

# Bluffs & Steep Slopes - Comparison of Preliminary Draft & Current MRCCA Standards & Definitions

**Notes:**

- The preliminary draft standards presented at the work group meeting on August 12, 2010 have been revised based on input from work group members, LGUs, other agencies, and the public.
- For proposed district boundaries, refer to the proposed MRCCA district maps for your area. For current district boundaries, refer to the **EO 79-19 District Map**. All maps are available on the MRCCA rulemaking project website.

**Sheet 2: Bluffs & Steep Slopes – Revised November 5, 2010**

Standard Type	Preliminary Draft Standards	Executive Order 79-19 Current Standards & Guidelines <i>(Currently in effect; all local plans and ordinances must be consistent with these standards and guidelines.)</i>	Interim Development Regulations (IDR) <i>(EO 79-19 provided the IDRs as temporary standards until local MRCCA ordinances were approved by the EQB. Hastings, Brooklyn Center, and a small area in Hennepin County are still subject to the IDRs because they do not have approved MRCCA ordinances. The DNR used some of the IDRs in drafting new MRCCA rules, and some LGUs have used portions of the IDRs in their current ordinances. The IDRs are provided here for reference. Local ordinances, which vary widely, will contain the current effective standards in any given community.)</i>
<b>Structure Setback (Bluffline)</b>	<p>New and expansion of existing structures must meet distances specified for each district (from the top of bluff):</p> <p style="padding-left: 20px;">CA-1 – CA-2: 100' CA-3 – CA-7: 40'</p> <p><i>See Sheet 1 – Dimensional Standards for additional information on setbacks and exceptions.</i></p>	<i>See Sheet 1 – Dimensional Standards</i>	
<b>Bluff Impact Zone (BIZ) &amp; Slope Preservation Zone (SPZ)</b>	<p>Land on and within 20' of bluffs is known as the <b>bluff impact zone (BIZ)</b>, and land on and within 20' of very steep slopes is known as the <b>slope preservation zone (SPZ)</b>. No structures, land alteration, intensive vegetation clearing, or construction activities are allowed within the <b>BIZ</b> or <b>SPZ</b>.</p> <p><b>Exceptions:</b></p> <ol style="list-style-type: none"> <li>(1) permitted stairways, lifts, and landings (<math>\leq 4'</math> width, landings <math>\leq 32</math> square feet, no canopies or roofs, visually inconspicuous location);</li> <li>(2) public trails, and overlooks providing access to and views of the river;</li> <li>(3) rock riprap, boulder walls, and retaining walls may be allowed per the applicable standards in <b>Sheet 3 – Water Quality</b>;</li> <li>(4) restoration projects sponsored and approved by a resource agency or the LGU;</li> <li>(5) public safety facilities, public bridges/approaches, railroad sidings, and minor public and private roadways serving river-dependent uses per the applicable standards in <b>Sheet 5b - Facilities</b>;</li> <li>(6) approved river crossings of public utilities that are primarily underground except for terminal and metering devices not exceeding 6' in height, and supporting structures for transmission crossing spans;</li> <li>(7) above-ground pumping stations for sewer lines, which shall be screened from view from the OHWL of the opposite shore;</li> <li>(8) structures, districts, and sites on the inventory of the State Historical Society or the National Register of Historical Places, provided new and redeveloped structures are compatible with historic character;</li> <li>(9) public transportation facilities, including public roads, bike lanes, and related facilities per the applicable standards in <b>Sheet 5b - Facilities</b>;</li> <li>(10) one access path (<math>\leq 4'</math> in width).</li> </ol> <p><i>See also Sheet 4 - Vegetation Management, Sheet 5a – Uses, and Sheet 5b - Facilities</i></p>	<p>C.1. Each LGU within the river corridor shall prepare plans and regulations to protect environmentally sensitive areas in accordance with the following guidelines:</p> <ol style="list-style-type: none"> <li>a. Each LGU shall, with assistance of the Metropolitan Council and state agencies:             <ol style="list-style-type: none"> <li>(4) Prepare plans and regulations to protect bluffs greater than 18% and to provide conditions for the development of bluffs between 18%-12% slopes.</li> <li>(7) Prepare plans and regulations for management of vegetative cutting.</li> </ol> </li> </ol> <p>C.2. Each LGU and state agency shall prepare plans and regulations to protect and preserve the aesthetic qualities of the river corridor, which provide for the following considerations:</p> <ol style="list-style-type: none"> <li>b. <b>Structures.</b> Structure site and location shall be regulated to ensure that riverbanks, bluffs, and scenic overlooks remain in their natural state, and to minimize interference with views of and from the river, except for specific uses requiring river access.</li> </ol>	<p><b>F. Dimensional standards and criteria</b></p> <ol style="list-style-type: none"> <li>6. Placement of structures.             <ol style="list-style-type: none"> <li>a. The following shall apply in any district:                 <ol style="list-style-type: none"> <li>(1) No new structures shall be placed on slopes which are 18% or greater.</li> </ol> </li> </ol> </li> </ol> <p><b>E. Earthwork and vegetation</b></p> <ol style="list-style-type: none"> <li>2. Vegetation management.             <ol style="list-style-type: none"> <li>a. Rural Open Space, Urban Developed, &amp; Urban Open Space districts:                 <ol style="list-style-type: none"> <li>(1) On developed islands, public recreation lands, the slope or face of bluffs within 200' of the NHWM of the river, and within 40' landward of blufflines, clear cutting shall not be permitted.</li> <li>(3) The selective cutting of trees greater than 4" in diameter may be permitted by LGUs when the cutting is appropriately spaced and staged so that continuous natural cover is maintained.</li> </ol> </li> <li>b. Urban Diversified district:                 <ol style="list-style-type: none"> <li>(1) On the slope or face of bluffs and within areas 40' landward from established blufflines, clear cutting shall not be permitted;</li> <li>(2) The selective cutting of trees greater than 4" in diameter may be permitted by LGUs when the cutting is appropriately spaced and staged so that continuous natural cover is maintained.</li> </ol> </li> <li>c. These vegetative management standards shall not prevent the pruning and cutting of vegetation to the minimum amount necessary for the construction of bridges and roadways and for the safe installation, maintenance and operation of essential services and utility transmission services that are permitted uses.</li> </ol> </li> </ol>

Standard Type	Preliminary Draft Standards	Executive Order 79-19 Current Standards & Guidelines <i>(Currently in effect; all local plans and ordinances must be consistent with these standards and guidelines.)</i>	Interim Development Regulations (IDR) <i>(EO 79-19 provided the IDRs as temporary standards until local MRCCA ordinances were approved by the EQB. Hastings, Brooklyn Center, and a small area in Hennepin County are still subject to the IDRs because they do not have approved MRCCA ordinances. The DNR used some of the IDRs in drafting new MRCCA rules, and some LGUs used portions of the IDRs in current ordinances. The IDRs are provided here for reference. Local ordinances, which vary widely, will contain the current effective standards in any given community.)</i>
<b>Steep Slopes - Conditions for Development</b>	Structures may be permitted on slopes >12%, but <18%, when the following conditions are met: (1) the applicant can demonstrate that the development can be accomplished without increasing erosion; (2) the soil types and geology are suitable for slope development; and (3) there is proper management of vegetation to control runoff.	C.1. Each LGU within the river corridor shall prepare plans and regulations to protect environmentally sensitive areas in accordance with the following guidelines: a. Each LGU shall, with assistance of the Metropolitan Council and state agencies: (4) Prepare plans and regulations to protect bluffs greater than 18% and to provide conditions for the development of bluffs between 18%-12% slopes. C.2. Each LGU and state agency shall prepare plans and regulations to protect and preserve the aesthetic qualities of the river corridor, which provide for the following considerations: b. <b>Structures.</b> Structure site and location shall be regulated to ensure that riverbanks, bluffs, and scenic overlooks remain in their natural state, and to minimize interference with views of and from the river, except for specific uses requiring river access.	<b>F. Dimensional standards and criteria</b> 6. Placement of structures. a. The following shall apply in any district: (2) structures may be permitted on slopes which are greater than 12%, but less than 18%, when the following conditions are met: a) the developer can prove that the development on the slope can be accomplished without increasing erosion; b) the soil types and geology are suitable for slope development; c) there is proper management of vegetation to control runoff.

Preliminary Draft Definitions – Revised November 5, 2010	Executive Order 79-19 Current Definitions	Minnesota Statutes, §116G.15, Subd. 4(d) Guidelines for Preliminary Bluff Map
<p><b>Bluff</b> = a natural topographic feature having all of the following characteristics:</p> <ul style="list-style-type: none"> <li>the slope rises at least 25' above the OHWL or <b>toe of bluff</b>, and</li> <li>the grade of the slope from the OHWL or <b>toe of bluff</b> to the <b>top of bluff</b> averages 30% or greater, and where</li> <li><b>toe of bluff</b> means the lower point of the lowest horizontal 10' segment with an average slope &gt; 18%, and</li> <li><b>top of bluff</b> means the higher point of the highest horizontal 10' segment with an average slope &gt; 18%.</li> </ul> <p><b>Bluff Impact Zone (BIZ)</b> = land on and within 20' of a bluff.</p> <p><b>Bluffline</b> = a line delineating the top of bluff. More than one bluffline may be encountered proceeding landward from the river.</p> <p><b>Very Steep Slope</b> = a natural topographic feature having all of the following characteristics:</p> <ul style="list-style-type: none"> <li>the slope rises at least 10' above the OHWL or <b>toe of slope</b>, and</li> <li>the grade of the slope from the OHWL or <b>toe of slope</b> to the <b>top of slope</b> averages 18% or greater, and where</li> <li><b>toe of slope</b> means the lower point of the lowest horizontal 10' segment with an average slope &gt;18%, and</li> <li><b>top of slope</b> means the higher point of the highest horizontal 10' segment with an average slope &gt; 18%.</li> </ul> <p><b>Slope Preservation Zone (SPZ)</b> = land on and within 20' of a very steep slope.</p> <p><b>Steep Slope</b> = a natural topographic feature with an average slope of 12-18%, measured over a horizontal distance of ≥50'.</p>	<p><b>Bluffline</b> = a line delineating the top of a slope connecting the points at which the slope becomes less than 18%. More than one bluffline may be encountered proceeding landward from the water. <b>(Appendix C.8. Definitions.)</b></p>	<p><i>The statutes require the DNR to create a preliminary bluff map at the outset of the rulemaking process, based on the following guidelines:</i></p> <p><b>Bluff Face or Bluff</b> = the area between the bluff line and the bluff base. A high, steep, natural topographic feature such as a broad hill, cliff, or embankment with a slope of 18% or greater and a vertical rise of at least 10' between the bluff base and the bluff line.</p> <p><b>Bluff Line</b> = a line delineating the top of a slope connecting the points at which the slope becomes less than 18%. More than one bluff line may be encountered proceeding upslope from the river valley.</p> <p><b>Base of the Bluff</b> = a line delineating the bottom of a slope connecting the points at which the slope becomes 18% or greater. More than one bluff base may be encountered proceeding landward from the water.</p> <p><b>Very Steep Slopes</b> = slopes 18% or greater. Very steep slopes are natural topographic features with an average slope of 18% or greater, measured over a horizontal distance of ≥50'.</p> <p><b>Steep slopes</b> = 12-18% slopes. Steep slopes are natural topographic features with an average slope of 12-18%, measured over a horizontal distance ≥50'.</p>

