIORATION.** The impairment of value or usefulness of a structure or site through action of the elements or lack of maintenance or upkeep.
- (e) **DEVELOPMENT SIGN.** A temporary sign indicating such things as the names of the architects, engineers, landscape architects, contractors, or similar artisans, and the owners, financial supporters, sponsors and similar public or private individuals or firms having a role or interest with respect to the development, structure, or project, whether public or private.
- (f) **DIAMETER BREAST HEIGHT (DBH).** The diameter of a tree measured at four and one-half feet above the existing grade at the base of the tree. This measurement is used for existing forest trees.
- (g) **DIRECTIONAL SIGN.** A temporary or permanent sign that provides information regarding location, instructions for use, or functional/directional data, but not used for advertising or identification.
- (h) **DIRECTOR.** The Director of Planning of the city.
- (i) **DIRECTORY SIGN.** Small signs or placards affixed to a wall or elevation adjacent to the main entrance to a multiple-tenant building typically used to list tenants located within the building.
- (j) **DIRECT VENT OUTLET.** An outlet through an exterior wall associated with the air supply and/or exhaust of a fire burner. It may or may not occur in a projecting box/chimney.
- (k) **DISPENSING STATION.** The point of service for a fuel station at which a vehicle is fueled. A dispensing station is that location serving one vehicle, regardless of the number of individual fueling pumps or nozzles at the point of service.
- (l) **DISPLAY SIGN.** Signs incorporated into the window display of a business intended to advertise the goods and/or services associated with businesses and intended to change frequently. Display signs may be attached to or located within three feet of a window and may include restaurant menus or products for sale or display.
- (m) **DORMER.** A window set vertically in a structure projecting through a sloping roof; also the roofed structure containing that window or a ventilating louver.
- (n) **DOUBLE-FRONTAGE LOT.** A lot having frontage along two public streets.
- (o) **DRIVEWAY.** The hard paved surface of a lot that is specifically designated and reserved for the movement of motor vehicles to and from a public or private street. This definition includes the area from the street providing access to and from the lot and any maneuvering areas.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(p) **DRIVEWAY APRON.** A solid area of approved paving material immediately adjacent to and connecting a public or private street to a parking lot, parking structure, or driveway.

(5) *General definitions - E*

(a) **EAVE.** The lower edge of a pitched roof; it typically overhangs beyond the side of a building.

(b) **ELECTRONIC SCOREBOARD.** An electronically-controlled changeable copy sign used to display scoring information for sporting events, typically located on a sports field.

(c) **ELEVATION.** A geometric projection of the front, side, or rear outer surface of a building onto a plane perpendicular to the horizontal; a vertical projection.

(d) **ENTRY FEATURE SIGN.** An on-premises ground-mounted sign that graphically identifies a residential subdivision and/or multiple-family development. For commercial uses, see **JOINT IDENTIFICATION SIGN.**

(e) **EPIPHYTIC.** The sudden and destructive development of a plant disease, usually over large areas.

(f) **ESTABLISHED GRADE LINE.** The average finished grade for a site. All references to sign height are from the established grade line unless otherwise noted.

(g) **EXISTING STRUCTURE.** For the purposes of § 153.062, **EXISTING STRUCTURES** are structures that are lawfully existing but may not comply with the requirements of the chapter because of restrictions such as front property line occupation, lot coverage, required build zone, buildable area, height, or other requirements related to the structure.

(h) **EXISTING USE.** For the purposes of § 153.059, **EXISTING USES** are uses that are lawfully existing at the effective date of this amendment.

(i) **EXPRESSION LINE.** An architectural treatment extending or offset from the surface plane of the building wall. Expression lines typically delineate the transition between floor levels and the base-middle-top of a building.

(j) **EXTERIOR ARCHITECTURAL FEATURE.** A prominent or significant part or element of a building, structure, or site. Features include the architectural style and general arrangement of the exterior of the structure including building materials, windows, doors, lights, signs, dry-laid stone fences and other fixtures appurtenant thereto. Features shall include the style, material, color, height, area, and lighting, and location of a sign regulated by this chapter.

(6) *General definitions - F*

(a) **FAÇADE.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and architectural elements. May also be referred to as the building façade.

(b) **FASCIA.** A horizontal piece (such as a board) covering the joint between the top of a wall and the projecting eaves; also called fascia board.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(c) **FENCE.** Any permanent or temporary partition, structure, or other material erected as a dividing structure, barrier or enclosure, and not an integral portion of a structure requiring a building permit.

(d) **FINAL DEVELOPMENT PLAN.** A detailed plan showing the location of all site improvements, including easements, utilities, buildings, parking areas, circulation routes, points of ingress and egress, transportation and other public improvements (both on- and off-site), landscaping, architectural drawings, loading and unloading zones, service areas, ground signs, directional signs, location of refuse containers, lighting and accessory structures, and other similar improvements, and may include a subdivision plat of a proposed PUD or BSD project. Critical dimensions are shown unless otherwise required.

(e) **FLAG.** Any fabric or bunting containing the officially recognized and adopted colors, patterns, or symbols used as the official symbol of a government, political, or corporate entity.

(f) **FLAG LOT.** An interior lot located generally to the rear of another lot but with a narrow portion of the lot extending to the public street.

(g) **FLASHING SIGN.** Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever.

(h) **FLAT ROOF.** A roof with no visible slope and no parapet.

(i) **FLOOR AREA, GROSS (GFA).** The sum of the gross horizontal area of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The gross floor area of a building shall include the basement floor area only if more than one-half of the basement height is above finish lot grade and/or is otherwise considered to be a half-story. Areas excluded from the definition of GFA include any space devoted to off-street parking or loading, areas of basements (except as provided above), breezeways, porches, or attached garages.

(j) **FOR SALE/FOR LEASE SIGN.** A sign indicating the sale, rental, or lease of a structure or property.

(k) **FOUNDATION CLADDING.** An aesthetic enhancement to the foundation concealing exposed portions with an approved material.

(l) **FREESTANDING SIGN.** See **GROUND SIGN.**

(m) **FRIEZE BOARD.** A decorated band along the upper part of an exterior wall. In house construction a horizontal member connecting the top of the siding with the soffit of the cornice.

(n) **FRONTAGE.** The orientation of a lot line or building façade along, and typically parallel to, a street, block face or open space type. This term may also refer to the orientation of an open space type along a street.

(o) **FRONT FAÇADE.** Any building face generally oriented along a front property line, either within the front required building zone (RBZ) or behind the front setback.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

(p) **FRONT PROPERTY LINE (FPL).** The boundary of a lot within a BSC district abutting the street right-of-way, from which the front required building zone (RBZ) or front setback, as applicable, is measured.

(q) **FURNISHINGS ZONE.** A hardscape area that extends to the sidewalk from the back of curb, edge of pavement or edge of a cycletrack, in which street trees in tree wells, street furniture, lighting, and street signs may be located. Furnishings zones are typically used adjacent to commercial buildings. (See also, **PLANTING ZONE**).

#### (7) *General definitions - G*

(a) **GABLE.** The vertical triangular end of a building from cornice or eaves to ridge; the similar end of a gambrel roof; the end wall of a building; and/or a triangular part of a structure.

(b) **GARAGE.** An accessory building or part of a principal structure used primarily for the storage of passenger vehicles as an accessory use.

1. **ALLEY-LOADED GARAGE.** A garage with vehicular access from a public or private alley or drive typically from the rear of the property.

2. **COURTYARD-STYLE GARAGE.** A garage with vehicular access through an enclosed or partially enclosed pavement area that is located to the front of a principal structure typically providing access to a side-loaded garage.

3. **FRONT-LOADED GARAGE.** A garage with vehicular access doors primarily oriented toward the same street right-of-way or private street as the front façade of the principal structure.

4. **SIDE-LOADED GARAGE.** A garage with vehicular access doors primarily oriented toward one of the side lot lines or a secondary public right-of-way or private street.

(c) **GAS-INFLATABLE SIGN/DEVICE.** Any device which is capable of being expanded by any gas and used on a permanent or temporary basis to attract attention to a product or event. This definition includes both hot and cold-air balloons tethered or otherwise anchored to the ground.

(d) **GATEWAY SIGN.** A sign, typically placed along a major roadway at or near the edge of a significant city attraction or land use, used to introduce the entry to the attraction.

(e) **GOVERNMENTAL SIGN.** A sign erected and maintained pursuant to and in discharge of any government functions or required by law, ordinance, or other governmental regulations.

(f) **GREEN ROOF.** A green roof, or 'living roof,' system is an extension of the existing roof which involves a high quality water proofing and root repellent system, filter cloth, a lightweight growing medium, and plants. Green roofs may be flat or low-slope and serve such purposes as absorbing rainwater, providing insulation, creating a habitat for wildlife, urban agriculture, as well as helping to lower urban air temperatures.

(g) **GROUND SIGN.** Any sign which is physically attached to a foundation. These are commonly known as freestanding, pole, pylon, or monument signs.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(8) *General definitions - H*

(a) **HARD SURFACED OR PAVED AREA.** Includes but is not limited to patios, driveways, courtyards, tennis courts, basketball courts, volleyball courts, swimming pool decks and walkways (water area excluded), and bicycle paths. Hard surfaced or paved areas may be constructed of pervious or semi-pervious materials, which are typically not counted toward lot coverage or are counted at a reduced percentage due to water absorption capabilities.

(b) **HIGHLY TRANSPARENT LOW REFLECTANCE.** Windows, doors, or other openings in a structure allowing light and clear views between the interior and exterior of the structure a majority of the time.

(c) **HISTORIC DISTRICT.** The portion of the Architectural Review District generally referred to as Historic Dublin, and as defined by § 153.170.

(d) **HISTORIC SITE.** The location, structures, features or other integral part of a city, state, or United States designated archaeological or historic site.

(e) **HISTORICAL AND CULTURAL ASSESSMENT.** A document providing a detailed inventory and evaluation of relevant historic and cultural resources including the identification of 'contributing' and 'non-contributing' cultural resources. The assessment may also provide strategies and recommendations for historic preservation.

(9) *General definitions - I*

(a) **ILLUMINATED SIGN.** Any sign lighted by or exposed to artificial lighting either by light on or in the sign or directed toward the sign.

(b) **IMPERVIOUS SURFACE.** Any hard surface, man-made area that does not absorb water, such as principal and accessory structure roofs, sidewalks, parking, driveways, and other surfaces constructed with impermeable material.

(c) **INCIDENTAL SALES.** Sale of goods or services that are clearly secondary to the principal use of the property, generally provided for the convenience of customers and occupying less than 5% of the gross floor area of the principal use.

(d) **INFORMATION SIGN.** A sign displaying necessary information for the convenience and safety of residents and visitors, and containing no advertising.

(e) **INTERIOR LANDSCAPING.** The use of landscape materials within the innermost boundaries of the landscape buffer zone and perimeter landscaping.

(f) **INTERIOR TREE LAWN.** A continuous lawn area between rows of parking spaces.

(g) **INTERRUPTING VERTICAL WALL.** A wall used to define and break up vertical building increments to reduce the overall scale of the building façade.

(10) *General definitions - J*

(a) **JOINT IDENTIFICATION SIGN.** A sign that identifies the name, through type, graphics, or other symbols, of a shopping center, office park, industrial park, or other building complex more than one use on the same lot or in the same structure, occasionally allowed in addition to the permitted signs of the individual occupants.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(11) *General definitions - K*

(12) *General definitions - L*

(a) **LANDMARK.** Any property or site which has special character, archaeological, historical, aesthetic or architectural value as part of the heritage, development or cultural characteristics of the city, state, or the United States designated as a landmark pursuant to the provision of this chapter, and including all property located in the city listed on the National Register of Historic Places.

(b) **LANDSCAPED AREA.** An area that is permanently devoted and maintained to the growing of shrubbery, grass and other plant material.

(c) **LANDSCAPING.** The planning, installation and maintenance of a combination of trees, shrubs, vines, ground covers, flowers (annuals/perennials), and turf. May include natural features (e.g. stone, ponds, naturalized areas) and structural features, including fountains, reflecting pools, sculptures/art work, walls (retaining/freestanding), fences, trellis/pergolas, and seating areas (benches/tables/chairs). Exposed soil or other non-living organic material such as mulch shall not constitute landscaping.

(d) **LARGE FORMAT RETAIL.** A retail or wholesale use of 20,000 square feet or more of GFA.

(e) **LARGE TREE.** Any tree species which normally attains a full-grown height equal to or greater than 50 feet.

(f) **LIGHTING TRESPASS.** A condition in which light is cast in a location that is not permitted or at a level that is higher than permitted by this chapter.

(g) **LIVABLE AREA.** The total square footage of the livable area of a residential principal use or structure for all rooms meeting Council of American Building Officials (CABO) requirements for sleeping, living, cooking, or dining purposes, but excluding such places as attics, basements (unless finished and meeting the aforementioned CABO requirements), garages, and similar spaces.

(h) **LIVING WALL.** A hedge, hedgerow, or wall that is partially or completely covered with vegetation.

(i) **LOADING FACILITY.** The portion of the building, structure, or site where access is permitted for loading and unloading activities related to building uses.

(j) **LOADING SPACE.** A space dedicated for use by vehicles loading and unloading within or adjacent to a building as required by this chapter.

(k) **LOGO.** See **PRIMARY IMAGES** and **SECONDARY IMAGES**.

(l) **LOT.** Includes the words "plot" and "parcel." A lot may or may not be specifically designated as such on public records. A lot may also include a condominium unit and any limited common element under and surrounding the condominium unit, which together meet the minimum yard and area requirements of this chapter.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(m) **LOT, CORNER.** A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting on a curved street shall be considered a corner lot for the purposes of this chapter if the arc has a radius of less than 150 feet and the tangents to the curve form an interior angle of less than 135 degrees. The tangents are measured at the two points where the lot lines meet the curve, or the straight street line is extended.

(n) **LOT COVERAGE.** The part or percentage of the lot occupied by impervious surfaces and semi-pervious surfaces.

(o) **LOT DEPTH.** The average horizontal distance between front and rear lot lines.

(p) **LOT LINE.**

1. **GENERAL.** A line bounding or demarcating a plot of land or ground as established by a plat of record. Includes the words "property line."

2. **FRONT LOT LINE.** In the case of an interior lot, the front lot line separating the lot from the street right-of-way. In the case of a corner lot, or double frontage lot, the front lot line is the line separating the lot from either street, unless otherwise designated by a plat, PUD or other lot line requirements of this chapter. (See also, **FRONT PROPERTY LINE**)

3. **REAR LOT LINE.** Typically, the rear lot line is the lot line opposite the front lot line that separates the lot from an alley, rear lane, or from the rear of another lot. In the case of a lot pointed at the rear, the rear lot line, for purposes of measuring the rear yard setback, shall be an imaginary line parallel to the front lot line that is not less than ten feet long and lies farthest from the front lot line and wholly within the lot.

4. **SIDE LOT LINE.** Any lot line other than the front lot line or rear lot line. A side lot line separating a lot from another lot is an interior side lot line. (See also, **CORNER SIDE PROPERTY LINE**).

(q) **LOT, MINIMUM.** A parcel of land occupied or to be occupied by a principal structure or group of structures and accessory structures together with any yards, open spaces, lot width and lot area required by this chapter.

(r) **LOT WIDTH.** In BSC districts only, the horizontal distance between side lot lines as measured along the front property line. Lot widths meet the minimum distance required by the building type(s) located on the lot. In all other districts, the horizontal distance between side lot lines as measured at the two points where the building line or setback line intersects the side lot lines. The lot widths meet the minimum distance required by the district in which the lot is located, excluding easements for public or private streets.

(s) **LUMEN.** The amount of light equal to one footcandle of light falling on one square foot of area.

(13) *General definitions - M*

(a) **MAIN ENTRANCE.** The primary door for pedestrians into the building that provides access to the majority of the uses within the building. It is generally located on the front façade.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (b) **MASONRY.** Natural or natural-appearing stone or brick.
  - (c) **MEDIUM TREE.** Any tree species which normally attains a full-grown height of between 30 and 50 feet.
  - (d) **MID-BLOCK.** The portion of the block located approximately within the middle third of the block length.
  - (e) **MID-BLOCK PEDESTRIANWAY.** A defined pathway, dedicated to pedestrians and separated from vehicles, that extends through a block from a street to a parallel or nearly parallel street or alley.
  - (f) **MID-BUILDING PEDESTRIANWAY.** A pathway, dedicated to pedestrians, intended to provide safe, well-lit, and convenient access through buildings from the public sidewalk to the rear or side of a building. Mid-building pedestrianways may coincide with mid-block pedestrianways.
  - (g) **MONUMENT SIGN.** A ground sign attached to a wall or a base constructed specifically for the display of the sign. A common example is a permanent subdivision sign.
  - (h) **MULTI-TENANT BUILDING.** A building consisting of multiple tenant spaces, typically separated by common walls within a fully enclosed portion of the building, and which may or may not share a corridor, lobby area or other internal common space.
- (14) *General definitions - N*
- (a) **NATIONAL REGISTER OF HISTORIC PLACES.** A list of properties by the National Park Service that includes districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture.
  - (b) **NATIONAL TRUST FOR HISTORIC PRESERVATION.** A private, nonprofit membership organization dedicated to saving historic places and revitalizing America's communities.
  - (c) **NO-BUILD ZONE (NBZ).** An open area where construction is prohibited. All structures including, but not limited to buildings, parking, driveways, sidewalks, sheds, swimming pools, patios, decks or other accessory structures, fences, antennae and basketball courts or other sport courts are prohibited in order to preserve open space.
  - (d) **NO DISTURB ZONE (NDZ).** An area designated on a subdivision plat required to remain free of any structures including, but not limited to, drives, walks, buildings and outbuildings, sheds, fences, swimming pools, decks, swing sets/play structures, satellite dish antennae, basketball courts, etc., and an area with existing natural features that cannot be disturbed, removed, or physically altered.
  - (e) **NONCONFORMING STRUCTURE.** A structure or portion thereof lawfully existing at the effective date of this chapter or amendments thereto, which does not conform to the provisions of this chapter for the district in which it is located.
  - (f) **NONCONFORMING SIGN.** A sign lawfully existing at the effective date of this chapter or amendments thereto which does not conform to the requirements set forth in this chapter for the district in which it is located.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(g) **NONCONFORMING USE.** A use of land or a structure lawfully existing at the effective date of this chapter or amendments thereto which does not conform to the use requirements set forth in this chapter for the district in which it is located of a building.

(h) **NONCONTRIBUTING.** The status assigned to buildings and other cultural resources that do not add to the historic architectural qualities, historic associations, or archaeological values for which a property is significant. An assignment of “non-contributing” status to a resource may be because the building or resource lacks historic integrity, or the resource does not individually meet the National Register criteria.

(i) **NON-STREET FAÇADE.** Any building face not fronted along a street or open space type.

(15) *General definitions - O*

(a) **OCCUPANCY.** The use or intended use of a building or structure.

(b) **OCCUPIED SPACE.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

(c) **OFF-STREET LOADING SPACE.** A cubical area for parking one commercial vehicle for pickups and deliveries, located in a building or in the open on the same lot as the use the space is intended to serve.

(d) **OFF-STREET PARKING SPACE.** A quadrangular area for parking one motor vehicle, which is located in a structure or in the open, which has access to a public street and is exclusive of the right-of-way of any public or private street or any driveway, aisle, circulation drive or off-street loading space.

(e) **OHIO HISTORIC INVENTORY.** A program of the State of Ohio developed to serve as an accurate and continuing record of the architectural and historic properties existing in the state.

(f) **OPACITY.** An imaginary vertical plane extending from the established grade to a required height in which a required percent of the vertical plane acts as a visual screen from adjacent property use.

(g) **OPAQUENESS.** The degree to which a wall, fence, structure or landscaping is solid or impenetrable to light or vision in a generally uniform pattern over its surface, usually expressed in terms of percentage of area.

(h) **OPEN HOUSE.** A temporary public showing of a structure available for sale, rental, or lease.

(i) **OPEN SPACE TYPE.** A park or open space as required by § [153.064](#).

(j) **OPEN SPACE TYPE FRONTAGE.** The orientation of a lot line, building façade or block face directly adjacent to an open space type, with no intervening public or private street.

(k) **ORDINARY MAINTENANCE.** Exterior work which does not involve any change in material, texture or color, design, or arrangement. Examples include repainting a house with the same color; residing a wood building with wood-siding and painting the same color.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(l) **OWNER.** The legal person(s) of record having ownership of or valid legal interest in a property.

(16) *General definitions - P*

(a) **PARALLEL RIDGE LINE.** A main roof ridge line parallel to an adjacent street.

(b) **PARAPET ROOF.** A roof type with a low vertical wall projecting above the building roof line along the perimeter of the building.

(c) **PARKING SETBACK LINE.** A line specifically established by the city, zoning district, or subdivision plat which determines the minimum distance that parking, loading or maneuvering may be located from a street right-of-way line.

(d) **PEDESTRIAN CIRCULATION PLAN.** A detailed plan showing the location of all site access points, sidewalks, walkways, bicycle facilities, and travel routes expected to be used by pedestrians.

(e) **PEDESTRIAN FACILITIES.** All amenities or elements including sidewalks, walkways, benches, pedestrian lighting, and other similar facilities intended to assist or be used by pedestrians.

(f) **PEDESTRIAN LIGHTING.** Lighting that improves walkway illumination for pedestrianways.

(g) **PEDESTRIAN PATH.** A sidewalk, path, walkway or other similar facility that is intended for ordinary use by pedestrians.

(h) **PEDESTRIAN REALM.** That portion of the street right-of-way typically comprised of the streetscape, including pedestrian facilities, such as a sidewalk, path/trail, or off-street bicycle facility, and a street buffer such as a planting zone or furnishings zone.

(i) **PEDESTRIANWAY.** A pathway designed for use by pedestrians, located mid-block or within the middle-third of a building or structure, allowing pedestrian movement from one street to another without traveling along the block's perimeter.

(j) **PENNANT.** A flag or banner often longer at one end than the other, usually tapering to a point(s).

(k) **PERIMETER LANDSCAPE BUFFER ZONE.** That area adjacent to any vehicular use area or along common boundaries in which the perimeter landscape requirements of this chapter are to be met.

(l) **PERIMETER LANDSCAPING.** The use of landscape materials within the perimeter landscape buffer zone to achieve the required opacity.

(m) **PERMANENT SIGN.** Any sign permanently attached or affixed to a building or the ground, as permitted by this chapter.

(n) **PERMANENT STRUCTURE.** Any structure that is not a temporary structure.

(o) **PERSON.** Includes any association, firm, partnership, trust, governmental body, corporation, or organization, as well as an individual.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

- (p) **PERSONAL AUTOMOBILE.** Any vehicle that seats fewer than ten passengers, is registered as a passenger vehicle or a non-commercial truck, and is used for the sole purpose of transporting resident(s) and guest(s) to and from daily activities.
- (q) **PERVIOUS SURFACE.** A paved or non-paved area that allows water to filter into the ground.
- (r) **PITCHED ROOF.** A roof with a slope that includes, but is not limited to, hipped, gable, mansard and gambrel roofs.
- (s) **PLANNED UNIT DEVELOPMENT (PUD).** A form of a planned development that includes one or more uses permitted by right or as conditional uses and which is established according to the requirements of § 153.052, or was approved as a PUD prior to the adoption of these regulations.
- (t) **PLANNING AND ZONING COMMISSION, or COMMISSION.** The Planning and Zoning Commission of the city.
- (u) **PLANTING ZONE.** A landscape area that extends to the sidewalk from the back of curb, edge of pavement or edge of a cycletrack, in which street trees, swales, lighting, and street signs may be located. Sidewalks may cross the planting zone. Planting zones are typically used adjacent to residential buildings. (See also, **FURNISHINGS ZONE**)
- (v) **PLINTH.** A continuous, usually projecting course of stone or brick forming the base or foundation of a wall.
- (w) **POLE SIGN.** See **GROUND SIGN**.
- (x) **POLITICAL SIGN.** A sign concerning candidates for elective office, public issues and similar matters to be decided by the public at an election.
- (y) **PORTABLE SIGN.** Any sign that is designed to be or capable of being moved or transported, and not permanently affixed or attached to any building, structure, or grounds.
- (z) **PRELIMINARY DEVELOPMENT PLAN.** A plan, submitted at the time of rezoning to a PUD or BSD project, outlining permitted and conditional land uses, development sites, major circulation patterns, critical natural areas to be preserved, open space areas and linkages, buffer areas, entryways, and major utilities and their relationship with surrounding uses. For the purposes of §§ 153.050 through 153.056, a preliminary development plan shall include a composite plan and any other development plan adopted prior to effective date of these regulations that are still in force.
- (aa) **PRESERVE or PRESERVATION.** The process, including maintenance, of treating an existing building to arrest or slow future deterioration, stabilizing the structure and providing structural safety without changing or adversely affecting the character or appearance of the structure.
- (bb) **PRIMARY FAÇADE MATERIAL.** The permitted building material or materials used for the majority of the façades of a building.
- (cc) **PRIMARY IMAGE.** The name of the use or business identified on a sign. (See also **SECONDARY IMAGE**)

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(dd) **PRINCIPAL FRONTAGE STREET.** A street designated to establish the street frontage orientation of lots and building façades. Principal frontage streets are intended to create pedestrian-oriented block faces by establishing continuous street-facing façades with limited driveway interruptions. Front lot lines and front façades are oriented along principal frontage streets, and the building address is typically designated along these frontages.

(ee) **PRINCIPAL ENTRANCE.** The primary door into the building for pedestrians for which access is available to the majority of the uses within the building. It is generally located on the front façade.

(ff) **PRINCIPAL STRUCTURE.** Any building or structure in which the principal use of the lot or parcel takes place.

(gg) **PRINCIPAL USE.** The main or primary use of a property, building, or site.

(hh) **PRODUCT SIGN.** A sign typically located in a window, advertising a product or service offered by a business.

(ii) **PROJECTED IMAGE.** An image projected onto a building, structure, or sign.

(jj) **PROJECTING SIGN.** A sign that is wholly or partly dependent upon a building for support or suspended from a pole attached to a building and extending 14 inches or more from the building or structure. Projecting signs are typically installed perpendicular to the building face upon which they are attached.

(kk) **PROJECTION.** Any component of a structure that extends out from the principal structure.

(ll) **PROMOTIONAL SIGNS.** A temporary sign that provides information regarding time, place, and the like of a special event, community activity or similar activity.

(mm) **PROTECTED TREE.** Any tree having a diameter of six inches DBH or larger or having an aggregate diameter of 15 inches DBH or larger or a tree which has been designated by the city to be of high value or interest to the city because of its location or historic association, or other professional criteria.

(nn) **PYLON SIGN.** See **GROUND SIGN.**

### (17) *General definitions - Q*

(a) **QUOIN.** Corner stones that anchor the edge of the building wall or decorative feature to imitate corner stones, which wrap around the corner of an elevation and join two abutting walls.

### (18) *General definitions - R*

(a) **RACEWAY.** An elongated metal enclosure used to mount individual channel lettering and to conceal related transformers and wiring.

(b) **RAIN BARREL.** An above-ground prefabricated storage receptacle with an automatic overflow diversion system that collects and stores storm water runoff from the roof of a structure that would have been otherwise routed into a storm drain.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(c) **RECREATIONAL VEHICLE.** Any motorized vehicle and/or associated non-motorized equipment used for camping, traveling, boating, or other leisure activities including, but not limited to campers, boats, travel trailers, motor buses (more than nine passengers), motor homes, snow mobiles, wave runners, and other vehicles designed for traveling on water (motorized and non-motorized). Trailers used for transporting this type of vehicle are also included within this definition.

(d) **REFACING.** Any alteration to the face of a sign involving the replacement of materials or parts. **REFACING** does not refer to replacing the entire sign structure or the removal of the sign.

(e) **REMOVE or REMOVAL (TREES).** The causing or accomplishing of the actual physical removal of a tree, or the effective removal through damaging, poisoning, or other direct or indirect action resulting in, or likely to result in, the death of a tree.

(f) **REQUIRED BUILDING ZONE (RBZ).** An area in which the front or corner façade of a building is required to be placed. The zone dictates the minimum and maximum distance a structure may be placed from a property line.

(g) **REQUIRED REVIEWING BODY.** The Administrative Review Team, City Council, Planning and Zoning Commission, Architectural Review Board, or Board of Zoning Appeals when required by § 153.066 to render a final decision on any application required for development within the BSC districts.

(h) **ROOF.**

1. **PRINCIPAL ROOF.** The roofed area of a building enclosed by the main rafters, as opposed to the common rafters.

2. **ROOF DECK.** In a typical roof system, the roof deck is the roofing material layer between the primary structural components (trusses & joists) and either insulative layers or weatherproofing layers.

3. **ROOF HEIGHT.** The height of a roof as required to be measured by this chapter.

4. **ROOF LINE.** The uppermost line or point of the façade or parapet of a flat roof structure, or the lower edge of an eave, gable or rake of a sloped roof structure.

(i) **ROOF SIGN.** Any sign erected on or above the roof line of a building.

(19) *General definitions - S*

(a) **SANDWICH BOARD SIGN.** A sign with two hinged boards which is intended to be placed on the ground.

(b) **SEATS.** The number of seating units installed or indicated on plans, or each 30 lineal inches of stands, benches or pews. Unless otherwise specified in this chapter, it is assumed that a seating unit occupies seven square feet of floor area for fixed seating and 15 square feet of floor area for uses without fixed seating, exclusive of aisles and assembly areas.

(c) **SECONDARY FAÇADE MATERIAL.** The permitted material or materials used to accent a building's primary façade materials.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

(d) **SECONDARY IMAGE.** Any and all text, graphics, or images displayed on a sign in addition to the name of the use or business, including but not limited to registered/copyrighted images or text, pictorial representations, tag lines, products and phone numbers.

(e) **SECTION.** In the text, the term **SECTION** refers to the numeral under which it appears in this subchapter.

(f) **SECURED.** A building which has all points of entry into the structure closed by use of windows and doors which are in proper working order, intact, without holes, broken elements, and are locked.

(g) **SEMI-PERVIOUS SURFACE.** A material that allows for absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.

(h) **SERVICE STRUCTURES.** Structures including, but not limited to, loading docks, storage tanks, dumpsters, electrical transformers, utility vaults which extend above the surface, cooling towers, roof top units and other equipment or elements providing service to a building or a site.

(i) **SETBACK.** The minimum distance required by this chapter from the property line and/or right-of-way line to the nearest part of the applicable building, structure, or sign, measured perpendicularly to the property line and/or right-of-way line. May also be referred to as the building line.

(j) **SHADOW LINE.** A decorative, three dimensional, linear architectural element, horizontal or vertical, protruding or indented from the exterior façade of a building enough to create a shadow. It is typically utilized to delineate stories of a building.

(k) **SHALL.** Is mandatory.

(l) **SHOPPING CORRIDOR.** Continuous mixed use street frontage with retail uses occupying the ground floor of buildings located on streets with a highly articulated pedestrian realm.

(m) **SIGN.** A sign is defined as any name, number, symbol, identification, description, display, illustration, object, graphic, sign structure, or part thereof, whether permanent or temporary, which is affixed to, painted on, represented directly or indirectly upon, or projected onto a building, structure, lot, or other device, whether mobile or affixed to the ground, and which directs attention to any object, product, place, activity, person, institution, organization, or business. Signs regulated by this chapter includes all signs visible from any public right-of-way or adjacent property, including interior signs oriented towards the exterior façade of any building or structure as well as back-lighted translucent panels or strip lighting affixed to any wall or roof which serves to identify and attract attention rather than illuminate space for human activity.

(n) **SIGN FACE.** The surface intended for the display of information on the sign.

(o) **SIGN STRUCTURE.** The supporting unit of a sign face, including, but not limited to, frames, braces and poles.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

### 1/7/21 – Clean Version

(p) **SITE.** Any defined space or ground, including ground occupied by buildings, parking areas, service areas, undeveloped lands, and ground adjacent to structures.

(q) **SITE PLAN.** Includes the documents and drawings required by this chapter to ensure that a proposed land use or activity is in compliance with city requirements and state and federal statutes.

(r) **SMALL TREE.** Tree species which normally attains a full-grown height of under 30 feet.

(s) **SOFFIT.** The exposed undersurface of any overhead component of a building.

(t) **STACKING SPACE.** A space designed to be occupied by a vehicle while waiting to order or to be served at a drive-through window or drive-up ATMs, or while waiting to enter a parking lot, parking structure, fuel station, dispensing station, or loading area.

(u) **STOREFRONT.** The portion of a building façade serving as the front elevation of an individual tenant space, including an entrance and windows providing physical and visual access into the tenant space, typically limited to the ground story and located along a street-facing façade.

(v) **STORY.** A habitable level within a building measured from finished floor to finished floor.

1. **GROUND STORY.** The first floor of a building that is level to or elevated above the finished grade on the front and corner façades, excluding basements or cellars, accessible from the established grade through the use of a ramp or steps.

2. **HALF STORY.** A story either in the base of the building, partially below and partially above grade (visible basement), or a story fully within the roof structure with transparency facing the street.

3. **UPPER STORY.** The floors located above the ground story of a building, including any half-stories within the roof structure.

(w) **STREAMER.** A ribbon-shaped or cord-like rope which may have pennants and/or banners attached and which is stretched or hung between two or more supports.

(x) **STREET FAÇADE.** A building face with frontage along and typically parallel to a public street. Street façades are designated as either front or corner façades, and are oriented in relation to the front or corner side property lines.

(y) **STREET FRONTAGE.** The orientation of a lot line, building façade, block face or open space type along, and typically parallel to, a public street. A building façade oriented along a street frontage is also referred to as the street façade.

(z) **STREETSCAPE.** The various components that make up the pedestrian realm, both in the right-of-way and along private lot frontages within required building zones, including tree lawns, pavement, parking spaces, planting areas, street furniture, street trees, streetlights, sidewalks, front yard fences, etc.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(aa) **STREET RIGHT-OF-WAY.** The public or private right-of-way permitting associated streetscape elements and typically consisting of both a vehicular and pedestrian realm.

(bb) **STREET RIGHT-OF-WAY LINE.** A line that separates the street right-of-way from a contiguous property.

(cc) **STREET TERMINATION.** The point at which a street ends, requiring vehicles, bicycles, and pedestrians to turn the corner of a block.

(dd) **STREET TYPE.** Required street configurations with specific combinations of right-of-way, pavement width, pedestrian and bicycle facilities, travel lanes, and parking lanes intended to result in a desired street character.

(ee) **STREET WALL.** An opaque, freestanding wall or an opaque combination of landscaping and fencing, built along the frontage line, or along the same building line as the building façade, typically intended to screen vehicular use areas or service areas and/or to define the pedestrian realm.

(ff) **STRUCTURE.** Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having permanent location on the ground, including advertising signs, billboards, mobile homes (located for occupancy on a permanent foundation) and other construction or erection with special function or form, except fences or walks. Includes the word "building."

(gg) **STRUCTURE, PRINCIPAL.** A structure in which is conducted the principal use of the lot on which it is situated.

(hh) **STUCCO.** A coarse plaster composed of Portland or masonry cement, sand, and hydrated lime mixed with water and applied in a plastic state to form a hard exterior covering.

(ii) **SUBORDINATE.** A building or structure that is secondary or incidental to the primary building, structure, or use on a lot.

### (20) *General definitions - T*

(a) **TENANT SPACE.** A designated area within a building dedicated to an individual tenant, whether by condominium ownership or a contractual relationship between an owner and renter or lessee, where the renter or lessee is considered a primary tenant. Typically, a tenant space is not directly accessible to other tenant spaces through an internal doorway, but may be accessible via a common corridor or lobby area.

(b) **TERMINAL VISTA.** The result of a "T", "L", or "Y" shaped street intersection or a change in street alignment or topography where the views down a street terminate at a lot or parcel instead of continuing down the street.

(c) **THROUGH LOT.** A lot, with the exception of a corner lot, that has frontage on two public streets, not including alleys or service lanes.

(d) **TOWER.** A vertical element of a building or structure, generally rectilinear or cylindrical in plan, which extends above the rest of the building or structure. Communication towers and wireless communication structures are not included in this definition.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(e) **TRAILBLAZER SIGN.** A government sign typically within the public right-of-way identifying company logos for lodging, gasoline stations, restaurants and other such establishments.

(f) **TRAILER SIGN.** Any sign which is attached to, supported by, or part of a structure which is designed to move on trailer wheels, skids, or other similar devices, or transported, pushed, or pulled by a motor vehicle.

(g) **TRANSPARENCY.** The ability to see through with clarity. An opening in the building wall allowing light and views between interior and exterior for a majority of the time. Measured as glass area for buildings and as open area for parking structures.

(h) **TREE.** Any self-supporting woody plant together with its root system, growing upon the earth usually with one trunk, or multi-stemmed trunk system, supporting a definitely formed crown.

(i) **TREE LAWN.** That part of a street not covered by sidewalk, bikepath, or other paving, lying between the property line and that portion of the street right-of-way that is paved and usually used for vehicular traffic.

(j) **TREE PRESERVATION AREA.** The area of a parcel of land in which all trees shall be protected during all phases of construction.

(k) **TREE PRESERVATION PLAN.** A proposal which includes a tree survey and a written plan with text and/or graphic illustrations indicating the methods which are to be used to preserve existing trees during construction, and methods for ongoing maintenance, including fertilizing and pruning.

(l) **TREE PRESERVATION ZONE.** An area designated on a subdivision plat with restrictions noted regarding the removal of trees.

(m) **TREE REMOVAL PERMIT.** The permit required by this chapter to be issued in order to remove any protected tree within the corporate limits of the city.

(n) **TREE SURVEY.** A graphic display drawn to scale, not to exceed 1" = 50', showing all existing trees on a site with a six-inch DBH or greater, species, conditions, and outline of the critical root zones.

(o) **TREE WELL.** An opening in a sidewalk to accommodate street trees and other understory plantings such as perennials, groundcover, ornamental grass, and low growing shrubs. Tree wells are typically covered by an approved grate or other covering.

(p) **TRIM.** The finished woodwork or similar architectural element used to enhance, border or protect the edges of openings or surfaces, such as windows or doors.

(q) **TURRET.** A small tower, characteristically corbelled from a corner.

(21) *General definitions - U*

(a) **USED OR OCCUPIED.** As applied to any land or structure intended, arranged or designed to be used or occupied.

(22) *General definitions - V*

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(a) **VACANT STRUCTURE.** Any building or structure, in whole or in part, including an accessory building, which has become vacant or abandoned for a period of at least thirty (30) consecutive days and which also meet at least one of the following conditions:

- (1) Is open to casual entry or trespass;
- (2) Is damaged to an extent which prohibits safe human occupancy;
- (3) Demonstrates a lack of property maintenance and upkeep;
- (4) Is under notice for being in violation of City ordinances;
- (5) Has been secured or boarded up for at least thirty days;
- (6) Has utilities disconnected or not in use;
- (7) Is under a condemnation notice or legal order to vacate; or
- (8) Is structurally unsound.

(b) **VEHICULAR REALM.** That portion of the street right-of-way comprised of vehicle travel lanes, on-street bicycle facilities, and on-street parking lanes.

(c) **VEHICULAR USE AREA.** Any open or unenclosed area containing more than 1,800 square feet of area and/or used by six or more vehicles of any type, whether moving or at rest, including, but not limited to, driveways, parking lots, loading and unloading areas, parking and maneuvering areas within manufactured home parks, and sales and service areas.

(d) **VERTICAL GARDEN.** See **LIVING WALL.**

(e) **VINYL SIDING ACCESSORIES.** Exterior secondary design elements that serve to provide more visual interest and complement the primary home design.

(f) **VISIBLE BASEMENT.** A half story partially below grade and partially exposed above grade with required transparency provided on the street façade.

(g) **VISION REPORT.** The Bridge Street Corridor Vision Report adopted by City Council and as amended.

(23) *General definitions - W*

(a) **WALL LIGHTING.** Accent, emergency, or safety lights intended to illuminate portions of a building façade.

(b) **WALL SIGN.** Any sign attached to or erected against the inside or outside wall of a building or structure, with the exposed display surface of the sign in a plane parallel to the plane of the building or structure and extending less than 14 inches from the building or structure.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

(c) **WATER TABLE.** A projecting brick or stone stringcourse, molding or ledge placed to divert rainwater from a building.

(d) **WINDOW SIGN.** Any signs, posters, symbols and other types of identification or information about the use or premises directly attached to the window of a building or erected on the inside of the building and visible from any public area or adjacent property.

(24) *General definitions - X*

(25) *General definitions -Y*

(a) **YARD.**

1. **FRONT YARD.** An area extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of a principal structure.

2. **REAR YARD.** An area extending the full width of the lot the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the principal structure.

3. **SIDE YARD.** An area between the side line of the lot and the principal structure extending from the front lot line to the rear lot line.

(26) *General definitions - Z*

(a) **ZONING DISTRICT.** A portion of the city within which certain uses of land and/or structures are permitted and within which certain regulations and requirements apply under the provisions of this chapter.

1. **RESIDENTIAL DISTRICT.** The Restricted Suburban Residential District, the Limited Suburban Residential District, the Suburban Residential District (R-3), the Suburban Residential District (R-4). The Two-Family Residential District, the Urban Residential District, the BSC Residential district, the BSC Historic Residential district and all Planned Districts with predominantly residential uses.

2. **NON-RESIDENTIAL DISTRICT.** All districts not listed under **RESIDENTIAL DISTRICT.**

(b) **ZONING ORDINANCE, or ZONING CODE, or CODE.** This chapter.

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

## 153.058(B)~~(5)~~ BSD Historic Core

~~This district applies to the historic center of Dublin and reinforces the character of this area as the centerpiece of the Bridge Street District. The district focuses on ensuring sensitive infill development and redevelopment and providing an improved environment for walking while accommodating vehicles. The district accepts building types that are consistent with the historic development pattern of Historic Dublin, subject to review by the Architectural Review Board, and permit similar uses that support a highly walkable setting, as listed in Table 153.059-A.~~

## 153.058(B)~~(6)~~ BSD Historic South

~~This district is intended to apply 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. The district accepts building types that are consistent with the historic development pattern of Historic Dublin, subject to review by the Architectural Review Board, and permits similar uses that support a highly walkable setting, as listed in Table 153.059-A.~~

## 153.058(B)~~(7)~~ BSD Historic Residential

~~The intent of this district is to permit 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. The purpose of these regulations is to protect the scale and character of the original platted village by maintaining regulations consistent with the previous Historic Residential zoning in place prior to the adoption of this amendment, as listed in Table 153.059-A.~~

## 153.058(B)~~(8)~~(5) BSD Sawmill Center Neighborhood

## 153.058(B)~~(9)~~(6) BSD Historic Transition Neighborhood

This district complements the ~~BSD~~ HD Historic Core district by accommodating a variety of building types within a finer grained street and block network and uses consistent with that district. It accommodates uses similar to those in the ~~BSD~~ HD Historic Core district, as listed in Table 153.059-A. Development allows an extension of the walkable mixed use character of the ~~BSD~~ HD Historic Core district on the larger parcels within this district. The district is subject to the specific neighborhood standards defined in 153.063(D). These requirements establish open space patterns and location requirements for building types, provide additional residential opportunities, and extend the small scale commercial activities of the ~~BSD~~ HD Historic Code district.

## 153.058(B)~~(10)~~(7) BSD Indian Run Neighborhood

## 153.058(B)~~(11)~~(8) BSD Scioto River Neighborhood

## 153.058(B)~~(12)~~(9) BSD Vertical Mixed Use

## 153.058(B)~~(13)~~(10) BSD Public

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

Table 153.059-A: Permitted and Conditional Uses in BSD Districts

Delete columns: Historic Core, Historic South, Historic Residential

~~153.059(C)(1)(a) 5. Single family dwellings in the BSD Historic Residential District shall meet the requirements of §153.063(B) and shall not be required to meet the standards of §153.062(O)(1).~~

153.059(C)(3)(c)1. Eating and drinking facilities shall be limited to no more than 3,500 square feet of gross floor area for single tenant buildings in the ~~BSD Historic South~~, BSD Office, BSD Office Residential, and BSD Residential districts, unless otherwise permitted as a conditional use.

~~153.059(C)(3)(e)2. To avoid large scale uses that detract from the intended scale of the Historic South district, exercise and fitness uses shall be limited to no more than 3,600 square feet of gross floor area.~~

153.059(C)(3)(j)1. To avoid large, single tenant uses that detract from the urban, walkable intent of the Bridge Street District, general retail uses in the BSD Residential, Office Residential, Office, Commercial, ~~Historic Core~~ and Public districts shall be limited to no more than 20,000 square feet of gross floor area, unless otherwise permitted as a conditional use.

153.059(C)(4)(f) Home Occupations

~~All home occupations in the BSD Historic Residential district shall comply with the provisions of §153.073.~~ In all ~~other~~ BSD zoning districts, home occupations shall comply with the following standards.

153.059(C)(4)(j) Renewable Energy Equipment

~~1. In the BSD Historic Core and BSD Historic Residential districts, only equipment for the collection of solar and geothermal energy is permitted.~~

~~2.~~1. Ground-mounted equipment for the collection of geothermal energy is permitted only to the rear of and within five feet of the principal structure.

**DRAFT HISTORIC DISTRICT CODE AMENDMENT**

**1/7/21 – Clean Version**

~~3-2.~~ 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. 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.

~~4-3.~~ Building-mounted renewable energy equipment shall be integrated into the architectural character of the principal structure.

~~5-4.~~ Ground-mounted renewable energy equipment shall be sited to minimize view from the public right-of-way and adjacent properties, and shall be camouflaged to the extent that the equipment can function normally.

TABLE 153.060-A. MAXIMUM BLOCK DIMENSIONS

Delete rows: Historic Core, Historic South, Historic Residential

153.062 (B)(2)(f)

~~2. For Existing Structures within the BSD Historic Core and Historic Residential Districts, the Architectural Review Board shall determine those building type requirements that will apply to specific buildings.~~

~~3. All new construction in the BSD Historic Core District shall meet the requirements of 153.062, §§153.170 through 153.180, and the Historic Dublin Design Guidelines.~~

~~4. All new construction in the BSD Historic Residential District shall meet the requirements of §153.063(B), §§153.170 through 153.180 and the Historic Dublin Design Guidelines, in addition to the requirements of §153.062 as determined to be architecturally appropriate by the Architectural Review Board.~~

TABLE 153.062-A. PERMITTED BUILDING TYPES IN EACH BSD ZONING DISTRICT

Delete columns: Historic Core, Historic South, Historic Residential

153.062(D)(2)(f) Roof Heights

~~1. In the BSD Historic Core district, roofs without occupied space and/or dormers shall have a maximum height on street-facing elevations equal to the maximum floor height permitted for the building type, or as otherwise approved by the Architectural Review Board.~~

~~2-1.~~ ~~In all other districts,~~ Roofs without occupied space and/or dormers shall be a maximum of one and a half times the maximum floor height permitted for the building type on street-facing façades, unless otherwise appropriate to the building type and location.

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

## 153.062(D)(3) Flat Roof

(a) Flat roofs are permitted in all districts. ~~except the BSD Historic Core district, unless otherwise determined by the required reviewing body to be architecturally appropriate.~~

## 153.062(E)(1) Materials

~~(f) EIFS and architectural metal panels and cladding shall not be used in the Historic Core district.~~

153.062 (O)(11)(b) Height: Maximum Height: 5 stories; ~~3 stories in BSD Historic Core District~~

## 153.062 (O)(1)

Notes: ~~<sup>1</sup> All new construction in the BSD Historic Residential District shall meet the requirements of §153.063(B), §§153.170 through 153.180 and the Historic Dublin Design Guidelines, in addition to the requirements of §153.062 as determined to be architecturally appropriate by the Architectural Review Board.~~

~~<sup>2</sup> <sup>1</sup> Garage doors shall be no taller than nine feet. No single garage door shall be wider than 18 feet.~~

~~<sup>3</sup> <sup>2</sup> Where alley/service street access is not feasible at the determination of the City Engineer, driveways for single-family detached buildings shall meet the requirements of §153.210, except that driveways shall be limited to 10 feet in width at the right-of-way.~~

153.063(A)(3) The BSD Historic Transition Neighborhood District serves as a bridge between the existing historic scale of the **BSD HD** Historic Core District and the more contemporary, larger scale of the BSD Indian Run Neighborhood District.

## 153.063(B) ~~BSD HISTORIC RESIDENTIAL DISTRICT~~

### ~~(1) Development Intent~~

~~While included as part of the Neighborhood Standards, it is the intent of this district to maintain the existing conditions of this important neighborhood. The BSD Historic Residential neighborhood represents a snapshot in time that should be maintained, preserved, and protected.~~

~~(2) The following standards for arrangement and development of land and buildings are required:~~

#### ~~(a) Lot Area~~

~~For each dwelling unit, there shall be a lot area not less than 8,712 square feet (0.2 acre).~~

# DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

~~(b) Lot Width~~

~~Lots shall be a minimum of 60 feet in width with a minimum frontage of 60 feet along a public street.~~

~~(c) Height~~

~~No residential structure shall exceed 35 feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and as reviewed and accepted by the Architectural Review Board.~~

~~(d) Lot Coverage~~

~~Combined square footage of all principal and accessory structures and impervious surfaces shall not exceed 50% of the lot area, unless otherwise approved by the Architectural Review Board.~~

~~(e) Front, Side, and Rear Yards~~

~~All lots shall have minimum setbacks as noted in Table 153.063-A.~~

153.063 ~~(C)~~(B) BSD SAWMILL CENTER NEIGHBORHOOD DISTRICT

153.063 ~~(D)~~(C) BSD HISTORIC TRANSITION NEIGHBORHOOD DISTRICT

## 1. Development Intent

The Historic Transition Neighborhood presents a unique opportunity within the Bridge Street District. Transitional elements include building on the ~~BSD~~ HD Historic Core District's strong gridded pedestrian and street network and providing appropriate connections to the BSD Indian Run Neighborhood. A balance of land uses will be important to support the smaller scale retail, service, and entertainment uses in the ~~BSD~~ HD Historic Core. Other limited areas of BSD Historic Transition Neighborhood border the Historic District and require sensitive treatment to maintain complementary relationships to adjacent districts.

153.063 ~~(E)~~(D) BSD INDIAN RUN NEIGHBORHOOD DISTRICT

153.063 ~~(F)~~(E) BSD SCIOTO RIVER NEIGHBORHOOD DISTRICT

### 153.063(D)(4)(b) Building Height

Buildings located across a street from or adjacent to the ~~BSD~~ HD Historic Core District shall be limited to two and a half stories.

### 153.063(D)(5)(a) Historic Sites and Structures

Historic sites and structures listed on the National Register and/or the Ohio Historic Inventory shall be preserved to the extent practicable with redevelopment unless otherwise approved by the ~~Architectural Review Board pursuant to §153.171~~ Planning and Zoning Commission.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

### 153.063(D)(6)(b) Open Space Character

1. The BSD Historic Transition Neighborhood District is intended to complement the ~~BSD~~ HD Historic Core District by accommodating a variety of building types within a finer grained street and block network and uses consistent with the district. Development shall be planned to allow an extension of the walkable mixed use character of the ~~BSD~~ HD Historic Core District.

### 153.065(D)(4)(a)

2. With the exception of the ~~BSD~~ HD Historic Core district, when a non-residential land use is adjacent to a parcel containing only single-family detached building types (regardless of whether there is an intervening street, alley, or driveway).

### 153.065(E)(2)(b)

~~3. Street walls in the BSD Historic Core shall be constructed as stacked stone walls, unless otherwise approved by the required reviewing body.~~

~~4.~~ ~~3.~~ Street walls shall be a minimum of 22 inches where seating is intended; all other street walls shall be a minimum of 30 inches. No street wall shall exceed 36 inches in height.

~~5.~~ ~~4.~~ Street walls 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 determined by the City Engineer.

### 153.065 (H)(1)(d) ~~BSD-Historic Core and~~ Historic Transition Neighborhood Districts

The purpose of signs in ~~these~~ ~~this~~ districts is to provide for pedestrian-oriented signs that 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.

### 153.065 (H)(3)(d) ~~BSD-Historic Core and~~ Historic Transition Neighborhood Districts

1. Signs in these districts shall be subject to the requirements of §153.065(H)(4) through (7) as applicable, unless a master sign plan is approved by the ~~required reviewing body~~ ~~Architectural Review Board (ARB)~~ (refer to §153.065(H)(2)(b)6).

2. All new ground and building-mounted signs in ~~those parts of~~ the BSD ~~Historic Core and~~ Historic Transition districts ~~that fall within the Architectural Review District boundaries~~ shall be subject to review and approval by the ~~required reviewing body~~ ~~Architectural Review Board~~.

## DRAFT HISTORIC DISTRICT CODE AMENDMENT

1/7/21 – Clean Version

### 153.065 (H)(6) Number of Permitted Signs

Refer to §153.065(H)(6)(d) for the number of signs permitted in the BSD ~~Historic Core and Historic Transition Neighborhood Districts and to §§153.150 through 153.163 for the BSD Historic Residential district~~. For all other BSD zoning districts, the number of permitted signs shall be in accordance with subsections §153.065(H)(6)(a)-(c). Refer to Table 153.065-G, Sign Types Permitted in BSD zoning districts, for the list of permitted signs and the intent of each sign type.

153.065(H)(7)(c)1. In addition to any other permitted signs, one building identification sign is permitted per street frontage for buildings with three or more stories. Building identification signs are not permitted in the BSD Historic ~~Residential, Historic Core, or portions of the Historic Transition Neighborhood districts that fall within the Architectural Review District boundaries~~ unless approved by the ~~required reviewing body Architectural Review Board~~ through a master sign plan (refer to §153.065(H)(2)(b)6).

TABLES 153.065-H, 153.065-I, 153.065-J, and 153.065-K

Modify Headers: BSD ~~Historic Core District; and BSD Public and~~ Historic Transition Neighborhood Districts ~~within the Architectural Review District Boundaries~~

### 153.066 (N) ~~(6) Architectural Review Board Authority~~

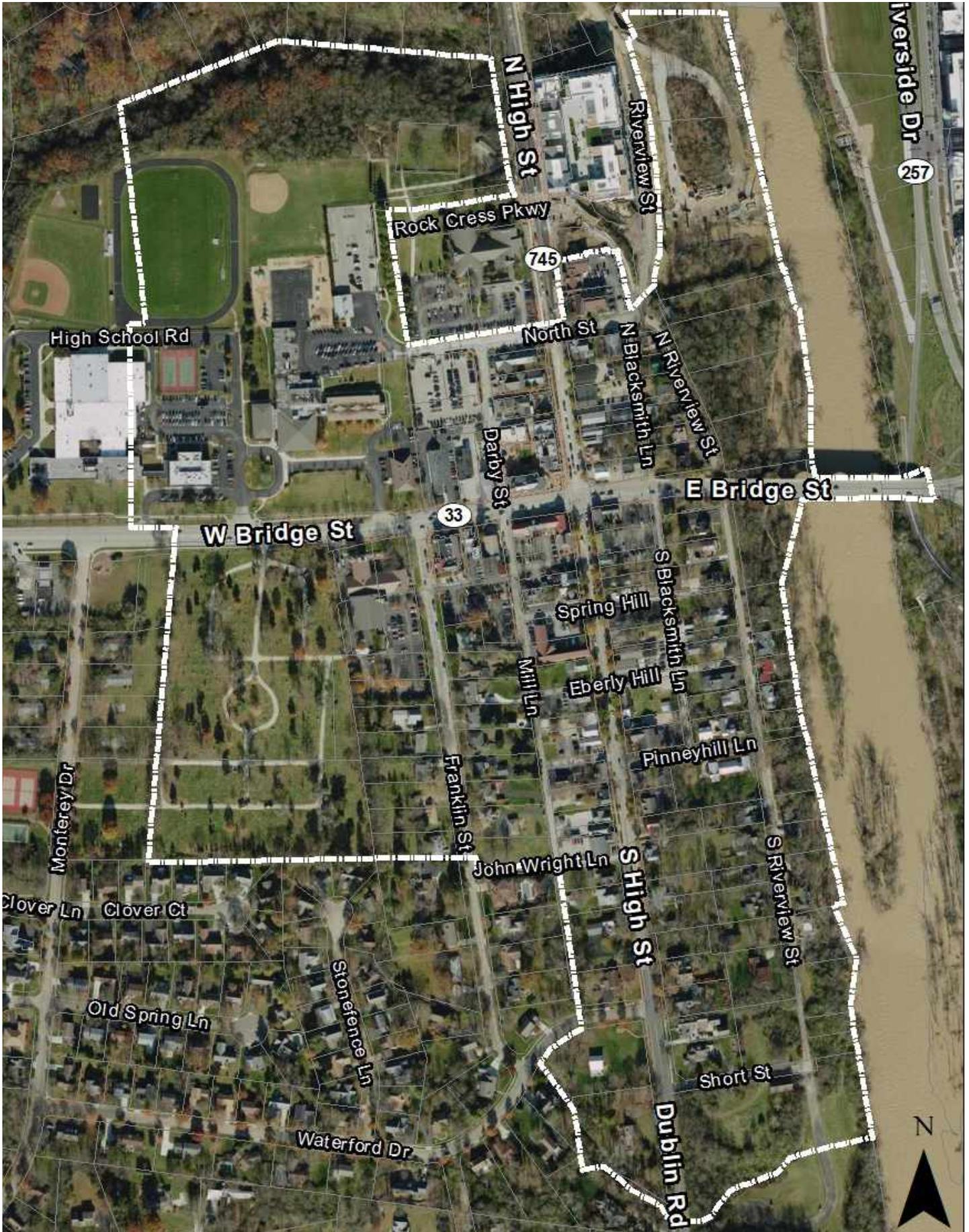
~~Until otherwise amended, the Architectural Review Board (ARB) shall be the required reviewing body for the following districts: BSC Historic Core, Historic Residential, Historic South, and Historic Transition Neighborhood, as outlined in §153.170 through 153.180 in the Codified Ordinances. The ARB shall be sole authority for Waivers and Master Sign Plans in the above noted zoning districts, pursuant to the standards and criteria in §153.066.~~

### 153.066 (N) ~~(7)-(6)~~ Single-Family Detached Homes

# Proposed Appendix F

Architectural Review District

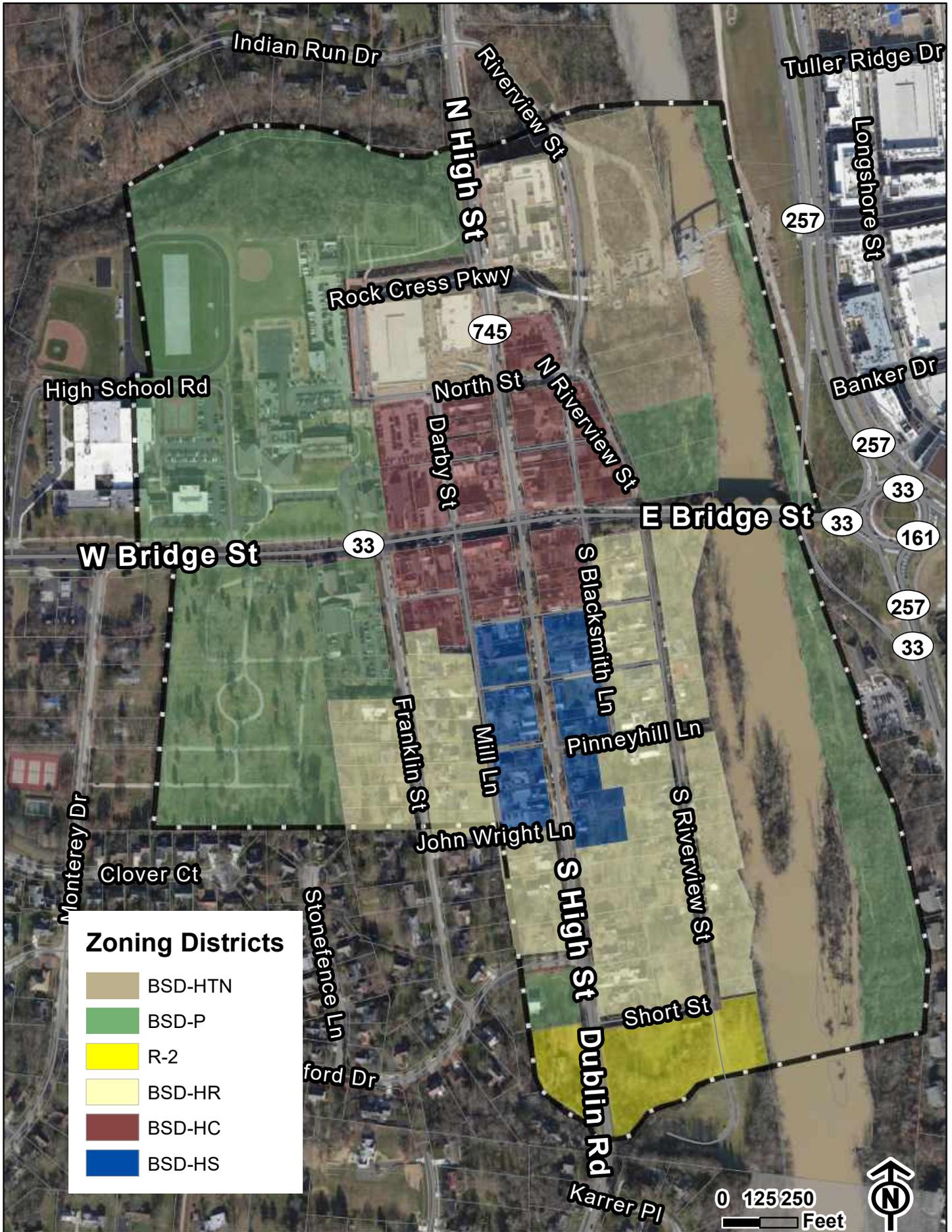
ARB: Recommendation of approval to PZC - November 18, 2020



**PROPOSED APPENDIX G**  
**Properties Outside Architectural Review District**  
**ARB: Recommendation of approval to PZC - November 18, 2020**

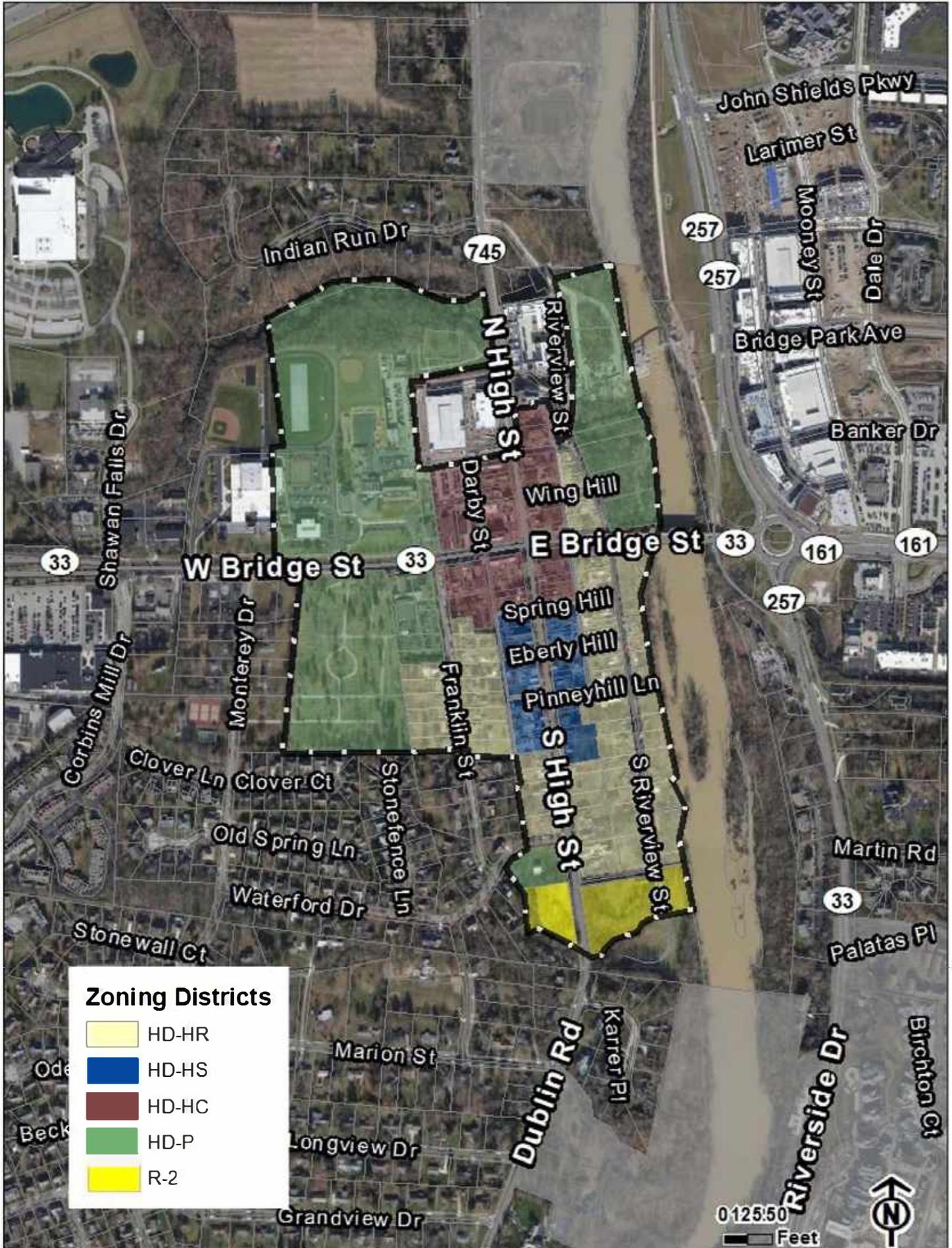
1. Brand, Asher Residence – 5281 Brand Road
2. Coffman, Fletcher House – 6659 Coffman Road
3. Cramer Homestead – 5927 Rings Road
4. Davis, James Barn & Farm – 5707 Dublin Road
5. Dun, John Homestead – 8055 Dublin-Bellepoint
6. Gelpi Residence (Dublin Arts Council) – 7125 Riverside Drive
7. Holder-Wright Earthworks – 6985 Emerald Parkway
8. Llewellyn Farms Barn – 4845 Belfield Drive
9. Maroa Wilcox Memorial – Norn Street & Woerner-Temple (PID 273-009779)
10. Mitchell Barn (Earlington Park) – 5585 Brand Road
11. Mitchell Cemetery (on Cardinal Health Campus) – Emerald Parkway (PID 273011174)
12. Mt. Zion Cemetery – Kinross Court and Memorial Drive (PID 273000448)
13. Rings Farm – 6665 Shier Rings Road
14. St. John’s Lutheran Cemetery – Avery Road (PID 274000024)
15. St. John’s Lutheran Church & Sandy Corners Cemetery – Rings Road (PID 274000155 and 274000031)
16. Summit View Farm – 8115 Conine Drive
17. Tuller Barn – Brand and Ashbaugh Road
18. Washington Township School (Graham Residence) – 4915 Brand Road
19. Brown-Harris Cemetery - Lot 6 - University Boulevard, Phase II
20. Ferris Cemetery - SR 257 (Riverside Drive) at Bright Road
- ~~21. 5436 Dublin Road (House and Cabin)~~
- ~~22. 5051 Brand Road (Home)~~

# Existing Historic Dublin Zoning Map



# Proposed Historic Dublin Zoning Map

ARB: Recommendation of approval with conditions to PZC - November 18, 2020



# Proposed Rezoning Parcel List

**ARB: Recommendation of approval with conditions to PZC - November 18, 2020**

Bridge Street District – Public (BSD-P) to Historic Public (HP)

273000001, 273010936, 273000057, 273000044, 273000025, 273000122, 273000113, 273000096, 273000124, 273000137, 273011235, 273000170, 273000077, 273005566, 273003513, 273000143

Bridge Street District – Historic Transition Neighborhood (BSD-HTN) to Historic Public (HP)

273005564, 273005565, 273012538, 273012539, 273000049

Bridge Street District – Historic Core (BSD-HC) to Historic Core (HC)

273000027, 273000028, 273004081, 273004080, 273012537, 273000003, 273000100, 273000099, 273000071, 273000016, 273000053, 273000069, 273000177, 273000138, 273000029, 273000050, 273000054, 273000112, 273000002, 273012261, 273012260, 273000023, 273000036, 273000084, 273003680, 273000310, 273000018, 273012160, HOA380061, HOA379897, 273000088, 273012432, 273012158, 273012431, 273000022, 273009979, 273000037, 273000062, 273012387, 273012386, HOA380161, 273012388, 273012389, 273000111, 273000072, 273000089, 273000008, 273000056, 273000102, 273000040, 273000051

Bridge Street District – Historic South (BSD-HS) to Historic South (HS)

273000094, 273000093, 273000092, 273000087, 273000097, 273000259, 273000014, 273000074, 273000061, 273000086, 273000052, 273000035, 273000007, 273000005, 273000104, 273000070, 273000034, 273000075, 273002075, 273000043, 273000063, 273000085, 273000066, 273001978

Bridge Street District – Historic Residential (BSD-HR) to Historic Residential (HR)

273000047, 273000079, 273000080, 273000048, 273000045, 273000039, 273003410, 273000315, 273000262, 273001684, 273000033, 273000286, 273000060, 273000059, 273000091, 273000090, 273012745, 273012746, 273000139, 273000118, 273000078, 273000067, 273000141, 273009732, 273000144, 273009733, 273000081, 273009734, 273012300, 273012301, 273011175, 273000324, 273000101, 273000031, 273000415, 273000013, 273000256, 273000019, 273000083, 273000046, 273000106, 273000015, 273000135, 273000135, 273000131, 273000129, 273000127, 273000125, 273000136, 273000134, 273000132, 273000130, 273000128, 273000126, 273000123, 273000121, 273000109

Bridge Street District – Historic Core (BSD-HC) to Historic Residential (HR)

273000032, 273000042, 273000068, 273000073, 273000098, 273000107

Bridge Street District – Historic Transition Neighborhood (BSD-HTN) to remain Bridge Street District – Historic Transition Neighborhood (BSD-HTN)

273013000, 273012999, 273012984, 273012983, 273012725, 273013025, 273012725, 273012724, 273012982

## Nichole Martin

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**From:** PZ - Public Comments <no-reply@wufoo.com>  
**Sent:** Thursday, January 7, 2021 4:30 PM  
**To:** Nichole Martin; Jennifer Rauch; Tammy Noble  
**Subject:** Planning & Zoning Commission - Public Comments [#32]



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**Name \*** Kathleen Bryan

**Email \*** [kathleenbryan1@gmail.com](mailto:kathleenbryan1@gmail.com)

**Address \***   
84 S. Riverview St.  
Dublin, OH 43017  
United States

**Phone Number** (614) 306-2266

**Case Number or Name \*** Code Review

**Public Comment \*** Thank you for taking the time to consider the changes recommended by the Architectural Review Board to the Code for Dublin. Great time and care has been given to the changes before you tonight. The ARB held several meetings throughout the past year, inviting and encouraging public input. We feel the changes recommended will help preserve and protect Historic Dublin while providing opportunities for home owners to upgrade and enhance their properties.

Sincerely,  
Kathleen Bryan, Chair  
Architectural Review Board

## Nichole Martin

---

**From:** PZ - Public Comments <no-reply@wufoo.com>  
**Sent:** Wednesday, January 6, 2021 10:15 AM  
**To:** Nichole Martin; Claudia Husak; Jennifer Rauch  
**Subject:** Planning & Zoning Commission - Public Comments [#31]



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**Name \*** Denise King

**Email \*** [denisefranzking@yahoo.com](mailto:denisefranzking@yahoo.com)

**Address** 

\* 170 S Riverview St  
Dublin, OH 43017  
United States

**Phone** (614) 561-9939  
**Number**

**Case** Historic District-Zoning Code Updates 19-007 ADMC & Rezoning 20-188Z  
**Number**  
**or**  
**Name \***

**Public Comment \***

As a resident of the Historic District and active member of the community, I want the P & Z Commission members to know that the process for considering, negotiating and finalizing the Code updates and zoning for the HD has been fulsome. From 2018 to now there have been about 18 meetings, some large, some small, on these issues and the HD Guidelines. Anyone from anywhere in Dublin, residents and business owners have had ample opportunities for input. The issues most important to the HD and Franklin residents are maintaining the character, scale, height, lot coverage, setbacks and sightlines that make the HD what it is. There was a lot of give and take and a lot of buy-in to bring the code and zoning to what is presented to you today. Please build on this comprehensive effort by adding your blessing and forwarding them to City Council for adoption. We've talked and talked. Its time to act. Thank you. Denise Franz King, 170 S Riverview St.