



Commissioner Paula Brooks · Commissioner Marilyn Brown · Commissioner John O'Grady
President

Economic Development & Planning Department
James Schimmer, Director

Meeting Agenda

Conservation Development Regulations Working Committee

January 17, 2013

1. Welcome
2. Previously Discussed Items:
 - Adaptive Management
 - Stormwater Management
 - Water Quality Monitoring
3. Open Space Standards
4. Other items
5. Questions

Upcoming meeting:

Density – February 21, 2013, 9:15-10:45 a.m.



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Summary of Changes – Open Space Meeting Conservation Development Regulations Working Committee

Water Quality & Adaptive Management

Based on Working Committee feedback, the following changes have been made:

- **450.024 – Adaptive Management Policy:** This section has been removed. A short note has been added to 450.011 – Intent that essentially achieves the same goal.
- **450.0510 – Stormwater Management:** Water quality monitoring requirements have been removed from this section. There seemed to be a consensus that it would be better served in the Franklin County Stormwater Drainage Manual. Thus, it would apply to all applicable development in the Big Darby watershed, not just conservation developments. Attached is a proposed amendment to the Stormwater Drainage Manual, based on Darby Accord recommendations and City of Columbus' similar requirements.

Open Space Standards

- **450.062 – Open Space Contiguity:** added requirement that 75% of dedicated open space must be a contiguous tract, a recommendation of the 208 Plan.
- **450.063 – Configuration and Criteria:** This section has been moved to the front of the Open Space Regulations section due to its general nature.
- **450.063(a) – Open Space Areas:** The “Conservation Areas” subsection has been renamed and expanded in order to identify the existing site features that must be preserved (Primary – Tiers 1 and 2) and those that should be preserved (Secondary – Tier 3 and other conservation priorities).
- **450.064-450.066 – Permitted/Conditional/Prohibited Uses:** The 2010 version defined permitted uses based on whether the open space was publicly or privately owned. This seemed irrelevant to usage. Permitted uses are now defined based on the open space's designation as a Primary or Secondary Conservation Area. Primary Conservation Areas contain more sensitive features that are not suited for certain open space uses which may be suitable for Secondary Conservation Areas.

These permitted/conditional/prohibited uses are based on the 2010 draft regulations, the Darby Accord recommendations, and the 208 Plan recommendations. Some discrepancies and thresholds of use must be resolved by the Working Committee :

- Trails (permitted vs. conditional);
 - Streambank stabilization (permitted vs. conditional); and
 - Application of wastewater effluent (permitted vs. prohibited).
- **Ownership & Maintenance:** The sections related to open space ownership, management, and maintenance have been removed. The County's Subdivision Regulations currently address these issues, and we are open to any suggested amendments to that document.

OPEN SPACE MEETING DRAFT

SECTION 450 – PLANNED RESIDENTIAL CONSERVATION DISTRICT (PRCD)

Areas highlighted in light gray include new/modified content to be reviewed in the current draft. Areas highlighted in dark gray remain in their 2010 form and will be addressed in future drafts.

450.01 CREATION AND PURPOSE

The PRCD is created pursuant to Section 303.022 of the Ohio Revised Code for the purposes of further promoting the general public welfare, encouraging the efficient use of land and resources, promoting public and utility services, encouraging innovation in the planning and building of all types of development.

450.011 – Intent – This district intends to allow the development of conservation subdivisions that:

- a) Preserve and enhance water quality by permanently preserving unique and sensitive natural resources.
- b) Encourage clustering of houses and structures on less environmentally sensitive soils.
- c) Reduce the amount of infrastructure necessary for residential development.
- d) Reduce storm water runoff, erosion and sedimentation by minimizing land disturbance and removal of vegetation.
- e) Promote interconnected greenways and open space corridors throughout the community.
- f) Integrate open space within residential developments.
- g) Preserve the rural character of portions of Franklin County.
- h) Conserve riparian resources and regulatory floodplain areas by buffering natural drainage swales, creeks and stream corridors
- i) Conserve sloping land designated by the NRCS as Highly Erodible Land (HEL) by minimizing changes to the topography.
- j) Utilize storm water best management practices by minimizing impervious surfaces to the extent possible.
- k) Promote ecological function and human enjoyment of open space.

The regulations of the PRCD should be reviewed and amended on an ongoing basis to ensure that the district is meeting its intent as described above.

450.02 – OVERLAY AREA ESTABLISHED

450.021 – Establishment Area – The PRCD is created pursuant to Section 303.022(C) of the Ohio Revised Code. The PRCD encompasses overlays and rezones the area shown on the PRCD Overlay Zoning District Map to the PRCD.

450.022 – Overlay Map – The overlay map is attached and incorporated to this regulation as Attachment 1. This map is hereby adopted as the official zoning district map for the PRCD. The existing zoning regulations and districts for this area continue to apply to all property within the PRCD unless the Franklin County Rural Zoning Commission approves an application to subject an owner's property to the provisions of the PRCD.

450.023 – Removal of Underlying Zoning District – An application must be made according to the provisions of Section 450 of the Franklin County Zoning Resolution. Upon receiving an application, the Rural Zoning Commission will determine whether the application complies with the provisions contained in Section 450.

OPEN SPACE MEETING DRAFT

If the Rural Zoning Commission determines that the application complies and then approves the application, the approval shall cause the zoning map to be changed so that the underlying zoning district no longer applies to the subject property. The property then is subject to the regulations of the PRCD. The removal of the prior zoning district is a ministerial act and is not considered to be an amendment to the Franklin County Zoning Resolution.

450.03 – PERMITTED USE – Land and buildings in the PLANNED RESIDENTIAL CONSERVATION DISTRICT may be used only for the following purposes:

450.031 – Residential Development – Residential use in the form of detached single family dwellings and attached dwellings.

450.032 – Home Occupation (Business) – Home Occupation in association with a permitted dwelling and in accordance with the provisions of Section 511 – Home Occupation.

450.033 – Accessory Use – Accessory uses in association with a single family dwelling unit as permitted in Section 302 – Rural District Regulations and accessory structures pursuant to Section 512 – Accessory Buildings.

450.034 – Religious Uses – Religious uses as permitted in Section 302 – Rural District Regulations.

450.035 – Open Space – Open space uses as defined in Section 720 and further defined in Section 450.07.

450.04–PROCEDURE

450.041 Pre-Application Review – Prior to submitting a formal application, a pre-application review meeting is highly encouraged. The purpose of this meeting is to introduce the potential applicant to the PRCD standards and procedures and to begin a site analysis and planning dialogue which will assist in determining general areas of conservation and development, as well as potential open space connections and developmental impacts beyond the site.

Pre-application review consists of three components: the submittal of Context and Inventory Maps, a Site Visit, and the submittal of a conceptual Sketch Plan.

- a) **Context and Inventory Maps** – The applicant shall submit five (5) full-size copies of the Context and Inventory Maps in 24”x36” format. A reduced copy no larger than 11”x17” must also be submitted.
 - 1) The Context Map shall be drawn at the scale of 1" = 400’ and contain the following information:
 - i. The proposed size and location of the PRCD district and areas one-half (½) mile beyond the site boundaries.
 - ii. Aerial photography of the subject site and areas one-half (½) mile beyond the site boundaries.
 - iii. Topographic information in the form of two (2) foot intervals
 - iv. The location of all Tiered land as defined by the Big Darby Accord Master Plan.
 - 2) The Inventory Map shall be drawn at the scale of 1” = 100’ and contain the following information:

OPEN SPACE MEETING DRAFT

- i. The proposed size and location of the PRCD district and areas 200 feet beyond the site boundaries.
 - ii. All structures located on the subject site and 200 feet beyond the site boundaries.
 - iii. Topographic information in the form of two (2) foot interval elevation contours.
 - iv. The location of all Tiered land as defined by the Big Darby Accord Master Plan.
 - v. The location of soils types and environmentally sensitive areas including but not limited to wooded areas, wetlands and 100-year floodplains.
 - vi. The location of all ponds, waterways and drainage features on the site, including available information on the location of field tile.
 - vii. The relationship of the proposed development to existing and probable uses of surrounding areas, such as easements, rights-of-way, and public utilities.
 - viii. The location of stream buffers as identified in Section 650 of the Franklin County Zoning Resolution.
 - ix. The location of significant features such as woodlands and tree stands, tree lines, open fields or meadows, scenic views into or out from the property, watershed divides and drainage ways, historic fences or stone walls, rock outcroppings, and existing structures, roads, tracks and trails, and any sites listed on the National Register of Historic Places or the ODNR Natural Diversity Inventory
- b) Site Visit – After the Context and Analysis Maps have been submitted, the Planning Department Staff shall arrange for the applicant, members of the Franklin County Technical Review Committee and any other appropriate agencies to visit the development site.

The purpose of the visit is to allow representatives of reviewing entities to discuss, with the applicant, the possible layout of the proposed subdivision. The Sketch and Analysis Map will be made available as a resource during this visit and any subsequent discussions.

The site visit shall take place on the date of the Technical Review Committee on which the applicant has requested to appear. If, because of weather or scheduling conflicts on part of the review team members, the visit cannot be scheduled within this time limit, it shall be scheduled as soon as possible thereafter.

- c) Sketch Plan – Immediately after the site visit, the applicant shall submit an informal conceptual development plan that is overlaid, or “sketched,” onto the Analysis Map for comments from the Technical Review Committee. Although no binding decisions or votes are made at this time, this concept plan and comments received shall form the basis for the more detailed development plan. In addition to the underlying Analysis Map features, the Sketch Plan shall show the following:
- 1) Generalized areas of conservation and development on the site.
 - 2) Proposed locations of lot lines, building envelopes, and public and private streets.

OPEN SPACE MEETING DRAFT

450.042 – Submission of Application – The owner or owners of a tract twenty (20) acres or more in area may request that the tract be subjected to the PRCD in accordance with the provisions of Section 450.03.

450.043 – Development Plan – The applicant shall submit five (5) copies of a Development Plan in 24”x36” format. A reduced copy no larger than 11”x17” must also be submitted. Electronic versions in PDF format, on CD, or by e-mail shall also be submitted in consultation with the Planning Administrator. The Development Plan shall include all elements required by Section 302 – Preliminary Plan Requirements of the Franklin County Subdivision Regulations in addition to the following:

- a) Proposed locations of building envelopes, attached dwelling units, and public and private streets.
- b) Landscape plan which depicts, identifies and gives a general description of all proposed landscaping features in the development including both public and private open space. A landscape plan for the improved common open space shall be prepared by a licensed landscape architect showing the caliper, height, numbers, name and placement of all material, and shall be submitted with and approved as part of the Development Plan.
- c) Groundwater recharge analysis as defined by the Ohio EPA Big Darby Stormwater NPDES permit.
- d) Estimated phasing plans.

450.044 – Basis of Approval – The basis for approving an application and Development Plan for the PRCD shall be:

- a) That the proposed development complies with all purposes, requirements and standards established in this Zoning Resolution and that any divergence is warranted by the design and amenities incorporated in the Development Plan.
- b) That the proposed development is in conformity with the township’s Comprehensive Plan or any other land use plan, including the Big Darby Accord Watershed Master Plan, or such portion thereof as it may apply.
- c) That the design preserves and protects environmentally sensitive areas.
- d) That the proposed development will be adequately served by essential public facilities and services including, without limitation, roads, walkways and bike paths, police and fire protection, drainage structures, potable water and centralized sanitary sewers or other approved sewage disposal systems.

450.045 – Effect of Approval – The approval of a Development Plan shall be effective for a period of two (2) years from the date of approval in order to allow for the preparation and submission of the required Subdivision Preliminary Plan, submitted in accordance with the Subdivision Regulations for Franklin County, Ohio. No zoning text amendment passed during this two (2) year period shall affect the terms under which approval of the Development Plan was granted. If the required Subdivision Preliminary Plan has not been filed within this two (2) year period, the Development Plan approval shall expire. An application for time extension may be submitted for consideration in accordance with 450.047. If the corresponding Subdivision Preliminary Plan expires, the Development Plan shall also expire. A time extension for the Subdivision Preliminary Plan shall also extend the Development Plan.

450.046 – Plat Required – In the PRCD DISTRICT no use shall be established or changed and no structure shall be constructed or altered until the required Subdivision Plat has been recorded in accordance with the Franklin County Subdivision Regulations. The Subdivision Plat shall be in accordance with the approved Development Plan and shall illustrate or include:

OPEN SPACE MEETING DRAFT

- a) Site arrangement, including building setback lines within the site; water, fire hydrants, sewer, all underground public utility easements, including sanitary sewers surface drainage and waste disposal facilities;
- b) Easements, access points to public right-of-way, parking areas and pedestrian ways;
- c) Land reserved for public and private open space

Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the land, the improvements thereon, the open space included therein, and the activities of occupants shall be recorded within six (6) months of the date the plat was recorded.

In the event that any public service facilities not to be otherwise guaranteed by a public utility may have not been constructed prior to the recording of the plat, the owner of the project shall post a performance bond in favor of the appropriate public officers in a satisfactory amount ensuring expeditious completion of said facilities within one (1) year after the recording of said plat. In no event, however, shall any zoning certificate be issued for any building or use until such time that the facilities for the phase in which the building or use is located are completed.

450.047 Extension of Time – An extension of the time limit for either filing the required subdivision plat, recording the approved subdivision plat, the commencement of construction, or enlarging the approval period for an approved Development Plan may be granted by the Planning Administrator prior to the expiration of the established approval period without public hearing, provided the Planning Administrator makes the following findings:

- a) Such an extension is not in conflict with the public interest;
- b) There is a legitimate purpose and necessity for such extension;
- c) That the applicant shows evidence of a reasonable effort toward the accomplishment of the filing and/or recordation of the plat and the completion of the development of the project.

450.048 – Modifications – In the event that an applicant or owner who has obtained approval of a Development Plan wishes to change or modify said approved plan in any respect, they shall make a detailed written modification request, and file that request and fee with the Franklin County Economic Development and Planning Department. The application shall specifically detail the changes requested, and shall state the reasons for all the changes requested.

Upon receipt of such an application, the Planning Administrator or their designee shall determine whether the application be treated as a request for a minor or major modification.

- a) Minor Changes – If the Planning Administrator or their designee determines the application should be handled as a minor modification request, it shall be handled as an administrative act. Approval may be with such amendments, conditions or modifications as the Planning Administrator may determine.
- b) Major Changes – In the case of a request for a modification or amendment to the approved Development Plan that represents a substantial departure from the intent of the original proposal, as determined by the Planning Administrator, said modification or amendment shall be subject to the same procedure and conditions of Development Plan approval as the original application. Any approval of such request may be with such amendments, conditions or modifications as the Rural Zoning Commission may determine. The following shall be considered substantial departures from the original application:

OPEN SPACE MEETING DRAFT

- 1) A change in the use or character of the development.
- 2) An increase in overall lot coverage of structures and off-street parking.
- 3) An increase in the density.
- 4) An increase in the problems of traffic circulation or public utilities.
- 5) A reduction in approved open space.
- 6) A significant change in off street parking and loading spaces.
- 7) A significant change in specified pavement widths.
- 8) A reduction of the acreage in the planned development.
- 9) Any other departure from the approved Development Plan which is deemed substantial by the Planning Administrator.

450.05 DEVELOPMENT STANDARDS

450.051 – Minimum Tract Size – The minimum tract size for a PRCD development shall be 20 acres.

450.052 – Residential Density – Allowable density is subject to the following:

- a) Maximum density equal to the maximum density of the underlying zoning district.
- b) Provisions for flexibility in maximum density as follows:
 - Temporarily set at 2.5 units per acre.
 - Must improve groundwater infiltration as measured via the Big Darby Storm Water Permit granted by the Ohio EPA.
- c) All acreage within the development tract shall be included for the purpose of this density calculation with the exception of existing rights-of-way.

450.053 – Project Perimeter Building Regulations

- a) The minimum building setback from an existing public street shall be 100 feet from the centerline of the existing right-of-way or the proposed right-of-way per the Franklin County Thoroughfare Plan.
- b) The minimum setback from the project boundary shall be 75 feet.
- c) Dwellings shall not directly access any existing external road.

450.054 – Building Setback and Configuration

- a) The minimum setback from a proposed local public right-of-way shall be 25 feet.
- b) The minimum setback from the edge of the pavement of a private street shall be 25 feet.
- c) The minimum separation between buildings containing dwelling units shall be 20 feet.
- d) Maximum building height
 - 1) Principal buildings shall not exceed 35 feet in height.
 - 2) Accessory buildings shall not exceed 20 feet in height.

450.055 – General Street Design Criteria

- a) Street alignment should follow existing natural contours of the land in order to minimize changes to the site topography.
- b) Street alignment shall be designed to conserve critical natural features.
- c) The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.
- d) Street design and location shall be reviewed by the Township Fire Department.
- e) All private streets that are not dedicated for public maintenance shall be constructed to a pavement width and cross section that meets the average daily traffic and weights anticipated in the ODOT Design Manual, or shall have a design life of 20 years.

OPEN SPACE MEETING DRAFT

450.056 – Utilities - All new electric, telephone, cable television and similar utility systems shall be located underground.

450.057 – Street Lighting - Street lights, if provided, shall not exceed 16 feet in height and shall consist of a cutoff, downward cast fixture.

450.058 – Landscaping

- a) All front, side and rear yards shall be landscaped.
- b) All improved common open space shall be landscaped per the approved Development Plan.
- c) Common open space landscaping shall be designed to slow and filter surface water runoff.
- d) Native vegetation shall be utilized to the extent possible.

450.059 – Parking - Off-street parking shall comply with the provisions of Section 531 of the Franklin County Zoning Resolution.

450.0510 – Stormwater Management – A stormwater management plan shall be designed in accordance with the Franklin County Subdivision Regulations and Stormwater Drainage Manual and the following:

- a) Site layout should be designed to minimize impervious areas, retain natural topography and use existing natural drainage ways, swales, depressions and storage areas in order to minimize the volume of runoff that must be treated in a stormwater management system.
- b) The stormwater management plan should integrate low impact development techniques and a decentralized stormwater system that is integrated into site design for both the function of treating stormwater and as a landscape amenity.

450.0511 – Sewage Disposal

Wastewater treatment may be provided on-lot; as part of a community-scale non-discharge system; or as part of a regional collection and treatment system.

- a) For centralized sanitary sewer usage, a feasibility letter shall be provided by the Franklin County Sanitary Engineer indicating that sewer service is available with the capacity needed.
- b) For sites not served by public centralized sewer, sewage disposal feasibility shall be demonstrated by letter from either the Franklin County Board of Health or the Ohio EPA.

450.0512 – Paths

- a) Paths shall be at least five (5) feet wide.
- b) Paths shall be constructed of a pervious paved surface.
- c) The Rural Zoning Commission may require sidewalks to connect residential areas and open spaces.

450.0513 – Street Trees

- a) Deciduous, broad leaf street trees with a minimum caliper of 1.5 inches on average at planting shall be planted (or retained) at least every 50 lineal feet along at least one side of each street.
- b) The street trees must not be a prohibited species as outlined in the Franklin County Subdivision Regulations.

450.0514 – Signs – All signs shall conform to Section 541 of the Franklin County Zoning Resolution.

OPEN SPACE MEETING DRAFT

450.0515 – General Development Standards – Unless specifically supplemented by the standards contained in Section 450 or otherwise approved in the development plan, the development must comply with the General Development Standards applicable to all zoning districts as required in Article V of the Franklin County Zoning Resolution.

450.0516 – Supplemental Conditions and Safeguards – The Approving Authority may impose amendments, conditions or modifications relating to the development including but not limited to:

- a) Type and extent of public improvements to be installed.
- b) Landscaping, development, improvement and maintenance of open space.
- c) Any other pertinent development characteristics.

450.06 – OPEN SPACE STANDARDS

450.061 – Open Space Ratio – At least fifty percent (50%) of the gross development tract, excluding existing rights-of-way and rights-of-way for planned roads as shown on the Franklin County Thoroughfare Plan, shall be designated as permanent open space, not to be further subdivided.

450.062 – Open Space Contiguity – At least 75% of the designated open space shall be a contiguous tract. The open space shall adjoin any neighboring areas of open space and other protected areas, as well as non-protected natural areas outside the subject site that would be candidates for inclusion as part of a future area of protected open space. This requirement may be waived to achieve other important ecological protection or to maximize other ecological benefit.

450.063 – Configuration and Criteria

- a) **Open Space Areas** – Proposed open spaces shall be delineated either as Primary Open Space Areas or Secondary Open Space Areas.
 - 1) **Primary Open Space Areas** are site features that shall be preserved:
 - i. Areas designated as Tier 1 and Tier 2 Conservation Zones by the Big Darby Accord Watershed Master Plan.
 - ii. Regulatory floodplains, stream setback areas, wetlands, and groundwater recharge and pollution potential zones.
 - iii. Highly erodible soils and wooded areas greater than 3 acres.
 - iv. Ephemeral wetlands and vernal pools.
 - 2) **Secondary Open Space Areas** are site features that should be preserved to the extent feasible in order to achieve the minimum required open space ratio:
 - i. Ponds, waterways, and drainage features on the site, not within the regulatory floodplain or stream setback.
 - ii. Upland forest, meadows, pastures, woodlands of less than 3 acres, tree lines.
 - iii. Open fields, pastures or meadows and prime agricultural lands of at least five contiguous acres.
 - iv. Scenic views into or out from the property.
 - v. Existing historic elements such as fences, stone walls, rock outcroppings, structures, roads, tracks and trails.
 - vi. Any sites listed on the National Register of Historic Places or the ODNR Natural Diversity Inventory.
 - vii. Any additional land area to be dedicated as open space in order to meet the minimum requirement shall be considered Secondary Open Space Areas.

OPEN SPACE MEETING DRAFT

- b) Placement in Reserve – Open space shall be platted as an open space reserve, including appropriate conservation easements.
- c) Restoration of Disturbed Areas – Any area designated for preservation within the open space that is proposed to be disturbed during construction or otherwise not preserved in its natural state, other than required setback areas, shall be noted on the Development Plan and shall be restored with vegetation that is compatible with the natural characteristics of the site. Developers should work with Franklin Soil and Water Conservation District to develop a planting plan for any disturbed open space areas. The planting plan shall be submitted at the time of application and shall identify appropriate native plants, soil requirements and water requirements for the open space area.
- d) Areas Not Considered Open Space – The following areas are not considered open space for the purposes of this section:
 - 1) Private road and public road rights-of-way.
 - 2) Parking areas, access ways, and driveways
 - 3) Required setbacks between buildings, parking areas, and project boundaries.
 - 4) Required setbacks between buildings and streets.
 - 5) Minimum spacing between buildings and between buildings and parking areas.
 - 6) Private yards
 - 7) Areas of fee simple lots to be conveyed for residential dwelling uses.
 - 8) Other small fragmented or isolated open space areas that have a dimension less than the development's average lot width in any direction.

450.064 – Permitted Use of Open Space

- a) Areas designated as Primary Open Space Areas may be used only for the following:
 - 1) Passive recreation.
 - 2) Removal of damaged or diseased trees and invasive or noxious species.
 - 3) Revegetation and reforestation, using native species and with approval of Franklin Soil and Water Conservation District.
 - 4) Stream bank stabilization and stream restoration activities that improve ecologic function. Such activities shall substantially use natural materials and native plant species, be designed in accordance with natural channel design principals and be approved by the Franklin Soil and Water Conservation District before construction.
- b) Areas designated as Secondary Open Space Areas may be used for the following:
 - 1) All uses permitted in Primary Open Space Areas as described in 450.064(a).
 - 2) Vegetative stormwater best management practices including but not limited to bio-swales, constructed wetlands, etc. Such practices shall not comprise more than 15 percent of the total open space.
 - 3) Storm water conveyances from permanent storm water control facilities. Such conveyances must be designed to minimize the width and/or area of disturbance within the open space and cannot contribute to land or stream bank erosion.
 - 4) Non-structural or minimally intrusive (e.g. silt fence) temporary erosion control measures for the purpose of water quality protection.
 - 5) Utility crossings of the open space should be avoided when possible. When not possible, the disturbance to the open space must be minimized, and the disturbance restored to a natural condition reflective of the open space to the extent practical.
 - 6) New arterial or collector streets (provided that disturbances due to construction of arterial streets are minimized and mitigated) per the request of the Franklin County Engineer.

OPEN SPACE MEETING DRAFT

- 7) Disturbances of the open space necessary to accomplish the permitted uses described in this criteria. However, all such disturbances shall be minimized and mitigated.

450.065 – Conditional Use of Open Space – Conditional uses may be allowed only in Secondary Open Space Areas after undergoing a review process that evaluates the extent of damage to the open space that the use may cause if the activity is permitted, and that provides for mitigation of that damage.

- a) Active recreational uses limited to multi-purpose fields and playgrounds;
- b) Paved trails
- c) Non-vegetative stormwater best management practices including but not limited to retention basins, detention basins. Such practices, when combined with vegetative stormwater best management practices, shall not comprise more than 15 percent of the total open space.
- d) Application or spraying of wastewater treatment plant residuals as approved by the Ohio EPA and the Franklin County Technical Review Committee. Such practices shall comprise no more than 15 percent of the total open space. Disposal areas must be placed within easements held by the entity responsible for managing the system and be arranged in such a way as to minimize fragmentation of the open space.

450.066 – Prohibited Uses of Open Space – The following uses are prohibited in all open space areas:

- a) Construction of structures.
- b) Dredging, filling, or grading.
- c) Motorized vehicles except maintenance equipment, emergency vehicles and vehicles located in the public right-of-way.
- d) Disturbance of natural vegetation without revegetation or reforestation using native species as approved by the Franklin Soil and Water Conservation District.
- e) Parking lots.
- f) Wastewater treatment plants.
- g) Intrusive stormwater controls that do not promote groundwater infiltration.
- h) Stream modification that does not use natural channel design or self-forming stream concepts.
- i) Streambank stabilization using rip-rap, sheet piling, or concrete, except that used within existing or new transportation right-of-ways.

450.067 – Restriction on Further Subdivision of Open Space – Open space shall be prohibited from further subdivision or development by deed restriction, conservation easement or other agreement, in a form satisfactory to the Approving Authority. The restriction from further subdivision or development shall also be noted in the Development Plan and the recorded plat.

450.07 – WAIVERS

450.071 – Waiver Requests – Except for density and the percentage of required open space, an applicant for PRCD approval may request a waiver from any other development standard or requirement of Section 450.

450.072 – Justification Required – For each waiver requested, an applicant must list each requested waiver and justification for it on the application and development plan. The waiver request must state that the proposed divergence be approved as part of and as shown on the development plan.

OPEN SPACE MEETING DRAFT

DEFINITIONS TO BE ADDED TO SECTION 720 – DEFINITIONS

Active Recreation: Leisure time activities characterized by repeated and concentrated use of land, often requiring equipment and taking place at prescribed places, sites or fields. Examples of active recreation facilities include, but are not limited to golf courses, tennis courts, swimming pools, and softball, baseball and soccer fields. For the purpose of these regulations, active recreation facilities do not include paths for bike riding, hiking, and walking and picnic areas.

Natural Features: An existing component of the landscape maintained as a part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress and energy costs.

Natural Vegetation: Vegetation naturally occurring on site without regular human management, maintenance, or planting, and generally contains a strong component of native species

Passive Recreation: Recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreational activities place minimal stress on a site's resources and are highly compatible with natural resource protection. Passive recreation includes, but is not limited to, camping, hiking, wildlife viewing, observing and photographing nature, picnicking, walking, bird watching, historic and archaeological exploration, swimming, bicycling, running/jogging, climbing, horseback riding and fishing.

Pervious Surface: A surface that presents an opportunity for precipitation to infiltrate into the ground OR Any material that permits full or partial absorption of storm water into previously unimproved land.

Private Open Space: Any parcel or area of land or water set aside, dedicated designated or reserved for private use or enjoyment, owned and maintained by a private entity.

Public Open Space: Any parcel or area of land or water set aside, dedicated designated or reserved for public use or enjoyment, owned and maintained by a public entity.

Tiered Land: The system of tiers outlined in the Big Darby Accord Master Plan that identifies land areas of protection based on unique environmental resources.

Proposed Amendments to the Franklin County Stormwater Drainage Manual

Conservation Development Regulations Working Committee

The following amendments to the Franklin County Stormwater Drainage Manual are proposed in order to fulfill development site-level water quality monitoring recommendations of the Big Darby Accord Watershed Master Plan. The amendments are directly based on the Columbus Stormwater Drainage Manual.

Due to rebounding development pressures and the forthcoming adoption of zoning regulations enabling conservation development in the watershed, it will be necessary to have these monitoring requirements in place.

Section 4.1.4 – Stormwater Control Facility Monitoring Requirements

Append to end of existing section, in new paragraph, the following:

Within the Big Darby Creek watershed, the applicant is required to implement post-construction stormwater monitoring in order to determine whether or not site level BMPs are meeting their targeted pollutant removal rates, and that pollutant rates are not exceeded. Details of the required monitoring are included in Appendix H.

Appendix H – Stormwater Control Monitoring Requirements in the Big Darby Watershed

Create new appendix with the following content:

Monitoring Post-Construction Best Management Practices (BMPs) for the Big Darby Creek Watershed

For no less than five (5) years following construction completion of the post-construction BMP the applicant/developer shall implement a monitoring program for discharges from site BMPs in the Big Darby Creek Watershed in general compliance with recommendations from the Big Darby Accord and in accordance with the following requirements:

GENERAL REQUIREMENTS

Sample locations: The applicant/developer shall monitor at all stormwater BMP outfalls discharging to the Darby watershed at a point where the BMP discharges to a receiving stream or offsite sewer system.

Sample interval: The applicant/developer shall collect two (2) effluent samples on a quarterly basis. Two samples are required in each of the representative seasons: Winter, Spring, Summer and Fall generally corresponding to the calendar periods of Dec 1 – February 28; March 1 – May 30; June 1 – August; and September 1 – December 31. One effluent sample per quarter must be collected during the dry period, with no precipitation for three days preceding collection of the sample. The other effluent sample per quarter must be collected during a rain event greater than or equal to 0.25 inches in 24 hours.

Sample Collection: samples shall be taken by a commercial laboratory or firm specializing and experienced in sample collection, testing, analysis and reporting.

Flow-weighted composite samples shall be collected for analysis. Samples collected for flow-weighted composite shall be taken during the entire event or during the first three hours, whichever occurs first. Each sample shall be separated by a minimum period of fifteen minutes, or a maximum period of forty-five minutes, with a minimum of three samples per event. Flow-weighted composite samples may be taken with a continuous sampler or by combining discrete samples in proportion to the flow.

If automatic samplers are used the automatic samplers shall be capable of being triggered via a flow meter when a set depth point is reached. Automatic samplers may be programmed to collect sample aliquots at specified time intervals over the course of the wet weather event (3 hours).

Analysis: Effluent stormwater runoff composite samples shall be tested for total suspended solids (TSS), total phosphorus (P) and total nitrogen (N).

Rainfall data: The applicant/developer shall maintain records of the date and duration (in hours) of the storm event(s) sampled; the project location and the location of sampling; type of post-construction BMP structure sampled; rainfall measurements or estimates (in inches) of the storm event which generated sampled runoff; the duration (in hours) between the storm event sampled and the end of the previous measurable storm event; an estimate of the total volume (in gallons) of the discharge sampled; and lab data showing the effluent concentration of TSS, P and N.

The time lag between the storm event and the last previously measurable storm event shall also be reported.

WET WEATHER SAMPLING

Definition: Wet weather precipitation events are defined as greater than or equal to 0.25 inches in 24-hours.

When the applicant/developer is unable to collect samples due to adverse climatic conditions, he shall submit an explanation of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel or otherwise make the collection of a sample impracticable (local drought, extended frozen conditions, etc.)

DRY WEATHER SAMPLING

The BMP monitoring locations shall be field screened for the presence of dry weather flows and the findings reported to the County. Any flow observed in each of the designated locations seventy-two (72) hours following the end of the last precipitation event will be defined as dry weather discharge from the stormwater outfalls.

If flow is noted, obtain and test the sample or note "no flow".

The constituents present in dry weather flow will be characterized by collecting an individual grab sample from each outfall identified as having dry weather discharge, along with a record of the amount of flow discharged at the time of sample collection.

ANNUAL REPORT

The applicant/developer shall submit an annual report to the Franklin County Drainage Engineer. The Report shall present an evaluation of the monitoring data to characterize the seasonal quality of storm water discharges.

The Annual Report shall contain:

- the date and duration (in hours) of the storm event(s) sampled
- project location
- location of sampling
- the date and duration (in hours) of the storm event(s) sampled
- rainfall data - rainfall measurements or estimates (in inches) of the storm event which generated sampled runoff
- the duration (in hours) between the storm event samples and the end of the previous measurable storm event
- an estimate of the total volume (in gallons) of the discharge sampled
- type of post-construction BMP structure sampled
- lab data showing the effluent concentrations of TSS, P and N

The Annual Report along with the Operations and Maintenance Report required under the Stormwater Drainage Manual for each calendar year January 1 through December 31 must be submitted not later than January 31 of the following year. Submit Annual Reports to the Franklin County Drainage Engineer at the following address:

Franklin County Drainage Engineer
970 Dublin Road
Columbus, Ohio 43215