

# Riparian Corridor

Overlay Zoning District Ordinance

**FACT SHEET**

## OVERVIEW

Salt Lake City recently adopted an ordinance which created new rules for the City's stream corridors. The Riparian Corridor Overlay (RCO) District regulates development activities within 100 feet of a natural waterway's Annual High Water Line (AHWL). The RCO District covers above-ground stream corridors in the City, including City Creek, Red Butte Creek, Emigration Creek, Parley's Creek and the Jordan River, as well as their tributaries.

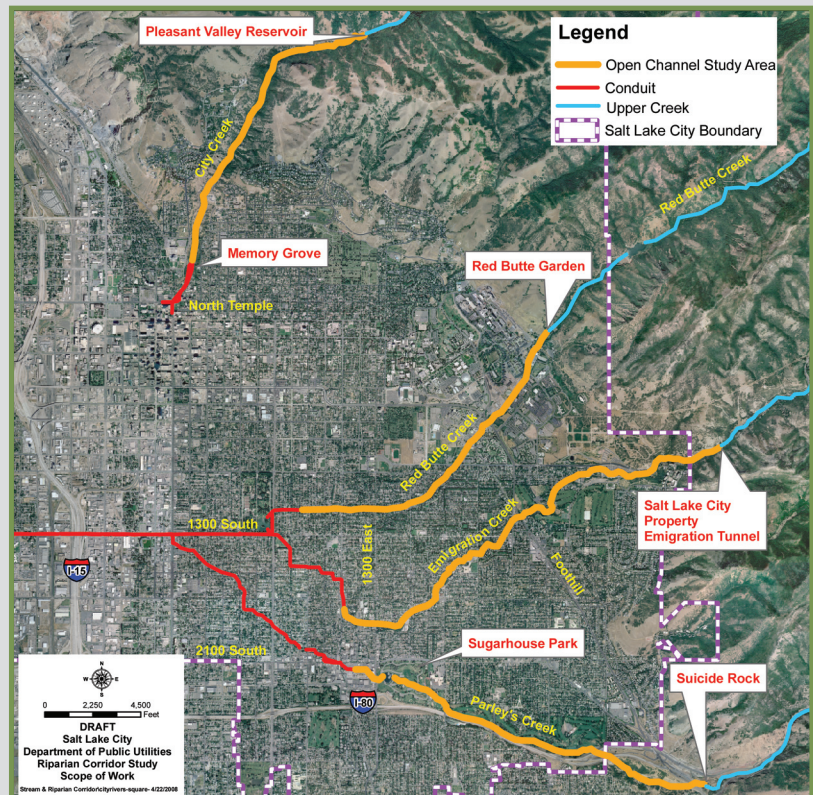
The ordinance was prompted by discussions concerning a proposed development near Emigration Creek. During these discussions, the Salt Lake City Council concluded that existing City rules do not provide adequate guidelines for protecting the City's riparian corridors, a unique resource and amenity in our urban environment.

This is the beginning of a long-term effort by the City to develop a comprehensive program to protect its riparian corridors. The ordinance is intended to help protect these corridors by lowering flood potential, minimizing erosion and decreasing pollution to improve water quality and preserve waterways for present and future City residents.

After adopting the ordinance in mid-January, the City Council commissioned a detailed review of the regulations and expects to consider revisions to the RCO ordinance in July. The way the ordinance works will likely change as a result of this review, but the regulations are not likely to be repealed.

In addition, this summer the Salt Lake City Public Utilities Department will begin a two-year in-depth study of current conditions along Red Butte, Emigration, Parley's and City Creeks. Information from this study will be used to help create a long-range stream corridor program, which will evaluate ways to better manage storm water, help prevent bank erosion and provide opportunities for riparian preservation and restoration.

## Map of the Riparian Corridor Overlay Zoning District



(Jordan River not shown)

## WHAT IS A RIPARIAN CORRIDOR?

"Riparian" is defined as "of or relating to the banks of a natural course of water." A "riparian corridor" is the area located along these banks. These corridors, which act as natural filters, help keep streams, creeks and other waterways healthy. They improve water quality by filtering out pollutants from surface runoff and help prevent erosion. And, they shade water to prevent temperature increases and enhance biodiversity and provide food and shelter for wildlife.

Salt Lake City's riparian corridors integrate nature into the City's highly developed urban environment in a unique and valuable way. Benefits include aesthetic property enhancements for City residents



who live next to streams, access to nature areas in City parks located near these streams and improved opportunities to view wildlife native to riparian corridors.

# Riparian Corridor

## Ordinance Adoption and Refinement Process

**July 17, 2007** – SLC Council passes six-month temporary zoning regulation restricting new construction or reconstruction within corridor areas.

**August – December 2007** – SLC Planning Division develops proposed RCO ordinance and collects comments from property owners and general public.

**September – November 2007** – SLC Planning staff holds open house to hear public comment and conducts Planning Commission briefings and hearings.

**January 8, 2008** – SLC Council holds public hearing to receive property owner and general public comments on the RCO ordinance. Draft ordinance is revised.

**January 15, 2008** – SLC Council adopts RCO ordinance and Legislative Intent, and leaves hearing open for 180 days to consider refinement.

**February 2008** – SLC Council retains services of consultants with experience in land use, riparian corridor regulations and public involvement.

**March and April 2008** – Consultants hold small focus group meetings with stakeholders to hear concerns and discuss possible refinements to the RCO ordinance.

**Late April and May 2008** – Consultants attend community council meetings to provide process updates, gather additional input, and consider issues.

**Late May 2008** – Consultants make available for public review and comment a 'diagnosis' document providing recommendations for refining the RCO ordinance.

**June 10, 2008** – Consultants brief SLC Council regarding results of the ordinance refinement process including recommendations.

**June 11, 2008** – Consultants hold public open house from 5:00-8:00 p.m. at the City Library Main Branch.

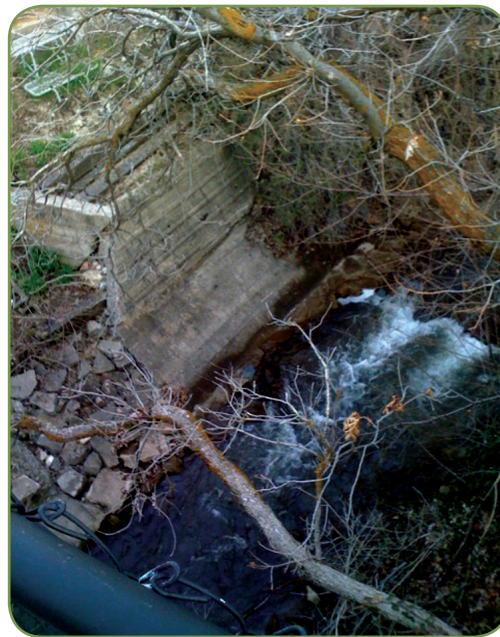
**June 23, 2008** – Refined RCO ordinance made available for public review and comment.

**July 1, 2008** – SLC Council holds final public hearing to receive public comment on proposed refined ordinance.

**July 8, 2008** – SLC Council formally considers refined RCO ordinance.

## WHY DID THE SALT LAKE CITY COUNCIL ADOPT NEW RULES AND WHY NOW?

During discussions of a development proposal, the City Council concluded that existing land use rules were not adequate to regulate development activities near streambeds in most of the City. Existing federal, state and county regulations apply to Salt Lake City's streams. These rules protect in-stream water quality, natural resource values and water rights, and assist in flood control. However, the regulations are limited primarily to stream channels, which include the bed and banks,



and areas within 30 feet from the top of a stream bank. These existing regulations do not provide the specific enhancement and protection opportunities sought by the City for its riparian corridors.

Because development activities near a stream can adversely affect the health of a riparian corridor, the City's ordinance extends protection, on a graduated

basis, to areas 100 feet from the annual high-water level on both sides of the stream. This provides needed buffer areas to minimize erosion, stabilize banks and prevent pollution. The new regulations are necessary to balance protecting a valuable resource, the City's streams, with residential and commercial use of land located along these corridors.

More in-depth study of the issues affecting the City's riparian corridors is needed. The City is committed to working with county, state, federal and other agencies to understand and address these issues.

## Will the City Be Constructing Public Trails on Private Property Along the Corridors?

Nothing in the RCO ordinance provides public access to private property. Construction of public trails on private property along the stream corridors is not part of this project. While earlier drafts of the Salt Lake City Open Space Master Plan included suggestions to create public trails along riparian corridors, these ideas were conceptual in nature and not intended to be actual trail alignments. Also, the City will be posting signs at the edges of public areas to discourage the public from trespassing.



## WHAT DO THE REGULATIONS MEAN FOR PROPERTY OWNERS IN THE RCO DISTRICT?

The Salt Lake City Council has adopted a program that currently consists of different restrictions in three areas. Existing structures are “grandfathered” as legally complying development.

A Riparian Protection Permit may be needed for certain development activities or uses in the three overlay areas. This permit is required in addition

to standard construction building permits and can be obtained from the Salt Lake City Department of Public Utilities.

Property owners contemplating property improvements or new construction should refer to City zoning regulations and contact the City’s BUZZ Center at (801) 535-7700 for assistance.

*Here is a summary of what is presently allowed in each RCO area. These regulations are under review and public comment is encouraged.*

### Area A:

**The No Disturbance Area**, covers 0 to 25 feet from the Annual High Water Line (AHWL) and is the most restrictive, prohibiting most types of new construction. Activities allowed in this area *without* a Riparian Protection Permit include removal of storm debris and trash, maintenance of property and existing fences and structures, and planting of native non-invasive vegetation (approved list may be obtained from City Public Utilities or the City Urban Forester). *With* a permit, property owners may develop outdoor projects that do not require the use of heavy equipment, such as stairs or paths between different elevations of the property, fencing, open patios and decks, and low-impact stream crossings. Property owners may also shore up stream banks, with a permit, to control erosion of property as long as the project meets certain requirements.

### Area B:

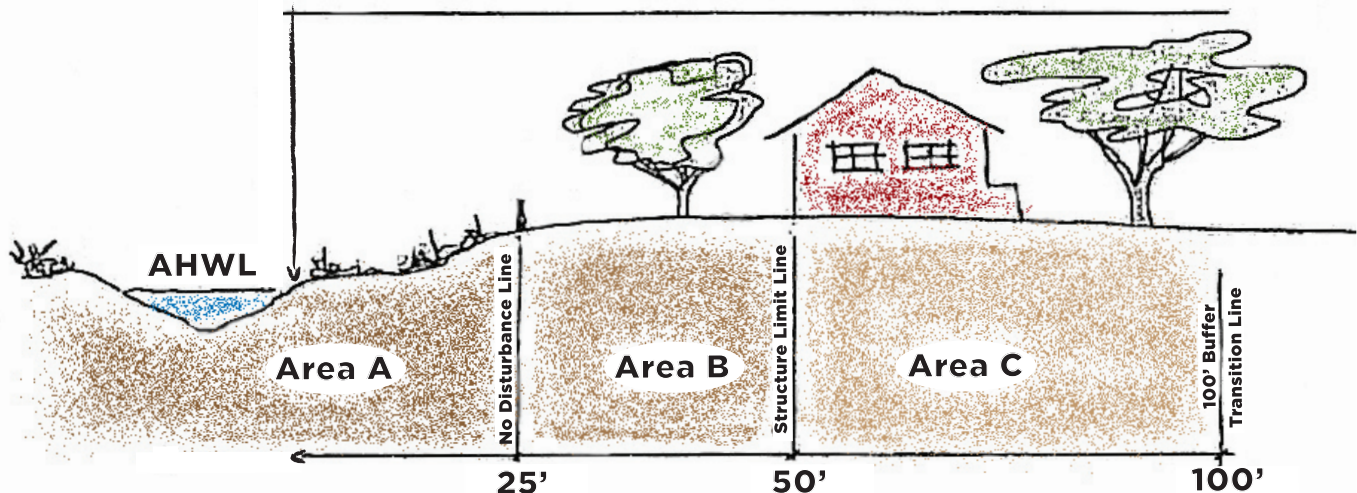
**The Structure Limit Area**, covers 25 to 50 feet from the AHWL and delineates where construction (landscape walls, additions, accessory structures or new construction) can occur. Activities allowed in this area *without* a Riparian Protection Permit include all of those allowed in Area A, plus yard debris composting and new construction, such as fencing and open patios and decks with height restrictions. *With* a permit, property owners may replace existing structures with structures that are similar in size and type, as long as they comply with City zoning regulations.

### Area C:

**The Buffer Transition Area**, covers 50 feet to 100 feet from the AHWL. Activities allowed in this area include all development projects permitted by City zoning regulations and those activities allowed in Areas A and B, with a few exclusions such as leach fields, storm water retention ponds, detentions basins or commercial parking lots.

Property owners along all stream corridors may own pets and the ordinance does not limit pet activities in any way. The ordinance also does not prevent dog-walking in Miller Park.

## 100-foot Riparian Corridor



## WHAT HAPPENS AFTER THE ORDINANCE IS REFINED?

The Salt Lake City Council is funding the Salt Lake City Riparian Corridor Study, coordinated by the Department of Public Utilities, to analyze existing conditions of four of the City's riparian corridors. This study will be conducted over the course of two years, with two streams evaluated each year. Consultants working with Public Utilities will analyze sections of Red Butte and Emigration Creeks the first year, beginning summer 2008, and sections of City and Parley's Creeks the second year, beginning summer 2009.

While the Jordan River is one of the corridors covered by the RCO District regulations, it is not currently included in the scope of this study because it has already been evaluated by the Utah Division of Water Quality's Total Maximum Daily Load (TMDL) assessment and the National Water-Quality Assessment Program through the U.S. Geological Survey. The City will evaluate data from these previous studies to establish a baseline condition for the Jordan River riparian corridor.

A review of the baseline conditions of the City's riparian corridors will help identify environmental issues such as erosion, pollution sources and other problems that may need to be

### Invitation to Public Open House

Please attend a public open house on June 11, 2008 from 5:00-8:00 p.m. at the City Library Main Branch to review potential changes to the RCO ordinance.

addressed through restoration work along the corridors. A community-established, desired future condition plan will be developed for each stream corridor. The plans will identify specific restoration projects and rank them based on value to the stream and to the community. The study will also evaluate potential funding opportunities for stream corridor improvement projects, including grants, non-profit and public-private partnerships.

This study will allow the City an opportunity to evaluate the extent to which City facilities are impacting riparian corridors and identify solutions for controlling any contributions. The study will also consider recommendations from Salt Lake County's recent Water Quality Stewardship Plan.

## If you have additional questions or comments, please see below:

- ❖ Property owners contemplating property improvements or new construction should contact the City's BUZZ Center at (801) 535-7700 for assistance.
- ❖ Additional information regarding the Riparian Corridor Overlay District may be accessed through the City's Web site at <http://www.slcgov.com/council/> under Upcoming Meetings, Events and Issues.
- ❖ Comments may be provided to the Council anytime during this process through the following options:
  - a. City Web site at: <http://apps.slcgov.com/general/absoluteftp/councilCU.htm>
  - b. 24-hour phone line at: (801) 535-7654
  - c. Fax line at: (801) 535-7651
  - d. Mail to: Salt Lake City Council  
PO Box 145476  
Salt Lake City, UT 84114-5476
- ❖ It would be helpful when providing information or comments to the Council to submit a short set of bullet points identifying specific concerns about the ordinance such as:
  - Issue or problem
  - Concerns/objections to the proposal
  - Aspects of the proposal you support
  - Questions you may have
  - Recommendations for solutions
  - Additional information you want to offer the Council
  - Other

Return address info  
goes here and her  
City, UT ZIPPPPP

