

19.72.030 Development standards.

A. Lot and Density Requirements.

1. General Rule. Except as specifically modified by this chapter, all development in the foothills and canyons overlay zone shall comply with the standards for minimum lot size, minimum lot width, and maximum density required in the underlying zone.

2. Exception to the General Rule--Lots of Record That Do Not Meet the Underlying Zone's Minimum Lot Requirements. If a lot of record subject to this chapter:

- a. Was approved prior to the effective date of the ordinance codified in this chapter; and
- b. Does not meet the minimum lot size or lot width requirements set forth in the underlying zone district; and
- c. Is not subject to the substandard lot consolidation provisions set forth in subsection (A)(3) of this section;

then the minimum lot size or lot width requirements shall be waived and development may proceed on said lot of record subject to compliance with all other applicable development standards set forth in this chapter and in the underlying zone.

3. Consolidation of Substandard Lots.

a. Circumstances Under Which Consolidation is Required. Two or more lots or parcels located in the foothills and canyons overlay zone shall be considered to be a single, undivided lot or parcel for the purposes of this chapter if all the following factors apply:

- i. The lots or parcels are in single and common ownership; and
- ii. The lots or parcels are contiguous; and
- iii. The lots or parcels were legally established and recorded in the office of the county recorder prior to August 15, 1997; and
- iv. All or part of the lots or parcels do not meet the minimum lot area or lot width requirements set forth in the underlying zone; and
- v. None of the contiguous lots or parcels have been improved with individual and separate connections to municipal water or sewer systems; and
- vi. None of the contiguous lots or parcels have been improved with structures.

b. Consolidation Acreage Requirements.

i. In Underlying Zones Where a Minimum Lot Size of Less Than One Acre is Required. In areas where the underlying zone requires a minimum lot size of less than one acre, lots or parcels shall be consolidated, where sufficient land area is available, in increments of one-half acre.

ii. In Underlying Zones Where a Minimum Lot Size of One Acre or More is Required. In areas where the underlying zone requires a minimum lot size of one acre or more, lots or parcels shall be consolidated, where sufficient land area is available, in increments of at least one acre.

c. Remnant Land Areas.

i. In Underlying Zones Where a Minimum Lot Size of Less Than One Acre is Required. If, in the process of consolidating lots in accordance with the preceding requirements any remnant portion of land less than one-half acre in size remains, such remnant shall be either:

(A) Proportionally added to the total number of one-half acre lots created in the consolidation process; or

(B) Added to the last one-half acre lot or parcel created.

ii. In Underlying Zones Where a Minimum Lot Size of One Acre or More is Required. If, in the process of consolidating lots in accordance with the preceding requirements any remnant portion of land less than a full acre in size remains, such remnant shall be either:

(A) Proportionally added to the total number of one acre lots created in the consolidation process; or

(B) Added to the last full acre lot or parcel created in the consolidation process;

(C) Prohibited Use or Sales. No portion of such lots or parcels subject to this consolidation provision

shall be used or sold in a manner that renders compliance with applicable lot width and lot area requirements less feasible.

4. Clustering. Clustering of development (See Figures 1 and 2) is generally recommended and may be required by the planning commission to achieve the objectives of this chapter. Whether proposed by an applicant or required by the planning commission, clustering of development may only be used to reduce otherwise applicable minimum lot size requirements upon satisfaction of the following findings:

Figure 1

Clustering of Development away from Ridgeline: Recommended.



Figure 1. Clustering of Development away from Ridgeline: Recommended

- a. The clustering proposal meets all other applicable requirements set forth in this chapter or in other applicable ordinances or regulations;
- b. The clustering proposal, compared with a more traditional site development plan, better attains the policies and objectives of this chapter, such as providing more open space, preserving existing trees and vegetation coverage, and preserving sensitive environmental areas such as stream corridors, slide areas, wetlands and steep slopes;
- c. The clustering proposal will have no significant adverse impact on adjacent properties or development, or, if such impacts would result, the applicant has agreed to implement appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features as recommended by the development services director to buffer and protect adjacent properties from the proposed clustered development; and
- d. The architecture, height, building materials, building colors, and other design features of the development blend with the surrounding natural landscape and are compatible with adjacent properties or development.

5. Density Bonus for Clustering.

- a. A density bonus of up to twenty-five percent over the base density permitted in the underlying zone district may be available for cluster developments that satisfy the above standards taking into account the bonus density.
- b. For purposes of calculating this twenty-five percent cluster density bonus, the base density permitted in the underlying zone district shall be calculated based on “net developable acreage,” which is defined

as land with all of the following:

- i. Average slope less than thirty percent;
- ii. Soils of a suitable depth and type based on soil exploration and percolation tests in accordance with the regulations of the Utah Department of Environmental Quality in order to ensure against adverse impacts on surface and groundwater quality;
- iii. Minimum distance from any stream corridor, as that term is defined in Section 19.72.070, of one hundred feet; and
- iv. Free from any identified natural hazards such as flood, avalanche, landslide, high water table and similar features. (See Chapter 19.74, "Floodplain Hazard Regulations" and Chapter 19.75, "Natural Hazard Areas.")

6. Planned Unit Developments.

a. **Minimum Lot Area and Lot Width.** Lot areas and lot widths for planned unit developments in the foothills and canyons overlay zone district shall not be subject to the minimum lot area and lot width limits set forth in this section. Instead, minimum lot areas and lot widths shall be determined on a case-by-case basis by the planning commission pursuant to Chapter 19.78 of this title.

b. **Maximum Density.** Density of dwelling units per acre in a planned unit development shall be the same as that allowed in the underlying zone district in which the planned unit development is located.

B. Slope Protection Standards.

1. **Prohibition of Development on Steep Slopes.** With the exception of permitted minor ski resort improvements and as otherwise expressly allowed in this chapter, no development, including clearing, excavation, and grading shall be allowed on slopes greater than thirty percent.

2. **Structure Clearance from Steep Slopes.** Structure clearance from ascending or descending slopes greater than thirty percent shall conform to the requirements set forth in applicable building code provisions.

3. Prohibition of Development on Designated Ridge Lines.

a. With the exception of permitted minor ski resort improvements, which may cross but not follow designated ridge lines, and with the further exception of instances where a waiver has been granted pursuant to this chapter, no development shall intrude into any ridge line protection area that has been identified and designated as part of an adopted county or township plan (e.g., the Emigration Canyon plan) or has been identified and designated by the county during the development review and approval process set forth in Section 19.72.050 of this chapter.

b. For the purposes of this chapter, designated ridgeline protection areas shall consist of prominent ridge lines that are highly visible from public rights-of-way or trails, and shall include the crest of any designated hill or slope, plus the land located within one-hundred feet horizontally (map distance) on either side of the crest. (See Figures 3 and 4 below)

4. **Steep Slopes--Open Space.** One hundred percent of areas with slope greater than thirty percent shall remain in natural private or public open space, except as expressly allowed in this chapter.

C. Grading Standards.

1. **Grading Prohibited Without Prior Approvals/Permits.** No grading, excavation, or tree/vegetation removal shall be permitted, whether to provide for a building site, for on-site utilities or services, or for any roads or driveways, prior to issuance of a building permit in accordance with a grading and excavation plan and report for the site approved by the development services engineer.

2. **Cutting to Create Benches.** Cutting and grading to create benches or pads for additional or larger building sites shall be avoided to the maximum extent feasible. (See Figures 5 and 6)

Figure 5

Minimized Cuts: Encouraged.

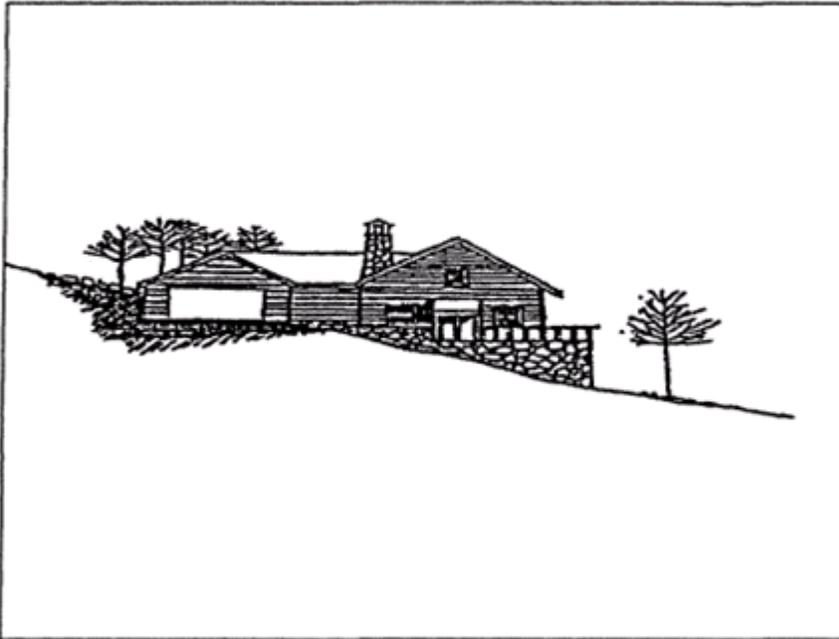
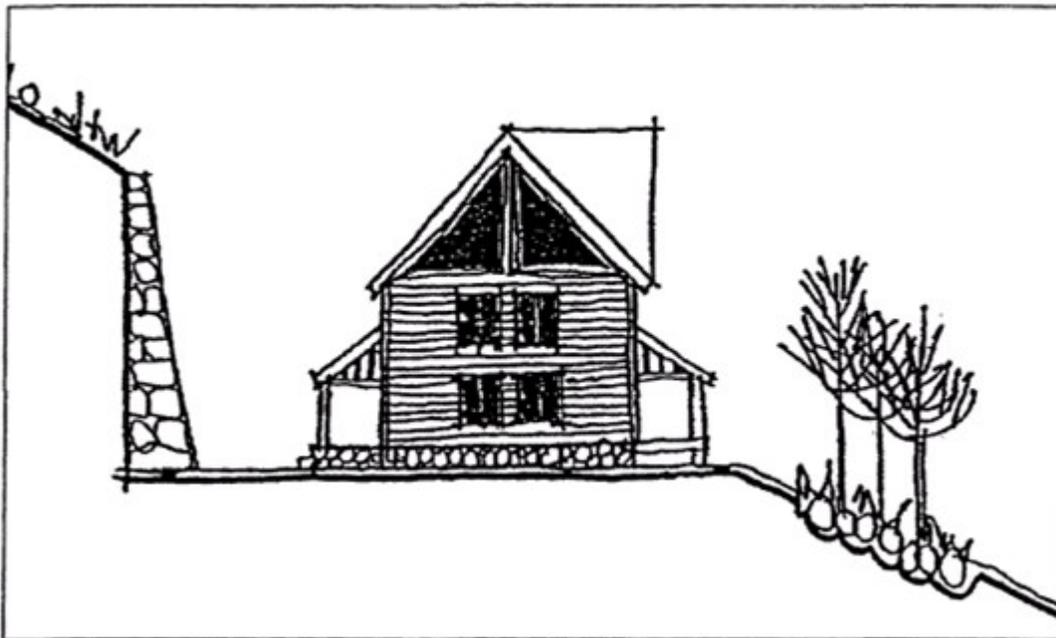


Figure 6

Excessive Cutting: Discouraged.



3. Limits on Changing Natural Grade. The original, natural grade of a lot shall not be raised or lowered more than four feet at any point for construction of any structure or improvement, except:
 - a. The site's original grade may be raised or lowered six feet if a retaining wall is used to reduce the steepness of man-made slopes, provided that the retaining wall complies with the

requirements set forth in this section.

b. The site's original grade may be raised or lowered more than six feet with terracing, as specified in subsection (C)(8)(b) of this section.

4. Grading for Accessory Building Pads Discouraged. Separate building pads for accessory buildings and structures other than garages, such as tennis courts, swimming pools, outbuildings, and similar facilities, shall be discouraged except where the natural slope is twenty percent or less.

5. Limits on Graded or Filled Man-Made Slopes.

a. Slopes of twenty-five percent or less are greatly encouraged wherever possible.

b. Graded or filled man-made slopes shall not exceed a slope of fifty percent.

c. Cut man-made surfaces or slopes shall not exceed a slope of fifty percent unless it is substantiated, on the basis of a site investigation and submittal of a soils engineering or geotechnical report prepared and certified by a qualified professional, that a cut at a steeper slope will be stable and will not create a hazard to public or private property.

d. All cut, filled, and graded slopes shall be recontoured to the natural, varied contour of the surrounding terrain.

6. Revegetation Required. Any slope exposed or created in new development shall be landscaped or revegetated pursuant to the standards and provisions of subsection H of this section, "Tree and Vegetation Protection."

7. Excavation. Excavation for footings and foundations shall be minimized to the maximum extent feasible in order to lessen site disturbance and ensure compatibility with hillside and sloped terrain. Intended excavation must be supported by detailed engineering plans submitted as part of the application for site development plan approval.

8. Retaining Walls. Use of retaining walls is encouraged to reduce the steepness of man-made slopes and to provide planting pockets conducive to re-vegetation. (See Figure 7)

a. Retaining walls may be permitted to support steep slopes but shall not exceed six feet in height from the finished grade, except as used in conjunction with the development of minor ski resort improvements, or where terraced as specified in subsection (C)(8)(b) of this section.

b. Except as used in conjunction with the development of minor ski resort improvements, terracing shall be limited to two tiers. The width of the terrace between any two four-foot vertical retaining walls shall be at least three feet. Retaining walls higher than four feet shall be separated from any other retaining wall by a minimum of five horizontal feet. Terraces created between retaining walls shall be permanently landscaped or revegetated pursuant to subsection H of this section, "Tree and Vegetation Protection."

4. c. Retaining walls shall be faced with stone or earth-colored materials similar to the surrounding natural landscape. (See Chapter 19.73, "Foothills and Canyons Site Development and Design Standards.")

d. All retaining walls shall comply with the Uniform Building Code, except that when any provision of this section conflicts with any provision set forth in the U.B.C., the more restrictive provision shall apply.

9. Filling or Dredging of Waterways Prohibited. Filling or dredging of water courses, wetlands, gullies, stream beds, or storm water runoff channels is prohibited, except that bridge construction is allowed pursuant to the standards set forth in subsection (J)(7) of this section.

10. Detention/Stormwater Facilities. Where detention basins and other storm and erosion control facilities may be required, any negative visual and aesthetic impacts on the natural landscape and topography shall be minimized to the maximum extent feasible. (See Figures 8 and 9)

5. Figure 8

Site Sensitive Treatment of Detention Basin

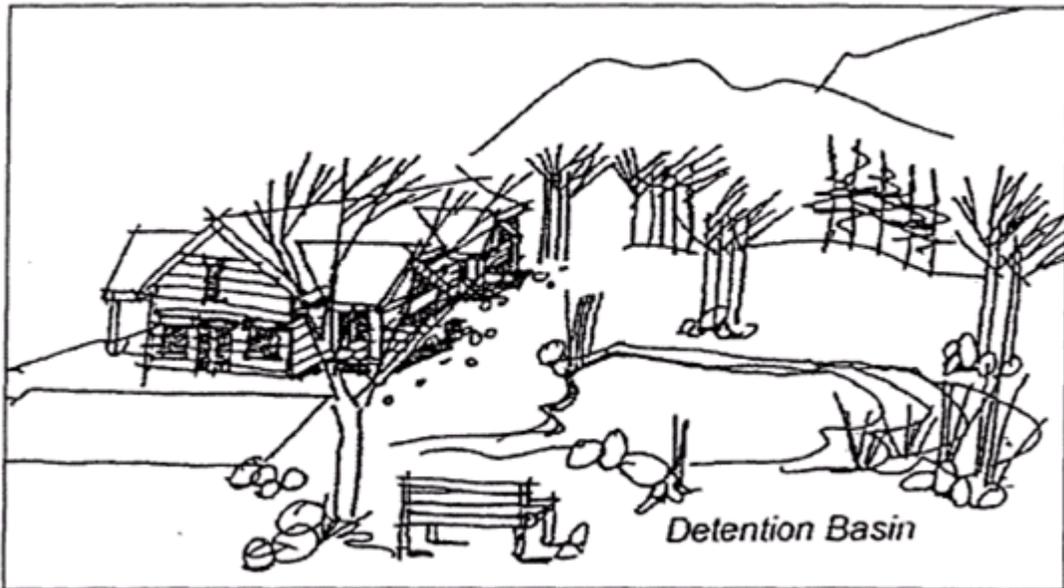
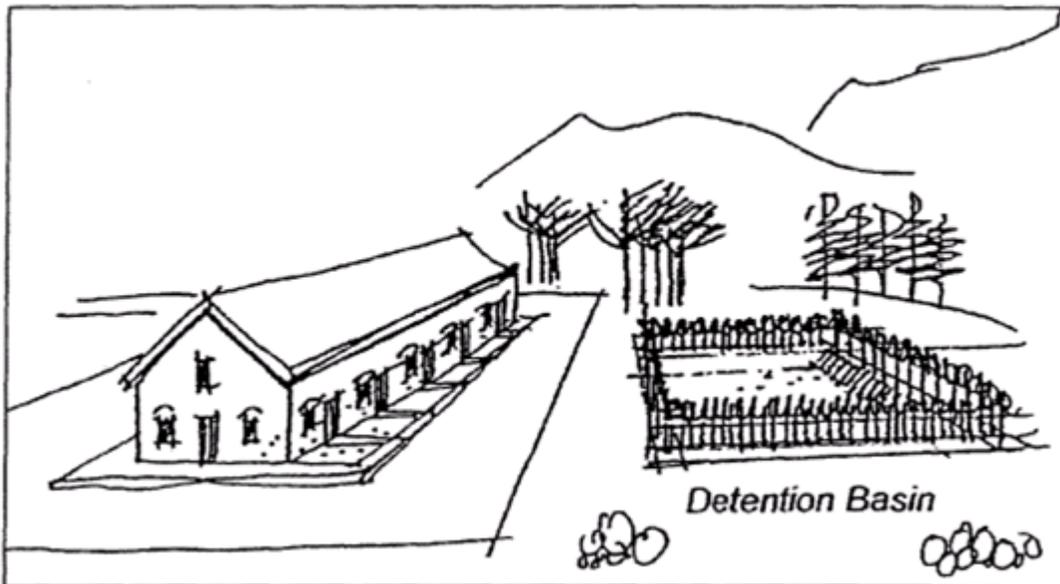


Figure 9

Undesirable Treatment around Detention Basin



D. Streets/Roads and General Site Access. (See subsection E of this section regarding driveway standards)

1. Access to a building or development site shall be by road, street, or private access road only.
2. Streets, roads, private access roads, and other vehicular routes shall comply with the Salt Lake County highway and fire department ordinances.
3. With the exception of those provided in conjunction with permitted minor ski resort improvements, streets, roads, private access roads, and other vehicular routes shall not be allowed to cross slopes between thirty and fifty percent unless specifically authorized by the planning commission, upon the favorable recommendation of the development services director

and public works engineer, after finding that all of the following conditions and constraints are applicable:

- a. No alternate location for access is feasible or available;
 - b. No individual segment or increment of the street, road, private access road, or other vehicular route that will cross slopes between thirty percent and fifty percent exceeds one hundred feet in length;
 - c. The cumulative length of individual segments or increments that will cross slopes between thirty percent and fifty percent does not exceed ten percent of the total length of the street, road, private access road, or other vehicular route; and
 - d. No significant adverse visual, environmental, or safety impacts will result from the crossing, either by virtue of the design and construction of the street, road, private access road, or other vehicular route as originally proposed or as a result of incorporation of remedial improvements provided by the developer to mitigate such impacts.
4. Under no circumstances other than for permitted minor ski resort improvements shall any street, road, private access road, or other vehicular route cross slopes greater than fifty percent.
5. Streets, roads, private access roads, and other vehicular routes shall to the maximum extent feasible follow natural contour lines. (See Figures 10 and 11)

Figure 10

Access Route

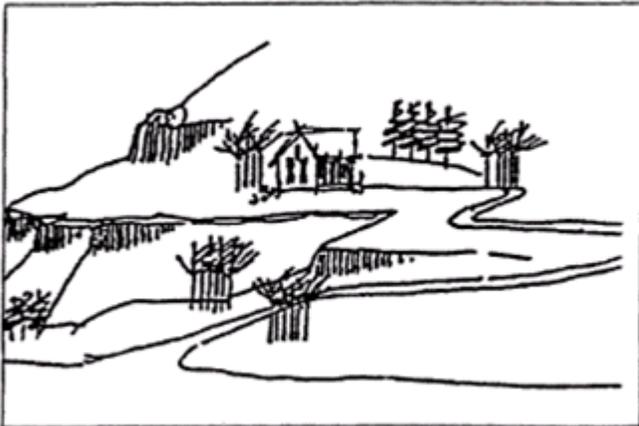
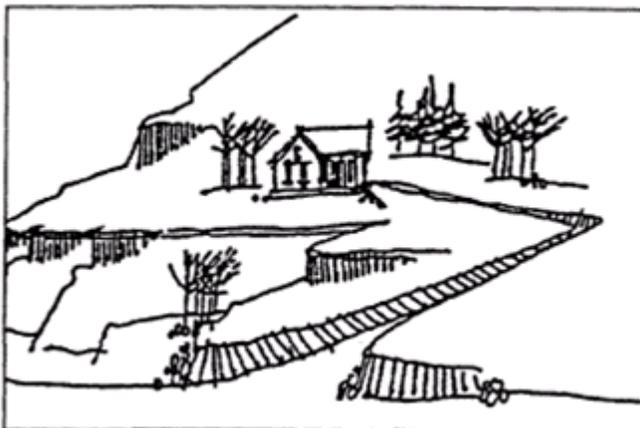


Figure 11

Access Route Improperly Following Natural Contours Cutting Cross Slope



DI. 6. Grading for streets, roads, private access roads, and other vehicular routes shall be limited to the cartway portion of the right-of-way, plus up to an additional ten feet on either side of the cartway as needed, except that when developing access on slopes in excess of twenty-five percent, only the cartway right-of-way shall be graded plus the minimum area required for any necessary curb, gutter, or sidewalk improvements. The remainder of the access right-of-way shall be left undisturbed to the maximum extent feasible.

7. Roads, other vehicular routes, or trails may be required to provide access or maintain existing access to adjacent lands for vehicles, pedestrians, emergency services, and essential service and maintenance equipment.

E. Driveways. Driveways shall be provided to ensure safe, convenient, and adequate access to individual buildings. Driveway access to a development shall be consistent with the Salt Lake County community general plans and highway plans, as amended. In addition, provision of driveway access is subject to the following requirements: 1. All driveways shall comply with the Salt Lake County highway and fire department ordinances.

2. Driveways longer than one-hundred, fifty feet in length shall meet the following requirements:

a. Provision of a turn-around that meets the county's road/street and fire department standards; and

b. Provision of an adequate number of spaced turn-outs along the length of the driveway, as determined by the public works engineer in consultation with the Salt Lake County fire department.

3. With the exception of those provided in conjunction with permitted minor ski resort improvements, driveways longer than fifty feet in length shall not be allowed to cross slopes between thirty and fifty percent unless specifically authorized by the planning commission, upon the favorable recommendation of the development services director and public works engineer, after finding that all of the following conditions and constraints are applicable:

a. No alternate location for access is feasible or available;

b. No individual segment or increment of the driveway that will cross slopes between thirty percent and fifty percent exceeds one hundred feet in length;

c. The cumulative length of individual segments or increments of the driveway that will cross slopes between thirty percent and fifty percent does not exceed ten percent of the driveway's total length; and

d. No significant adverse visual, environmental, or safety impacts will result from the driveway crossing, either as originally proposed or as a result of incorporation of remedial improvements provided by the developer to mitigate such impacts.

4. Under no circumstances other than for permitted minor ski resort improvements shall any driveway cross slopes greater than fifty percent.

5. Driveways shall to the maximum extent feasible follow natural contour lines. (Fig. 10 and 11)

6. Driveways may be shared by no more than two residential units, or by two or more principal nonresidential uses provided such nonresidential uses together do not exceed a total of twenty-five thousand square feet of gross floor area. Shared driveways are greatly encouraged.

7. Driveways to a building site shall have direct access to a public street or to a private right-of-way approved by the planning commission. Finished driveway grades shall comply with the following:

a. Driveways shall have a maximum grade of twelve percent, or as determined by the public works engineer on a case-by-case basis based on health and safety concerns and the need for adequate access for county service providers. In no case, however, shall the public works

engineer approve a maximum grade greater than fifteen percent. Driveways shall have a maximum grade of fifteen percent.

b. Driveway grades within twenty feet of the roadway shall not exceed ten percent. See Highway Ordinance.

F. Trail Access.

1. Dedication Required. For the purpose of providing trails necessary for public access to public lands or trails shown on the county general plans, the Salt Lake County regional trail plan, the Salt Lake County trail access plan, or applicable community general plans, all development in the foothills and canyons overlay zone shall be required to offer a dedication of an amount of land that is roughly proportional to the demand for open space, recreational facilities, trails, or public access to public lands or trails generated by the proposed development. The county shall have the sole option whether to accept a reasonable money fee in lieu of land dedication.

2. Verification Required. All land offered for dedication for trails or public access to trails shall be verified on the ground by the development services division before approval of the site plan. Land offered for dedication for trails shall be located so that:

a. Proposed trail construction and maintenance is feasible; and

b. Side slopes do not exceed seventy percent; and

c. Rock cliffs and other insurmountable physical obstructions are avoided.

The county shall have the sole option of rejecting the applicant's offered land dedication and instead select more suitable land, based on the above factors, applicable plans, opportunities to link to existing or planned trails and public lands, and/or suitability of the terrain for trail use.

3. Nature of Interest Dedicated. At the county's sole option, dedications for trails or public access may be of a fee or less-than-fee interest to either the county, another unit of government, or nonprofit land conservation organization approved by the county.

4. Bonus Density Allowed for Certain Dedications. The planning commission may allow up to twenty-five percent of the maximum allowable density attributable to areas of the site with greater than thirty percent slope to be transferred to the developable areas of the site if the applicant shows that the offered dedication is beyond what would be roughly proportional to the demand for such trails or trail access generated by the proposed development. The planning commission may reduce the applicable minimum lot area requirement within the site's developable area if necessary to accommodate the transferred density.

5. Liability Releases. Liability releases related to dedicated lands shall be prepared for a landowner in accord with the State Landowner Liability Act of 1987, as amended.

G. Fences.

1. No fence shall be constructed or installed unless shown on the approved site development plan.

2. No fence in excess of forty-two inches in height shall be constructed or installed outside the designated limits of disturbance on a site, except as required by the county (such as fenced corrals for horses or other animals). (See also Section 14.12.040 of this code, "Clear view of intersecting streets.")

3. Fences in the front yards and along roadways shall not exceed forty-two inches in height.

4. Fences in identified wildlife corridors shall be strongly discouraged, but in no case shall exceed forty-two inches in height.

5. Fences shall conform to the standards set forth in Chapter 19.73, "Foothills and Canyons Development Standards."

H. Tree and Vegetation Protection.

1. Purposes. Protection of existing tree and vegetation cover is intended to:

a. Preserve the visual and aesthetic qualities of the County's foothills and canyons;

b. Encourage site design techniques that preserve the natural environment and enhance the

developed environment;

c. Control erosion, slippage, and sediment run-off into streams and waterways;

d. Increase slope stability;

e. Protect wildlife habitat and migration corridors; and

f. Conserve energy, in proximity to structures, by reducing building heating and cooling costs.

2. Application and Exemptions. The provisions of this section shall apply to all development on real property that is located in the foothills and canyons overlay zone, except that the following developments and activities shall be exempt from this section:

a. The removal of dead or naturally fallen trees or vegetation, or such that the county finds to be a threat to the public health, safety, or welfare;

b. The selective and limited removal of trees or vegetation necessary to obtain clear visibility at driveways, intersections, or for the purpose of performing authorized field survey work;

c. The removal of trees or vegetation on land zoned or lawfully used for agricultural and forestry activities, including tree farms and approved forestry management practices. In the event a site is substantially cleared of trees pursuant to such legitimate activities, however, no development or site plan applications for other types of development shall be accepted by the county for thirty-six months from the date the clearing is completed;

d. The selective and limited removal of trees and vegetation in conjunction with permitted minor ski resort improvements.

3. Tree/Vegetation Removal.

a. Outside the Limits of Disturbance, No trees or vegetation shall be removed outside the approved limits of disturbance except as specifically exempted in this section or chapter.

b. Within the Limits of Disturbance. Significant trees (as defined in Section 19.72.070) removed from within the limits of disturbance shall be replaced as set forth in subsection (H)(4) of this section.

c. Wildfire Hazards and Tree/Vegetation Removal. In areas determined by County Fire Prevention officials as being highly susceptible to fire hazards, vegetation up to thirty feet from the perimeter of a structure shall be selectively pruned and thinned for fire protection purposes.

d. Tree/Vegetation Removal for Views Prohibited. No trees or vegetation shall be removed for the purpose of providing open views to or from structures on a site.

4. Replacement of Significant Trees. Except in conjunction with permitted minor ski resort improvements, when a significant tree or trees, as defined in Section 19.72.070 of this chapter, are removed from either inside or outside the established limits of disturbance, the applicant or developer shall replace such tree(s) on the lot, either inside or outside the established limits of disturbance, according to the following schedule and requirements:

a. A significant deciduous tree that is removed shall be replaced by three trees with a minimum size of two and one-half inch caliper.

b. A significant coniferous tree that is removed shall be replaced by two trees with a minimum height of eight feet.

c. Acceptable replacement trees shall be determined by a person or firm qualified by training or experience to have expert knowledge of the subject.

d. Replacement trees shall be maintained through an establishment period of at least three years, except that single-family dwellings shall have an applicable establishment period of only one year. The applicant shall post a bond guaranteeing the survival and health of all replacement trees during the establishment period.

5. Revegetation and Land Reclamation Plan.

a. On a parcel of land that has been or will be altered from its natural condition by man-made activities, a revegetation and land reclamation plan prepared and certified by a qualified professional may be required for review and approval by the development services director.

- b. The revegetation and land reclamation plan shall depict the type, size, and location of any vegetation and trees being planted and illustrate how the site will be recontoured in such a fashion and with sufficient topsoil to ensure that revegetation is feasible.
- c. Any slope exposed or created in new development shall be landscaped or revegetated with native or adapted trees and other native or adapted plant material. New vegetation shall be equivalent to or exceed the amount and erosion-control characteristics of the original vegetation cover in order to mitigate adverse environmental and visual effects.
- d. On man-made slopes of twenty-five percent or greater, plant materials with deep rooting characteristics shall be selected that will minimize erosion and reduce surface runoff. The planting basin should be kept level with a raised berm around the base of the plant to help retain moisture.
- e. To the maximum extent feasible, topsoil that is removed during construction shall be conserved for later use on areas requiring revegetation or landscaping, such as cut-and-fill slopes.
- f. The plan shall also indicate a time frame for revegetation that is acceptable to the county and that takes into account optimal seasonal growing conditions.

6. Tree/Vegetation Protection During Construction and Grading Activities.

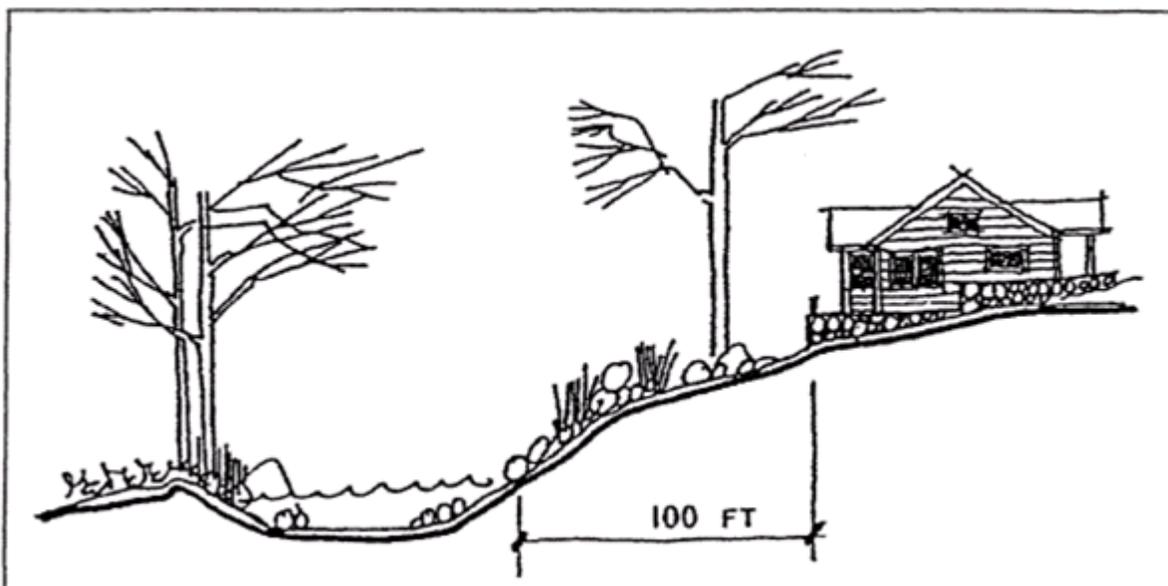
- a. Limits of disturbance as established in accordance with the provisions of Section 19.72.040 shall be shown on the final plans for development and shall be clearly delineated on site with fencing or other materials or methods approved by the development services director prior to the commencement of excavation, grading, or construction activities on the site.
- b. Within the limits of disturbance, fencing, at a minimum, should be placed around each significant tree and around stands of twelve or more smaller trees a distance equal to the size of the individual or outermost tree's drip zone. (see Section 19.72.070, Significant Trees)
 - i. For purposes of this subsection, the drip zone is calculated by measuring the diameter of the tree at breast height. Every inch of tree trunk diameter, for example, equates to one foot of drip zone.
 - ii. No construction, grading, equipment or material storage, or any other activity shall be allowed within this area, and the fencing shall remain in place until all land alteration, construction, and development activities are completed.
- c. If it is necessary to fill over the root zone, compacted soils shall be avoided by sandwiching fabric, rocks and more fabric under the area to be filled.
- d. Fill placed directly on the roots shall not exceed a maximum of six inches in depth.
- e. If fill creates a tree well or depression around a tree or shrubs, such area shall be drained so that the vegetation is not drowned by the pooling of rainfall or irrigation.
- f. If a tree's roots must be cut, the branches shall be trimmed by an amount equal to the percent of roots that were lost. Roots shall be pruned cleanly prior to digging and not ripped off by heavy equipment. Cutting more than thirty percent of the roots endangers the health of the tree, and over forty percent affects the tree's stability.
- g. Utility trenches near trees should be avoided. If a line must be near a tree, tunneling, auguring, or other mitigation measures shall be used.

I. Natural Hazards. All development in the foothills and canyons overlay zone shall comply with the requirements and standards set forth in Chapter 19.75, "Natural Hazard Areas." A natural hazards report required by Chapter 19.75 may be combined with any of the plans and reports required by the provisions of this chapter, including geotechnical, slope, and grading reports. The county geologist shall review all natural hazards reports and submit his recommendations in writing to the development services director or planning commission prior to final action on the site plan for development.

J. Stream Corridor and Wetlands Protection.

1. Purposes. The following requirements and standards are intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions that stream corridors, associated riparian areas, and wetlands provide.
2. Boundary Delineation. Unless previously delineated by Salt Lake County, boundaries for stream corridors and wetland areas shall be delineated according to the following provisions:
 - a. Stream corridor and wetland area delineation shall be performed by a qualified professional that has demonstrated experience necessary to conduct site analysis. Delineations shall be subject to the approval of the development services director.
 - b. Stream corridors shall be delineated at the ordinary high-water mark as defined in Section 19.72.070. Stream corridors shall not include ephemeral streams or ditches that are commonly known to be irrigation ditches and that do not contribute to the preservation and enhancement of fisheries or wildlife.
 - c. Boundary delineation of wetlands shall be established using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989, and jointly published by the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the U.S. Soil Conservation Service. Subsequent revisions of the federal manual shall not be incorporated into this delineation methodology. Although the federal manual may change in the future, the county will use this referenced manual as a basis for wetland determination.
3. Prohibited Activities. No person shall engage in any activity that will disturb, remove, fill, dredge, clear, destroy, or alter any area, including vegetation, within stream corridors, wetlands, and their setbacks as set forth below, except as may be expressly allowed in this chapter.
4. Minimum Setbacks. Except where the city of Salt Lake, pursuant to its recognized extraterritorial jurisdiction, has defined a greater setback from watershed resources (including stream corridors and wetland areas), the following minimum setbacks shall be required:
 - a. Stream Corridors. All buildings, accessory structures, leach fields, and parking lots shall be set back at least one hundred feet horizontally, (plan view) from the ordinary high-water mark of stream corridors. (See Figure 12)

Figure 12
Setback from Stream Corridor



DII.b. Wetlands. All buildings, accessory structures, leach fields, and parking areas or lots shall be

set back at least fifty feet horizontally (map distance), from the delineated edge of a wetland.

c. Open Space/Landscaping Credit for Setback Areas. All setback areas shall be credited toward any relevant private open space or landscaping requirements, but shall not be credited toward trail access dedication requirements.

5. Ephemeral Streams--Prohibited Activities. Development shall not be permitted within the channel of an ephemeral stream, as defined by its ordinary high water mark, except that the planning commission upon the recommendation of the development services director may grant waivers or modifications from this prohibition upon a finding that the development will have no adverse environmental impacts, or that such impacts will be substantially mitigated. The preceding notwithstanding, development within Salt Lake City's watershed areas, as delineated on maps incorporated by reference in Section 19.72.020(B)(2) of this chapter and on file with the Salt Lake County planning and development services division, shall in no instance be permitted closer than fifty feet of the channel of an ephemeral stream, as defined by its ordinary high water mark.

6. Preservation of Vegetation. All existing vegetation within the stream corridor or wetland setback area shall be preserved, and where necessary to provide adequate screening or to repair damaged riparian areas, supplemented with additional native or adapted planting and landscaping.

7. Bridges. The construction of bridges over a stream corridor and within the stream setback area is permitted provided such bridges are planned and constructed so as to minimize impacts on the stream corridor. (See Section 17.08.090, "Replacement and new bridge and culvert design criteria," and Section 19.73.080C, "Bridges for Stream Crossings.")

K. Wildlife Habitat Protection.

1. Intent and Purpose. Salt Lake County finds that its foothills and canyon areas provide important wildlife habitat for a wide variety of animal and bird species. As a result of past development activities, many habitat areas have been significantly impaired, altered, fragmented, and in some cases destroyed. In combination with the tree/vegetation and stream corridor/wetlands protection standards set forth above, the following requirements have been developed to promote and preserve valuable wildlife habitats and to protect them from adverse effects and potentially irreversible impacts.

2. Applicability. The requirements of this subsection shall apply to development on real property in the foothills and canyons overlay zone that contains wildlife habitats designated as "critical summer/winter [value] use," as shown on the Salt Lake County wildlife habitat maps, as amended, on file with the Salt Lake County planning and development services division.

3. Development Limitations in Areas of Critical Habitat. All development subject to this subsection shall, to the maximum extent feasible, incorporate the following principles in establishing the limits of disturbance and siting buildings, structures, roads, trails, and other similar facilities:

a. Maintain buffers between areas dominated by human activities and core areas of wildlife habitat, with more intense human activities, such as automobile and pedestrian traffic, relegated to more distant zones away from the core habitat areas.

b. Facilitate wildlife movement across areas dominated by human activities by:

i. Maintaining connections between open space parcels on adjacent and near-by parcels;

ii. Locating roads and recreational trails away from natural travel corridors used by wildlife such as riparian areas;

iii. Minimizing fencing types that inhibit the movement of wildlife species; and

iv. Minimizing the visual contrast between human-dominated areas, including individual lots, and less disturbed terrain in surrounding areas (for example, by retaining or planting native vegetation and trees around a house or accessory structure).

- c. Mimic features of the local natural landscape in developed areas by:
 - i. Retaining pre-development, high-quality habitat to the maximum extent feasible, including large patches of natural, vegetated areas that have not yet been fragmented by roads or residential development;
 - ii. Minimizing levels of disturbance to trees, the understory, and other structural landscape features during construction;
 - iii. Designing house lots in a fashion consistent with local natural habitats, for example, by preserving and landscaping with natural, native vegetation; and
 - iv. Enhancing the habitat value of degraded pre-development landscapes with selective plantings.

4. Referral Requirements and Planning Commission Action.

- a. Site development plan applications subject to this subsection shall be referred to the Utah Division of Wildlife Resources for review, comment, and recommendations. The Utah Division of Wildlife Resources' comments and recommendations shall be incorporated into the staff report or in some other way transmitted in writing to the development services director (for permitted uses) or to the planning commission (for conditional uses and subdivisions) prior to final action on submitted proposals.
- b. The development services director and planning commission shall give special consideration to wildlife habitats that are determined by the Utah Division of Wildlife Resources in their review to be of unique or critical value, and may require project modifications or special conditions recommended to mitigate impacts on critical wildlife habitat.
- c. The planning commission may deny a development proposal if it finds that the proposed development will have significant adverse impacts on critical wildlife habitat that cannot be adequately mitigated.
 - i. Permitted Uses. If the development services director finds that a proposal for a permitted use may have significant adverse impacts on critical wildlife habitat that cannot be adequately mitigated, the site development plan shall be referred to the planning commission for final action.
 - ii. Definition. For purposes of this subsection, "significant adverse impact on critical wildlife habitat" means elimination, reduction, and/or fragmentation of wildlife habitat to the point that viability of an individual species is threatened in the county and the diversity of wildlife species occurring in the county is reduced.

L. Site Development and Design Standards. In addition to the development standards set forth in this section, all residential and commercial development within the foothills and canyons overlay zone shall comply with the development design standards set forth in Chapter 19.73, "Foothills and Canyons Site Development and Design Standards." To the extent that standards in Chapter 19.73 conflict with the requirements set forth in this chapter, the more restrictive provision shall apply.

M. Traffic.

- 1. Impact Study Required. Unless waived, a traffic and parking impact study shall be required as part of the site development plan application for the following developments in the foothills and canyons overlay zone:
 - a. All residential development that creates a projected increase in traffic volumes equal to or greater than ten percent of current road/street capacity as determined by the Salt Lake public works engineer.
 - b. All nonresidential development that creates a projected increase in traffic volumes equal to or greater than fifty trip-ends per peak hour.
 - c. All development that affects a roadway identified by the public works engineer as having an unacceptable level of service (LOS).

2. Impact Study--Contents. A traffic and parking impact study shall address, at a minimum, the items specified in the "Submittal Requirements for Development Proposals in the Foothills and Canyons Overlay Zone," which document is incorporated by reference.

3. Standard of Review and Required Improvements. All development subject to this subsection shall demonstrate that the peak hour levels of service on adjacent roadways and at impacted intersections after development shall comply with current Salt Lake County transportation and impact mitigation policies and recommendations. Transportation system improvements necessary to proportionately mitigate development-generated traffic impacts shall be installed or fully funded by the development or the owner of the property on which it is situated prior to the issuance of a certificate of occupancy or initiation of such use.

4. Access Management Plan Required. All development required by this subsection to submit an impact study shall also provide an overall access management plan to ensure free-flowing access to the site and avoid congestion and unsafe conditions on adjacent public roads and streets. The access management plan shall be combined with the required traffic and parking impact study. (Ord. 1473 (part), 2001; Ord. 1454 § 4 (part), 1999; Ord. 1417 § 2 (part), 1998)