



PLANNING, DEVELOPMENT AND SUSTAINABILITY

PLANNING DIVISION

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Completing a Sensitive Areas Waiver Request: An Applicant's How-To Guide

Sensitive Areas Assessment

All subdivisions, site plans, and conditional use permits are subject to the Sensitive Areas requirements of section 8:3 of the Johnson County Unified Development Ordinance. The ordinance defines nine sensitive areas and outlines development restrictions and requirements that apply when sensitive areas are present on a site. All development projects must survey for the presence of sensitive areas. However, according to section 8:3, waiver of sensitive areas assessment can be requested for minor subdivisions and conditional use permits for those sensitive areas believed not to exist on a site. The decision to waive the requirement for field survey will be based solely on the information provided by the applicant, and additional information may be requested.

Eligibility for Waiver of Sensitive Areas Assessment

For eligible development applications, if the presence of a sensitive area can be ruled out with sufficient information based on desktop assessment the applicant can request to waive survey for that sensitive area. If a desktop assessment cannot concretely rule out the presence of a sensitive area, then waiver will be denied.

Submitting a Sensitive Areas Waiver Request

- A waiver request form must be completed indicating which sensitive areas waiver is being requested for (must check each on the request form for which you are seeking waiver). Waiver request forms can be found on the Planning, Development, and Sustainability webpage. http://www.johnson-county.com/dept_zoning.aspx?id=19559
- Documentation must be provided that clearly supports the opinion that a sensitive area does not exist on site. If documentation is not provided, waiver will not be considered.
- Waiver requests must be submitted prior to submitting a development application. A development application must have either a County-approved sensitive areas waiver or a complete sensitive areas report (if sensitive areas not waived).

Conducting a Desktop Review for a Sensitive Areas Waiver Request

These instructions are meant to provide guidance to an applicant who would like to submit a waiver request for sensitive areas, and includes what should be considered in the desktop review, resources that should be used when conducting a desktop review, and documentation that should be submitted with the waiver request application.

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<p>Critical Wildlife Habitat</p>	<p>Areas identified as containing any species that are protected and identified by the Endangered Species List published by the United States Fish and Wildlife Service, or the Iowa Threatened and Endangered Species List published by the Iowa Department of Natural Resources.</p>	
<p>Assessment and Resources</p>	<ul style="list-style-type: none"> Submit an environmental review request to the Iowa Department of Natural Resources Threatened and Endangered Species section. These reviews are free of charge and request can be made via the environmental review website. 	<p>https://www.iowadnr.gov/conservation/iowas-wildlife/threatened-and-endangered</p>
	<ul style="list-style-type: none"> Review aerial photographs to determine if potential habitat, as noted above, is located on the property. Aerials dating back to the 1930's can be accessed on the Johnson County Property Information Viewer. 	<p>https://gis.johnson-county.com/piv/</p>
	<ul style="list-style-type: none"> Review the USFWS Rusty-Patched Bumble Bee maps. Both Low and High-Potential Zones are mapped in Johnson County, and it should be determine if the project is located within a high-potential zone. If a development is within a high potential zone and the area is NOT row-cropped, consultation with the IDNR/USFWS will be required and waiver will be denied. 	
<p>Documentation Required</p>	<ul style="list-style-type: none"> Provide documentation, such as aerial photographs, showing the absence of potential habitat (e.g. wooded areas, water, grassy fields, etc.) for Threatened and Endangered species Provide documentation from the IDNR environmental review. Provide Rusty-Patched Bumble Bee location maps to show where the project is located relative to high-potential zones. If there is potential habitat on site, waiver will be denied. 	
<p>Floodplain and Floodway</p>	<p>The floodplain is the land area susceptible to inundation by water as a result of a flood. The floodway is the channel of a river or stream and those portions of the floodplain joining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not result in substantially higher flood levels and flow velocities.</p>	
<p>Assessment and Resources</p>	<ul style="list-style-type: none"> Review FEMA maps for 100-year floodplains within the development boundaries. FEMA floodplain maps can be accessed on the FEMA website. 	<p>https://msc.fema.gov/portal/home</p>
<p>Documentation Required</p>	<ul style="list-style-type: none"> FEMA maps that show the absence of the 100-year floodplain within the project boundary. 	
<p>Stream Corridors</p>	<p>A river, stream or drainageway shown in blue (the blue line) on the most current U.S. Geological Survey Quadrangle Maps, and the area of its delineated floodway. In cases where no floodway is delineated, the blue line will serve as the centerline of a 30-foot wide stream corridor.</p>	
<p>Assessment and Resources</p>	<ul style="list-style-type: none"> Review the USGS 7.5 minute quadrangle maps to determine if a blue-line stream is located within the project boundary. A solid or dashed blue line on these maps represents a blue line stream. If a blue line stream is located within the project boundary, then there is a stream corridor on the site. 	<p>https://viewer.nationalmap.gov/basic/</p>
	<ul style="list-style-type: none"> The extent of the stream corridor is not restricted to the blue line itself, but rather the stream corridor is defined as the blue line and its delineated floodway (if it has one). If there is no delineated floodway, the blue line will serve as the centerline of a 30-foot wide stream corridor. Stream corridors must also be buffered, and the width of the buffer depends on location. 	

Documentation Required	<ul style="list-style-type: none"> USGS 7.5 minute quadrangle maps with the outline of the project boundary, showing that no blue line stream exists within the project boundary. 	
Prairie and Prairie Remnants	An association of native grasses, sedges, and broadleaf plants. It includes areas of at least 0.3 acres in size that have at least 4 prairie grass species and 10 broadleaf plant species (with a coefficient of conservatism of 5 or greater in either Illinois or Missouri).	
Assessment and Resources	<ul style="list-style-type: none"> Review current and past aerial photographs for evidence of row-cropping or CRP plantings. Aerials dating back to the 1930's can be accessed on the Johnson County Property Information Viewer. 	https://gis.johnson-county.com/piv/
	<ul style="list-style-type: none"> If an area has been row-cropped, it can automatically be ruled out for hosting prairie. If row-cropping (does not include hay/pasture) is not definitely identified, and the area in question is at least 0.3 tenths of an acre, then the vegetation of the area will have to be assessed to determine if prairie or prairie remnant is present. 	
Documentation Required	<ul style="list-style-type: none"> Aerial photographs showing current or historical row-cropping for the entirety of the project area. 	
Savanna and Savanna Remnant	A mixed association of native trees in grassland (originally prairie but may now also have domestic grass). The native trees are open grown and are frequently oaks and hickories. For the purposes of Johnson County ordinance, it includes areas of at least one acre in size.	
Assessment and Resources	<ul style="list-style-type: none"> Review aerial photographs to determine if large, open-grown trees are located within the property boundary. Aerials dating back to the 1930's can be accessed on the Johnson County Property Information Viewer. 	https://gis.johnson-county.com/piv/
	<ul style="list-style-type: none"> If open-grown trees cannot be ruled out based on aerial photographs, then the trees should be assessed on site. 	
Documentation Required	<ul style="list-style-type: none"> Aerial photographs showing the absence of large, open-grown trees within the project boundary. 	
Wetlands	Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. The diagnostic characteristics of wetlands are vegetation, hydric soils and hydrology.	
Assessment and Resources	<ul style="list-style-type: none"> Assess the project area for all indicators for wetlands, including surface water bodies (drainageways, streams, ponds, etc.), low-lying areas as indicated by contours, hydric soils, the National Wetlands Inventory (NWI), as well as aerials that may show areas of inundation or distressed vegetation. 	
	<ul style="list-style-type: none"> Review the US Fish and Wildlife Service National Wetlands Inventory Wetlands Mapper. The absence of wetlands on the NWI cannot be used to rule out wetlands. It can be used, in conjunction with other information, to support the opinion that wetlands are absent. Wetlands on the NWI does also provide a red flag for further investigation. 	https://www.fws.gov/wetlands/data/mapper.html
	<ul style="list-style-type: none"> Review the USDA-NRCS Web Soil Survey to view the soil types within the project boundary. The hydric rating for a soil type can be found by clicking on the Map Unit Name. Hydric soils are characteristic of wetlands. 	https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm
	<ul style="list-style-type: none"> Review the contours of the project to determine if there are low spots that might remain saturated or have temporarily ponded water. Contours can be viewed on the Johnson County Property Information Viewer. 	https://gis.johnson-county.com/piv/
Documentation Required	<p>Combination of the following:</p> <ul style="list-style-type: none"> National Wetlands Inventory (NWI) map showing the absence of wetlands within the project boundary. If 	

	<p>NWI shows wetlands, this SA will not be waived.</p> <ul style="list-style-type: none"> Hydric soil ratings for the soil types within the project boundary. Contour map showing absence of topographic features conducive to presence of wetlands (i.e. depressions, drainageways, water bodies, etc.). 	
Woodlands	An association of native forest trees such as those listed in Forest Trees of Johnson County by McBride, 1897. It includes areas of at least 2 acres in size.	
Assessment and Resources	<ul style="list-style-type: none"> Review aerials for wooded areas within the project boundary that measure 2 acres or greater in area. Aerials dating back to 1930 can be viewed on the Johnson County Property Information Viewer. If wooded areas meeting this size criteria are present then a woodlands assessment must be completed. This includes wooded areas of which only a portion falls within the property boundary; the total area of the wooded area must be based on wooded area both within and outside the property boundary. 	https://gis.johnson-county.com/piv/
Documentation Required	<ul style="list-style-type: none"> Aerial photographs showing the absence of wooded areas that measure 2 acres or greater in area. 	
Unstable landforms	Landforms that contain certain soils with severe limitations for excavations are considered "unstable landforms."	
Assessment and Resources	<ul style="list-style-type: none"> Review the mapped soils to determine if any soil types listed in the Sensitive Areas Ordinance as at risk for cutbank caving or having steep slopes exist within the property boundary. Mapped soils can be viewed on the NRCS Web Soil Survey. 	https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm
Documentation Required	<ul style="list-style-type: none"> A list of soil types within the property boundary. If any of these soil types are included in the lists within the SAO, waiver will be denied for this sensitive area. 	
Historic Properties	Areas containing significant information regarding the history or prehistory of the United States of America, the State of Iowa, and/or Johnson County.	
Assessment and Resources	<ul style="list-style-type: none"> Determine the need for historic architectural and archaeological surveys by requesting a site review by the Iowa Office of the State Archaeologist (OSA). It should be communicated to OSA that it is for Johnson County sensitive areas purposes. The OSA will determine whether or not a field survey is warranted and will provide a response stating their recommendation. 	
Documentation Required	<ul style="list-style-type: none"> The response from the OSA with their recommendation on the need for a field survey. 	