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Resource Type: Regulations
State: Missouri
Jurisdiction Type: Municipal
Municipality: City of Columbia
Year (adopted, written, etc.): 2002
Community Type - applicable to: Urban; Suburban
Title: City of Columbia Land Preservation Act
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Abstract

The Columbia Code of Ordinance Land Preservation Act protects people and land by taking action to control stormwater runoff through regulating disturbances, preserving trees, and controlling stormwater drainage.

Resource

Chapter 12A Land Preservation

The purpose of this chapter is to:

- (1) Protect the health, safety and property of the people of Columbia by regulating the disturbance of land surface areas by preserving trees, preventing erosion on disturbed areas, and controlling storm water drainage.
- (2) Assure that consideration is given to the preservation and restoration of natural features in the grading or development of public and private land.
- (3) Assure that proper provisions are made regarding control of sediments resulting from rainfall on graded areas, and that adequate facilities are constructed for the management of storm water.
- (4) Assure the movement of emergency vehicles during storm periods.
- (5) Protect the public from rapidly flowing water and flash floods.
- (6) Minimize storm and flood losses resulting from uncontrolled runoff.
- (7) Establish requirements for construction of storm water management facilities in newly developed areas.
- (8) Establish reasonable stormwater utility charges to enable the stormwater utility to develop and maintain a stormwater management system.

(Ord. No. 13019, § 1, 7-1-91; Ord. No. 13590 § 1, 2-15-93)

Section 12A-32 Permit required.

A land disturbance permit is required for any land disturbance activity including streets and utilities construction on any site in excess of one (1) acre. All applications for land disturbance permits shall be submitted on forms issued by the director and shall contain all information required by the director. Phased development of tracts larger than one (1) acre does not exempt the developer from the provisions of this chapter.

(Ord. No. 13019, § 1, 7-1-91; Ord. No. 13258, § 1, 3-2-92; Ord. No. 13859 § 1, 11-15-93; Ord. No. 17278, § 1, 5-6-02) (Ord. 17278, Amended, 05/06/2002)

Section 12A-33 Site development plan.

(a) Applications for land disturbance permits for any area greater than one (1) acre shall be accompanied by a detailed site development plan which shall include, a landscaping plan, a soil erosion control plan, and a storm water management plan conforming to the provisions of this chapter. Where practical, drawings may be combined to contain all of the required plans.

(b) No final plat or final plan in a planned district other than R-1 PUD or R-2 PUD shall be approved prior to approval of a site development plan encompassing the entire area being platted or planned.

(Ord. No. 13019, § 1, 7-1-91; Ord. No. 13258, § 1, 3-2-92; Ord. No. 13859 § 1, 11-15-93; Ord. No. 17278, § 1, 5-6-02) (Ord. 17278, Amended, 05/06/2002)

Section 12A-49 Clearing of trees; permit required.

(a) The mechanized clearing of trees or clear-cutting of trees by any means on tracts of land over one (1) acre shall be unlawful unless done in compliance with a land disturbance permit.

(b) A minimum of twenty-five (25) percent of any climax forest area on any tract of land subject to land preservation requirements shall be maintained. Climax forest areas shall be identified by the city arborist through use of aerial photographs and field inspections and a map identifying all known climax forest areas shall be maintained in the department of public works. Trees thus retained will count toward landscaping requirements contained in the zoning ordinance.

(c) A landscaping plan demonstrating compliance with the specific requirements of the existing zoning of the site shall accompany all applications for land disturbance permits. The plan will be a drawing of the site sufficient in detail to illustrate the features of the plan. The plan may be incorporated with other drawings or documents but shall contain the following information.

(1) The area, in square feet or acres, of any climax forest areas on the site and those portions, in square feet or acres, of the climax forest to be preserved. The areas may be determined by actual field measurement or planimetry of scaled aerial photographs.

(2) The number, spacing, size and species of planting materials, including new trees and final ground cover that will be planted as part of the landscaping plan.

(3) The size and location of any walls, earth berms, and fences.

(4) Provisions for watering, soil stabilization, plant protection and maintenance.

(5) Location and description of any barriers to be erected to protect any vegetation from damage both during and after construction.

(d) Tree protection shall be required prior to and during the activities associated with the land disturbance permit in accordance with administrative standards promulgated and enforced by the director, but under no circumstances shall activities with the potential of causing damage to the root systems of trees be allowed within the perimeter of the drip line of the trees being preserved, protected or planted as part of the landscaping plan.

(e) If any of the trees required to be retained or trees planted as part of the landscaping plan should die within a period of eighteen (18) months after completion of the activities associated with the land disturbance permit, the owner of the property shall replace the trees within six (6) months at a ratio of one-to-one with an approved tree having a minimum diameter of two (2) inches measured at a point one (1) foot above natural grade. Shrubbery or other plantings which die within eighteen (18) months of completion of the activities shall be replaced in kind within six (6) months.

(f) All landscaping work must be completed prior to the final inspection of a building or within one year of issuance of the land disturbance permit, whichever occurs later. If completion of the work or building is at such time of the year that the landscaping cannot be completed, a performance bond or other acceptable financial instrument for completion of the work may be accepted to allow the issuance of a certificate of occupancy.

(g) Landscaping plans may be amended during or after development with the approval of the director, but in all cases must comply with the current landscaping requirements of the zoning district in which the site is located.

(Ord. No. 13019, § 1, 7-1-91; Ord. No. 13258, § 1, 3-2-92; Ord. No. 14389 § 1, 3-6-95; Ord. No. 17278, § 1, 5-6-02) (Ord. 17278, Amended, 05/06/2002, Prior Text)