IMPLEMENTATION:
How Planners are Addressing Hazard Mitigation

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Planning Framework - Ideal

- State Statutes
- Local Land Use Plans
- Local Land Use Regulations
- Built and Natural Environment
Planning Framework - Typical Version

- Built and Natural Environment
- Local Land Use Regulations
- Local Land Use Plans
- State Statutes
What Elected Officials RARELY Tell Their Planners...

• “Come up with some additional regulations related to hazard mitigation.”

• “Find a way to keep development out of areas prone to natural hazards.”

• “Let’s keep economic development on the back burner and focus on mitigating hazards.”
What Elected Officials **OFTEN** Tell Their Planners...

- “We must protect the health, safety, and welfare of the community.”
- “We need to protect the character of our community.”
- “Describe the potential negative impacts of this project?”
The Planner’s Quiver

- Plan Policies (as a foundation)
- Subdivision
- Zoning
- Capital Improvements Plan
- Overlay Zoning
- Development & Design Standards
- Incentives
- Development Review Procedures
- Growth Management
- Transfers of Development Rights/Credits
- Maintenance and Operating Standards
- Development Agreements
- Enforcement
Local Policy Mechanisms

• Comprehensive Plan
  – Future Land Use Plan
• Small Area Plans
• Hazard Mitigation Plans
• CWPPs
• Climate Action Plans
• Growth Management Plans
• Sustainability Plans
CASE STUDY: Summit County, CO

• Countywide Master Plan
• Basin Master Plans
• Sub-Basin Master Plans
• Land Development Regulations
CASE STUDY: Summit County, CO

SUBDIVISION

Generally:
• Map high-risk areas
• Protect building envelopes
• Water supply and roads
• Clustering
• Buffers
• Density reduction

Summit County:
Codified linkage to CWPP in approval criteria for new subdivisions.
CASE STUDY: Summit County, CO

TRANSFER OF DEVELOPMENT RIGHTS (TDRS)

Generally:

• “Sending” areas where you want less development; “receiving” areas where you could accommodate more.

• Establish high-risk areas as “sending” areas.
CASE STUDY: Summit County, CO

TRANSFER OF DEVELOPMENT RIGHTS (TDRS)

Summit County:

- TDR Sending or Neutral properties determined to have medium to extreme wildfire hazard are not eligible for a TDR Map Amendment.
- Recommended to include language in applicability and intent statement for TDR use.
Other Land Use
Code Tools...
Overlay Zoning

• Pick your hazard(s)
• Map overlay based on risk
• Determine applicable standards above and beyond base zoning districts

E.g., hillside overlay, extreme wildfire hazard overlay, flood hazard overlay, etc.
CASE STUDY: SR 530 Slide - Oso, WA

- Extensive land use regulations related to geologic and landslide hazards
- Updated in 2007 for “best available science” compliance (state mandate)
CASE STUDY: SR 530 Slide - Oso, WA

- Known hazard area
- Required independent review of critical areas
- One report suggested buyout program (although this is often the most expensive mitigation)
Okay, but what about EXISTING development?

• Enforcement
• Maintenance
• Applicability thresholds
  – When do new standards apply to old development?
  – Site-specific assessments?
• Incentives (not always planning – but planners should be part of the conversation)
  – Education
  – Mitigation programs
  – Development agreements
Permitted Uses & Use-Specific Standards

• Dense populations
• Congregations
• Vulnerable populations
• Hazardous uses

Could a golf course ever be considered highest and best use?
Procedures

• Pre-application meetings
  – It never rarely hurts to ask!

• Approval procedures (have them – and follow them)

• Criteria for administrative adjustments (have them)

• Training for staff and decision-makers

Summit County:
In rezoning procedures, entire section on Wildfire Hazard Areas, including option to require forest management plan, fuels reduction plan, defensible space plan – with a financial guarantee. (Recommended requirement, rather than optional)
Challenges: Planning for Hazards

- Mapping
- Culture – we like to live near water, mountains, and trees
- The “Agenders”
- Identifying champions
- Limited resources
Some helpful tips...

• Get **elected** and **appointed officials** talking about hazards
• **Non-regulatory programs** that aid homeowners are very effective (e.g., chipper days, free consultations) and build good public relations
• Consider using **incentives** to provide flexibility for landowners if mandatory requirements are not feasible
• Only adopt standards you are **able and willing to enforce**
• **Incremental steps** are sometimes necessary before more extensive standards can be adopted
• Resolve potential **inconsistencies** with other code requirements
• Identify **synergies** between current policies and planning for hazard mitigation
• **Collaborate** with other agencies/departments
Keys to Collaboration

• Become multi-lingual – learn to speak (or at least understand) “fire,” “engineer,” “developer,” and “plannerese”

• Clearly express priorities

• Meet regularly

• Host tours led by different stakeholders

• LISTEN!
Thank You

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