EDAW INC

601 PRINCE STREET Kevin Wheeler, Michael Reese, Beth Clark, Butch Seidle, Tammy Noble, Tracy то ALEXANDRIA VIRGINIA 22314 FROM Andrea Sweigart December 15, 2005 DATE TEL 703 836 1414 Paul Moyer, Darby Team СС FAX 703 549 5869 Elected Meeting Summary FILE NAME 051215_Elected Meeting Summary SUBJECT

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The attached packet of information provides a summary of the information provided and recorded during the elected officials meeting held on December 6, 2005.

This PDF packet includes five parts:

- 1. Meeting Summary of Comments
- 2. Updated Plan Principles
- 3. DRAFT Land Use Plan
- 4. Big Darby Accord Update a document that was handed out during the elected officials meeting.
- 5. Power Point the power point presentation that was given during the meeting.

Elected officials in attendance included:

Chuck Buck, Member – Norwich Township Board of Trustees Michael Coleman, Mayor – City of Columbus Matt Habash, President - City of Columbus Council Mary Jo Kilroy, President - Franklin County Board of Commissioners Denise Franz King – Member, Washington Township Board of Trustees Pam Sayre, Chair - Brown Township Board of Trustees Don Schonhardt, Mayor - City of Hilliard Douglas Stormont, Member – Prairie Township Board of Trustees Cindy Taylor, Mayor - Village of Harrisburg

Note: Darryl Hughes, Grove City service director, attended for Mayor Cheryl Grossman who was out of town.

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1. Meeting Summary Comments

The following comments were documented during the discussion portion of the elected officials meeting on December 6, 2005.

Points of Progress

- General consensus was achieved for the draft land use principles. Accord officials agreed
 the draft land use map as presented in the power point show was a good starting point.
 They recognize some modifications will be made to the map as the process evolves. The
 Village of Harrisburg had no comment on the map but agreed to talk with the team during
 the next few weeks regarding growth opportunities for Harrisburg.
- The City of Columbus agreed that more work must be done and that a six month
 extension to the moratorium would provide sufficient time to achieve the goals of this
 plan. The City of Hilliard expressed opposition to any moratorium extension. Both the City
 of Hilliard and Columbus agreed that Hilliard schools would receive an exception to any
 moratorium extension.
- Franklin County has a moratorium that expires on December 31, 2005 and any
 extensions will have to be reviewed by the full Board of County Commissioners.
- Direction was given to the EDAW team to prepare an approach and cost estimate for additional concluding efforts that are under consideration.

Principles Discussion

- There is additional work to be done regarding sewer capacity, particularly in the northeast
 areas of the study area. The City of Hilliard is reviewing this area as part of a review of
 the draft land use plan map.
- Developed areas that currently do not have central sewer (and will not) should be
 considered as many of these areas are problematic. The plan should address ways to
 improve upon these conditions. Central sewer is the safest, most environmentally
 responsible approach. Areas that will not receive central sewer will need to have
 monitoring and inspection. Perhaps this could become part of a county-wide program.
- Some jurisdictions envisioned the plan would remain at a more conceptual level with general recommendations rather than identifying specific land uses.
- Columbus's offer to extend services without the condition of annexation is a new approach. Columbus will need to determine the conditions of extension, but this is a new way of doing business that is well received by the townships and has helped build credibility among Accord members.
- Concerns were raised about having a mechanism in place to adequately address property owner rights.
- The by-right analysis provided an important understanding about the potential level of growth and helped the Accord members come together on the land use plan.
- Mayor Coleman suggested that each jurisdiction adopt the plan principles in resolution form as soon as possible. Participants agreed to take the principles back to their respective jurisdictions for consideration.

Land Use Map

- More information is desired on revenue-sharing.
- Access to I-70 should be reviewed. There are concerns about not having a north-south
 access, exacerbating the Hilliard Rome interchange area, as well as the amount and type
 of growth that might accompany a two-way interchange.

Concluding Efforts

- Education about transfer of development rights is necessary for the general pubic, particularly property owners. An example of how the TDR program could work would be helpful.
- Without state enabling legislation for the transfer of development rights, the plan must include a 'plan b,' or interim solution, that would allow each jurisdiction to pursue a program until a more regional approach could be designed.

- More work related to the level of best management practices required to meet water quality goals was discussed. A site-level study could offer more information that could be applied to other areas of the watershed.
- Incentives for best management practices should be reviewed to ensure the plan encourages innovation.
- More information is requested related to revenue generation and sharing.
- Any work related to biology and trends analysis should be broader than site-specific and support the mission statement.
- Deliverables for the completed planning effort would include a land use plan, recommended best management practices, a memorandum of understanding among Accord members, revenue sharing suggestions, a model transfer of development rights program, a defined public process and draft and final reports.

Note:

On December 7th the EDAW team met with representatives from the OEPA, ODNR, the Darby Creek Association, the Nature Conservancy, Columbus and Franklin County Housing Trust, Metro Parks, the Building Industry Association, and the Franklin Soil and Water Conservation District. The participation of this group in the planning process was defined in the original scope of services. During this meeting the group collectively recommended the addition of the following principle to the list of plan principles presented and agreed upon by the elected officials. This principle has been added to the list of plan principles that will be considered by each jurisdiction as a resolution. The additional principle is:

Water quality, biological integrity, and adaptive management.

This plan relies on the principle of adaptive management, an ongoing process. This includes prediction, monitoring, inspection, enforcement, and ongoing planning to continue to maintain and pursue aggressive OEPA water quality goals that will improve the water quality and biological integrity of the Big Darby Watershed

2. Big Darby Accord Plan Principles

Protection of Environmentally Sensitive Areas

The preliminary draft land use plan protects environmentally sensitive areas in a green infrastructure of over 20,000 acres. The green infrastructure includes floodplains, wetlands, groundwater and surface flow exchange areas, special habitat areas, wooded areas, and areas with groundwater pollution potential. These elements contribute to the Darby's unique ecosystem and should be protected and preserved according to the mission statement.

A preliminary land use plan that balances environmental protection and responsible growth.

Development is managed and focused in a sustainable town center and in conservation-style development patterns. The land use pattern offers a mix of uses, maximizes access to infrastructure, and guides development to less sensitive areas. This approach promotes a responsible growth pattern as recommended in the mission statement.

A preliminary land use plan that is based upon the by-right condition of existing zoning. The by-right condition equates to existing zoning and development rights currently in place. The plan preserves these rights by providing a mechanism to transfer the development rights into defined growth and development areas such as a new town center.

Growth areas will be served by adequate public facilities, particularly central sewer. Central sewer service is planned for identified growth areas including the town center. Central sewer service is not planned, or anticipated for, a majority of the study area, including areas associated with lower density conservation development. Non-centralized services would be subject to standards and inspection programs to ensure the systems are functioning properly.

A mechanism to address equity and fairness through the Transfer of Development Rights (TDRs).

TDR's offer property owners an innovative mechanism for compensation. The establishment of a TDR program would give property owners the ability to sell their development rights in exchange for permanently protecting environmentally sensitive resources. Developers would purchase the development rights and exercise them in defined areas such as the town center. Other programs to support equity and fairness will also be recommended.

A memorandum of understanding (MOU) among Accord members to implement the agreed upon plan.

The MOU represents a commitment to continue to implement the plan and work together to leverage resources. The MOU encourages consistency and compliance across political boundaries. As a primary step in a long-term implementation process, the MOU underscores the importance of adaptive management techniques to monitor plan implementation.

Development without the condition of annexation.

The City of Columbus is offering the limited extension of water and sewer services without the condition of annexation. As part of the Accord process, the City of Columbus is identifying conditions that must be met to qualify for utility extensions.

Mechanisms for cooperative revenue sharing among Accord members.

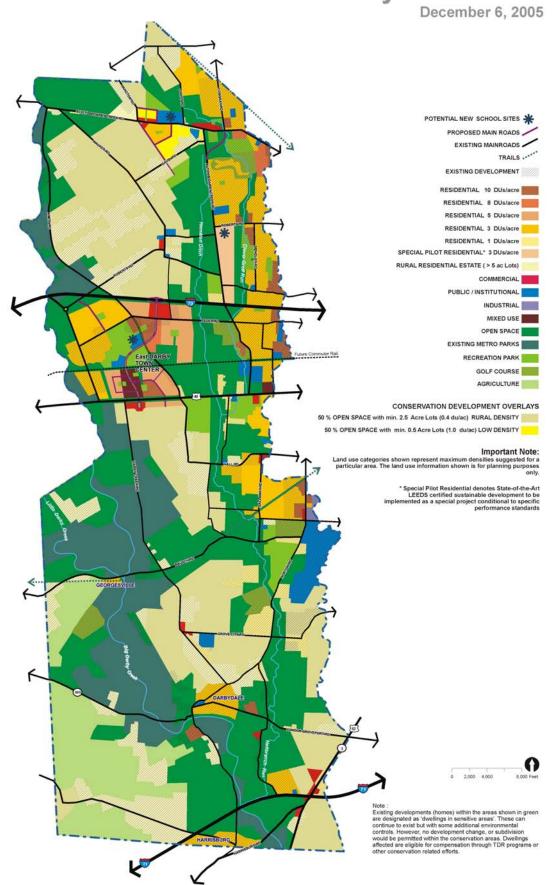
Through the creation of joint economic development districts (JEDD), cooperative economic development agreements (CEDA), and/or community authorities, Accord members can structure specific agreements to allow revenue sharing across political boundaries as development comes on line. Cooperative agreements can be established to help provide community resources and amenities and to initiate joint projects in the study area.

Water quality, biological integrity, and adaptive management.

This plan relies on the principle of adaptive management, an ongoing process. This includes prediction, monitoring, inspection, enforcement, and ongoing planning to continue to maintain and pursue aggressive OEPA water quality goals that will improve the water quality and biological integrity of the Big Darby Watershed.

3. Draft Land Use Plan

Preliminary Draft Plan



Big Darby Accord Update

The formation of the Big Darby Accord Land Use Plan is a significant testament to the commitment to protect Franklin County's portion of the Big Darby Watershed. The Darby Accord is a cooperative planning effort that includes ten jurisdictions. No other multi-jurisdictional efforts, of this degree, have been completed in Franklin County.

Through the mission statement, members of the Accord are seeking to achieve a plan that balances environmental protection of the unique resources within the planning area with the need for responsible growth. The overall objective of the process is to enhance water quality through planned development patterns and policies for an area that spans over 50,000 acres.

Significant progress has been made on all fronts of the planning effort. Below is a summary of the progress that has been made in a significant and precedent-setting, multi-jurisdictional planning effort.

- Mapping and analysis of environmental conditions, land use and demographics, community facilities, infrastructure, and other existing conditions
- Creation of a methodology for the identification and protection of environmentally sensitive lands totaling around 20,000 acres in a contiguous open space and land conservation network
- Development of three distinct land use scenarios and application of a hydrological model to understand how land uses impact water quality
- Use of aggressive water quality goals that complement the OEPA draft Total Maximum Daily Load levels
- Strong public participation including two public meetings with over 300 in attendance, 30 stakeholder meetings with environmental groups, school officials, building industry members, property owners, and others
- Development of short-term and long-term draft implementation strategies
- Research of legal options for enforcement, oversight, and funding, including the creation of a regional entity to guide plan implementation
- Evaluation and development of an inter-governmental memorandum of understanding between Accord members



Part of the Big Darby Accord mission is to create a partnership that recognizes the identity, aspirations, rights, and duties of all jurisdictions and that develops methods of cooperation among the partners.

- Introduction of an innovative tool, transfer of development rights, that could serve as a model to the planning area, entire watershed, and the state of Ohio as a way to protect sensitive lands and promote equity and fairness
- Development of a strategic framework to guide plan development and implementation
- Advancement of a preliminary land use concept based on plan principles that balances all types of land uses
- Collaboration with other planning efforts including the Hellbranch Watershed Forum
- Strong involvement with multiple public agencies including OEPA, ODNR and other organizations such as the Darby Creek Association, the Nature Conservancy, Columbus and Franklin County Housing Trust, Metro Parks, the Building Industry Association, and the Franklin Soil and Water Conservation District

This update identifies plan principles that have been developed and agreed upon by the jurisdictions and a preliminary land use plan. This update also outlines important next steps as the Accord moves toward development and implementation of the Big Darby Accord Land Use Plan.

The Accord members have reached consensus on several key principles and begun to place added emphasis on implementation. During the Elected Officials Meeting on December 6, 2005, Accord members would like to achieve further consensus on these principles from the elected officials.

Draft Plan Principles

The basic principles on which the plan is based are listed below. They include:

Protection of Environmentally Sensitive Areas

The preliminary draft land use plan protects environmentally sensitive areas in a green infrastructure of over 20,000 acres. The green infrastructure includes floodplains, wetlands, groundwater and surface flow exchange areas, special habitat areas, wooded areas, and areas with groundwater pollution potential. These elements contribute to the Darby's unique ecosystem and should be protected and preserved according to the mission statement.

A preliminary land use plan that balances environmental protection and responsible growth.

Development is managed and focused in a sustainable town center and in conservation-style development patterns. The land use pattern offers a mix of uses, maximizes access to infrastructure, and guides development to less sensitive areas. This approach promotes a responsible growth pattern as recommended in the mission statement.

A preliminary land use plan that is based upon the by-right condition of existing zoning.

The by-right condition equates to existing zoning and development rights currently in place. The plan preserves these rights by providing a mechanism to transfer the development rights into defined growth and development areas such as a new town center.

Growth areas will be served by adequate public facilities, particularly central sewer.

Central sewer service is planned for identified growth areas including the town center. Central sewer service is not planned, or anticipated for, a majority of the study area, including areas associated with lower density conservation development. Non-centralized services would be subject to standards and inspection programs to ensure the systems are functioning properly.

A mechanism to address equity and fairness through the Transfer of Development Rights (TDRs).

TDR's offer property owners an innovative mechanism for compensation. The establishment of a TDR program would give property owners the ability to sell their development rights in exchange for permanently protecting environmentally sensitive resources. Developers would purchase the development rights and exercise them in defined areas such as the town center. Other programs to support equity and fairness will also be recommended.

A memorandum of understanding (MOU) among Accord members to implement the agreed upon plan.

The MOU represents a commitment to continue to implement the plan and work together to leverage resources. The MOU encourages consistency and compliance across political boundaries. As a primary step in a long-term implementation process, the MOU underscores the importance of adaptive management techniques to monitor plan implementation.

Development without the condition of annexation.

The City of Columbus is offering the limited extension of water and sewer services without the condition of annexation. As part of the Accord process, the City of Columbus is identifying conditions that must be met to qualify for utility extensions.

Mechanisms for cooperative revenue sharing among Accord members.

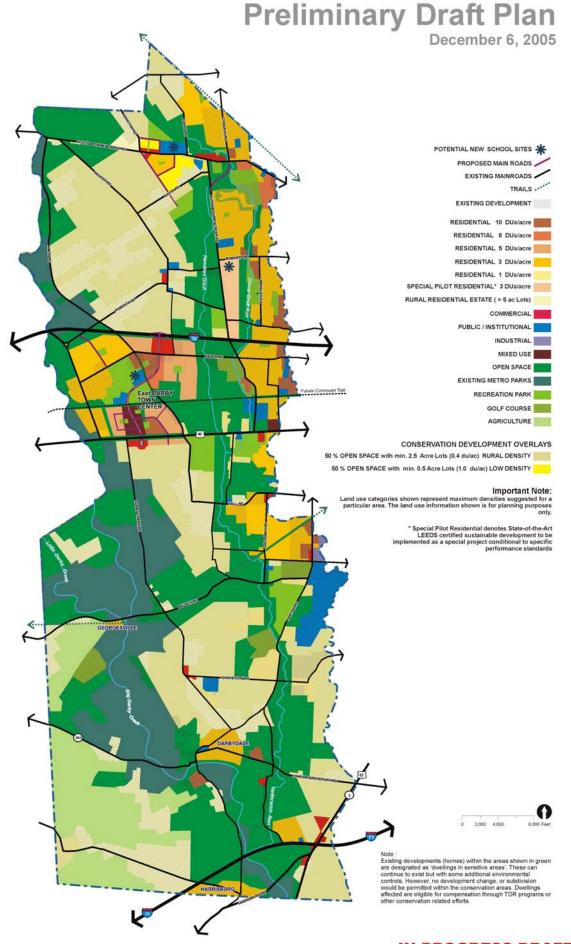
Through the creation of joint economic development districts (JEDD), cooperative economic development agreements (CEDA), and/or community authorities, Accord members can structure specific agreements to allow revenue sharing across political boundaries as development comes on line. Cooperative agreements can be established to help provide community resources and amenities and to initiate joint projects in the study area.

Water quality, biological integrity, and adaptive management.*

This plan relies on the principle of adaptive management, an ongoing process. This includes prediction, monitoring, inspection, enforcement, and ongoing planning to continue to maintain and pursue aggressive OEPA water quality goals that will improve the water quality and biological integrity of the Big Darby Watershed.



^{*} For more clarification see the Elected Meeting Summary Document. This principle was added to the list of plan principles through the collective recommendation of a stakeholder group representing OEPA, ODNR, the Darby Creek Association, the Nature Conservancy, Columbus and Franklin County Housing Trust, Metro Parks, the Building Industry Association, and the Franklin Soil and Water Conservation District



In completing this project the Accord will continue to build upon the principles, address questions that remain, and further explore policies and recommendations for plan implementation. These efforts will better position the jurisdictions for plan implementation. During the Elected Officials Meeting on December 6, 2005, Accord members would like to achieve consensus on the pursuit of these efforts.

Concluding Efforts

During the next several months the Accord will focus their efforts on the following tasks:

Best management practices (BMPs) and policies including a pilot study analysis

A sustainable site development plan will be prepared for a small study area within the watershed for the purpose of identifying new approaches to meeting water quality targets. BMPs will be examined for their effectiveness at achieving desired results. This process will help define a new standard for protection for the watershed.

Incentives for implementing BMPs

BMPs have ranges of effectiveness and vary significantly in cost. Incentives will encourage developers to incorporate innovative, state of the art BMPs for site design and stormwater management. Creating programs and incentives that will result in increased protection of the watershed will yield improved results.

TDR program and pursuit of legislative changes to enable inter-jurisdictional TDR transactions

The Accord Land Use Plan can serve as a catalyst for innovative land use planning in the state of Ohio. Ohio state law currently does not allow transfer of development rights between jurisdictions. It is plausible that a TDR program could be established within a single jurisdiction; however unincorporated areas may have added complications due to limited powers. A change in state legislation will provide the highest degree of benefit to the Accord jurisdictions. For these reasons more focus is needed to develop a recommended structure for an Accord-wide TDR program and in the pursuit of new legislation. The TDR program could ultimately be applied watershed-wide.

Biological trends analysis and stream restoration protocols

A summary analysis will be undertaken to compare current land uses with composite biological trends. Based on biological trends, areas for future stream restoration will be identified and protocols for identifying future restoration sites will be established.

Formalization of implementation agreements among Accord members

The Accord will work to reach agreement on appropriate mechanisms to allow revenue sharing across political boundaries. In addition, emphasis will be placed on determining the right tools for revenue generation from both public and private resources. Conditions associated with the extension of utility services without annexation will be formalized. These efforts will lay the groundwork for plan implementation and collaboration among jurisdictions.

Public review process and plan refinement

It is important to allow sufficient time for team meetings and both public and client review of the draft plan. In addition to a public meeting and public review period for the draft plan, time has been allocated for Accord members to review and discuss the draft plan. These review times will allow for plan refinement and revisions.



The Big Darby Accord

Accord Jurisdictions:

Brown Township

Norwich Township

Pleasant Township

Prairie Township

Washington Township

Columbus

Grove City

Harrisburg

Hilliard

Franklin County

December 6, 2005

Meeting Agenda

- > Introductions
- Presentation
- Discussion/Guidance
 - Draft Plan Principles
 - Preliminary Draft Map
 - Concluding Efforts
 - Moratorium Extension
- Next Steps

Meeting Ground Rules

- 1. This is a Workshop for Elected Officials
- 2. Dialogue Among Elected Officials is the Focus of This Meeting
- 3. Written Comments From the Public Should Be Submitted to the Comment Box
- 4. Members of the Accord Thank You For Your Understanding and Cooperation!

December 6, 2005

Mission Statement

Preserve, protect and improve, when possible, the Big Darby Creek watershed's unique ecosystem by utilizing the best available science, engineering and land use planning practices;

Promote responsible growth by taking measures to provide for adequate public services and facilities and promote a full spectrum of housing choice, as well as adequate educational, recreational and civic opportunities, for citizens of each jurisdiction and for Central Ohio;

Create a partnership that recognizes the identity, aspirations, rights, and duties of all jurisdictions and that develops methods of cooperation among the partners through means which include the cooperative utilization of public services and facilities; and

Capitalize on the results of other efforts by considering local comprehensive plans, as well as the work of the Environmentally Sensitive Development Area External Advisory Group, the Hellbranch Forum, the 21st Century Growth Policy Team and other local planning and zoning efforts, in the development of the plan

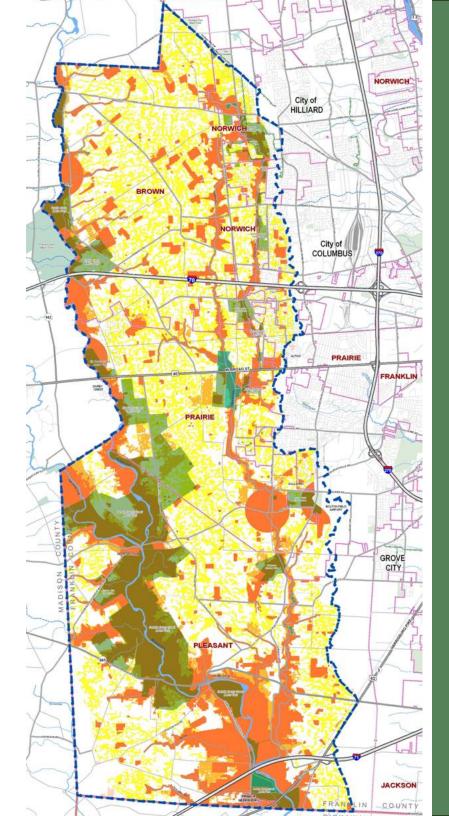


December 6, 2005

- Planning Process Initiated in April 2005
- Create a Common Vision for Future Development that Aligns with the Mission Statement
- Complex and Challenging Process
- Significant Progress Has Been Made to Date



- Existing Conditions Review
 - Data Collection
 - GIS Compilation
 - Hellbranch Watershed Forum, EAG, OEPA, etc.
 - Jurisdiction Studies and Reports
- Stakeholder Outreach
 - Interviews
 - Meetings with "Early Look Organizations"
- Public Meetings
 - June and October
 - Excellent Attendance



December 6, 2005

- Environmental Sensitivity Analysis
 - Almost 20,000 Acres Identified as Being Sensitive
 - Floodplains, Wetlands, Flow and Groundwater Recharge Areas, Pollution Potential Areas, Habitat Areas, etc.
 - Foundation of Land Use Scenarios
 - Maximizes Stream Corridor Protection
 - Significantly Expands Protected Lands
 - Builds a Green Infrastructure

Modeling Scenarios Stakeholder Input Refinement and **Revisions Preliminary Draft Plan**

Big Darby Accord

December 6, 2005

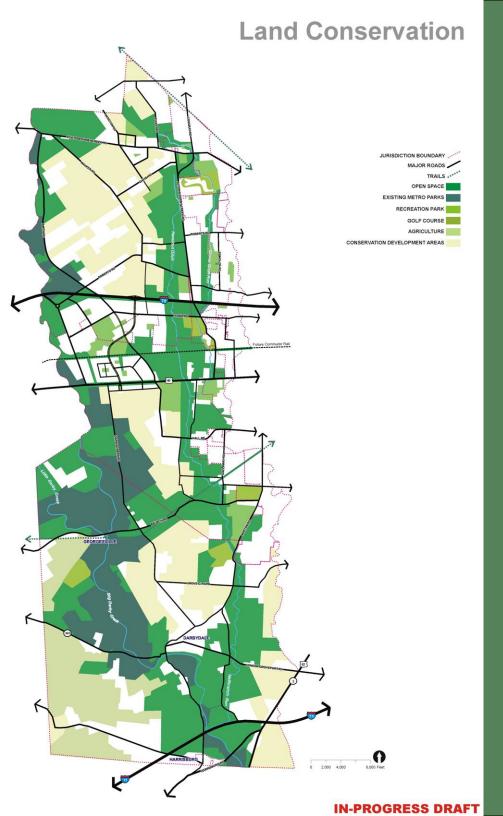
- Three Distinct Land Use Modeling Scenarios
- Used OEPA Aggressive Water Quality Standards for Evaluation and Comparison
- Scenarios Showed Improvements that Will be Further Maximized with BMP Application
- Developed Preliminary Draft Concept Based on Input and Analysis
- Preliminary Draft Plan Concepts
 - Stakeholder Input
 - Environmental Conditions
 - Current Policies
 - Infrastructure
 - Utilities
 - Implementation



December 6, 2005

Draft Plan Principles

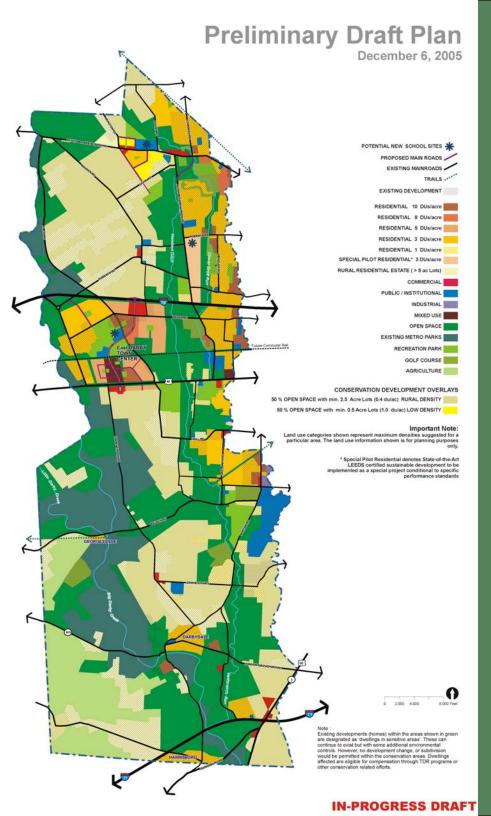
- I. Protect Environmentally Sensitive Areas
- Balance Environmental Protection and Responsible Growth
- Recognize the Existing By-Right Condition
- 4. Provide Adequate Public Facilities for Defined Growth Areas
- Provide Equity to Property Owners Through TDRs
- 6. Develop a Memorandum of Understanding to Implement the Plan
- 7. Promote Cooperative Revenue Sharing



December 6, 2005

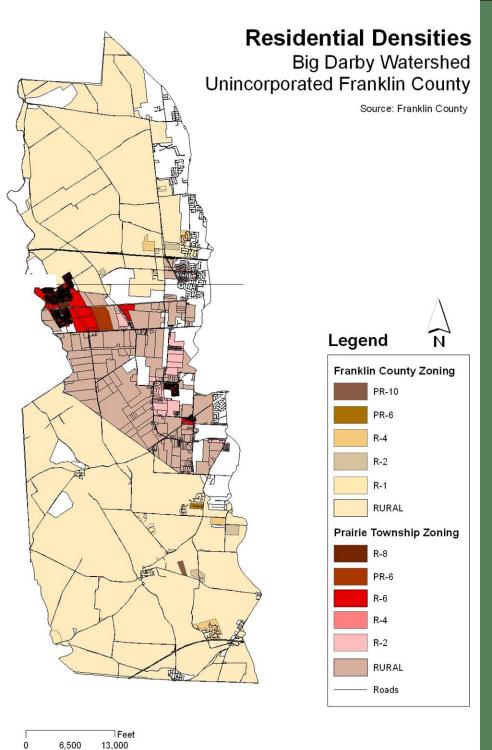
1. Protect Environmentally Sensitive Areas

- Contiguous Open Space Network
 - Based on Environmental Sensitivity
 - Builds Upon Already Protected Lands
 - Maximizes Stream Corridor Protection
- About 24,000 Acres (includes existing parks, Metro Parks)
- Additional Protected Areas Achieved in Conservation Development



December 6, 2005

- 2. Balance Environmental Protection and Responsible Growth
- Focus and Manage Development
- Define a Civic/Mixed Use Town Center
 - Range of Housing Types
 - Mix of Uses for Daily Needs
 - Walkable Community
- Maximize Central Sewer Access
- Conservation Development in Outlying Areas



December 6, 2005

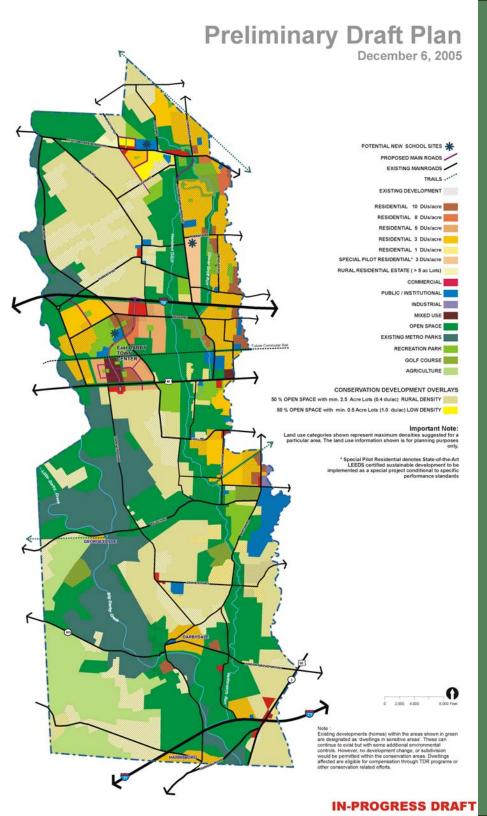
3. Recognize "By Right" Condition

- "By Right" Represents Property
 Owner Rights Under Current Policy
- Current Zoning Provides for an Additional 20,000+/- units Within Study Area
- "By Rights" can be Sold and Transferred from Green Areas to Defined Growth Areas

December 6, 2005

4. Provide Adequate Public Facilities for Defined Growth Areas

- ➤ Central Sewer Will Serve Town Center
- ➤ Rural Areas Will Not Be Served
- Monitoring and Enforcement of Non-centralized Systems Will be Needed



December 6, 2005

5. Provide Equity to Property Owners Through TDRs

- ➤ Innovative Mechanism to Compensate Property Owners
 - Market-Driven
 - Creates Market Value for Development
 - Helps Fund Conservation and Protection of Sensitive Areas

Transfer of Development Rights (TDR) Program King County, Washington

Introduction

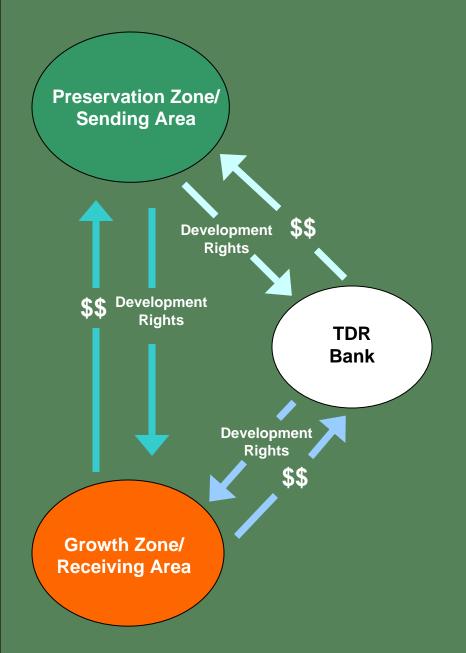
King County's Transfer of Development Rights or TDR Program is a voluntary land use incentive program. It helps private "sending site" landowners achieve an economic return through the sale of development rights to "receiving site" landowners. The County's award-winning TDR Program is modeled after other successful programs around the country including programs serving The Pinelands, New Jersey, Boulder County, Colorado, and Montgomery County, Maryland. As of October of 2005, 91,500 acres of land or almost 143 square miles have been protected from development by King County's TDR Program, roughly twice as much land preserved by the next most successful TDR Program in the United States.

The information provided in this site provides an overview of the Program, sending site application form, FAQs, and TDR implementation processes. For further information or questions, please contact the staff people listed below or consult the TDR Code located in KCC 21A.37.



5. Other TDR Programs

- Montgomery County Maryland (29,000 acres protected)
- ➤ New Jersey Pinelands (20,000 acres protected)
- Kings County (91,500 acres protected)



5. Provide Equity to Property Owners Through TDRs

- ➤ Developers Can Realize Increased Densities through Purchase of Development Rights
- ➤ Allows Equity to Property Owners in Areas That Will Not Receive Central Sewer
- ➤ Elements of a TDR Program
 - •A Designated Sending Area
 - •A Designated Receiving Area
 - A Pool of Development Rights that are Legally Severable from the Land
 - •A Procedure to Transfer Development Rights from One Property to Another

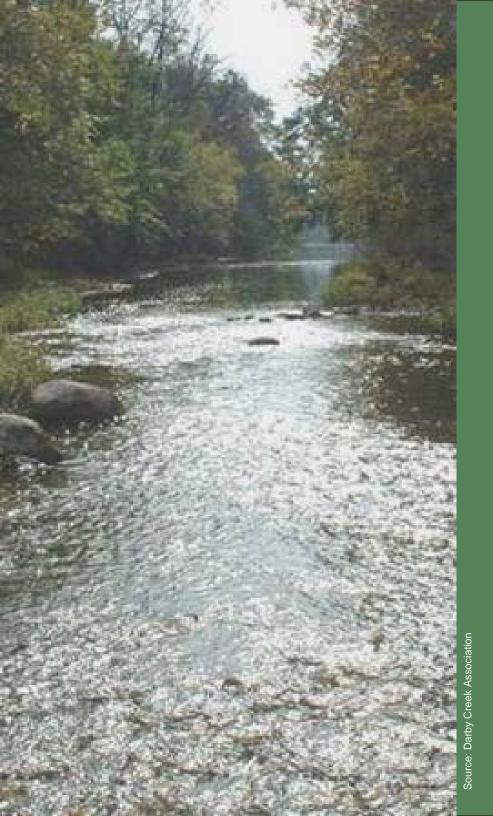


6. Develop a MOU to Implement the Plan

- ➤ Adopt and Follow the Plan
- >Extend the Moratorium
- >Extend Service without Annexation, Subject to Conditions
- ➤ Regulate, Inspect, and Maintain Development with Non-Centralized **Utility Services**

7. Promote Cooperative **Revenue Sharing**

- ➤ Develop Revenue-sharing Programs
- ➤Pursue Funding



December 6, 2005

Process Completion

- Build Upon the Plan Principles
- Refine Plan Recommendations and Policies
- Develop a Draft and Final Plan

Before We Proceed We Need:

- Validation of Plan Principles
- Direction on Land Use Map
- Agreement on Next Priorities



December 6, 2005

Concluding Efforts and Priorities

- Recommended Priorities
 - Site Level Analysis to Study BMPs
 - Develop BMP Incentives
 - Create a TDR Program
 - Complete Further Study on Biological Trends and Stream Restoration
 - Develop an Approach for Revenue Sharing
 - Refine Utility Extension Conditions
 - Allow Sufficient Public Review Process

December 6, 2005

Mission Statement

Preserve, protect and improve, when possible, the Big Darby Creek watershed's unique ecosystem by utilizing the best available science, engineering and land use planning practices;

Promote responsible growth by taking measures to provide for adequate public services and facilities and promote a full spectrum of housing choice, as well as adequate educational, recreational and civic opportunities, for citizens of each jurisdiction and for Central Ohio;

Create a partnership that recognizes the identity, aspirations, rights, and duties of all jurisdictions and that develops methods of cooperation among the partners through means which include the cooperative utilization of public services and facilities; and

Capitalize on the results of other efforts by considering local comprehensive plans, as well as the work of the Environmentally Sensitive Development Area External Advisory Group, the Hellbranch Forum, the 21st Century Growth Policy Team and other local planning and zoning efforts, in the development of the plan





Discussion and Guidance

- Draft Plan Principles
- Draft Map
- Concluding Efforts and Priorities
- Moratorium