

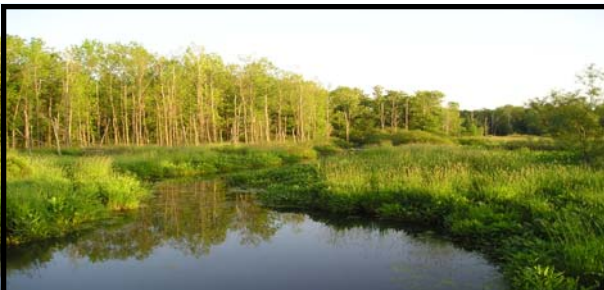


Chagrin River Watershed Partners, Inc.

P.O. Box 229 Willoughby, Ohio 44096-0229 Phone: 440.975.3870 www.crowp.org

Riparian and Wetland Setback Model Regulation Adoption Process

- Riparian setback regulations are a zoning tool a community can use to maintain riparian functions as communities grow and land is developed.
- The developed model regulations are based on the public health and safety services of riparian areas including flood control, erosion control, and water quality protection.
- The models establish minimum setback widths to control the location of soil disturbance on a parcel. The minimum setback widths are 25 to 300 feet on either side of a river or stream depending on the watercourse drainage area, and extends to include wetlands and FEMA designated floodplains.



Steps Toward Adoption

Tailor Model Regulation to the Community: Typically the regulation adoption process is initiated by the community's engineering department or stormwater committee, but can be initiated by council, the mayor, commissioner, trustee, or planning/zoning commission. Upon request a draft regulation is provided for review with initial tailoring to the community's current procedure.

Initial Review of Regulation: The initial review and meeting will include a complete review of the regulation and address background and any questions, and typically includes staff and the planning/zoning commission.

Review by Law Director: The final draft regulation must be reviewed by the community law director or county prosecutor.

Recommend for Adoption: The regulation in its final draft is then recommended for adoption to the governing legislative body, such as city council, county commissioners, or township trustees.

Presentation to Legislative Body: A presentation on the draft regulation may be given to the legislative body.

Ongoing Implementation Support: Provide continued education to the community on the implementation of the regulation and address questions as they arise. Support ranges from answering implementation question over the phone, providing on-site assistance with stream identification, and measuring setback widths.

More Information

Using the process outlined above, CRWP successfully assist 14 Members with the adoption and implementation of the Riparian Setback Model Regulation. These CRWP Members represent 44% of the watershed. More detailed information on the model ordinance, adoption process and supporting resources can be found on the CRWP website: www.crowp.org



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Lessons Learned

- Political support of the regulation is necessary for adoption of the riparian and wetland setback regulations. If the support from elected officials and community staff is not present, it may indicate that more education is necessary before moving forward with adoption.
- Include those tasked with implementing the regulations in the regulation review, revision and adoption.
- Identify who will be available to provide technical support to the implementation staff. This may include watershed organizations, the local soil and water conservations district or community engineer.
- Scientific justification for proposed standards must be available during the review and adoption process.
- Be prepared for commonly asked questions, such as:
 - ◊ Why is the regulation necessary?
 - ◊ What local are local examples where this regulation can prevent problems?
 - ◊ How are existing lots and structures affected?
 - ◊ How does the regulation affect landscaping along the stream?
 - ◊ How do you measure the setback widths along slopes?
 - ◊ What is the coordination between the US Army Corps of Engineers, Ohio Environmental Protection Agency, and local soil and water conservation district?
 - ◊ Do riparian and wetland setbacks affect property values?
- Additional information on these Lessons Learned and resources can be found in the CRWP's *Adoption Process for Best Land-Use Regulations, 2009* document: http://www.crowp.org/model_ordinances/model_ordinances.htm

Technical Resources

Hedonic Analysis of Riparian/Wetland Setbacks, 2006

http://www.crowp.org/Projects/crowp_lepf_project.htm

Riparian Setback: Why that Width?

http://www.crowp.org/pdf_files/riparian_setbacks_why_that_width.pdf

Riparian Setbacks: Technical Information for Decision Makers

http://www.crowp.org/pdf_files/riparian_setback_paper_jan_2006.pdf

Wetland Setback Model Regulation

http://www.crowp.org/model_ordinances/wetland_setback_model.htm

Why Riparian Setbacks?

http://www.crowp.org/pdf_files/why_riparian_setbacks_jan_2006.pdf

