

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

Notes:

- The preliminary draft standards in this table were presented at the work group meeting on August 12, 2010. While the format has changed to aid comparisons, the content of the preliminary draft standards has not changed.
- The DNR is revising the proposed districts and preliminary draft standards 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

	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>
Bluffs (≥30% slope, ≥25' rise)	Structure Setback - Bluff	New and expansion of existing structures must meet distances specified for each district (from the top of bluff): CA-1 – CA-2: 100' CA-3 – CA-7: 40' <i>See Sheet 1 – Dimensional Standards by District</i>	<i>See Sheet 1 – Dimensional Standards by District</i>	
Very Steep Slopes (≥18% slope measured over 50' run)	Slope Preservation Zone (SPZ)	Land on and within 20' of bluffs and very steep slopes is known as the slope preservation zone (SPZ) . No structures, land alteration, intensive vegetation clearing, or construction activities are allowed within the SPZ . * Exceptions: (1) permitted stairways, lifts, and landings; (2) public trails and overlooks providing access to and views of the river; and (3) rock riprap, boulder walls, and retaining walls, which may only be used for the correction of an established erosion problem (as determined by a PE and/or person with certification in erosion control) that cannot be controlled through the use of vegetation or bioengineering, in which case LGU approval is required. Limited vegetation removal in the SPZ may be allowed for: (1) installation of the structures listed as exceptions above; (2) the removal of trees or branches that pose a safety hazard; (3) the removal of invasive species; (4) woodland/habitat management activities; and (5) permitted agricultural practices provided the SPZ is maintained in perennial vegetation. <i>See also Sheet 4 - Vegetation & Buffers, Sheet 5a – Uses, and Sheet 5b - Facilities</i>	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. (7) Prepare plans and regulations for management of vegetative cutting. 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. Structures. 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.	F. Dimensional standards and criteria 6. Placement of structures. a. The following shall apply in any district: (1) No new structures shall be placed on slopes which are 18% or greater. E. Earthwork and vegetation 2. Vegetation management. a. Rural Open Space, Urban Developed, & Urban Open Space districts: (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. (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. b. Urban Diversified district: (1) On the slope or face of bluffs and within areas 40' landward from established blufflines, clear cutting shall not be permitted; (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. 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 which are permitted uses.

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Steep Slopes (12-18% slope, measured over 50' run)	Conditions for Development	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. Structures. 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.	F. Dimensional standards and criteria 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.

***Note:** LGUs must also evaluate possible soil erosion impacts and development visibility from the river before issuing a permit for construction of roads and driveways (where avoidance is not reasonable or prudent) and other structures listed as exceptions in the SPZ. When determined necessary, conditions must be attached to issued permits to prevent erosion, preserve vegetation or restore vegetation to a natural state, and screen structures, vehicles, and other facilities as viewed from the surface of the river and the OHWL of the opposite shore, assuming summer, leaf-on vegetation.

Summary of Proposed & Current MRCCA Bluff & Slope Definitions

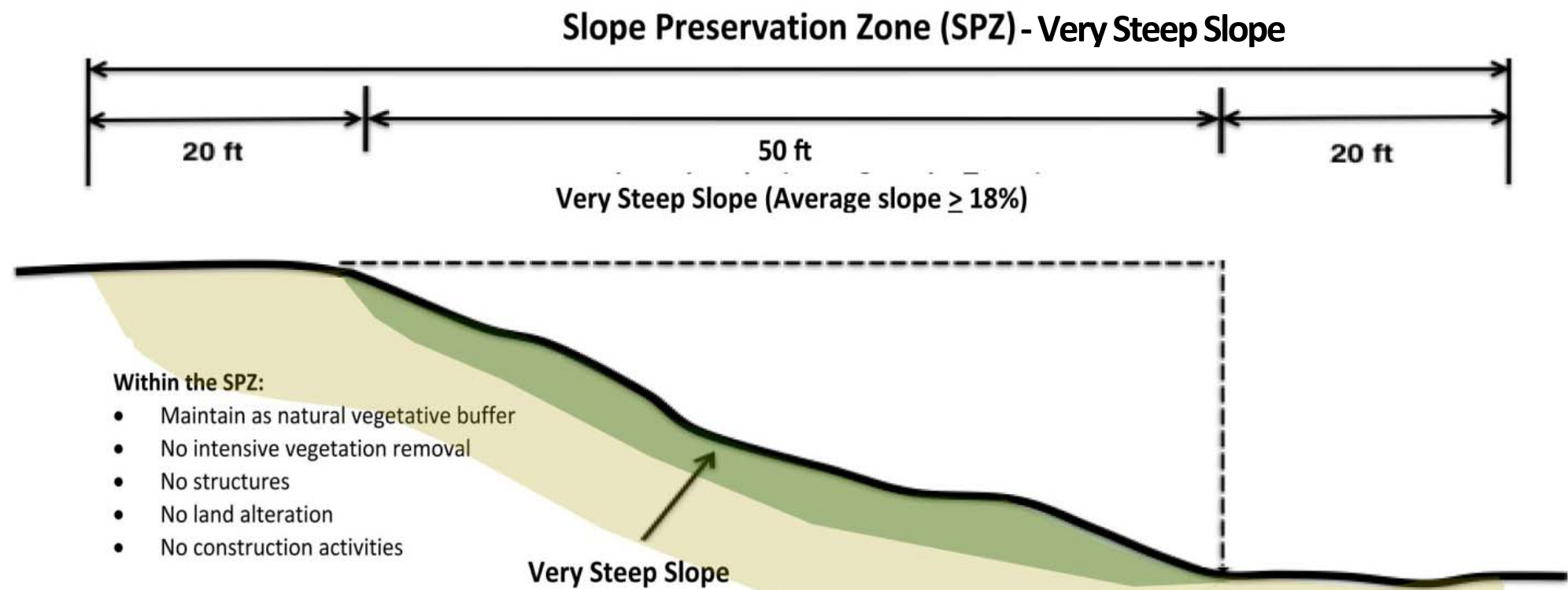
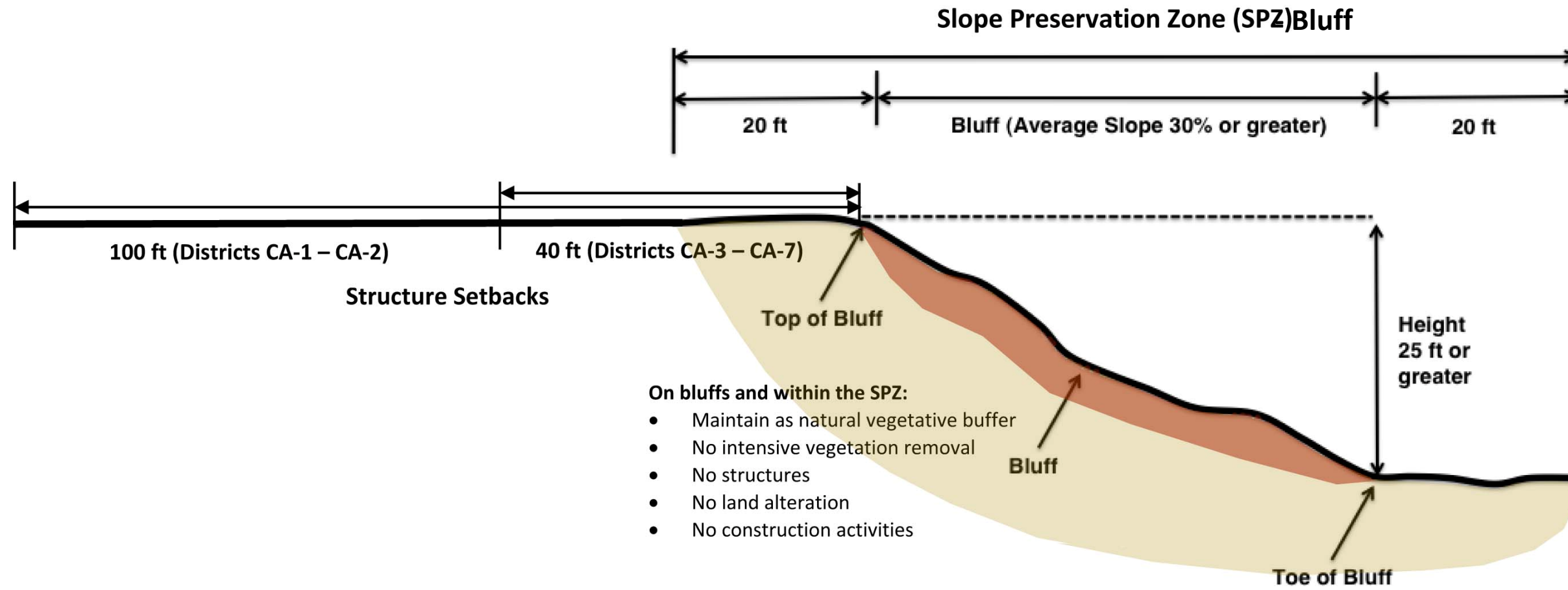
Preliminary Draft Definitions	Executive Order 79-19 Current Definitions	Minnesota Statutes, §116G.15, Subd. 4.(d) Guidelines for Preliminary Bluff Map
<p>Bluff = a natural topographic feature having all of the following characteristics:</p> <ul style="list-style-type: none"> A. the slope rises at least 25' above the OHWL of the waterbody or toe of the bluff. For purposes of this subpart, "toe of bluff" means the lower point of a horizontal 10' segment with an average slope exceeding 18%; and B. the grade of the slope from the OHWL or toe of the bluff to the top of the bluff averages 30% or greater. For purposes of this subpart, "top of bluff" means the higher point of the highest horizontal 10' segment with an average slope exceeding 18%. <p>Very Steep Slope = a natural topographic feature with an average slope of 18% or greater, measured over a horizontal distance of $\geq 50'$.</p> <p>Steep Slope = a natural topographic feature with an average slope of 12-18%, measured over a horizontal distance of $\geq 50'$.</p>	<p>Bluffline = 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. (EO 79-19, Appendix C.8. Definitions.)</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>Bluff Face or Bluff = 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>Bluff Line = 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>Base of the Bluff = 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>Very Steep Slopes = 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 $\geq 50'$.</p> <p>Steep slopes = 12-18% slopes. Steep slopes are natural topographic features with an average slope of 12-18%, measured over a horizontal distance $\geq 50'$.</p>

Summary of Current Bluff & Slope Definitions and Regulations by LGU

The following summary tables were compiled by the DNR based on information provided by local staff and officials during meetings with each LGU in January - February 2010.

Area	LGU	Current Bluff /Steep Slope Definition(s)	Current Bluff/Steep Slope Standards
Northwest	Anoka	None	No development on slopes >18% (before alteration).
	Brooklyn Center	IDR	IDR
	Brooklyn Park	Bluff = slopes \geq 12% leading from river's edge.	None
	Champlin	Bluffline = high elevation of a steep bank adjacent to a body of water.	No development on slopes >12%.
	Coon Rapids	Bluff = steep slopes >12% between river and MRCCA boundary proceeding landward from river.	No structures on 20% slopes (before alteration). Development allowed on 12-20% subject to conditions.
	Dayton	Bluff = \geq 18%. Bluff Impact Zone = land within 40' of the bluffline. Bluff Line = the 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 landward from the water. Setbacks apply to each bluff line.	No development on slopes \geq 18%, development allowed on 12-18% slopes with city approval and subject to conditions. Bluff impact zone must be maintained in a natural state.
	Fridley	Bluff = > 12%. Bluffline = top of 12 % slopes.	No development on \geq 18% slopes. Development may be allowed on 12-18 % slopes subject to conditions.
	Ramsey	Bluff = topographic features with \geq 18% slopes, 25' rise. Bluffline = top of 12% slopes.	Development prohibited on slopes >12%, including the riverfront bluff face.
Urban West	Minneapolis	Bluff = \geq 18%, > 50' horizontal distance, at least 25' rise. Steep Slope = \geq 18%, > 50' horizontal distance, at least 10' rise.	Structures restricted unless existing or CUP. Includes top or toe of bluff.
Urban East	Lilydale	Bluffline = the top of a slope which has a fall greater than 18%. More than one bluffline may be encountered landward from the water.	Structures prohibited on 18% slopes, allowed on 12% slopes with a CUP (subject to conditions). No vegetation clearing on bluffs.
	Mendota	Bluffline = a line along the top of a slope connecting the points at which the slope becomes less than 18%. This applies to those slopes within the land use district which are beyond the OHWL setback.	Development prohibited on slopes >18%, development allowed on 12-18% slopes with erosion control plan.
	Mendota Heights	Bluffline = top of 40% slopes.	Development prohibited on 40% slopes. Development prohibited on 18-40% slopes, but allowed with CUP on nonconforming lots/lots with nonconforming structures. Development allowed on 12-18% slopes with erosion and runoff control, buffering, stability (nonstructural), etc.
	St. Paul	Bluffline = a line along the top of certain steep slopes facing the Mississippi River Valley as shown on the River Corridor Zoning Maps. The bluffline shall mean a line drawn along the top of the bluff such that the slope below the line is >18% and the slope above \leq 18%.	Bluff development shall take place at least 40' landward of blufflines. Commercial/ industrial development prohibited on slopes >12%, residential development prohibited on slopes >18%.
Southeast	Cottage Grove	Bluff = \geq 18%.	Prohibit development on slopes >18%. Development permitted on slopes 12%-18% with required performance standards.
	Denmark Township	Bluff = \geq 18% (per County Shoreland Ordinance)	Prohibit development on slopes \geq 18%. Development permitted on slopes 12%-18% with required performance standards.
	Grey Cloud Island Township	Bluff = \geq 18%.	Protect slopes \geq 18% and provide performance standards for development on slopes 12%-18%.
	Hastings	IDR	IDR
	Inver Grove Heights	Bluff = \geq 18%.	No development on bluffs (18% slopes).
	Maplewood	Bluff = \geq 18%.	No development on slopes as flat as 12% with exceptions, conditions and performance measures applied.
	Newport	Bluff = \geq 18%, 50' high.	NA
	Nininger Township	Bluffline = top of slope where grade becomes < 12%.	Development/structures on slopes >12% prohibited.
	Ravenna Township	Bluffline = top of slope where grade becomes < 12%.	Development/structures on slopes >12% prohibited.
	Rosemount	Bluff = \geq 18%.	No development or vegetation clearing allowed (18% slopes)
	South St. Paul	Bluff = \geq 18%.	No development or clearcutting on the bluff face allowed (18% slopes)
St. Paul Park	Bluff = \geq 18%.	No development or clearcutting on 18% slopes.	

Exceptions vary. Check your local ordinance for accurate information on existing standards in your community.



Note: Diagrams not to scale.