

## 4.5 Procedures

### 4.5.1 Development Review and Site Design Review

#### *Problem*

Most communities have a specific list of development review approval criteria, site design approval criteria and submission requirements. It is important for communities to review these criteria, and submission requirements, in light of added water quality requirements, particularly erosion control requirements, stormwater management requirements, and impervious surface limitations. For most jurisdictions, all that is needed are amendments to code language in the form of new criteria and requirements.

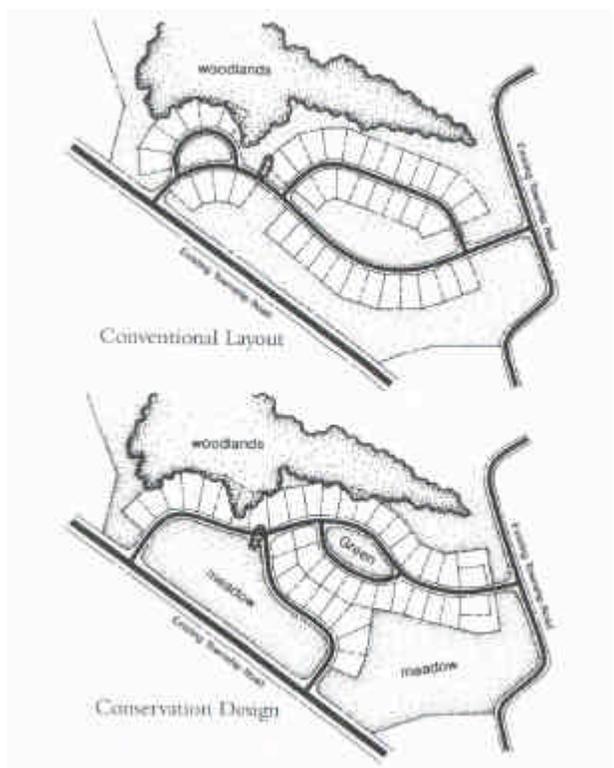
#### *Objective*

Ensure that water quality provisions established in other sections of the code are properly implemented, and that water quality protection and enhancement is considered during each portion of the development review process.

#### *Strategy*

Review the changes made to the development code to protect and enhance water quality and aquatic habitat and add the appropriate development and site design review criteria and application submission requirements. Implement the appropriate sections of the *Model Development Code & User's Guide for Small Cities* with the changes illustrated below.

### Sample Site Design for Conservation



Source: *Growing Greener: Putting Conservation into Local Plans and Ordinances*, Arendt, Randal, 1999.

Sample additions to Chapter 4.2 of the *Model Development Code & User's Guide for Small Cities*

**Add to Purpose (Section 4.2.1)**

- To protect and enhance water quality and aquatic habitat.

**Add to Site Design Review – Application Submission Requirements (Section 4.2.5)**

Under Proposed Site Plan 4.2.5(B)(2)

- A calculation of the total impervious surface before development, and the total effective impervious surface after development (as per appropriate code section)
- The location and dimensions of all stormwater or water quality treatment, infiltration and/or retention facilities
- A listing of the non-structural design strategies used to reduce runoff.

A new requirement should be added that requires an erosion and sediment control plan, as per the appropriate code section.

If a grading plan is not required in the current development ordinance, add the grading requirement found in Section 4.2.5(B)(4) of the *Model Development Code & User's Guide for Small Cities*

#### 4.5.2 Land Divisions

*Problem*

Water quality can be addressed at the land division stage of development, but the appropriate criteria or requirements need to be present to ensure that water quality is considered. For example, the identification and consideration of a riparian buffer and other sensitive resources during the land division process can save time for the developer and can ensure that the resource is protected in the most efficient manner.

*Objective*

Ensure that water quality provisions established in other sections of the code are properly implemented and that water quality protection and enhancement is considered during each portion of the land division process.

*Strategy*

Review the changes made to the development code to protect and enhance water quality and add the appropriate land division review criteria and application submission requirements. Implement the appropriate sections of the *Model Development Code & User's Guide for Small Cities* with the changes illustrated below.

Sample additions to Chapter 4.3 of the *Model Development Code & User's Guide for Small Cities*

Add to Purpose (Section 4.3.1)

- To protect and enhance water quality

Add to Preliminary Plat Submission Requirements - Proposed Improvements  
4.3.130(B)(3)

- The location and dimensions of all stormwater or water quality treatment, infiltration and/or retention facilities

### 4.5.3 Conditional Use Permits

*Problem*

The conditional use process can be a powerful tool for ensuring that water quality standards are met. As with the land divisions and development review sections of the development code, it is important to include water quality provisions in the conditional use portion of the development code.

*Objective*

Water quality should be a factor in the consideration in the approval of a conditional use permit.

*Strategy*

Implement Chapter 4.4 of the *Model Development Code & User's Guide for Small Cities*, and use the water quality design standards found in Section 4.3.1 of this manual [or as determined by the community], as a means of determining approval of a conditional use permit.

### 4.5.4 Master Planned Developments

*Problem*

The ability to adequately address water quality issues often requires flexibility in the development code. This flexibility can be achieved through the use of a planned unit development (PUD) or master planned development. It is important for communities to have a good master plan or PUD provision in their development code that allows developers to address water quality and aquatic habitat while meeting other state and local goals such as density, design, and parks and open space.

*Objective*

A PUD or master plan provision should be available in the development code to help protect and enhance water quality.

*Strategy*

Implement Chapter 4.5 of the *Model Development Code & User's Guide for Small Cities*, including the provision for density bonuses for the protection of natural features in open space. This chapter includes as a purpose the improvement of water quality and other components that allow enough flexibility to meet water quality standards while maintaining the requirements of base and overlay zones.

#### 4.5.5 Enforcement

*Problem*

All ordinances should have an adequate enforcement provision. The water quality ordinances suggested in this guidebook are no different in the need for proper enforcement. As with many development code violations, water quality violations are often detected by members of the community and as such, the development code should have a mechanism for allowing the community to report violations.

*Objective*

Ensure that the development code has an adequate enforcement mechanism.

*Strategy*

Implement Chapter 1.4 of the *Model Development Code & User's Guide for Small Cities*.