

DRAFT MIXED USE REGIONAL (MUR) DISTRICTS CODE – November 4, 2021

§ 153.045 PURPOSE AND INTENT

(A) **Purpose**

The Mixed Use Regional Districts are intended to implement the vision set forth in the Dublin Corporate Area Plan, which promotes a vision of a walkable, mixed use district that is comprised of high quality employment facilities, integrated with or adjacent to complementary retail and commercial uses as well as supporting residential and recreational uses, and pedestrian amenities. [The Mixed Use Regional District standards are intended to ensure development is compatible with the surrounding character and uses.](#)

(B) **Applicability**

Any development proposed to occur on land designated as Mixed Use Regional (MUR)-1, MUR-2, MUR-3, and MUR-4 shall be required to meet the requirements of the MUR Districts as specified herein.

(C) **Conflicts**

If the regulations within this section conflict in any manner with the City of Dublin Codified Ordinances, the provisions of the districts shall prevail. All matters not covered by the districts and their requirements shall be regulated by the requirements and standards contained in Chapter 153 of the Codified Ordinances.

(D) **Relationship to Design Guidelines**

In addition to the regulations contained within this section, new development within the MUR Zoning Districts shall comply with the Mixed Use Regional (MUR) Design Guidelines. The guidelines supplement the regulations contained within the code and will guide the Planning and Zoning Commission 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. Applicants should consult the Design Guidelines prior to filing an application, and throughout the approval process.

(E) **Intent**

The titles of each zoning district reflect the general location of each district within the overall mixed use regional area as depicted in the Dublin Corporate Area Plan. The following further describes the intent of each of the Mixed Use Regional (MUR) districts.

(1) *MUR-1: Metro/Blazer District.*

(2) *MUR-2: Tuttle/Rings District.*

(3) *MUR-3: Emerald District.*

- (4) *MUR-4: Llewellyn Farms Office District.* The Llewellyn Farms Office District is different in character from the other MUR districts due to its proximity to existing residential neighborhoods. The permitted uses and development standards are sensitive to this and intend to provide a cohesive transition between residential and non-residential development: [focusing on lower density and intensity to ensure compatibility with the existing residential character.](#)

§ 153.046 USES

(A) **Intent**

This section establishes the desired uses for land and buildings in each of the MUR Districts. This is achieved through the variety of permitted, conditional, accessory, and temporary uses allowed in each district. In some cases, building location requirements and size limitations to establish the desired development character apply.

(B) **General Provisions**

- (1) Permitted and conditional uses in each of the MUR Districts, shown in Table 1, may be restricted by location, size, period of operation, or other use-specific standards as designated herein.
- (2) *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 1 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 1 and the applicable provisions herein.
 - (d) An “**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 1 and the applicable provisions herein.
 - (e) A “**T**” in a cell indicates a use that is allowed in that zoning district for a limited period of time pursuant to a permit from the City, subject to compliance with any use specific standards referenced in Table 1 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 MUR Districts. These additional standards are cross-referenced in the last column of Table 1.
- (4) *Existing Uses and Buildings*
- (a) ~~All~~ The permitted or conditional uses existing as of the effective date of this Ordinance and buildings that were permitted or conditionally permitted under the zoning applicable to a property immediately prior to its rezoning into a MUR Zoning District shall continue to be allowed as permitted or conditionally permitted on the property, including the following:
1. Any expansions of an existing uses as of the effective date of this Ordinance within an existing structures as permitted by § 153.047, in addition to the permitted and conditional uses under the applicable MUR Zoning District, provided that ~~at least one of the permitted or conditional existing uses under the prior zoning~~ has been operated continuously in an existing structure and/or associated use areas on the property within the 12 months prior to the rezoning of the property into a MUR Zoning District.
 2. Expansions of existing buildings as permitted by § 153.047, provided that the building was constructed at least 12 months prior to the rezoning of the property into a MUR Zoning District.
- (b) Once a use that complies with the applicable MUR Zoning District is established on a lot or parcel, no use that is not permitted in the applicable MUR Zoning District may be re-established. For multi-tenant buildings in existing structures, a use that is not permitted in the applicable MUR Zoning District may not be re-established after the entire multi-tenant building is abandoned or all tenant spaces have established uses that comply with those listed for the applicable MUR Zoning District.
- (c) *Abandonment of an Existing Use*
1. If an existing use is abandoned for any reason for a period of more than 12 months, any subsequent use shall conform to the requirements of §153.046. As applied to a multi-tenant building, the term "existing use" means all of the existing uses in that building.
 2. An existing use shall be determined by the Director to be abandoned if one or more of the following conditions exist:
 - A. Utilities, such as water, gas, or electricity to the property, have been disconnected;

- B. The property, buildings, or grounds have fallen into disrepair;
 - C. Signs or other indications of the presence of the use have been removed;
 - D. Equipment or fixtures necessary for the operation of the use have been removed; or
 - E. Other actions that, in the opinion of the Director, constitute an intention of the property owner or lessee to abandon the use.
- (d) *Expansion of Existing Uses.* An existing use [in operation as of the effective date of this Ordinance](#) may be enlarged, increased, or extended to occupy a greater area of buildings and lands only after a finding by the Planning and Zoning Commission that the enlargement, increase, or extension meets all of the following standards:
- 1. The expansion does not have a substantial detrimental effect on, or materially impair the use and enjoyment of, adjacent uses or lots, and does not limit the ability for adjacent lots to develop in accordance with this Chapter;
 - 2. The buildings and area in which the existing use is being expanded complies with all parking, sign, or other regulations applicable to the area affected by the proposed enlargement, increase, or extension of use area; and
 - 3. The buildings and area encompassing the expansion of the existing use complies with any reasonable conditions imposed by the Planning and Zoning Commission that are necessary to ensure that the proposed enlargement, increase, or extension of use area will not create impacts detrimental to adjacent properties or the surrounding community.
- (e) Any existing use [in operation as of the effective date of this Ordinance](#) may be extended throughout any existing buildings or parts of a building that were clearly arranged or designed for that use at the time of adoption of this amendment, but the use shall not be extended to occupy any land outside the existing building except as permitted by §153.046.
- (f) *Expansion of Existing Buildings*
- 1. An existing building, including accessory structures and parking areas, may be enlarged, increased, or extended to occupy a greater area of the lot on which it is located subject to the applicable approval procedure set forth in § 153.048.

2. An expansion of an existing building, structure, or parking area that does not conform to the MUR dimensional standards may be permitted only after a finding by the ~~Planning and Zoning Commission~~required reviewing body that the expansion meets all of the following standards:
 - A. The expansion does not have a substantial detrimental effect on, or materially impair the use and enjoyment of, adjacent uses or lots, and does not limit the ability for adjacent lots to develop in accordance with this Chapter;
 - B. The area in which the existing building, structure, or parking lot is being expanded complies with all other regulations applicable to the area affected by the proposed expansion, unless specifically exempted by the ~~Planning and Zoning Commission~~required reviewing body; and
 - C. The expansion complies with any reasonable conditions imposed by the ~~Planning and Zoning Commission~~required reviewing body that are necessary to ensure that the proposed expansion will not create impacts detrimental to adjacent properties or the surrounding community.

(5) *Similar Use Determination*

- (a) When a proposed land use is not explicitly listed in Table 1, 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 MUR Districts.
 2. The use is generally consistent with the intent of the MUR Districts and this chapter.
 3. The use will not materially impair the present or potential use of other properties within the same district or bordering districts.
 4. The use has no greater potential impact on surrounding properties than those listed in the district in terms of aesthetics, traffic generation, noise, potential nuisances, and other impacts related to health, safety, and welfare.
 5. The use will not adversely affect the relevant elements of the Community Plan, the MUR 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 Board of Zoning Appeals.
- (6) *Principal Uses.* Any property is permitted any combination of principal uses in accordance with the requirements of this section and other applicable provisions of this code.
- (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 1 shall be permitted as an accessory use in the same zoning district.
- (8) *Mixed Use Regional (MUR) District Permitted Use Table*

Table 1: Mixed Use Regional (MUR) District Permitted Uses					
<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	Metro/Blazer (MUR-1)	Tuttle/Rings (MUR-2)	Emerald (MUR-3)	Llewellyn Farms (MUR-4)	Use Specific Standards
<i>Civic/Public/Institutional Permitted Uses</i>					
Day Care, Adult and Child				P	YES
Government Services, Safety				P	
Park or Open Space				P	
<i>Commercial Permitted Uses</i>					
Bank				P	YES
Office, General				P	
Office, Medical				P	
Professional/Technical Training Facilities				P	YES
Research & Development				P	
Tutoring Services				P	
Wireless Communications					Refer to Chapter 99 of Dublin Code of Ordinances
<i>Accessory and Temporary Permitted Uses</i>					
ATM, Walk-Up				P	

Table 1: Mixed Use Regional (MUR) District Permitted Uses

<i>P=Permitted C=Conditional S=Size Limited T=Time Limited</i>	Metro/Blazer (MUR-1)	Tuttle/Rings (MUR-2)	Emerald (MUR-3)	Llewellyn Farms (MUR-4)	Use Specific Standards
Bicycle Facilities				P	YES
Construction Trailer/Office				P	YES
Day Care, Adult and Child				P	YES
Exercise and Fitness				P	YES
Parking, Surface Lot				P	
Renewable Energy Equipment				P	YES
Transportation, Transit Stop				P	YES
Vehicle Charging Station				P	YES
Wireless Communications					Refer to Chapter 99 of Dublin Code of Ordinances

(C) Use Specific Standards

(1) *Banks*

- (a) Banks are limited to a maximum of two drive-thru lanes, including ATM's.
- (b) Drive-thru lanes shall be located on the rear or side of the building.
- (c) Each drive-thru lane shall provide a minimum of four stacking spaces, including the point of service.
- (d) Off-street parking spaces shall be located in a manner to provide safe pedestrian connections to the primary building entrance.

(2) *Day Care, Adult and Child*

- (a) *The use shall at all times comply with the requirements of the Ohio Revised Code (O.R.C.) 5104.*

- (b) *Outdoor recreation areas shall not be located in front of the primary entrance of the building and shall be enclosed with a permitted fence. The outdoor recreation area shall be screened using fencing and/or landscaping to provide a minimum of 50% opaque screening.*
- (3) *Professional/Technical Training Facilities*
 - (a) Professional/technical training facilities are permitted in the MUR Districts that are up to 10,000 square feet in floor area. Such uses that exceed 10,000 square feet in floor area and up to 20,000 square feet in floor area may be permitted in the MUR Districts with the approval of a Conditional Use Permit.
 - (b) Professional/technical training facilities shall not have outdoor activities or outdoor storage unless specifically permitted herein.
- (4) *Accessory and Temporary Uses*
 - (a) *Bicycle Facilities.* Bicycle Facilities are subject to the regulations set forth in §153.047(G)(7).
 - (b) *Construction Trailer/Office.* Construction trailers and/or offices shall comply with the setbacks applicable to principal structures on the property. Such uses shall additionally comply with the provisions of §153.097.
 - (c) *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 not be located in front of the primary entrance of the building and shall 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.
 - (d) *Exercise and Fitness.* Exercise and fitness uses shall be located completely within a building and shall not be visible from an adjacent residential zoning district or use.
 - (e) *Renewable Energy Equipment*
 - 1. In the MUR 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 adjacent 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~~ shall not extend beyond the maximum permitted height of the principal structure.
 - B. Building-mounted renewable energy equipment shall be completely integrated into the architectural character of the principal structure and shall not be located on an elevation facing a residential use.
- (f) *Transportation/Transit Stop.* Transit or transportation stops must be located along the frontage of an arterial or collector road. Transportation/Transit stops shall be developed to the standard set by the City of Dublin and shall include at the very minimum, shelter, seating, lighting, and emergency services.
- (g) *Vehicle Charging Station.* 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.~~

§ 153.047 SITE DEVELOPMENT STANDARDS

(A) Intent

The intent of the Mixed Use Regional (MUR) Districts is to enable the development pattern and form envisioned by the Dublin Corporate Area Plan and the MUR Design Guidelines, emphasizing the creation of a walkable, mixed use environment.

(B) Applicability

The standards set forth in this chapter establish the regulations for the arrangement and development of land and structures within the MUR Districts.

(C) General Development Standards

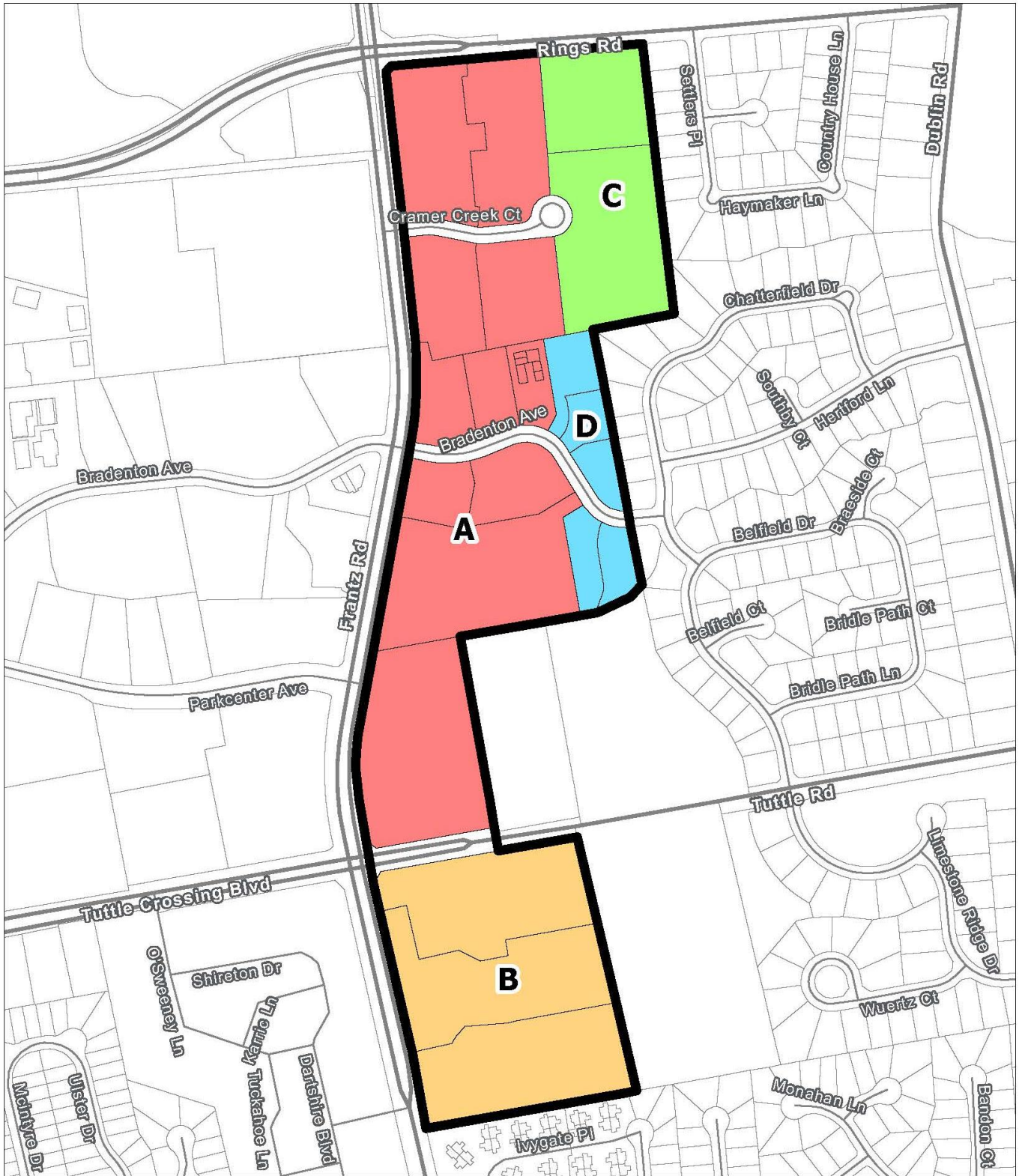
Table 2 outlines the general development regulations for land and structures within the Mixed Use Regional (MUR) Districts. Map 1 outlines the subareas within MUR-4.

Table 2: Mixed Use Regional (MUR) Districts – General Development Standards				
Development Standard	Metro/Blazer (MUR-1)	Tuttle/Rings (MUR-2)	Emerald (MUR-3)	Llewellyn Farms (MUR-4)
Minimum Lot Size				20,000 sq. ft.
Minimum Lot Width				100'
Maximum Lot Coverage				75%
Maximum Building Height				Subarea A: 2 stories, not to exceed 32 feet, whichever is less
				Subarea B: 3 stories, not to exceed 40 feet, whichever is less
				Subarea C: 1-story, not to exceed 22 feet (whichever is less) with 75' minimum setback up to maximum of 2-story, not to exceed 32 feet (whichever is less) with 95' minimum setback Height can be increased at 1':2' height to setback ratio between 75' to 95'
				Subarea D: 1 story, not to exceed 20 feet, whichever is less ; pitched roof required
Maximum Building Footprint				N/A
Minimum Front Yard Building Setback				15'
Maximum Front Yard Building Setback				N/A
Minimum Side Yard Building Setback				Subarea A: 10 feet
				Subarea B: 10 feet

Table 2: Mixed Use Regional (MUR) Districts – General Development Standards

Development Standard	Metro/Blazer (MUR-1)	Tuttle/Rings (MUR-2)	Emerald (MUR-3)	Llewellyn Farms (MUR-4)
				<p>Subarea C: Abutting non-residential use – 10’ Abutting residential use – 75’ minimum for 1-story at <u>not exceed a</u> 22-foot tall building, and 95’ minimum for 2-story at 32-foot tall building, increasing setback at 1’:2’ height to setback ratio between 75’ and 95’</p> <p>Subarea D: Abutting non-residential use – 10 feet Abutting residential use - 25 feet</p>
Minimum Rear Yard Building Setback				<p>Subarea A: 25 feet Subarea B: 25 feet Subarea C: Abutting non-residential use – 10’ Abutting residential use – 75’ minimum for 1-story at 22-foot tall building, and 95’ minimum for 2-story at 32-foot tall building, increasing setback at 1’:2’ height to setback ratio between 75’ and 95’ Subarea D: Abutting non-residential use – 10 feet Abutting residential use - 25 feet</p>
Minimum Front Yard Pavement Setbacks				15’
Side and Rear Yard Pavement Setbacks				<p>Subarea A: 10 feet Subarea B: 10 feet Subarea C: Abutting non-residential use – 10 feet Abutting residential use - 25 feet Subarea D: Abutting non-residential use - 10 feet Abutting residential use – 25 feet</p>
Parking Location				<p>Parking lots are recommended to be located <u>between the building and the property line to provide additional separation from existing residential</u> strategically on a lot where they can serve as a buffer between residential and non-residential development.</p>

Map 1: MUR-4 Subarea Map



(D) **Additional Development Standards**

- (1) *Outdoor Storage.* Exterior storage shall not be permitted in the MUR Zoning Districts, unless it is determined that the proposed outdoor storage is harmonious to the surrounding area and is adequately screened and approved by the [Planning-required reviewing body](#) ~~Commission~~.
- (2) *Service Areas and Structures.*
 - (a) Overhead doors shall be located to the side or rear of structures to minimize visibility from public streets. Open service areas and loading docks shall be screened by walls a minimum of six feet in height, but not greater than 12 feet. Walls, fences, or landscape screening shall have 100% opacity to effectively conceal service and loading operations from an adjoining public right of way and from any residential zoning district or residential use. This does not apply to overhead doors used for aesthetic purposes such as overhead doors that lead to patios or gathering areas.
 - (b) Service structures shall be screened consistent with the regulations set forth in §153.077 of the City of Dublin's Zoning Regulations.
- (3) *Mechanical Screening*
 - (a) *Roof-mounted equipment.* All roof-mounted mechanical equipment and penetrations (including but not limited to HVAC equipment, exhaust fans, vents, fans, cooling towers, and related guard rails or safety equipment) shall be fully screened from view at ground level on all sides of the structure, to the extent practicable, from adjacent buildings of similar height. The height of the roof-mounted screening shall be included the total maximum building height.
 - (b) *Ground-mounted equipment.* 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.
 - (c) *Exemptions.* The requirement to screen roof-mounted or ground-mounted equipment shall not apply if the only feasible location for screening would impede the functioning of solar, wind, or geothermal energy equipment or systems.

(E) **Architectural Requirements**

- (1) *Applicability.* Architectural requirements as specified in this section shall apply to new construction. New construction is also subject to the MUR Design Guidelines as applicable. Design of additions to structures existing as of the date of this

amendment may coordinate with the architecture of the existing structure, but to the extent possible shall meet the requirements of this section.

- (2) *Windows.* Building walls shall incorporate windows or glass openings to effectively avoid blank and undifferentiated elevations, while balancing the needs of internal spaces and operations. Windows and glass openings on second stories or above that abut and face towards a residential zoning district or use are subject to the review and approval of the Planning and Zoning Commission. Applicants shall strategically locate second story and higher windows that face a residential use to avoid direct lines of sight to such uses. Landscaping may be used to buffer direct lines of sight.
- (3) *Roofs*
- (a) Pitched and flat roof types are permitted, unless specified.
- ~~(a)~~(b) Pitched roof shall not be sloped less than a 6:12 (rise:run) or more than 12:12, unless otherwise approved by the required reviewing body.
- ~~(b)~~(c) Downspouts and scuppers shall be carefully integrated into the façade design.
- (4) *Exterior Materials.* At least 80% of the exterior walls shall be constructed out of one or more of the primary materials listed below:
- (a) *Primary Materials*
1. *Brick.* Brick shall be uniform in color within any one specific color range but using more than one color range to create patterns is acceptable. Bricks that have been flashed to change color in the individual unit, distressed bricks, and wood mold bricks are not acceptable.
 2. *Glass.* Transparent, tinted, reflective, coated, opaque, translucent, and textured glass, is permitted.
 3. *Stone.* Stone such as limestone, granite, and marble are acceptable. Synthetic stone of a high quality that is indistinguishable from natural stone is also acceptable.
 4. *Pre-cast concrete.* Pre-cast concrete panels developed with shadow lines, reveals, textural changes, color variations, and/or exposed aggregate are acceptable.
 5. *Architectural metal.* Smooth face, textured face, and corrugated type insulated, or un-insulated metal panels are acceptable. Careful attention to how the panels is adjoined, detailed at corners, and attached is required. Long span, high profile fluted, or ribbed metal panels are prohibited.

6. *Synthetics.* Synthetic siding materials such as fiber cement siding and EIFS ~~are~~ may be acceptable if carefully integrated into the building's design and detailed with a high level of shadow lines and reveals. EIFS is only permitted on the upper stories.
7. Other primary building materials may be approved by the Planning and Zoning Commission if demonstrated to be of similar quality to the permitted primary materials.

(b) *Secondary Materials*

1. Any primary material listed above may be considered as a secondary material.
2. Gypsum fiber reinforced concrete (GFRC), wood siding, fiber cement siding and Exterior Insulation and Finishing Systems (EIFS) may be used for trim, detailing, and architectural features.
3. Other secondary building materials may be approved if demonstrated to be of similar quality to the permitted secondary materials.

- (5) *Accessory Structures.* Attached or detached accessory structures shall be constructed similar in design, style, quality, and appearance with identical materials as the principal structure.

(F) **Landscaping and Tree Preservation**

(1) *General*

- (a) The provisions of §153.130 through §153.149 shall apply to the MUR Zoning Districts, unless specifically exempted, modified, or waived by the Planning and Zoning Commission.
- (b) Site landscaping shall comply with the general character and design components as prescribed in the Dublin Corporate Area Plan and the MUR Design Guidelines.

- (2) *Perimeter Landscape Buffer.* The following landscape regulations apply to properties contained within the MUR Zoning Districts:

- (a) Perimeter landscape buffer is required when a non-residential land use is adjacent to a residential zoning district or use (regardless of whether there is an intervening street, alley, driveway, or easement). The intent of the buffer is to provide multiple levels of screening. ~~Such~~The buffer shall be a minimum of 25 feet wide and be planted with one tree per 20 lineal feet or fraction thereof as a combination of evergreen and deciduous planted in a staggered line. The tree requirement should include a combination of small, medium and

large trees to ensure a variety of heights within the buffer. The buffer shall also include ~~plus~~ a continuous six-foot high opaque screen constructed out of plantings, a hedge, wall, fence, earth mound, or combination thereof.

- (b) Existing healthy and non-invasive trees and underlying plant materials located within the required buffer area shall be preserved and counted toward the perimeter landscape buffer. Protective measure should be taken to ensure the drip line and root system of the existing trees are preserved.
 - (c) These requirements apply when a site that is 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.
 - (d) 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.
 - (e) 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.
 - (f) Vehicles or other objects shall not overhang or otherwise intrude upon the required perimeter landscape buffer. Refer to §153.047(G)(7) for curb and wheel stop requirements.
 - (g) Existing landscape material in good or fair condition may be used to satisfy these requirements with the prior approval of the Director.
- (3) *Surface Parking and Circulation Area Landscaping.* All surface parking lots located within the MUR Zoning Districts that contain 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 be landscaped 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 50 feet of a side, or rear lot line, and the adjacent property contains a residential zoning district or use, the property owner shall install perimeter buffering meeting the requirements of §153.047(F)(2).
 - (c) *Interior Landscaping.* Parking lot islands shall be strategically distributed throughout paved parking areas and shall be consistent with section 3.4 of the

MUR Design Guidelines. Interior landscaping is not required in the interior of service courts and loading docks.

- (4) *Foundation planting.* Building foundation landscaping is required along all sides of a building facing a public street or private drive, a residential zoning district or use, open space, or facing a surface parking area located on the same lot.
- (5) *Use of Mounding.* The general design of sites shall avoid the use of uniform mounding to meet screening and buffering requirements. Integration of mounding as one of the forms of screening should focus on landforms of varying width and height that will achieve a more natural and less “engineered” appearance.
- (6) *Street Trees.* Street trees are required along all public streets per the regulations set forth in §153.134.
- (7) *Tree Preservation.* All sites within the MUR Districts are expected to retain and protect natural features to the greatest extent practicable as part of the development process. Sites shall also comply with the procedures for §153.140 to §153.149.

(G) **Parking Requirements**

- (1) Parking shall comply with §153.200 through §153.212, unless specifically provided herein. In the case of conflicts, regulations for the MUR Districts will prevail.
- (2) Parking shall not be located within a setback, as outlined in Table 2, except that parking areas may extend across contiguous lots in developments with coordinated site design, shared access points and/or shared parking arrangements.
- (3) *Applicability.* Any existing structure which does not have the minimum number of parking spaces or loading areas as required by this section, and which thereafter provides additional parking and/or loading spaces in conjunction with an improvement, shall be required to meet the minimum number of parking spaces as provided by Table 3 unless an adjustment is granted per §153.048 (parking adjustments).
- (4) *Parking Requirements*
 - (a) *Minimum Amount Required*
 1. Each use shall provide the minimum amount of parking required for that use listed on Table 3, except as may be modified by the Planning and Zoning Commission.
 2. When calculating minimum 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 3, 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 3 shall be determined by the Planning 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.

Table 3: Parking Space Requirements

<i>Use</i>	<i>Minimum Required</i>
Bank	2.5 per 1,000 sq. ft.
Day Care, Adult and Child	1 space per 10 clients at licensed capacity
Government Services, Safety	2 per 1,000 sq. ft.
Office, General	4 per 1,000 sq. ft.
Office, Medical	5 per 1,000 sq. ft.
Park or Open Space	Per approved parking plan
Professional/Technical Training Facility	2 per classroom plus 1 for every 20 students for which the facility is designed
Research & Development	2 per 1,000 sq. ft.
Tutoring Services	2 per classroom plus 1 for every 20 students for which the facility is designed

(5) *Parking Plan*

- (a) A parking plan demonstrating compliance with the provisions of §153.048(G) is required for the following conditions and may be submitted as a Minor Project:
 1. Applications for a Final Development Plan;
 2. Applications that include a request for off-site parking;
 3. In cases where a modified parking agreement necessitates a new or modified parking plan;

4. Applications involving a use listed in Table 3 for which the parking requirement is specifically noted as being determined by an approved parking plan;
5. Applications that include a request for an adjustment to required vehicle parking;
6. Applications that include a request for an adjustment to the number or location of required loading spaces;
7. Applications for a Minor Project for a change of use that requires 25% or more parking spaces than the previous use; ~~or~~
8. Applications requesting shared or phased parking arrangements; or
- ~~8-9.~~ Other circumstances determined by the Director to require a parking plan, which shall be reviewed with the Minor Project application.

(b) A parking plan shall include, at a minimum, the following, as applicable:

1. Required parking and loading computations in accordance with Table 3 and 4 and the numbers of parking spaces and loading spaces to be provided.
2. Information regarding any requested parking adjustments.
3. Signed and executed easements, agreements, or other documentation required to ensure that spaces counted toward the parking requirements are properly secured.
4. Plan(s) for planned parking areas covered by the parking plan indicating locations of planned parking, names of property owners for properties not under direct control of the applicant, and any other related site details relevant to the parking plan application.
5. Any other information required by the Director to ensure an adequate review of the parking plan information.

(c) *Demonstration of Parking Need.* The Planning and Zoning Commission shall be permitted to approve a parking plan for fewer than the minimum required parking spaces based on a demonstration of parking need by the applicant. The required reviewing body shall consider:

1. The land use and development character of the area to be served by the parking facility;
2. The availability of other publicly available parking in the area;

3. The timing of parking use relative to other uses in the area;
4. The parking requirement for similar uses as may be determined by the Director;
5. Whether the provided parking meets the location requirements;
6. Whether compliance with Table 3 is made to the maximum extent practicable;
7. Whether other adjustments as described in this section should apply in conjunction with or in lieu of the requested need-based adjustment; and
8. Whether supporting documentation, if provided, adequately demonstrates that sufficient parking is available to meet projected typical demand.
9. Off-street parking requirements may be met in a shared parking lot located within 600 feet of building/structure served.

(6) *Alternative Parking Space Dimensions*

- (a) A property owner may request an adjustment to parking space dimensions for no more than 5% of required parking spaces, based on documentation of a formal policy or program to encourage the use of compact vehicles by employees or visitors, as approved by the PZC.
- (b) Where alternative dimensions are approved, which would have the effect of reducing the number of required spaces meeting the standard dimension requirements, the remaining standard spaces shall be subject to the deferred parking requirements.

(7) *Curbs and Wheel Stops*

- (a) Raised or rolled concrete curbs or wheel stops at least five inches high shall be installed 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.
- (b) 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.

- (c) 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.
- (8) *Bicycle parking*
- (a) One bicycle parking space shall be required for every 20 parking spaces required, or fraction thereof. A minimum of four spaces shall be provided whenever bicycle parking is required. Parking lots containing less than 20 spaces are not required to provide bicycle parking.
 - (b) Every effort should be made to provide clear pedestrian connectivity from the public street to the main entrance of buildings. Clear path of travel through parking areas should be designed in a manner to effectively minimize conflict with vehicles.
 - (c) Bicycle parking shall be located within 100 feet of the entrance to a principal structure. Parking may be located within the principal structure and should be located where conflicts with pedestrian or vehicular travel can be avoided.
 - (d) Bicycle parking racks, docks, or posts shall be designed and installed to provide two points of contact to an individual bicycle frame when used as intended. Enclosed locker-type facilities may be provided in lieu of open racks. Racks and lockers must be designed to allow a bicycle to be locked to a structure attached to the pavement, building, or other permanent structure.
 - (e) Bicycle racks shall be installed according to the dimensional requirements set forth by the bike rack manufacturer and the latest edition of the APBP Bicycle Parking Guidelines, or similarly acceptable industry publication.
 - (f) A minimum five-foot access aisle or maneuvering zone shall be provided for each bicycle parking facility.
- (9) *Vehicle Charging Stations.* Parking lots shall provide at least one vehicle charging station for every ~~200~~50 parking spaces, unless waived by the PZC. 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 153.047(D)(3).

(10) *Loading Areas*

- (a) *Number.* The minimum number of loading spaces shall be provided in accordance with the loading space requirements table below. Requirements may be modified upon approval of a Parking Plan and upon making the determination that another measure would be more appropriate because of the number or type of deliveries experienced by a particular business or use.

25,001 – 50,000 sq. ft. GFA	1 space
50,001 – 100,000 sq. ft. GFA	2 spaces
100,001 sq. ft. and above GFA	3 spaces

- (b) *Location.* Loading/unloading areas and docks shall be prohibited in the front yard. Loading or unloading spaces or docks are prohibited within 50 feet of any residential zoning district or use unless completely enclosed or screened from view in accordance with the Zoning Code.
- (c) *Design Requirements*
1. An alley or front service drive may be used where a single loading space is required. In all cases, service vehicles must be able to maneuver on-site without interfering with travel on a public street, with off-street parking or the normal movement of vehicles and pedestrians on-site.
 2. Loading spaces separate from docks shall be at least 12 feet wide, 30 feet long and 14 feet high for adequate clearance.
 3. ~~No loading docks are permitted on front elevations facing~~ shall be located to away from the public street or abutting residential uses.
- (d) All service vehicles and/or fleet parking must be maintained within appropriately screened areas and shall not be placed forward of the structure.

(H) **Circulation and Access**

- (1) *Rights-of-way Dedication.* Private development shall include the dedication of rights-of-way for the future expansion and widening of public roads to serve properties in accordance with the City's Thoroughfare Plan.

- (2) *Site Access.* All access from public rights-of-way shall be provided at locations approved by the City for the purposes of access management and safety. Cross access easements shall be provided for all shared driveways, and all sites shall comply with the City's Administrative Policy for Intersection Visibility Triangles at proposed access points. Cross access easements shall extend all the way to the property line.
- (3) *Construction Durability.* All private drives, parking areas, pedestrian paths, and sidewalks shall meet at least the minimum requirements established by the City.
- (4) *Paths and Connections*
 - (a) Public access easements shall be provided in all cases where shared-use paths are provided through a site and not along a public street.
 - (b) Installation of sidewalks and shared-use paths on site shall be made in compliance with the Dublin Corporate Area Plan and other City plans and policies.
 - (c) Pedestrian access shall be provided from all building entrances to public sidewalks along the street right-of-way. Continual maintenance of all access on a site shall be the responsibility of the property owner.
 - (d) A minimum four-foot sidewalk shall be required along the edge of all parking lots on sides adjacent to buildings to adequately facilitate pedestrian access into the building.

(I) **Signs**

Signs shall comply with §153.150 through §153.164 unless specifically provided for in the following section or by the approval of a Master Sign Plan per §153.048(master sign plan). In the case of conflicts, regulations for the MUR Zoning Districts will prevail.

- (1) *Table of Height, Area, & Setbacks.* Table 5 shall provide for the implementation of sign requirements for the MUR Zoning Districts:

Table 5: Sign Regulations

District	Wall Signs		Monument Signs			Window Signs	Projecting Signs (Wall or Post Mounted)		
	Maximum Area (sq. ft.)	Maximum Height (ft.)	Maximum Area (sq. ft.)	Maximum Height (ft.)	Minimum Setback (ft.)	Maximum Area (sq. ft.)	Maximum Area (sq. ft.)	Maximum Height (ft.)	Minimum Setback (ft.)
MUR-4 (day cares, tutoring services, government services, safety)	30	15	30	8	8	N/A	6	6	6
MUR-4 (office, general and medical, professional/ technical training, research and development)	50	15	50	8	8	6	N/A	N/A	N/A
MUR-4 (other uses not listed)	30	15	30	8	8	6	N/A	N/A	N/A
MUR-4 (joint identification)	N/A	N/A	50	8	8	6	N/A	N/A	N/A

(2) *Table of Numbers.* The following summarizes the number of signs permitted within the MUR Zoning Districts. The intent of the Districts is that each site is permitted one monument and wall or projecting sign as its primary identification. For designated uses an additional window sign can be used to identify main entrances. An additional sign may be permitted in instances where support services available to the public area integrated within the first floor of a primary structure such as a large office complex. In no case shall more than one sign identifying a particular business be oriented toward the same property line.

Table 6: Sign Type and Number

Sign Type	Number Permitted
Wall Sign	<ul style="list-style-type: none"> • 1 sign per building or use. • For multiple street frontages, 1 sign per frontage, not to exceed a total of 2 (provided a minimum of 100 feet of frontage on each street). • For multi-user buildings where tenants have individual entrances, 1 wall sign per tenant space is permitted to a size as defined by the Sign Code. • In larger office/research complexes with multiple building wings connected by a shared atrium, 1 wall sign may be permitted for each wing.
Monument Sign	<ul style="list-style-type: none"> • 1 sign per lot or multiple lots if devoted to one specific use or user. • For multiple street frontages, 1 sign per frontage, not to exceed a total of 2 (provided a minimum 100 feet of frontage on each street).

Window Signs	<ul style="list-style-type: none"> • 1 sign per business or use when the use has an individual entrance (in addition to any monument, wall, or projecting sign).
Projecting Signs	<ul style="list-style-type: none"> • Generally limited to 1 per building or use.

- (3) *Joint Identification Signs.* No more than four tenant panels may be provided on one monument sign. Tenant panels must include a frame to visually separate the individual panels.
- (4) *Wall Signs.* Based upon the specific architecture of buildings, wall signs may be administratively approved by the PZC at a greater building height, not to exceed the primary roof line.
- (5) *Secondary Image.* Secondary images for signs within the MUR Zoning Districts may be designed up to 30% of the maximum permitted area of the sign face.
- (6) *Sign Types.* To better accommodate contemporary architecture, sites permitted multiple signs may utilize a combination of sign types.
- (7) *Sign Lighting.* Signs may be illuminated per the requirements in §153.159(E) except that no internally illuminated signs shall be located on a building wall that faces a residential zoning district or use.

(J) **Site Lighting**

The lighting standards within this section are intended to allow adequate nighttime lighting to protect public safety while also protecting adjacent residential uses, where applicable, from excessive nighttime light and glare, protecting motorists from glare among public rights-of-way, reducing consumption of electricity for lighting purposes, and prohibiting excessive light trespass beyond property lines.

- (1) *Exemptions*
 - (a) Pedestrian walkway ground lighting; and
 - (b) Street lighting.
- (2) *Fixture Power and Efficiency.* All light fixtures shall meet the standards in Table 7.

Table 7: Fixture Power and Efficiency	
Maximum permitted initial lamp lumens per sq. ft.	9.7 lumens/sq. ft.
Maximum lamp allowance	44,000 lumens
Minimum lumens per watt or energy consumed (as documented by manufacturers specifications or results of an independent testing laboratory)	80 lumens/watt

(3) *Shielding*

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

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

(5) *Light Trespass.* 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.* 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 [and non-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 20 feet in height.

(8) *Wall Lighting*

- (a) Decorative wall lighting may be used to provide up-lighting, downlighting, or other types of lighting accents for buildings within the MUR districts.
- (b) Decorative lighting shall not exceed 900 lumens unless installed and shielded in accordance with this section.
- (c) Ground or pole-mounted floodlights are not permitted for façade lighting.

(K) **Utility Undergrounding and Screening**

- (1) In the MUR Zoning Districts, 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.

§ 153.048 REVIEW AND APPROVAL PROCEDURES AND CRITERIA

(A) Process Purpose and Intent

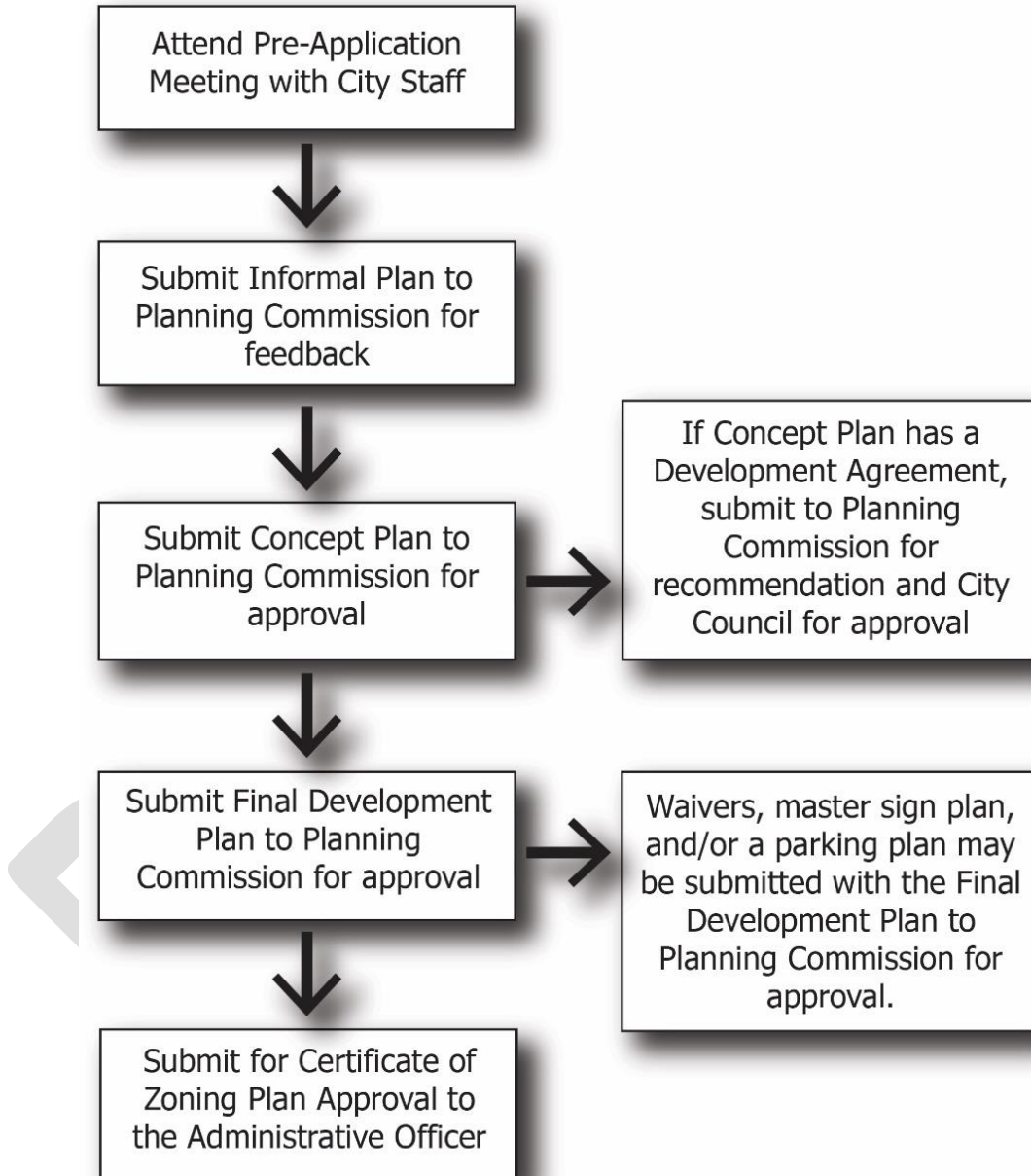
The purpose of this section is to provide adequate review of applications for rezoning and/or development with the Mixed Use Regional (MUR) Zoning Districts. These procedures are intended to create an efficient and predictable review process for projects within these districts.

(B) Process Summary

- (1) The following table summarizes the review and approval processes for the various application types that are applicable to development within a MUR Zoning District. Specifics for each of these processes can be found in the respective section identified in the column titled "Zoning Code Reference".

Table 8: Process Summary Table						
<i>R=Recommendation D=Decision A=Administrative Appeal RF=Review & Feedback</i>						
<i>Review/Approval Body:</i>	<i>Planning Director</i>	<i>Administrative Review Team</i>	<i>Board of Zoning Appeals</i>	<i>Planning and Zoning Commission</i>	<i>City Council</i>	<i>Zoning Code Reference</i>
Zoning Code Approvals						
Zoning Map or Text Amendment	R			R	D	§153.234
Conditional Use	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)
MUR District Applications						
Pre-Application Staff Meeting	RF					§153.048(C)
Informal Plan	R			RF		§153.048 (D)
Concept Plan	R			D		§153.048 (E)
Concept Plan with a Development Agreement	R			R	D	§153.048 (E)(1)(e)
Final Development Plan	R		A	D		§153.048 (F)
Minor Project	R	D		A		§153.048 (G)
Waivers	R			D		§153.048 (H)
Administrative Departure	D		A			§153.048 (I)
Master Sign Plan	R			D		§153.048 (J)
Administrative Approvals	D					§153.048 (K)
Certificate of Zoning Plan Approval	D					§153.233/ §153.048(M)(3)

- (2) *Process Flow Chart.* The following flow chart identifies the primary process applicable to development applications within the MUR Zoning Districts. This is an illustrative representation of the process and does not reflect all possible scenarios and situations.



(C) **Pre-Application Staff Meeting**

(1) *Purpose and Applicability*

- (a) The purpose of the Pre-Application Staff Meeting 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 applicant 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 provision of section (M)(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 with a formal application.

(D) **Informal Plan**

Prior to submittal of an application for a Concept Plan, an applicant may submit an Informal application for review of a development concept with the PZC. 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 PZC and the applicant, however, it is intended to provide feedback by the PZC that should inform the preparation and subsequent review of the Concept Plan. The Planning Director shall prepare a brief analysis and comments that will be submitted to the PZC with the application.

(E) **Concept Plan**

(1) *Purpose and Applicability*

- (a) The purpose of the Concept Plan is to provide a general outline of the scope, character, and nature of the proposed development to determine if it is consistent with the policy direction and recommendations set forth in the Community Plan, the Dublin Corporate Area Plan, the MUR Design Guidelines, the requirements of the MUR Zoning Districts, and applicable Zoning Code requirements.
- (b) The Concept Plan review provides an opportunity for public input at an early stage of the development process.
- (c) The Concept Plan review is intended to provide clear direction to the applicant by the required reviewing body resulting from its review and approval of the application.
- (d) If the Concept Plan is approved by the reviewing body, it shall serve as a basis for preparation by the applicant of the FDP for the proposed development.
- (e) 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 Concept Plan. In those cases, the Director and the Planning and Zoning Commission shall each review the Concept Plan and provide a recommendation to Council to approve, approve with conditions, or disapprove the Concept Plan.

(2) *Review Procedures*

- (a) The Concept Plan is a mandatory step in the development review and approval process.
- (b) An application for a Concept Plan shall be made in accordance with the provisions of section (M)(1) of this section.
- (c) The Planning and Zoning Commission shall be required reviewing body for the Concept Plan in the MUR Zoning Districts, unless a development agreement is proposed in conjunction with a proposed project, then City Council shall be required reviewing body for the Concept Plan.
- (d) The Concept Plan shall be forwarded to the PZC for approval, approval with conditions, or denial of the application under the criteria of section (E)(4) of this section.

- (e) The PZC shall review the Concept Plan application, the Director's recommendation, and render its decision based on the criteria of section (E)(4). In the instance the PZC is the required reviewing body, the Commission will render a decision for approval, approval with conditions, or denial and written record of the Commission's decision shall be provided.
 - (f) In the instance of a Concept Plan associated with a proposed development agreement, the Commission will make a recommendation of approval, approval with conditions, or denial to City Council.
 - (g) City Council shall review the Concept Plan application and the recommendations of PZC and the Director, and render its decision based on the criteria of section (D)(3) of approval, approval with conditions, or denial.
- (3) *Submittal Requirements.* It is the intent of these regulations that the Concept Plan 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 section (E)(4). The applicant shall submit an application and supplemental materials as outlined in section (M)(1) and determined by the Director.
- (4) *Review Criteria.* The required reviewing body shall make its decision on an application for a Concept Plan 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 PZC. For applications associated with a development agreement, the PZC shall apply these criteria in the formulation of its recommendation to City Council.
- (a) The Concept Plan is consistent with the applicable policy guidance of the Community Plan, the Dublin Corporate Area Plan, the MUR Design Guidelines, the requirements of the MUR Zoning Districts, other applicable Zoning Code requirements, and other applicable City plans, and citywide administrative and financial policies;
 - (b) The Concept Plan conforms to the applicable requirements of the Code;
 - (c) 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;
 - (d) The proposed land uses allow for appropriate integration into the community, consistent with adopted plans, and align with the requirements of §153.046 Uses;

- (e) The conceptual buildings are appropriately sited and scaled to create a cohesive development character that complements the surrounding environment, and conforms to the requirements of § 153.047 Site Development Standards and the MUR Design Guidelines;
- (f) 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
- (g) The Concept Plan 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.

(F) **Final Development Plan**

(1) *Purpose and Applicability*

- (a) The purpose of the Final Development Plan (FDP) is to confirm compliance with the Concept Plan, all applicable requirements of the Code, Community Plan, Dublin Corporate Area Plan, MUR Design Guidelines, and other adopted plans, policies, and regulations, and the review criteria.
- (b) The FDP allows the PZC to ensure that the proposed development is compliant with the following:
 1. That the street network provides a coherent and rational development pattern, and the site provides for clearly identified pedestrian accessible routes and connections;
 2. That the proposed building(s) is 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 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 design guidelines and is consistent with the Concept Plan.
- (d) All development within the MUR districts shall require an approved FDP prior to applying for site disturbance approval, Certificate of Zoning Plan 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 an FDP shall be reviewed by the PZC, whose approval shall be binding and shall serve as the regulatory and administrative document for zoning compliance.

(2) *Review Procedures*

- (a) An application for an FDP shall be submitted in accordance with the provisions of sections (F)(4) and (M)(1) of this section.
- (b) The PZC shall be the required reviewing body for the FDP within the MUR Zoning Districts.
- (c) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the FDP application under the criteria of division (F)(4) of this section.
- (d) The PZC shall review the FDP application and the recommendation of the Director and render its decision based on the criteria of division (F)(4) of this section for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.

- (3) *Submittal Requirements.* It is the intent of these regulations that an FDP shall provide final project information that is sufficient to ensure general conformity to an approved Concept Plan. Information should be sufficiently detailed to enable the PZC 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 (F)(4). The applicant shall submit an application and supplemental materials as outlined in division (M)(1) and determined by the Director.
- (4) *Review Criteria.* The PZC shall make its decision on an application for an FDP based on each of the following criteria:
- (a) The FDP shall be substantially similar to the approved Concept Plan, 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, the Dublin Corporate Area Plan, the MUR Design Guidelines, other adopted City plans, and citywide administrative and financial policies;
 - (c) The proposed land uses conform to all applicable requirements and use specific standards of §153.046 Uses;
 - (d) The proposed buildings are appropriately sited and conform to the requirements of §153.047 Site Development Standards;
 - (e) The proposed street layout and lots conform to the requirements;
 - (f) 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;
 - (g) The proposed building design, site design, landscaping and buffering plan, and open spaces are consistent with the MUR Design Guidelines;
 - (h) 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;
 - (i) 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;

- (j) 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;
- (k) 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
- (l) 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.

(G) **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 a Minor Project:
 - (a) Development of mixed use and nonresidential principal structures of 3,500 square feet or less gross floor area and associated site development requirements for sites zoned MUR-4.
 - (b) Additions or modifications to principal structures that increase the gross floor area by not more than 25%, or not more than 2,500 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 for sites zoned MUR-4.
 - (c) Exterior modifications to principal structures involving not more than 25% of any individual façade elevation of the structure. The repainting of a façade, either partially or fully, shall be considered a Minor Project.
 - (d) Signs, landscaping, parking, and other site related improvements that do not involve construction of a new principal building.
 - (e) Accessory structures and uses.
 - (f) Parking plans when not associated with an FDP.

- (3) *Review Procedure*
- (a) An application for a Minor Project (MP) shall be made in accordance with the provisions of sections (G)(5) and (M)(1) of this section.
 - (b) The ART shall be the required reviewing body for the MP.
 - (c) The Director shall make a recommendation to the ART for approval, approval with conditions, or denial of the MP under the criteria of division (G)(5).
 - (d) The ART shall review the MP application and the Director's recommendation, and render its decision based on the criteria of (G)(5) of this section for approval, approval with conditions, or denial. A written record of the PZC's decision shall be provided.
 - (e) If the application is not approved by the ART, the applicant shall be given the opportunity to revise the application in response to the ART comments and resubmit for reconsideration.
 - (f) Decisions of the ART are appealable to the PZC.
- (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. The applicant shall submit an application and supplemental materials as outlined in section (M)(1) and determined by the Director.
- (5) *Review Criteria.* The Planning and Zoning Commission 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, the Dublin Corporate Area Plan, applicable Zoning Code requirements, MUR Design Guidelines, and adopted plans, policies, and regulations;
 - (b) In cases where a MP is proposed within or as part of an approved FDP, the MP shall be consistent with such approved 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 §153.046 Uses; and

- (e) The proposed site improvements, landscaping, screening, and buffering shall meet all applicable requirements of the Code and respond to the standards of the MUR Design Guidelines.

(H) **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 PZC.
- (2) *Waivers Defined.* A Waiver is defined as a request for a deviation from the requirements of §153.047(site development standards) which do not otherwise qualify for an AD under the provisions of section (I) of this section.
- (3) *Review Procedure*
 - (a) An application for a Waiver shall be made in accordance with the provisions of sections (H)(2) and (M)(1) of this section.
 - (b) ~~The~~ A Waiver may be submitted with any application for an FDP or a MP.
 - (c) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the Waiver under the criteria of section (H)(5). Additional Waivers determined by the Director during his/her review, may be included for review by the PZC.
 - (d) The PZC shall review the requested Waiver using the criteria of section (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 PZC.
 - (e) The PZC 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 sections (H)(2) and (H)(5). The information should be sufficiently detailed to enable the PZC to understand the existing site, proposed 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 (M)(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 generally meet the spirit and intent of the Community Plan, the Dublin Corporate Area Plan, the MUR Design Guidelines, applicable Zoning Code requirements, other adopted City plans and policies, and all applicable requirements in §153.045 through §153.048;
- (c) The Waiver is not being requested solely to reduce cost or as a matter of general convenience;
- (d) The Waiver, if approved, will ensure that the development is of equal or greater development quality with respect to design, material, and other similar development features than without the Waiver;
- (e) The requested Waiver is better addressed through the Waiver rather than an amendment to the requirements of this Chapter; and
- (f) The Waiver does not have the effect of authorizing any use that is not otherwise permitted in the applicable zoning district.

(I) **Administrative Departures**

(1) *Purpose and Applicability*

- (a) The intent of the Administrative Departure (AD) is to provide an efficient process to allow minor deviations from the strict application of the Code requirements caused by unusual site or development conditions or conditions unique to a particular use or other similar conditions that require reasonable adjustments, while remaining 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 sections (I)(5) and (M)(1) of this section.
- (b) The PZC shall be the required reviewing body for administrative departures.

- (c) A request for an AD may be submitted with an application for an FDP, MP, or at any other time as may be necessary.
 - (d) A request for an AD may be processed simultaneously with an FDP or MP to which it relates.
 - (e) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the AD under the criteria of section (I)(5).
 - (f) The PZC shall determine whether each requested AD is approved, approved with conditions, or denied. A written record of the PZC's decision will be provided.
 - (g) Should the PZC find that the request does not meet the criteria for an AD, the applicant may request a Waiver under the provisions of section (H) of this section or submit a new application for an 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 sections (I)(2) and (I)(5). The information should be sufficiently detailed to enable the required reviewing body to understand the existing site, proposed AD, and the related FDP or MP for the proposed project or a portion thereof. The applicant shall submit an application and supplemental materials as outlined in section (M)(1) and determined by the Director.
- (5) *Review Criteria.* The PZC 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, the Dublin Corporate Area Plan, the MUR Design Guidelines, applicable Zoning Code requirements, other adopted City plans and policies, and all applicable requirements within §153.045 through §153.048;
 - (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.

(J) **Master Sign Plan**

(1) *Purpose and Applicability*

- (a) The purpose of the Master Sign Plan (MSP) is to define the scope, character, and aesthetic quality of signs and sign regulations for an individual tenant, multi-tenant building, or multi-building development; while allowing an additional degree of flexibility and creativity in sign design and display.
- (b) The MSP review is intended to confirm the proposed sign design or comprehensive sign plan is consistent with the development context, architectural character, the Dublin Corporate Area Plan, and the MUR 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 MUR Design Guidelines.
- (c) The MSP allows the PZC the means to evaluate the proposal for its consistency with §153.045 through §153.048; the Community Plan, the Dublin Corporate Area Plan, the MUR 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 an MSP shall be submitted in accordance with the provisions of sections (J)(4) and (M)(1) of this Chapter.
- (b) The PZC shall be the required reviewing body for MSPs in the MUR Zoning Districts.
- (c) The Director shall make a recommendation to the PZC for approval, approval with conditions, or denial of the MSP application under the criteria of section (J)(4) of this section. The Director's recommendation shall be provided prior to the respective public hearing.
- (d) The PZC shall review the MSP application and the recommendation of the Director, and render its decision based on the criteria of section (J)(4) for approval, approval with conditions, or denial. A written record of the Commission's decision shall be provided.
- (e) The applicant may request additional review meetings with the PZC.

- (3) *Submittal Requirements.* It is the intent of these regulations that the MSP shall indicate general information, sign design standards, and the area of applicability. Information submitted should be comprehensive enough to enable the PZC to understand the existing site and design concept for the proposed MSP. The applicant shall submit an application and supplemental materials as outlined in section (M)(1) and determined by the Director.
- (4) *Review Criteria.* The PZC shall render its feedback on an application for an MSP based on each of the following criteria and the recommendation of the Director.
 - (a) The MSP is consistent with the Community Plan, the Dublin Corporate Area Plan, the MUR Design Guidelines, applicable Zoning Code requirements, 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 requirements of §153.047 Site Development Standards and the MUR 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.

(K) **Administrative Approvals**

- (1) *Purpose and Applicability*
 - (a) The Director may authorize an Administrative Approval (AA) to an approved FDP or MP that is required to correct any undetected errors or omissions, address conditions discovered during the permitting process or construction, or that is necessary to ensure orderly and efficient development.
 - (b) Any approved AA must be consistent with the intent of the related approved FDP or MP.
 - (c) The Director may also authorize an AA to existing structures and associated site improvements that are necessary to complete ordinary maintenance, refurbishment, or Zoning Code compliance.
- (2) *Administrative Approval Defined.* The following are considered AA's:
 - (a) Adjustments to lot lines;
 - (b) Adjustments to the location and layout of parking lots;
 - (c) Adjustments of up to 10% in total building floor area or floor plan;

- (d) Adjustments to building height up to 10% for no more than 10% of the floorplate of the highest occupied floor when necessary, to accommodate building equipment or features required to comply with building code;
- (e) Substitution of landscaping materials specified in the landscape plan;
- (f) Redesigning and/or relocating stormwater management facilities;
- (g) Relocating fencing, walls, or screening (not including screening walls);
- (h) Modifications to sign location, sign face, landscaping, and lighting;
- (i) Changes in building material or color;
- (j) Changes required by outside agencies such as the county, state, or federal departments; and/or
- (k) 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 sections (K)(4) and (M)(1) of this section.
- (b) The Director shall be the required reviewing body for applications for an AA.
- (c) The Director shall review the request after receiving a complete application and make a decision to approve, approve with conditions, or deny an AA application under the criteria of section (K)(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 PZC 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 PZC.
- (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 an FDP, MP, or other application as applicable, in accordance with this section.

- (g) Decisions by the Director may be appealed to PZC.
- (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 section (K)(2) and (K)(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 (M)(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 and required setbacks are maintained, and the boundaries to any approved 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 section (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.

(L) **Other Applicable Approvals**

- (1) *Conditional Uses.* The Conditional Use approval procedures in §153.236 shall apply in the MUR 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 MUR 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 MUR Zoning Districts.
- (5) *Zoning Variance.* The Zoning Variance procedures in §153.231(H) shall apply in the MUR 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 MUR Zoning Districts.

(M) **General Provisions**

- (1) *Applications*
 - (a) Each application required by this section shall be made in writing on a form provided by the City and shall be accompanied by the fee as established by City Council.
 - (b) Applications shall include all information required by the City, unless deemed unnecessary by the Director based on the nature and scale of the proposed development. No application shall be accepted and processed by the City until it is deemed complete by the Director. If found to be incomplete, the Director shall inform the applicant of any additional materials required to certify that 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 an FDP that has been denied by the PZC shall be resubmitted for a period of one year from the date of the decision, unless permitted by the Director after a demonstration by the applicant of a change of circumstances from the previous application that may reasonably result in a different decision.
- (e) The Director may approve the simultaneous review of applications required by this Chapter and/or a subdivision plat required by the Code if the Director determines that simultaneous review will not adversely impact the achievement of the purpose and intent of this Chapter.
- (f) Where public reviews are required by this Chapter, a written notice of the public meeting shall be sent, not less than ten days prior to the meeting, to the applicant, property owner, and owners of parcels of land within 300 feet of the subject parcel(s), as listed on the County Auditor's current tax list. The notice shall, at a minimum, indicate the property that is the subject of the request, describe the nature of the request, the time, date and location of the meeting at which the application will be considered, and indicate when and where written comments will be received concerning the request.

(2) *Decisions*

- (a) Any application required to be reviewed under this section shall be approved, approved with conditions, or denied by the required reviewing body based on the applicable review criteria as provided in this section and other applicable provisions of this Chapter. The recommending body and required reviewing body shall state the reasons for their decisions in the minutes and provide a written record of the decision.
- (b) Prior to reaching a decision, if the required reviewing body determines that an application does not meet the applicable review criteria as provided in this section and other applicable provisions of this Chapter, but determines that the application could meet those criteria with modifications that could not be reasonably conditioned, the applicant may request that the decision on the application be postponed to provide the opportunity to make those modifications.
- (c) Following the approval of an 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 MUR Zoning Districts.
- (4) *Duration of Approvals*
- (a) An approved Concept Plan shall be valid for a period of no more than one year. If an application has not been filed for an FDP for at least a portion of the site within that two-year period, then the Concept Plan shall no longer be valid. A new Concept Plan application shall be required in accordance with the requirements of this Chapter.
 - (b) 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.
 - (c) 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.
 - (d) *Abandonment*
 - 1. Once a final approval is granted by the required reviewing body, if the Director of Building Standards determines that work has been abandoned for a continuous period of six months, the approval shall lapse and cease to be in effect.
 - 2. The Director of Building Standards shall make the determination of abandonment based on the presence of one or more of the following conditions:
 - A. Removal of construction equipment or supplies;
 - B. Expiration of an active building permit issued by the City;
 - C. Evidence of a failure to maintain the property, such as overgrown weeds, failure to secure buildings, broken windows, or other evidence of lack of maintenance;
 - D. Other actions documented by the Director of Building Standards and/or Director evidencing an intent to abandon the construction of the project.

3. Once the Director of Building Standards makes a determination of abandonment, if a new application is not submitted within 90 days from the date of the determination, the owner shall restore the site to its previous condition, and/or remove any structures or other evidence of work on the site, within 180 days from the date of the determination of abandonment. If the owner fails to restore the site to its previous condition within 180 days, the City may take any and all actions necessary to restore the site to its previous condition, including removing any structures or other evidence of work, and the costs of removal shall be assessed against the property.

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