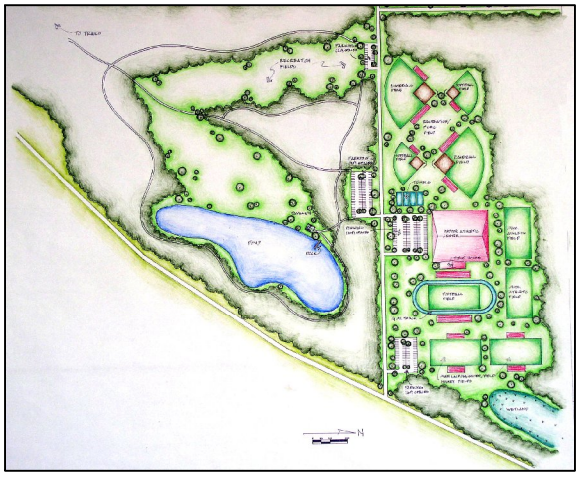
SECTION 3
LAND USE

GOAL: Use the landscape in ways that support healthy water systems.

- Promote land use patterns that facilitate enjoyment and sustainable use of lakes, rivers, streams, and wetlands while preserving natural watershed functions.
- Promote development patterns that strike a balance between preventing sprawl, minimizing floodplain development, encouraging infill development and protecting steep slopes.

CHALLENGE



Water flows through our communities and the health of that water is tied to the health of the landscape. The Susquehanna-Chemung Watershed is primarily rural, with scenic rolling hills and a handful of medium sized cities. Although the region has not experienced population growth, increased development still threatens water resources and the sustainability of communities. This new development has brought to light the hazards and water quality impacts of building in floodplains, on steep slopes, and near waterways. However, there is a perception among many developers, elected officials and residents that land use controls place unreasonable limitations on development. Further, the challenging economic climate fuels a desperate strategy of approving any type of new development in any location in hopes of boosting the local economy and increasing taxable properties in the municipality.

The quality of water resources and the quality of life are both inextricably bound to the health of the landscape. Poorly planned development can lead to deteriorating water quality, encroachment on streams and wetlands, increased flood risks, and erosion damage. Because many existing communities are located between steep hillsides and waterways, good land use decisions require careful balancing between development on slopes, re-development in floodplains, and the loss of agricultural land. In order to grow sustainably, the region must tackle the challenge of growth and economic vitality while also protecting natural resources and preventing high-risk development.

Land Use Survey: A survey of planners, planning board members, code enforcement officers, and elected officials for local governments in the Susquehanna-Chemung Watershed highlighted the challenges faced by communities. These include: Marcellus Shale natural gas extraction, economic development (or lack thereof), farmland and open space protection, steep slopes, old infrastructure, and lack of land use knowledge among residents. Many of these challenges are overwhelming to volunteer planning boards, which are often tasked with finding the solutions.

The respondents also indicated that comprehensive planning is an excellent tool for municipalities to tackle these challenges and achieve their community goals. 68% of the respondents' communities have comprehensive plans, but less than a quarter of those are accessible to the public via the internet. It was also noted that many comprehensive plans are outdated and need updating.

Training, training, training. Watershed municipalities are screaming for more training on all of the topics mentioned in the survey. Many respondents were not familiar with the new New York State Smart Growth law, Smart Growth principals, Better Site Design/Low Impact Development, or Critical Environmental Areas. Few are using these valuable tools to address land use challenges. Excellent planning resources exist, but they must be placed in the hands of community decision makers, most of whom are not trained planners.

Sprawl Without Growth:

A 2003 land use study of upstate New York showed a 30% increase in land development between 1982 and 1997, but only a 2.6% growth in population during the same period.

RECOMMENDATIONS

Education, Training, and Technical Assistance: Education is the key to improved land use decision-making. Educate municipal leaders, county organizations, volunteer planning boards, and the public about planning strategies and tools.

3a. Train municipal planning boards, municipal leaders and residents about:

- Comprehensive Planning
- Stormwater Impacts
- Better Site Design/Low Impact Development
- Critical Environmental Areas
- State Environmental Quality Review (SEQR)
- Flood mitigation
- Floodplain permits
- New York State Smart Growth Law
- Marcellus Shale natural gas extraction

Immediate action: Conduct, coordinate, and promote training sessions on all of these topics, reaching out to urban and rural municipalities throughout the Susquehanna-Chemung Watershed.

Measure: Number of training sessions.

3b. Notify all municipalities about the availability of planning resources and training opportunities, using multiple communication methods: email, mail, flyers, websites, and phone calls. Increase communication with county planners and state contacts to whom questions can be directed.

Immediate action: Make resources related to all of these topics available on county and regional web pages (including the Susquehanna-Chemung Action Plan website). Advertise the availability of these resources and the "go-to person" for questions on each topic.

Measure: Number of websites that mention and promote available resources.

3c. Implement Circuit Rider programs to provide professional planning assistance to municipalities throughout the region, such as the program in Delaware County.

Immediate action: Identify funding sources and lead organizations for developing county-wide or regional programs that provide increased levels of planning assistance to municipalities on an as-needed basis.

Long-range target: Establish Circuit Rider programs (or other mechanisms) that provide direct planning assistance to local governments throughout the Susquehanna-Chemung Watershed.

Measure: Number of municipalities that receive technical assistance.

Land Use Planning: Plan for a sustainable future by preparing (new and updated) comprehensive plans that guide future growth and enhance the quality of life.

3d. Evaluate existing municipal comprehensive plans for consistency with good planning principles and current conditions. Identify where improvements can be made and update plans as warranted.

Immediate action: Work with municipalities to evaluate and update their comprehensive plans.

Measure: Number of comprehensive plans updated.

3e. Develop comprehensive plans that document the community's vision for municipalities that do not yet have them, utilizing sustainable planning approaches.

Immediate action: Initiate the comprehensive planning process in municipalities.

Measure: Number of municipalities that initiate comprehensive plans.

3f. Post model laws, sample language, and other planning resources on county and regional websites to provide reference materials for comprehensive planning and land use decisions. Make hard copy formats available by request.

Immediate action: Gather and post planning materials on the internet and notify municipalities about the availability of resources.

5-year target: Work with communities to make their comprehensive plans accessible via the web (in addition to the traditional hard copies). Create a database of electronically available comprehensive plans for the watershed.

Measure: Number of municipalities notified of available planning resources. Number of comprehensive plans posted on the internet.

3g. Develop model laws and sample language for municipal planning, including: comprehensive plans, wellhead and source water protection plans, stream corridor management plans, hazard mitigation plans, etc. Post these resources on county and regional planning websites and distribute to interested municipalities.

5-year target: Seek funding to find and create model laws and sample language for municipal plans.

Measure: Number of model laws and sample language sections developed and made available.

3h. Provide internet access to map-based information that is relevant to land use and site plan decisions. Encourage developers and planners to use these resources.

Immediate action: Maintain, update, and expand on the GIS information and interactive mapping tools developed for the online Susquehanna-Chemung Data Atlas.[6]

Long-range target: Counties and/or regions host interactive mapping tools and data warehouses.

Measure: Number of data sets available through the Data Atlas. Number of counties encompassed by interactive mapping tool(s).

Courtesy of STERPDB.

Encourage Sustainable Land Use Patterns: Promote land use patterns that facilitate enjoyment of waters and preservation of natural watershed functions.

3i. Educate the public about the benefits of good land use decisions. Frame land use restrictions/controls in a positive light as protective measures that improve the quality of life and property values.

Immediate action: Utilize public meetings, newsletters, and press releases to publicize changes to

[6] Susquehanna-Chemung Data Atlas: http://24.97.219.74/SCAtlas/

municipal land use regulations and the positive community benefits that will result.

Measure: Number of public meetings and articles promoting new land use regulations.

3j. Promote a better understanding of urban ecology and the benefits of trees, gardens, greenways, and other habitat within developed areas.

Immediate action: Conduct training on urban ecology and its importance for healthy, well managed communities. Target municipal and county planners as well as developers. Post educational materials on regional and county planning websites.

Measure: Number of training sessions.

3k. Train municipalities on the long-term benefits of integrating drainage concerns into the design of development projects (Better Site Design principles) and how local land use policies and requirements can encourage the use of these practices.

Immediate action: Conduct training on Better Site Design principles. Post resources on regional and county planning websites.

Measure: Number of training sessions.

3l. Help municipalities understand how designation of Critical Environmental Areas, overlay districts, and other land use tools can be used to protect important natural areas within the community.

Immediate action: Integrate information about strategies and tools for protecting natural areas into land use training and make resources available through the STC and STERPDB websites.

Measure: Number of training sessions and websites that include information about natural area protection.

Smart Growth and New York State

Smart growth is planned growth that balances the need for economic development with the desire to enhance the natural and built environments. Smart Growth protects forest, agricultural, and environmental resources by encouraging growth in developed areas with existing infrastructure. This means that urban, suburban and rural communities are designed with housing and transportation choices near jobs, shops and schools.

In 2010, legislation was passed requiring that New York State infrastructure funding be consistent with Smart Growth principles. Project proposals are reviewed based on the following Smart Growth Public Infrastructure Policy Act Criteria:

- Does the project use, maintain, or enhance existing infrastructure?
- Is the project occurring in an already developed area? Is it at least proposed for an area that a community has selected for development in a comprehensive plan?
- Does it protect natural resources, agricultural land, and areas of historic or archaeological significance?
- Does it encourage mixed land uses and compact development; downtown revitalization; brownfield redevelopment; diverse and affordable housing close to places of employment, recreation, and commercial development; and integration of different age and economic groups?
- Does it improve access to and quality of public transit? Will it help to reduce dependence on automobiles?
- Does it encourage community involvement in planning? What about intergovernmental cooperation?
- Does it reduce greenhouse gas emissions?

Smart Growth: Promote the use of good planning and project design principles, such as Smart Growth strategies for preventing sprawl. Consider the unique needs of rural municipalities and apply smart growth strategies where applicable.

3m. Educate municipalities about the economic, environmental, and quality-of-life benefits of maintaining open space and tools for achieving open space objectives.

Immediate action: Conduct training sessions on Smart Growth principles and other strategies for protecting open space. Post resources on the regional and county planning websites.

5-year target: Lobby the state to restore funding to the Restore New York program, which enables restoration of aging infrastructure and reuse of abandoned downtown buildings. Encourage NYS and local officials to support the restoration of aging unused buildings as a Smart Growth strategy.

Measure: Number of training sessions. Number of aging downtown buildings revitalized.

3n. Update municipal land use policies and regulations (zoning, subdivision, site plan review, etc.) to integrate Smart Growth principals, where appropriate. A potential tool is SmartCode, a model development code that uses a "rural-to-urban transect" approach to integrate Smart Growth principles into land use regulations.

Immediate action: As comprehensive plans are updated (or originated), train planning boards to integrate Smart Growth principals into the project review process.

5-year target: Create resource sheet/checklist for planning boards to use in their site plan review process and post on regional and county planning websites.

Measure: Number of comprehensive plans that include smart growth principals. Number of municipalities receiving resource checklist.

3o. Promote voluntary use of "green" building design by educating the public, design professionals, and municipal building officials about green building design and the Leadership in Energy and Environmental Design (LEED) building certification system.

Immediate action: Conduct training about various components of green building design (energy savings, water efficiency, CO_2 emissions reduction, stewardship of resources, etc.) and/or the LEED certification program. Post resources on regional and county planning websites.

Immediate action: Find green building success stories and promote these projects though various outreach methods.

Measure: Number of training sessions. Number of green building success stories promoted.