INTRODUCTION

The assessment of local laws in the Keuka Lake watershed was initiated in the summer of 2007 as "Component I" of the Keuka Lake Looking Ahead project. This analysis utilizes an assessment form to summarize the body of local laws within each municipality. The forms are intended to facilitate both the internal evaluation of a municipality's local law framework as well as the external comparison of local laws between neighboring municipalities within the watershed.

The analysis is intended to aid participants in the Land Use Leadership Alliance Training Program as they learn about methods to address priority land use issues within the Keuka Lake watershed. Furthermore, the results will be used to guide the development of "Component III" of the Keuka Lake Looking Ahead project, whereby a "sustainable watershed land use action plan" will be developed to guide municipalities toward the implementation of potential land use regulations and controls to institute sustainable land use practices throughout the watershed.[1]

A local law analysis such as this one is sometimes referred to as a "gap analysis." In this sense, the report can be interpreted as a method of reviewing a municipality's body of local laws in an effort to identify missing or essential components (i.e. gaps). It is important to note, however, that what is considered to be "essential" is open to interpretation. Cities, towns and villages in Upstate New York vary significantly on a variety of levels – distinctions such as socio-economic backgrounds, demographics, population density, topography, ecology, local industry, historical/cultural resources, and other attributes – each influence a municipality's body of local legislation to various degrees. A law deemed to be effective and appropriate in one municipality may not be practical elsewhere.

As such, this analysis makes no assumptions as to what a town should or should not have on its books. In no way does it advocate for the implementation of legislation to address all of the issues identified below. The ratification of local laws should always be preceded by an open public discussion regarding the benefits of the law, the perceived need for the law, how the law supports the goals outlined in the comprehensive plan (when one exists), and how that law will be implemented and enforced once it is passed. Furthermore, the effectiveness and need for local laws should routinely be evaluated by the public and local officials in order to determine whether it is fair, efficient or necessary.

METHODOLOGY

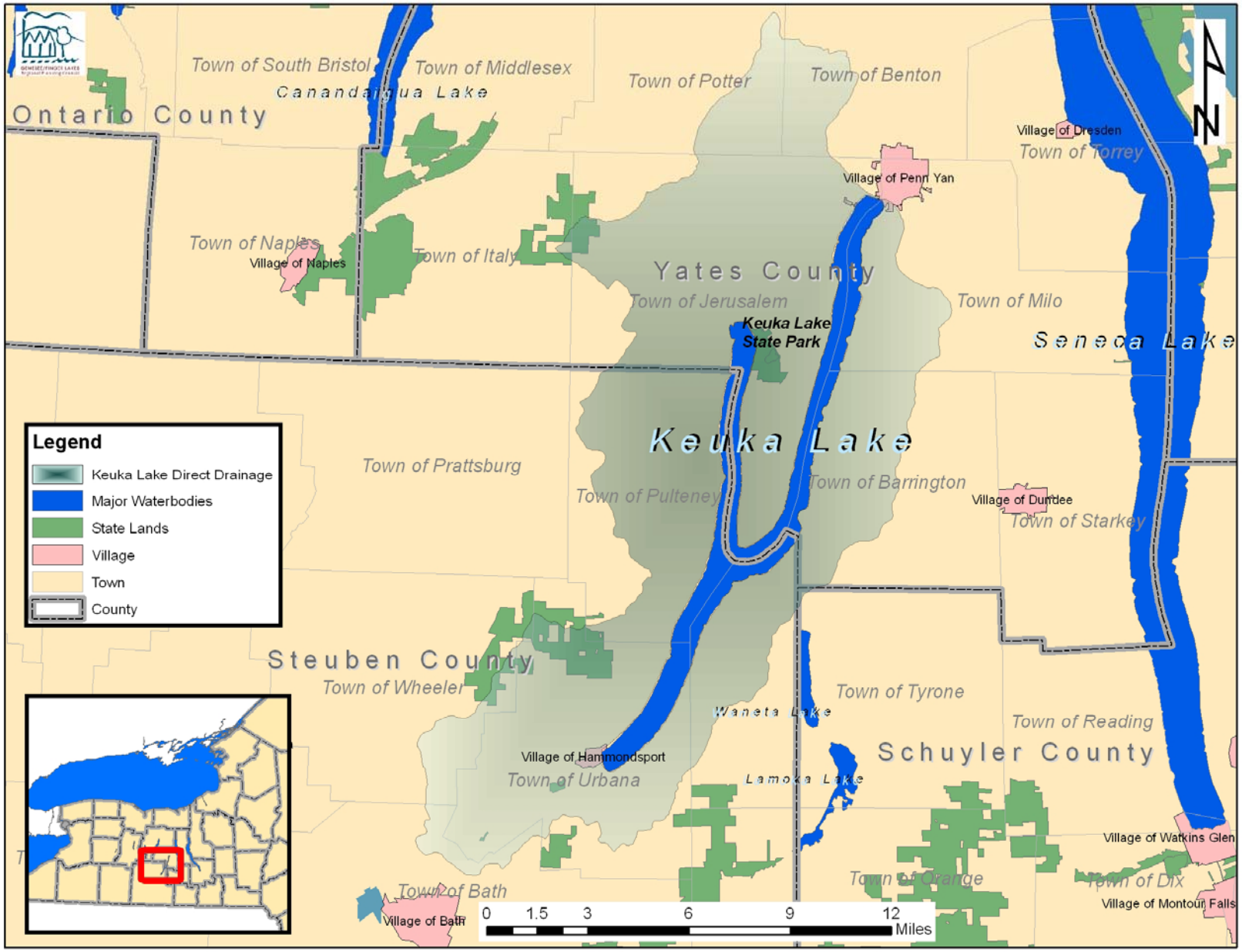
The assessment process began by evaluating the various methods available for compiling and comparing local land use regulations. The method used herein employs a chart format (the assessment form) to list the variety of land use issues that are likely to be of greatest concern within the Keuka Lake watershed. These issues were reviewed by project committee members in advance of the assessment and revised accordingly.

The assessment process then requires local laws from each municipality to be compiled. An inventory of local laws and other pertinent land use documents was therefore created for each municipality within the study area. The inventory was conducted by focusing on the three primary

Cont. on page 3

[1] All quotations taken from the proposed workplan for the Keuka Lake Looking Ahead project – An Intermunicipal Land Use Action Plan Quality Communities.

Overview of the Keuka Lake Watershed



building blocks of land use control in New York State: the comprehensive plan, zoning, and subdivision regulation. When available, other relevant local laws were also reviewed, garnering variable results. Examples include local sediment and erosion control laws, junk laws, animal control ordinances, and other similar laws. A comprehensive list of the land use tools available to municipalities in NYS has been listed in Appendix A of this report.

Laws are then reviewed against the collection of issues listed within the local land use law assessment form. Proper citations of the law are provided as well as a brief synopsis or quotation intended to capture the essence of the law as it pertains to the issue. In some instances, the law is closely related to other similar issues or citations; in those instances, readers can refer to the "see also" column in order to identify parallels within the local code.

Each issue used in this analysis is listed on the following page with a brief explanation of its relevance, as well as a list of other closely-related issues. Guidance is also provided on how the issue can best be addressed through the land use law framework.

Finally, it is important to note that this analysis attempts to identify ***Best Management Practices.*** While many municipalities have laws to address land use within their jurisdiction, a small percentage choose to target land use and water quality issues with methods and practices that are considered to be the most effective and practical means of achieving an intended goal. This report attempts to identify those instances where the local laws within the Keuka Lake watershed exemplify a best practice. In some cases, a law may partially meet or fulfill the standards of a best management practice. In these instances, partial fulfillment is noted in *Comparison of Findings* chart in Appendix B.

What is a Best Management Practice (BMP)?

(1) A method for preventing or reducing the pollution resulting from an activity. The term originated from rules and regulations in Section 208 of the Federal Clean Water Act. Specific BMPs are defined for each pollution source.

(2) Methods that have been determined to be the most effective, practical means of achieving an intended goal (i.e. pollution prevention, resource conservation, etc.)

LOCAL LAWS AND DOCUMENTS APPLICABLE TO MULTIPLE JURISDICTIONS

The following documents were included in this analysis and found to cover mulitple jurisdictions. When applicable, provisions within these documents are applied equally across all relevent municipalities:

- Keuka Watershed Improvement Cooperative. December 9, 1993.
- Steuben County, New York Agricultural Expansion and Development Plan (year unknown)
- Yates County, New York Agricultural Development and Farmland Enhancement Plan (2004)

A list of laws reviewed for each municipality is included before each municipal summary chart. All local laws reviewed for this analysis have also been summarized in Appendix D of this report.

LOCAL LAND USE LAW ASSESSMENT CHART – EXPLANATION OF ISSUES

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Adult Entertainment Uses	The presence of adult business has been shown to have certain secondary effects that include: increased sex-related crimes; drug dealing; petty crime; a reduction in property values; long-term economic decay; adverse effects on surrounding businesses; and a general perception of urban decay.	Any effort to regulate adult businesses must be based solely on control of their secondary effects. To that end, adult business zoning can only regulate the time, place, or manner of location of adult business. Regulation **cannot** constrain the content of any particular type of expression, otherwise it will be susceptible to a constitutional challenge.	*Aesthetic & Scenic Resources ● Historic Preservation ● Sign Control*
Aesthetic and Scenic Resources	Protecting a municipality's aesthetic and scenic resources helps preserve community character as well as protecting property values and promoting economic development. If tourism is an important segment of the local economy, aesthetic regulation will protect the things that tourists come to see.	There are several ways to promote aesthetic and scenic resource preservation. These include inclusion in the comprehensive plan, regular zoning, overlay zoning, sign control ordinances, design review laws, tree preservation laws, and local development approvals.	*Open Space Preservation ● Farmland & Preservation ● Forest Management ● Growth Management ● Historic Preservation ● Junkyards ● Mining ● Road Layout & Design ● Traditional Neighborhood Development ● Waterfront Management ● Wells ● Wetlands ● Wind Energy*
Affordable Housing	Providing affordable housing creates a more efficient, workable, and equitable community. Additionally, affordable housing can encourage municipal employees and volunteers to live within the community.	Adoption or amendment to zoning regulations to include/promote different kinds of housing options. Creation of municipal housing authorities to oversee affordable housing projects.	*Growth Management ● Senior Housing ● Traditional Neighborhood Development*
Agricultural Practices	Ag can have significant impacts on water quality; while many Agriculture issues are regulated at the State level (Ag & Mkts, DEC), local knowledge and support of good agriculture practices can greatly assist water quality efforts	Agricultural Districts, Right to Farm Laws, Agriculture Environmental Management (AIM) I, Conservation Reserve Enrollment Program (CREP), Conservation Plan, Ag Preservation Plan (stand alone or part of Comprehensive Plan)	*Farmland & Preservation ● Storm Water Management & Drainage ● Transfer of Development Rights ● Erosion & Sediment Control ● Nonpoint Source Pollution ● Riparian Buffers ● Vegetation Retention*
Brownfields	Contaminated vacant properties, brownfields, create environmental, legal and financial hardships on local municipalities.	In addition to offering incentives for private brownfield redevelopment, many state and federal programs provide funding and technical assistance to local municipalities.	*Waterfront Development ● Junkyards ● Mining ● Wells*
Critical Habitat and Species Protection	Habitat loss is the single greatest threat to species diversity throughout the world. Endangered species protection is mandated by both state and federal law. Proactively identifying areas of critical habitat will benefit species by specifying areas of preservation and prevent future development conflicts.	Many of the goals of critical habitat protection can be addressed in an Open Space preservation plan (stand alone or part of a Comprehensive Plan). Identification and delineation are critical first steps in habitat protection. Other tools include setbacks and other mechanisms to protect wetlands and streams, and conservation subdivisions that encourage compact development.	*Aesthetic & Scenic Resources ● Forest Management ● Open Space Preservation ● Vegetation Retention ● Wetlands ● Riparian Buffers*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Commercial Dog Breeding Operations	Large scale dog breeding facilities can become nuisance properties if they are not run by responsible and conscientious owners. Disreputable breeders often do not properly maintain their facilities resulting in constantly barking dogs, unsanitary conditions, and inhumane treatment of the dogs.	There are several actions that can be taken to regulate dog breeding. Special zoning or design requirements could be enacted. If a community feels there is an acute problem with dog breeding, they might consider limiting the number of dogs a person may own or an outright ban. Draft legislation (Bill No. S00923, 2007) introduced by NYS Senator George H. Winner, Jr. (53rd Dist.) in January of 2007, however, proposes that dog breeding for sale of dogs be qualified for an agricultural exemption under NYS Ag & Mkts Law. If passed, this would effectively provide such operations with protection under the right to farm law.	*Aesthetic & Scenic Resources* ● *Agricultural Practices*
Commercial Wind Energy	Wind is the fastest-growing sector of the energy industry. As increasing efforts are made to promote carbon-free energy, this trend is likely to continue. Furthermore, the NYS Renewable Portfolio Standard has set the goal that 25% of energy consumed in NYS should come from renewable sources by 2010. While presenting opportunities like job creation, payments for land leases, and increased municipal revenues, wind energy also raises a number of concerns related to noise, safety, and aesthetics.	Adoption of a wind energy ordinance. This can be done through zoning and/or permitting, site plan review, etc. Addressing wind power in a municipal master plan can identify areas with good wind resources and allows the creation of a wind power overlay district.	*Aesthetic & Scenic Resources* ● *Open Space Preservation*
Docking and Mooring	Boating can have significant impacts on water quality; some boating infrastructure (launches, marinas) undergo local permitting processes	Adoption and rigorous enforcement of a comprehensive Dockings and Moorings Law	*Harbor Management* ● *Lake Access* ● *Recreation* ● *Waterfront Development* ● *Waterfront Management*
Driveways	Drives are often being constructed years in advance of actual building construction, thereby skirting the permitting process or site plan review; driveways traversing steep slopes are often improperly constructed, creating erosion and sediment control issues; highway access (safety); and possibly jeopardizing neighboring properties (which includes the public right of way).	Clarification of "land disturbance activities" within site plan review and/or erosion and sediment control ordinances	*Erosion and Sediment Control* ● *Filling and Grading* ● *Flag Lots* ● *Impervious Surfaces* ● *NPS Pollution* ● *Road Ditching* ● *Steep Slopes* ● *Vegetation Retention*
Erosion and Sediment Control	Activities that are regulated by the municipality, such as construction of roads or buildings, can create significant erosion and sedimentation issues	Adoption and rigorous enforcement of Sediment and Erosion Control Law	*Agricultural Practices* ● *Fill* ● *Forest Management* ● *Mining* ● *Riparian Buffers* ● *Stormwater Management & Drainage* ● *Vegetation Retention*
Farmland Preservation	Farmland has many benefits to local communities. These benefits include: contributions to the local economy, preservation of community character, promoting tourism, providing natural habitat (and resulting recreational opportunities) and stabilizing property values.	Purchase of development rights, conservation easements, addition to the Comprehensive plan. See also Agricultural Practices	*Agricultural Practices* ● *Aesthetic & Scenic Resources* ● *Transfer of Development Rights* ● *Purchase of Development Rights*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Filling and Grading	Substantial filling and grading not associated with landscaping can create significant erosion and sedimentation issues. Includes 'cut and fill' activities and large earth moving operations.	Adoption and rigorous enforcement of Sediment and Erosion Control Law	*Erosion & Sediment Control ● Stormwater Management & Drainage*
Flag Lots	Flag lots are characterized by having a narrow access connected to a larger plot, usually located behind existing development. Flag lots can maintain rural character or provide lakefront access. However, flag lots also can create unintended development density, with accompanying negative impacts such as traffic congestion, parking, unnecessary elimination of pervious surfaces, cutting down of trees, stripping of vegetation, and encroachment onto steep slopes and wetlands.	Zoning and/or site plan review. There is also the option of adopting flag lot specific ordinances.	*Aesthetic & Scenic Resources ● Lake Access ● Open Space Preservation ● Growth Management ● Traditional Neighborhood Development ● Waterfront Development ● Waterfront Management*
Flood Prevention	Required by Article 16 of the NYS Environmental Conservation Law; allows participation in National Flood Insurance Program (NFIP); benefits property owners	Adoption and rigorous enforcement of Flood Prevention Ordinance (FPO)	*Flood Plain Management ● Stormwater Management & Drainage ● Wetlands*
Flood Plain Management	Improves public safety and property protection. Increases participation in NFIP and Community Rating System. Property owners receive lower Flood Insurance Premiums. *For the purposes of this analysis, Flood Plain Management may be considered to be superior to simply instituting Flood Prevention as it is described above.*	Most municipalities have their floodplains mapped. Most municipalities do not have a detailed base flood elevation mapped. Therefore, all communities should be mapped so that there is a defined base flood elevation (A Zone). If there is no defined base flood elevation an engineer should be used, along with design standards for siting of every new development in the floodplain.	*Flood Prevention ● Stormwater Management & Drainage*
Forest Management	Municipalities can and do regulate timber harvesting since it, like any land disturbance, can create water quality problems.	There are several ways to address this issue, from property owner education, to registration of large timber harvests, to enforcement of existing public highway laws. There is also the possibility of adopting a well thought out Timber Harvesting Law	*Aesthetic & Scenic Resources ● Critical Habitat & Species Protection ● Erosion & Sediment Control ● Open Space Preservation ● Riparian Buffers ● Purchase of Development Rights ● Transfer of Development Rights*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Green Infrastructure	Green infrastructure refers to an interconnected network of greenways (i.e. walking trails), blueways (i.e. paddling trails), and parks that preserve scenic, natural, historic, cultural, recreational and ecologically-sensitive or unique resources. It also refers to systems and components that lessen the impacts of development on the natural environment (rain gardens, green roofs, renewable energy systems, etc.). A well-conceived and managed system of green infrastructure attracts tourists, promotes economic activity, conserves resources, and increases overall quality of life.	Adoption of a green infrastructure plan as an independent plan or as a component of the comprehensive plan, or creation of a greenway or blueway overlay district.	*Aesthetic & Scenic Resources ● Boating/Marinas ● Critical Habitat & Species Protection ● Harbor Management ● Lake Access ● Lakeshore Development ● Open Space Preservation ● Recreation ● Riparian Buffers ● Growth Management ● Streambank Protection & Restoration ● Watercourses ● Waterfront Management*
Growth Management	Growth management is a movement that recognizes the effect that development patterns, specifically low-density, large lots, have on quality of life, the economy, and the environment, emphasizing sustainable development and efficient land use.	Many different planning techniques and concepts fall into the category of growth management including conservation subdivisions, transit supportive development, and open space and farmland protection. Zoning laws may have to be amended to remove provisions that encourage sprawl.	*Aesthetic & Scenic Resources ● Affordable Housing ● Open Space Preservation ● Road Layout & Design ● Sewer & Water Infrastructure ● Sprawl ● Transit Oriented Development*
Harbor Management	Harbor management involves the balancing of many conflicting uses, passive and active types of recreation, between commercial and recreational uses, and between all uses and the natural resources of a harbor.	Creation of a harbor management chart and water area map, similar to a terrestrial zoning map. Adoption of harbor management regulations.	*Boating & Marinas ● Green Infrastructure ● Lake Access ● Watercourses ● Waterfront Management*
Historic Preservation	Preservation of historic landmarks preserves local character, attracts tourists and promotes economic activity.	Historic preservation can be achieved in a number of ways. Inclusion in the comprehensive play, preservation overlay districts, site plan review.	*Aesthetic & Scenic Resources*
Impervious Surfaces	Impervious surfaces such as roofs and parking lots allow stormwater to run off much more quickly and without the benefit of filtering impurities through vegetation and soil. Watersheds can begin to degrade with as little as 10% impervious cover. Cumulative downstream impacts can be significant when unchecked expansion of impervious cover is allowed to occur. Impervious surfaces are regulated by the municipality when it promulgates zoning ordinances and issues building permits.	Adoption of appropriate language in zoning regulations and subsequent enforcement through Zoning Officer and Site Plan Review. There is also the possibility of adopting a Water Protection Overlay district, which covers all zoning areas but more strictly regulates activities near streams and lakes.	*Erosion & Sediment Control ● Stormwater Management & Drainage ● Road Layout & Design ● Sewer & Water Infrastructure ● Road Ditching ● Sprawl ● Nonpoint Source Pollution*
Intermunicipal Cooperation	Promotes dialogue, cooperation and sharing of services among municipalities on an issue (water resources) that are multi-jurisdictional in nature (watershed-wide). See NYSDOS guidebook - Intergovernmental Cooperation	Article 12-C of the General Municipal Law authorizes formation of joint survey committees for this purpose	*Nearly all issues are related*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Junkyards	In addition to aesthetic reasons, junkyards can have significant impacts on water quality; junkyards undergo local permitting processes; Abandoned vehicles and appliances might leak oil or other hazardous and toxic liquids into the soil. After first contaminating the soil, liquid waste will eventually reach the groundwater level and pollute local water resources.	Revising zoning to limit junk yards to certain areas that will not impact water quality as much as other areas. A municipality may (and should) expand the state definition of "junk" to encompass such things as old appliances, household waste, or uninhabitable mobile homes. Such an action helps to regulate aspects of junk not covered by state law and to ensure greater compatibility with surrounding land-uses.	*Aesthetic & Scenic Resources ● Brownfields ● Nonpoint Source Pollution*
Lake Access	Public access to lakeshores is important as a community amenity and tourism benefit. If all citizens have access to the lake, they are more apt to care about water quality issues and see the lake as a community amenity, not just an amenity for those who own property along it. Lake access also helps maintain at least a small portion of the lakefront as green space	Open space plan or include an assessment of lakefront open space resources as part of the comprehensive plan. Categorize open space resources, examine their use and function within the community, set priorities for their protection, and consider the best way to use and protect open spaces	*Boating & Marinas ● Recreation ● Waterfront Management*
Mining	Mining operations can have significant impacts on surface and groundwater resources. Improper practices can lead to contamination of these resources.	Enforcement of NYS Environmental Conservation Law. Local municipalities also have the option of prohibited mining outright through zoning.	*Aesthetic & Scenic Resources ● Brownfields ● Critical Habitat & Species Protection ● Erosion & Sediment Control ● Riparian Buffers ● Stormwater Management & Drainage ● Vegetation Retention ● Nonpoint Source Pollution*
Nonpoint Source Pollution	Nonpoint sources of pollution – those which come from diffuse and variable sources – are often the hardest to control. Agricultural runoff, septic systems, and impervious surfaces are three major nonpoint sources that are common and known to adversely impact water resources in Upstate New York..	Discussion in the comprehensive plan of specific types of nonpoint source pollution. Amendment of existing laws to include provisions regarding specific sources.	*Agricultural Practices ● Brownfields ● Impervious Surfaces ● Junkyards ● Onsite Wastewater ● Stormwater Management & Drainage ● Waste Storage ● Wells*
Onsite Wastewater	Onsite wastewater (septic) systems are regulated by county and state health laws, but localities can offer an additional level of regulation of these crucial pieces of the community's infrastructure. Septic systems are the number one source of nonpoint source pollution within New York State. A high percentage of private wells are contaminated by improperly functioning septic systems. This poses not only a threat to water quality but also an immediate public health hazard.	A locality can amend their existing laws to include the provisions of a on-site waste water system model ordinance. They can also customize a model ordinance to address situations that may be unique to their community. County Health Departments, Soil and Water Conservation Districts, and Cornell Cooperation Extensions can be valuable partners on this issue.	*Nonpoint Source Pollution ● Affordable Housing ● Senior Housing ● Sewer & Water Infrastructure*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Open Space Preservation	Open space, i.e. vacant land and land without significant structural development, is often valued by community residents for its aesthetic qualities. In addition, open space can serve important water quality and natural resource goals (open space should not be confused with farmland)	Open space plan or include an assessment of open space resources as part of the comprehensive plan. Categorize open space resources, examine their use and function within the community, set priorities for their protection, and consider the best way to use and protect open spaces	*Aesthetic & Scenic Resources ● Critical Habitat & Species Protection ● Forest Management ● Mining ● Purchase of Development Rights ● Riparian Buffers ● Growth Management ● Transfer of Development Rights ● Waterfront Management ● Wetlands ● Wind Power*
Purchase of Development Rights (PDR)	The PDR system, which has been used extensively in Dutchess and Suffolk Counties to preserve farmland, can also protect ecologically important lands or scenic parcels essential to rural character of the community. This is a form of open space preservation without the municipality having purchase the property outright.	Involves the purchase by a municipal or county government of development rights from private landowners whose land it seeks to preserve in its current state without further development.	*Aesthetic & Scenic Resources ● Critical Habitat & Species Protection ● Farmland& Preservation ● Forest Management ● Mining ● Open Space Preservation ● Riparian Buffers ● Growth Management ● Sprawl ● Transfer of Development Rights ● Waterfront Management ● Wetlands*
Recreation	One of the major reasons for tourists to visit the region are the opportunities for outdoor recreation. This includes both terrestrial recreation like hiking or camping, as well as aquatic recreation like paddling or swimming. Recreation can further be defined as either 'passive' or 'active.' Active recreational activities typically require the use of a playing field or court, while passive activities do not.	Include recreation in the comprehensive plan. Recreational priorities and locations can be identified for future utilization and development. Delineate between "active" and "passive" recreational activities. Generally speaking, active recreation involves playing fields or other specialized surfaces and areas, while passive recreation does not.	*Aesthetic & Scenic Resources ● Boating/Marinas ● Lake Access ● Open Space Preservation*
Riparian Buffers	Prevents encroachment of new development upon water resources; natural buffer areas improve water quality, in part by limiting the effects of erosion and sediment transport	Adoption of appropriate language in zoning regulations and subsequent enforcement through Zoning Officer and Site Plan Review. There is also the possibility of adopting a Water Protection Overlay district, which covers all zoning areas but more strictly regulates activities near streams and lakes.	*Aesthetic & Scenic Resources ● Agricultural Practices ● Critical Habitat & Species Protection ● Erosion & Sediment Control ● Flood Prevention ● Forest Management ● Mining ● Nonpoint Source Pollution ● Road Layout & Design ● Vegetation Retention ● Wetlands*
Road Layout & Design	The design of roads and road systems influences traffic patterns, congestion, development patterns, run-off, and pedestrian uses. Certain design features slow traffic, encourage pedestrian use, thereby affecting local quality of life.	Make certain that the local highway department follows best management practices; regulate new road designs and layouts through Subdivision Regulations and Site Plan Review	*Aesthetic & Scenic Resources ● Impervious Surfaces ● Nonpoint Source Pollution ● Riparian Buffers ● Growth Management ● Sprawl ● Transit Oriented Design*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Road Ditching	Roadside ditches collect water from the public road but also abutting private properties. There are many ways the locality can improve the construction, operation and maintenance of these drainage structures, which in turn leads to less damage to both private and public (roads, bridges, etc) property and improved water quality.	Make certain that the local highway department follows best management practices; regulate new road ditches through Subdivision Regulations and Site Plan Review	*Road Layout & Design ● Stormwater Management & Drainage*
Senior Housing	Demand for senior citizen housing will continue to grow as the population ages. As the Baby Boomers approach retirement, the demand for senior housing will far exceed current supply.	Special incentive zoning techniques allow and promote a variety of senior housing options. Traditional nursing homes and independent living facilities are usually permissible under traditional zoning. Accessory apartments and elderly cottages may require amendments to the zoning law like an overly district, a floating zone, or a planned residential district.	*Affordable Housing ● Growth Management*
Sewer and Water Infrastructure	This infrastructure is usually approved by and/or built by the municipality. Careful review of all such infrastructure is important since new sewers can significantly improve water quality in an area with failing septic systems, but also lead to increased development and potential water quality problems that are associated with development	Participate as a community in dialogue/planning with regional entities on sewer and water provision such as water authorities and watershed councils. Specifically state in comprehensive plans where the community would like to see such infrastructure and areas where it should be kept out of	*Onsite Wastewater ● Growth Management*
Sign Control	Sign control can reduce visual clutter and promote the general attractiveness of the community.	Adoption of a "content neutral" sign ordinance.	*Aesthetic & Scenic Resources ● Historic Preservation ● Open Space Preservation*
Sourcewater Protection (or wellhead protection)	Sourcewater is untreated water from streams, rivers, lakes or underground aquifers that is used to provide public drinking water, as well to supply private wells used for human consumption. If these waters are properly protected, the overall cost of treating these waters for consumption will be decreased.	Development of a sourcewater protection plan or ordinance.	*Agricultural Practices ● Critical Habitat & Species Protection ● Erosion & Sediment Control ● Forest Management ● Impervious Surfaces ● Nonpoint Source Pollution ● Onsite Wastewater ● Riparian Buffers ● Sewer & Water Infrastructure ● Stream Bank Protection & Restoration ● Stormwater Management & Drainage ● Vegetation Retention ● Waste Storage ● Wells*
Steep Slopes	Disturbance of steep slopes for construction or other purposes can significantly increase erosion; many of these disturbances must undergo the local permitting process	Zoning and/or site plan review. There is also the option of adopting a specific steep slopes ordinance.	*Erosion & Sediment Control ● Steep Slopes*
Streambank Protection and Restoration	Streams with poor quality banks often experience high levels of erosion. Channelization often exacerbates this situation. Streambank restoration and protection is intended to stabilize streambanks and prevent further erosion and/or bank failure, increasing water quality.	Adoption of a streambank protection/restoration ordinance or creation of special zoning requirements for areas in proximity to streams. Identification of banks that are in need of restoration and stabilization.	*Agricultural Practices ● Critical Habitat & Species Protection ● Erosion & Sediment Control ● Riparian Buffers ● Vegetation Retention ●*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Stormwater Management and Drainage	Once water runs off of private property, it tends to become the problem of the local municipality. There are many ways the locality can improve drainage, which in turn leads to less damage to both private and public property (roads, bridges, etc) and improved water quality	Knowledge and enforcement of Storm water Phase II Regulations. Drainage districts. Using wetlands, detention and retention facilities, regional drainage, and other storm water best management practices (BMPs)	*Impervious Surfaces ● Nonpoint Source Pollution ● Sewer & Water Infrastructure ● Road Layout & Design ● Road Ditching*
Traditional Neighborhood Development (TND)	As a response to unplanned sprawling development, traditional neighborhood development (TND) is planned growth with several specific features. These features include pedestrian friendly, mixed use neighborhoods with open spaces, diverse housing, and defined boundaries connected to the large are through a network of roads and pedestrian trails.	Adoption of a TND ordinance or modification of zoning or subdivision regulations.	*Aesthetic & Scenic Resources ● Green Infrastructure ● Open Space Preservation ● Road Layout & Design ● Growth Management ● Transit Supportive Development*
Transfer of Development Rights (TDR)	The 'transfer' of development rights is similar to the 'purchase' of development rights (see #16). Transferring development rights can protect ecologically important lands or scenic parcels essential to rural character of the community. This is a form of open space preservation without the municipality having to purchase the property outright.	Under the state zoning enabling statutes, areas of the municipality which have been identified through the planning process as in need of preservation (e.g., agricultural land) or in which development should be avoided (e.g., municipal drinking water supply protection areas) are established as "sending districts." Development of land in such districts may be heavily restricted, but owners are granted rights under the TDR regulations to sell the rights to develop their lands. Those development rights may thereby be transferred to lands located in designated "receiving districts." Transferable development rights usually take the form of a number of units per acre, or gross square footage of floor space, or an increase in height. The rights are used to increase the density of development in a receiving district.	*Aesthetic & Scenic Resources ● Critical Habitat & Species Protection ● Farm& Preservation ● Forest Management ● Mining ● Open Space Preservation ● Riparian Buffers ● Growth Management ● Transfer of Development Rights ● Waterfront Management ● Wetlands*
Transit Supportive Development	Development that emphasizes transit and pedestrian travel has many significant benefits. Traffic congestion and related air pollution are likely to decline, while an improved walkability benefits the health and quality of life of residents. Furthermore, pedestrian-friendly communities generally have better character and functionality.	Amending zoning law removing minimum parking requirements, allowing mixed uses, creating overlay zones around transit hubs. In areas lacking transit intermunicipal cooperation may be required to create a regional transit provider.	*Nonpoint Source Pollution ● Road Layout & Design ● Growth Management*
Vegetation Retention	Retaining natural vegetation is an important factor in limiting erosion and sedimentation, especially during construction activities. Local governments have the ability to control the disturbance of vegetation through zoning, site plan review, and the issuance of permits. Good agricultural practices can also limit the amount of disturbed vegetation.	A local law specifically addressing vegetation retention can be adopted and enforced. Alternatively, the issue can be addressed as part of a more comprehensive sediment and erosion control law, zoning revisions, and/or site plan review.	*Agricultural Practices ● Critical Habitat & Species Protection ● Forest Management ● Riparian Buffers ● Steep Slopes*
Waste Storage	Storing of waste (hazardous waste, garbage, etc.) can have water quality impacts when rainwater runs-off such materials and into local water bodies. Whether dealing with their own facilities or regulating private property, municipalities can enforce waste storage regulations	Knowledge and enforcement of State and Federal regulations is important. Similar to junk yards, municipalities can enforce stricter requirements at the local level	*Brownfields ● Junkyards ● Nonpoint Source Pollution*

Issues to Consider	Why address this issue at the local level?	How to address it?	Related Issues
Watercourses, Permitted Uses of	The uses of watercourses and the areas surrounding them can impact water quality. Limiting the permitted uses of watercourses and their surrounding areas can prevent damage from erosion or siltation, minimize disturbance, preserve natural habitats and protect against flood and pollution	Amending zoning law to include special protection for watercourses and their surrounding lands or adoption of a watercourse protection ordinance that may include the creation of a Water Control Commission.	*Aesthetic & Scenic Resources ● Agricultural Practices ● Erosion & Sediment Control ● Flood Prevention ● Flood Plain Management ● Forest Management ● Green Infrastructure ● Riparian Buffers ● Streambank Protection & Restoration*
Waterfront Development and Management	Waterfront development is an important aspect in the Genesee – Finger Lakes region. Waterfronts are often a central component of community character, recreation, and economic activity for many towns and villages. Furthermore, the use and development of waterfronts is not without its costs; pollution, erosion, flooding, habitat degradation, and biodiversity loss stress many lakeside communities. Waterfront management attempts to mitigate some of these issues.	The development of a local waterfront revitalization plan under NYS Local Waterfront Revitalization Program. Creation of a waterfront overlay district with special restrictions on the type, scale, and design of development.	*Aesthetic & Scenic Resources ● Boating/Marinas ● Open Space Preservation ● Historic Preservation ● Recreation ● Critical Habitat & Species Protection ● Erosion & Sediment Control ● Flood Prevention ● Flood Plain Management ● Green Infrastructure ● Lake Access ● Riparian Buffers ● Steep Slopes ● Streambank Protection and Restoration ● Wetlands*
Wells	The siting and drilling of gas, oil, brine, and other types of wells can impact water quality. Local knowledge of state regulations in this matter is important.	Knowledge and enforcement of State and Federal regulations is important.	*Aesthetic & Scenic Resources ● Critical Habitat & Species Protection ● Nonpoint Source Pollution*
Wetlands	Wetlands, including temporary wetlands known as 'vernal ponds', contribute an important natural habitat, are often a scenic amenity, and act as a natural storm water retention system, often lessening the need for costly man-made systems. Article 24 of the NYS Env. Conservation Law provides protection for wetlands of 12.4 acres or more. Municipalities can regulate use and development of wetlands of smaller area if they so choose.	Wetlands are often in flood plains, so limiting flood plain development has the added benefit of protecting wetlands. Local knowledge of appropriate state and federal regulations (especially on the part of the Code Enforcement Officer or whoever issues the building permits) is very important. They can be seen as the "first line of defense" in protecting these resources and can encourage property developers to file for all appropriate permits with the Army Corps of Engineers and the DEC	*Aesthetic & Scenic Resources ● Agricultural Practices ● Fill ● Flood Prevention ● Open Space Preservation*