

OTHER APPROACHES TO MANAGING POLLUTANT SOURCES

Laws and Land Use
[Chapter 10.2]

Rules of Thumb

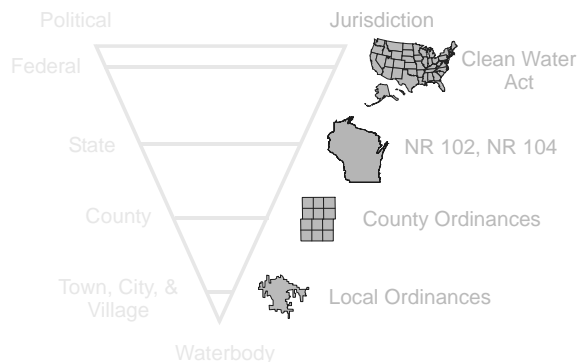
Rule 1

One management measure alone rarely achieves the desired result.

Rule 2

Both structural and non-structural measures are frequently required to achieve the desired result.

Political and Jurisdictional Hierarchy



Legal Approaches

- General Zoning
 - "Design with Nature"
 - Regulate development to avoid pollution impacts
 - Locate new development appropriately within the landscape

Legal Approaches

- Floodland Zoning
 - Promote development outside of the floodplain
 - Eliminate development in the floodway
 - Ensure adequate separation between development and forecast water surface elevations in the flood fringe; minimize development to the extent possible

Legal Approaches

- Shoreland Zoning
 - Encourage development such that an appropriate degree of separation exists between structures and the shoreline; adopt shoreline setbacks
 - Provides space for installation of shoreland buffer strips
 - Ensure continuity of shoreland habitat for amphibians and other wildlife

Legal Approaches

- Wetland Zoning
 - Minimize intrusion of development into wetlands
 - Limit wetland fill
 - Ensure continuity of wetland habitat for wildlife and birds
 - Reduces flood risk and risk of foundation failures
 - Incorporate wetlands and shoreland woodlands into "Environmental Corridors"

Legal Approaches

- Subdivision Regulation
 - Provide for minimum lot sizes; front-, side- and rear-yard setbacks; minimum site services [water and sewerage requirements]; impervious surface coverages; and, related standards for larger-scale development
 - Can incorporate "Public Open Space" requirements
 - Often require provision of access roads, stormwater practices, etc. as a requirement for sale of properties

Legal Approaches

- Sanitation Regulation
 - May include both solid and liquid waste management requirements
 - Include minimum separations between wells and conventional/alternative onsite sewage treatment systems
 - Supplement public sanitary sewerage systems primarily in rural areas

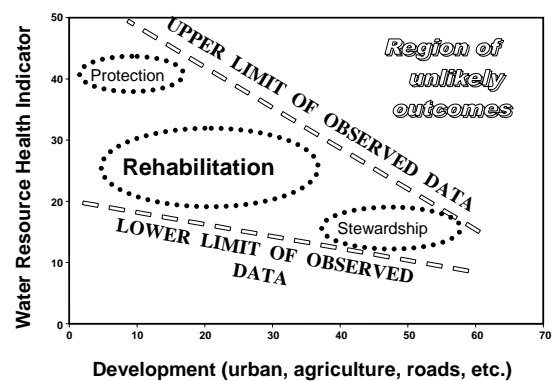
Legal Approaches

- Construction Site Erosion Control Regulation
 - Seek to minimize area of disturbed lands from which sediments can be transported
 - Encourage mulching, seeding, use of filter fabrics or hay bales, protection of storm sewers, use of tracking pads
 - May include staged or phased development requirements to limit the area of open lands

Legal Approaches

- Stormwater Regulation
 - Seek to minimize runoff from urban lands by retention of water onsite
 - May regulate sediment loads as well as water loads from sites
 - Can be applied per property, subdivision, or municipal jurisdiction
 - Typically involves structural practices such as detention/retention/infiltration ponds
 - May include "rain gardens", downspout disconnection, and "green infrastructure"

Management Opportunities



Land Use Management

- Role of land use planning
 - Based on inventory of current land uses
 - Encourages community-based consideration of future growth patterns
 - Ensures community development in an orderly manner, compatible with the ability to provide public services
 - Promotes orderly transitions between land uses

Land Use Management

- Land Use Inventory
 - Establishes a base from which to plan and evaluate future growth
 - Identifies existing land uses; complements plat maps that document land ownership
 - Land use maps may highlight areas with potentially incompatible land uses

Land Use Management

- Urban land uses include:
 - Residential
 - Commercial
 - Industrial
 - Governmental
 - Institutional
 - Transportation and Utilities
 - Recreational
- Rural land uses include:
 - Agricultural
 - Wetlands
 - Woodlands
 - Water Resources
 - Land fills or extractive uses
 - Other open lands

Land Use Management

- Land Use Plans
 - Place future growth projections in the context of existing development
 - Allow assessment of public service needs
 - Promotes development and supports development policies that limit negative environmental impacts

Land Use Management

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- Plans should contribute:
 - Consensus
 - Communications
 - Contracting
 - Coordinating and controlling activities
 - Conserving resources
 - Plans should avoid:
 - Chaos
 - Cost excesses
 - Being "Cast in Concrete"

Land Use Management

- Land Use and Watershed Protection Plans
 - Serve complementary objectives
 - Allow assessment of the relationship between the human or built environment and the natural environment
 - Promotes understanding of good environmental stewardship that ultimately contributes to "quality of life" and "healthy communities"

