

15-2.21-6. SENSITIVE AREA REGULATIONS - WETLANDS AND STREAM PROTECTION.

(A) **INTENT.** The following requirements and standards have been developed to promote, preserve, and enhance wetlands and Stream Corridors and to protect them from adverse effects and potentially irreversible impacts.

(B) **JURISDICTION.** All Significant Wetlands and Stream Corridors are regulated as provided below.

(C) **PROHIBITED ACTIVITIES.** No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within Significant Wetlands and significant Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.

(D) **BOUNDARY DELINEATIONS.** The Applicant must commission a Park City Municipal Corporation Wetland and Stream Corridor delineation by a qualified professional, approved by the Community Development Director.

(1) Wetlands shall be established using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989.

(2) Stream Corridors shall be delineated at the Ordinary High Water Mark as defined in Section 15-15.

(E) **DETERMINATION OF SIGNIFICANCE.**

(1) **WETLAND CRITERIA.** A wetland delineated pursuant to the 1989 Federal Manual is significant if it meets the following criteria:

(a) **SIZE.** All wetlands that occupy a surface Area greater than 1/10 acre or are associated with permanent surface water.

(b) **LOCATION.** All wetlands that are adjacent to, or contiguous with, a Stream Corridor.

(2) **STREAM CORRIDOR.** All Stream Corridors are significant. Stream Corridors are not irrigation ditches.

(F) **SETBACKS.** The following Setbacks are required:

(1) Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland edge.

(2) Setbacks from Stream Corridors shall extend a minimum of fifty feet (50') outward from the Ordinary High Water Mark.

(3) Setbacks from irrigation ditches shall extend a minimum of twenty feet (20') from the Ordinary High Water Mark.

(G) **RUNOFF CONTROL.** All projects adjacent to wetlands must apply Best Management Practices for both temporary and permanent runoff control to minimize sediment and other contaminants.

(H) **HABITAT RESTORATION PROJECTS.** The Community Development Department may approve wetland and Stream Corridor restoration and enhancement projects if the project plan has been reviewed by a qualified professional, approved by the appropriate state and federal agencies, and performed under the direct supervision of a Qualified Professional.

(I) **LMC MASTER PLANNED DEVELOPMENT (MPD) OPEN SPACE REQUIREMENTS.** The Planning Commission may reduce the sixty percent (60%) MPD Open Space requirement in the Developable Land if the Planning Commission determines that:

(1) Open Space set aside is sufficient to provide adequate natural Open Space for the entire Development;

(2) sufficient TDR Open Space remains within the Developable Land to serve residents of the Development.

(3) At least twenty percent (20%) of the Developable Land is TDR Open Space.