

10-4-2: ENVIRONMENTAL CRITERIA:

- A. Air Quality: Developments which produce emissions to the air shall, at a minimum, demonstrate compliance with all state air quality standards, as evidenced by the issuance of any permits required for their emissions by the state. Any fireplace or wood burning devices shall meet applicable minimum EPA requirements for clean burning devices as set forth in title 40, part 60, subpart AAA of the code of federal regulations ("standards of performance for new residential wood heaters"), which is incorporated by reference as if set forth in its entirety herein.
- B. Water Quality: Developments which produce any point source discharge to any watercourse shall demonstrate compliance with all state water quality standards, as evidenced by the issuance of any permits required for their discharge by the state. Developments which produce any nonpoint source discharge to any watercourse or which may potentially affect water quality through nonpoint discharges (including sediment, herbicides, pesticides and hydrocarbons) shall demonstrate that their construction and occupancy will not result in any degradation of present water quality.
- C. Watershed Protection: In all developments, no use or structure shall be permitted within one thousand five hundred feet (1,500') above and one hundred feet (100') below each spring used for culinary use or public water supply where such use or structure could possibly pollute such water source. No structure shall be located within forty feet (40') of a jurisdictional wetland. No structure shall be located within one hundred feet (100') of a year around naturally occurring stream, a reservoir, lake or pond unless specifically stated in section [10-2-7](#) of this title, where greater setbacks may be required. No septic system shall be located within two hundred feet (200') of a jurisdictional wetland, naturally occurring stream, a reservoir, lake or pond.
- D. Sewage Disposal:
1. Connection to the facilities of the Snyderville Basin sewer improvement district is required for all developments, except as otherwise permitted in section [10-4-6](#) of this chapter. The sewer district's written approval of a line extension agreement shall confirm that the proposed development can be physically connected to the district's system, although this approval shall not serve as a guarantee of sewer capacity until appropriate sewer capacity fees have been paid to the district, or that the development complies with the provisions of section [10-4-6](#) of this chapter. Applicable sewer capacity fees may be paid at any time by an applicant following district procedures, but in all instances such fees shall be paid before a building permit is issued for any structure.
 2. Individual sewage disposal systems shall be sited and constructed in accordance with state and county health regulations and standards, as evidenced by issuance of the permits necessary to construct any such system by the appropriate authority. Whenever individual sewage disposal systems are permitted, there shall either be a plat note required or a recordable "memorandum of understanding" signed by the property owner that gives notice of the difficulties of individual sewage disposal systems, the potential for failure of such systems, correction of failed systems and connection to the public system shall be at the property owner's expense and a waiver of any liability on the part of the Snyderville Basin sewer improvement district or the county to correct such individual systems in the event of failure. Easements shall also be granted as required in section [10-4-6](#) of this chapter.
- E. Solid Waste And Recycling:
1. No development permit shall be approved unless there is a mandatory recycling program put

into effect for the development project. Such recycling shall include, but not necessarily be limited to, the recycling of construction waste materials.

2. Developments for which landfill and/or solid waste collection capacity are unavailable are prohibited.

F. Revegetation; Erosion Protection; Runoff Control: Development plans shall preserve significant existing vegetation to the extent possible; shall provide for appropriate, prompt revegetation or erosion protection measures; and shall provide for surface water runoff control in accordance with county engineering standards.

1. No development permit shall be issued unless it is first determined that adequate facilities shall be made available to ensure that the developments shall not cause an increase in predevelopment condition runoff.

2. No development shall be approved which results in soil loss exceeding the site's soil loss tolerance. Developers may use a variety of conservation techniques to limit soil loss to tolerable levels. Where such techniques are proposed they shall be presented in a professionally prepared grading and conservation plan which is attached to the application for a permit.

3. All developments shall minimize the area disturbed by construction activities at any given time, particularly cuts and fills associated with road construction. Phased site grading and stabilization or revegetation shall be part of the grading and conservation plan.

4. Buildings shall not be located on soils with severe limitations for any of the proposed uses, unless fully mitigated by appropriate design and construction techniques. Limitations on development may be due to any of a number of factors, including the depth to bedrock or a water table, soil permeability, the soil's propensity to shrink and swell and other factors, as determined by the soil conservation service (USDA).

5. All cut and fill slopes in excess of 3:1 shall be properly stabilized and revegetated, as evidenced in a professionally prepared grading and conservation plan attached to the application for a permit. (Ord. 323, 3-9-1998)

6. Over-lot grading, or the significant removal of soil material on the uphill side of a site and filling on the downhill side, when natural slope conditions exceed ten percent (10%) of the site to create a large, flat development pad is not permitted. All development shall generally conform to the existing contours of the land. (Ord. 323, 3-9-1998; amd. 2004 Code)

G. Wildlife Habitat And Fisheries:

1. Any development which has the potential of adversely affecting critical wildlife habitat, including critical winter range, migration corridors, and birthing areas, or class 2 fisheries, as evidenced by written testimony of the state division of wildlife resources or other authoritative source, shall take all reasonable steps to minimize such impacts, which may require the clustering of development in the least sensitive parts of the development parcel.

2. Developments shall preserve critical wildlife habitat areas or floodplain corridors along streams supporting fisheries. (Ord. 323, 3-9-1998)