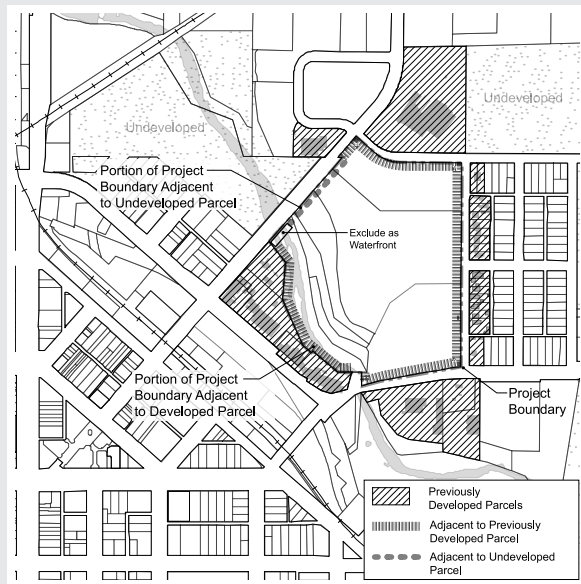


infill site a site that meets any of the following four conditions:

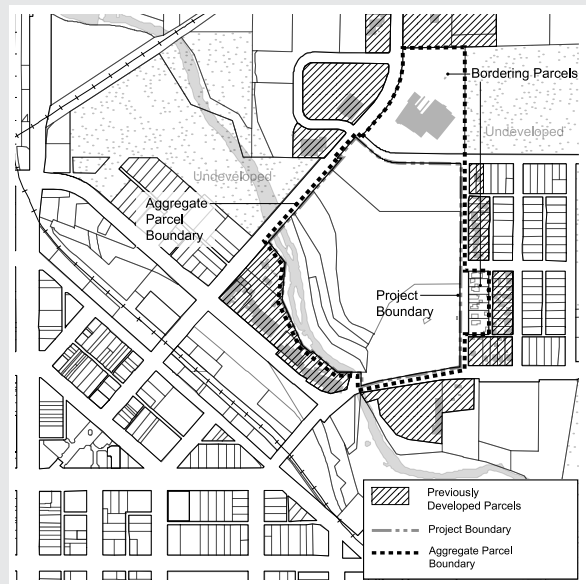
- At least 75% of its boundary borders parcels that individually are at least 50% *previously developed*, and that in aggregate are at least 75% previously developed.
- The site, in combination with bordering parcels, forms an aggregate parcel whose boundary is 75% bounded by parcels that individually are at least 50% previously developed, and that in aggregate are at least 75% previously developed.
- At least 75% of the land area, exclusive of rights-of-way, within a 1/2 mile distance from the *project boundary* is previously developed.
- The lands within a 1/2 mile distance from the project boundary have a *preproject connectivity* of at least 140 intersections per square mile.

A *street* or other right-of-way does not constitute previously developed land; it is the status of property on the other side or right-of-way of the street that matters. For conditions (a) and (b) above, any fraction of the perimeter that borders waterfront other than a stream is excluded from the calculation.

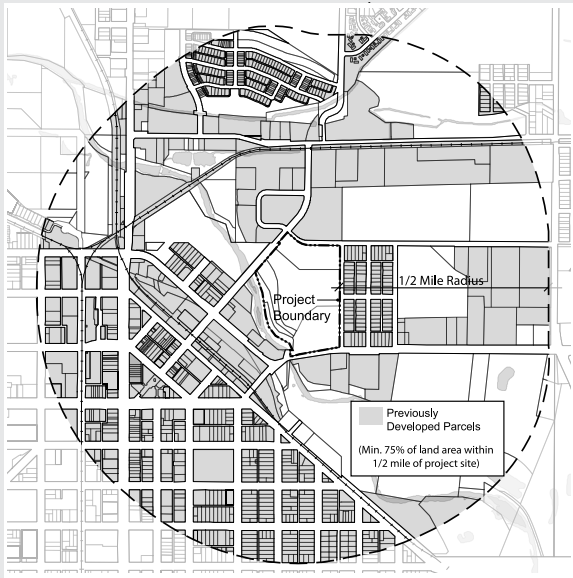
(a). Infill project site based on minimum 75% of perimeter adjacent to previously developed parcels



(b). Infill project site based on minimum 75% adjacent to previously developed parcels using project boundary and selected bordering parcels



(c). Infill project site based on minimum 75% of land area within 1/2 mile of project boundary being previously developed



(d). Infill project site based on minimum 140 intersections/sq.mi. within 1/2 mile of project boundary



previously developed altered by paving, construction, and/or land use that would typically have required regulatory permitting to have been initiated (alterations may exist now or in the past). Previously developed land includes a platted lot on which a building was constructed if the lot is no more than 1 acre; previous development on lots larger than 1 acre is defined as the *development footprint* and land alterations associated with the footprint. Land that is not previously developed and altered landscapes resulting from current or historical clearing or filling, agricultural or forestry use, or preserved natural area use are considered undeveloped land. The date of previous development permit issuance constitutes the date of previous development, but permit issuance in itself does not constitute previous development.

SLL Prerequisite 2: Imperiled Species and Ecological Communities Conservation

Required

Intent

To conserve imperiled species and ecological communities.

Requirements

FOR ALL PROJECTS

Consult with the state Natural Heritage Program and state fish and wildlife agencies to determine whether species listed as threatened or endangered under the federal Endangered Species Act, the state's endangered species act, or species or ecological communities classified by NatureServe as GH (possibly extinct), G1 (critically imperiled), or G2 (imperiled) have been or are likely to be found on the *project* site because of the presence of suitable habitat and nearby occurrences. If the consultations are inconclusive and site conditions indicate that imperiled species or ecological communities could be present, using a qualified biologist, perform biological surveys using accepted methodologies during appropriate seasons to determine whether such species or communities occur or are likely to occur on the site.

OPTION 1. Sites without Affected Species or Ecological Community

The prerequisite is satisfied if the consultation and any necessary biological surveys determine that no such imperiled species or ecological communities have been found or have a high likelihood of occurring.

OR

OPTION 2. Sites with Affected Species or Ecological Community: Habitat Conservation Plan

Comply with an approved habitat conservation plan under the Endangered Species Act for each identified species or ecological community.

OR

OPTION 3. Sites with Affected Species or Ecological Community: Habitat Conservation Plan Equivalent

Work with a qualified biologist, a nongovernmental conservation organization, or the appropriate state, regional, or local agency to create and implement a conservation plan that includes the following actions:

- a. Identify and map the extent of the habitat and the appropriate buffer, not less than 100 feet, according to best available scientific information.
- b. To the maximum extent practicable, protect the identified habitat and buffer in perpetuity by donating or selling the land or a conservation easement on the land to an accredited land trust or relevant public agency.
- c. If on-site protection can be accomplished, analyze threats from development and develop a monitoring and management plan that eliminates or significantly reduces the threats.

-
- d. If any portion of the identified habitat and buffer cannot be protected in perpetuity, quantify the effects by acres or number of plants and/or animals affected, and protect from development in perpetuity habitat of similar or better quality, on-site or off-site, by donating or selling a conservation easement on it to an accredited land trust or relevant public agency. The donation or easement must cover an amount of land equal to or larger than the area that cannot be protected.

SLL Prerequisite 3: Wetland and Water Body Conservation

Required

Intent

To preserve water quality, natural hydrology, habitat, and biodiversity through conservation of *wetlands* and *water bodies*.

Requirements

Limit development effects on wetlands, water bodies, and surrounding buffer land according to the requirements below.

OPTION 1. Sites with No Wetlands, Water Bodies, Land within 50 Feet of Wetlands, or Land within 100 Feet of Water Bodies

Locate the *project* on a site that includes no wetlands, no water bodies, no land within 50 feet of wetlands, and no land within 100 feet of water bodies.

OR

OPTION 2. Sites with Wetlands, Water Bodies, Land within 50 Feet of Wetlands, or Land within 100 Feet of Water Bodies

- a. Locate the project such that *preproject* wetlands, water bodies, land within 50 feet of wetlands, and land within 100 feet of water bodies is not affected by new development, unless the development is minor improvements or is on *previously developed* land.

OR

- b. Earn at least 1 point under GIB Credit 8, Stormwater Management, and limit any impacts beyond minor improvements to less than the percentage of buffer land listed in Table 1.

Table 1. Maximum allowable area of impacts within buffer zone, by density

Residential density (DU/acre)*	Nonresidential density (FAR)*	Percentage of buffer land** where impacts beyond minor improvements are allowed
> 25	> 1.75	≤ 20%
> 18 and ≤ 25	> 1.25 to ≤ 1.75	≤ 15%
> 10 and ≤ 18	> .75 to ≤ 1.25	≤ 10%
≤ 10	≤ .75	≤ 5%
DU = dwelling unit; FAR = floor-area ratio.		
* For this option, a mixed-use project may use either its residential or its nonresidential <i>density</i> to determine the percentage of allowable impacts, regardless of which is higher.		
** For this option, buffer width may vary as long as the total buffer area is equal to the area within 50 feet of wetlands and/or within 100 feet of water bodies, minus excluded features (see below). The minimum buffer width, however, is 25 feet for wetlands and 50 feet for water bodies, measured from the edge. In the minimum buffer, only minor improvements and/or improvements that result in no ecological impairment of the wetland or water body, as determined by a qualified biologist, are allowed.		

AND

FOR ALL PROJECTS

Comply with all local, state, and federal regulations pertaining to wetland and water body conservation.

The following features are not considered wetlands, water bodies, or buffer land that must be protected for the purposes of this prerequisite:

- a. Previously developed land.
- b. Man-made water bodies (such as industrial mining pits, concrete-lined canals, or stormwater retention ponds) that lack natural edges and floors or native ecological communities in the water and along the edge.
- c. Man-made linear wetlands that result from the interruption of natural drainages by *existing* rights-of-way.
- d. Wetlands that were man-made incidentally and have been rated “poor” for all measured wetland functions. Wetland quality assessment must be performed by a qualified biologist using a method that is accepted by state or regional permitting agencies.

Minor improvements within the buffer may be undertaken to enhance appreciation for the wetland or water body, provided such facilities are open to public access. Only the following improvements are permitted:

- a. Bicycle and pedestrian pathways no more than 12 feet wide, of which no more than 8 feet may be impervious.
- b. Activities to maintain or restore native natural communities and/or natural hydrology.
- c. One single-story structure not exceeding 500 square feet per 300 linear feet of buffer, on average.
- d. Grade changes necessary to ensure public access.
- e. Clearings, limited to one per 300 linear feet of buffer on average, not exceeding 500 square feet each, for tables, benches, and access for nonmotorized recreational watercraft. Off-street parking is not considered a minor improvement.
- f. Removal of hazardous trees; up to 75% of dead trees; trees less than 6 inches diameter at breast height; trees under 40% condition rating; and up to 20% of trees more than 6 inches diameter at breast height with a condition rating of 40% or higher. The condition rating must be based on an assessment by an arborist certified by the International Society of Arboriculture (ISA) using ISA standard measures.
- g. *Brownfield* remediation activities.

Direct impacts to wetlands and water bodies are prohibited, except for minimal-impact structures, such as an elevated boardwalk, that allow access to the water for educational and recreational purposes. Structures that protrude into wetlands or water bodies may be replaced, provided the replacement structure has the same or smaller footprint and a similar height.

Key Definitions

For the meanings of other terms used in the requirements, refer to the Glossary.

previously developed altered by paving, construction, and/or land use that would typically have required regulatory permitting to have been initiated (alterations may exist now or in the past). Previously developed land includes a platted lot on which a building was constructed if the lot is no more than 1 acre; previous development on lots larger than 1 acre is defined as the *development footprint* and land alterations associated with the footprint. Land that is not previously developed and altered landscapes resulting from current or historical clearing or filling, agricultural or forestry use, or preserved natural area use are considered undeveloped land. The date of previous development permit issuance constitutes the date of previous development, but permit issuance in itself does not constitute previous development.

SLL Prerequisite 4: Agricultural Land Conservation

Required

Intent

To preserve irreplaceable agricultural resources by protecting prime and unique soils on farmland and forestland from development.

Requirements

FOR ALL PROJECTS

Locate the *project* on a site that is not within a state or locally designated agricultural preservation district, unless any changes made to the site conform to the requirements for development within the district (as used in this requirement, district does not equate to land-use zoning).

AND

OPTION 1. Protected Soils Not Impacted

Locate the project *development footprint* such that it does not disturb *prime soils, unique soils*, or soils of state significance as identified in a state Natural Resources Conservation Service soil survey.

OR

OPTION 2. Infill Sites

Locate the project on an *infill site*.

OR

OPTION 3. Sites Served by Transit

Comply with SLL Prerequisite 1, Option 3, Transit Corridor or Route with Adequate Transit Service.

OR

OPTION 4. Development Rights Receiving Area

Locate the project within a designated receiving area for development rights under a publicly administered farmland protection program that provides for the transfer of development rights from lands designated for conservation to lands designated for development.

OR

OPTION 5. Sites with Impacted Soils

If development footprint affects land with prime soils, unique soils, or soils of state significance, as identified in a state Natural Resources Conservation Service soil survey, mitigate the loss through the purchase of easements providing permanent protection from development on land with comparable soils in accordance with the ratios based on densities per acre of *buildable land* as listed in Tables 1 and 2.

Table 1. Mitigation ratios for projects in metropolitan or micropolitan statistical areas, pop. 250,000 or more

Residential density (DU per acre of buildable land available for residential use)	Nonresidential density (FAR of buildable land available for nonresidential use)	Mitigation ratio (acres of easement : acres of project on prime, unique, or significant soil)
> 7 and ≤ 8.5	> 0.50 and ≤ 0.67	2 to 1
> 8.5 and ≤ 10	> 0.67 and ≤ 0.75	1.5 to 1
> 10 and ≤ 11.5	> 0.75 and ≤ 0.87	1 to 1
> 11.5 and ≤ 13	> 0.87 and ≤ 1.0	.5 to 1
> 13	> 1.0	No mitigation

Table 2. Mitigation ratios for projects in metropolitan or micropolitan statistical areas, pop. less than 250,000

Residential density (DU/acre of buildable land available for residential use)	Nonresidential density (FAR of buildable land available for nonresidential use)	Mitigation ratio (acres of easement : acres of project on prime, unique, or significant soil)
> 7 and ≤ 8	> 0.50 and ≤ 0.58	2 to 1
> 8 and ≤ 9	> 0.58 and ≤ 0.67	1 to 1
> 9 and ≤ 10	> 0.67 and ≤ 0.75	0.5 to 1
> 10	> 0.75	No mitigation

DU = dwelling unit; FAR = floor-area ratio.

All off-site mitigation must be located within 100 miles of the project.

Up to 15% of the impacted soils area may be exempted from the *density* requirements if it is permanently dedicated for community gardens, and may also count toward the mitigation requirement for the remainder of the site. Portions of parking structures devoted exclusively to parking must be excluded from the numerator when calculating the *floor-area ratio* (FAR).

The mitigation ratio for a mixed-use project is calculated as follows:

1. Determine the total square footage of all residential and nonresidential uses.
2. Calculate the percentage residential and percentage nonresidential of the total square footage.
3. Determine the density of the residential and nonresidential components as measured in *dwelling units* per acre and FAR, respectively.
4. Referring to Tables 1 and 2, find the appropriate mitigation ratios for the residential and nonresidential components.
5. If the mitigation ratios are different, multiply the mitigation ratio of the residential component by its percentage of the total square footage, and multiply the mitigation ratio of the nonresidential component by its percentage.
6. Add the two numbers produced by Step 5. The result is the mitigation ratio.

Key Definitions

buildable land the portion of the site where construction can occur, including land voluntarily set aside and not constructed upon. When used in *density* calculations, buildable land excludes public rights-of-way and land excluded from development by codified law or LEED for Neighborhood Development prerequisites. An *applicant* may exclude additional land not exceeding 15% of the buildable land base defined above, provided the following conditions are present:

- a. The land is protected from residential and nonresidential construction by easement, deed restriction, or other enforceable legal instrument.

AND

- b. Either 25% or more of the boundary of each contiguous parcel proposed for exclusion borders a *water body* or areas outside the *project boundary* that are protected by codified law; or ownership of, or management authority over, the exclusion area is transferred to a public entity.

infill site a site that meets any of the following four conditions:

- a. At least 75% of its boundary borders parcels that individually are at least 50% *previously developed*, and that in aggregate are at least 75% previously developed.
- b. The site, in combination with bordering parcels, forms an aggregate parcel whose boundary is 75% bounded by parcels that individually are at least 50% previously developed, and that in aggregate are at least 75% previously developed.
- c. At least 75% of the land area, exclusive of rights-of-way, within a 1/2 mile distance from the *project boundary* is previously developed.
- d. The lands within a 1/2 mile distance from the project boundary have a *preproject connectivity* of at least 140 intersections per square mile.

A *street* or other right-of-way does not constitute previously developed land; it is the status of property on the other side or right-of-way of the street that matters. For conditions (a) and (b) above, any fraction of the perimeter that borders waterfront other than a stream is excluded from the calculation.