

**Capital Area Regional Planning Commission**

**Urban and Limited Service Area Policies, Environmental Corridor Policies, and Criteria for the Review of Urban and Limited Service Area Amendments**

**CARPC Redline Review Draft 12/14/07 as amended and adopted on 2/28/08\***

\*changes indicated by strikethrough/underline.

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1 **I. Urban Service Area Policies**

2  
3 **1. Planning Requirements**

- 4  
5 A. Service area boundaries must be delineated for the provision of sewer services with a  
6 20-year planning horizon.
- 7 B. Delineation must be based on the official 20-year population projection for the region  
8 generated by the State DOA.
- 9 C. The regional population projection must be allocated to individual service areas based  
10 on WDOA-approved population projection methodology, and density assumptions  
11 acceptable to the respective municipality.
- 12 D. Service areas must be delineated in a manner to ensure adequate treatment capacity in  
13 wastewater treatment facilities that receive the expected volume of wastewater.
- 14 E. Service areas must be delineated to ensure the cost-effective (as defined in NR 110) and  
15 environmentally sound expansion of public sewerage facilities.
- 16 F. Creation of new service areas must meet the requirements and conditions of NR 110  
17 regarding new treatment facilities to serve new and existing residential and non-  
18 residential development, and the state anti-degradation policy (NR 207, which prevents  
19 the unnecessary creation of new point-sources of wastewater discharge on water  
20 bodies).
- 21 G. Requests for additions to the Central Urban Service Area must be part of a  
22 neighborhood plan that covers a logical planning area as defined by efficient and  
23 effective provision of urban services. The plan shall cover an area large enough to be  
24 considered a logical unit for service provision and to determine compatibility and  
25 consistency of the proposed change with adjacent areas and existing plans. This  
26 neighborhood planning area may be substantially larger than the area of request (and  
27 usually is).
- 28  
29 H. Service area expansion requests containing over 100 acres of developable land must  
30 include 10-year staging boundaries. Staging boundaries are encouraged in smaller  
31 expansion requests.
- 32  
33 I. Generally, the urban service area boundaries represent the outer limits of planned  
34 urban growth over the long-term planning period—at least 20 years—and include more  
35 than enough land to accommodate anticipated growth. However, CARPC recognizes that  
36 the needs of communities may differ. For this reason, CARPC may approve more land in  
37 an urban service area than that called for by the 20-year growth projection where a  
38 demonstrated special need for additional land has been established based upon factors  
39 such as, but not limited to: inaccurate population projections, previous municipal  
40 infrastructure financing plans, displacement of development, intergovernmental  
41 agreements, a small USA size, and deficiencies in certain land uses (e.g. inadequate  
42 industrial development area). This provision applies until such time as a community  
43 and CARPC have adopted the 25-year Future Urban Development plan for the area.
- 44  
45 J. Amendments to service areas must be sponsored by the unit of government planning to  
46 provide the services or by the CARPC, to ensure that designated local management

47 agencies in charge of pollution prevention (both point- and non-point source) are in  
48 support of the expansion.

49 K. Plans should be prepared and adopted with meaningful public participation. A public  
50 hearing will be set for the next CARPC meeting unless more time is needed to address  
51 issues. All affected local units and their respective county board supervisors will be  
52 notified by letter at least thirty (30) days prior to the public hearing. The 30-day  
53 notification period may be waived by the CARPC if the supporting unit can demonstrate  
54 that other affected units of government have been consulted and there are no  
55 unresolved issues. The CARPC may at its discretion consider to delay action on any  
56 request for urban service area expansion in areas where annexation law suits are  
57 pending.

58 L. Requesting units of government must notify neighboring or affected units of government  
59 of their intent to expand the service area. The CARPC will notify all the units of  
60 government in the Central Urban Service Area and invite them to comment if a request  
61 within the CUSA contains more than 300 developable acres.  
62

## 63 **2. Criteria for the Review of Urban Service Area Amendments**

64  
65 A. Additions to the Central Urban Service Area should be contiguous with existing urban  
66 service areas.

67 B. Contiguity to urban infrastructure.

68 It is the policy of the CARPC to seek the efficient use of existing capacity in urban  
69 infrastructure (roads and streets, sewerage systems, water systems, parks and open  
70 space, etc.), and to give priority to areas that can best utilize such existing capacity of  
71 urban service areas.

72 C. Infill, redevelopment, density, and needs assessment.

73 It is the policy of the CARPC to seek efficient use of land through higher densities of  
74 development, mixed use infill development and redevelopment within the urban cores of  
75 the region, and the use of existing vacant developable lands within urban service areas  
76 prior to expansion into new areas.

77 Generally, if there is a 20-year supply of developable land in the current USA (or a  
78 portion of the USA available to the respective unit of government; this is based on  
79 official land demand calculations derived from official population projections without  
80 flexibility margins), priority should be given to developing the existing developable lands  
81 within the USA. Special consideration would be given to adding developable land for  
82 under-represented land uses (such as industrial development in a service area with  
83 inadequate industrial development or available land).

84 Higher densities than the current density of the urban service area are encouraged for  
85 USA expansion proposals. Consideration would be given to lower densities in proposed  
86 USA expansion areas if such lower densities are more than off-set by higher densities  
87 through infill development, redevelopment, and new development in areas within the  
88 current USA under the jurisdiction of the requesting unit of government.

89 D. Agricultural loss mitigation.

90 The CARPC desires to promote approaches to mitigate the loss of farmland to urban  
91 development through the use of, for example, intergovernmental agreements,

- 92 easements, TDR and PDR programs, etc. to support the economic viability of the  
93 farming industry and protect wildlife habitat, recharge for streams, springs, and  
94 drinking water. Until such time as the Commission adopts a specific proposal about  
95 how to use these tools (no later than the adoption of an amended Water Quality Plan),  
96 they will be encouraged but not required.
- 97 E. The minimum requirement (related to water quality planning) for services which should  
98 be provided initially in urban service area expansions are the following:
- 99 1. public sewage collection and treatment systems (layout, facilities, capacity);
- 100 2. publicly managed urban storm drainage system layout and standards. Stormwater  
101 management measures should be aimed at mitigating to the maximum extent  
102 practicable the cumulative and incremental adverse impacts of development on  
103 surface water and groundwater quality and quantity and associated ecological  
104 functions. Such impacts include, but are not limited to, increases in off site erosion  
105 and flooding, increases in pollution, reductions in stream baseflow, reductions in  
106 groundwater recharge, lowering of groundwater levels and groundwater quality,  
107 reductions in flows to and from springs, drying up of wetlands, and reductions in  
108 the ecological health of aquatic habitats. The extent of practicability and likelihood  
109 of success of proposed mitigation measures will be determined by CARPC staff  
110 based on site specific and land use specific characteristics, in the context of the best  
111 possible management practices and technology, and in consultation with municipal,  
112 county, and WDNR technical staff and the CARPC Natural Resources Technical  
113 Advisory Committee. Any appeal of such a determination would be to the CARPC. It  
114 is understood that appropriate mitigation of some adverse impacts may require  
115 reduced levels of development, a change in the type of development, or off-site  
116 mitigation and remediation.
- 117 3. urban transportation systems and facilities, including public street layout and  
118 standards, provision for pedestrian and bicycle movement, and provision for mass  
119 transit and para-transit and trip reduction measures (carpooling, park/ride lots);
- 120 4. solid waste collection service;
- 121 5. public water supply and distribution system layout and facilities, for both potable  
122 water and fire protection (include hydrants and water storage sufficient for fighting  
123 fires).
- 124
- 125 F. Additional services to be provided within the planning period (not all services may be  
126 required or needed in each case):
- 127 1. Higher or urban levels of police protection (local police patrol, or response from a  
128 station located within 2-3 miles; this is in addition to normal Sheriff's Dept.  
129 coverage and response);
- 130 2. urban levels of fire protection (ISO Fire Insurance Rating of 1 to 6);
- 131 3. urban levels of emergency medical services (EMS);
- 132 4. neighborhood public facilities located no more than two miles away, with a desirable  
133 service radius of 1/4-1/2 mile walking distance from main residential areas  
134 (neighborhood and community parks, schools, etc.).  
135

- 136 G. Applications need to demonstrate consistency with local and regional adopted plans  
 137 and with the provisions of paragraph 7 of the resolutions petitioning the governor  
 138 creating the CARPC.  
 139

### 140 3. Submittal Requirements

- 141
- 142 A. Requests for urban service area additions must be accompanied by specific plans for  
 143 development and provision of urban services to the proposed addition, which include  
 144 the following elements:
- 145 1. A plan and description of proposed development, land use and major facilities in the  
 146 area, which is specific enough in terms of type and densities of land use to enable  
 147 the determination of long-range urban service needs and impacts of development;
  - 148 2. a description of the relationship of the proposed development with adjacent land  
 149 uses and urban development, and consistency and conflict with any applicable  
 150 adopted plans;
  - 151 3. identification of environmental corridors and other environmentally sensitive areas,  
 152 consistent with CARPC and DNR criteria, which are to be protected from urban  
 153 development, and a description of local policies, ordinances and other measures to  
 154 protect such areas;
  - 155 4. a specific plan for providing the full range of urban services to the area (see E and F  
 156 in section 2 above);
  - 157 5. an analysis of the infill and redevelopment potential in the existing urban service  
 158 area and a description of the need for the urban service area expansion.  
 159

## 160 II. Limited Service Areas

### 161 1. Description

- 162
- 163
- 164 A. Statement of Purpose. To consolidate, clarify and revise the current policies and  
 165 criteria for Limited Service Areas (LSA) as part of the *Dane County Land Use and*  
 166 *Transportation Plan* and *Water Quality Plan*. The intent is for any creation or expansion  
 167 of an LSA to be consistent with existing plans and to support local and regional  
 168 planning.
- 169 B. Definitions. Limited Service Areas are areas where only one or a few urban services,  
 170 such as sanitary sewer service, are provided to accommodate special or unique facilities  
 171 or institutional uses which are appropriately located outside urban service areas, or  
 172 areas of existing development experiencing wastewater disposal or water supply  
 173 problems.
- 174 C. Types of Limited Service Areas
- 175 1. Special Facilities: including, but not limited to, landfills, park, recreational, and  
 176 tourist facilities such as park shelters, golf course clubhouses, etc.
  - 177 2. Institutional Uses: including, but not limited to, schools, correctional facilities, etc.
  - 178 3. Existing Development: existing residential or commercial development experiencing  
 179 wastewater disposal or water supply problems. Existing development means

180 development existing in the local unit of government on the date the application for  
181 Limited Service Area establishment or expansion is submitted.

182

183 **2. Criteria for Establishing a Limited Service Area**

184

185 A. Special Facilities and Institutional Uses

186

1. The LSA should be limited to the area needed for use/service;

187

2. Evaluation of alternative means of providing needed services, including cost-effectiveness analyses;

188

189 3. Documented agreement from the agencies which will be providing the service(s);

190

4. If establishment or expansion of an LSA is proposed within one-half mile of an urban service area, a discussion and evaluation of the feasibility of including the proposed LSA in the USA must be submitted.

191

192

193 B. Existing Development

194

1. Addressed in and consistent with the local comprehensive plan;

195

2. The LSA should be limited to existing development including infill;

196

3. Infill should be limited to vacant lots or parcels contiguous to existing development or permanent open space, or a combination thereof, on at least two sides; and immediately adjacent to and having direct access to sanitary sewer and existing public streets or roads. Any area proposed for infill must contribute to the solution of the stated water quality problem and must be consistent with resolution of the problem as defined in the application for creation of the LSA;

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202

4. Documentation of existing and reasonably anticipated on-site wastewater or water supply problems;

203

204

5. Evaluation of alternative means of providing needed services, including cost-effectiveness analyses (cost-effectiveness shall not be the sole determinant of LSA establishment);

205

206

207 6. Documented agreement from the agencies which will be providing the service(s); and

208

7. If establishment or expansion of an LSA is proposed within one-half mile of an urban service area, a discussion and evaluation of the feasibility of including the proposed LSA in the USA must be submitted.

209

210

211

212 **3. Criteria for Expansion of a Limited Service Area**

213

214 A. Special Facilities

215

Proposals to expand the original use or facility will be evaluated, using the same criteria as for establishing the service area. For expanding the area to include related but different uses or facilities, additional urban services may be required, depending on the specific circumstances and uses proposed. Economic development of an existing facility is not an acceptable criterion for expansion of an LSA. The intent of an LSA is not to support economic expansion.

216

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220

221 B. Institutional Uses

222 Proposals to expand the original use or facility will be evaluated, using the same criteria  
 223 as for establishing the area. If the area is to be expanded, an evaluation of the need for  
 224 additional urban services may be required. These same criteria apply to expanding the  
 225 area to include related but different uses.

226 C. Existing Development

227 Proposals to expand a Limited Service Area which was established to serve existing  
 228 development may be considered if the following criteria are met:

- 229 1. The local comprehensive plan must address the expansion area, and include  
 230 policies to control development in the rest of the community and preserve farmland.
- 231 2. The additional development should be consistent with the goals and objectives of  
 232 the *Dane County Land Use and Transportation Plan* and Wisconsin's Comprehensive  
 233 Planning Legislation.
- 234 3. Residential development should meet the definition of Conservation Subdivisions in  
 235 §66.1027(1)(a) Wis. Stats., with compact lots, common open space and  
 236 maintenance/protection of natural features. Suggested guidelines include a  
 237 minimum net density (exclusive of open space) of two dwelling units per acre (which  
 238 corresponds to a maximum lot size of about 20,000 sq. ft.). It is also recommended  
 239 that a mix of housing types be included.

240 **4. Additional Considerations for Limited Service Areas**

241  
 242 A. Contiguity to urban infrastructure.  
 243 It is the policy of the CARPC to seek the efficient use of existing capacity in exurban and  
 244 rural infrastructure (roads and streets, sewerage systems, parks and open space, etc.),  
 245 and to give priority to areas that can best utilize such existing capacity.

246 B. Infill, redevelopment, density, and needs assessment.

247 It is the policy of the CARPC to seek efficient use of land through higher densities of  
 248 development and the use of existing vacant developable lands within limited service  
 249 areas prior to expansion into new areas.

250 C. Agricultural loss mitigation.

251 The CARPC desires to promote approaches to mitigate the loss of farmland to ~~urban~~  
 252 development through the use of, for example, intergovernmental agreements,  
 253 easements, TDR and PDR programs, etc. to support the economic viability of the  
 254 farming industry and protect wildlife habitat, recharge for streams, springs, and  
 255 drinking water. Until such time as the Commission adopts a specific proposal about  
 256 how to use these tools (no later than the adoption of an amended Water Quality Plan),  
 257 they will be encouraged but not required.

258  
 259 D. The minimum requirement (related to water quality planning) for services which should  
 260 be provided initially in limited service area expansions are the following:

- 261 1. public sewage collection and treatment systems (layout, facilities, capacity);
- 262 2. publicly managed urban storm drainage system layout and standards. Stormwater  
 263 management measures should be aimed at mitigating to the maximum extent  
 264 practicable the cumulative and incremental adverse impacts of development on  
 265 surface water and groundwater quality and quantity and associated ecological

266 functions. Such impacts include, but are not limited to, increases in off site erosion  
267 and flooding, increases in pollution, reductions in stream baseflow, reductions in  
268 groundwater recharge, lowering of groundwater levels and groundwater quality,  
269 reductions in flows to and from springs, drying up of wetlands, and reductions in  
270 the ecological health of aquatic habitats. The extent of practicability and likelihood  
271 of success of proposed mitigation measures will be determined by CARPC staff  
272 based on site specific and land use specific characteristics, in the context of the best  
273 possible management practices and technology, and in consultation with municipal,  
274 county, and WDNR technical staff and the CARPC Natural Resources Technical  
275 Advisory Committee. It is understood that appropriate mitigation of some adverse  
276 impacts may require reduced levels of development, a change in the type of  
277 development, or off-site mitigation and remediation;

278 3. solid waste collection service.

279

## 280 **5. Submittal Requirements**

281

282 A. An application for establishment or expansion of a Limited Service Area must include a  
283 plan describing:

284 1. The specific proposed land uses and/or facilities to be included in the service area;

285 2. the services to be provided, including a cost-effectiveness analysis, and a statement  
286 from the service provider, if other than the applicant, of the willingness to provide  
287 the service(s);

288 3. delineation of environmental corridors in the service area consistent with CARPC  
289 and DNR criteria;

290 4. a plan for protecting sensitive environmental resources and water quality, including  
291 a preliminary stormwater management plan;

292 5. how the proposal meets the applicable criteria listed under II.2. and 3. above;

293 6. the relation to and opportunities for coordination and cooperation with other units  
294 of government; and

295 7. any other relevant information needed to evaluate the request.

296 B. Applications must be submitted by the general purpose unit of government (town,  
297 village, city, county) having jurisdiction in the proposed service area. CARPC staff will  
298 provide assistance in assembling the needed information.

299

299 Updated table from *Dane County Land Use and Transportation Plan*  
 300  
 301

**Table A-4  
 Sewer Service Limitations For Limited Service Areas**

Limited Service Areas	2000 Resident* Population	Sewer service is limited to the following:
BFI (Landfill)	0	landfill
Rodefeld (Landfill)	0	landfill
Municipal Golf Course (Yahara Hills)	0	a public recreational facility
Cave of the Mounds (T. Blue Mounds)	2	a special private facility and existing development
Albion	342	existing development and infill
Kegonsa (T. Dunn & T. Pleasant Sprgs)	2,228	existing development and infill
Fox Bluff (T. Westport)	240	existing development and infill
Waubesa (T. Dunn)	2,027	existing development and infill
Windsor Prairie (T. Vienna)	163	existing development and infill
Westport (Riverview)	134	existing development and infill
River Road (T. Westport)	243	special private institution, existing development and infill
Wisconsin Heights (T. Black Earth)	693	a public school complex
Badger Prairie (T. Verona)	117	a public institution and landfill
Oak Hill (C. Fitchburg)	705	a public correctional institution
Thompson (T. Deerfield)	122	a public correctional institution

\* Population for Wisconsin Heights is school enrollment

Revised 11/07

Source: U.S. Census Bureau, Dane County Regional Planning Commission & CAPD

302  
 303

303 **III. Environmental Corridors**

304

305 A. Major areas unsuitable for installation of waste treatment systems because of physical  
306 or environmental constraints are to be excluded from the service area (Environmentally  
307 Sensitive Areas in NR 121 and known in Dane County as Environmental Corridors).

308 These Environmental Corridors include the following elements and criteria:

309

310

1. Wetlands under WDNR jurisdiction.

311

2. Vegetative buffers for wetlands and shorelands (75-foot minimum and excluding  
312 impervious surfaces). The minimum width of vegetative buffers for shorelands and  
313 wetlands may be increased to up to 300 feet where site specific habitat  
314 susceptibility and protection needs make such an increase advisable. CARPC staff  
315 will make the determination of needed buffer width in consultation with DNR staff  
316 and the Natural Resources Technical Advisory Committee of the CARPC.

317

3. 100-year floodplains and floodways.

318

4. Steep wooded slopes (12% gradient and higher in the glaciated portions of the  
319 county; 20% gradient and higher for the driftless portion of the county) within 75  
320 feet of the ordinary high water mark of water bodies or from the top of each bank.  
321 Steep slopes between 12% and 20% in the driftless portion of the county and  
322 adjacent to water bodies receive conditions for stringent site plan review and  
323 inspection by the local unit of government aimed at maintaining the stability of the  
324 slope. Steep slopes (12%—20%) in the driftless portion of the county that are not  
325 adjacent to water bodies receive recommendations for stringent site plan review and  
326 inspection by the local unit of government.

327

5. Navigable water bodies based on DNR determination of navigability (plus the 75-foot  
328 shoreland buffer).

329

6. Non-navigable streams based on DNR determination of navigability (within a 75-foot  
330 wide corridor, and maintaining at least 25-feet from the edge of the corridor to the  
331 ordinary high water mark or top of bank).

332

7. Open drainageways (within a 75-foot wide corridors and maintaining at least 25-feet  
333 from the edge of the corridor to the ordinary high water mark or top of bank).

334

8. Public lands, parks, and conservancy areas (related structures can receive sewer  
335 service), except isolated (small) neighborhood parks.

336

9. Proposed public parks and conservancy areas; except isolated (small) neighborhood  
337 parks.

338

10. Problem soil areas and unique geologic formations (such as Karst features and  
339 known critical recharge areas).

340

11. Archaeological sites on the National Register.

341

12. Endangered and sensitive habitats based on DNR determination.

342

13. Stormwater facilities (stormwater facilities should be located outside  
343 environmentally sensitive areas when feasible).

344

14. Known or documented significant or sensitive groundwater recharge areas.

345

346

B. Existing development (impervious area) is exempted from inclusion in corridors.

- 347 C. Local units of government are in charge of the local implementation and protection of  
348 environmental corridors, and shall have programs to ensure the integrity of the  
349 corridors based on the criteria of the Dane County Water Quality Plan (zoning, plat  
350 design review, building permitting and inspections, conservation design requirements,  
351 etc.).
- 352 D. The minimum criteria for delineating environmental corridors represent a basic  
353 skeleton, and local units of government are encouraged to build upon this skeleton and  
354 expand it.
- 355
- 356 E. Higher minimum standards for environmental corridors will be considered where site  
357 specific habitat susceptibility and protection needs make such higher standards  
358 advisable (based both on current habitat quality and potential habitat quality if  
359 rehabilitative measures are undertaken). CARPC staff will make the determination if  
360 higher corridor standards are needed in consultation with DNR staff and the CARPC  
361 Natural Resources Technical Advisory Committee.  
362

363 To maintain a flexible but principled administration of the environmental corridor concept,  
364 the *Water Quality Plan* includes provisions for changes to these corridors as follows:  
365

- 366 F. “Major changes” to the environmental corridors are those changes that have the  
367 potential for significant adverse impacts on water quality (determined through a  
368 technical analysis by the RPC staff). These changes require the approval of the RPC  
369 after a public hearing, staff analysis of the impacts of the encroachment and the  
370 likelihood that the mitigation measures will be successful, and the approval of the  
371 WDNR. These “major changes” include the following:  
372
- 373 1. Removing any mapped wetland area unless exempted by state administrative rules  
374 or state-approved rezoning.
  - 375 2. Any change that would remove any area below the ordinary high water mark of a  
376 stream, pond, or lake.
  - 377 3. Any change resulting in the elimination or interruption in the continuity of any  
378 corridor segment which includes woodlands with significant ecological or water  
379 resources functions, floodplains, wetlands, shoreland buffer strips or steep slopes  
380 adjacent to water bodies.
  - 381 4. Any change that reduces the width of vegetated shoreland buffer strips along  
382 streams, wetlands, and drainageways below minimum guidelines.
  - 383 5. Grading in a wetland vegetative buffer and within 30 feet of the wetland edge, where  
384 the buffer has been delineated in environmental corridors, unless the grading is  
385 intended to re-establish natural grades or to restore wetland habitat.  
386
- 387 G. “Minor changes” to the environmental corridors are changes that do not have the  
388 potential for significant adverse impacts on water quality (as determined by the RPC  
389 staff). These changes do not require RPC approval, though they are reviewed by the RPC  
390 staff to ensure that they meet the definition of a “minor change.”  
391
- 392 “Minor changes” include the following:  
393
- 394 1. Changes resulting from DNR-approved changes in floodplain or wetland  
395 delineations, or DNR-approved rezoning.

- 396  
397
2. Relocation or shortening of a corridor based solely on intermittent streams and drainageways, or adjustment of the buffer strip width within the guidelines.
- 398  
399  
400
3. Addition to or removal from the corridors of public or private lands which do not include water bodies, floodplains, wetlands, minimum buffer strips, or steep slopes adjacent to water bodies.
- 401  
402  
403  
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410
4. Changes resulting from utility or roadway maintenance or construction which meet the criteria set in NR 117 (this chapter of Wisconsin Administrative Code outlines the state shoreland-wetland protection program and includes permitted uses within the shoreland zone). (It is not the intent of the environmental corridors to prevent or obstruct necessary maintenance, expansion or construction of transportation or utility facilities intended to serve areas outside of the corridors, needed to maintain or improve the continuity of those systems, or designed to serve compatible uses in the corridors, such as park shelters or facilities. Facilities intended to serve new residential, commercial or industrial development in the corridors are not permitted.)
- 411  
412  
413
- H. Grading or the installation of stormwater management measures and practices in an environmental corridor should not appreciably reduce or harm the ecological functions of the environmental corridor.