

## 11-6-130 Protection of Creek Corridors

(1) The purpose of this Section is intended to promote, preserve, and enhance the important hydrologic, biological, ecological, aesthetic, recreational, and educational functions that creek corridors provide the City of Springville.

(2) At the time of development, a twenty foot (20') wide public access and maintenance easement of no greater than three (3%) percent slope shall be required on each side of the banks of any creek corridor in Springville City. The easement shall provide space for a ten (10) foot trail with five (5) foot wide sides for maintenance of the waterway. The trail may also be used for transportation and recreational purposes. Where the easement exceeds ten percent (10%) of the parcel of property owned by an owner or where any appropriate legal balancing test requires, Springville City will either forego the easement requirement or pay just compensation for the easement.

(a) Without prior written consent of the Mayor upon approval of the City Council, the owner of property abutting any creek in Springville, shall not:

(i) Divert, fill in, line, or cover the natural course of any creek.

(ii) Erect any structure or improvement, including, but not limited to, buildings, fences, bridges, and parking lots.

(iii) Dump or permit the dumping of any garbage or other refuse.

(iv) Cut, grub or remove any trees or other natural vegetation, remove any stone or earth, or otherwise disturb the natural state of the area.

(3) All buildings and structures shall be setback at least fifty-feet from the creekside edge of the twenty-foot easement required along creek corridors. Additionally, waterway requirements of the Utah State Division of Water Rights shall be met and a letter provided by the Division stating any requirements.

(Amended by Ord. No. 36-2006, 12/05/2006)

(4) For the purpose of this Section, creek corridors shall not include ditches that are commonly known to be irrigation ditches that do not contribute to the preservation and enhancement of fisheries or wildlife.