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City of Dublin Planning and Zoning Commission

# Planning Report

Thursday, February 2, 2012

## Zoning Code Amendment – Bridge Street Corridor Development Regulations

### Case Summary

Agenda Item	1
Case Number	11-020ADM
Proposal	Modifications to Chapter 153 of the Dublin Code of Ordinances (Zoning Code) to establish new Bridge Street Corridor zoning districts, create new development regulations for the Bridge Street Corridor, and revise definitions for the new Zoning Code Sections (153.057 to 153.066, and 153.002).
Request	Review and recommendation of approval of a Zoning Code amendment under the provisions of Sections 153.232 and 153.234.
Applicant	Marsha I. Grigsby, City Manager, City of Dublin, 5200 Emerald Parkway, Dublin, Ohio 43017.
Planning Contact	Rachel S. Ray, AICP, Planner I.
Contact Information Planning Recommendation	(614) 410-4656   rray@dublin.oh.us  <b><i>Recommendation of Approval to City Council.</i></b>

The Bridge Street Corridor Districts regulations are unique, innovative, and tailored to address the special development conditions present in the Corridor. The regulations crafted for the Bridge Street Corridor require development that is vibrant, high-quality, pedestrian-oriented, and consistent with the Vision Principles stated in the Bridge Street Corridor Vision Report adopted by Dublin City Council on October 25, 2010. The proposed Zoning Code amendments align with the planning themes and objectives for the Bridge Street Corridor and ensure that development is coordinated with the expected street network and infrastructure and for the entire Corridor.

**Update**

<p>PZC Review</p>	<p>At a series of regular and special Planning and Zoning Commission meetings held between October 13 and December 8, 2011, Commission members reviewed draft components and received public comment on the October 13, 2011 draft Bridge Street Corridor (BSC) amendments to the Zoning Code and proposed area rezoning map for the Corridor. Commission members completed their thorough review of the October draft of the Code at a special meeting held on December 8, 2011. The Commissioners received a revised document in December and began their review of the final draft of the Code and area rezoning map at regular and special meetings held on January 5, 12, 19, and 24, 2012.</p> <p>The Planning and Zoning Commission’s recommendations to City Council include the Code amendment and an area rezoning map to align properties in the Bridge Street Corridor with the new Code requirements. This City initiated rezoning will position the properties to be able to take advantage of development opportunities quickly as they arise.</p>
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**Facts** **Zoning Code Amendment**

<p>Case Summary</p>	<p>This is a request for review and recommendation of approval to City Council to amend portions of the Zoning Code to establish development regulations for the Bridge Street Corridor. These regulations will provide specific development standards and an efficient review and approval process for high-quality development that is consistent with the Vision Principles of the Vision Report adopted by Dublin City Council by resolution on October 25, 2010.</p> <p>The proposed Bridge Street Corridor amendments include 11 newly created zoning districts: the BSC Residential District, BSC Office Residential District, BSC Office District, BSC Commercial District, BSC Historic Core District, BSC Historic Residential District, BSC Historic Transition Neighborhood District, BSC Indian Run Neighborhood District, BSC Sawmill Center Neighborhood District, BSC Vertical Mixed Use District, and the BSC Public District.</p>
<p>Case Background</p>	<p>The Bridge Street Corridor Vision Report establishes a vision for a vibrant, walkable environment at the center of the city, with a dynamic mix of land uses and housing types that enhances the city’s long-term sustainability while preserving and highlighting the natural features that tie the Corridor together. The Vision also reinforces the Dublin’s long-term competitiveness and promotes fiscal health and adaptability by creating new environments and amenities that can attract and retain the next generation of employees and businesses.</p> <p>Following Council’s adoption of the Vision Report, City Council directed staff to prepare a strategy for implementation, recognizing that further technical analysis would be necessary to understand the scope of infrastructure improvements and financing necessary to support the densities desired in the Corridor, in addition to establishing special development regulations necessary to allow higher density development of exceptional quality and character to occur. The proposed code amendments are intended to produce the type of high-quality, development pattern envisioned in the Vision Report.</p>

<b>Details</b>	<b>Zoning Code Amendment</b>
Process	<p>Code Section 153.232(B)(9) provides the Planning and Zoning Commission with “other powers and duties” which includes making recommendations to City Council for amendments to the Zoning Code. The Commission should review the modifications, provide input, and vote on the changes. The proposed amendment and City-sponsored area rezoning within the Bridge Street Corridor will be forwarded to City Council for its consideration. The following sections summarize the major components and considerations of each principal section of the BSC development regulations.</p>
BSC Development Code Overview	<p>The Bridge Street Corridor zoning is unlike any undertaken by Dublin, and to a large extent, by any community in Central Ohio. Dublin’s City Council and community leadership desired a new approach to land use regulation. This was in recognition that many of the existing design standards common throughout the country actually created unforeseen and undesirable results, such as cluttered, sprawling, and unattractive development and an almost complete dependence on cars to get from place to place. Since the vision for the Bridge Street Corridor is to create an entirely new and different type of place unlike anything else in Central Ohio, and comparable to few places throughout the country, the City’s leadership understood that a different approach to zoning would be critical to the success of implementing the Bridge Street Corridor Vision.</p> <p>The Bridge Street Corridor is intended to provide opportunities for vibrant, walkable, and interesting places. To accomplish this it is necessary to allow for greater residential densities to help support the employment, shopping, and service uses existing and anticipated in the Corridor. The potential negative effects of higher density development are balanced by high development standards of quality. Other regulations provide for high quality open spaces and pedestrian oriented streets that result in an attractive public realm.</p> <p>It was determined by the City that a form-based code approach would yield the best results. “Form-based” codes are an alternative to traditional zoning and design regulation. Form-based regulations are intended to create a well planned mix of land uses that focus on people through design, open space, and the placement of buildings and parking. Form-based regulations also require special attention to development as it relates to the surrounding street network, which is not a consideration typical of conventional zoning codes.</p> <p>Ultimately, with the assistance of a consultant team of Clarion Associates, Farr Associates, and McBride Dale Clarion, a “hybrid” approach to zoning was conceived as the best approach to establishing development regulations for the Corridor, rather than a pure, form-based code. This approach allows for a combination of conventional zoning regulations, such as permitted and conditional uses, parking requirements, and landscape requirements, while incorporating elements common to form-based codes.</p> <p>The Bridge Street Corridor Zoning Code amendments are the culmination of a long series of community meetings, City Council and Planning and Zoning Commission joint work sessions, and significant input from private property interests in the</p>

Details	Zoning Code Amendment
	<p>Corridor. This extensive public engagement process was particularly important since many people were unfamiliar with the concepts related to form-based codes.</p> <p>The Bridge Street Corridor Zoning Code amendments are written to respond to the needs of today's property owners, while providing for the vision for the Bridge Street Corridor put forth by the Dublin City Council. The code comprises Sections 153.057 through 153.066 of Chapter 153 of the City of Dublin Code of Ordinances (the Zoning Code). Unless otherwise specifically stated or exempted within the Bridge Street Corridor Districts Sections of the Zoning Code, any item not addressed defaults to the remainder of the Zoning Code for regulation. In addition, Section 153.002 has been included to offer a series of revised and additional definitions needed to adequately implement these Code provisions.</p> <p>The following describes the general intent and content of Sections 153.057 through 153.066.</p>
<p>153.057 General Purpose</p>	<p>The General Purpose section describes what the Bridge Street Corridor Districts are intended to accomplish, and to reinforce the desire for consistency between the Bridge Street Corridor Vision Report, Vision Principles, and the development regulations included in this amendment. This section also sets forth the specific purposes of the regulations:</p> <ul style="list-style-type: none"> <li>• To promote development that creates an emerging center for urban lifestyles;</li> <li>• To create places that embody Dublin's commitment to community;</li> <li>• To provide a thorough yet simplified development review process with a high degree of predictability and consistency; and</li> <li>• To allow property owners the flexibility to take advantage market opportunities that are consistent with the Vision Report that arise over time.</li> </ul>
<p>153.058 BSC Districts Scope and Intent</p>	<p>The Bridge Street Corridor Districts include a total of 11 new zoning classifications (only the BSC Vertical Mixed Use District, is not intended to be mapped at this time, since it is intended to apply to properties in the BSC Commercial District as the overall Bridge Street Corridor becomes denser and more mixed use over time).</p> <p>This section describes the intended development character of each district, including a description of how each relates specifically to the character districts contained in the Vision Framework in the BSC Vision Report.</p> <p>The intended development character of each district will be expressed not only through the unique mix of <i>uses</i> permitted in each zoning district, but to a greater extent, the mix of <i>building types</i>. This is one of the important distinctions that sets these regulations apart from conventional zoning codes.</p> <p>This section includes a provision that does not permit new Planned Unit Development Districts from being established in the Corridor. This is necessary to ensure that the specific development patterns envisioned by the Vision Report and the regulations crafted in this amendment are appropriately applied. If a particular style of development is determined to be desirable, yet cannot be accommodated through the strict application of the Bridge Street regulations, the code provisions</p>

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	<p>include both the ability to approve minor modifications through an Administrative Departure, or if greater flexibility is necessary the Planning and Zoning Commission can approve a Waiver. Where neither is possible, a general code modification may be requested to address the proposal.</p>
<p>153.059 Uses</p>	<p>Each BSC zoning district has a desired character as described in the Purpose and Intents. The uses permitted, and the various special requirements related to those uses, are intended to ensure that the desired character is established and maintained.</p> <p>To achieve this a list of Permitted and Conditional Uses is provided for each BSC zoning district. Each district is mixed use to some extent, which is necessary to ensure that a variety of uses are located within walking or biking distance. Use specific standards are included to provide specific operational and/or dimensional requirements for uses that require additional regulation to limit negative effects on adjacent uses.</p> <p>Since these regulations are significantly different than existing zoning, it was determined necessary to clearly protect the status of uses already established in the various districts, allowing these “existing uses” to continue without the shadow of taking on “nonconforming” status. This allows the City to transition the code over time from today’s conditions to tomorrow’s vision.</p> <p>Of special note is the BSC Historic Residential District which remained unchanged from the existing Zoning Code (although formatted to fit the rest of the Bridge Street districts) to ensure that it is preserved as a unique area with an established residential development pattern.</p>
<p>153.060 Lots and Blocks</p>	<p>In some respects, this section is, along with Street Types, what creates the form-based nature of the regulations, since it recognizes that lot and block layout is a critical ingredient to creating compact, walkable places.</p> <p>This section includes regulations relating to how streets will be laid out and how land will be subdivided to form a comprehensive network of blocks between these streets. A critical part of this is the designation of principal frontage streets (PFS) since they truly establish the walkable character of streets.</p> <p>These blocks, along with the accompanying street types require buildings to create an active street frontage that creates an outdoor “room,” with setbacks close to the streets to provide a comfortable sense of enclosure, with very limited interruptions for driveways.</p> <p>Other important related elements include requirements for convenient walking distances for pedestrians where longer blocks are created (mid-block pedestrianways).</p>

Details	Zoning Code Amendment
153.061 Street Types	<p>Street Types describes requirements for how pedestrians, cyclists, and vehicles can peacefully coexist – but with an emphasis on the order they are listed. This section provides detailed requirements for street design, pedestrian safety, and fire protection access. Areas considered include right-of-way requirements, pavement widths, bicycle travel options that consider both the recreational user and the commuter cyclist, detailed pedestrian options, and fire safety and access considerations.</p> <p>This section includes a street network map that depicts a general street development pattern that will guide the creation of a gridded street network in concert with the Lots and Blocks Section (153.060). The street network map is directly related to the block size limitations established in Lots and Blocks (Section 153.060) and is specifically intended to provide a greater distribution of traffic throughout the network, rather than concentrating traffic on just a few streets. The network was modeled to ensure that adequate vehicular connections were provided to appropriately distribute traffic throughout the Corridor.</p> <p>The “street families” described in this section relate to the hierarchy of street types based on a combination of how they should function and what land uses they serve. The specific street type sections to be applied to individual streets or street segments are currently under development by Planning and Engineering, and will be accompanied by a decision matrix to guide their specific applications throughout the Corridor.</p>
153.062 Building Types	<p>Once the framework of streets is established, clearly delineating the blocks and individual lots, the code turns to buildings. The form based code, as its name implies, deals not just with siting of buildings, but with their physical form. The Bridge Street Corridor’s 1,000 acres has a diverse mix of land uses and characters, from highway-oriented buildings to buildings that respect the scale and character of existing structures. The form and variety of buildings is an essential element in creating the diverse, urban, vital character desired by the City Council.</p> <p>This section includes a table of building types to ensure that the buildings permitted in each district achieve their desired land use character. The <i>general</i> building type requirements, which shape the <u>quality</u>, <u>character</u>, and <u>details</u> of all building types in the Bridge Street Corridor include roof types, building materials, entrances and pedestrianways, windows, shutters, awnings, canopies, porches, stoops, balconies, vehicular canopies, sign placements, and requirements for building variety and treatments at terminal vistas.</p> <p><i>Specific</i> building requirements deal with features related to <u>massing</u> and <u>scale</u> to create highly pedestrian-oriented buildings, meant to be experienced walking rather than speeding by at 45 miles per hour.</p> <p>As with “existing uses,” this section allows existing buildings to continue as conforming structures, even allowing for significant expansion, until such time as the owner determines that the building should be removed and conform to the Bridge Street requirements.</p>

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153.063 Neighborhood Standards	<p>The BSC Neighborhood Districts have some of the more exciting characteristics of these provisions. These special districts require particular attention to locations and characters of buildings, streets, and open spaces to accommodate larger scale, coordinated development and redevelopment to permit a wide variety of uses and establish signature places in Dublin. Anchored by the Sawmill Center on the east, and the Indian Run on the west, these districts apply to large development sites, some of which are under consolidated ownership, that have can create special, memorable "Places" in the Bridge Street Corridor.</p> <p>The BSC Vision Framework identified three Neighborhoods, the Indian Run, Sawmill Center, and Historic Transition Neighborhoods. The Neighborhood Standards section describes the intent of each district as it relates to creating those special places in the Corridor, providing development standards that encourage placemaking elements, such as provisions to encourage signs that relate directly to the style and character of development, gateway features to announce prominent entries to these areas, open space networks that link the Neighborhoods to the rest of the Corridor and the city, and other design character considerations.</p> <p>Special conceptual graphics are provided in the Code that coordinate with the recommended zoning for the Corridor to depict the major street network connections into these districts, demonstrate how the open space network is intended to complement desired development and respect existing natural features, and illustrate generally where key mixed-use centers, or "shopping corridors," are desired.</p> <p>The BSC Historic Residential District is included with the Neighborhood Standards because it is important to the community that the specific development standards that currently apply to these residential lots are maintained. This will ensure that the established residential character of this special neighborhood is preserved.</p>
153.064 Open Space Types	<p>This section stresses the need to provide spacious, strategically placed, and well designed open spaces throughout the Corridor with location and proximity requirements to ensure that open space is easily and equally accessible to residents, employees, and visitors alike. Seven open space types, each having its unique characteristics and requirements, range from large community greens to intimate and contemplative spaces. Greenways are used to connect all parts of the Corridor while highlighting and preserving existing natural features.</p> <p>A specific amount of area is required for residential and commercial uses which must be provided either through a specific open space type, or payment of a fee (which can only be permitted by the Planning and Zoning Commission in lieu of actual open space dedication).</p>

<b>Details</b>	<b>Zoning Code Amendment</b>
<p>153.065(A)            Site Development Standards - Purpose</p>	<p>Once the street network begins to take shape, lots and blocks are created, and buildings are designed and situated on the lots, the site development standards are applied to ensure that all of the other elements of site planning are addressed. Site development standards are fairly typical of zoning ordinances, and are important to include in this hybrid zoning code. These standards ensure that the site details complement the form created by the streets and buildings in a way that is functional yet fits the urban vitality envisioned by the Vision Report.</p> <p>The Site Development Standards include parking and loading; stormwater management; landscaping and tree preservation; fencing, walls, and screening; exterior lighting; utility undergrounding; and signs. Each are summarized in the following sections.</p>
<p>153.065(B)            Site Development Standards - Parking and Loading</p>	<p>Although intended to emphasize pedestrians and bicyclists over vehicles, parking needs for residents, employees, shoppers, and visitors must still be accommodated. Parking regulations not currently in the Zoning Code address uniquely urban forms such as parking structures and on-street parking. Other, more traditionally regulated features are designed to be appropriate to a compact, urban environment. Other uniquely flexible provisions permit parking plans and other methods of tailoring parking to meet present and future needs, emphasizing the ability to share facilities and manage parking demand.</p> <p>This section includes a table of required parking that matches the permitted use table in Code Section 153.059. The regulations allow required parking to be provided through on-street parking, off-street parking, shared parking arrangements, parking structures, and other parking arrangements. Details such as parking space and aisle dimensions, dimensional requirements for parking structures, and requirements for loading and use and maintenance of parking areas are also included.</p>
<p>153.065(C)            Site Development Standards - Stormwater Management</p>	<p>Greater intensities of compact development will yield higher lot coverages that require innovative and creative stormwater management. Rather than suburban oriented large ponds occupying valuable development area and limit active open spaces, a new stormwater manual will provide for a wide range of management techniques, such as roof gardens, rain gardens, bioswales (including those in parking lots).</p> <p>This brief section references Chapter 53 of the City's Code of Ordinances, which contains stormwater management regulations and will reference the stormwater manual that Engineering is developing with the assistance of a consultant.</p>

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<p>153.065(D)            Site Development Standards - Landscaping and Tree Preservation</p>	<p>Landscaping in an urban setting comes with its own unique challenges. Like parking, landscape standards are designed to be appropriate to compact, urban environments. Here, landscaping serves many functions, softening the harder edges of a built environment and providing opportunities for stormwater management.</p> <p>This section provides for street trees (including proper planting requirements) to create an attractive pedestrian environment and slowing down traffic. Landscaping is required for properties abutting those outside the Bridge Street Corridor and along I-270 with additional requirements for interior landscaping and perimeter screening for parking lots, and landscaping and streetscape requirements for that portion of a required build zone (RBZ) not occupied by a building.</p> <p>Tree preservation presents an especially difficult challenge. The Bridge Street code places special emphasis on significant tree stands, particularly where the trees are in suitable condition for long term preservation. The code emphasizes the need to first ensure that existing trees are clearly identified and that the development has a way to avoid their removal. Applicants that have significant vegetation on their property will be required to submit a tree preservation plan to identify landmark trees and significant tree groupings and establish tree preservation zones. Removal of trees within the preservation zone, if permitted, must be replaced on an inch for inch basis.</p>
<p>153.065(E)            Site Development Standards - Fencing, Walls, and Screening</p>	<p>Fences in urban environments are used in a wide variety of settings and fulfill many purposes. They define areas of public and private space, provide privacy to limited private outdoor areas, and screen certain portions of a lot. Fences are an attractive substitute where a full landscape buffer for screening is not available. This section includes provisions for fence and wall height, location, and opacity. Special requirements are provided for street walls to screen vehicular use areas and service areas.</p> <p>Street walls are especially useful in defining the pedestrian realm by continuing the "wall" of building faces along a streetscape where a building might not be as close to the street or have parking at the side of the building. Since they are intended to be a continuation, in effect, of the adjacent building façade, street walls must be designed to coordinate with the architectural character of the building to which they are associated. There are options to require the street walls to take a more traditional form, such as stacked stone walls, or be more contemporary and linear in form through the use of brick or wrought iron fencing.</p> <p>Screening requirements for ground- and roof-mounted equipment are also provided in this section.</p>
<p>153.065(F)            Site Development Standards - Exterior Lighting</p>	<p>Lighting requirements are not significantly different than the current code provisions. Night sky preservation, even in an urban setting is still an important consideration; however, special consideration is given to these requirements in recognition of the fact that some additional lighting is desirable for "24-hour" entertainment areas with more nighttime activities.</p>

<b>Details</b>	<b>Zoning Code Amendment</b>
153.065(G) Site Development Standards - Utility Undergrounding	This section requires that all utility lines be placed underground, and that connections shall be placed out of view to avoid a cluttered appearance.
153.065(H) Site Development Standards - Signs	<p>Specific sign provisions apply to the Bridge Street zoning districts. A wider variety of sign options are available to balance the need for vehicular use of signs but be clearly related to the pedestrian-oriented nature of the Bridge Street Corridor. Signs in walkable, urban environments are meant to be visible to pedestrians from all directions – across the street, the same side of the street, or from parking areas behind the building. In this environment, two smaller signs are more effective and more attractive than one larger signs directed to vehicles. When carefully integrated into the architectural design of a building, signs can help create a pleasurable, comfortable strolling and window-shopping experience.</p> <p>The sign regulations address buildings with multiple or single tenants, including those with and <i>without</i> storefronts, and sandwich board signs. One ground sign per frontage is allowed where site conditions permit their placement, and two building-mounted signs per building or tenant storefront. Special “building identification signs” are permitted for buildings with three or more stories to either identify significant tenants or larger commercial developments. Directory signs and display signs are also addressed.</p> <p>A registered logo or trademark can have any number of colors, provided the logo is less than 20% of the area of the sign, and that the rest of the sign only has up to two other colors. A provision permits signs with a logo exceeding 20% of the sign area to have up to five colors, instead of three. This is to account for the uniquely designed signs that add to the vitality, diversity, and interest of an urban area.</p> <p>Special sign provisions are provided for the BSC Indian Run and Sawmill Center Neighborhood districts. While individual developments may follow the normal Bridge Street sign requirements, larger developments may submit sign plans approved by the Planning and Zoning Commission that can be specifically tailored to the character of their developments, including sign types, sizes, and placement that might not otherwise be permitted within the code.</p>

## Details

## Zoning Code Amendment

### 153.066 Review and Approval Procedures and Criteria

The review and approval procedures for the Bridge Street Corridor provide an efficient and predictable review process with timelines for decisions. The starting point for nearly all development proposals is an Administrative Review Team (ART) made up of Directors principally related to development in the city.

The ART ensures that the submitted plans meet the requirements of the districts. Following a required Pre-Application Review, applicants must have a Basic Plan Review by the Planning and Zoning Commission, which must be completed in 30 days. This allows the Commission and the public to provide non-binding feedback on the application. Basic Plan Review is optional in the Architectural Review District, since the authority of the Architectural Review Board's is kept in its current form for proposals within the Architectural Review District boundaries.

Following the Basic Plan Review, the applicant may submit for Development Plan and/or Site Plan Review, which may be filed simultaneously.

- The Development Plan is intended to ensure that the street network and block framework meet the requirements of this code and to ensure that the proposed development is consistent with the requirements of the City for elements such as infrastructure and transportation.
- The Site Plan is intended to confirm that the proposed development of an individual site and building is consistent with all of the BSC district regulations.

The ART must complete its review on Development Plan and Site Plan applications within 30 days of submission of a complete application, unless a time extension is mutually agreed upon.

Should the applicant find that some specific development requirements are difficult to meet the ART is permitted to approve minor alterations, called Administrative Departures. However, if the alteration requested does not meet the criteria for a Departure, the applicant may request for a Waiver for that specific issue, which can be approved by the Commission.

If the ART determines that the application involves complex issues and/or the potential for community-wide effects, it may forward an application to the Commission for its review and decision. It may also forward applications that where an excessive number of requested waivers may impeded the development intent of the district. A provision permits an applicant to request modifications to the requirements of the Code, which the Commission is required to review.

This section includes procedures for minor projects and minor modifications to approved plans. The Conditional Use, Preliminary and Final Plat, Rezoning and Text Amendment, Variance, Special Permit, and Administrative Appeal procedures continue to apply.

A special feature is abandonment regulations, which state that once a final approval is granted by the required reviewing body, if significant construction is not started within two years and meaningfully continued, the Director of Building Standards may determine that work has been abandoned and require that the site be returned to its pre-existing condition.

<b>Details</b>	<b>Zoning Code Amendment</b>
153.002 Definitions	With new terminology and increased precision, new and updated definitions are necessary. The proposed code amendment includes new and clarified definitions for terms that are found throughout the Zoning Code and those that are specific to the Bridge Street Corridor District regulations.

<b>Recommendation</b>	<b>Adoption of this Zoning Code Amendment establishing the Bridge Street Corridor District regulations</b>
Approval	<p>The Bridge Street Corridor Districts regulations are unique, innovative, and tailored to address the special development conditions present in the Corridor. The regulations crafted for the Bridge Street Corridor require development that is vibrant, high-quality, pedestrian-oriented, and consistent with the Vision Principles stated in the Bridge Street Corridor Vision Report adopted by Dublin City Council on October 25, 2010. The proposed Zoning Code amendments align with the planning themes and objectives for the Bridge Street Corridor and ensure that development is coordinated with the expected street network and infrastructure and for the entire Corridor.</p> <p>Planning recommends approval to City Council of this proposed Code amendment.</p>