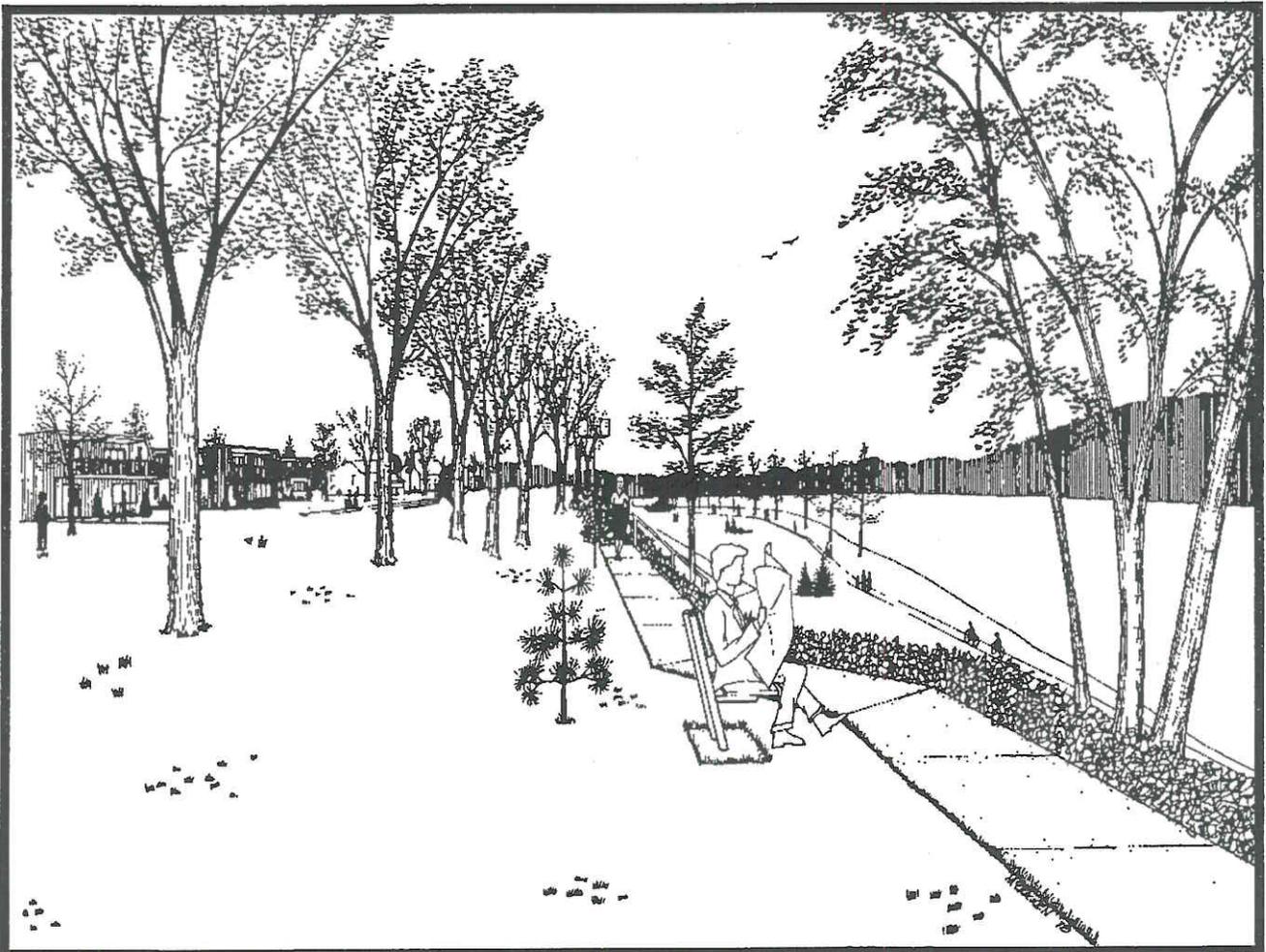


City of Eau Claire

Waterway & Greenway Development Guidelines

1988



Eau Claire, Wisconsin

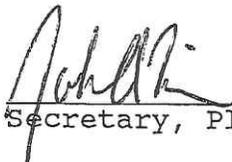
RESOLUTION

WHEREAS, the Eau Claire Waterway Plan and Eau Claire Land Use Plan, both elements of the City's Comprehensive Plan, state that the waterways of the City of Eau Claire are an integral part of the form and image of the city and that development occurring along the waterways should enhance the attractiveness of the natural setting of these areas; and

WHEREAS, the Eau Claire Waterways and Parks Commission has prepared development guidelines for waterway and greenway areas as recommended in the Eau Claire Waterway Plan to assist in the review of development proposals located along the City's waterways and greenway; and

WHEREAS, Section 18.30.050 (Site Plan Chapter) of the Zoning Ordinance provides that the Plan Commission may adopt additional policies to further its implementation of the Comprehensive Plan or the Zoning Ordinance, which is the purpose of the waterway guidelines.

THEREFORE, BE IT RESOLVED that the Plan Commission of the City of Eau Claire hereby adopts the "Development Guidelines for Waterway and Greenway Areas" to assist in its review of development applications which would be located along the City's waterways and greenway.



Secretary, Plan Commission

R E S O L U T I O N

WHEREAS, the waterways in the City of Eau Claire are an integral part of the form and image of the City and development which occurs along these areas has an impact on the environmental and aesthetic quality of the waterways; and

WHEREAS, the Eau Claire Land Use Plan adopted in 1982 as an element of the City's Comprehensive Plan states that the protection and enhancement of the City's waterways is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the community; and

WHEREAS, in 1985 the Eau Claire River Committee prepared a report on the waterways of Eau Claire that recommended that the City develop and adopt special waterway regulations to protect the visual and aesthetic character of the waterways corridor and promote high quality design and development along these areas; and

WHEREAS, in 1986 the Eau Claire City Council created the City Waterways and Parks Commission and directed the Commission to guide public and private development along the waterways in a way that contributes to the aesthetic and environmental enhancement of the waterways by developing guidelines for waterway related development; and

WHEREAS, the Eau Claire Waterway Plan adopted in 1988 as an element of the City's Comprehensive Plan recommends that guidelines and standards be adopted to assist the Waterways and Parks Commission and Plan Commission in their review of development along the waterways to address the unique needs and problems the waterways present; and

WHEREAS, Section 18.30.050 (Site Plan Chapter) of the Zoning Ordinance provides that additional policies may be adopted by the Plan Commission to assist in the implementation of the Comprehensive Plan and Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the Eau Claire Waterways and Parks Commission hereby recommends that the Eau Claire Plan Commission adopt the "Development Guidelines for Waterway and Greenway Areas" as a guide for the review of development proposals which would be located along the City's waterways and greenway.

BE IT FURTHER RESOLVED, that the Plan Commission give consideration to the incorporation of these guidelines into the proposed zoning ordinance update.



Secretary,
Waterways and Parks Commission

DATED: July 26, 1989

DEVELOPMENT GUIDELINES FOR WATERWAY AND GREENWAY AREAS

A. **PURPOSE AND AUTHORITY.** The guidelines established herein have been adopted pursuant to the authority granted in Chapter 18.30 and Chapter 2.64 of the Eau Claire Municipal Code and in accordance with the policies and recommendations contained in the Eau Claire Waterway Plan and Eau Claire Land Use Plan which have been adopted as official documents of the City's Comprehensive Plan. These guidelines implement official City policy which state that the protection, enhancement, and promotion of the City's waterways is a public necessity and is required in the interest of the health, prosperity, safety, and welfare of the community. Established City policy states:

- building design and site layout in private development adjacent to the waterways should enhance the attractiveness of the natural setting and stimulate an appreciation of the waterway's beauty;
- the ultimate land use for the waterway corridor should be open space, recreation, and only that private development which permits public access and enjoyment and is physically, visually, and functionally consistent with the goals of waterway revitalization.

To these ends, the guidelines stated herein have been established to protect the aesthetic and visual character of the waterways and greenway system and promote high quality design and development along these areas.

B. **APPLICABILITY.** These guidelines apply to development on properties delineated in Chapter 2.64 for which any zoning variance, site plan, conditional use permit, rezoning or other matters in which review by the Board of Appeals, Waterways and Parks Commission, Plan Commission, or City Council is required. In addition, administrative decisions of City staff which effect the waterways, greenway or shoreline shall be made consistent with these guidelines and whenever possible in consultation with the Waterways and Parks Commission. These guidelines shall be considered in addition to the provisions established for floodplains and wetlands and those standards specified in Title 18. The approval of such development may include conditions deemed necessary to insure compliance with these guidelines.

C. **DEFINITIONS.** The definitions contained in Title 18 and listed below are applicable to these guidelines.

Caliper. The measurement of the diameter of a tree taken 6 inches above the ground.

Greenway. Lands which comprise the public open space system delineated in the Eau Claire Waterways Plan.

Greenway Perimeter. The property line of a parcel which directly abuts the greenway.

Ordinary High Water Mark (OHWM). The point on a bank of a waterway up to which the presence and action of surface water is so continuous as to leave a distinctive mark such as by erosion, destruction or prevention of terrestrial vegetation, predominance of aquatic vegetation, or other easily recognizable characteristic. Final determination of the location of the OHWM shall be made by the Director of the Department of Planning and Development.

Setback. The horizontal distance landward from a point along a waterway such as the OHWM or greenway perimeter.

Shoreline. Land abutting the waterways extending landward from the OHWM to the floodway boundary or to the top of the bank, whichever is greater.

Waterways. The Chippewa River, Eau Claire River, Sherman Creek, Lowes Creek, Otter Creek, Little Niagara Creek, Hallie Lake which lie within the City of Eau Claire and Half Moon Lake.

D. GUIDELINES.

1. Vegetation and Topography. Removal of the existing vegetation along the shoreline and on steep slopes along the waterways can result in severe environmental and aesthetic damage to the waterways and should be avoided as much as practically possible and kept to the minimum necessary for the development to occur. Maintaining the existing vegetation in these areas is important to provide a stable shoreline, protect water quality, keep nutrients from the water, preserve native flora, enhance the appearance the aesthetic value of the natural environment, and preserve fish and wildlife habitat.

Earthmoving and filling should also be kept to the minimum necessary for the development to occur. Where earthmoving and filling activity is approved, grading, erosion prevention, and vegetation restoration plans will be reviewed by the City Engineer and Parks and Recreation Department to minimize erosion from the site

during construction and upon completion of the project. When the use of fill is approved for the development, it is not to contain garbage refuse, any form of contaminated materials, broken asphalt and concrete, tires, and other debris.

The primary means for providing permanent bank stabilization where the vegetation is disturbed is through replanting; however, shorelines subject to severe erosion and shorelines located within the Central Business District and Water Street Commercial District both as defined in the Comprehensive Plan may be developed at an "urban" scale, thus, permitting man-made features or structures such as terracing, and retaining walls to be used for bank stabilization purposes. Bank stabilization through the use of rip-rapping is permitted, however, not encouraged in these areas. If this method is selected, it must consist of only clean rock material, not materials such as broken concrete and asphalt, tires, and other debris. When rip-rapping must be utilized, it must be minimized in area and scale as much as practically possible and completed with a combination of landscaping and/or terracing to "soften" its appearance along the waterways.

Large trees are an integral element of the natural environment along the waterways and significantly add to the aesthetics of these areas, thus, every effort should be made to maintain existing trees along the shoreline and on steep slopes along the waterways, particularly those which appear to be healthy. For those trees which are retained, it is important that the existing grade elevation and soil at the base be altered as little as possible to ensure their healthy existence. A tree exceeding 6 inches in caliper which is removed should be replaced with a new tree 2 inches or more in caliper.

2. Drainage. High traffic areas such as parking lots, driveways, and loading areas should be paved to provide a dust-free surface, and good site drainage.
3. Unique Resources. Every effort should be made to protect the natural topographic and landscape features of a site as well as scenic overlooks, vistas, and historic sites.
4. Orientation. Development occurring along the waterways should not ignore this resource, rather it should capitalize upon it and enhance it by considering the waterways as an integral component of the development.

To accomplish this, buildings and grounds along the waterways should be designed and constructed in a manner which does not project an appearance of "backing" up to or ignoring the waterways. It is recognized that the floodplain regulations in some instances may prohibit doorways and windows below certain elevations; none-the-less, the design should still capitalize on the presence of the waterways where possible and utilize exterior facing materials on buildings that are consistent with those used on the front of the buildings. Exterior facing materials such as unfinished concrete block or corrugated metal which are visible from the waterway do not enhance the appearance or aesthetics of the development and the waterways and are to be discouraged.

5. Setback. In order to minimize any adverse effects on the waterway environment and enhance the appearance and image of these areas, it is necessary that development including structures, parking lots, drives, storage areas, signs, decks, deposition or extraction of materials, etc., be set back from the waterways. A minimum setback of 30 feet from the OHWM is generally needed to accomplish this objective; however, site specific characteristics of a particular property as listed below may dictate additional setback:
 - the property abuts an especially scenic or natural portion of the greenway and such setback is essential to preserve these areas;
 - slope of the area exceeds 12 percent;
 - the property possesses unique or valuable features or resources in which the additional setback is necessary to preserve such features;
 - the Eau Claire Waterway Plan identifies an area as proposed greenway and the additional setback is necessary to allow for the eventual extension of the greenway along that portion of the waterway without conflicting with the proposed development;
 - the floodplain or shoreland/wetland provisions require additional setback;
 - the height or mass of a building which is proposed would have a detrimental impact on the abutting greenway or waterway.

The setback guidelines of this section are not applicable to the structures and facilities identified below since by their nature a setback is not reasonable or practical in most cases. However, this does not waive requirements such as the floodplain or shoreland/wetland provisions.

- a) Publicly related activities by local, state, or federal government such as:
 - public utility structures and facilities including bridges, roads, sanitary sewer, storm sewer, and water utility systems, storm sewer outfalls, pumping stations, and dikes
 - recreational facilities within the greenway, including trails, scenic overlooks, observation platforms, boardwalks, retaining walls, docks, piers, boat ramps, benches, and ancillary items such as parking lots and access drives
 - signs for streets, historical sites, and the greenway
 - b) Other utility and transportation structures and facilities including railroad tracks, railroad bridges, dams and related structures, above and below ground transmission lines.
 - c) Privately owned docks, piers, boat ramps, and stairways.
6. Landscaping. A landscaped buffer between the greenway and any development is important to minimize potential conflicts between the two uses and promote a high quality, visually pleasing environment. To provide this buffer, all development should be set back a minimum of 10 feet from the greenway perimeter, with this area landscaped in accordance to the City's Landscape Manual with trees planted a maximum of 30 foot on center.
 7. Screening. Certain uses and equipment commonly part of many developments can be incompatible with and detract from the natural environment of the greenway and waterway and need to be screened from view. The topography or vegetation of a site may provide this screening; however, if this is not the case, screening should be provided in the following manner:

- If the greenway or waterway is to abut an active use area such as a parking lot or driveway, hedges, shrubs, berms, or any combination thereof must be provided to separate the active use areas from the greenway. A continuous buffer having a minimum height of three feet is necessary to provide such separation.
 - Uses which may be more incompatible with the greenway and waterway environment require greater screening. Such uses and equipment include: trash receptacles, mechanical and utility equipment, truck loading and unloading areas, industrial uses and open storage areas. Solid fences or retaining walls 6 to 8 feet in height used to provide screening should be constructed with materials that complement and enhance the appearance of the development. It is also important to landscape along the fence or retaining wall to "soften" the appearance of the structure.
8. Access to the Greenway. Development that abuts the greenway is encouraged to provide pedestrian and bicycle access to the greenway.
 9. Exterior Lighting. The design of exterior lighting should complement the development and not cast glare onto the greenway or waterway. Exterior lighting which enables evening utilization of the greenway is encouraged as part of the site improvements for a property.
 10. Utility Lines. Utility lines such as telephone, cable, and electric should be placed underground in order to enhance the appearance of the development.
 11. Signs. Signs erected along the waterway or greenway can negatively effect the appearance of a development and be incompatible with the natural setting of the waterways. To maintain the natural setting of the waterways flashing signs, animated signs, electronic signs, reader board signs, and poster panel signs should be located at least 150 feet from the OHWM or greenway perimeter unless such signs cannot be seen from the waterway or greenway. The design and location of all other signs should complement the design of the development and preserve the scenic qualities of the area.
 12. Visual Access. Increased awareness and appreciation for the City's waterways comes in part from the ability to view these areas. This means that vegetation along the banks must be managed in order that scenic views are

maintained and improved. To accomplish this, underbrush may be trimmed and thinned and trees may be pruned. The City Forester should be consulted prior to undertaking such actions to ensure that bank stability is maintained, native flora is not destroyed, and that it is in compliance with DNR regulations.

E. **SUBMITTAL REQUIREMENTS.** Any development application for which these guidelines are applicable should be accompanied by information as listed in 18.30.040 (a and c) as necessary to determine that the application is in compliance with the objectives of these guidelines. In addition, the following information should also be provided:

1. Location of the OHWM, floodway boundary, meander line (if applicable), and floodplain boundary on the site plan;
2. Location of the 30 foot setback from the OHWM;
3. Description of exterior building materials proposed for all buildings;
4. General description of the existing shoreline and site vegetation, vegetation proposed for removal, proposed landscape materials, and bank stabilization measures proposed. Existing trees exceeding 6 inches in caliper should be identified by species and shown on the site plan.