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Photo of the Jackson Meadow Conservation Development
St. Croix, Minnesota

2010 DEVELOPMENT & GROWTH PLAN SUPPLEMENT

**MILLCREEK TOWNSHIP
UNION COUNTY, OHIO**

ACKNOWLEDGEMENTS

Lincoln Street Studio gratefully acknowledges the time and dedication expended on this project by many people of Millcreek Township. Those to whom we extend our thanks include the following.

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**2010 SUPPLEMENT
To the Millcreek Township
2005 Comprehensive Land Use and Growth Plan
December 29, 2009**

PREFACE

This 2010 Supplement, and attached Appendix, to the Millcreek Township 2005 Comprehensive Land Use and Growth Plan are to be considered, along with the 2005 Plan, as one document, the land use and growth plan of Millcreek Township. The Supplement serves to update, not rewrite, the original plan. Thus, there are differences in presentation or discussion format. This Supplement, for example, does not address planning issues or recommendations by Planning Area within the Township, as was done in the 2005 Plan. The Supplement deals with information and events that were not available, and presents updated views and recommendations. Therefore, should there be an arguable point of discrepancy between the 2005 plan and this 2010 Supplement or its Appendix, the recommendations of this Supplement shall control.

INTRODUCTION

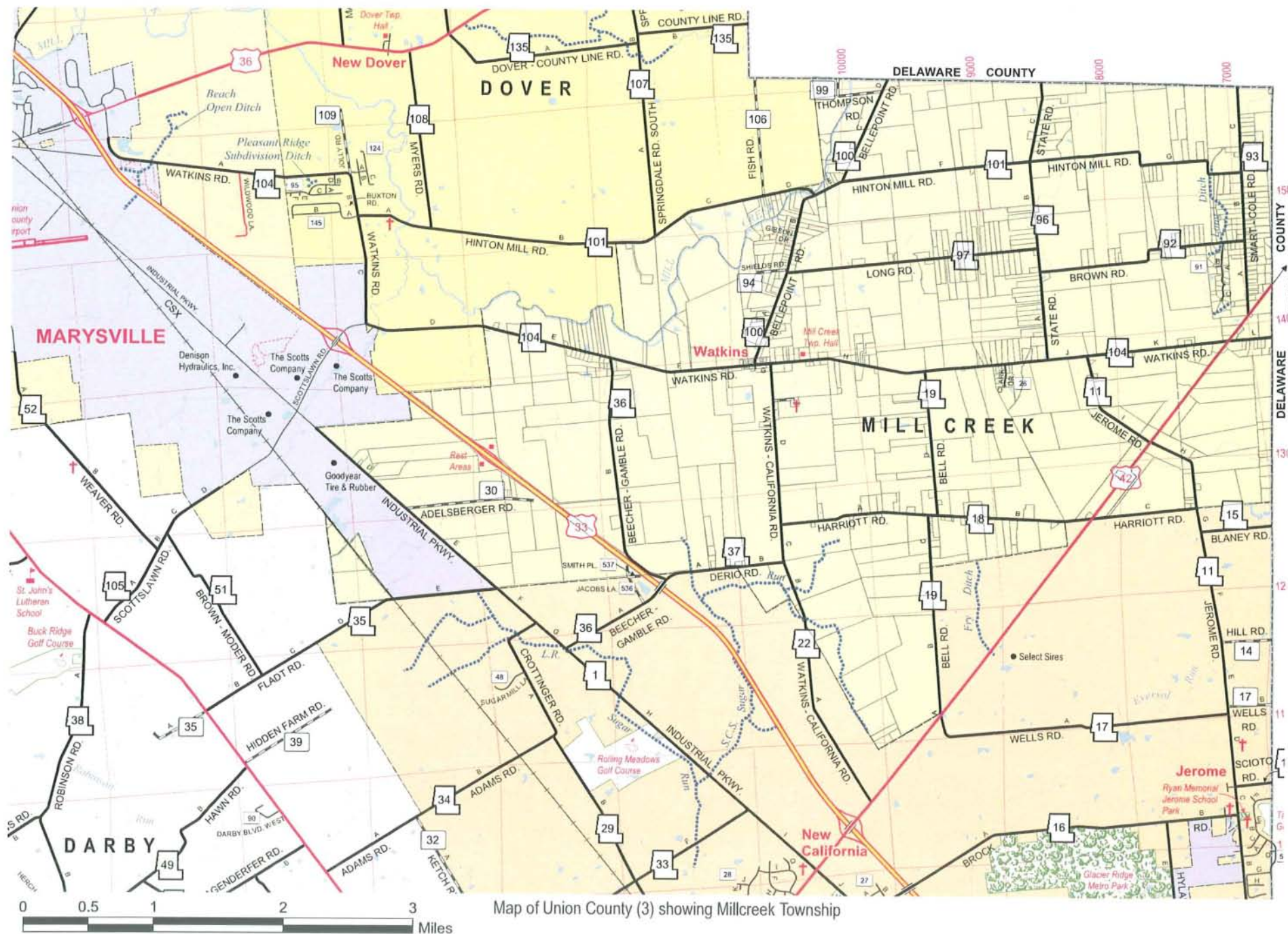
From a planning perspective, Millcreek Township is not actively seeking growth and development. The Township is proud of its rural heritage and is focused on preserving its high quality farmland. This is the same basic policy the Township held in 2004, when it began work on its first comprehensive land use and growth plan.

During the 2004 planning process, the City of Marysville announced plans to design a new waste water treatment facility to be constructed in Millcreek Township. At the same time, it was confirmed that a group of investors was considering a major development in Jerome Township, just east of US Route #42. Most believed that this proposal would spin off development in Millcreek Township.

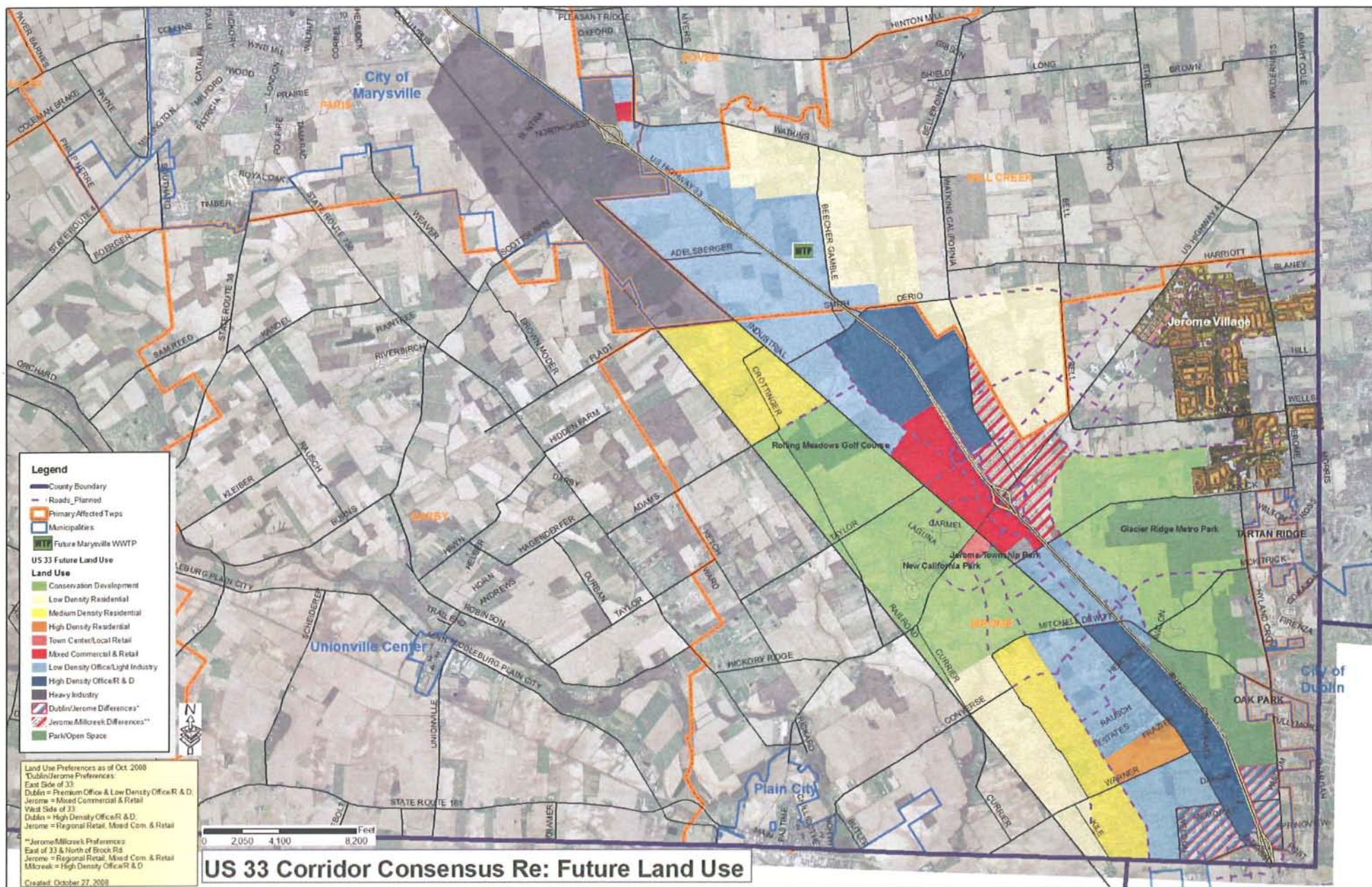
During 2007, an application to rezone 539 acres of land to Planned Unit Development was received by Millcreek Township. The mixed use project, known first as Glacier West and later renamed as Bayly Pointe consisted of more than 950 acres of land, with more than 400 acres located in Jerome Township. The entire development was located north of U.S. Route #33 and west of U.S. Route #42. The total size and scope of the proposed development brought the full array of development issues to the review table of Mill Creek Township. The Zoning Commission and the Township Trustees were occupied with joint and public meetings for more than year, until the late fall of 2008 when the developer withdrew the application in the face of economic recession.

Today circumstances are different for Millcreek Township. Even though the recession has stalled the development of subdivisions, office buildings and shopping centers, growth pressures remain and planning factors have changed.

Marysville and Dublin have been focusing on the future development of the Route #33 / Industrial Parkway Corridor, and they have been pushing their respective growth plans along the corridor toward each other. It seems as though they were



Map of Union County (3) showing Millcreek Township



each in a race to see which municipality would be first to extend utilities services and to possibly achieve annexation all the way to the Route #42 interchange.

The Mid Ohio Regional Planning Commission (MORPC) forecasts that development of the proposed Route #33 / Industrial Parkway corridor will produce 4.4 million square feet of new industrial space and 800,000 square feet of new commercial space. Dublin envisions that lands between Industrial Parkway and Route #33 will be developed for high quality research oriented office space, with supporting mixed use and commercial facilities. MORPC has projected that this development will spin off the demand for 3,600 new housing units, with 2,000 of those new units being built in Millcreek Township, south of Watkins Road.

This 2010 Supplement to the Township's existing comprehensive land use and growth plan is prepared in response to the changes in circumstances surrounding the Township. It will also update policies and set forth the refined positions of the Trustees, appointed officials, and residents of the Township regarding new development and the preservation of agricultural heritage and quality green space. A basic premise of this supplement is that Millcreek Township needs to be more proactive in planning and in establishing development guidelines if any new development will achieve the quality level and special identity desired by the Township.

MILLCREEK TOWNSHIP'S VISION

Millcreek Township is an agricultural community, working to maintain its heritage and character in the face of external development pressure. The Township's forward view is to maintain its form of government, to secure a future of perpetual farming, and to accommodate development only if it meets the Township's standards, which are premised upon sustainable planning and design, a high quality of construction, and a commitment to the preservation of natural features, agriculture, and an architectural character derived from the Township's own heritage.

The Township envisions that any development that should occur will leverage sufficient taxes to ensure the township has a balanced tax base, which allows the community to achieve high quality services, a top-notch school system, and the proper level of fire, EMS, police, and recreational services.

SETTING GOALS AND OBJECTIVES TO ACHIEVE THE VISION

The existing Township plan is premised upon a market oriented planning perspective which forms the framework for most of the plan's recommendations. This basis for planning responds to the market demand for land and for the development of various uses of land. The approach is desirable generally because it places the responsibility for absorbing costs for abating the impacts of development (including, but not limited to water, sewer, electric, gas, communication, fire, police, schools and emergency management) upon the developer and the owner (seller) of the land to be developed.

Development must pay for itself and enhance the Township's economic health.

Whereas Millcreek Township is not actively seeking growth and development, the objective of charging the responsibility to resolve the impact of growth to developers is completely consistent with the market oriented planning perspective.

The Township should adopt measures necessary to require developers to provide the following as part of their development proposals.

- Traffic studies where warranted.
- Roadway plans and improvements that meet the County Engineer's standards, and that minimize dead-end streets, achieving safe and well-managed traffic flow with no bottlenecks, and providing traffic calming features as appropriate.
- Plans for new streets should be laid out generally in response to topography and natural features. Street patterns should also be appropriate to the nature of the proposed development. A grid pattern, for example, would be appropriate within a town center development. Street plans must also meet the County Engineer's standards for dedication. Limited, low impact street lighting should be included with provision for paying the ongoing cost of power.
- Provision should be made for the incremental increase in demand for fire, emergency and police services, including the cost of new or expanded facilities, including emergency sirens.
- Provision should be made for the incremental increase in demand for schools, including classroom education as well as new sites and facilities. New school sites should be planned appropriately so that access will be provided from secondary streets, not major thoroughfares.
- Developer plans should specifically address the economic impacts to the Township for fire, emergency and police services, and for educational services and street maintenance costs which will derive from the development and growth in population as a result of proposed developments. This should be done in the form of an impact statement, and each development proposal should contain plans to offset the costs of such impacts to the Township.

Development must comply with the Township's managed growth policy.

Whereas it is the Township's policy to preserve wooded areas, green space and agricultural use within its limits, the Township should adopt measures to discourage premature development and to disallow development proposals that involve blatant land speculation that could cause cessation in farming. All development proposals requiring utility service infrastructure must include letters attesting to availability of services and certified engineering plans depicting how such services will be provided.

In future years when township staff could be hired to manage the program, a land evaluation and site assessment system could be established to provide objective measures of when agricultural land might be considered eligible for development. This program is explained in the appendix of this supplement.

Development must promote the use of land conservation principles.

Millcreek Township is not only not seeking growth and development; it is not supportive of typical suburban pattern development. The Township believes that typical single family subdivisions do not promote land conservation principles.

Whereas the Township may need to accommodate developments of various kinds,

the Township is focused upon planning policies that will prevent new development from looking like the typical developments found in every other community.

The Township should support the following types of development through appropriate zoning measures and development standards. Each type of development features opportunity for setting aside and preserving natural features and open space. Each is more fully explained in the appendix of this supplement.

- Conservation Subdivisions
- Cluster Development
- Hamlet Development
- Planned Unit Development
- Traditional Neighborhood Development

Development must achieve a balance among the various types of land uses.

Whereas the Township is seeking to preserve its agricultural heritage and rural way of life, it is expected that development demand will center primarily on various types of residential development. The Township believes, however, that a balance of uses will be essential both for its long term economic health, and for the convenience of residents. The Township should adopt the following policies, and it should adjust its zoning requirements as necessary to implement them.

- Various forms of commercial office and small retail uses could be accommodated within portions of the Township located most closely to Route #42 and Route #33. The Township should amend its zoning resolution to limit the size of retail floor space for single tenants to be no more than 65,000 square feet to support a neighborhood scale of retail development as apposed to typical "big box" development which can be found in several neighboring communities.
- The Township should be supportive of the development of a branch campus of a college.
- Development of research facilities, office buildings, and light, clean forms of manufacturing facilities would be appropriate on lands close to Route #42 and Route #33.
- The Township should support the development of limited well-located residential facilities for senior citizens, including independent living, assisted living, and nursing home facilities. (See appendix for definitions.) These facilities should be very accessible for police, fire and emergency services, and they should be within walking distance of parks and small convenience commercial outlets.
- The Town would support town center development within a larger mixed use project of higher density housing and institutional uses such as a church, a branch library, and a school. These developments should also make allowance for quality open space features such as a village green. See the appendix for a listing of town center planning principles which should be adopted.

Development must achieve the level of quality set through the Township's development standards and performance criteria.

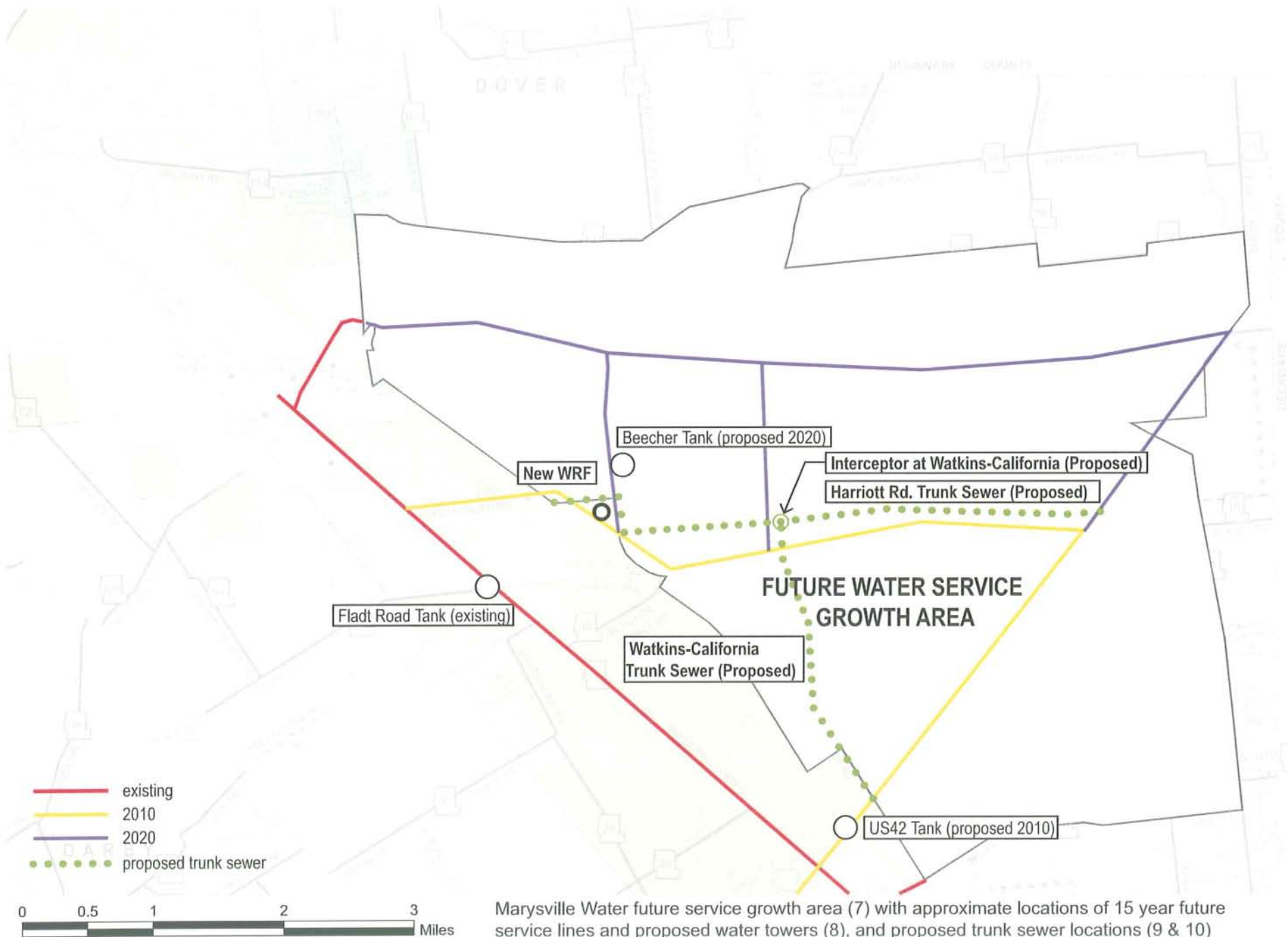
Millcreek Township is supportive of only high quality planning, design, and construction. The Township values sustainability and the conservation of energy.

- All new residential, commercial, and manufacturing developments should follow, as far as possible, the criteria advanced in the new LEED ND (Leadership in Energy and Environmental Design for Neighborhood Development) checklist by the U.S. Green Building Council.
- In 1992, the EPA introduced ENERGY STAR® ratings as a voluntary labeling program designed to identify and promote energy-efficient products to reduce pollution. All new homes built within Millcreek Township should achieve ENERGY STAR® ratings.
- Through the long review process of the proposed Bayly Pointe planned unit development in 2008, the Township determined that new development should be guided to achieve a unique character based upon the history of settlement in Union County and Millcreek Township, with a focus on the time frame of 1820-1860.
 - In the early years, building materials consisted of timber and indigenous limestone. All construction was of the post and beam or wood frame type. Siding consisted of wood boards.
 - Brick was introduced in later years of the suggested period.
 - The old mills of Millcreek were most likely grist mills, with one probably being a saw mill. Those were timber buildings set on limestone foundations with wood board siding.
 - There were no architectural styles during these years. Rather, buildings were more of a regionalist vernacular, derived from the original (Connecticut, Pennsylvania, Massachusetts, etc.) homes of the settlers.
 - The Township determined that the simplicity of the Greek revival style, the saltbox, and Federalist style would probably serve well as primary references for all new architectural design.
- Millcreek Township also determined that the planning of all new residential subdivisions should be guided so as to destroy as far as possible the visual sense of massed produced or builder housing. The planning and design guidelines set forth in the appendix should be adopted.

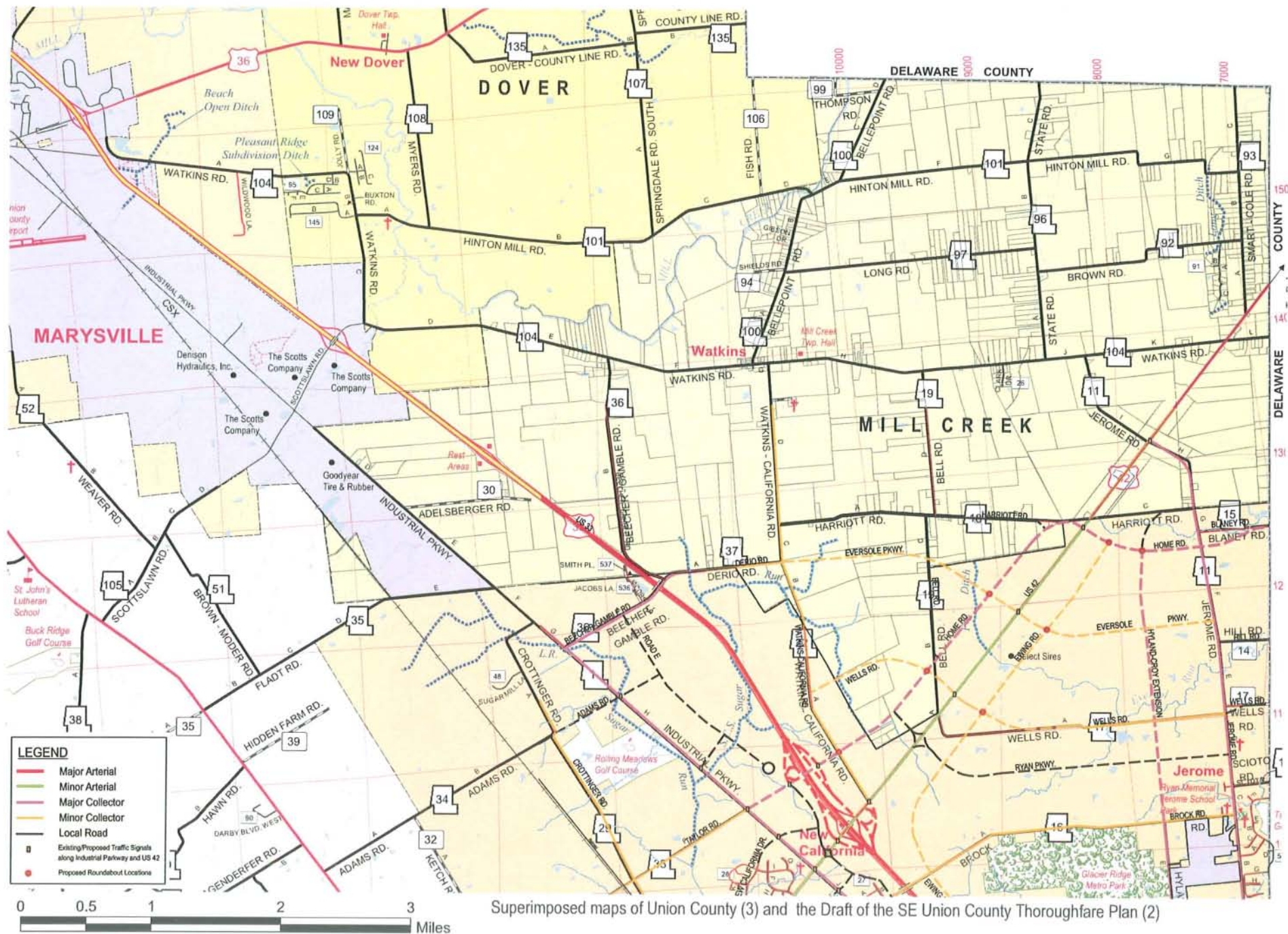
INFRASTRUCTURE UPDATE

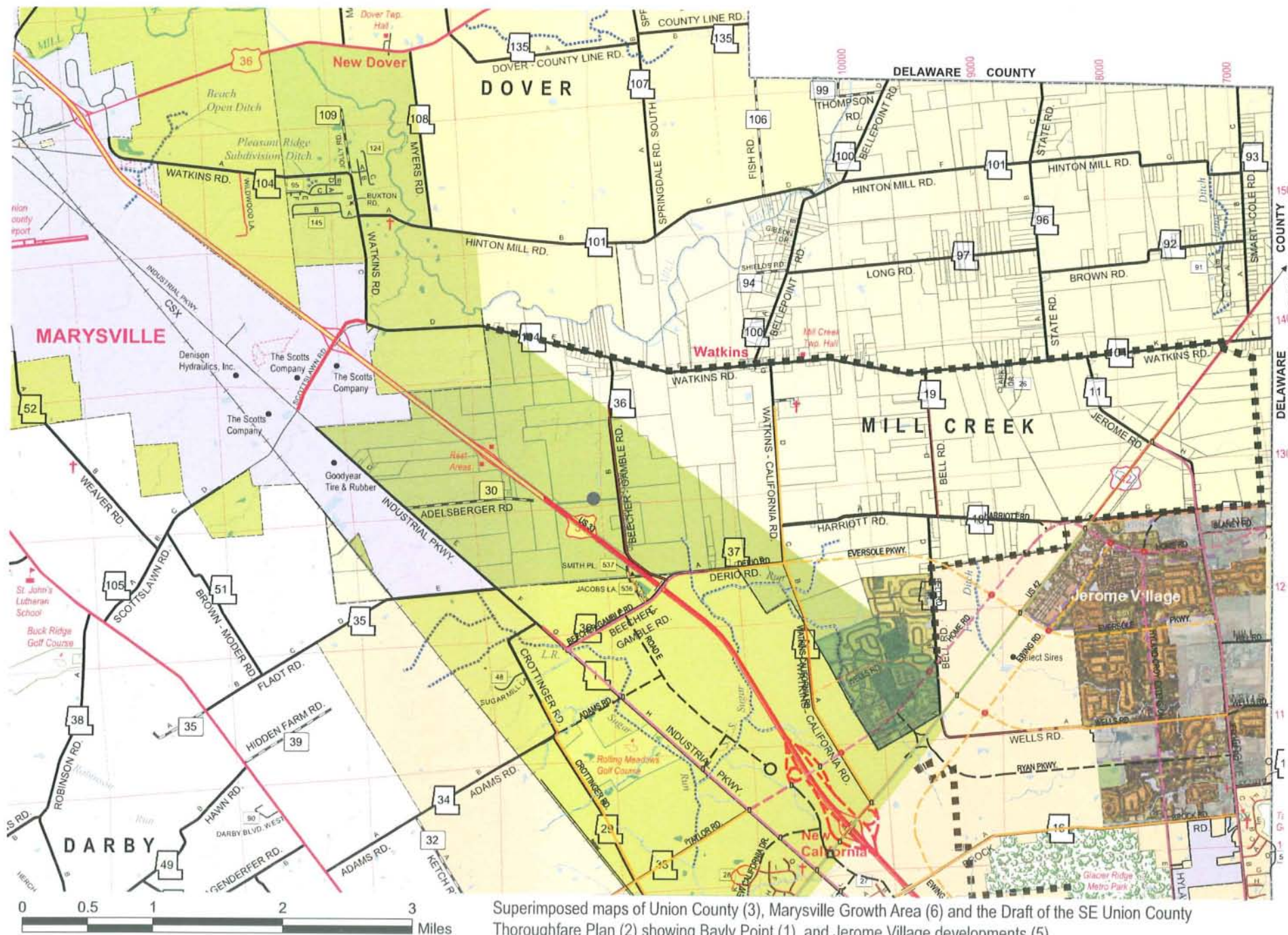
Infrastructure improvements and plans for future infrastructure improvements have been made in response to the growth plans of Marysville and Dublin. Development planning in Jerome Township has contributed to the overall projection of service demand. The following list highlights the elements important to Millcreek Township. See following maps.

- Marysville's waste water treatment plant has been completed, and is in service, and the City has defined a primary growth zone which extends through portions of Jerome Township and Millcreek Township, all the way to the fringe of Dublin along Route #33. The City has also defined an exclusive service area through the Township, encompassing all land south of Watkins Road.
- The long term plan for water service includes mains running east along Adelsberger, Derio, and Harriott, connecting the main in Industrial Parkway to a proposed main in Route #42, which will connect the Harriott main to the Industrial Parkway main. A new main is also planned for Watkins Road, along with a main that would follow Scottslawn to connect the main in Industrial Parkway to the main in Watkins Road.



Marysville Water future service growth area (7) with approximate locations of 15 year future service lines and proposed water towers (8), and proposed trunk sewer locations (9 & 10)





Superimposed maps of Union County (3), Marysville Growth Area (6) and the Draft of the SE Union County Thoroughfare Plan (2) showing Bayly Point (1) and Jerome Village developments (5)

- The City of Marysville announced plans for a new water tower in the vicinity of the intersection of Routes #33 and 42.
- Future water mains running north and south are planned for Beecher-Gamble Road and for Watkins-California Road. A second water tank is located along Beecher-Gamble Road, approximately halfway between Watkins Road and Derio Road.
- Marysville has announced that a future sewer trunk will run along Harriott Road through Millcreek Township, to provide service for the Jerome Village project in Jerome Township. A second trunk sewer is planned to follow Watkins California Road, from Harriott to Route # 42. The existing trunk in Industrial Parkway is planned to extend to New California.
- The Ohio EPA has issued a permit to install (PTI) sewer service to the Dublin fringe location, further south of the Route 42 interchange. This is being contested by Dublin, Columbus and Jerome Township.
- The Delaware County Engineer and the Union County Engineer have agreed upon a new alignment for the proposed Home Road extension. The new alignment was central to the Bayly Pointe PUD proposal, and it could prove to be pivotal in Millcreek Township's future development potential and land use development pattern.
- Improvements to, and alignment modifications for, various roads intersecting with Route #42 have been suggested in Jerome Township.

PLANNING STRATEGY

The Logan-Union-Champaign (LUC) Regional Planning Commission is in the process of updating the Union County Comprehensive Plan. The LUC also prepared a Future Land Use map entitled "US 33 Corridor Consensus," to reflect plan proposals of all jurisdictional members participating in the US 33 Corridor Group. See the following map. The Corridor Consensus on land use is a reasoned depiction of the development forces which have been at play just outside the limits of Millcreek Township. Millcreek Township's Comprehensive Land Use and Growth Plan should respond to these development forces, but most directly it should respond to Marysville's Growth Zone and its Exclusive Service area for utility services.

The total land area of Millcreek Township is approximately 21.5 square miles. The growth zone defined by the City of Marysville encompasses approximately 4.5 square miles of Millcreek Township, or approximately 21% of the Township's land area. Similarly, the Marysville exclusive service area encompasses an additional 7.1 square miles of Township land, or approximately 33% of its total land area. This leaves approximately 46% of the Township's land area (9.9 square miles) outside of the growth zone and utilities service area. Presumably, only the lands north of Watkins Road are expected to remain in agricultural use for an extended time.

Whereas Millcreek Township needs to plan for its own economic health and well-being, planning strategy must find ways that property, and perhaps other, tax revenue derived from development can remain in the Township. Developed land in the Township does not generate revenue for the Township if it is annexed to the City of Marysville or the City of Dublin.

Planning Strategy #1- Negotiate Joint Economic Development District (JEDD) Agreement (The Township should create a JEDD with one and/or more of its neighbors before any additional development pressure or a specific project is identified.)

The best opportunity for development of upscale business, high tech R&D facilities and / or offices resides within Millcreek's West Planning Area. These are the lands that are located between Industrial Parkway and the Route #33 corridor, near where US 42 intersects with US 33, and the lands located immediately north of the corridor, all of which are encompassed by the Marysville Growth Zone.

This is the location of the new wastewater treatment facility. This is the location from which all new trunk sewers will extend through Millcreek Township. Water service also exists along Industrial Parkway on the south side of Route #33. Any development of these lands would benefit from the smallest cost for utilities.

In the short term, the City of Marysville is having difficulty with financing sewer and water line extensions, because of the expense of the wastewater treatment plant. It seems to be reasonable for Millcreek Township to try to negotiate a joint development agreement with the City of Marysville. The communities would work together on sharing or leveraging fire, police, utilities and similar services. The Township could also explore the feasibility of lending its bonding capacity to extend water and sewer lines, in exchange for a long term agreement to obtain property and income tax revenues for this portion of Marysville's growth area. If Marysville is not willing to enter into a JEDD with Millcreek Township, then the Township should seek such an agreement with the City of Dublin.

New Community Authorities also offer revenue opportunity to townships. Millcreek Township should be supportive of development proposals that set up New Community Authority.

Planning Strategy #2- Focus on the Home Road Development Zone

In the short term, development of lands to the north of Route #33, at the Route 42 intersection, seems most likely. This is where the City of Marysville is proposing to construct a new water tower. The Bayly Pointe PUD proposal demonstrated the real potential for retail and development along the Route #33 corridor, and the feasibility of developing town center uses and medium density housing in Millcreek Township.

The southern tip of Millcreek Township's Central Planning area extends most closely to the intersection of Route #33 and Route 42. The revised alignment of the proposed Home Road extension extends through this area, and the alignment provided much of the potential for town center and office uses and mixed use developments in Millcreek Township. The future extension of Home Road will provide the Township with its most important roadway access, and the currently proposed alignment should be supported.

In the Township's 2005 Plan, it was recommended that a mixed use commercial center could be located at the intersection of Route 42 and Jerome Road, in the Southeast Planning Area. Town center planning principles were recommended as a basis for planning. While the concept was acceptable at the time, the suggested location for a mixed use center was reconsidered after the emergence of the Jerome Village development.

The Home Road Development Zone strategy calls for moving the concept of a mixed use commercial center to the very southern tip of Millcreek Township, to the location which had been identified in the Bayly Pointe proposal, close to Routes #33 and #42. The idea is that some proposal similar to the withdrawn PUD plan

would be more likely in this location than north of the Jerome Village project. The alignment of the proposed extension of Home Road will continue to add long term value. In addition:

- The LUC #33 Corridor Consensus should be amended to reflect this proposal.
- Millcreek Township should consider the purchase of parcels of land fronting the west side of Route 42 to ensure future roadway access to the future Home Road extension.

Planning Strategy #3- Implement a Land Preservation Program

This strategy is to actively focus an effort to designate and preserve woodlands, green space corridors, wetlands, important natural areas, drainage ways, and perhaps historic elements of the natural and agricultural landscape in Millcreek Township, instead of waiting for developers to accomplish these purposes through commitments made during a zoning application review process. The idea is that the quality of residential development increases when it exists within natural scenic areas that are protected, and will never become suburban pattern subdivisions.

The Township should collaborate with the Union County Heritage Land Trust or similar organization to explore the potential breadth and depth of such a program. Land trusts can explain tax benefits to farmers for dedicated easements which could forever prohibit access to lands from sections of frontage roads. There are also life estates gifting opportunities with estate tax benefits. The feasibility of establishing a transfer of development rights program could be explored. See the explanation of TDR and the discussion of land trusts presented in the appendix of this supplement.

From a planning perspective, it is possible that vast portions of the Township's Central Planning Area could become reserved forever as agricultural lands, even though the entire Central Planning Area exists within the City of Marysville's exclusive utilities service area. Such a potential could be of significant importance to the Township's potential in negotiating joint development agreements with Marysville.

Millcreek Township should seek grants to begin a land preservation program. Priority should be given to defining land areas to preserve for agricultural use, park land for active and passive use, bike paths, and natural scenic areas. This work would also allow planning proper locations for commercial, industrial, and research facilities development, as well as locations for conservation subdivisions.

PLAN CLARIFICATIONS

Population and Growth Projections

This supplement recognizes that the population and growth projections presented in the 2005 plan proved to be off target. The Township believes the latest LUC Regional Planning Commission's estimate of 1,487 persons is correct. The Township believes that growth will come in spurts, related to specific development proposals. The Bayly Pointe PUD, for example, would have more than tripled the number of single family houses in the Township.

The current economic downturn has, in the short term, changed all growth projections in Central Ohio. The Jerome Village project, for example, continues to

Legend

County Boundary

Roads_Planned

Primary Affected Twps

Municipalities

WTP Future Marysville WWTP

US 33 Future Land Use

Land Use

Conservation Development

Low Density Residential

Medium Density Residential

High Density Residential

Town Center/Local Retail

Mixed Commercial & Retail

Low Density Office/Light Industry

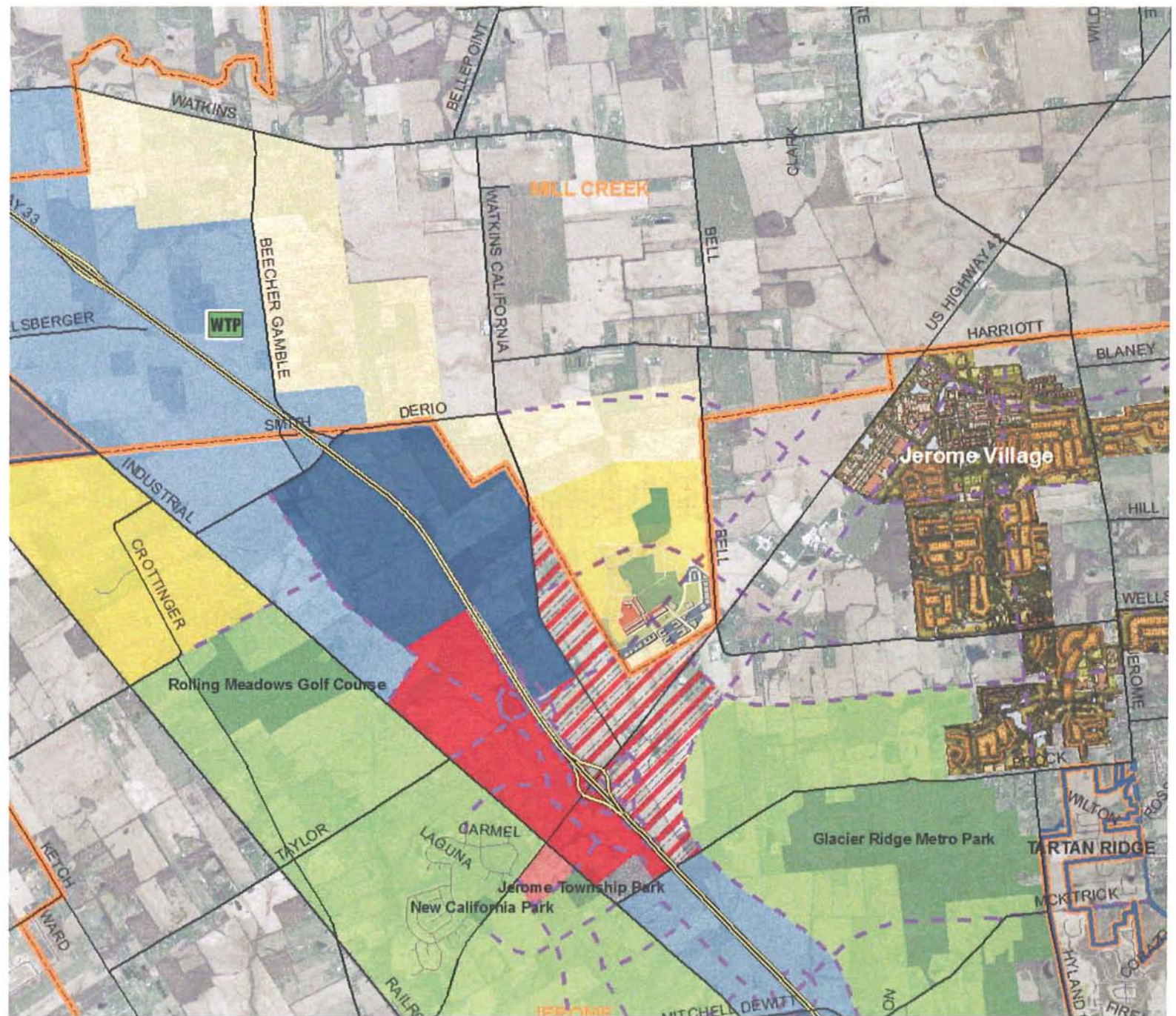
High Density Office/R & D

Heavy Industry

Dublin/Jerome Differences*

Jerome/Millcreek Differences**

Park/Open Space



Superimposed maps of Consensus Future Land Use Map (5) and suggested uses in former Bayly Point development area

draw interest from developers, but Jerome Township reports that Jerome Village may be the only source of growth for many years, and they expect slow going with the Village.

Density Discussion

Generally in rural areas without utilities, a development density of one house per 3 to 5 acres of land is permitted, depending upon the acceptability of soils for an onsite septic system. The Township's 2005 plan suggests two different densities for housing development with water and sewer service. Three units per acre, with utility services, are suggested on page 29 of the plan, and on page 33 a density of one unit per 2 acres is suggested.

Millcreek Township's zoning resolution permits one house for every 3 acres without services. In anticipation of future development proposals, the Township Zoning Commission and Trustees should consider setting a range of acceptable densities for the various types of development which are anticipated, or allow for higher density in some portions of large developments if overall density is acceptable. The 2005 plan also suggests that a 50% ratio of open space should be achieved. Although the various types of development that include land conservation suggested in this supplement might result in a different ratio, the Township continues to believe that the 50% ratio is reasonable, and it should be maintained. The Township's zoning resolution also addresses open space requirements for specific types of development.

ACTION PLAN

Township growth plans address a wide range of issues, and the recommendations they set forth often require a variety of implementation measures. It is customary, therefore, that several "Next Steps" are suggested. All have the same priority, which is why the following actions are listed by bullet point, instead of a numbering system. Ideally, each would be completed, or in the process of being completed, before the Township is confronted with any significant new development proposal.

- Obtain approval of the Supplement from the LUC Regional Planning Commission.
- Adopt the Supplement and Appendix by Resolution(s) as appropriate.
- Review the plan recommendations involving conservation subdivisions with the Union County Engineer to determine issues such subdivisions might raise regarding current Union County Subdivision Regulation.
- Review the Township's Zoning Resolution to determine changes that might be advantageous or necessary.
- Create a Joint Economic Development District (JEDD) agreement with one or more of the Township's governmental neighbors.
- Consider conducting an inventory of all critical and environmentally sensitive natural areas that should be preserved, including, but not limited to wooded areas, wet lands, bio-swales, and open space zones considered important for scenic or recreational value. This inventory should include lands that should be set aside for right of way for the future Home Road extension.
- Identify any Land Trusts or Conservancies that would be available to work with the Township, and hold discussions with them to determine their operating requirements.

APPENDIX

CONTENTS

- 1. Land Evaluation and Site Assessment (LESA) program**
- 2. Types of development that promote land conservation**
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 - c. Hamlet Development**
 - d. Planned Unit Development**
 - e. Traditional Neighborhood Development**
- 3. Living Arrangements for Senior Citizens**
 - a. Independent Living**
 - b. Assisted Living**
 - c. Nursing Home Living**
- 4. Town Center Planning Principles**
- 5. Planning and Design Guidelines for New Housing Development**
- 6. Transfer of Development Rights**
- 7. Purchase of Development Rights**
- 8. Land Trust**

LAND EVALUATION and SITE ASSESSMENT (LESA) PROGRAM

A land evaluation and site assessment system or program helps local, county and state officials to make sound decisions about the conversion of agricultural land to other developed uses. The conceptual framework of the system was developed by the Natural Resources Conservation Service of the U.S. Department of Agriculture, for the purpose of defining and protecting the best agricultural land. In operating the system within a local area, LESA offers planning value in the coordination of growth affecting land development.

The system involves point scores for various attributes in evaluating the agricultural productivity of land, and for evaluating the suitability of particular sites for development. Land evaluation is based upon soils data, and the point score system allocates 100 points across soils categories from least to most productive in agricultural use. The site assessment portion of the system allocates 200 points across a range of factors other than soils productivity that are measures of viability for continued agricultural use.

Site assessment addresses a broad array of factors. Examples are:

- Percent of land area within one mile of a subject site which is compatible with agricultural use.
- Percent of land area adjacent to site in agricultural use.
- Percent of perimeter of site that abuts existing zoning districts compatible with agricultural use.
- Degree to which existing roadways can bear the traffic that the proposed new use of the site might generate.
- Potential of the site to be annexed to a municipality or served by public water and sewer systems.

Site assessment point scores are assigned in reverse order. The more appropriate a site is for development, the lower the score per factor. A site easily annexed to obtain water and sewer services would get a point score of 0, whereas a site more remote from utilities would receive a point score of 20. Working systematically in this manner of evaluation, LESA establishes rankings of the best agricultural lands which should remain in agricultural use.

With a maximum point score for Land Evaluation of 100 point, and a maximum point score for Site Assessment being 200 points, a typical LESA system will result in a summary guideline for evaluating zoning and development requests to convert farmland to other uses. A sample guideline would be as follows.

- 215- 300 points High Rating for Farmland Protection
- 185- 214 points Moderate Rating for Protection
- 184 or below Low Rating- Suitable for Development

Establishing a LESA System requires the assistance of professionals and collaborative work with the public officials who would manage the process.

TYPES OF DEVELOPMENT THAT PROMOTE LAND CONSERVATION

Conservation Subdivisions - Similar to the sale of 5 acre out lots by farmers who have financial needs to meet in a given year, the conservation subdivision involves the development of only part of a property, generally the part with the least natural or cultural value. The idea, also known as limited development, is to balance the financial needs of an owner with land preservation.

Protection of the land portion set aside for preservation is not assured unless the conservation subdivision plan includes a conservation easement for the land to remain in its natural state. The tax value of the easement could be realized if the easement is given to a conservancy. The land to be preserved could also be gifted to a conservancy for maximum tax benefits.

Cluster Development – This concept generally requires a different zoning district, because the idea is to cluster all of the housing units, which would be permitted on a tract of land, on one portion of the land, preserving the balance of the tract as open space. This is why cluster development is sometimes referred to as cluster zoning.

Cluster development embraces a higher density for the developed portion of the site, in exchange for leaving the scenic or environmentally sensitive portion as open space. This actually minimizes the environmental impact of development upon the natural landscape, and it minimizes the developer's cost of providing public services. The total length of streets, water lines and sewers is diminished when houses are located more closely together, while the total number of housing units remains the same.

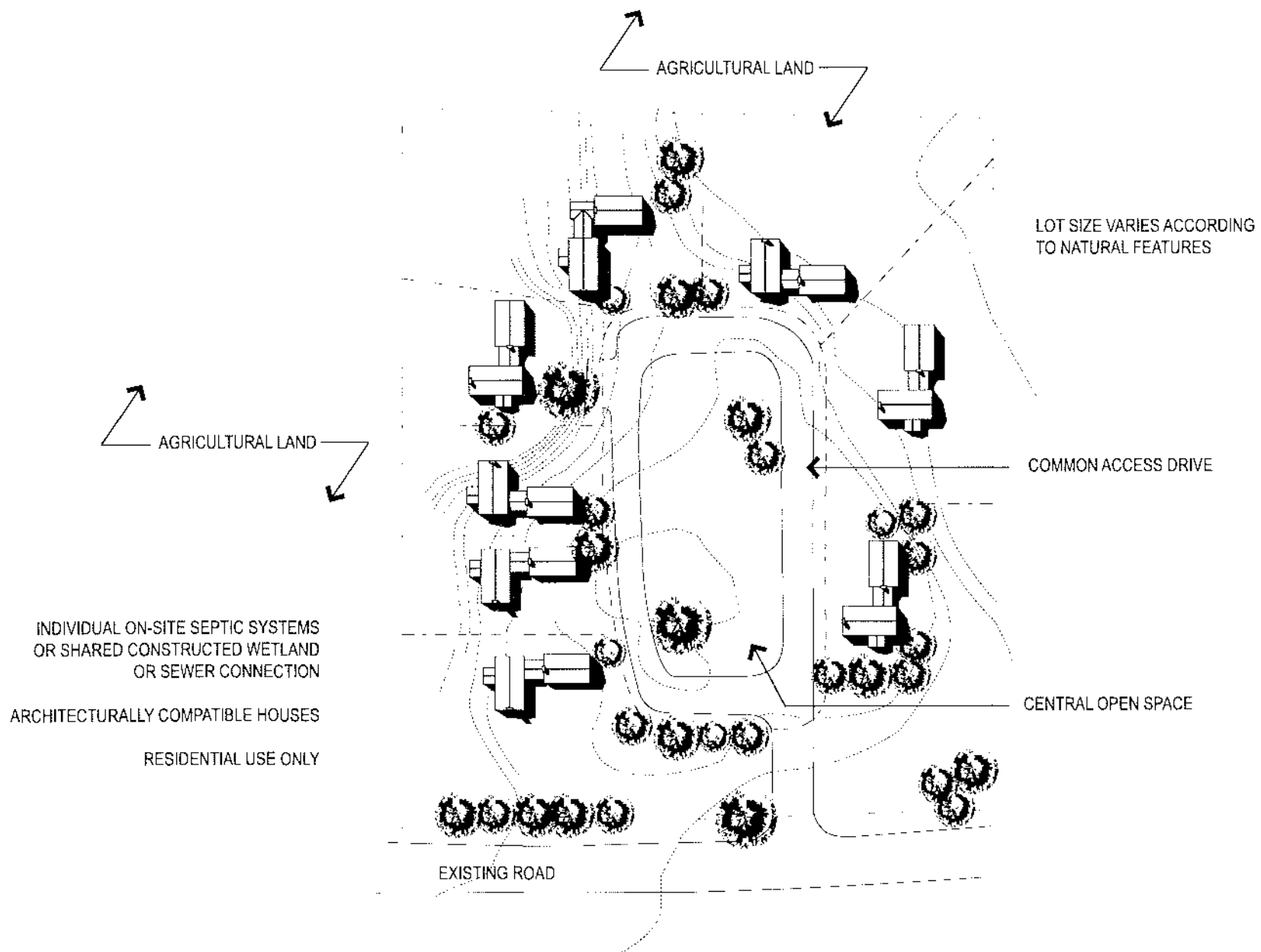
Cluster development strikes a balance between growth and open space preservation. New development actually provides (pays for) the protection of open space. Home buyers in the development generally perceive the subdivision to be more valuable, because many of the natural features of the land will be preserved. The open space is often owned by a homeowners' association, but it could be gifted to a land trust or to a unit of government.

In areas lacking central utility services, cluster development can cause problems. Higher densities on a portion of a large tract could prevent adequate recharge of well water. Likewise soil conditions might not support adequate septic system operation with housing units clustered onto a portion of the site.

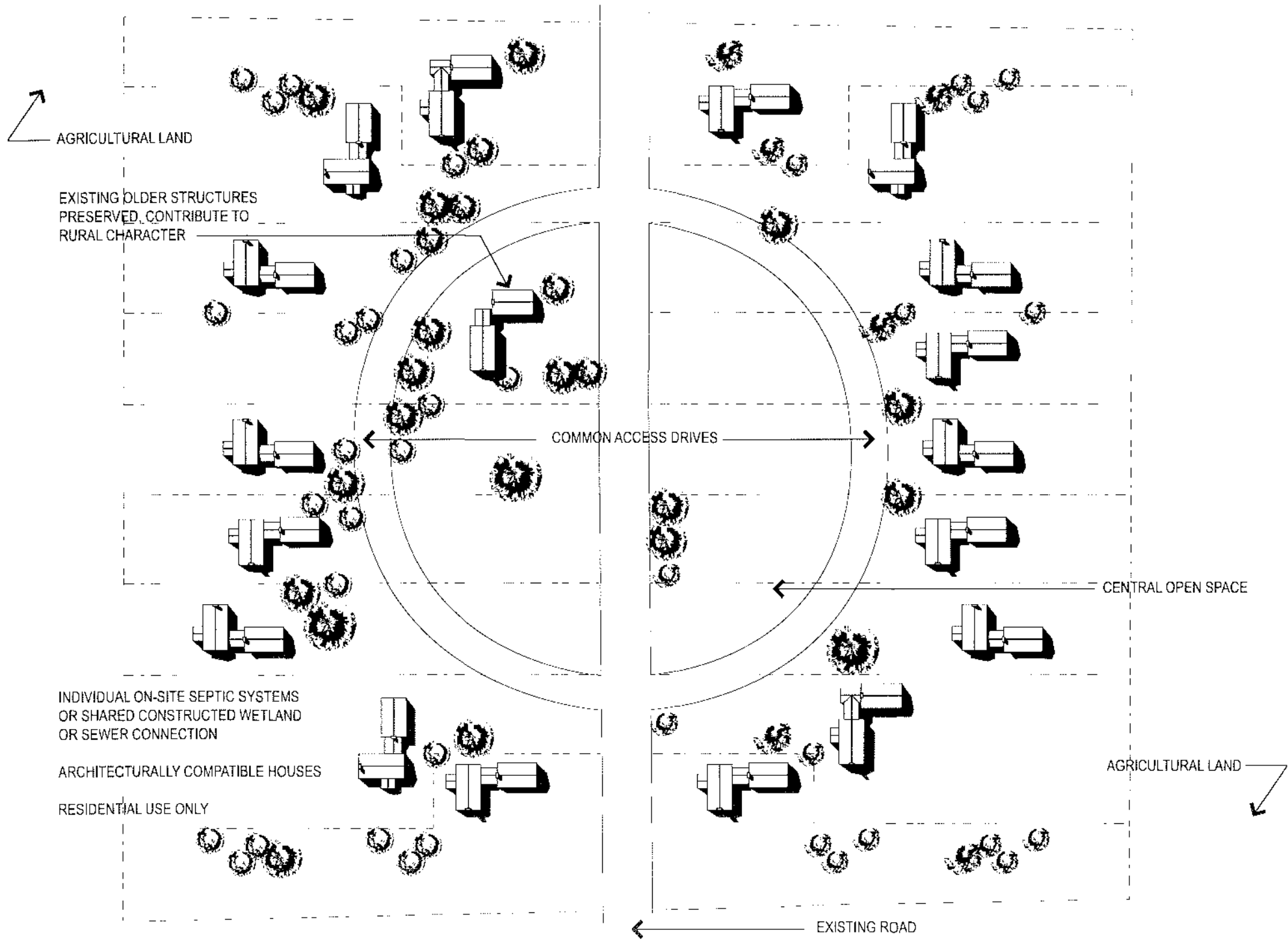
Hamlet Development – In Ohio, hamlets are small, primarily residential, rural settlements, often located at the intersection of rural roadways. A church, school, or small general store with gas pumps are the customary non-residential buildings within rural hamlet in Ohio. Watkins is an example of a traditional hamlet. (In other parts of the Country, hamlets are much larger and are treated similarly to planned unit developments.)

The development of new hamlets is based upon the scale and extent of historic examples, and range generally in size from 10 to 25 acres. The planning of new hamlets addresses issues of concern in modern rural environments, which include heavier flows of vehicular traffic on rural roads.

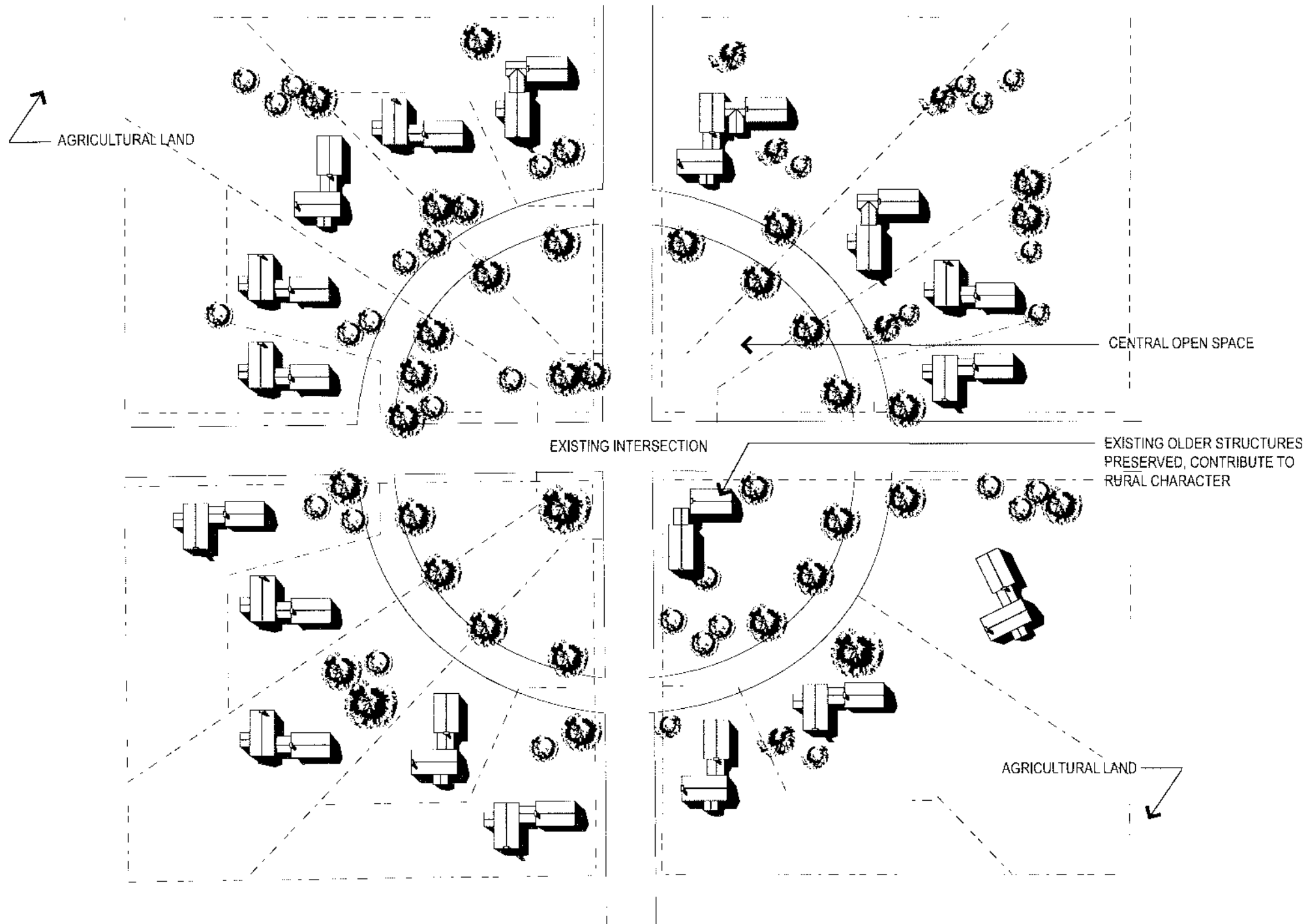
- New housing units are generally clustered, arranged irregularly, or configured to give the sense of having made a place.



FARMSTEAD
CLUSTER HOUSING
OFF AN EXISTING ROAD



HAMLET ON AN EXISTING ROAD



HAMLET AT AN EXISTING INTERSECTION

- A plan for shared access is devised so that every housing unit does not require its own roadway access and drive.
- Whereas housing units are generally clustered, hamlet plans set aside open space and natural features to form a setting for the entire development.
- New hamlet plans require central utility services.

Planned Unit Development – The PUD is a type of development which combines a variety of housing types, sometimes adding commercial or other land uses within a single plan. The PUD provides an alternative to the more standard, lot by lot subdivision of land in which zoning regulations define lot size and building placement. The PUD actually combines aspects of zoning regulations and subdivision requirements, providing the developer the opportunity to vary standard lot sizes, locate streets and open space or natural features, and defines development standards for individual portions of the plan, and for the overall plan. A single PUD plan may combine cluster development in a portion of the land, with standard subdivisions in other portions. This flexibility in planning also allows various aspects of land conservation where appropriate, including designating natural areas as reserves, declaration of scenic easements, and the design of neighborhood parks.

Planners and engineers have always favored planned unit development, because the PUD usually encompasses hundreds of acres, thus permitting a greater degree of planning control for the public planner than trying to coordinate many small development proposals with many owners.

Traditional Neighborhood Development - (TND) is a specific form of a Planned Unit Development which is based upon the development pattern of historic (circa late 1890's and early 1900's), American towns. The planning concept is to plan a mixed use development where civic, commercial and residential buildings are laid out in close proximity to each other, for the purposes of achieving a walkable, pedestrian friendly and convenient place to live with a sense of community.

Also called "Neo-traditional Development," and often "New Urbanism," The TND refers to a pattern of development that also mixes housing types and price ranges (rather than grouping like houses in pods); possesses an interconnected street network (rather than relying on dead-end cul-de-sacs); provides the essence of a community center with civic spaces such as a village green with small shops; and achieves a human scale and social design that emphasizes front porches and tree-lined sidewalks, with garages located in the rear of houses with alley access. TND plans are directed toward solving the problems of typical suburban development, including separation of uses, social isolation, over-reliance on the automobile, and traffic congestion.

Communities that have resolutions or ordinances that permit traditional neighborhood development generally allow TND as an alternative to land use zoning development options. Within the National Road study corridor, St Clairsville and Columbus provide TND as an alternative for developers to use.

LIVING ARRANGEMENTS FOR SENIOR CITIZENS

From a community planning perspective, the most significant trend in America is the growing proportion of the national population that is 65 years of age or older.

This segment of the population is also growing the fastest throughout the developed world.

In the United States, it is estimated that 12 percent of the population was over 65 in 2000, and the Census Bureau estimates that by the year 2030, this percentage will grow to more than 20 percent. If correct, this predicts that 71.4 million Americans will be 65 years of age 22 years from now.

The magnitude of this change, journalized generally as the aging of the baby boomer generation, will impact every community in America in many ways. The elderly segment of the population is currently the wealthiest, but it is estimated that only about half of the "boomers" will be able to maintain their standard of living. It is estimated that one in four of these seniors will become dependant upon government programs. Estimates predict that there will need to be twice as many physicians specializing in geriatrics to serve the elderly population, and 500,000 more nurses by 2020. There will certainly be a need for the development of senior housing communities.

In senior communities, there are three levels of "help" available. Then there are extras, which blur the lines. In all senior communities, the point is to add services and activities to keep quality of life high and full – but remove the hassles. Therefore, lots of "specials" are available which can keep someone who needs active care in an "independent" category. You can buy round the clock nursing, or an hourly companion. The companions, may help around the house, read aloud, run errands, or escort on a jaunt around the facility.

Independent Living - Residents have an apartment or a house of their own, configured in a variety of ways. The unit could be in an apartment building with an elevator. It could be one of several clustered cottages located around a community and administration building. Units are usually one floor units, complete with kitchen, bath and living space. If you are a resident, you are truly on your own. If you want cable or internet service, you get it like you would in an apartment building. In most senior communities, maintenance and housekeeping are provided as part of your monthly charge. So that is eased, but all of the rest of the logistics of life are there for the resident to manage if that's what they wish.

The community has dining rooms, health facilities and nursing support, outings, and concerts, but residents initiate participating in them. Most independent living facilities have a check in system of some type. Some have "help buttons" everywhere, and if a resident happens to leave the phone off the hook, a staff person arrives in seconds to check if everyone is fine. Some facilities operate a phone- in system, whereby residents are asked to phone security by 10:00 am, each morning.

Assisted Living - most typically, would be hotel like relative to the physical facilities. Residents have a room, or a suite, with a bath and some storage, but they would not have a kitchen. Like in a hotel, however, there might be an area for a coffee maker and a little fridge and maybe a microwave. With the "apartment" comes lots of close by community living. There are craft rooms, living rooms, television rooms, a library, dining rooms, and terraces all very close. These facilities are used by all residents of the assisted living unit.

Nursing staff will be on all floors at all times. There will be aids, to help residents get dressed, push wheel chairs, be close when using a walker, or get to dinner. Laundry and all personal care services are handled by the facility. They will make sure haircuts and pedicures happen if that is the typical for the individual. In

assisted-living, the furnishings will likely be mixed – the facility provides some (bed and dresser if you need it) but provides “space” so the resident can have some familiar possessions, like a chair-side table-lamp, computer desk, or photo’s and art. Assisted living facilities will also likely handle all medications. They will dispense them, and they have nurses for this purpose. Residents likely do not have a bottle of aspirin in the medicine cupboard, but can go to the nurse and ask for one.

Nursing Home Living – Living in a nursing home is like living in a residential clinic. Full skilled nursing care is present 24 hours a day, 7 days a week. Each resident has a bedroom, which is a disguised nursing care room. Residents are encouraged to bring their keepsakes, and favorite small furniture pieces. Residents are generally grouped in wings within the facility according to similarity in age related conditions. A given wing, for example, will have residents who remain very active socially. Another wing may be a dementia unit, where supervision is added to keep track of folks who might wander.

Nursing home facilities look like one story hospitals with many wings to permit day lighting to all rooms. There are dining facilities, and social areas for residents, and usually a large living room for use when family members visit a resident. The facility is usually surrounded with landscaping and many outdoor terraces for use by residents and guests during visits.

TOWN CENTER PLANNING PRINCIPLES

Whether large or very small, the Town Center takes on the role of serving as the vibrant heart of its community. It will have shops and offices, and provisions for social activity and entertainment. It will also be the place for parks, and a central green. Public parks a central green provide the lawns or setting for public buildings, like a library, a village hall, or a church.

Town center zoning needs to allow a great variety of uses to mix all together, and it needs to allow mixed uses within single buildings, for example offices or apartments above shops. Town center buildings need to be at least two stories in height, and they need allowance to be three or four stories in height. Medium and high density housing (12 to 16 units per acre) should be permitted within town center districts, because town centers need a built-in resident population to remain viable. Provisions in the zoning resolution should also be made to permit projecting name plate signage, sidewalk sales, and outdoor dining.

While needing to accommodate the automobile and delivery vehicles, town centers should be designed for the pedestrian and outdoor social activity. There should be places provided for sitting and talking with friends. Restaurants and food establishments should provide places for outdoor dining. Because of public sociability in town centers, layout of the street network is very important. To a real extent, each street within a town center is also a pedestrian way. Sidewalks and tree lawns are important elements in designating pedestrian priority, and in providing the sense of security for pedestrians.

- Town center planning should focus on streetscape and landscape design. Street trees, street lighting and street furniture are important elements that encourage the “walkability” necessary to activate town centers with a constant flow of patrons. Street lighting should be directed downward to avoid light pollution.

- Facilities should be provided for people arriving by bicycle, and there should be provision for marking bike lanes on designated streets.
- Public Buildings should front parks or the common green, and they should be sited so as to terminate the views of motorists arriving by public road, and so that they can serve as landmarks for the Township.
- In town centers, parking is always shared, unless in the form of individually owned garages. A small amount of parking should always be located in the front of shops, but the bulk of all parking should be located behind buildings.
- Parallel parking along curbs should be encouraged in town centers. Curbside parking is the oldest form of parking in American towns, and it separates streets from walkways, providing a great sense of security for pedestrians.
- Provision must be made for wheelchair curb ramps and accessible entry to business and public buildings.
- Provisions must be made for a project "postal facility", a project mail drop point, particularly given that the US Post Office will likely deliver mail only to a certain number of locations, not individual merchants and businesses.
- Parks and the central green should be designed as well as landscaped, and furnished with civic equipment and facilities, if people are expected to utilize them to their full potential.

PLANNING AND DESIGN GUIDELINES FOR NEW HOUSING DEVELOPMENT

In rural areas there are very few elements of the natural or manmade environment that are either regular or geometrically aligned. Even the regularity of furrows in a field becomes visually modified by stands of trees, drainage ways and topography. It is no wonder that a new single family subdivision built within a rural area seems out of place and totally contrived, as though made by a machine.

The sense of being out of character is to a large extent the fault of developers and builders who's main objective is to get in quick, build fast, sell out fast, and move on to the next project. This seems to be particularly true for the first subdivision in a rural area. Townships zoning commissions and trustees usually see the result of production building as lower in quality than is acceptable, and the standard response to seek higher quality is to change requirements to cause larger houses.

The fact is that by requiring larger house sizes, zoning commissions and township trustees could actually cause lower quality, because the production builder will try to achieve the same sale price which was set by his marketing research. The truth about quality in construction is that the **most basic ingredient of quality is design and the proper use of materials.**

This works against the production builders, who want to use an expensive material on the front facades of houses, some combination of materials that cost less on the side facades, and the cheapest materials on the rear facades. They also prefer to load up houses with glitter and fancy appliances like Jacuzzis to increase sales.

Millcreek Township should change the basic assumptions and the requirements for planning land subdivisions for residential development. All future subdivisions should conserve open space and natural features, and they should provide large and small parks for public use. All such parks should be landscaped in accordance with Millcreek Township's commitment to tree communities. The Township should also focus on design requirements that will cause higher quality in construction.

This effort begins with finding ways to destroy the visual sense of production building, and suggesting guidelines to help builders devise designs and other ways to make their developments appear special, as though they were custom designed.

- All garage doors should not front the street. Some should be side loading in a development, or to the rear of houses. This would allow some houses to have a Porte-cochere, or carriage porch, maybe with a room above.
- Houses should not line up like little soldiers along the street. Zoning regulations should require that setbacks should be varied.
- Regulations should be changed to cause lot widths to be varied. For example, if the standard lot width is now 90 feet in a given zoning district, regulations should be changed to require that some lots would be 80 feet, and others 100 feet, with the total of all widths averaging to 90 feet.,
- Production builders should be required to devise a variety of new plans, with some that are long and skinny, so some houses could be sideways and make some lots seem to be wider and less regular.
- All four facades of every house should be designed to use the same material. If the house is brick, all four sides should be brick. If it is vinyl siding with wood trims, all four sides should be the same. If a house is designed so that there are "wings" or ground floor "pieces" then these bits could be a different material, visually indicating a later addition. No façade should consist of a mix of materials. Vinyl-sided houses with wood trim should be limited to no more than 30% in any given development.
- The Township should encourage the use of timber, wood, stone, and brick masonry as façade materials, to provide a visual connection with the Township's history.
- The visible portions of foundation walls are important. There should be no visible, poured concrete foundation walls or concrete blocks. Builders should be required to provide stone veneer on the visible portions of foundation walls, as this is also a tie to Millcreek Township's history.
- Many builders provide house designs with rear yard decks. Decks are fine, but raised decks can be out of character in rural areas if they are elevated two feet or more on posts, unless the lot topography requires a change in elevation. Elevated decks should be surrounded by stone or masonry walls or landscaping. Rear yard terraces are more appropriate on flat sites and in rural areas, and some percentage of the houses in a development should be required to have front porches, and there should be an additional percentage of houses required to have a front yard terrace.
- The first floor of some houses should be lifted more than others above grade. There should be no "ranch" plans that seem to be stuck into the ground at grade.
- At least 10% of the total lots in a development should be set aside for custom- designed houses. Buyers of these lots would hire their own architects and contractors and do something special.
- All new houses should have full basements.
- Rear yard storage sheds should be prohibited. Garages can be made larger initially to allow storage functions, or garages can be planned to accommodate future additions for storage purposes.
- Privacy fences might be appropriate in town center developments of greater density, but such fences are out of character on rural single family lots. Landscaping should be used to provide privacy if privacy is necessary. Fences may also be appropriate in a PUD, particularly if clustering places housing units close together. In such instance, the fences should be standardized, maintained and well landscaped.

- House plans for corner lots should be different from the plans built on interior lots.
- Millcreek Township should define a standard street sign, and developers should provide them for their developments. Millcreek Township desires to become a "tree community", and therefore, plans for all residential developments should include land set-asides for active and passive parks, as well as natural wooded areas and green space corridors.

TRANSFER OF DEVELOPMENT RIGHTS

The transfer of development rights (TDR) is one of the most commonly used tools to preserve natural areas such as woodlands, wetlands, and drainage ways, and to preserve active farmland. The concept works best when a community knows which natural areas and which farmland tracts it wants to preserve in the face of development pressure, and which locations can most readily and desirably be developed for other land uses.

The program begins by designating "sending zones" and receiving zones," much like identifying future land use designations. Sending zones define areas that the community wants to preserve, and they include critical natural areas and important tracts of farmland. Receiving zones correspond to land areas that the community has defined as appropriate for development. These zones are mapped in the same way that a community prepares a zoning map to control what types of development can be located in various places. These decisions in a township would be made by the Zoning Commission and Township Trustees.

The concept is based on the idea that the ownership of land in fee simple (absolute ownership) consists of a bundle of rights, which include the right to privacy, mineral rights, the right to develop the property, as well as the right to sell, among others. The TDR process begins by assigning a value to the right to develop the land. Each parcel of land throughout the township is assigned a specific number of development rights, based upon the township's zoning resolution and the availability of utility services. For example, farmland without utility services might be permitted one housing unit for every five (5) acres, and farmland within a utilities service area might be permitted two housing units for every two acres. In a township, the assignment process would be controlled by the Zoning Commission and Township Trustees. Once assigned, these development rights can be bought or sold, and the residual property rights, including the ownership of the land remain with the owner.

TDR operates as follows. The lands in a designated sending zone have been assigned a development density limit, or total number of housing units. Lands within receiving zones are also permitted a density limit based upon existing zoning. If a developer who owns lands within a receiving zone wants to develop his property at a higher density than he is permitted under existing zoning, he must purchase development rights from an owner of land within a sending zone. Land owners in sending zones thus have a new option to developing their own property. They can sell their development rights in an open market to a property owner in a receiving zone, and they can retain ownership of their land.

Developers of lands in receiving zones have a method to pursue to achieve their objectives. The community, which has defined where higher density development is appropriate, has a means to implement their development and growth plan. Once the development rights to a land holding have been sold, the land can no

longer be developed, and the community has the added benefit of having preserved important natural area or farmland.

The TDR program works best when a conservancy or land trust issues certificates for development rights. This process allows for a conservation easement to be transferred to the conservancy or land trust at the closing of the sale of development rights.

PURCHASE OF DEVELOPMENT RIGHTS

The purchase of development rights (PDR) is a tool used primarily for the preservation of farmland. The right to develop land is one of many rights of fee simple ownership. Similar to the sale of mineral rights, and owner can sell development rights, and retain ownership of the property.

In locations where a PDR program is in operation, a land trust (or conservancy), a local government, a state government, or a not-for-profit foundation will actively seek to purchase development rights of prime farmland for preservation purposes. Landowners are free to turn down offers to purchase development rights, but some farmers who are finding it difficult to make annual profits, and others who are nearing retirement, find the idea to be advantageous.

Sprawl continues in America for the principal reason that farmland on the fringe of urban areas has a lower value than subdivision developers are willing to pay on a per acre basis. It has been customary, for example, that developers are willing to pay \$5,000 per acre for farmland that is worth \$2,000 per acre in agricultural use. In this case, a PDR offer would be to pay the difference of \$3,000 per acre to secure development rights, and the farmer would retain ownership of the land. If such an offer would be accepted, a deed restriction would be placed on the land which would restrict the types of uses that may take place on the property in perpetuity. The deed restriction could also be called a conservation easement.

The principal disadvantage of PDR programs is that they require vast sums of cash to preserve extensive farmland acreage.

LAND TRUST

A land trust is a private, non-profit conservation organization. Also known as conservancies, land trusts work to protect community assets such as the following:

- Wetlands and wetland areas;
- Ecologically sensitive lands such as aquifers and estuaries;
- River banks, watersheds and coastal zones;
- Productive agricultural and forest land;
- Natural scenic and recreation areas;
- Natural resources such as lakes or rivers;
- Historic sites; and
- Wildlife habitats.

Land trusts work to protect natural area and agricultural land assets in several ways. They protect resources by acquiring ownership. They purchase conservation easements, and receive them through gift. Land trusts also actively work to facilitate the transfer of ownership of lands or easements to other conservation organizations that will ensure protection.

Land trusts utilize a variety of tools and negotiating techniques to achieve their acquisitions. These include the following:

- Pre acquisition- Property is purchased and held by the land trust until another entity, such as a county, city or village can allocate funds to buy it and place it under permanent protection;
 - Rights of First Refusal- A purchased right to match any third-party offer to acquire a property;
 - Conservation Easement- The purchase of certain rights, such as limitations of extent or density of development, or land use restrictions;
 - Bargain Sale- An arrangement whereby a landowner can obtain the same economic benefit of outright sale and paying taxes on gains, by donating part of the land for tax benefits, and selling the balance.
 - Outright Donation- An arrangement whereby a land owner donates land to a conservation organization in exchange for the right of lifetime use.
- Another option is for an owner to will the land to a land trust.

There are other techniques as well, but the idea is that a conservancy would work to develop creative ways to preserve resources that would meet the needs of landowners, the land trust, and the larger community.

Land trusts generally are run by local citizens, and they rely upon volunteer labor. They are often not well funded, and for those that are not, maintaining administrative continuity often becomes problematic. The general public is often apathetic to the causes and work of land trusts, and promotional efforts are usually essential to maintain viability.

Land trusts offer important advantages, however. They are private, and much more flexible and nimble in business dealings than units of government. They are non profit organizations, and they do not pay taxes. Donations to land trusts are tax deductible.

MAP REFERENCES:

- 1 - Bayly Point Site Concept, Exhibit B, September 24, 2008.
- 2 - SE Union County Thoroughfare Plan DRAFT, revision 05-15-2008, Union County Engineer.
- 3 - 2003 Union County Highway Map, Union County Engineer,
<http://w2.co.union.oh.us/Engineer/engineer.html>, 2009-08-07
- 4 - Millcreek Township Future Land Use Plan, 2006, <http://www.unioncountyed.com>, 2009-08-07
- 5 - US33 Corridor Concensus Future Land Use Map, www.lucplanning.com, 2009-08-07
- 6 - City of Marysville Growth Area, 9/6/2005.
- 7 - City of Marysville Water Master Plan, 2005. Figure H-1, "Marysville Water Distribution System Existing (2005) Network Model"
- 8 - City of Marysville Water Master Plan, 2005. Figure IV-I, "Marysville Water Distribution System 15 year Future Expansion (2020) Network Model."
- 9 - City of Marysville Wastewater Master Study Update, August 2007. Figure G-1, "Proposed Harriott Road Trunk Sewer Alternatives I & III"
- 10 - City of Marysville Wastewater Master Study Update, August 2007. Figure G-3, "Proposed Watkins-California Trunk Sewer Alternatives I & III"
- 11 - US33 Corridor Composite Utility Plan, taken from City of Marysville Wastewater Master Study Update Appendix

OTHER REFERENCES:

- <http://www.mnland.org/pdf%20files/cdp-jacksonmeadow.pdf>
<http://www.coenpartners.com/work/community/jackson-meadow/>
<http://www.mnproject.org/pdf/ccschapters/jackmead.pdf>