

Fact Sheet

Nonstructural Measures (Land Use and Regulatory Measures)

Option: **Zoning/Land Use Controls**

- Description:** Use of state and regional regulations and municipal ordinances to restrict development of structures in at-risk areas. Includes controls on permitted uses, size, density, setbacks and structural siting.
- Example(s):** Requirements of increased setbacks from river fronts or other flood-prone areas; limitations on building size and lot coverage. See New Jersey Flood Hazard Area Control Act Regulations, N.J.A.C. 7:13.
- Benefits:** Provides mechanism for the long-term removal of structures in hazard areas and/or the restriction on development in at-risk or environmentally sensitive areas to reduce flood damage and repetitive loss; allows for local control and management of development patterns; potentially provides uniform development controls and guidelines over a large area without incurring significant governmental expenditures; provides buffer between sensitive areas and development while avoiding man-made alterations to the dynamics of the natural system; allows for natural resource protection and enhancement.
- Challenges:** Continued presence of existing structures such as “grandfathered” properties exempted from newly enacted controls, and need for ongoing local enforcement, possibility of “takings” claims litigation (where restrictions are held to preclude any viable economic use of property).

