

LAND USE PLAN
FOR
LAKE SPRINGFIELD AND ITS MARGINAL PROPERTIES

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City Water, Light and Power

Springfield, Illinois

Executive Summary

City Water, Light and Power believes that it is necessary to adopt a land use plan for the Lake Springfield area to preserve the amenities of the area by defining the uses and guiding the management of lake lands. These plans set forth the following policies:

1. Five land use categories have been established based on current use. Activities within these categories will be limited to those compatible with the character of each category.
2. Changes from low intensive use to a higher intensive use except for administrative uses shall not be allowed without notice of intent and a hearing and action by the City Council.
3. New leaseholds are not to be developed on marginal lands nor are parcels of marginal land to be sold by the City to private parties.
4. Leaseholds will not be further subdivided; existing residences or club structures shall not be converted to multiple family, commercial or industrial sites.
5. Wildlife preserves, green spaces, and lake parks are to be protected, preserved and developed according to their unique characteristics.

INTRODUCTION

Lake Springfield was formed by impounding Sugar Creek in 1935 to serve as the water supply for the City of Springfield, as a source of cooling water for the municipal power plants, and as a source of beauty and recreation for the citizens of the area. Lake Springfield has approximately 57 miles of shoreline and 4300 acres of marginal land owned by the City of Springfield. Of this, 59 percent of the shoreline and 63 percent of the marginal land is available for public use. The remainder is leased for clubs, camps, agriculture, and residences or is set aside for utility operations. The lake is maintained by City Water, Light and Power.

At the time of the lake's formation the City, following a development plan, took several precautions to preserve and enhance the reservoir. The City retained ownership of all marginal lands to control access, and it undertook a massive forestation program to control erosion. These initial steps and on-going management practices have resulted in a lake with a relatively low capacity loss rate, good water quality, and fine recreational opportunities.

However, as the City of Springfield continues to expand, the lake area is becoming more urbanized. This, coupled with the influences of the lake's agricultural watershed, is endangering the beauty and quality of the lake. As a result, City Water, Light and Power recognizes the need for a plan to guide the development and utilization of the lake and its marginal lands through the coming decades which accounts for the unique characteristics of Lake Springfield and its environs.

First, Lake Springfield represents the chief water supply for greater Springfield. This factor alone implies an unmistakable responsibility to protect the water quality of the lake. It is important to recognize that a continuum exists between any water body and the lands surrounding it, i.e., the quality of a body of water is influenced by the characteristics of its watershed. Therefore, any guidelines established for the logical development and preservation of lands surrounding Lake Springfield will simultaneously serve to avoid water quality deterioration.

Second, only seven percent of Sangamon County is forested with nearly ninety percent of the Lake Springfield watershed under cultivation. Consequently, the area immediately surrounding Lake Springfield exhibits environmental and aesthetic qualities which are otherwise largely unavailable in this region. Three areas within scope of this plan are high quality sites for wildlife: the Lick Creek and Sugar Creek areas and the vicinity from the present Boy Scout Camp to the CWLP Wildlife Sanctuary. It is critical that these sensitive areas be protected against future degradation in order that indigenous and migratory wildlife may prosper.

Third, Lake Springfield is not only a water supply for the municipal utility and a natural area, but also a residential community and a regional recreational area. These multiple uses present a variety of demands which can conflict unless criteria are developed to provide a basis for future land use decisions. The City has chosen to protect Lake Springfield by establishing guidelines for the responsible management of its properties comprising the marginal lands of the lake, and this document details the guidelines for this basis.

LAND USE PLAN

The beauty and tranquility of Lake Springfield attracts development to the area. While this is a logical outcome, intense development especially on the marginal lands can destroy the desirable features of the lake area and adversely affect water quality. Concerned about the spread of commercial activity into the lake area, CWLP will limit development around the lake, and dedicate unleased lands for public uses as green spaces and natural area. CWLP seeks to provide for these lands as part of a comprehensive plan.

Land Use Categories

The marginal lands around Lake Springfield, owned and managed by CWLP, can be designated according to current use. The current uses are shown on the plan map and can be categorized in order of decreasing use intensity as:

Administrative – those lands used primarily in providing utility and City services. This includes lands set aside for power and water plants, Property Management and Lake Services facilities, the Horse Creek pumping facility, substation sites, etc.

Leased – those lands used for private residences, club and camp facilities, agriculture, and commercial enterprises. The commercial activities are limited to motels, restaurants, service stations, etc., along Stevenson Drive and the marinas at the south end of the north lake basin and the Old Route 66 area on the Sugar Creek arm. Also included in this category is the Muni Opera property.

Parks and Recreational – those lands used as established, dedicated parks, designated fishing areas, and recreational areas including the Henson Robinson Zoo, Lincoln Greens Golf Course, and Lincoln Memorial Garden. While these latter facilities are not managed by CWLP, they are located on marginal land originally purchased for the lake and are an integral part of the lake area.

Green Space – those lands which serve as buffer zones between wildlife preserves and developed area or right-of-ways, or as aesthetic areas along right-of-ways and leased areas.

Wildlife Preserve – those lands retained in a natural condition with special ecological value. This includes the Lick Creek area, the Wildlife Sanctuary west to the Boy Scout Camp, and the Sugar Creek area.

The use of the term “Wildlife Preserve” throughout this document is not intended to describe items that are defined in statutory programs; the label is merely one of convenience for identification and does not denote any legal significance.

Compatible Activities

In order to maintain the quality of each use category, it is essential that the activities permitted in each are appropriate. Currently, limits on the use of marginal lands are contained in the City Code and/or in lease documents. These limits are not particularly site-specific, nor do they provide meaningful guidance for planning future developments and facilities. The following lists of activities are specific to use category and can guide planning and land use decisions.

ADMINISTRATIVE. The lands included in this category are used to provide utility and City services. All activities and facilities germane to these operations are appropriate. Since these activities are largely industrial, every effort will be made to screen sites, minimize erosion, and control discharges to preserve aesthetics and to minimize impact on neighboring lands.

LEASED. Use of these lands are controlled by lease documents. These lands have been developed to appropriate levels of usage, including home and club densities. These areas shall not be further subdivided. Those leaseholders in possession of large lots desiring to reduce the size of their holdings may, upon concurrence by CWLP, permanently surrender to the City appropriate portions of said leasehold, and have their plats reduced accordingly. New lease payments will be recalculated based on the most recent 99-year lease formula. Said lands returned to the City will be managed as green space. Present residences, camp and club structures and leasehold lands shall not be converted to multiple family dwellings or commercial/industrial sites. The marina site at the south end of the north basin of the lake (Lot B.D.1 and B.D.2 of Lake Lands in Section 30, Rochester Township) plus approximately 3.41 acres of land west of and adjacent to the eastern part of the marina site (Lot BD-1) may be leased for marina/multiple family use. Additional lands shall not be leased after the adoption of this plan. Lands leased for agriculture except those north of Spaulding Dam and that used by the Municipal Opera will be redesignated as park or green space depending on size and location. Additions to existing regulations covering leased lands, specifically regarding building permits, building setbacks, swimming pools, seawalls, boathouses, satellite dishes, fences, docks, erosion control during construction, and lake lease transfers, are included in Appendices A and B.

PARKS AND RECREATIONAL. Compatible activities and facilities in the parks and fishing areas include: picnicking, fishing, boating, dock and launching facilities, fishing piers, hiking, horseshoes, swimming (Beach only), jogging, camping (designated areas), volleyball, nature observation, cross country skiing, and ice skating (designated areas in specified months). Roads and paths are appropriate as long as motorized vehicles are restricted to roadways only. Snowmobiling and ice-sailing are not permitted in the lake area. Fires are permitted but limited to fireplaces, grills, and other such confines.

Lake Springfield waters upstream of the point at Bridgeview Park on the Sugar Creek arm and upstream of the old GM&O Railroad Bridge on the Lick Creek are to be no wake zones so these areas can efficiently function as sediment traps for the lake, and to preserve the ecological value of these environmentally high quality areas.

The recreational facilities, Henson Robinson Zoo, Lincoln Greens Golf Course, and the Lincoln Memorial Garden, control their own development and have separate, specific rules concerning activities appropriate to their facilities.

GREEN SPACE. Most of the green space parcels are small. Since their main purpose is to buffer the lake, wildlife preserves, and residential areas, development will be limited. Compatible activities include: hiking, wildlife observation, nature study, jogging, walking, and in designated areas, walk-in bank fishing, picnicking and cross-country skiing.

Paths may be developed in some areas, but no motorized vehicles are allowed. No fires are permitted. No structures, ball diamonds, volleyball, basketball, or tennis courts, horseshoe pits, playground equipment, etc., will be constructed on these lands. Green spaces are not to be used as: sites for gardens, tree houses, storage areas, dumps for any material, burn areas for garden and landscape debris, garbage or trash, parking areas for any vehicle (depending upon ground conditions, event-parking permission may be obtained from Lake Security), sources of firewood, or any other incompatible encroachments. Green space lands shall not be converted to leased areas or sold. No signs, except those placed by CWLP, may be posted in any green space. Fines for violations will be commensurate with city rules and regulations.

WILDLIFE PRESERVE. These areas are to remain in the most natural state, and thus require maximum protection. Appropriate uses are: nature interpretation and observation, scientific research, hiking, walk-in bank fishing, small boat fishing, and non-motorized mountain biking, as specified. Non-motorized mountain biking shall be restricted to the Lake Springfield marginal properties north and south of Lick Creek on designated trails, as depicted on the Land Use Plan map for Lake Springfield and Its Marginal Properties, which shall be maintained by the City of Springfield Office of Public Utilities. Hiking and interpretive trails may be constructed except in the area south of Lick Creek and west of Illinois Route 4. This area will remain totally undeveloped as a wilderness area. In addition to the prohibitions for green spaces, no trapping, picnicking, fires, hunting, camping, or motorized vehicles are allowed. Cutting or damaging any vegetation (except that permitted under CWLP land management practices) is prohibited. CWLP reserves the right to maintain the lake in these areas, including sediment removal and maintenance-related projects.

Discussion

This plan assumes that the current uses are appropriate for Lake Springfield and that CWLP desires to continue them. This assumption is based on historical practices and the resulting condition of the lake and its environs. One land use change is the phasing out of agricultural leases. As the population of Springfield-Sangamon County increases, the demand on the lake park system increases. Land currently farmed could be developed as park land to meet increased demand, but should be developed to provide alternatives to existing parks such as the development of large prairie restoration sites.

Because the undesignated open areas have lacked official dedication, there has been encroachment upon them. Their designation as green spaces with permitted and prohibited activities will restore them to their proper function and state.

The General Manager of the Office of Public Utilities manages the lake area. Therefore, many transactions can take place with the General Manager's approval alone or with the concurrence of the Mayor. Furthermore, preservation of the lake area requires that the plan also include a notice of intent provision and approval by the City Council before changes to more intensive uses take place. This provision states:

No change to a more intense use shall be allowed unless approved by the City Council, and unless a notice of such intent is published and an open hearing is held fourteen (14) days prior to the meeting at which final Council action on the proposed change is to be taken. Change to a less intense use or to administrative use shall not require City Council approval or an open hearing.

For example, taking land designated as green space and developing it into a park would require a notice of intent, a hearing and City Council approval. Conversely, taking the land and placing a substation on it or changing land leased for agriculture to a park or green space would not require notice.

The Land Use Plan as adopted by ordinance will be maintained as a separate operating document and enforced as other ordinances are.

Policy Statements

1. Lake Springfield is a multi-use reservoir. Its primary purposes are to serve as the main source of water supply for Springfield and its surrounding communities and to provide condenser cooling water for the City's electrical generating stations. Therefore, CWLP's priorities for Lake Springfield, in order of importance, are:
 - a. Protection of the quality of the water.
 - b. Retention of the storage capacity of the lake.
 - c. Preservation of the aesthetics and the unique character of the lake and its environs.
 - d. Provision of residential and recreational opportunities.
2. The lake and its marginal lands belong to all residents of the City of Springfield. Therefore, these areas will be maintained in such a manner so as to preserve their investment. Provisions of the City Code pertaining to Lake Springfield and its environs shall be diligently enforced.
3. Once the Land Use Plan has been formally adopted, no change to a more intensive use shall occur without notice of intent and approval of the City Council.
4. New leaseholds shall not be developed on any marginal lands and no portion of any marginal lands shall be sold by the City to private parties once this plan is adopted.
5. Lands currently leased shall not be further subdivided; nor shall existing residences, camp or club structures and leasehold lands be converted to multiple family dwelling or commercial/industrial sites..
6. Wildlife preserve areas represent unique resources and opportunities for wildlife and the citizens of the Springfield area. These areas shall receive maximum protection from development, pollution, and encroachment.
7. Green spaces play an important role in buffering the lake from more intensively used adjacent properties and in maintaining the aesthetics of the lake area. They shall be preserved and protected from development pollution, and encroachment.

**BUILDING REGULATIONS
FOR
LAKE SPRINGFIELD MARGINAL PROPERTIES**

Primary Building – The principal residence or structure located on the lot and any addition, garage, carport, breezeway, etc. attached to it.

Accessory Building – Any freestanding structure which is located on the same lot as the primary building, but which is completely detached from it, i.e., detached garage, storage shed, boathouse, etc.

1. **Permits**

A City Water, Light and Power (CWLP) building permit is required for all improvements constructed on lake-lease properties. Said permit will be issued by the Office of Public Utilities, Real Estate Department. For those projects requiring City of Springfield building permits, such as for all primary and accessory buildings as well as structures such as patios, patio decks or sun decks, and swimming pools, CWLP must first approve plans to be submitted. A separate permit is required for the installation of seawalls. See item 5 below.

2. **Submittals**

Before any work is begun on a new construction project or a remodeling project a drawing and description must be submitted to CWLP including the plot plan showing the location of existing and proposed structures in relation to property lines, the dimensions, clearly labeled, of the proposed project, the materials to be used in the construction, the name, address, and phone number of the person who will do the work, and any other relevant information regarding the work.

3. **Setbacks**

All setback distances shall be measured from the building overhang, not the wall of the structure. No principal building or accessory building (excluding boathouses) shall be constructed nearer than 30 feet from the front property line, 10 feet from each side lot line, or 75 feet from the lake shoreline at any point on the property. If a leasehold totally surrounds an artificial cove that was created subsequent to the lake being constructed and filled, the setback requirement relative to the shoreline of such artificial cove may be waived and setbacks established on a case by case basis between CWLP and the leaseholder, provided, however, that if a new setback is established for such cove and its shoreline, the storm water runoff from all primary buildings or accessory buildings located within 75 feet from the shoreline of said cove must be collected and managed in the following manner: (a) such runoff shall be discharged to a point where it shall flow overland a minimum of 75 feet before entering the lake, or (b) such runoff shall be discharged through a treatment system demonstrated to effectively remove sediments and pollutants in a manner satisfactory to CWLP. For a leasehold providing for a marina and associated commercial development, the setback requirement relative to the shoreline may be waived and established on a case by case basis between CWLP and the leaseholder, or a sublessee thereof, provided however, that if a new setback is established for such leaseholder or sublessee, the storm water runoff from all primary buildings or accessory buildings located within 75 feet of the shoreline of the lake must be collected and managed in the following manner: (a) such runoff shall be discharged to a point where it shall flow overland a minimum of 75 feet before entering the lake, or (b) such runoff shall be discharged through a treatment system demonstrated to effectively remove sediments and pollutants

in a manner satisfactory to CWLP. Easement distances, i.e., for utility poles, etc., may be included when figuring setback requirements. All accessory buildings are to be located at least 20 feet from the primary building.

4. Boathouses

The approval for location of boathouses will be based on the merits of each request for construction received and will rest with the discretion of the Office of Public Utilities. Boathouses will be constructed to house boats and boating accessories only. No boathouse may be constructed that has residential qualities.

5. Seawalls

A CWLP shoreline stabilization permit, obtained through the Office of Public Utilities, Water Resources Department, is required for the installation of any seawall constructed of any material placed on the shoreline of Lake Springfield. Permit fees, payable to CWLP, are \$50.00 per project for a single leasehold. Seawalls shall be constructed only by those contractors licensed by CWLP for such installations. Construction drawings for seawalls, as per item 2, must be submitted no less than 48 hours prior to project initiation, and preferably seven-to-ten days ahead of construction.

6. Fences

No fence that has an appearance or characteristics which are in conflict with the general open space character of the lake area or which could be a potential hazard will be approved, i.e. no fences running the majority of the property line to the water, no electrified or barbed wire fences, no long-running privacy fences.

Other than a privacy fence around a patio or an approved animal enclosure, no fence over 4.5 feet tall and less than 50 percent open to visibility will be approved. A fence approved for construction may be built up to, but not on or over, the property line of the leasehold on which that fence is being erected.

Setbacks, submittals including height and design of the fence, and permits are required as above.

7. Swimming Pools

All swimming pools shall be fenced or have a mechanical, lockable cover as per the requirements of the CITY OF SPRINGFIELD CODE for swimming pools. Setbacks, submittals, and permits are required as above.

8. Satellite Dishes

Privately owned satellite dishes are to be installed on leased ground only, but not within the front yard of that leased ground. It is preferable that no dish be greater than 10 feet in diameter and that it be a dark color as so to blend with the surrounding environment.

No trees may be removed to facilitate installation. No advertising is allowed on any satellite dish installed on lake-lease property.

Setbacks, submittals including a description of the dish system, and permits are required as above.

9. Docks

No residential dock or similar structure shall extend more than 35 feet into Lake Springfield as measured from the shoreline at the point known as the normal full-pool elevation of 560 feet above mean sea level. Docks or similar structures at public use areas or lake club or camp facilities shall not extend more than 100 feet into Lake Springfield. In narrow bays less than 100 feet across, no dock or similar structure shall extend more than one-fourth the distance across the bay.

No dock or similar structure shall interfere with navigation or present a public hazard. These structures must be maintained so they do not become hazardous or unsightly. Determinations in this regard rest with the General Manager of Public Utilities or his designee within CWLP.

Submittals and permits are required as above.

10. Erosion Control

An erosion control plan must be included as part of the construction drawings for any leasehold improvements involving grading or extensive excavation. All erosion control methods employed must conform to the Illinois Environmental Protection Agency's "Standards and Specifications for Soil Erosion and Sediment Control" of 1987.

Land disturbance must be held to a minimum during construction. For most projects site grading must occur in stages. No more than 20 feet surrounding a proposed structure (for houses, etc., as measured from the foundation) may be graded in the first stage. An access lane may also be graded if no such lane currently exists. All surrounding vegetative cover must remain undisturbed in the first stage. Temporary erosion control methods including but not limited to temporary sediment traps, silt fences, and staked straw bales barriers are to be employed to prevent transport of sediment to adjacent properties or to any watercourse, ditch, stream, creek, etc., leading to Lake Springfield. These methods shall be applied to both excavated areas and soil stock pile locations.

No area within 50 feet of the lake shoreline where that land is steeper than a 3:1 (18°) slope (run:rise) is to be denuded of vegetation at any time.

Temporary soil erosion control methods are to be installed prior to excavation, and all disturbed or stockpile areas are to be revegetated or seeded and mulched within seven (7) days after completion of the final grading. Erosion control structures must be examined after every rainfall and repair or replacement shall be made promptly as needed.

Temporary erosion control structures shall be removed only upon achievement of complete stabilization of the upslope areas.

No beaches are to be created on leasehold properties which have a shoreline slope steeper than 12:1 (5°) (run:rise). Beach areas on properties with slopes steeper than 12:1 must be confined so as not to be subject to erosion by wave action at Lake Springfield.

11. Changes in plans

Before proceeding with construction, the plans for any changes or alteration of original project plans that had received initial approval must be provided by the leaseholder to the reviewing authority at CWLP for approval.

12. Nothing in this policy is intended to supersede any existing rules and regulations which are currently in force and are of a more restrictive nature.

LAKE LEASE TRANSFER POLICY

1. Whenever any lake lease is sold and/or transferred excluding Contract For Deed (C.F.D.) sales, two originals of the Assignment of Lakeshore Lease are to be executed and presented for the City's consent. Assignment forms for C.F.D. transactions should not be presented until the contract is completed.
2. One Declaration of Consideration form is to be executed. These completed forms are to be submitted to the Real Estate department of CWLP at least **ten** days prior to closing, along with a check made out in the amount of twenty-five (\$25.00) dollars (as per Ordinance #99-10-77) made payable to CWLP-Real Estate. In addition, copies of any other documents which may be relevant to the transaction, i.e., divorce decrees, wills, or marriage licenses should be included along with the transfer papers.
3. If a C.F.D. transaction is executed, the leaseholder of record shall notify the Real Estate department of CWLP of said transaction including the name(s) of the purchasing party.