

# TITLE 15 - Land Use Regulations

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## Huntsville Town Ordinance – Title 15.15 Sensitive Lands

### 15.15 SENSITIVE LANDS

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#### 15.15.1 Purpose

The purpose of this title is to identify and coordinate the application of natural resource protection guidelines and standards, as well as to protect the health, welfare, and safety of the citizens of Huntsville Town and minimize potential degradation of natural and man-made resources by identifying known sensitive areas and shall apply specifically to new uses and development of land. This Title specifies the areas for which an Environmental Analysis shall be performed prior to development, or other mitigation methods which may either be required or are recommended and shall apply specifically to new use and new development of real property.

Huntsville Town recognizes individual property rights and shall make every effort to balance the right of the individual property owner with the health, welfare, and safety of the general public.

#### 15.15.2 Stream Corridors and Wetlands

- A. Intent: Huntsville Town acknowledges that wetlands and stream corridors provide important hydrologic, biological, and ecological, aesthetic, recreational and educational functions. The following requirements and standards have been developed to promote, preserve, and enhance these valuable resources and to protect them from adverse effects and potentially irreversible impacts.
- B. Jurisdiction: All significant natural wetlands, as determined by the Corps of Engineers, and natural stream corridors, are regulated as provided herein and are subject to the jurisdiction of this ordinance, State and Federal agencies.
- C. Boundary Delineations: Wetland boundaries are determined on a case-by-case basis by the United States Army Corps of Engineers. Areas that may be suspected of containing wetlands shall be addressed in a written Army Corps of Engineers Statement provided by the applicant. Fees, costs, and expenses, if any, for analysis and delineation are borne by the applicant. Delineation of wetlands shall be subject to the approval of the United States Army Corps of Engineers. Protected Stream Corridors are delineated using information provided by the Utah Department of Wildlife Resources.
- D. Setbacks. All natural stream and river corridors are significant. The area within a setback shall be undisturbed; however, it may be developed as a trail or public pathway. The high-water mark is as determined by the Huntsville Town Engineer.

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Setbacks are determined to be as follows:

1. Structures, buildings, accessory structures, and parking areas shall not be developed within 75 feet on both sides of year-round streams, as determined from the high-water mark of any stream. Leach fields shall not be developed within 100 feet on both sides of year-round streams, as determined from the high-water mark of any stream.
  2. Structures, buildings, accessory structures, wastewater septic fields and parking areas shall not be developed within 100 feet on both sides of the South Fork and Middle Fork of the Ogden River as delineated from the high-water mark of the water course.
  3. Exceptions: Bridges or stream alterations shall be approved by the Corps of Engineers and Utah Department of Water Resources, Division of Water Quality.
  4. Ephemeral Streams: Development shall not be permitted within 50 feet of the channel of a natural ephemeral stream, as defined by its ordinary high-water mark.
- E. Runoff Control. All development projects adjacent to wetlands and streams shall provide appropriate temporary runoff controls during construction phases, and permanent runoff control to minimize sediment and other contaminants from flowing into wetlands and streams, to the maximum extent feasible, as approved by the Huntsville Town Engineer.
- F. Stream flow. A Development Proposal shall be reviewed by the Army Corps of Engineers, State Division of Water Resources, and State Division of Wildlife Resources, and shall not cause any of the following:
1. Reduction of the flow in a natural stream below the minimum flow, as determined by the State Division of Water Resources
  2. Further reduction in the flow of a natural stream if the flow in that stream is already below the minimum flow

### **15.15.3 Wildlife Range Areas**

- A. Intent: Huntsville Town is the home of numerous species of wildlife including many birds. Portions of Weber County provide valuable winter and summer range for game. In addition, Weber County is an important part of the migration routes for geese, Sandhill Crane and ducks. Hawks and other raptors have numerous nesting areas in Weber County. Much of this land is in federal ownership; however, there are some identified sensitive lands in private ownership.
- B. Preservation of wildlife habitat is encouraged. When new residential or commercial development is proposed within critical wildlife habitat, mitigation stipulations shall be designed and implemented. In most cases, setbacks from water bodies should be sufficient.

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- C. Development Limitations in areas of Critical Habitat. All development subject to this subsection shall incorporate the following principles in establishing the limits of disturbance and siting of buildings, structures, roads, trails, and other similar facilities.
1. 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 away from core habitat areas.
  2. Facilitate wildlife movement across areas dominated by human activities by:
    - a. Maintaining connectivity between open space parcels on adjacent and near-by parcels and subdivisions.
    - b. Locating roads away from natural travel corridors used by wildlife, such as riparian areas;
    - c. Minimizing fencing types that inhibit the movement of big game species;
    - d. 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 building and maintaining consistent grading between developed and natural areas.
- D. Mimic features of the local natural landscape in developed areas by:
1. Retaining as much pre-development, high quality habitat as possible, including large patches of natural, vegetated areas that have not yet been fragmented by roads or residential development;
  2. Minimizing levels of disturbance to trees, the under-story, and other structural landscape features during construction;
  3. Designing house lots in a fashion consistent with local natural habitats, for example, by preserving and landscaping with natural, native vegetation.
  4. Enhancing the habitat value of degraded pre-development landscapes with selective plantings.
- E. Development is discouraged in delineated habitat areas but may be mitigated as follows:
1. Fences: Fencing is a structural element with which certain big game species have particular difficulty as it creates a serious impediment to big game movement throughout Weber County. Use of fencing within subdivisions or boundaries of subdivisions, commercial, industrial, or multi-family development shall be minimized. Fencing if built, should follow the recommendations and guidelines of the Utah Division of Wildlife Resources and U. S. Bureau of Land Management, which are on file with the Weber County Planning Commission office. The

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recommended fence types help to facilitate the movement of wildlife and provide for their safety.

2. Landscaping: The use of wildlife resistant type landscaping (lists of plant materials are available in the Huntsville Town Planning Commission office) is encouraged in order to avoid loss of plant material, due to wildlife damage, and to avoid the additional cost of replacement by property owners.
3. Buffering: Buffers may be required to protect critical areas and their functions or to prevent risk.

### **15.15.4 Consideration of Scenic and Historical Resources**

It is the policy of Huntsville Town to preserve and create scenic views of the surrounding mountains, and rural vistas, from public places within Huntsville Town, and to achieve visual quality within areas of existing and future development by considering provisions for screening of equipment, uses and structures; specifying design standards such as architectural style, landscaping, setbacks, height limits, view corridors, historic zones and material requirements and regulating signs.

It is the policy of Huntsville Town to identify and promote any sites and structures determined to have historical or archaeological significance to the community, the region, or the State of Utah.