



Real People. Real Possibilities.™

AGENDA

Committee of the Whole

6:00 PM February 13, 2023

Council Members:

Omar Tarazi

Cynthia Vermillion

Les Carrier

Tina Cottone

Peggy Hale

Pete Marsh

Andy Teater

President

Vice President

Michelle Crandall, City Manager

Diane (Dee) Werbrich, Clerk of Council

City Hall, Council Chambers • 3800 Municipal Way, Hilliard, OH 43026



- I. Call to Order**
- II. Roll Call**
- III. Approval of Minutes**
 - A. January 23, 2023, Committee of the Whole
- IV. Business**
 - A. Big Darby & Future Development Standards
- V. Items for Discussion**
- VI. Adjournment**



Real People. Real Possibilities.™

CITY COUNCIL

January 23, 2023 Committee of the Whole Minutes

CALL TO ORDER

The meeting was called to order by President Tarazi at 6:00 PM.

ROLL CALL

Attendee Name:	Title:	Status:
Omar Tarazi	President	Present
Cynthia Vermillion	Vice President	Present
Les Carrier	Councilman	Present
Tina Cottone	Councilwoman	Present
Peggy Hale	Councilwoman	Present
Pete Marsh	Councilman	Present
Andy Teater	Councilman	Excused

Staff Members Present: City Manager Michelle Crandall, Law Director Phil Hartmann, Assistant City Manager Dan Ralley, Police Chief Mike Woods, Community Relations Director David Ball and Clerk of Council Diane Werbrich

APPROVAL OF MINUTES

President Tarazi asked if there were any changes or corrections to the January 11, 2023, Committee of the Whole meeting minutes. Hearing none, the minutes were approved as submitted.

STATUS:	Accepted
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh
EXCUSED:	Teater

BUSINESS

A. COMPREHENSIVE COUNCIL RULE REVIEW

Council reviewed the current Council Rules page by page. Amendments/changes were made and will be presented to Council for vote on February 13, 2023.

Ms. Vermillion, seconded by Ms. Hale, moved to have the amended/updated Council Rules on the February 13, 2023, Regular Council meeting agenda for approval.

MOVER:	Cynthia Vermillion
SECONDER:	Peggy Hale
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh
EXCUSED:	Teater

ITEMS FOR DISCUSSION - None CITY MANAGER UPDATES - None

Mr. Carrier, seconded by Ms. Cottone, moved to adjourn the meeting by Voice Vote.



MOVER:	Les Carrier
SECONDER:	Tina Cottone
AYES:	Tarazi, Vermillion, Carrier, Cottone, Hale, Marsh
EXCUSED:	Teater

ADJOURNMENT – 6:58 PM

Omar Tarazi, President
City Council

Diane Werbrich, MMC
Clerk of Council

Approved: _____

Minutes Acceptance: Minutes of Jan 23, 2023 6:00 PM (Approval of Minutes)

Big Darby & Future Development Standards

1115.04 HILLIARD CONSERVATION DISTRICT REQUIREMENTS.

(a) *Designing a Conservation Subdivision.*

- (1) Delineate primary conservation areas as defined in the Big Darby Accord Watershed Master Plan (BDAWMP). Preserve as natural open space.
- (2) Delineate secondary conservation areas as defined in the BDAWMP; preserve selected areas as common (improved) or natural open space.
- (3) Draw building footprints outside the conservation areas. Draw the number of dwellings based upon the permitted density calculations, with lot lines.

(b) *Review Criteria and Design Standards.*

- (1) Dwellings should be oriented toward interior roads, rather than fronting on perimeter roads.
- (2) Retain or replant native vegetation adjacent to wetlands and surface waters.
- (3) Preserve existing hedge and tree lines to the extent practicable.
- (4) Preserve scenic views and vistas.
- (5) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
- (6) Preserve historic or archaeological sites (i.e. earthworks, burial grounds).
- (7) Landscape or retain vegetation in common areas with native trees and shrubs.
- (8) Place shade trees along internal roads on at least one side of the road.
- (9) Provide active recreational areas in proximity to residential concentrations.
- (10) Include a pedestrian circulation system, meaning a minimum of an eight foot wide asphalt bike and walking path throughout the development.
- (11) Protect natural drainage swales and creeks and prohibit buildings within the 100-year floodplain.
- (12) Provide permanent open space, according Section 1115.04(e)(4) and (5).

(c) *Applicability.* The following Plan Approval Process shall be required for all rezoning and plats within the Hilliard Conservation District:

- (1) *Pre-application meeting.* Hilliard staff and Planning and Zoning Commission will meet with the applicant and review a preliminary site development plan as presented by the applicant.
- (2) *Proposal submitted.* Applicant shall submit the proposed development plan to the Planning Director or designee.
- (3) *Staff Review.* City of Hilliard staff will review the proposed development plan and certify its completeness. Once certified complete, the application and certification will be forwarded to the Big Darby Accord Advisory Board. City of Hilliard staff will draft a report of the technical review findings which will be forwarded to the Big Darby Accord Advisory Board.
- (4) *Big Darby Accord Advisory Meeting.* The Big Darby Accord Advisory Board will hold a public meeting to review and make recommendations on the proposed project.
- (5) *Big Darby Accord Advisory Board Recommendations.* Recommendations from the Advisory Board meeting will be forwarded to City staff and the Planning and Zoning Commission.

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- (6) *City of Hilliard Review.* Following the recommendations of the Big Darby Accord Advisory Board, the application will be reviewed by the City of Hilliard for compliance with all applicable zoning, engineering and City Codes, and shall follow the applicable review process for the application submitted for zoning and plats.
- (d) *Application Requirements.* A Final Development Plan shall be submitted which is drawn to a scale of at least 1" = 100' and contains the following information:
- (1) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.
 - (2) A preliminary drainage plan with a letter of feasibility from a licensed professional engineer.
 - (3) An explanation of the method/structure and proposed documentation and instruments to be used to perpetually preserve the required open space.
 - (4) The proposed uses of the site, including any limitations or controls to be placed on each.
 - (5) A table or narrative description of how the proposed development conforms to all design guidelines in Hilliard Design Manual.
 - (6) Location of buildings and structures.
 - (7) Streets, roadways, pathways, sidewalks and parking areas.
 - (8) Existing utility easements and proposed new easements to the extent known.
 - (9) Proposed lot sizes.
 - (10) Minimum setback and spacing requirements.
 - (11) Recreational facilities.
 - (12) Preserved open space areas and a description of proposed open space improvements.
 - (13) All commonly owned structures.
 - (14) A landscape plan that depicts and identifies all existing and proposed landscaping and entrance features. The landscape plan shall conceptually illustrate the typical elevations and cross sections of landscape features.
 - (15) Dwelling unit types, the total number of dwelling units proposed for the site density and the method used to calculate density.
 - (16) Primary conservation areas.
 - (17) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown. No structure (other than approved drainage structures as shown on The Development Plan or other approved structures, such as a park shelter house) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Franklin County.
 - (18) The location of all woodland preservation areas and natural topography preservation areas.
 - (19) Architectural design guidelines including materials, colors and typical renderings for structures and proposed procedures for controlling architectural design elements.
 - (20) Signs, including renderings of the sign elevations.
 - (21) The proposed provisions for water supply, fire hydrants, sewage disposal and surface drainage with engineering feasibility studies or other evidence of reasonableness.

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- (22) A preliminary traffic impact analysis based upon full build-out of the proposed development.
 - (23) The relationship of the proposed development to existing and anticipated uses of surrounding areas during the development timetable.
 - (24) Identification and location of all land dedicated to schools, parks and other public facility sites within or adjacent to the site.
 - (25) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities. If the proposed timetable for development includes developing the land (including open space) in phases, all phases shall be fully described in textual form in a manner calculated to give City officials definitive guidelines for approval of future phases.
 - (26) Unless specifically superseded by the standards contained in this chapter or those standards approved in the Development Plan, the development shall comply with the requirements contained in the Design Manual. Except for density, and the percentage of required open space, the applicant may request a modification from the City of the development standards set forth in this chapter. An applicant making such a request shall specifically and separately list each requested modification and the justification therefore on the Development Plan submittals, with a request that the proposed modification be approved "per plan."
 - (27) Deed restriction, protective covenants, and other legal instruments to be used to control the land which is to be commonly owned and maintained as the open space.
 - (28) The various plans that make up the Development Plan shall bear the seal of a professional engineer, surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio, and shall stamp their individual plans.
- (e) *Development Standards.* The following minimum requirements shall apply:
- (1) *Minimum tract size.* 20 acres.
 - (2) *Minimum lot size.* No minimum lot size.
 - (3) *Minimum setbacks.* Minimum required setbacks shall be determined as part of the review and approval process to allow maximum flexibility.
 - (4) *Open space dedication.* At least 50 percent of the gross tract acreage shall be designated as permanent open space. The location of designated open space shall be identified on the development plan and shall be subject to approval by the City. Open space shall be owned, administered and maintained as identified on the Development Plan, as outlined in this Section. Required open space may be located off site, provided it is within the Darby Accord Planning Area.
 - (5) *Open space calculation.* The following criteria should be considered when calculating the required open space dedication:
 - A. Up to 50 percent of the minimum required open space may be used for active recreation purposes in order to preserve a reasonable proportion of natural open space on the site, but cannot be located within any Tier I or Tier II land as outlined within the Darby Accord. The Development Plan shall specify the purposes for which open space areas are proposed. Any recreational facilities proposed to be constructed within open space areas shall be clearly shown on the Development Plan.
 - B. In calculating open space, the areas of residential lots conveyed to homeowners shall not be included.
 - C. Primary conservation areas, stormwater management detention/retention ponds, and constructed wetlands acting as detention basins may count in their combined aggregate for up to

50 percent of the required open space. These areas shall promote the character and purpose of the HCD District, and shall incorporate naturalized edges, native plants and be designed to complement the existing topography and landscape.

(6) *Number of dwelling units permitted.*

- A. Maximum overall gross density for residential development within the Conservation District shall be one dwelling unit per acre.
- B. Density Bonuses - Overall gross density may be increased as outlined below. Density bonuses are cumulative, but in no case shall the gross density exceed two dwelling units per acre.
 - 1. For every additional 10 percent of the site that is dedicated as open space above the required 50 percent, an increase of .10 units per acre of the overall gross density of the site will be allowed.
 - 2. For significant stream restoration within the development site, an additional .10 units per acre of the overall gross density of the site will be allowed. Final determination will be required by the City.
 - 3. An additional .10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for other sustainable design elements.
 - 4. An additional 0.10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for extraordinary costs for regional serving infrastructure.

(f) *Design Standards.*

- (1) *Architecture.* Architecture in this District shall be designed in accordance with standards that are consistent with conservation practices and that emphasize the individual character of the property and surroundings.
- (2) *Roadways.* All roadways shall be designed in accordance with the engineering and roadway standards specified in the Hilliard Design Manual.
- (3) *Lighting.* Lighting shall be designed in accordance with the engineering standards specified in the Hilliard Design Manual.

(g) *Ownership of Open Space.* Common open space within the development shall be owned, administered, and maintained by one of the following methods, either individually or in combination, and subject to approval by the Planning and Zoning Commission:

- (1) Offer of dedication to City.
- (2) Homeowners association.
- (3) Condominiums.
- (4) Dedication of easements.
- (5) Transfer of easements.
- (6) Third-party ownership.

(Ord. 14-29. Passed 10-27-14; Ord. 15-26. Passed 7-13-15; Ord. No. 21-09 , § 1(Exh. A), 3-22-21.)

1115.04 - HILLIARD CONSERVATION DISTRICT REQUIREMENTS.

(a) *Designing a Conservation Subdivision.*

- (1) Delineate primary conservation areas as defined in the Big Darby Accord Watershed Master Plan (BDAWMP). Preserve as natural open space.
- (2) Delineate secondary conservation areas as defined in the BDAWMP; preserve selected areas as common (improved) or natural open space.
- (3) Draw building footprints outside the conservation areas. Draw the number of dwellings based upon the permitted density calculations, with lot lines.

(b) *Review Criteria and Design Standards.*

- (1) Dwellings should be oriented toward interior roads, rather than fronting on perimeter roads.
- (2) Retain or replant native vegetation adjacent to wetlands and surface waters.
- (3) Preserve existing hedge and tree lines to the extent practicable.
- (4) Preserve scenic views and vistas.
- (5) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.
- (6) Preserve historic or archaeological sites (i.e. earthworks, burial grounds).
- (7) Landscape or retain vegetation in common areas with native trees and shrubs.
- (8) Place shade trees along internal roads on at least one side of the road.
- (9) Provide active recreational areas in proximity to residential concentrations.
- (10) Include a pedestrian circulation system, meaning a minimum of an eight foot wide asphalt bike and walking path throughout the development.
- (11) Protect natural drainage swales and creeks and prohibit buildings within the 100-year floodplain.
- (12) Provide permanent open space, according [Section 1115.04](#)(e)(4) and (5).

(c) *Applicability.* The following Plan Approval Process shall be required for all rezoning and plats within the Hilliard Conservation District:

- (1) *Pre-application meeting.* Hilliard staff and Planning and Zoning Commission will meet with the applicant and review a preliminary site development plan as presented by the applicant.
- (2) *Proposal submitted.* Applicant shall submit the proposed development plan to the Planning Director or designee.
- (3) *Staff Review.* City of Hilliard staff will review the proposed development plan and certify its completeness. Once certified complete, the application and certification will be forwarded to the Big Darby Accord Advisory Board, the Shade Tree Commission, and the Environmental Sustainability Commission for their advisory recommendations. City of Hilliard staff will draft a report of the technical review findings which will be forwarded to the Big Darby Accord Advisory Board, the Shade Tree Commission, and the Environmental Sustainability Commission. Written recommendations of the Big Darby Accord Advisory Board, the Shade Tree Commission, and the Environmental Sustainability Commission will be forwarded to City Council.

- (4) *Big Darby Accord Advisory Meeting.* The Big Darby Accord Advisory Board will hold a public meeting to review and make recommendations on the proposed project.
- (5) *Big Darby Accord Advisory Board Recommendations.* Recommendations from the Advisory Board meeting will be forwarded to City staff and the Planning and Zoning Commission.
- (6) *City of Hilliard Review.* Following the recommendations of the Big Darby Accord Advisory Board, the application will be reviewed by the City of Hilliard for compliance with all applicable zoning, engineering and City Codes, and shall follow the applicable review process for the application submitted for zoning and plats.
- (d) *Application Requirements.* A Final Development Plan shall be submitted which is drawn to a scale of at least 1" = 100' and contains the following information:
- (1) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the proposed development.
 - (2) A preliminary drainage plan with a letter of feasibility from a licensed professional engineer.
 - (3) An explanation of the method/structure and proposed documentation and instruments to be used to perpetually preserve the required open space.
 - (4) The proposed uses of the site, including any limitations or controls to be placed on each.
 - (5) A table or narrative description of how the proposed development conforms to all design guidelines in Hilliard Design Manual. This description should include information about how sensitive areas will be protected during construction.
 - (6) Location of buildings and structures.
 - (7) Streets, roadways, pathways, sidewalks and parking areas.
 - (8) Existing utility easements and proposed new easements to the extent known.
 - (9) Proposed lot sizes.
 - (10) Minimum setback and spacing requirements.
 - (11) Recreational facilities.
 - (12) Preserved open space areas and a description of proposed open space improvements.
 - (13) All commonly owned structures.
 - (14) A landscape plan that depicts and identifies all existing and proposed landscaping and entrance features. No invasive species, as identified by the Ohio Department of Agriculture, shall be permitted in landscape plantings of common areas or initial planting installations at homes and/or site structures. The landscape plan shall conceptually illustrate the typical elevations and cross sections of landscape features.
 - (15) Dwelling unit types, the total number of dwelling units proposed for the site density and the method used to calculate density.
 - (16) Primary conservation areas. Provide an initial five year maintenance plan for all open space and/or wetland restoration areas, including clear maintenance schedules that shall be the responsibility of the developer unless otherwise stated in a Development Agreement.
 - (17) Locations of stream channels, watercourses, wooded areas and buffer areas shall be designated. Existing topography and drainage patterns shall also be shown. No structure (other than approved drainage structures as shown on The Development

- Plan or other approved structures, such as a park shelter house) shall be constructed within the limits of the 100-year floodplain as mapped by FEMA on the Flood Insurance Rate Maps for Franklin County.
- (18) The location of all woodland preservation areas and natural topography preservation areas.
 - (19) Architectural design guidelines including materials, colors and typical renderings for structures and proposed procedures for controlling architectural design elements.
 - (20) Signs, including renderings of the sign elevations.
 - (21) The proposed provisions for water supply, fire hydrants, sewage disposal and surface drainage with engineering feasibility studies or other evidence of reasonableness.
 - (22) A preliminary traffic impact analysis based upon full build-out of the proposed development.
 - (23) The relationship of the proposed development to existing and anticipated uses of surrounding areas during the development timetable.
 - (24) Identification and location of all land dedicated to schools, parks and other public facility sites within or adjacent to the site.
 - (25) The proposed time schedule for development of the site including streets, buildings, utilities, and other facilities. If the proposed timetable for development includes developing the land (including open space) in phases, all phases shall be fully described in textual form in a manner calculated to give City officials definitive guidelines for approval of future phases.
 - (26) Unless specifically superseded by the standards contained in this chapter or those standards approved in the Development Plan, the development shall comply with the requirements contained in the Design Manual. Except for density, and the percentage of required open space, the applicant may request a modification from the City of the development standards set forth in this chapter. An applicant making such a request shall specifically and separately list each requested modification and the justification therefore on the Development Plan submittals, with a request that the proposed modification be approved "per plan."
 - (27) Deed restriction, protective covenants, and other legal instruments to be used to control the land which is to be commonly owned and maintained as the open space.
 - (28) The various plans that make up the Development Plan shall bear the seal of a professional engineer, surveyor and an architect or landscape architect, each of whom shall be licensed to practice in the State of Ohio, and shall stamp their individual plans.
- (e) *Development Standards.* The following minimum requirements shall apply:
- (1) *Minimum tract size.* 20 acres.
 - (2) *Minimum lot size.* No minimum lot size.
 - (3) *Minimum setbacks.* Minimum required setbacks shall be determined as part of the review and approval process to allow maximum flexibility.
 - (4) *Open space dedication.* At least 70 percent of the gross tract acreage shall be designated as permanent open space and at least 50 percent of the gross tract acreage shall be Naturalized Open Space.

Naturalized Open Space shall be defined as land preserved and/or maintained in a natural state to protect and maintain natural processes and the waters of the Big Darby Creek watershed including any paths or trails through Naturalized Open Space. Naturalized Open Space may include woodlands of predominately native species, wetlands, or prairies. Naturalized Open Space shall not include mowed turf, playgrounds, sports fields, or maintained landscapes.

Open spaces that have primary functions other than the protection and maintenance of natural processes such as active recreation (ball fields, playgrounds, golf courses), cultural (cemeteries, educational facilities), and aesthetic (formal gardens or parks) would qualify towards the overall open space requirement, but not the naturalized open space requirement.

The location of designated open space shall be identified on the development plan and shall be subject to approval by the City. Open space shall be owned, administered and maintained as identified on the Development Plan, as outlined in this Section. Required open space may be located off site, provided it is within the Darby Accord Planning Area and is consistent with the City's greenbelt concept.

- (5) *Open space calculation.* The following criteria should be considered when calculating the required open space dedication:
- A. Up to 20 percent of the minimum required open space may be used for active recreation purposes. The Development Plan shall specify the purposes for which open space areas are proposed. Any recreational facilities proposed to be constructed within open space areas shall be clearly shown on the Development Plan.
 - B. Open space that does not fit the definition of Naturalized Open Space may not be located within any Tier I or Tier II land as outlined within the Big Darby Accord.
 - C. In calculating open space, the areas of residential lots conveyed to homeowners shall not be included.
 - D. Primary conservation areas, stormwater management detention/retention ponds, and constructed wetlands acting as detention basins may count in their combined aggregate for up to 50 percent of the required open space, provided that they promote the character and purpose of the HCD District, and shall incorporate naturalized edges, native plants and be designed to complement the existing topography and landscape. Stormwater management detention/retention ponds that do not incorporate these elements may count towards the 70 percent open space requirement, but not the 50 percent naturalized open space requirement.
- (6) *Number of dwelling units permitted.*
- A. Maximum overall gross density for residential development within the Conservation District shall be one dwelling unit per acre.
 - B. Density Bonuses - Overall gross density may be increased as outlined below. Density bonuses are cumulative, but in no case shall the gross density exceed two dwelling units per acre.

1. For every additional 10 percent of the site that is dedicated as open space above the required 50 percent, an increase of .10 units per acre of the overall gross density of the site will be allowed.
 2. For significant voluntary stream restoration within the development site, an additional .10 units per acre of the overall gross density of the site will be allowed. Final determination will be required by the City.
 3. Up to an additional .10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for other sustainable design elements.
 4. Up to an additional 0.10 units per acre of the overall gross density of the site may be granted by the Planning and Zoning Commission, in its sole discretion, for extraordinary costs for regional serving infrastructure.
- (7) Wetlands
- A. Wetland creation, restoration, enhancement, and mitigation shall comply with all applicable State and Federal requirements. Wetland/littoral shelves are required for all wet ponds.
- (f) *Design Standards.*
- (1) *Architecture.* Architecture in this District shall be designed in accordance with standards that are consistent with conservation practices and that emphasize the individual character of the property and surroundings.
 - (2) *Roadways.* All roadways shall be designed in accordance with the engineering and roadway standards specified in the Hilliard Design Manual.
 - (3) *Lighting.* Lighting shall be designed in accordance with the engineering standards specified in the Hilliard Design Manual and best practices that minimizes light pollution.
 - (4) *Solar panels.* At a minimum, each housing unit is required to be solar ready, with a wired conduit to the roof in a location that would best accommodate a solar installation.
 - (5) *Electric Vehicle Ready.* At a minimum, each housing unit is required to be electric vehicle ready with appropriate wired conduit, electric capacity, and a receptacle in place for a Level 2 (240V) charger in a location that would best accommodate a charging station.
- (g) *Exceptions.* Political subdivisions are not obligated to comply with the open space standards but shall comply with other requirements of this code section.
- (h) *Ownership of Open Space.* Common open space within the development shall be owned, administered, and maintained by one of the following methods, either individually or in combination, and subject to approval by the Planning and Zoning Commission:
- (1) Offer of dedication to City.
 - (2) Homeowners association.
 - (3) Condominiums.
 - (4) Dedication of easements.
 - (5) Transfer of easements.
 - (6) Third-party ownership.