

STEPPING STONES

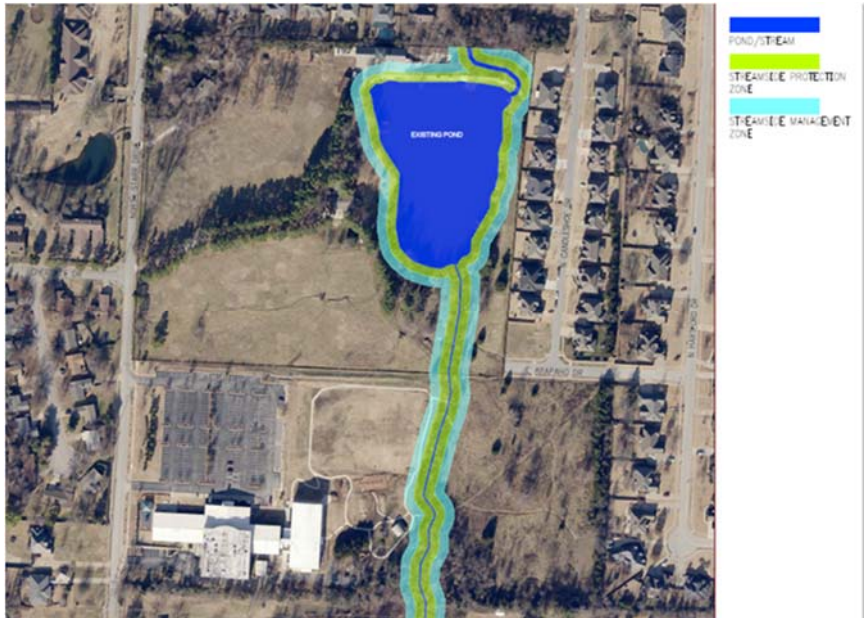
“A Stream Runs Through It”

If you have walked across the foot bridge from our facilities to the St. Joseph cemetery or to pick blackberries on our property to the east, then you have crossed the stream that runs through our property. This stream flows into a pond on property belonging to our neighbor on the north side of our parking lot. The pond serves as flood retention for our property. The current owner is amenable to St. Joseph utilizing the stream for floodwater retention. The stream also separates seven acres on the east side of the stream from property where our current multi-purpose building, parking lot, sports fields, and playgrounds are located. In effect it divides our total 18.59 acres.

In 2011 Fayetteville City Council passed a streamside protection ordinance. “The Streamside Protection Ordinance establishes protection zones along many of the City’s streams and established protective requirements within those streamside buffers.”*

The May 2016 **Development in Fayetteville, Arkansas**, manual outlines general goals and guidelines. Goals of the ordinance are to:

- Reduce pollutants in the waterways;
- Preserve flood capacity, and;
- Protect the integrity of a natural resource.



The ordinance restricts the following:

- The removal of non-invasive living trees and woody vegetation is prohibited in the streamside protection zone.
- Streamside protection zones shall be protected from construction activity.
- Stream crossings, including driveways, roadways, trails, or railroads are allowed when the City Engineer determines there is no practical and feasible alternative.

This ordinance limits most activities within 50 feet of local streams and sets forth requirements that must be complied with for new construction within the protection zone. Activities limited by this ordinance include: grading, dredging, filling, or similar construction activities; clearing non-invasive woody vegetation; parking lots, buildings and accessory structures with a building footprint larger than 150 square feet.

When working in the streamside protection zone, developers can expect:

- A silt fence is required to separate the protected zone from the construction area.
- Periodic checks are required to ensure compliance with the ordinance.
- The streamside protection zone must be protected at all times—this means construction vehicle, materials, methods debris, and equipment have to stay out.
- The City Engineer may require other protective measures based on site and construction.

The above requirements will affect any future construction on our current property. In terms of large construction, such as a free-standing church, the ordinance limits location choices and what we design. As you have read in our columns, this ordinance—along with accessibility, visibility, church orientation, site prep costs, flood retention access, and natural surroundings—led the Core Team to recommend the acquisition of property adjacent to our northern boundary. In November 2015 Bishop Taylor visited our parish. After viewing our property, he understood the Core Team’s recommendations. In September 2016 he approved our proposed land purchase.

*Excerpt from the May 2016 **Development in Fayetteville, Arkansas** manual found by searching “Development Manual” on city website: www.fayetteville-ar.gov.