

EXHIBIT A
Proposed Code Amendment §15.22.030.4.a.iii

CHAPTER 15.22. – SENSITIVE LANDS

Sec. 15.22.030. – Sensitive and regulations.

4. Wetlands and stream corridors.

- a. *Intent.* Wetlands and stream corridors provide important hydrological, biological and ecological, aesthetic, recreational, and educational functions. Important functional values of wetlands and streams can be lost or significantly impaired as result of various development activities. 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:
 - i. *Prohibited activities.* No person shall engage in any activity that will disturb, remove, fill, dredge, clear, destroy or alter any areas, including vegetation, within wetlands or stream corridors and their respective setbacks, except as may be expressly allowed herein.
 - ii. *Boundary delineation.* Wetland and stream corridor delineation shall be performed by a qualified professional that has demonstrated experience necessary to conduct site analysis. The qualified professional shall be approved by Kamas City. Delineation of wetlands shall be established using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. Stream corridors shall be delineated at the ordinary high water mark and riparian buffer as defined in KMC 15.02 of this land use ordinance.
 - iii. *Setbacks.* Setbacks from wetlands shall extend a minimum of ~~50~~ 25 feet outward from the delineated wetland edge. Setbacks from stream corridors, including the Weber-Provo Diversion Canal shall extend a minimum of 12 feet outward from the ordinary high water mark, or to the boundary of the corridor easement or fee property, whichever is greater. Setbacks from irrigation ditches shall extend a minimum of 12 feet from the adjacent edge or adjacent high-water mark, or to the boundary of the ditch easement or fee property, whichever is greater. **No permanent development or permanent improvements, including but not limited to buildings, accessory buildings, greenhouses, parking lots (paved or unpaved), roadways, driveways, or permanent utility installations, shall be permitted within the required 25-foot wetland setback. Only temporary activities or non-structural habitat enhancement consistent with subsection (4)(a)(i) shall be allowed.** Each building permit shall be accompanied by a letter of approval from the owner of the water source stating that the applicant's proposed setback satisfies this section, or, if it does not, what the setback shall be with documents supporting any greater setback.

If the applicant cannot obtain a letter or response from the owner of the water source within 14 days after the applicant provided the proposed plans to the owner, the applicant shall instead submit a statement describing the date and method by which the plans were provided to the owner and affirm that no response was received.

- iv. *Runoff control.* All projects adjacent to wetlands and stream corridors shall provide appropriate temporary and permanent runoff control to minimize sediment and other contaminants to the maximum extent feasible. These control systems must be approved by the city engineer.
- v. *Restoration projects.* Kamas City may approve wetland and stream corridor restoration and enhancement projects providing that the project plan has been reviewed by a qualified professional and approved by the appropriate state and federal agencies with jurisdiction. All habitat restoration work shall be performed under the direct supervision of a qualified professional.