

APPENDIX 4.1 – LEGAL AND REGULATORY TOOL DESCRIPTIONS

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Descriptions of Various Legal and Regulatory Capabilities Considered	
Capability	Description
Building Code	Building codes regulate construction standards and are developed for specific geographic areas of the country. They consider the type, frequency, and intensity of hazards present in the region. Structures built to applicable building codes are inherently resistant to many hazards such as strong winds, floods, and earthquakes, up to a certain level of severity. Due to the location specific nature of the building codes, these are very valuable tools for mitigation. In the State of New Jersey, the current building code in place is the International Building Code 2009 – New Jersey Edition. This code is applicable state-wide and local municipalities may not adopt more stringent or additional provisions at their discretion.
Zoning Ordinance	Zoning is a useful tool to consider when developing a mitigation strategy. It can be used to restrict new development, require low-density development, and designate specific uses (i.e., recreational) in the hazard prone areas. Private property rights must be considered, but enacting a zoning ordinance can reduce or potentially eliminate damages from future hazard events.
Subdivision Ordinance	Subdivision ordinances offer an opportunity to account for natural hazards prior to the development of land as they formulate regulations when the land is subdivided. Subdivision design that incorporates mitigation principles can reduce the exposure of future development to hazard events.
Special Purpose Ordinance	A special purpose ordinance is a form of zoning in which specific standards dependent upon the special purpose or use must be met. For example, many special purpose ordinances include basic development requirements such as setbacks and elevations. The special purpose ordinance is a useful mitigation technique particularly when implemented to reduce damages associated with flooding and coastal erosion. Special purpose ordinances identified by jurisdictions include stormwater management, erosion, floodplain, steep slope, setback ordinances and standards for roads, bridges and drainage structures.
Growth Management Ordinance	Growth management ordinances are enacted as a means to control the location, amount, and type of development in accordance with the larger planning goals of the jurisdiction. These ordinances often designate the areas in which certain types of development is limited and encourage the protection of open space for reason such as environmental protection and limitation of sprawl. The State Policies for Comprehensive Planning given in the New Jersey State Development and Redevelopment Plan encourages coordination of growth management plans and policies with hazard mitigation and emergency response planning.
Site Plan Review Requirements	Site plan review requirements are used to evaluate proposed development prior to construction. An illustration of the proposed work, including its location, exact dimensions, existing and proposed buildings, and many other elements are often included in the site plan review requirements. The site plan reviews offer an opportunity to incorporate mitigation principles, such as ensuring that the proposed development is not in an identified hazard area and that appropriate setbacks are included.
Comprehensive Plan (sometimes called a "Master Plan")	A comprehensive plan is a document which illustrates the overall vision and goals of a community. It serves as a guide for the community's future and often includes anticipated demographics, land use, transportation, and actions to achieve desired goals. Integrating mitigation concepts and policies into a comprehensive plan provides a means for implementing initiatives through legal frameworks and enhances the opportunity to reduce the risk posed by hazard events.
Capital Improvement Plan	Capital Improvement Plans schedule the capital spending and investments necessary for public improvements such as schools, roads, libraries, and fire services. These plans can serve as an important mechanism to manage development in identified hazard areas through limited public spending and can be used as a to develop a match for mitigation projects.

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Economic Development Plan	Economic development plans offer a comprehensive overview of the local or regional economic state, establish policies to guide economic growth, and include strategies, projects, and initiatives to improve the economy in the future. Furthermore, economic development plans, similar to capital improvement plans, offer an opportunity to reduce development in hazard prone areas by encouraging economic growth in areas less susceptible to hazard events.
Emergency Response Plan	Emergency response plans provide an opportunity for local governments to anticipate an emergency and plan the response accordingly. In the event of an emergency, a previously established emergency response plan can reduce negative effects as the responsibilities and means by which resources are deployed has been previously determined.
Post-Disaster Recovery Plan	A post-disaster recovery plan guides the physical, social, environmental, and economic recovery and reconstruction procedures after a disaster. Hazard mitigation principles are often incorporated into post-disaster recovery plans in order to reduce repetitive disaster losses.
Post-Disaster Recovery Ordinance	Post-disaster recovery ordinances are often produced in conjunction with post-disaster recovery plans. The ordinances are enacted after a hazard event to guide redevelopment in order to reduce future damages and mitigate repetitive loss.
Real Estate Disclosure Ordinance	A real estate disclosure ordinance requires individuals selling real estate to inform potential buyers of the hazards to which the property and/or structure is vulnerable prior to the sale. Such a requirement ensures that the new property owner is aware of the hazards to which the property is at risk of damage.