

AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE SECTION 407.050 TO CREATE SUBSECTION C ESTABLISHING STANDARDS FOR STREAM BUFFER PROTECTION TO HELP PREVENT PROPERTY DAMAGE, REDUCING THE SEVERITY OF FLOODS, PREVENTING STREAM BANK EROSION AND PROTECTING NATURAL HABITAT

WHEREAS, On May 11, 2021, the Planning and Zoning Commission adopted the *Parkville 2040 Master Plan* as the official public policy and comprehensive plan for the City of Parkville, which serves as the official public policy and comprehensive plan for the physical development and redevelopment of a community; and assists in decision-making as it relates to issues such as land use and zoning, housing, commercial and industrial development, sustainability and the environment, transportation and mobility, parks and recreation, and community facilities and services; and

WHEREAS, Section 5. Implementation of the *Parkville 2040 Master Plan* incorporates these goals and action items together into a specific recommendation for which the City should pursue in the future; one of which is adoption of a stream buffer ordinance; and

WHEREAS, areas around streams are ecologically sensitive, and stream buffers are a tool to protect them; and stream buffers help prevent property damage, reduce the severity of floods, prevent stream bank erosion and protect this natural habitat; stream buffers can help to improve water quality and prevent further water quality degradation; when stream buffer areas are left undeveloped with grasses, shrubs and trees, natural processes help to filter pollutants from water before they enter the stream; and grasses, shrubs and trees also help to stabilize the stream bank, preventing erosion and preserving water quality; and

WHEREAS, stream buffer ordinances can have economic, environmental and societal benefits; and

WHEREAS, on March 14, 2023, a public hearing was held at the regular meeting of the Planning and Zoning Commission where staff presented information to the Commission and members of the Commission provided comments and questions to staff; the Commission then recommended (by a vote of 6-0) to approve the text amendment; and

WHEREAS, the Board of Aldermen concurs with the conclusions of the Planning and Zoning Commission and accepts their recommendation.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. Parkville Municipal Code Section 407.050 *Stormwater Management* is hereby amended to create Subsection C. *Stream Buffer Protection* to read as follows:

Section 407.050. Stormwater Management.

- C. Stream Buffer Protection. The following standards have been established to help prevent property damage, reduce the severity of floods, prevent stream bank erosion, protect natural habitat, improve water quality and prevent water quality degradation from development.

1. All stream channels shall be identified on development plans. This includes identifying the ordinary high-water mark — often referred to as the “Active Stream Zone” — and identifying the stream bank on both sides of the stream channel.
 - a. For Type 1 (perennial) streams, a 100 ft. stream corridor setback shall be identified on development plans, measured horizontally outward from both sides of the top of the stream channel bank.
 - b. For Type 2 (intermittent) streams, a 50 ft. stream corridor setback shall be identified on development plans, measured horizontally outward from both sides of the top of the stream channel bank.

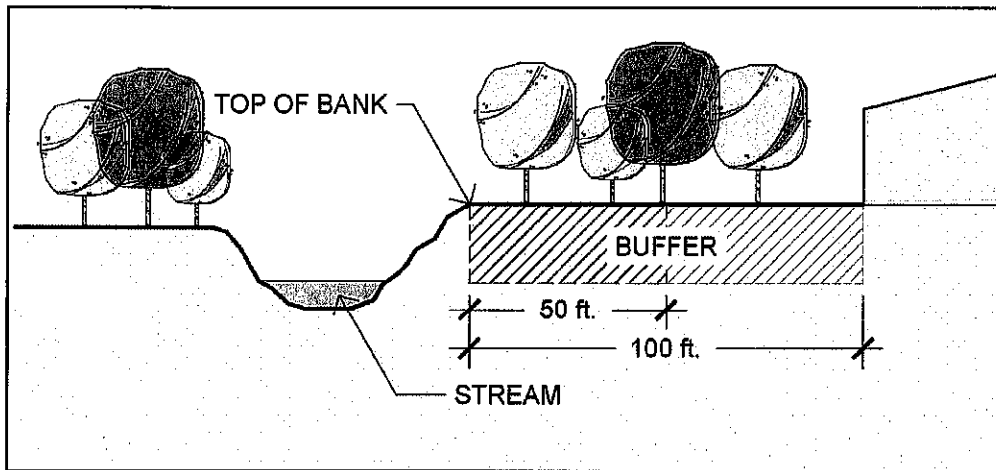


Figure 407-1: Stream Buffer Diagram

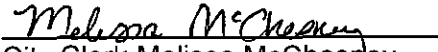
2. The stream corridor setback shall establish a conservation buffer area consisting of the contiguous, undisturbed natural vegetation (ideally existing, mature riparian forest); but may allow roadway crossings, recreational trails and uses, utility right-of-way, and other limited-impact uses.
 - a. Any variances within the stream corridor setback shall be reviewed and approved by the Director.
 - b. Limited tree clearing and removal of vegetation is allowed if reviewed and approved by the Director.
3. The Director of Public Works may require an engineering, stream profile or other related studies for development or potential impacts near a stream corridor.

SECTION 2. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 2nd day of May 2023.


Mayor Dean Katerndahl

ATTESTED:


City Clerk Melissa McChesney

