

Ohio Balanced Growth Strategy

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TABLE OF CONTENTS

Acronyms.....	v
Executive Summary	vii
About the Ohio Balanced Growth Program	1
History of the Balanced Growth Program	3
Balanced Growth as a Statewide Program	4
A Watershed Framework for Balanced Growth Planning.....	5
Watershed Planning Partnerships	5
Watershed Balanced Growth Plans	6
Local Government Role	10
State Government Role.....	11
Local Plan Approvals and State Endorsement	13
Best Local Land Use Practices	15
Model Ordinances	15
Guidance Documents.....	15
Training Opportunities	17
State Incentives Package.....	19
Accessibility to State Agencies	19
Streamlining and Predictability	20
State Program Inventory	20
Financial and Technical Assistance	20
Developing Additional State Support.....	25
State Support for Watershed Planning Partnerships	25
Best Local Land Use Practices	28

Program Innovations Under Development.....	29
Post-Planning Implementation	33
Measurements of Success	35
Appendix A: Watershed Balanced Growth Plan Suggested Table of Contents	
Appendix B: Watershed Planning Programs	
Appendix C: State Program Inventory	
Appendix D: Relationship to Watershed Action Plans, TMDLs, Section 208 Planning, and Watershed Action Plan Endorsement	
Appendix E: Sample Resolution of Support	

Acronyms

BLLUP	Best Local Land Use Practice
GIS	Geographic Information Systems
GLRC	Great Lakes Regional Collaboration
LEPRP	Lake Erie Protection & Restoration Plan
NOAA	National Oceanic and Atmospheric Administration
NPDES	National Pollutant Discharge Elimination System
ODA	Ohio Department of Agriculture
ODH	Ohio Department of Health
ODNR	Ohio Department of Natural Resources
ODOD	Ohio Department of Development
ODOT	Ohio Department of Transportation
OEPA	Ohio Environmental Protection Agency (Ohio EPA)
OLEC	Ohio Lake Erie Commission
OWRC	Ohio Water Resources Council
PAA	Priority Agricultural Area
PCA	Priority Conservation Area
PDA	Priority Development Area
RAP	Remedial Action Plan
SACG	State Agency Coordinating Group (of OWRC)
SAWG	State Assistance Work Group (Ohio Balanced Growth Program)
SWCD	Soil and Water Conservation District
WBGW	Watershed Balanced Growth Plan
WAP	Watershed Action Plan

Executive Summary

In April of 2004, the Ohio Lake Erie Commission (OLEC) adopted the Balanced Growth Blue Ribbon Task Force recommendations for a voluntary, incentive-based program to achieve balanced growth in Ohio's Lake Erie

Balanced Growth in Ohio

Balanced Growth is a voluntary, incentive-based strategy to protect and restore Lake Erie, the Ohio River, and Ohio's watersheds to assure long-term economic competitiveness, ecological health, and quality of life.

Watershed. The success of this initiative prompted the Ohio Water Resources Council (OWRC) to move forward with statewide implementation of the program. This document provides the framework for how the Ohio Balanced Growth Program will grow statewide and be administered by the OWRC and the OLEC. This document carries forward the program elements as described in two documents produced by the Ohio Lake Erie Commission: Linking Land Use and Lake Erie: A Planning Framework for Achieving Balanced Growth in the Ohio Lake Erie Watershed, and The Lake Erie Balanced Growth Strategy (2007).

These program elements include:

- ✓ A new focus on land use and development planning in Ohio's watersheds that are tributary to both Lake Erie and the Ohio River. The goal is to begin to link land-use planning to the health of watersheds and major water bodies.
- ✓ The creation of Watershed Planning Partnerships composed of local governments, planning agencies, nonprofit organizations, and other parties in each watershed. Participation in these partnerships is voluntary and encouraged by incentives.
- ✓ The production of Watershed Balanced Growth Plans by Watershed Planning Partnerships. A Watershed Balanced Growth Plan is a framework for coordinated, local decision making about how growth and conservation should be promoted by local and state policies and investments in the context of watersheds.
- ✓ The locally determined designation of Priority Conservation Areas (PCAs) and Priority Development Areas (PDAs) (and optionally, Priority Agricultural Areas (PAAs)) as the main feature of Watershed Balanced Growth Plans. PCAs are locally designated areas for protection and restoration. They may be critically important ecological, recreational, heritage, agricultural, and public access areas that are significant for their contribution to water quality and general quality of life. PDAs are locally designated areas where

development and/or redevelopment is to be especially encouraged in order to maximize development potential, maximize the efficient use of infrastructure, promote the revitalization of existing cities and towns, and contribute to the restoration of Lake Erie and the Ohio River. Priority Agricultural Areas, a category that may be used at local discretion, are locally designated areas where agriculture is a significant contributor to water quality and the region's quality of life, but designation of these areas also maximizes agricultural potential and contributes to efficient use of agricultural infrastructure.

- ✓ The development of suggested model regulations to help promote best local land use practices that minimize impacts on water quality.
- ✓ The alignment of state policies, incentives, and other resources to support Watershed Balanced Growth planning and implementation. The State of Ohio will support the implementation of such plans by special strategic initiatives and in the conduct of its regular activities. The state has developed this Ohio Balanced Growth Strategy to describe how state programs, policies, and incentives will be aligned with local efforts to focus development efforts in PDAs, promote successful conservation efforts in PCAs, and promote agriculture in PAAs.

The fundamental principle to guide the actions of state agencies is that if local governments can agree on areas where development is to be encouraged (PDAs), areas which are to be conserved (PCAs), and, optionally, areas where agriculture is to be protected (PAAs), the State of Ohio will align state programs to support these locally based decisions and conversely will not utilize state programs to violate them.

Watershed Framework

Watersheds are an area of land from which surface water drains into a common outlet, such as a river, lake or wetland. Impacts to the watershed from local development transcend political and geographic boundaries. The Ohio Balanced Growth Program utilizes Watershed Planning Partnerships comprised of local government representatives and others who will work toward the development and implementation of a Watershed Balanced Growth Plan. This Plan will contain maps of Priority Conservation Areas and Priority Development Areas based on specific measurable criteria that will support watershed-based land use planning and project implementation. The local role is to work towards the development, adoption, and implementation of the Plan, and the state's role is to support the local government effort and be responsive to the resulting state-endorsed Plan.

Watershed Balanced Growth Plans interface with and complement the existing Watershed Action Plan (WAP) process by providing a land use component to water quality improvement. Like the WAPs, the state will endorse the plan, and after endorsement, the participating local jurisdictions will be eligible for state incentives.

State Incentives

There are four general categories of state support for Balanced Growth Watershed Plans:

Accessibility to State Agencies: A State Assistance Work Group (SAWG) consisting of personnel from each state agency involved in supporting Balanced Growth will be made available to meet with representatives of the Watershed Planning Partnerships (WPP). This Work Group will be charged with assisting the WPPs (and participating local governments) in identifying technical and financial resources that can be used to support PDAs, PCAs, and PAAs. State agencies can assist in identifying sources of support, obtaining agency guidance on utilizing support and making the agencies aware of the local watershed intentions.

Streamlining/Predictability: Providing greater predictability for private sector decisions is a significant objective for this program. In this document there is a description of OEPA and ODNR programs requiring that state (and some federal) actions are consistent with local plans. In addition, programs that depend upon local recommendations (such as those requested by ODOT from Municipal Planning Organizations) will note that recommendations that come through the local process for review are consistent with a locally adopted and state endorsed Watershed Balanced Growth Plan where such a plan has been completed. The State Assistance Work Group will continue looking at methods to provide more advance predictability pertaining to site-related decisions. This will help private developers to understand they can anticipate streamlined decision making for development in the PDAs.

State Program Inventory: State programs have been inventoried and assembled by their support for the Priority Conservation Areas or Priority Development Areas, and they are further organized by: infrastructure support, direct site impact, or planning and technical assistance. This inventory will be a resource for watersheds to help identify programs that will support development or redevelopment in PDAs, conservation in PCAs, and agriculture in PAAs.

Financial and Technical Assistance Incentives: The state has prepared a list of special technical and financial incentives available in watersheds that have a state endorsed Watershed Balanced Growth Plan, or in some cases, are working on a plan. They are generally in the form of additional consideration (extra priority ranking, interest rate discounts or special support) for funding applications that will implement specific activities in PDAs, PCAs, or PAAs. There are also special considerations for technical assistance from the state in watersheds with a Watershed Balanced Growth Plan.

Best Local Land Use Practices

In addition to supporting local decisions about the location of growth, the state also supplies guidance on best local land use practices for minimizing development impacts on water quality wherever the expansion of developed areas occurs. This includes a set of model or example zoning ordinances and resolutions recommended for voluntary adoption by local communities, a set of guidance documents for a range of additional best practices, and training opportunities for local government elected officials and staff. The training program, previously focused on the Lake Erie watershed, will be expanded statewide and is not limited to communities with Watershed Planning Partnerships.

Post-Planning Implementation

It is anticipated that after state endorsement the Watershed Planning Partnership will continue to function as described in the Plan and that they will promote and monitor Watershed Balanced Growth Plan implementation. The state will also continue to support the program and assist Watershed Planning Partnerships and local governments in implementation. To facilitate this exchange, both the state and local governments (through the Watershed Planning Partnerships) are expected to continue to communicate about Plan and Program status and changes.

Measurements of Success

One of the recommendations of the original Balanced Growth Task Force was for the state to measure the progress of the program by developing a set of indicators. Taking into account the unique character of different watersheds, the state should measure the progress of the balanced growth program with the following three sets of indicators: programmatic indicators, land use and socioeconomic indicators, and natural resources indicators.

About the Ohio Balanced Growth Program

The Ohio Balanced Growth Program is a voluntary, incentive-based program that provides local governments with a regional planning framework based on watersheds and water resources protection. The fundamental principle to guide the actions of state agencies is that if local governments within a watershed can agree on areas where development is to be encouraged

and areas which are to be conserved, the State of Ohio will align state programs to support these locally based decisions and conversely will not utilize state programs to violate them.

The Ohio Balanced Growth Program builds upon the successes of the Ohio Lake Erie Commission in developing and piloting the Lake Erie Balanced Growth Program in the Lake Erie watershed. The Commission convened a task force in 2001 to develop the program and sponsored four projects in 2006-2009 (with funding from the Ohio Water Development Authority and the National Oceanic and Atmospheric Administration) to pilot the implementation of the program in local communities with varying land use patterns and pressures. All four of the pilot projects produced state-endorsed Watershed Balanced Growth Plans by September, 2009.

In its role to coordinate water policy and program development for the State of Ohio, the OWRC adopted an initiative in 2007 to integrate water resources management with local planning and development. The success of the Lake Erie Balanced Growth Program prompted the Ohio Water Resources Council (OWRC) to explore options for statewide implementation of this program to address this critical connection between Ohio's water resources and sustainable growth and development. This document provides the framework for how the Ohio Balanced Growth Program will grow statewide and be administered by the OWRC. This document carries forward the program elements as described in two documents produced by the Lake Erie Commission: [Linking Land Use and Lake Erie: A Planning Framework for Achieving Balanced Growth in the Ohio Lake Erie Watershed](#), and [The Lake Erie Balanced Growth Strategy](#) (2007).

The [Ohio Lake Erie Commission](#) was created to preserve Lake Erie's natural resources, protect the quality of its waters and ecosystems, and promote economic development along the Lake Erie coast. Members include the heads of six state agencies. See lakeerie.ohio.gov.

The [Ohio Water Resources Council](#) was designed as a forum for policy development, collaboration and coordination among state agencies, and to offer strategic direction with respect to state water resource programs. Members include the governor's office and the heads of nine state agencies. See ohiodnr.com/owrc.

The Challenge of Stewardship

Water is Ohio's greatest natural resource and provides tremendous natural and economic benefits to all Ohioans. It truly is a resource of global significance. After all,

- ✓ Two-thirds of Ohio's borders are water (Lake Erie and the Ohio River)
- ✓ Ohio enjoys more than 61,000 miles of rivers and streams
- ✓ Ohio has more than 125,000 lakes, reservoirs and ponds covering nearly 265,000 acres
- ✓ Ohio has approximately 480,000 acres of wetlands
- ✓ At least 60% of all Ohioans depend on surface water for drinking water while the remainder rely upon ground water
- ✓ Nonpoint sources such as poorly maintained septic systems, animal waste and pesticide runoff, and physical alteration of streams are now among the greatest threats to Ohio's water quality
- ✓ Ohio drains into both the Lake Erie and Ohio River basins

To protect the health of watersheds and their ability to sustain economic prosperity in the 21st century, citizens of Ohio must work together in their own communities and in cooperation with other communities throughout the state as stewards of this valuable resource.

The practice of stewardship is complex. Stewardship means balancing the different interests of those who use water in different ways—shoreline property owners, wildlife, industry, boaters, developers, bird watchers, anglers, viewers of sunsets, and everyone who drinks and uses the water. Stewardship grows even more complex when one considers how people and development affect their water resources, not only locally, but also throughout the larger watershed.

In the past 30 years, Ohioans have increasingly understood the importance of the environment in general, and watersheds in particular, as the foundation for long-term economic prosperity and quality of life. Many challenges remain, however, and as a result Ohio is not realizing the full benefits of its investments in clean water. Economic development and recreational opportunities are reduced. Communities are incurring additional costs for flood control, dredging/dredge material dispersal, water treatment, wastewater treatment, infrastructure, and hazard mitigation. Citizens experience lingering concerns about the health effects of eating locally caught fish and swimming in local waterways. Thus, it has become clear that further protection of natural systems associated with Ohio watersheds (streamside areas, floodplains, wetlands, streams, and rivers) and the important functions they provide is essential to the health, safety, and future quality of life for all Ohioans.

Negative impacts to local water resources do not simply originate from a factory effluent pipe. They originate with the way land is used throughout the watershed. Problems can be initiated by the location of development (i.e., development that does not take advantage of existing infrastructure and urban services, creates additional costs, and degrades natural systems) and

the design of the development (development that creates unnecessary impervious surfaces and greater amounts of storm water runoff pollution from roads, parking lots, rooftops, and lawns).

Thousands of decisions by individuals and communities accumulate to create this situation and no framework has previously existed for them to come together to plan for their future and consider the cumulative impact of their development decisions on the health of watersheds and water resources. This program creates such a framework – a framework that will help communities plan more effectively for the location and design of both conservation and development.

History of the Balanced Growth Program

In 2000, the Ohio Lake Erie Commission released the Lake Erie Protection & Restoration Plan, which provided a comprehensive set of recommendations for the State of Ohio and its partners to improve the quality of Lake Erie as a resource for all Ohioans. A pivotal conclusion of the plan was that land-use trends in the basin are a major factor preventing the full restoration of the lake. Consequently, the plan recommended that the Commission appoint a Balanced Growth Blue Ribbon Task Force comprised of a wide range of constituencies, including property owners, government officials, business leaders, conservationists, academia, agriculture, and other stakeholder groups. The task force was appointed in October 2001 and was charged with:

- ✓ Recommending strategies to balance the protection of the Lake Erie watershed with continued economic growth.
- ✓ Finding ways the state can integrate balanced growth principles into its decision-making processes.
- ✓ Researching the best practices from around the country and recommending innovative ideas for Ohio.
- ✓ Being inclusive and seeking out diverse opinions.
- ✓ Developing a voluntary, incentive-based program, not a new regulatory program. The new program would not limit property rights, interfere with local control of land use decisions, or create unfunded mandates.
- ✓ Making recommendations that are practical, realistic, and do not require new funding sources.

The Balanced Growth Blue Ribbon Task Force met for over two years. The recommendations of the task force are contained in two documents prepared in 2004: Linking Land Use and Lake Erie: A Planning Framework for Achieving Balanced Growth in the Ohio Lake Erie Watershed; and Linking Land Use and Lake Erie: Best Local Land Use Practices.

In April of 2004, the Ohio Lake Erie Commission adopted the task force recommendations for a voluntary, incentive-based program to achieve balanced growth in the Ohio Lake Erie Watershed. The recommendations included a lead role for local governments with state government providing strong support and encouragement.

The Lake Erie Balanced Growth Program recommendations included:

- ✓ A regional focus on land use and development planning in the Lake Erie basin.

- ✓ The creation of local Watershed Planning Partnerships.
- ✓ The alignment of state policies, incentives, funding, and other resources to support watershed balanced growth planning and implementation.
- ✓ The implementation of recommended model regulations to help promote best local land use practices that minimize impacts on water quality and provide for well planned development efficiently served by infrastructure.

These recommendations were further elaborated upon in the Lake Erie Balanced Growth Strategy (2007), which provided a more specific and detailed listing of state programs, incentives, and program logistics.

Balanced Growth as a Statewide Program

State law established the Ohio Water Resources Council (OWRC) in 2001 as the forum for policy development and strategic planning for Ohio's water resources. The Council is comprised of the governor's office and the directors of nine state agencies, each with a role in protecting Ohio's water resources. The work of the Council is supported by the State Agency Coordinating Group (SACG) comprised of staff from each member agency.

In July 2007, the OWRC adopted the integration of water resource management with local planning and development as a key initiative that underlies the seven themes of the OWRC Strategic Plan. The SACG embarked on an analysis on how best to bring this initiative to fruition. The SACG concluded that the Lake Erie Balanced Growth Program provided the best model for supporting both water resource protection and local development and recommended its adoption as a statewide initiative. The Council unanimously adopted the Balanced Growth Program developed by the Lake Erie Commission for statewide implementation in September 2008.

The Ohio Balanced Growth Program is the same voluntary, incentive-based program designed by the Ohio Lake Erie Commission, and expands the ability to participate to watersheds statewide. Policies and recommendations in the original program have not been changed in the transition to statewide implementation. The following sections provide an explanation of the planning process, an overview of the Best Local Land Use Practices, and a description of the potential benefits to local communities for participating in the program.

A Watershed Framework for Balanced Growth Planning

Watersheds are an area of land from which surface water drains into a common outlet, such as a river, lake or wetland. Impacts to the watershed from local development transcend political and geographic boundaries. Watershed-scale planning has become an accepted approach in Ohio and throughout the nation because collaboration across the watershed allows the realization of more effective local solutions. This framework follows from the "10 Guiding Principles" adapted from the Lake Erie Protection & Restoration Plan (see text box on following page). It builds on existing watershed initiatives that have received community support and will allow the state to promote economic competitiveness and quality of life objectives.

Watershed Planning Partnerships

A Watershed Planning Partnership is the organization that assembles to prepare a Watershed Balanced Growth Plan. A Watershed Planning Partnership should be inclusive of all interests, including representatives from local governments, planning agencies, councils of governments, special purpose authorities, non-governmental organizations, and other stakeholder groups.

Partnerships should be a regional effort that, depending on the watershed, can be organized in flexible ways to respond to local conditions. Their work should be open, inclusive, and focused on consensus building. Partnerships can also contract with existing planning agencies, universities, non-profit organizations, or private consultants for staff support.

For this program, the Watershed Planning Partnerships form within appropriate major watershed planning areas, identified in consultation with state agencies, local elected officials, and other local stakeholders. The watershed areas should be large enough so that land use patterns have significant impact on water quality. The largest pilot watershed was the Chagrin River, 267 square miles in area across 32 local jurisdictions. The smallest pilot watershed was Chippewa Creek (tributary to the Cuyahoga River), 17 square miles in area across 5 local jurisdictions. The following criteria should be used to determine a Balanced Growth watershed:

- ✓ Natural hydrological features
- ✓ Patterns of urban and rural development
- ✓ Distribution of population
- ✓ Preferences of affected local governments
- ✓ Interrelatedness of social, economic, and environmental problems
- ✓ Boundaries of existing watershed planning entities
- ✓ Historic, scenic, and natural resources (living and non-living).

10 Guiding Principles for Sustainable Ohio Watersheds

Attaining a living equilibrium between a strong, diversified economy and a healthy ecosystem

Activities in Ohio's watersheds should:

1. Maximize investment in existing core urban areas, transportation, and infrastructure networks to enhance the economic vitality of existing communities.
2. Minimize the conversion of green space and the loss of critical habitat areas, farmland, forest, and open spaces.
3. Limit any net increase in the loading of pollutants or transfer of pollution loading from one medium to another.
4. To the extent feasible, protect and restore the natural hydrology of the watershed and flow characteristics of its streams, tributaries, and wetlands.
5. Restore the physical habitat and chemical water quality of the watershed to protect and restore diverse and thriving plant communities and preserve rare and endangered species.
6. Encourage the inclusion of all economic and environmental factors into cost / benefit accounting in land use and development decisions.
7. Avoid development decisions that shift economic benefits or environmental burdens from one location within a region to another.
8. Establish and maintain a safe, efficient, and accessible transportation system that integrates highway, rail, air, transit, water, and pedestrian networks to foster economic growth and personal travel.
9. Encourage all new development and redevelopment initiatives to address the need to protect and preserve access to historic, cultural, and scenic resources.
10. Promote public access to and enjoyment of our natural resources for all Ohioans.

Adapted from the Lake Erie Protection & Restoration Plan, 2000

Once formed, the Watershed Planning Partnership undergoes a comprehensive planning process that will take into consideration local development pressures and opportunities, as well as inventory sensitive resources and produce a Watershed Balanced Growth Plan.

Watershed Balanced Growth Plans

A Watershed Balanced Growth Plan is a framework for coordinated, regional decision-making about how growth and conservation should be promoted by local and state policies and investments in the context of local watersheds. The process is voluntary, and the state offers incentives for participation. The Watershed Balanced Growth Plan provides for both economic development and water resource protection, and is meant to augment and harmonize with local comprehensive plans - not replace them. The Plans are presented to the appropriate local governing bodies possessing land use decision making authority and, if adopted by a significant

majority of local governments via resolution of support, are then presented to the state for review and endorsement.

In preparing its watershed plan, the partnership seeks to harmonize the needs of the watershed as a whole with the adopted plans of local governments, adopted functional plans of other governmental agencies in the watershed, and the adopted plans of the Lake Erie or Ohio River basin. State agency staff members at the regional or local level are consulted up front regarding the location and status of state projects in the watershed. Partnerships are also encouraged to consider and incorporate existing studies that will provide the information base necessary for sound decision-making concerning future development and conservation.

Content of Watershed Balanced Growth Plans

The WPPs work with the community stakeholders within the watershed to ultimately produce a plan that contains at a minimum but is not limited to:

- ✓ A specific statement of how the Watershed Balanced Growth Plan will help achieve the goals and objectives of the Balanced Growth Program as outlined in the 10 Guiding Principles, while promoting economic development and quality of life in the watershed;
- ✓ A description of the governance structure, members, and decision process of the Watershed Planning Partnership, including how the partnership intends to continue for the purpose of implementation and future changes and/or updates to the Plan;
- ✓ The identification of Priority Conservation Areas (PCA) within the watershed to protect critical areas;
- ✓ The identification of Priority Development Areas (PDA) within the watershed, where growth and/or redevelopment should especially be promoted;
- ✓ Documentation justifying the designation of any PDA and PCA;
- ✓ Plan implementation strategies.

Identification of Priority Agricultural Areas (PAAs) is optional, but if used, the plan should contain documentation justifying the designation of the PAAs.

A suggested Table of Contents for the Watershed Balanced Growth Plan is included in Appendix A.

Priority Development Areas

Priority Development Areas are locally designated areas where growth and/or redevelopment is to be especially encouraged in order to maximize development potential, maximize the efficient use of infrastructure, promote the revitalization of existing cities and towns, and contribute to the restoration of the watershed. Although the designation of PDAs does not restrict development elsewhere in a watershed, it does identify areas eligible for additional state incentives to encourage development. When evaluating areas for PDA designation WPPs consider the following guidelines:

- ✓ Land areas that are already characterized by urban growth and that have adequate existing urban services.
- ✓ Existing urban areas that can be redeveloped.
- ✓ Land areas primarily characterized by urban growth that are or will be served adequately by a combination of existing and future urban services provided by public or private entities.
- ✓ Areas where growth will be encouraged and that can be served by future urban services in an efficient manner.
- ✓ The co-location of activities that are complementary to quality of life, such as proximity to natural areas, the interconnection of recreational corridors, and alternative transportation systems.

Priority Conservation Areas

Priority Conservation Areas are locally designated areas targeted for protection and restoration. They may be critically important ecological, recreational, heritage, agricultural, and/or public access areas that are significant for their contribution to water quality and the region's general quality of life. Guidance for selecting PCAs can include:

- ✓ Whether the ecological value of the area, as determined by the biological and physical components of the environmental system, is of substantial watershed significance.
- ✓ Whether the ecological functions provided by the area (such as flood control, wildlife habitat, pollution prevention, drinking water supply, wastewater purification, and groundwater recharge) are of substantial watershed significance.
- ✓ Whether the area is susceptible to significant natural hazards, including, but not limited to, fires, floods, earthquakes, landslides, erosion, and droughts that would affect existing or planned development within it.
- ✓ Whether the area contains a plant or animal species designated as federally threatened or endangered, or designated critical habitat for such species or other species of special state concern.
- ✓ Whether the area contains a unique, ecologically sensitive, or valuable ecosystem or combination of ecosystems with plant and animal communities whose loss or decline would negatively affect biodiversity at the watershed, state, or national scale.
- ✓ Whether the area offers significant local recreational or quality of life benefits while also contributing to ecological objectives including urban parkland and other urban greenspace.
- ✓ Whether the area offers opportunities for ecological restoration in urban areas.

Priority Agricultural Areas (Optional)

Individual Watershed Planning Partnerships may, at their discretion, include criteria for agricultural lands protection within the PCA category, or they may alternatively consider criteria specific to agricultural protection under a Priority Agricultural Area (PAA) category. Priority Agricultural Areas are locally designated areas where agriculture is a significant contributor to water quality and the region's quality of life, but designation of these areas also maximizes

agricultural potential and contributes to efficient use of agricultural infrastructure. Guidance for selecting PAAs can include:

- ✓ Whether the area contains prime farmland soils or other natural features applicable to agricultural activity.
- ✓ Whether the area has existing special designations such as Agricultural Districts or Agricultural Easements.
- ✓ Whether there is significant interest among local farmers in maintaining agricultural industry as indicated by number, size, and location of active operating farms, or through the public participation process of the Watershed Planning Partnership.

If the Watershed Planning Partnership would like to include a separate category for PAAs, this should be included in the plan with the same level of detail as the criteria and analysis for the PDAs and PCAs.

Both PDAs and PCAs (and PAAs, if used) should be identified based on measurable criteria that affect the watershed.

Partnerships are also encouraged to consider and incorporate existing studies or undertake supporting studies that will provide the information base necessary for sound decision-making concerning future development and conservation. Sources of information may include, but are not limited to, Watershed Action Plans (WAPs), Total Maximum Daily Load Reports (TMDLs), and the State of Ohio Water Quality Management (208) Plan. For more details on how the Watershed Action Plans interface with the Watershed Balanced Growth Plans, see Appendix D. Some additional factors for consideration are:

- ✓ Population and population distribution.
- ✓ Natural resources, inventories, and assessments which may include air, water, open spaces, public access, scenic corridors and viewsheds, forests, soils, rivers and other waters, shorelines, fisheries, wildlife, and minerals.
- ✓ Description of water resource quality, water quality standard attainment of sub-watersheds, sources and causes of nonattainment, groundwater vulnerability, headwater habitat characterization and mapping, hydraulic and hydrologic studies, fluvial geomorphic assessments, and TMDL recommendations as available.
- ✓ The amount, type, density, and general location of existing and projected land use.
- ✓ Economic factors, which may include amount, type, and distribution of commerce, industry, and agriculture, the location of employment centers, and which may include analyses of trends and projections of economic activity if available.
- ✓ General location and extent of existing or currently planned major transportation facilities of all modes, and utility, educational, recreational, cultural, and other facilities. This should include water, sanitary sewer, and storm water infrastructure.

- ✓ Geology and other physical factors, including land areas subject to natural hazards.
- ✓ The identification of features of significant statewide or watershed architectural, scenic, cultural, historical, or archaeological interest.
- ✓ Amount, type, location, and quality of agricultural lands.
- ✓ Whether the designation of PCA will take precedence in an area also suitable for use as a PDA, and if not, what protections suitable for a PCA will be recommended for the overlapping PDA. If the PAA category is used, there should be similar consideration of recommendations specific to areas of overlap with PCAs and PDAs.

The state recommends that plans be updated every five years, or when local comprehensive plans undergo significant revisions.

Local Government Role

Communities opting to pursue development of a Watershed Balanced Growth Plan work through several phases from convening a local Watershed Planning Partnership through the creation of a Watershed Balanced Growth Plan and its eventual submission to the state for review and endorsement. The program helps guide communities through a planning process to clarify their goals and objectives for the environmental and economic health of the watershed.

"Local governments" are meant to include townships, villages, cities, and counties. Local governments have important roles related to both planning and implementation:

Planning role. Local governments are encouraged to participate in the watershed planning process. They should identify development and conservation areas (and agricultural areas if desired) that they want to bring forth in the planning process at the watershed level, and they should provide data about their jurisdiction and technical planning assistance in their role as watershed partners.

Implementation role. Once a Watershed Balanced Growth Plan has been endorsed by the State of Ohio, local governments in the watershed should (but are *not required* to): (a) update and amend their existing land-use plans to reflect the Plan and establish consistency; (b) if no comprehensive or master land-use plans exist, develop such plans to the extent necessary to support implementation of the Plan; (c) consider adopting local ordinances/resolutions based on the guidance for applicable best practices and models recommended by the state; (d) direct local capital expenditures to support the PDAs, PCAs, and PAAs in the Plan, as opportunities arise during the expansions or maintenance of existing infrastructure.

In addition, other local governmental organizations such as special districts and authorities, planning commissions, or regional councils can participate in the partnerships because of the technical assistance, resources, and implementation capacity they can provide. In some watersheds, it may be appropriate for an existing organization of local governments to take the lead in organizing the Watershed Planning Partnership.

State Government Role

As a home-rule state, the State of Ohio does not assume a direct role in land use planning. State agencies do, however, influence the location of development in many ways through infrastructure investments, economic development incentives, tax policies and other policies and programs. Coordinating state policies and programs through the Balanced Growth Program can provide the necessary encouragement for local governments to overcome political fragmentation and collaborate on larger, regional planning issues.

In order to assure the success of Watershed Planning Partnerships, the state assists the partnerships by offering leadership and tangible assistance for planning work. The state supports Watershed Planning Partnerships by providing:

Framework. Provide information on the protection and restoration goals for the watershed (i.e. performance standards for water quality and ecosystems, the objectives of the Balanced Growth Program, and guidance for creating Watershed Planning Partnerships). If requested, the state may provide technical assistance and facilitation to assist local governments in the formation of the partnerships. The state also has an approved Water Quality Management (208) Plan, a Watershed Action Plan process, and various other state planning efforts that can inform local planning.

Financial assistance for planning. Provide financial assistance for watershed planning. The state can help the partnerships obtain grants from private foundations, corporations, and other sources. (See Appendix B for a list of state, federal, and other programs that may be used for watershed planning and restoration funding.)

Technical assistance for planning. Provide a balanced growth planning toolkit that will assist local planning partnerships. This toolkit includes assistance on how to do watershed planning, suggested methodologies for designating PDAs, PCAs, and PAAs (such as methodologies for land use suitability analysis), and a GIS-based decision support system. The system will help citizens and planners evaluate the impacts of different conservation and development scenarios, and provide appropriate data sets for watersheds throughout the watershed so that decisions can be made in a consistent way. The state also provides a technical support network of state agency staff and other experts to assist the planning process. The support network identifies local and regional planning resources and information that can assist the partnerships.

Public education. Recognizing that public education on both watershed planning and balanced growth concepts is needed, the state, through the Ohio Balanced Growth Program, will coordinate with existing watershed education programs and help develop new education resources so that they educate and involve citizens and public officials in the Balanced Growth Program. The educational efforts of the Program emphasize the linkages between land-use development and the health of watersheds.

Plan endorsement. The state will review and can endorse balanced growth plans. This review will consider whether the plan addresses the goals of the program, whether the plan identifies PDAs and PCAs, whether the planning process was open and inclusive, whether the process had adequate local representation, whether the process included coordination with state agencies, and whether the plan achieved local consensus.

The categories of state policies and programs identified in Table 1 can influence the implementation of Watershed Balanced Growth Plans. The incentives that the agencies of the Ohio Water Resources Council can provide will likely fall into Columns B and C, Lines 5 through 8, and Line 10. For a complete discussion of the State Programs Inventory, see State Incentives Package below and Appendix C.

Table 1. Categories of State Activities Shaping Land Use Change

		A. Direct state action	B. State policies and programs shaping regional or inter-local decision making and action	C. State policies and programs shaping local land use/land management practices
1	State land ownership/acquisition	X		
2	State facilities (siting, permitting and construction)	X		
3	State-“controlled” infrastructure (roads, bridges)	X	X	
4	State review/impact assessment on major development projects	X	X	
5	State tax policies		X	X
6	State funding to regional and local jurisdictions for infrastructure (roads, sewer, water, parks, schools, etc.)		X	X
7	State funding to regional and local jurisdictions other than for infrastructure		X	X
8	State permitting of non-state projects		X	X

		A. Direct state action	B. State policies and programs shaping regional or inter-local decision making and action	C. State policies and programs shaping local land use/land management practices
9	State enabling law for planning and zoning		X	X
10	State requirements for local plans		X	X

Local Plan Approvals and State Endorsement

Once draft PDA, PCA, and PAA maps have been created, Watershed Planning Partnerships are strongly encouraged to submit the maps and supporting criteria for an informal state review. The review process will give both the Partnership and state reviewers an opportunity to identify any areas of the draft maps that may hinder full endorsement by the state. Once draft maps have been received by the state coordinating body, they will be distributed and comments will be requested from reviewers representing the state agencies, with all feedback provided within 45 days. Areas of concern resulting from the review can then be addressed at the local level through the continued work of the Partnerships. Once the necessary changes have been addressed, Watershed Planning Partnerships can pursue adoption by local governments. Development of the draft Watershed Balanced Growth Plan may occur along with the development of the maps, or it may occur later, at the discretion of the Partnerships.

In order for the final Watershed Balanced Growth Plan to be submitted to the state for full endorsement, the Partnership must demonstrate the support of local governments with land-use planning and implementation authority (counties, townships and municipalities) through the submission of written concurrence in the form of a resolution from each of these local governments within the watershed (see example resolutions in Appendix E). The state requires a demonstration of significant support from local governments representing at least:

- ✓ 75% of the geographic land area of the watershed; and
- ✓ 75% of the local governments in the watershed; and
- ✓ 75% of the population of the watershed.

Once the local support requirements have been met, the state conducts a final review process with emphasis on several specific criteria:

- ✓ Plan addresses the goals of the Ohio Balanced Growth Program as described in this document-specifically addressing the *10 Guiding Principles* of the program;
- ✓ Plan identifies PDAs and PCAs (and, optionally, PAAs) and provides a rationale for the selection of each area that can be used to assure that everyone understands the basis for the decision;

- ✓ Process was open and inclusive allowing for any and all interested parties to review and comment on the selection of the areas identified as PDA, PCA or PAA;
- ✓ Process had adequate local representation. The partnerships sought to have a diverse group of nongovernmental organizations and other applicable watershed interests represented;
- ✓ Process included coordination with state agencies so that they have the opportunity to provide state input and concerns during the PDA, PCA, and PAA selection process to assure that state interests are represented during planning;
- ✓ Plan addresses the process the Watershed Planning Partnership will use to make alterations to the Balanced Growth Plan or to consider consistency issues with the plan.

The intention of the plan review and endorsement process is not to have the State of Ohio second guess the selections of the PDAs, PCAs, or PAAs during this review, but rather to assure that the plan was prepared in an open and inclusive manner and does, in fact, achieve the fundamental goal of identifying locations for development and conservation that support the restoration of the watershed. Once the State of Ohio has reviewed and endorsed a Watershed Balanced Growth Plan, the Watershed Planning Partnership and the local jurisdictions will be eligible for the state incentives package.

Best Local Land Use Practices

In addition to supporting local decisions about the location of growth and providing incentives for watershed based planning, the state also supplies guidance and training on best local practices for minimizing development impacts on water quality wherever the expansion of developed areas occurs. This includes a set of model zoning ordinances and resolutions recommended for voluntary adoption by local communities, a set of guidance documents for a range of additional best practices, and training opportunities for local government elected officials and staff. The complete presentation of these materials, which are applicable to watersheds statewide, is provided in *Linking Land Use and Lake Erie: Best Local Land Use Practices*.

Model Ordinances

These models and basic standards for best local land use practices could be adopted by local governments voluntarily and would be encouraged through incentives (funding, awards, etc.). The model land use regulations and guidance that could be used by Ohio local governments to implement land use plans that would be more protective of the state's watersheds while at the same time providing clear direction for continued development. The models address the following issues:

Storm water and aquatic area protection. Includes storm water management, erosion and sediment control, and protection of riparian areas, floodplains, and wetlands. Zoning measures to reduce storm water impacts and protect aquatic areas can show a direct saving of community dollars from managing storm water and floods.

Meadow protection. In conservation developments and large private lots, meadow protection can generally improve the environment, especially water quality. Since lawns often cover an area compacted during construction or by traffic over time, their runoff is similar to that of many paved areas. By contrast, a natural meadow area absorbs a large percentage of the water that falls on it, filters it before it runs into local waterways, and supports a larger diversity of wildlife.

Guidance Documents

The task force also developed guidance documents for other best local practices as a source of technical assistance to local governments. These guidance documents are accompanied by one or more examples of regulations which have been used elsewhere (Ohio examples whenever possible). These regulations may be adopted and used by local governments to implement their Watershed Balanced Growth Plan or to pursue their growth and development objectives in their existing comprehensive plans. Guidance documents are available for:

- ✓ **Conservation development:** Conservation development most often applies to residential development, where the number of homes normally permitted on a specific parcel of land is

grouped together on smaller lots, while a sizeable proportion of the property – at least 40% - is set aside as open space. The open space serves as a buffer to protect vegetation, streams, wetlands, and floodplains on the property, and helps to manage storm water effectively on site.

- ✓ **Compact development:** Principles of compact development include mixed land uses, hierarchy of scale from street to city, traditional street design, smaller sized but larger numbers of commercial establishments, inclusion of civic spaces, shared parking, and well established structural design guidelines.
- ✓ **Source water protection:** The Ohio EPA has developed a Source Water Assessment and Protection Program that identifies drinking water protection areas for both ground and surface water sources and provides information on how to reduce the potential for contaminating the waters within those areas.
- ✓ **Agricultural lands protection:** Principles of agricultural land protection include storm water management, preservation of farm economies, and efficient development of farmlands being converted to urban use.
- ✓ **Tree and woodland protection:** Woodland areas absorb and filter runoff, provide valuable climate control functions by cooling surfaces and water bodies and processing pollutants in the air, provide habitat and shade, and enhance property values significantly. Principles of tree and woodland protection include site design guidelines, construction protection, and post-construction monitoring.
- ✓ **Scenic protection:** Scenic resources contribute to local quality of life and may encourage or contribute to the tourism component of local economy. Principles include considering scenic issues in comprehensive planning, designating and protecting scenic resource areas, and developing guidelines for design and setbacks.
- ✓ **Historic preservation:** Historic resources can be addressed through comprehensive planning following an inventory, evaluation, and prioritization of historic sites. Implementation may include designation of significant sites. Other practices include the delineation of historical boundaries and design guidelines.
- ✓ **Steep slopes protection:** The development of areas containing steep slopes should generally be discouraged due to negative impact on flooding, water quality, and habitat. In situations where this is not feasible, development should be done with the intent of minimizing soil disturbances, maximizing retention of trees and vegetation, and complementing steep slope character.
- ✓ **Transfer of development rights (TDR):** TDR allows rural landowners the flexibility to choose to develop or to sell the development rights on their land to another landowner who can apply them to a more compact development proposal located closer to existing urban infrastructure such as roads, schools, and sewer. This can decrease costs to the community while enabling the rural landowner to achieve a maximum value for their property.
- ✓ **Brownfields redevelopment:** Principles include creating an inventory, incorporating the redevelopment of brownfield sites into comprehensive planning, and using state and federal programs to promote brownfield redevelopment.

- ✓ **Access management:** Access management regulations control the number and spacing of driveways, traffic signals, medians, and intersections. In addition to improving safety and mobility, properly implemented access management can discourage wasteful land use practices that can be aesthetically displeasing and environmentally harmful.

Training Opportunities

The Ohio Lake Erie Commission initiated a Best Local Land Use Practices training program in 2006, and has since offered training ranging from 30-minute presentations to half-day workshops to one-on-one technical assistance to individual communities. Representatives of any interested community may participate in the training; this part of the Ohio Balanced Growth Program is not limited to communities with Watershed Planning Partnerships. These sessions have reached more than 1,600 engineers, attorneys, planners, landscape architects, municipal, township, and county employees, elected and appointed officials, park district staff, surveyors, and citizens from across the Lake Erie basin and beyond. Once developed, several case studies will be integrated into the continuing training program to provide engineers and others with hands on, real-world examples of how the best practices can be used.

The implementation of a broader training program for the Best Local Land Use Practices in the Ohio River basin is an important component of taking the Balanced Growth Program statewide and a companion piece to the development of Watershed Balanced Growth Plans. Workshops, conference presentations, and assistance to communities statewide will continue based on targeted statewide strategies designed to meet local government needs. Materials from the workshops and details on future training opportunities are provided on the Balanced Growth website.

State Incentives Package

In order to support and encourage watershed groups to undertake the Balanced Growth Program process, the state has created an incentives package that is available to Watershed Planning Partnerships and their participating local jurisdictions with an endorsed plan. The rationale being that if local governments can agree on areas within a watershed where development is to be encouraged (PDAs), areas where conservation activities are to be promoted (PCAs), and areas where agriculture is to be preserved (PAAs), the State of Ohio will support those decisions by aligning state programs to support those decisions, and conversely will not utilize state programs to violate those locally based decisions.

The package includes the ability to work directly with state agencies, greater streamlining and predictability of site decisions in priority areas, a comprehensive inventory of state programs and funding sources that can be used to maintain the intended use of priority areas, and greater access to or special consideration for financial and technical assistance state programs for projects in priority areas.

Accessibility to State Agencies

The Balanced Growth State Assistance Work Group (SAWG) consists of personnel from each state department involved in supporting Balanced Growth, and is available to meet with representatives of the Watershed Planning Partnerships. The SAWG is charged with assisting the Partnerships (and participating local governments) in identifying technical and financial resources that can be used to support PDAs, PCAs, and PAAs.

The tasks of this work group include:

- ✓ Assist Watershed Planning Partnerships and local governments to identify the most appropriate state programs to support the PDA, PCA, and PAA areas in the watershed.
- ✓ Provide the agencies with knowledge and familiarity with each Balanced Growth Watershed Plan and the local development and conservation goals.
- ✓ Evaluate the balanced growth impact of proposed rule changes being developed by the state agencies and provide comments to best incorporate balanced growth considerations into programs as new rules or rule revisions are developed. Also, review funding priorities for programs to provide suggestions on how they can be supportive of balanced growth.
- ✓ Identify any additional programmatic resources or policy changes that will help align state programs and policies with Balanced Growth Watershed Plans.

Streamlining and Predictability

Providing greater predictability for private sector decisions is a significant objective for this program. Watershed Balanced Growth Plans are intended in part to help private developers to understand they can anticipate streamlined decision making for development in the PDAs, the preservation of agriculture in PAAs, and greater requirements for conservation in PCAs.

Programs that require federal, state or local actions to be consistent with specifically adopted plans are a method that Watershed Planning Partnerships and local governments can use to assure that state and federal actions are predictably consistent with their Watershed Balanced Growth Plans (examples include: Ohio Coastal Management Program Federal Consistency, Ohio EPA Section 208 Plan Consistency, and consistency with ODOT's Long Range Transportation Plan called ACCESS OHIO 2004-2030).

The State Assistance Work Group has looked at methods to provide streamlining of permits and more advance predictability pertaining to site-related decisions in Balanced Growth watersheds. While regulatory changes will generally be available statewide, they also will address the need for state regulatory streamlining and predictability in Balanced Growth watersheds where local planning endorsed by the state is known to have occurred in advance of project implementation.

State Program Inventory

State programs that affect land use, infrastructure, and development decisions have been inventoried and are presented as Ohio's State Programs Inventory (see Appendix C). These are existing State of Ohio programs that have been identified as specifically impacting land use patterns. Their impact on balanced growth is dependent upon how they are used and whether or not they are directed toward support of a Watershed Balanced Growth Plan. The intention is that they can and will be directed to support balanced growth. The State Programs Inventory is classified by whether or not the program is best oriented to support the Priority Conservation Areas or Priority Development Areas. The programs are then organized into three categories: primarily support infrastructure; directly impact the site; or provide support in the form of planning, technical assistance and state regulatory programs.

This State Programs Inventory will be a resource for watersheds to help identify programs that will support development or redevelopment in PDAs, conservation in PCAs, and preservation of Agriculture in PAAs. These state programs, operated independently of the Balanced Growth Program, are constantly undergoing program and policy changes as well as changes in resource levels. The state performs periodic updates (at least each biennium) to the State Programs Inventory to reflect these changes.

Financial and Technical Assistance

The State of Ohio provides financial and technical assistance incentives (also called "special incentives") to support implementation of endorsed Balanced Growth plans. The financial and technical assistance incentives will help participating communities with endorsed Watershed Balanced Growth Plans to align projects within their Balanced Growth designated areas.

Applicants for state incentives have the responsibility to provide complete applications to fulfill the existing requirements of each program, including any relevant information and maps requested on individual Watershed Balanced Growth plans. State program staff reviewing applications for incentives will make the final determination whether the proposed project is consistent with the endorsed Plan based upon the information provided in the application, including supporting information provided from the Plan itself. In the event that an actual or proposed project potentially eligible for one of these programs is inconsistent with an existing PDA, PCA, or PAA, or occurs in a non-designated area, a local government has the option of requesting that their Watershed Planning Partnership authorize a change in the PDA/PCA/PAA map for that jurisdiction according to the process outlined in the state endorsed local Watershed Balanced Growth Plan. To facilitate the use of these state programs, it is strongly recommended that the interested Partnership or jurisdiction coordinate with the SAWG prior to applying for these programs.

While the incentives are available for implementation of endorsed Balanced Growth plans, the State of Ohio intends for the incentives to be compelling for local communities to encourage Balanced Growth planning in all parts of the state.

Table 2 provides a short summary of what is offered as a financial or technical assistance (“special”) incentive. Complete program descriptions are contained in the State Program Inventory in Appendix C.

Table 2. Financial and Technical Assistance Implementation Incentives (“Special Incentives”) for Participating Communities with Endorsed Watershed Balanced Growth Plans as of December 14, 2011. Updates to this list are posted as they occur and the list is reviewed by the State Assistance Work Group annually. For the most up to date list, see the Balanced Growth website or contact the OLEC or OWRC. A “participating community” is a community that has passed a resolution of support for a state-endorsed Watershed Balanced Growth Plan.

Program	Type	Agency	Incentives
Clean Ohio Agricultural Easement Purchase Program PAA/PCA	Grant	ODA	Applicants receive up to 3 points for the plan in a participating community, and up to 5 points for projects in a participating community located in a PCA or PAA in the Tier I part of the review (out of 100 pts). Applicants may receive additional points in Tier II essay question about planning (up to 10 pts of 50 pts)(150 pts total).
Agricultural Security Area PAA/PCA	Tax Credit	ODA	Counties with participating communities may be able to implement local incentives for the ASA in support of PAAs. The ODA Office of Farmland Preservation can assist counties in marketing and/or enrolling properties that support PAAs.

Program	Type	Agency	Incentives
Clean Water Act Section 319 Implementation Grants PCA	Grant	OEPA	Participating communities can receive up to two additional points out of a possible 62 on review criteria for proposed projects.
Water Pollution Control Loan Fund PCA/PDA	Loan	OEPA	Projects that implement a qualifying sustainable growth plan will receive a 0.1% rate discount on the loan. See 2012 Draft WPCLF Program Management Plan, Page 69.
Water Supply Revolving Loan Account PDA	Loan	OEPA	A Balanced Growth Plan may qualify as an Endorsed Protection Plan in the Bonus Points for Effective Management section of the project rankings (up to 5 points). See Final DWAF PY 2011 Program Management and Intended Use Plan, Page 30.
Section 208 Planning (State Water Quality Management Plan) PCA/PDA	Regulatory	OEPA	Participating communities may request that the state or areawide agencies in charge of local 208 plans incorporate features from the local BG plans. “Specific prescriptions” regarding wastewater treatment and disposal options would be binding upon OEPA in permitting actions; permits must be consistent with approved 208 plans.
Ohio Coastal Management Assistance Grant Program PCA/PDA Planning	Grant	ODNR	Participating communities can receive up to six additional points out of a possible 140 on review criteria for proposed projects.
Watershed Coordinator Grant Program PCA	Grant	ODNR, OEPA	No additional points. However, a successful balanced growth plan would reflect well in the application process.
Market Development Grant PDA	Grant	ODNR	Applicants should indicate how a proposed market development project relates to a Watershed Balanced Growth Plan, thereby strengthening the application.
Scrap Tire Grant PDA	Grant	ODNR	Applicants should indicate how a proposed scrap tire project relates to a Watershed Balanced Growth Plan, thereby strengthening the application.
Land & Water Conservation Fund PCA	Grant	ODNR	Participating communities can receive up to 10 additional points out of a possible 145 on review criteria for proposed projects.

Program	Type	Agency	Incentives
Nature Works PCA	Grant	ODNR	Participating communities can receive up to 10 additional points out of a possible 150 on review criteria for proposed projects.
Streams & Storm Water Program PCA/PDA Planning	Tech. Assist.	ODNR	Prioritize staff resources toward watersheds with endorsed Watershed Balanced Growth Plans.
Statewide Geologic Mapping Program PCA/PDA Planning	Tech. Assist.	ODNR	Technical (geological) information in support of Balanced Growth Plan, including special studies that may be requested by Watershed Planning Partnerships.
Recreation Harbor Evaluation Program PDA	Grant	ODNR	Participating communities can receive up to 15 additional points out of a possible 115 on review criteria for proposed projects.
Ohio Lake Erie Conservation Reserve Enhancement Program (CREP) and Scioto River Watershed CREP PAA/PCA	Grant	ODNR	Prioritize some remaining state matching funds and in-kind staff assistance for participating communities.
National Flood Insurance Program Community Rating System PCA	Insurance Discount	ODNR	Participating communities are, by definition, likely to be performing land use planning activities to forward sustainable development practices. Communities participating in CRS can apply for points based on BG planning activities to achieve discounted flood insurance premiums.
Floodplain Mgmt. Tech Asst. Program PCA Planning	Tech. Assist.	ODNR	NFIP participation and local adopted floodplain management regulations gives communities eligibility for state and federal disaster relief funds. Additionally, NFIP participating communities with FEMA-approved hazard mitigation plans are eligible for an array of pre- and post-disaster mitigation funds. BG plans may support these requirements.
Dam Safety Technical Assistance PCA/PDA Planning	Tech. Assist.	ODNR	Inclusion of strategies and actions to address dam failure risk in Balanced Growth Plans can easily be incorporated into mitigation plans.
Ohio New Markets Tax Credit PDA	Tax Credit	ODOD	Project located in PDA can be used to meet a required program objective receiving weighted preference in application.

Program	Type	Agency	Incentives
Clean Ohio Revitalization Fund – Sustainable Reinvestment Pilot Track PDA	Grant	ODOD	Project located in a PDA meets the criteria for ‘Development Plan in Place’ and receives up to three of 70 points in the base calculation.
Clean Ohio Revitalization Fund – Known End User Track PDA	Grant	ODOD	Project located in a PDA receives up to three points in the base calculation.
Clean Ohio Revitalization Fund – Redevelopment Ready Track PDA	Grant	ODOD	Project located in a PDA receives up to three points in the base calculation.
Lake Erie Protection Fund PCA/PDA Planning	Grant	OLEC	Funding is reserved for one Balanced Growth project per year of up to \$15,000; additional Balanced Growth projects will receive priority consideration in funding decisions.
Dam Safety Loan Program PDA	Loan	OWDA	Additional ½ percentage point discount on loans to BG participating communities for qualifying projects.
Fresh Water Loan Group PDA	Loan	OWDA	Additional ½ percentage point discount on loans to BG participating communities for qualifying projects.
Community Assistance Loan Program PDA	Loan	OWDA	Additional ½ percentage point discount on loans to BG participating communities for qualifying projects.

Developing Additional State Support

The OWRC, OLEC, and SAWG have been working to generate a list of strategic actions to enhance the Ohio Balanced Growth Program and complete the statewide roll out of the program. This list of actions is based on the experience of state agency staff with the pilot phase of the program, recommendations provided to the state by the Smart Growth Leadership Institute through a technical assistance grant from USEPA, and from new and ongoing programs underway at various state agencies that respond to balanced growth issues encountered statewide.

A number of these strategic actions require significant inter-agency communication and coordination, as well as commitment to change by various state agencies of the OWRC and OLEC. Each of the following items are recognized as being important for the future success of Balanced Growth but will require further development by the State Assistance Work Group, the agencies of the OLEC and OWRC, and others.

State Support for Watershed Planning Partnerships

Implementation Support of Endorsed Plans

Strengthening the incentives for endorsed plans and adding additional incentives has been identified as the highest priority for the program. Since the endorsement of the first four pilot Watershed Balanced Growth Planning projects, the State of Ohio continues to solicit input from a variety of stakeholders on how to build upon State program alignment in watersheds with endorsed plans to support implementation. The state remains committed to providing an attractive incentive package for the program.

The incentives package that is available to these partnerships and their participating local jurisdictions are those programs from the list in the State Program Inventory which offer additional consideration or resources to local jurisdictions that are supporting their local Watershed Balanced Growth Plans. However, feedback from the Watershed Planning Projects and local governments indicate that many are not generally familiar with the existing state programs. Also, there have been as many as 36 special incentives spread across multiple state agencies, and the reported perception of the local officials is that they offer only minimal or vague additional consideration to the Balanced Growth participating communities. Only one of the special incentives offers resources exclusively to Balanced Growth participating communities (the Lake Erie Protection Fund).

As part of a technical assistance project for Ohio, the Smart Growth Leadership Institute (SGLI) interviewed various participants in the process, including partnership members, state staff, and local officials. Through their analysis of the strengths and weaknesses of the incentives, they

recommended that the state increase the value of the incentives package. Specifically, they recommended that at least some incentives should be available only to participating communities, new special incentives should be developed that channel significant infrastructure and economic development spending in ways that support growth in PDAs and, that some incentives should reward implementation by being conditioned on incorporation of Balanced Growth plans into local comprehensive plans or zoning codes.

A number of additional special incentives were identified in the 2007 Strategy as being under development, such as improvements to the wetlands mitigation system and options for revenue sharing. Specific suggestions for special incentives were obtained directly from participating local officials. State agency staff members, particularly members of the State Assistance Work Group, have also brought forward existing or planned programs that could integrate with and provide incentives for the program.

The following action items, broadly categorized as financial support and technical support, have been identified as next steps in furthering state support for endorsed plans.

Financial Support

Action Item: Identify additional special funding sources for Balanced Growth implementation such as the Great Lakes Restoration Initiative. Develop projects that will utilize these fund sources to specifically benefit watersheds with endorsed plans including funding for implementation projects such as comprehensive plan updates, ordinance/zoning code writing, installation of infrastructure BLLUPs, acquisition and restoration of PCAs, acquisition, remediation, and redevelopment of PDAs, and other projects and processes identified in individual Watershed Balanced Growth Plans.

Action Item: Each agency should review existing special incentives and identify explicit point factors or other incentive provisions given for grant programs and incorporate these items into program guidelines if this has not already been done (see annotated table of special incentives from SGLI final report). Each agency also needs to identify which incentives could be enhanced through state rulemaking actions and if they are willing to pursue this in the short term.

Action Item: Examine the opportunities for special allocations of funds to eligible entities participating in watershed planning partnerships with endorsed plans. Agencies could set aside 5% or 10% of their ongoing programs to be available to balanced growth communities, with the idea that any unused funds would revert back to normal pool applicants.

Technical Support

Action Item: SAWG will arrange team meetings with watershed planning partnerships to provide direction and assistance for state programs and resources.

Action Item: Each agency will evaluate its support resources to identify technical assistance and support that can be made available to watershed planning partnerships and participating local governments to support the implementation of their Balanced Growth plan.

Action Item: Each agency will identify financial and technical resources that can be made available to support local Balanced Growth planning and implementation. This list may include potential legislative or rulemaking changes necessary for individual programs to address Balanced Growth incentives for implementation.

Planning Support

The Ohio Balanced Growth Program calls for Watershed Planning Partnerships (WPP) comprised of local government representatives and others to come together for development and implementation of a Watershed Balanced Growth Plan. The Balanced Growth planning framework also recommends coordination between existing watershed education efforts at the state level and the addition of education materials specific to the Balanced Growth Initiative for local governments interested in participating.

The Task Force recommendations for the program were intended to foster a climate where local WPPs would form at their own initiative in response to the state offering incentives and be supported primarily by local resources. Although local officials clearly appreciate the ways in which regional/watershed planning can meet local planning needs, funding support for planning from outside sources has proved to be critical in getting the process started.

Strengthening state support for the planning process has been identified as a high priority for the program. Securing funding for new Watershed Planning Partnerships and supporting existing partnerships into the implementation phase has been identified as important needs of the program.

As part of the SGLI review and report on the process, SAWG members and others identified the need for greater involvement and a stronger role for the SAWG in the plan review and endorsement process and, as the program builds on its successes and moves statewide, a need for better integration with infrastructure planning has also been identified.

The following action items, broadly categorized as financial support and technical support, have been identified as important next steps in furthering state support for the balanced growth planning process.

Financial Support

Action Item: Explore future funding options for local Balanced Growth planning as a voluntary program for local governments statewide.

Action Item: Identify funding opportunities to support the development or revision of comprehensive plans in conjunction with Watershed BG Plans.

Technical Support

Action Item: Develop case studies of successful watershed planning partnerships. These case studies will document the local and statewide economic and environmental benefits of balanced growth planning. The case studies will also help to identify and explain alternative organizational and financial structures.

Action Item: Each agency that has infrastructure planning programs (ODOT, OEPA) should identify how Balanced Growth can be incorporated into its infrastructure planning programs and identify advantages/incentives to accomplish this integration.

Action Item: Develop examples of how Watershed Planning Partnerships can and should integrate infrastructure planning at the local and regional level with state required infrastructure plans and with the Watershed Balanced Growth Plans. This will follow up on the 2009 RFP which sought additional infrastructure planning to be incorporated as part of each Watershed Balanced Growth Plan.

Action Item: The current round of active watershed planning partnerships has a schedule for providing draft plans. Program staff should plan ahead for review schedules and SAWG meetings for the purpose of draft plan review by the SAWG members at an earlier stage in the process.

Action Item: Assist SAWG members in the review of draft Watershed Balanced Growth Plans in preparation for endorsement and identify additional opportunities to highlight Plan elements that relate to member agency activities.

Best Local Land Use Practices

As part of the program, the state also supplies guidance on best local land use practices for minimizing development impacts on water quality. This includes a set of model zoning ordinances and resolutions recommended for voluntary adoption by local communities, a set of guidance documents for a range of additional best practices, and training opportunities for local government elected officials and staff. The training program, previously focused on the Lake Erie watershed, will be expanded statewide and is not limited to communities with Watershed Planning Partnerships.

Expanding this component of the program statewide is a high priority. The Best Local Land Use Practices component of the Balanced Growth Program provide the best opportunity to demonstrate the achievement of the triple bottom line of community, environment and economic results. The following action items, broadly categorized as training, case studies, and update of models and guidance, have been identified as important next steps in this portion of the Balanced Growth program.

Training

Action Item: Identify regional best practices training providers and train them to provide the best practices workshops and to be regionally located technical assistance resources.

Action Item: Provide training workshops on a statewide, regional basis that respond appropriately to region specific source water, water quality, and resource protection concerns.

Case Studies

Action Item: Complete development of Ohio-specific case study examples of successfully implemented best practices.

Action Item: Once developed, several case studies will be integrated into the continuing training program to provide engineers and others with hands on, real-world examples of how the best practices can be used.

Update of Models and Guidance Recommendations

Action Item: Update and make any needed additions to the models and guidance recommendations that form the basis of the recommended Best Local and Use Practices.

Program Innovations Under Development

Urban Redevelopment Options

A key Smart Growth strategy nationwide is to encourage the redevelopment of unused or underused urban core areas to take advantage of existing infrastructure investments and other efficiencies. In the Ohio Balanced Growth Program, Priority Development Areas (PDAs) are locally designated areas where development and/or redevelopment is to be especially encouraged in order to maximize development potential, maximize the efficient use of infrastructure, promote the revitalization of existing cities and towns, and contribute to the restoration of Lake Erie and the Ohio River. Although the designation of PDAs does not restrict development elsewhere in a watershed, it does identify areas eligible for additional state incentives to encourage development or redevelopment.

A number of state initiatives directed towards urban redevelopment have been identified that support the concept of the PDA. Further work is needed to coordinate these programs with the Ohio Balanced Growth Program in a way that will reward communities who participate in the planning process. It will also be beneficial to the state to recognize the Balanced Growth participating communities as part of the urban redevelopment effort, in order to most efficiently focus resources on communities that are most interested, engaged, and have the best demonstrated need for redevelopment support.

The SGLI report also made a number of recommendations related to development or redevelopment options that the state could provide. Some of these are based on programs in other states that were designed to achieve similar goals to those sought by the Ohio Balanced Growth Program. Short term actions to implement these recommendations are included in the following list.

Action Item: State agencies (through OLEC and OWRC) will continue to pursue funding (following on an application submitted in 2009) through the US EPA Brownfields Assessment Grant Program and other sources to fund brownfields assessments in participating local communities with endorsed Watershed Balanced Growth Plans.

Regulatory Mechanisms in Support of Balanced Growth

Providing greater predictability for private sector decisions is a significant goal for this program. Watershed Balanced Growth Plans are intended in part to help private developers to

understand they can anticipate streamlined decision making for development in the PDAs and greater requirements for conservation in PCAs.

The State Assistance Work Group has looked at methods to provide technical assistance with permits and more advance predictability pertaining to site-related decisions in Balanced Growth watersheds. While regulatory changes will generally be available statewide, they also will address the need for state regulatory predictability in Balanced Growth watersheds where local planning endorsed by the state is known to have occurred in advance of project implementation.

These items are not as high on the priority list. They involve significant commitment and/or rulemaking by decision makers and possibly legislative action.

Action Item: Ohio EPA will develop an information/training session on Agency permitting programs for watershed planning partnerships with endorsed plans. These sessions will provide assistance in navigating the regulatory frameworks and identify options for watershed specific approaches, including storm water watershed general permits.

Public and Private Equity Sharing

The roll out of the Balanced Growth Program, and specifically the Watershed Planning portion of the program, has highlighted two key issues of equity in land use planning. These were not unexpected, but will require some attention as the program expands. The first issue is disparate effects on individual property rights and values. The second is effects on local government revenues if conservation and development are distributed unequally across different jurisdictions.

The first issue arises from the importance of protecting some areas and encouraging development in other areas. One potential solution to any private equity issues is to allow profit from development to be shared between owners of areas to be developed with owners of areas to be protected. One tool to accomplish this is called Transfer of Development Rights (TDR). TDR is a voluntary, market-based program that offers options to landowners, developers, and local government to work together to transfer building density from rural areas to areas that are already urbanized. If applied properly in Ohio, TDR could allow interested landowners and local governments to work together to transfer building density from rural areas to areas that are already urbanized or suburbanized, thereby retaining the quality of life and watershed in the countryside, while enhancing the small town feel and vibrancy of the village site.

Secondly, development suitable and conservation suitable lands are not typically spread evenly through a watershed in Ohio at the scale of the local governments. In their efforts to ensure resources for the local community, local officials may be forced to make land use choices that result in less suitable lands being used inappropriately by being developed or by being set aside for conservation in spite of low suitability for such uses. The universal interest in enhancing local government revenue and the land use shaping influence of these revenue needs can be addressed by using revenue sharing as an option to balance the revenues of local governments.

Actions on this topic have not been a high priority due to the need for legislative action on TDR, and the need for additional study on regional equity mechanisms. For the most part, actions on these two items will depend on efforts undertaken at the local level with technical assistance provided by the state.

Action Item: The OLEC and OWRC should support an education and information program and accompanying materials to assist the interested parties in understanding the concept of TDR.

Action Item: The OLEC and OWRC should provide information to interested parties concerning the role of TDR as a local government option to help guide land use change.

Regional Equity

Mechanisms for reducing land use impacts on regional revenue may allow local governments to reach agreements on region-wide equity issues, possibly including recapturing revenue from developments in other parts of the region, making it possible to improve the overall efficient use of land based resources.

Action Item: SAWG should follow efforts in Northeast Ohio as they try to identify ways to achieve region wide equity in order to determine if there is a tie between these concepts and the Balanced Growth Program.

General Program Innovations

This section includes other opportunities to improve or tie programs to Balanced Growth, including incorporating outreach and education about Balanced Growth into state agency activities.

Action Item: State agency staff will need some training on Balanced Growth and SAWG will review and make arrangements to provide such information to their staff, or arrange internal presentations, fact sheets, etc.

Action Item: Conference presentations will be made about the program/additional publicity will be sought as opportunities arise.

Action Item: In conjunction with SAWG, OLEC and the OWRC will review this strategy every two years to address emerging program needs of the Balanced Growth Program and to ensure alignment with state agency priorities. OLEC and OWRC will solicit stakeholder input for updates to the Balanced Growth Strategy and coordinate public review.

Post-Planning Implementation

It is anticipated that after state endorsement of the Watershed Balanced Growth Plan, the Watershed Planning Partnership (or its successor as outlined in the Watershed Balanced Growth Plan) will continue to function as described in the Plan and that they will:

- ✓ Promote and monitor Watershed Balanced Growth Plan implementation.
- ✓ Provide guidance and assistance to local communities in updating PDA/PCA/PAA maps.
- ✓ Advise the state of significant problems/issues arising during implementation.
- ✓ Provide a contact person(s) for the state to enable two-way communication with the Watershed Planning Partnership.
- ✓ Provide a summary memorandum or letter to the state approximately annually or as needed regarding the status of the Plan and its implementation.

The state will have a number of ongoing roles to:

- ✓ Monitor and support the implementation of state endorsed Watershed Balanced Growth Plans.
- ✓ Communicate with Watershed Planning Partnerships about updates and changes to the Ohio Balanced Growth Program, including updates to the State Program Inventory and financial and technical incentives.
- ✓ Assess progress toward Balanced Growth goals and develop performance standards to measure such progress (see Measurements of Success below).
- ✓ Recognize successes and innovative projects.
- ✓ Support the Balanced Growth State Assistance Work Group.
- ✓ Continue to coordinate outreach and public education about balanced growth and Best Local Land Use Practices.
- ✓ Study unresolved issues.

Measurements of Success

One of the recommendations of the original Balanced Growth Task Force was for the state to measure the progress of the program by developing a set of indicators, taking into account the unique character of different watersheds. These indicators have been divided into three categories: Programmatic, Land Use and Socioeconomic, and Natural Resources.

Programmatic indicators are intended to track whether the Balanced Growth Program is being implemented and whether it is changing policies at the state and local levels. Programmatic indicators include:

- ✓ Extent of watershed plans - a measure of the total number of watershed plans under development, completed, or endorsed.
- ✓ Implementation steps-a measure of what is being done to implement PCAs and PDAs. These steps may differ for each watershed. Possible examples include: changes in zoning, changes in comprehensive plans or development of new comprehensive plans, changes in subdivision regulations, or other cooperative agreements (such as creative tax base sharing arrangements).
- ✓ Shifts in state investment patterns to correspond to conservation and development priorities identified by balanced growth plans.

Land use and socioeconomic indicators track whether the policy changes are actually changing patterns of land use. Land use and socioeconomic indicators included:

- ✓ Rate of land conversion within PCAs and PDAs (rate should be greater in PDAs).
- ✓ Density of infrastructure (sewer, housing, roads, etc. should be greater in PDAs).
- ✓ Rate of change in impervious cover and resulting problems with increased storm water runoff.
- ✓ Increased property values and tax base in PDAs and around PCAs.

Natural Resources indicators track whether the land use changes actually produce improvements in watershed health. Natural Resource Indicators included:

- ✓ Water quality improvements as measured by the achievement of applicable water quality standards (such as changes in the watershed Quality Index and goals of plans for Total Maximum Daily Loads).
- ✓ Biotic quality improvements (Increased habitat benefits for aquatic, riparian, and upland areas).

