

Town of Willington, Connecticut

# 5.0 Future Land Use Plan





## 5.0 Future Land Use Plan

### 5.1 Consistency with the Conservation and Development Policies Plan for the State of Connecticut

The Conservation and Development Policies Plan for Connecticut, 1998-2003 (State Conservation and Development Plan), is a statement of the growth, resource management and public investment policies for the State of Connecticut. The State Development Plan provides a policy and planning framework for the administrative and programmatic actions and capital and operational investment decisions of state government that influence the future growth and development of the state. The objective of the State Conservation and Development Plan is to “guide a balanced response to human, environmental and economic needs in a manner which best suits the future of Connecticut”. The State Conservation and Development Plan was established by the Connecticut General Assembly in accordance with Sections 16a-24 through 16a-33 of the Connecticut General Statutes. The General Assembly also required that towns take the State Conservation and Development Plan into consideration when formulating their own Plans of Development. For this reason, policies, goals and recommendations of the State Conservation and Development Plan for portions of the Plan most relevant to Willington are summarized below.

### Water Supply

Goal: To effectively establish, protect, and manage sufficient high quality water supply sources, treatment facilities, and delivery systems to meet existing and future needs.

Policies and strategies for attaining this goal include:

- Protect health by meeting or exceeding state and federal drinking water standards for water supplies by preventing degradation of water supply watersheds and water supply aquifers and by providing adequate levels of treatment.
- It is recommended that land uses within existing and potential water supply watersheds and water supply aquifers be compatible with and operate in accordance with appropriate preservation and protection management strategies.
- Intensive development should be guided away from water supply watersheds and water supply aquifers and the cumulative effects of incremental growth should be considered.
- There should be a comprehensive local evaluation of the municipal plan of development, existing land use, zoning and activities on water supply watersheds and water supply aquifers. Any existing or potential threats to water quality and what measures should be taken to improve protection should be determined. Protective measures should be developed for the entire watershed/water supply aquifer with the most stringent measures focused on critical areas which are those closest to a reservoir or diversion and its tributaries or a well field.

- The proper siting, design, installation, operation and maintenance, repair and renovation of septic systems should be promoted so that they can function indefinitely and, thus, avoid pollution and eliminate the need for the installation of sewers on water supply watersheds. Encourage cluster-style development providing it is consistent with the carrying capacity of the land.

## **Water Quality Management**

Goal: To maintain existing high quality waters and to restore and manage the waters of the state to a quality and quantity consistent with their use for water supply, water-based recreation, and for the protection and propagation of fish, shellfish and wildlife. To protect the public health and welfare and promote economic development and agriculture.

Policies and strategies for attaining this goal include:

- Continue to improve the quality of ground and surface water through a combination of pollution prevention and pollution abatement practices.
- Promote best available control methods to non-point pollution sources including sludge and industrial waste disposal; highway, urban, silvicultural and agricultural runoff; and erosion from construction sites.
- Aggressively correct non-point sources of pollution through regulatory and non-regulatory methods, including best management practices. Utilize preventive measures, such as vegetative buffers, in the management of this type of pollution. Educate local decision-makers on how to deal adequately with non-point sources of pollution. Focus on the reduction of impervious surfaces, reduce blacktop and sidewalks, whenever feasible.

## **Natural and Cultural Resources**

Goal: To enhance the quality of the physical, cultural and biological environment by conserving and preserving natural and cultural resources and ecological systems.

Policies and strategies for attaining this goal include:

- Encourage the formation of greenways and acquisition or protection of contiguous tracts of open space for recreational and natural resource management purposes.
- Seek to achieve no net loss of wetland resources through development planning that avoids wetlands whenever possible, minimizes intrusion when it cannot be avoided, and mitigates unavoidable impacts through wetland enhancement or creation.
- Maintain the species diversity of Connecticut's flora and fauna.
- Maintain the long-term availability of mineral resources where extraction would be consistent with all environmental requirements.
- Prevent inappropriate development in flood plains.

- Provide a wide variety of high quality outdoor recreational opportunities to all citizens, emphasizing activities that broaden understanding of and contact with the natural environment.
- Assess statewide needs for recreational resources and facilities. Develop management plans that maximize multiple uses of state-owned lands, and encourage collaborative ventures with municipal and private entities to provide, protect and manage recreation lands, emphasizing: a) statewide system of greenways that ties to urban areas, links existing regional trail systems and major open space holdings, and uses abandoned rail rights-of-way and other available corridors; b) new water-based recreation sites that are consistent with other resource protection requirements.
- Encourage management of natural resources that preserves the diversity of habitats and species and achieves sustainable yields of renewable resources. In particular, retain healthy, vigorous forestlands and achieve sustainable yields of forest resource-based benefits through scientific management of these resources.

## **Locational Guide Map**

The Locational Guide Map contained in the State Conservation and Development Plan graphically depicts where strategies, goals and policies of the Plan should be applied for the proper management of resources. The Guide Map identifies and delineates limits of the State Conservation and Development Plan's eight land categories or action areas of conservation and development priorities. The categorization of lands, together with each area's specific strategy, priority and guidelines, demonstrates where the goals and policies of the State Conservation and Development Plan should be applied.

The Locational Guide Map designates lands in Willington as either: 1) Rural Community Centers; 2) Rural Lands; 3) Existing Preserved Open Space; 4) Preservation Areas; or, 5) Conservation Areas. The conservation and development strategies for each of these land use categories, as well as their priority, are outlined below. The categories of land uses identified in Willington are numbered 1 through 5.

<b>Table 5.1 Land Uses from the Locational Guide Map of the State Conservation and Development Plan</b>		
<i>Land Use Category/Land Use/ Conservation &amp; Development Strategy</i>	<i>Development Priority</i>	<i>Conservation Priority</i>
<b>Urban Development</b>		
<b>Regional Centers</b>	<b>1</b> Highest	
(Not a category of land use applicable to Willington)		
<b>Neighborhood Conservation Areas</b>	<b>2</b>	
(Not a category of land use applicable to Willington)		
<b>Growth Areas</b>	<b>3</b>	
(Not a category of land use applicable to Willington)		
<b>Rural Development</b>		
<b>1) Rural Community Centers</b>	<b>4</b>	
Cluster in locally designated centers the relatively higher intensity land uses of residential, shopping, employment and public facilities and services occurring in rural communities.		
<b>2) Rural Lands</b>		<b>4</b>
Discourage structural development forms and intensities which exceed on-site carrying capacity for water supply and sewage disposal and therefore cannot function on a permanent basis and are inconsistent with adjacent open rural character or conservation areas or which are more appropriately located in Rural Community Centers.		
<b>Areas of Environmental Concern</b>		
<b>3) Existing Preserved Open Space</b>		<b>1</b> Highest
Support for permanent continuation as public or quasi-public open space, and discouragement of sale and structural development of such areas except as may be consistent with the open space functions served.		
<b>4) Preservation Areas</b>		<b>2</b>
Foster the identification of significant resource, heritage, recreation, and hazardous areas of statewide significance and advocate their protection by public and quasi-public agencies in their planning and investment decisions. Avoid support of structural development except as directly consistent with the preservation values.		
<b>5) Conservation Areas</b>		<b>3</b>
Plan and manage, for the long-term public benefit, the lands contributing to the state's need for food, fiber, water and other resources, open space, recreation and environmental quality and ensure that changes in use are compatible with the identified conservation values.		

(Excerpt from "Conservation and Development Policies Plan for Connecticut, 1998-2003; by the CT Office of Policy and Management)

Willington's Plan of Conservation and Development (PoCD), as set forth in the preceding chapters, was reviewed to determine its consistency with the State Conservation and Development Plan and Locational Guide Map. This review indicated that this PoCD is generally consistent with State Conservation and Development Plan and Map and that many of the State's policies and recommendations are echoed in this PoCD's goals, objectives and recommendations.

## 5.2 Growth Management Strategies

Growth Management is a process by which a community develops the methods and means to control the type, location, and amount of land development (growth) in the community. The most common growth management tool is zoning. Zoning identifies distinct districts within which land use parameters are established for the type of use, density, and layout of development. In Willington, zoning also regulates earth excavation, signs, landscaping, parking, open space set-asides for new subdivisions, and sets performance standards for business and industry (e.g. limits on noise, odors, dust, wastewater discharges, etc). It also restricts certain construction activities or uses in environmentally sensitive or hazardous areas such as flood hazard zones, steep slopes and groundwater aquifers.

All commercial and industrial uses and other high intensity development in Willington must be approved under the Special Permit/Special Exception requirements of the town's Zoning Regulations. This system of land use regulation permits the Planning and Zoning Commission to control the establishment of uses on a project-by-project or lot-by-lot basis. Uses permitted by special permit are listed in the Zoning Regulations under each zoning district heading.

The process for granting a special permit is governed by the Connecticut General Statutes. Under State law, a public hearing must be conducted for all special permit applications, and such permit may only be granted if the proposal conforms to specific standards and criteria found in the zoning regulations to ensure that: 1) the character of the neighborhood in which the use is to be located will be protected; 2) the intensity of the proposed use is compatible with adjacent properties and will not negatively affect property values; 3) safeguards have been taken to protect from detrimental impacts, including traffic, visual and environmental impacts; 4) required public services are available to serve the proposed development; and, 5) the development will not negatively affect the health, safety and welfare of the general public.

Zoning is a particularly effective growth management tool when it is adapted or modified in response to a community's Plan of Conservation and Development. Because zoning regulates the specific land that can be utilized for residential development vs. land that can be used for commercial and industrial development, zoning directly affects the tax base of town as well as its physical development. Zone changes therefore, have the potential to significantly alter not only the fiscal health of town but also its future physical and visual character and the quality of life of its residents.

As stated in the Vision Statement of this PoCD (refer to Section 2.0), one of the principal goals of the community is to "balance conservation, preservation, growth, and development". As stated throughout this PoCD, the town needs to manage growth and development in order to "preserve its rural character and open space and protect its natural, historic and agricultural resources" (see first sentence of Vision Statement). Many of the goals, objectives and recommendations of Section 4.0 and the growth management strategies outlined below, identify various strategies and mechanisms to attain this balance. An important aspect of this balancing act (also as stated in the Vision

Statement), is that while balancing conservation, preservation, growth, and development “the community recognizes the need to balance residential, commercial and industrial growth to accommodate the needs of its citizens and promote long-term fiscal stability.”

How does the community determine what the appropriate levels of development are to attain this delicate balance? What is an acceptable mix of growth, development and preservation? While there are many quantifiable indicators of conservation and development reported in this document (e.g. percentage of town acreage permanently protected as open space; percentage of town land developed for residential and commercial/industrial uses), determination of the ideal mix of uses may not be quantifiable. This is because the interrelationships between conservation and development, preservation and growth, residential vs. commercial/industrial development are complex and involve many variables. In addition, each resident has his/her own idea of appropriate patterns and intensities of development as well as his/her perception of what the character of town is and personal preference of what it should be in the future. That being said, certain statements regarding this balance, based on a review of public input during the Study Circles, Community Workshops and other forums of community involvement (refer to Section 1.2), can be made:

- Residents want to retain the small town, rural character of town;
- Future growth needs to be managed or controlled so as not to drastically change the character of town;
- Residents generally like the current patterns of development but recognize that future growth could ruin the town’s green/pristine look;
- The current ratio of residential vs. commercial/industrial development is acceptable and has resulted in an appropriate diversification of tax base; and,
- The tax base could benefit by the expansion of commercial/industrial development provided that the development is appropriate and occurs in proper places, and does not result in sprawl or excessive impacts (e.g. traffic and environmental degradation).

As discussed in Section 3.1.3 (Summary of Build-Out Analysis), there appears to be an adequate amount of land zoned for commercial/industrial uses relative to the amount of land zoned for residential uses in order to at least maintain the current level of tax base diversification. However, the town should monitor whether commercial/industrial development is keeping pace with residential development in order to maintain the status quo on tax base diversification. Should residential development significantly outpace commercial/industrial development, then the town should investigate what market forces are causing the lag of economic development. The result of the investigations might indicate that currently zoned commercial/industrial land is inappropriately sited relative to highway access or does not have opportune characteristics for development, for example, and therefore the town should consider what measures, including rezoning of other, more developable land, might be undertaken to spur economic development activity.

While zoning is an important regulatory mechanism to control growth, there are other regulatory tools available to towns including subdivision regulations and various ordinances dealing with public health and safety.

While these regulatory tools are essential to ensure orderly growth in a community, other growth management tools that rely on incentives and voluntary involvement by landowners are also available. Incentives and voluntary measures were suggested by many residents during the public outreach meetings for this PoCD as a way to control development and preserve resources of value to residents without burdening them with additional regulations. Some of these tools include easements, purchase of development rights, transfer of development rights and development guidelines in conjunction with community-supported plans.

The following paragraphs provide a brief description of growth management that could be implemented through modifications to the town's regulatory zoning and other land use codes as well as more innovative growth management tools that could be adopted by the Town or that the Town could encourage by providing incentives to landowners or developers.

### **Modifications to Existing Regulations:**

1. **Revise Subdivision Regulations** to disallow all or part of land constrained by steep slopes and other marginally buildable land to be: a) included in the computation of minimum lot size; and, b) to be included in the required land area to be dedicated as open space in new subdivisions.
  - a) Currently, Section 3.f.1) of Chapter 6 of the Subdivision Regulations does not allow land comprised of inland wetlands (soils classified as poorly or very poorly drained) to be used to meet the 40,000 square foot "Minimum Buildable Area" or "minimum buildable rectangle" but does not specifically disallow the uses of steep slopes.
  - b) Currently, Chapter 3 of the Subdivision Regulations of the Town of Willington sets forth that the Planning and Zoning Commission (PZC) may require the "dedication of appropriately located and sized (up to 15% of the total area to be subdivided) open space or recreation areas" upon the subdivision of land. Open space worthy of dedication under this subdivision requirement includes "areas left in their natural, undisturbed state; agricultural land for which development rights have been assigned or otherwise alienated in perpetuity; areas and facilities for non-commercial, non-profit recreation; and similar areas for wildlife habitat, passive and active recreation, groundwater recharge, scenic preservation, and the like." (See Section 4.6.2 for discussion of the town's objectives in protecting open space).

Chapter 8 of the Subdivision Regulations states that the PZC "need not accept land (as dedicated open space) composed entirely or substantially of inland wetlands...unless it considers such areas to have special habitat or other environmental value", however, it makes no mention of steep slopes. Ostensibly, the purpose of this provision is to recognize that wetlands, by

virtue of the requirements of the town's Inland Wetlands regulations, are protected from development and do not necessarily need to be protected further through the establishment of dedicated open space.

While land comprised of steep slopes is not specifically protected by any town or state regulations or ordinances, it is less likely to be developed simply because of the additional costs required to construct roads, drives, homes and septic systems on them. Therefore, revising Subdivision regulations to disallow steep slopes as well as wetlands to be used to meet "Minimum Buildable Area" of lots or to be included in the required land area to be dedicated as open space by developers of subdivisions will provide for the protection of other land, equally valued as open space for the protection of natural resources (such as upland forests, wetland fringes, and river corridors) or to provide land for active or passive recreation.

- 2. Revise Open Space Subdivision Regulations (OSS)** and related provisions of the Zoning Regulations of the Town of Willington to encourage or require the dedication of more protected open space, particularly open space that is not currently protected by other town regulations (e.g. lands other than wetlands, steep slopes); and to adopt more progressive, conservation-oriented subdivision requirements (e.g. permit denser clustering, narrower streets, less closed drainage in exchange for considerably more protected open space and better stormwater management). The Town might consider requiring developers to use OSS in certain, sensitive areas and/or on larger tracts of land.

The adoption of more progressive OSS provisions combined with encouraging (or requiring) developers to utilize OSS planning and development would result in the preservation of considerably more open space than under the standard subdivision provisions and would greatly contribute to the preservation of Willington's rural character. The most open space that developers need to dedicate under the standard subdivision process is 15% of the total site area; under the current OSS process, approximately 35% of the site could be preserved as open space without any loss of building lots; if the town adopts more conservation-oriented provisions to its existing OSS regulations, as much as 45% of the site could be dedicated as open space, again, without reduction of the number of housing lots that could be constructed. Other advantages of more encouraging the use of OSS and/or adopting more progressive OSS provisions could include:

*Advantages to Owner or Developer:*

- Could result in more lots (if bonus incentives are adopted that would allow additional lot(s) if developer provided more open space).
- Lower construction costs (less land clearing, less storm sewer construction).
- Potentially higher real estate values as a result of more protected open space, village character of development.

*Advantages to Town, neighboring property owners, and the environment:*

- Less land impacted by construction.

- Preserves frontage of existing town roads (protects rural character).
- Better preservation of streambelts, wetlands, etc.
- Much more dedicated open space (without need to purchase).
- More protected land available for passive recreation.

**3. Discourage “Strip Shopping Centers”** by tightening the Design Commercial (DC) zone provisions of the Designed Development Zones section of the Zoning Regulations of the Town of Willington. Strip shopping centers are characterized as densely situated, commercial development that occurs along highways and major thoroughfares. The planning and development of strip shopping centers is based on making the commercial uses as visible as possible from roads with high traffic volumes and as accessible as possible to the automobile. Many people consider this type of development pattern undesirable because it often results in traffic congestion, creates unsafe roads (due to frequent and confusing curb cuts, numerous conflicts between vehicles and pedestrians), and is visually unattractive (numerous signs, large areas of parking between street and buildings). These potentially negative aspects of strip shopping centers would detract from Willington’s rural or village character.

Model regulations that restrict or prohibit strip shopping centers have been developed by the Center for Rural Massachusetts

(<http://www.unix.oit.umass.edu/~ruralma/CRM.html>) and adopted by many Connecticut towns; these regulations typically include:

- Direct new development to areas in or immediately adjacent to existing villages or town centers, and design them to be consistent with historic densities and patterns.
- Encourage mixed-use development (e.g. ground floor retail with second story professional offices or residential) to diversify and strengthen the economic and social vitality of commercial areas.
- Control and restrict curb cuts along highways and major roads to provide for safer, more efficient traffic flows and, where appropriate, to improve pedestrian safety.
- Encourage sensible internal connections between adjacent commercial parcels to facilitate vehicular and pedestrian connections between stores and other uses without returning to the main roads.
- Reduce parking lot sizes by allowing shared parking among adjacent uses (where appropriate) and by reducing parking requirements where it can be demonstrated that adequate parking will be provided.
- Restrict the amount of parking allowed in front of buildings (place parking to the side or behind buildings) and require that buildings be situated closer to the road.
- Break up long, ground floor facades with two story buildings, recesses, windows, awnings or other features that provide visual interest and create a more traditional or village pattern of development.

- 4. Restrict or Prohibit “Big-box” Development** by tightening the Designed Development Zones section of the Zoning Regulations to restrict or prohibit “Big-box” development.

Big-box stores range in size from 50,000 to 150,000 square feet, are almost always located on highly visible highways, are isolated from other stores and have vast parking areas. These traits assure that nearly everyone comes to the store by car thereby generating thousands of car trips each day. Consequently, big-box development often results in numerous impacts (including unintended secondary impacts) such as: traffic impacts; fiscal impacts (small retailers usually cannot compete and are forced out of business); land use and visual impacts (few sites are appropriate for this type of development and big-boxes may not be visually compatible with neighboring uses); and environmental impacts (associated with storm-water runoff from large parking lots and access roads and air quality impacts due to increased traffic).

Some Connecticut communities, including the neighboring town of Tolland, have adopted provisions in their zoning regulations to restrict or prohibit big-boxes. These regulatory tools include:

- establish maximum square footages for retail buildings (to ensure that the scale of the retail development fits the scale of their community);
  - establish design guidelines for large retail stores (to require that the architectural design of the building(s) fits the character of the community and provides for pedestrian-friendly site development, for example);
  - set standards for the level of impacts that are acceptable to the community and require that developers prepare impact assessments to ensure that their development will not exceed those standards (e.g. fiscal, land use, traffic and environmental assessments).
- 5. Discourage or prohibit multi-family developments** (apartments or condos) in areas outside of specific “neighborhood village districts”.
- 6. Improve Aquifer Protection Regulations** by tightening Groundwater Quality (or Aquifer Protection) Zoning Regulations (Sec. 17) to further restrict development in these areas (maybe by increasing minimum lot size or non-build zones around well-heads that supply community drinking water).

### **New Growth Management Strategies:**

- 7. Prepare Residential Design Guidelines** to better inform landowners or developers of residential subdivisions of the options that are available to protect natural features and preserve rural character of town, often while improving real estate values.

Illustrated design guidelines complement the increased design flexibility allowed by conservation or Open Space subdivisions. No longer restricted to maximizing the number of two-acre boxes allowed by zoning’s minimum lot size requirements, the designer of a subdivision can be more conscious of the natural features of the site and

the surrounding landscape. It is best for the community to provide guidance in this regard by describing what it values and what it seeks to protect. Illustrations make these guidelines more easily understood by developers, review boards, and the public. Design guidelines could include specific voluntary development strategies, for example:

- Developers should maintain existing trees to the maximum extent possible during the construction of homes (as opposed to clearing the entire site).
  - Homes should be located away from rural highways and collectors, or be visually buffered from these roads; also, the use of common driveways should be encouraged to provide roadside buffers, reduce traffic hazards and protect the scenic character of rural roads.
  - Discourage “over hilltop” development to preserve ridgeline and scenic vistas and preserve the town’s rural character, for example.
  - Low volume local roads (including new subdivision streets) should be designed as an alternative to the standard rural road to be more in context with their setting and more environmentally friendly (e.g. to reduce impervious surfacing, increase storm water detention/retention, and improve the quality of storm water that does reach wetlands and watercourses. Refer to Section 4.5.1 for more information).
  - Natural drainage ways, wildlife habitat areas, contours and landforms should be respected and disturbance to these areas minimized.
- 8. Institute “Village District(s)”** that will allow for multi-uses and denser development in areas that would benefit from shared parking/lowered required parking in exchange for meeting design standards that would be consistent with “Traditional Neighborhood Development” and are sensitive to historical context of town or district.

The Zoning Commission can establish Village Districts, following a public hearing, where it feels it is desirable. According to state statute (CGS 8-2j), the PZC could then regulate construction activities in Village Districts to “protect the distinctive character, landscape and historic structures of such areas and...to maintain and protect the character of the Village District.” Village Districts could be established as an interim step prior to creation of a local historic district or they could also be established in areas that do not include historic structures, but that the community desires to see developed using traditional patterns of development.

- 9. Help Elderly Residents Stay in their Homes** by initiating support and tax incentive programs for elderly residents (e.g. deferred tax payments or limit taxes to certain percentage of income...and/or create programs to assist elderly residents to maintain or rehabilitate their homes) to encourage older residents to stay in town.

**10. Preserve Farmland and Valuable Open Space:** Important farmland and valuable Open Space (See Section 4.6) can be preserved without using outright purchase by initiating relatively new mechanisms: **Purchase of Conservation Easements** or **Purchase of Development Rights (PDR)**. These mechanisms are available to towns and public or private land trusts to secure lands with high priority of open space or natural resource protection needs. Studies have shown that the preservation of farms and open space saves the town money in the long run because it reduces the tax burden that new residential subdivisions would create.

A Conservation Easement is a voluntary legal agreement between the landowner and the town, or a third party such as a land trust, to protect land from development by permanently restricting the use and development of the property, thereby preserving its natural or manmade features. The legally binding agreement is filed with the Town Clerk in the same manner as a deed. The landowner retains ownership of the land, and all of the rights of ownership except the ability to develop the land. The specific restrictions are detailed in the easement agreement.

The Purchase of Development Rights (PDR) is when a community purchases the right to develop a parcel and establishes a conservation easement on the land. The cost of PDR is calculated by determining the current appraised value of the property and its appraised value as open or agricultural land without development potential. The difference between these two numbers is the value of the development rights.

There are several important steps to establishing an effective PDR program that will be supported by the community. They are:

- a) Establish protection goals for the community. Perhaps an acreage goal of permanently protected land such as farmland, forests or ridgelines.
- b) Identify and prioritize specific parcels for protection and develop protection strategies for each.
- c) Use a fiscal model to determine the cost of protecting significant parcels through the PDR as compared to the cost of not protecting these lands in terms of the provision of community services to potential future residences. Residents and their elected officials will want a clear idea of the costs and benefits of a PDR approach. A detailed analysis helps build support from members of the community who will ultimately be paying the bills.
- d) Establish a funding mechanism to implement the program including the identification of possible outside funding sources.

**11. Initiate Neighborhood Master Plans** or Concept Plans for potential economic development areas in order to obtain “conceptual” approval for new commercial or industrial development. The purpose of this advance planning is to attract prospective developers or business owners to invest and construct new facilities and give them more confidence that the project has the support of the town. This strategy will also allow residents that may be particularly affected by the development to express their concerns and work towards finding solutions so that they are less inclined to oppose proposals when they are formally submitted.

A neighborhood master plan would include detailed study of specific planning issues of proposed development and its relationships to adjacent residential areas.

There are several suggested steps to develop a neighborhood master plan, including:

- Establish a Neighborhood Master Plan Committee consisting of neighborhood residents, business owners, and other neighborhood stakeholders.
- Conduct a series of public workshops where all are invited to participate. The workshops will allow the community to understand all issues, address concerns and provide focus on (and find solutions to) specific issues.
- Define the geographic extent of the neighborhood.
- Identify neighborhood opportunities and constraints and residents' vision along with associated goals and objectives.
- Consider an appropriate mix of land uses, economic development opportunities, natural resource and open space conservation, recreation, and other uses valued by the community that would enhance the development, minimize development impacts and help the development fit in with the neighborhood or greater community.
- Make specific zoning recommendations including suggestions for building massing, architectural design, parking reduction, setbacks or buffers, pedestrian circulation, trails, traffic calming, etc.
- Prepare an action plan.

**12. Implement Transfer of Development Rights (TDR):** The Town could consider implementing a TDR program to protect farmland or valuable open space.

A TDR Program uses real estate market activity to focus development in suitable locations while protecting valuable open space. To establish such a program, the town designates specific areas as “sending zones”. Sending zones are places that the community seeks to preserve. The town also establishes “receiving zones”. These are areas that are suitable for fairly high-density development. Through the TDR program, development rights are sent from the sending zone to the receiving zone through negotiations between the landowner (sending zone) and the developer (receiving zone). Land in the sending zone will therefore be protected while land in the receiving zone will be densely developed. (Note: TDR can also be accomplished through incentive zoning.)

### 5.3 Resource-Based Future Land Use Plan

Most Future Land Use Plans prepared to meet the requirements of a Plan of Conservation and Development map the amount, intensity, and character of land use proposed for residential, industrial, and business; in effect, a future zoning map for the municipality. The goals, objectives and recommendations of each of the PoCD Plan Elements are considered in the identification of future land uses, or future zone changes so that conservation of lands that are best suited for preservation because of the presence of valuable natural or manmade resources (e.g. agriculture, open space, valuable natural resources and historical or cultural resources) are considered.

The PoCD Committee of the Town of Willington decided to deviate slightly from this common approach to future land use planning in recognition of the fact that the Town is unique in: 1) the determination of how land is rezoned for non-single-family residential purposes<sup>1</sup>; and, 2) the extent and quality of its natural, aesthetic, historical and cultural resources. This innovative approach to future land use planning is a very deliberate and objective, resource-based approach to conservation and development. Under this approach, future land use changes will be determined based on the merit of the change as measured against potential impacts that could result by the change. The impacts could be positive or negative, for example:

*Landowner A: A landowner desires to rezone her land from R-80 Residential to Design Commercial. Her land meets all of the criteria for a Design Development (see footnote 1, below) and is not comprised of lands that have considerable natural, historic or cultural resources. On balance, the intensive development of her property for economic uses will not only provide jobs but also needed services, is a positive impact. Therefore, the town's Planning and Zoning Commission sees that it is in the best interests of the residents of the Town of Willington to rezone her land from R-80 to DC.*

*Landowner B: A land owner in another part of town also desires to rezone his land from R-80 Residential to Design Commercial. His land also meets all of the criteria for a Design Development; however, a significant area of the property is comprised of lands that have considerable natural, historic or cultural resources.*

---

<sup>1</sup> in Willington, more intensive land uses such as commercial, retail and industrial developments are allowed within a Design Development (DD) zone through provisions of the town's Zoning Regulations. These DD provisions are, in effect, "floating zones" that allow for the establishment of these uses in most areas of town provided that the applicant can demonstrate that the proposed use will not negatively affect adjacent lands and that: a) the size and intensity of the proposed use will be in harmony with and not detrimental to adjacent properties; b) the site will have adequate traffic and emergency access to public streets and that those streets have the capacity and characteristics to accommodate the increased traffic, c) the physical character of the land can support the storm and sanitary waster disposal and water supply needs of the development, d) there will be no overall impact on neighborhood property values; e) the development of the property will not negatively impact valuable historic or natural resources; f) the design of proposed buildings and site will preserve and enhance the town's historic and rural character; among other criteria and requirements. The purpose of the DD zones, therefore, is to "provide for increased flexibility, balanced by increased control, in the development of land" to provide needed public improvements (e.g. recreation, diverse forms of housing, shopping and services), improve the tax base, and provide employment opportunities while promoting and protecting the health and general welfare of residents, preserving natural resources and maintaining or enhancing the quality of the environment.

*The Planning and Zoning Commission determines that, while the intensive development of his property for economic uses will improve the tax base and provide needed jobs and services, the zone change and subsequent development will have a negative impact on valuable natural, aesthetic and historical resources. Further, the ongoing operation of the use in proximity to the site's remaining resources will be detrimental to those resources as well as to downstream properties and other, off-site resources. On balance, the zone change would result in a net negative impact and the PZC denies it because it is not in the best interests of the community.*

In either of these examples, the more information that the landowner and the PZC have about the resources of the property in question, the better informed they would be about whether the uses proposed have merit, i.e. whether the proposed use would result in a net positive or net negative impact to the community. From the landowner's perspective, he or she could save time, effort and money if they knew in advance that a proposal would not meet the town's criteria for responsible or sustainable development (criteria embodied in the Town's current Design Development Zone and Special Permit regulations). From the PZC's perspective, they would be much better positioned to "pre-screen" development proposals and/or alert property owners that the development of their land will require innovative measures to protect valuable resources.

This resource-based future land use plan, therefore helps landowners, developers, land-use commissioners, and conservationists alike (and ultimately, all residents of the Town of Willington) by quantifying the 'developability' of land in town. It provides a powerful and valuable planning tool to determine the 'highest and best use' of land considering its physiographic limitations and the value of its natural resources. In this way, it can be used to:

- Understand the interrelationships and interdependencies of the town's natural systems.
- Generally identify which lands:
  - are better suited for intensive development to promote and encourage economic development;
  - should be acquired for open space preservation; or,
  - should only be developed with low-density or 'sustainable' development practices.
- Encourage town land use boards and commissions to adopt more innovative strategies to preserve valuable lands while allowing landowners to benefit economically (see Section 5.2 – Growth Management Strategies); possibly targeted to areas of town where there are greater concentrations of valuable resources; and,
- Better provide for the orderly development of town in a manner that is harmonious with the physical landscape and will not result in irreversible impacts to the town's many valuable resources.

## How do we quantify the developability of land?

The PoCD Committee has identified the following resources as the most important physical considerations in determining the appropriate intensity of development of land (listed in descending order of importance):

1. Aquifers
2. Inland Wetlands
3. Unique Natural Environments/Habitats
4. Streambelts (the proximity of land to streams and riverbanks, a distance of 100 feet from the highwater line of the watercourse)
5. Steep Slopes (greater than 15% gradient)
6. Floodplains
7. Prime or Important Farmland Soils

Each of these resources was mapped<sup>2</sup> during the Inventory Phase of the preparation of this PoCD (refer to Section 4.0 – Plan Elements). They were then transferred to the Future Land Use Plan (refer to Map 10) in order to prepare a composite view of the resources that most affect land use.

In recognition that some of these resources have a greater impact on the degree to which land can or should be developed, or that some of these resources are more valuable from an environmental perspective (e.g. aquifers are important not only to preserve and protect pristine riverine environments, by virtue of their location within the town's major watersheds, they are also invaluable in protecting and providing sources of drinking water for thousands of people in the town and in the region), the PoCD Committee then assigned a relative value (or weighting factor) to each resource. This relative value is termed the Resource Value (RV), as follows:

<i>Resource</i>	<i>Relative Resource Value (RV)</i>
Aquifers (A)	3.0
Inland Wetlands (IW)	3.0
Unique Natural Habitats (UH)	3.0
Streambelts or Riverways (SR)	2.0
Steep Slopes (SS)	2.0
Floodplains (FP)	1.0
Prime or Important Farmland Soils (PF)	1.0

---

<sup>2</sup> Note: the sources of mapping of these resources are considered quite general. These sources were developed for planning purposes, only. More detailed, site-intensive mapping would be required when assessing any one tract of land to determine a more accurate delineation of resources.

The weighting factor or “Resource Value” is on a scale of 1 to 3 where a value of 3 indicates that the resource has the highest value in terms of its importance as a determinant as to how sensitive land that contains that resource is to development impacts.

To quantify the extent and value of any one resource on a tract of land, the Resource Area (RA, or the area of the site, in acres, that is comprised of a resource) is multiplied by the Resource Value (RV) of that resource. The resulting product is termed the Resource Factor (RF). A site that contains five acres of Aquifer will have a higher RF (5 ac. x 3 = 15) than a site that contains five acres of Floodplains (5 ac. x 1 = 5).

It is apparent in a review of Map 10 that many tracts of land in town not only have more than one of these resources within its boundaries, but also have areas where one or more of these resources are superimposed over each other. Naturally, lands that have numerous resources within its borders, and especially lands that have overlapping resources, are more environmentally sensitive and arguably, are more worthy of preservation.

To quantify this composite or cumulative value of multiple resources existing on the same tract of land, each Resource Factor (i.e. the product of the Resource Area x the Resource Value) for the tract is added together to obtain the “Total of the Site’s Resource Factors”. This number is then divided by the total land area of the tract or site to derive the “Land Conservation Ratio”, or LCR. This ratio is a convenient way to compare the resource value of different size parcels of land (i.e. an “apples-to-apples” comparison of the land’s environmental sensitivity or conservation value). An LCR can be calculated for any tract of land (whether a tract of land that represents a planning unit or an individual parcel identified on the Town’s land records). The higher the LCR, the more environmentally sensitive it is or the less developable it is for intensive uses. Conversely, the lower the LCR, the less environmentally sensitive the land and the more developable it is for more intensive residential or commercial/industrial uses.

### **How will these numbers be used?**

Resource-based land use planning could be used either: 1) for planning purposes in order to understand a particular area’s developability; or, 2) as a future mechanism to modify land use regulations (e.g. Subdivision or Zoning Regulations).

- 1) For planning purposes, the Land Conservation Ratio (LCR) can inform many land use decisions including:
  - a. Re-zoning decisions
  - b. Open Space preservation and acquisition
  - c. Determining where best to apply Growth Management Strategies

- 2) For future regulatory purposes<sup>3</sup>, the LCR can be applied to moderate or temper development yields based on resource factors by applying it to standards allowed by Zoning regulations to reduce development densities.

For example, the LCR (or a ratio that is the inverse of the LCR) could be applied to the number of housing units that are allowed on a tract of land per current Zoning regulations. In this way, the LCR could be used to increase housing density on land that does not contain high concentrations of valuable natural resources and decrease housing density on lands that contain high concentrations of valuable natural resources. A similar formula could be developed to temper development yields for commercial or industrial sites, possibly by applying the ratio to maximum floor area coverage as a percentage of the site.

---

<sup>3</sup> Note: This discussion on use of the LCR as regulatory tool or regulatory mechanism to modify Subdivision or Zoning Regulations is not a specific proposal; rather, it is a very preliminary discussion on how resource-based mapping and land-use planning can be used by the Town of Willington to moderate the intensity of development wherever it deems appropriate. The specific mechanism or formula to determine how regulations would be moderated will take much more effort to refine in order to assure that any proposal would be fair and equitable under all conditions or circumstances.