

Proposed Text Revisions - Avoidance of Sensitive Areas  
FEBRUARY 15, 2018

29-5.1(b) - Avoidance of Sensitive Areas.

Except under approved special safeguards, land shall be neither subdivided nor developed, where there is a finding by the Council that a proposed subdivision or development poses a threat to the safety, health and general welfare of inhabitants of the land or surrounding areas due to flooding, improper drainage, steep slopes, rock formations, adverse earth formations, topography, utility easements or other adverse conditions. Portions of the proposed subdivision or development that cannot be developed without damage to sensitive areas shall be set aside for such use as shall not pose an undue hazard to life and property.

(1) Land Analysis Map.

(i) Each application for subdivision or re-subdivision of a land area of five (5) acres or more, either alone or contiguous with another subdivision by the same applicant, shall prepare and submit a Land Analysis Map identifying sensitive lands to be protected from development. Such map shall be provided at the time of concept review for property proposed to be preliminarily platted regardless of the parcel size. In preparing such the Land Analysis Map, those areas shown on the Future Land Use Map of the City's Comprehensive Plan as "sensitive" shall be identified as well as other areas which through reasonable investigation should be known to be sensitive areas.

(ii) The Land Analysis Map shall identify as sensitive lands to be protected from development, all of the following:

(A) Stream corridors, which shall include all land from top-of-bank to top-of-bank of any waterway, ~~that~~ shown as a solid blue or dashed blue line on the corresponding USGS 7.5 minute quadrangle map;

(B) Steep slopes, which shall include all land with an average vertical slope of twenty-five (25) percent or more, measured from top-of-slope to foot-of-slope, plus an additional ten (10) feet or additional setback as required by Chapter 12A as it relates to stream buffers; and

(C) Any lands designated as floodway on the Flood Rate Insurance Maps (FIRMs) for the City of Columbia or FIRMs for unincorporated Boone County if the subject subdivision or re-subdivision is not inside the City's boundary. ~~or lands contained within the FP-O Floodplain Overlay District.~~

~~(C)(iii)~~ The Land Analysis Map shall further identify that portion of a site located within the floodplain (i.e. flood fringe) shown on the Flood Rate Insurance Maps (FIRMs) for the City of Columbia or FIRMs for unincorporated Boone County if the subject subdivision or re-subdivision is not inside the City's boundary. Such areas shall not be considered restricted from development; however, are subject to the development standards of the FP-O (Floodplain Overlay) district. Preservation and avoidance of such areas in the course of site development may qualify for a "preservation bonus" in accordance with the provisions of provided below.

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- (2) Avoidance of Sensitive Lands. The applicant shall lay out the subdivision or re-subdivision so that:

~~(iii)(i)~~ To the greatest degree practicable, no lot intended for development shall include land features designated as sensitive lands ~~unless on the Land Analysis Map and any if any lot contains sensitive lands,~~ such inclusion shall be supported by written and graphical documentation that avoidance was not possible and inclusion of such features was required to meet other regulatory requirements of this Chapter. In no instance shall a lot include land located within the floodway as part of a lot proposed for development;

~~(iv)(ii)~~ If any lot intended for development includes designated sensitive lands, ~~the subdivision plat shall restrict~~ construction of permanent structures shall be restricted to a designated building envelope ~~area on that lot which~~ does not include any designated sensitive land areas. ~~The Such~~ sensitive lands on the lot shall be permanently protected by designation within a preservation easement; and

~~(v)(iii)~~ Street crossings of sensitive land areas are minimized to the maximum extent practicable.

- (3) Adjustment of Minimum Lot Sizes.

If the avoidance of designated sensitive lands ~~designated other than~~ except floodways ~~and flood fringe areas~~ results in ~~the~~ subdivision containing fewer buildable parcels than it would have been allowed if sensitive lands were not avoided, the applicant may adjust the minimum lot size and/or lot width in the subdivision by up to fifteen (15) percent to recapture in order to include as many lots as would have been possible if sensitive lands were not avoided. This reduction shall not be combined with any other lot area or width reduction permitted elsewhere within this Chapter. No adjustment of minimum lot sizes or widths shall be made for avoidance of floodway or flood fringe areas.

#### (4) Preservation Bonus – Floodplain/Flood Fringe Avoidance

If a property owner/developer chooses to voluntarily restrict subdivision development from those areas shown on the Land Analysis Map as floodplain/flood fringe, in addition to those areas identified as "sensitive features", they shall be permitted to reduce the minimum lot size and/or lot width of each lot within the subdivision by twenty-five (25) percent. This reduction shall not be combined with any other lot area or lot width reduction permitted elsewhere within this Chapter.