

**PRAIRIE TOWNSHIP ZONING COMMISSION
MINUTES OF THE MAY 22, 2007 MEETING**

Members Present: Howard Balzer, Glen Hymer, Bruce Whyte, Christopher Finn and Judy Stalter

Members Absent: None

Others Present: Connie Swisher Zoning Inspector, Dana Scott Zoning Clerk

Call to Order: The meeting was called to order by Howard Balzer, Chairman, at 4:00 p.m.

Meeting Minutes:

Chairman, Mr. Balzer asked for a motion to approve the April 24, 2007 Zoning Commission Meeting Minutes.

Mr. Whyte moved to approve the April 24, 2007 Zoning Commission minutes. Mr. Hymer seconded the motion. The minutes were unanimously approved. Roll call as follows:

Howard Balzer: Aye
Glen Hymer: Aye
Judy Stalter: Aye
Bruce Whyte: Aye
Christopher Finn: Aye

Ms. Swisher announced to the board that Ben Weiner and Lee Brown with Franklin County are here today to go over the Big Darby Creek Watershed Riparian Setbacks.

Ben Weiner did a PowerPoint presentation & explained what a Riparian Setback was, how it works, and how important it was.

After the PowerPoint, Ben then asked if there were any questions from the board.

Question #1- What is a riparian area?

A riparian area is naturally vegetated land along rivers and streams. When appropriately sized, this riparian area can limit stream bank erosion, reduce flood size flows, filter and settle out pollutants, and protect aquatic and terrestrial habitat.

Question #2- What is a riparian setback?

A riparian setback is an area along a stream where development is restricted or prohibited. Riparian setbacks are a tool local governments can use to maintain riparian area functions and result in better development decisions and site design for new development.

Question #3- Why do local governments need to implement riparian setbacks?

The OEPA's State Water Quality Management Plan (208 Plan) mandates local regulations for water quality protection within the Big Darby Creek Watershed. One criteria set forth in the 208 Plan is the institution of "Local Stream Setbacks and Associated Development Restrictions". All portions of the proposed riparian setback overlay district are consistent with the 208 Plan.

If riparian setbacks are properly sized and established they can provide sustainable stream ecosystems, act as a right-of-way for flood waters, and provide storm water management. The following benefits will be seen by implementing the Big Darby Creek Watershed Riparian Setbacks:

- **Economic Improvements:** Preserve land characteristics (lot size, shape and integrity), sustain or increase property values because of aesthetic enhancements, help to keep community maintenance costs low, reduce infrastructure costs and decrease the reliance on engineered solutions.
- **Physical Improvements:** Protect the health and safety of the residents by restoring and maintaining the physical, chemical and biological integrity of the water resources and their channels and reduction of flooding, erosion and property loss.
- **Recognition of Good Stewardship:** Communities choosing to incorporate BMP's such as riparian setbacks, into law are being acknowledged for their efforts, especially by neighboring communities downstream.
- **Clean Water Act Requirements:** Riparian setbacks are a tool to help satisfy NPDES Phase II requirements for townships. Implementation will bring authority to the local level to assist in enforcing a state requirement.

Question #4- What is being proposed?

A riparian setback zoning overlay district has been created for incorporation in the Franklin County Zoning Resolution. This regulation will apply to all land within the Big Darby Accord Planning Area. The regulation is based on a model riparian setback regulation that was first adopted in the Chagrin Watershed. Lake, Madison, and Summit Counties, along with several townships, cities, and villages throughout the state have successfully adopted similar riparian setback regulations.

Question #5- How are riparian setbacks determined?

The extent of a riparian setback will be delineated based on one of the following two methods:

- (1) The setback distance from the centerline of the stream must be sized as the greatest of the following: a) 100-year floodplain based on FEMA mapping; b) 100 feet on each side; or c) the distance based on the following equation: $W = 100DA^{0.43}$, where DA = drainage area in square miles and W = setback width in feet.
- (2) Site specific riparian setback delineation. The total setback width is the stream way width centered over the meander pattern of the stream, plus an additional 100 feet from the edge of the stream way per side. "Centering about the meander pattern" can be thought of as determining where a line representing the stream way width would evenly intersect equal elevation lines on either side of the stream.

Question #6- How will riparian setbacks affect our community?

Riparian setbacks will apply to all perennial, ephemeral, and intermittent streams with a defined bed, bank, or channel. They do not apply to drainage ways constructed exclusively for road side drainage. This regulation will provide reasonable controls governing any new structures or uses within a riparian setback.

A long discussion followed.

Pam Williams- Who is going to be responsible for enforcing these areas and what are the fines?

Ben Weiner replied and said that the new development will be handled by Township Zoning

and Franklin County Soil and Water. For the fines, I believe that would be a legal act. Lee Brown and I will have to check on that.

Mike Ison- In regards to all the flooding, what about the West Broad Street area where the new houses are being built?

Ben Weiner- I'm not sure where you're talking about.

Howard Balzer- replied by saying the location Mr. Ison is talking about is in the City of Columbus.

Mike Ison- I know it is but, it still affects Prairie Township in some way or another.

Judy Stalter- So, what would be the steps that I need to take in order to cut down some trees that would be within the riparian setback?

Ben Weiner replied by saying that there would be two big steps, first would be a preliminary and then a final that you would need to go through, and you would need to go through the County.

Ben Weiner- Are there any other questions for me? Just another thing, I have given you a blown up layout of the Big Darby Accord for your reference

The board replied by saying, I don't think so right now.

A brief discussion followed.

Pam Williams- I do have one more question for Ben. Looking at this map, just off of Galloway Road where MI Homes is, I know it is the City of Columbus. Are they approved to continue that development or will they have to go by the setbacks?

Ben- They have gotten final approval so it's like they are grandfathered in.

A brief discussion followed.

Connie Swisher- I did not give you anything additional. I don't know how long this Riparian Buffer is going to take, but I thought we could work on that and the Conservation Zoning Districts at the same time.

Announcements: Ms. Swisher stated that David Lowell with Franklin County Soil and Water will be at the next meeting.

Meeting adjourned at 4:35 p.m.

