APPENDIX A:
MISSISSIPPI RIVER CRITICAL AREA PLAN

INTRODUCTION

This section contains information, goals, and guidelines for the Mississippi River Corridor within the City of Dayton. Included in this section is information relating to and in compatibility with the Minnesota Department of Natural Resources (MnDNR) Critical Area minimum standards and the Mississippi National River and Recreation Area (MNRRA) policies. More detailed and specific guidelines can be found within the zoning code and ordinances as they relate to the River Corridor and this section of the Comprehensive Plan.

PLAN OVERVIEW AND GOALS

HISTORY OF THE DAYTON RIVER CORRIDOR

Because of the importance of river transportation and power many villages were established at the confluence of streams tributary to the Mississippi River. Such was the case for the City of Dayton. In 1850 the land area at the juncture of the Crow and Mississippi Rivers was settled by Paul Goodin and others. This site was also the location of a French fur trading post that opened in 1849. The town site was laid out according to a north-south, east-west grid and platted in 1856. Lots within this plat were arranged eight to an acre in order to satisfy the development needs of that era. The area near the River confluence became known as the Village of Dayton.

The remainder of Dayton was also laid out according to the rectilinear system of township, range, and section which forms the basis for present day property description and conveyance. Sections of land located along the River contain government lots, which complete the transition from the rectilinear system to the natural meandering boundary formed by the River.

Travel routes other than the River are limited to roads in the Dayton Corridor. The alignment of the River dictated the location of an early Native American trail which was modified by settlers into what, is now called the Dayton River Road. Other thoroughfares in the Corridor came after the rectilinear subdivision of land and conform to the cardinal directions.

Early settlement Dayton had reached its peak potential in the Riverboat era...

During the first half of the twentieth century, little happened to change Dayton Township and Village from the community that emerged at the turn of the century. Early settlement Dayton had reached its peak potential in the Riverboat era and shortly thereafter. Other transportation improvements bypassed Dayton. Had a bridge been built across the Mississippi River in Dayton or if a railroad had passed through, it is likely that the community would have remained an important transportation and trade center as it was in the days of Paul Goodin.

It remained through the 1950's a primarily agricultural community affected little by the post World War II outward growth of Minneapolis suburbs. The reason was the relative inaccessibility of Dayton to the greater Minneapolis area.

The Village continued through the 1950's to serve some of the local shopping needs of a rural community, much as it does today. It still contained shopping facilities, the area's dominant church, a community school, post office, fire station, and similar establishments.

One of the early actions of this new governmental unit was to consider the need for comprehensive planning...

In August 1970, the Village of Dayton and the Township of Dayton officially joined together to form the new Village of Dayton. One of the early actions of this new governmental unit was to consider the need for comprehensive planning that culminated in the preparation of the 1972 Comprehensive Plan and Zoning and Platting Ordinances.

In the early 1970's Dayton experienced increased pressures for urban development, especially in

the amenity areas afforded by the River Corridor. Although the community could implement subdivision controls through its new ordinances, it found that these controls could do little toward protecting those amenities associated with the River, which were attracting development. In effect, it was noted that conventional land development would obliterate the pastoral and scenic setting that has been preserved along the River. On November 23, 1976 the Governor's Order for designation of the Mississippi River Corridor as a Critical Area became effective. This order is now implemented by the Interim Development Regulations prescribed by the Environmental Quality Board and administered by Dayton.

Concurrently, in 1977, all platting and subdivision of land into parcels smaller than five acres was suspended until Dayton could realign its policies and regulations accordingly under the provisions of the Metropolitan Land Planning Act of 1976.

In May 1980, the Dayton Mississippi River Critical Area Plan was submitted to the Metropolitan Council. The Metropolitan Council delayed final action on the plan in June, and the plan was never officially approved. In 1996, Dayton submitted its draft Comprehensive Plan to the Metropolitan Council for informal review without the chapter dedicated to the Mississippi River Critical Area Plan. In January 1998 the City completed the Comprehensive Plan Update and began to revise and update the Mississippi River Critical Area Plan to be incorporated as Chapter 11 of the Comprehensive Plan.

The City of Dayton Mississippi River Corridor is officially designated by the state as part of the Mississippi River Critical Area. It is also part of the Wild and Scenic designation. Thus, all land use within this plan will be in accordance with the Critical Areas Act and Executive Order 79-19 and rules of the Wild and Scenic designation.

In 1988, the Dayton Mississippi River Corridor was also designated as part of the Mississippi National River and Recreation Area (MNRRA). The updated River Corridor Plan will acknowledge and include MNRRA Tier II guidelines from the 1995 MNRRA Plan where appropriate.

The Mississippi River Corridor Plan for the City of Dayton is intended to guide the development and preservation of land and resources within the designated Critical Area/MNRRA. The plan is created as a partnership with the Minnesota Department of Natural Resources, the National Park Service, the Metropolitan Council and other related government and non-profit organizations. The policies are presented with the involvement of the residents and landowners within the City of Dayton.

...Dayton has opportunities to preserve and create public and private open space and trails within the Mississippi River Corridor.

With the majority of the Corridor in residential and agricultural lands, Dayton has opportunities to preserve and create public and private open space and trails within the Mississippi River Corridor. The trend for development within the Corridor has been for single-family residential, and this trend will be planned and regulated by the Comprehensive Land Use Plan and the River Corridor Plan. Development will be gradual with the introduction of municipal utilities. The Mississippi River Critical Area in Dayton encompasses approximately 1,207 acres. Table A.1 – Critical Area Zoning, 2008 shows the existing zoning districts within the critical area.

Table A.1- Critical Area Zoning, 2008

EXISTING ZONING	ACREAGE	PERCENT
A-1 Agricultural	341.23	28.27%
R-1 Single Family Residential – 15,000 S.F.	55.87	4.63%
R-2 Single Family Residential – 90,000 S.F.	70.27	5.82%
R-3 Single Family Residential – 5 acres	158.47	13.13%
R-O Old Village Residential	69.25	5.74%
I-1 Planned Industrial	5.50	0.46%
R-P Recreational, Public	201.05	16.66%
S-A Special Agricultural	66.91	5.54%
River	238.43	19.75%
Total	**1206.99**	100%

LONG RANGE GOALS OF THE DAYTON MISSISSIPPI RIVER CORRIDOR PLAN

- Protect the unique resource of the River Corridor for the benefit of the citizens of Dayton and the greater region and to prevent any detrimental action against this resource.
- Provide recreation opportunities for interaction between people and the River, allowing for both physical and visual access and a continuous non-motorized trail.
- Preserve, enhance, and restore natural, visual, cultural, and historical resources within the Mississippi River Corridor.
- Provide the opportunity for continued development within the Corridor in an appropriate manner.
- Preserve the Dayton River Corridor as a necessary segment of the larger regional, state, and national river systems.
- Create interpretation and understanding of the River and its environmental value and resources to allow people to understand the important role of the River in our everyday lives.
- Utilize the River as an attraction for visitors.
- Provide a smooth transition of land use over the next 40 years within the Corridor from rural to residential, mixed use and river recreation in accordance with the guidelines and purposes established by the Critical Area and the Wild, Scenic, and Recreational Rivers Act for preservation and protection of the River.
- Recognize the importance of the Great River Road through preservation of natural character and scenic views, use of promotional materials and interpretive signs.

EXISTING RESOURCES WITHIN THE MISSISSIPPI RIVER CORRIDOR

NATURAL RESOURCES

The natural resources of the Mississippi River Corridor have been subject to the stresses imposed by commerce and settlement. Herds of elk and bison vanished from this area early in the 1800's, the hardwood forests were cleared, and the prairie land was converted to the production of grains. Remnants of the original woodland and wildlife that have endured are limited primarily due to the floodplain and steep slopes that form the bluffs and ravines along the River. The need for protection and preservation of the basin's natural resources was recognized by inclusion of the Dayton River Corridor in 1976, as authorized by the State Wild, Scenic, and Recreational Rivers Act of 1973. Those resources included in the Corridor are inventoried according to water, soils, vegetation, wildlife, and cultural features as follows:

Water

The waters of the Mississippi River have served as a resource for transportation used by the Indian nations, fur traders, and explorers. Later this resource was vital to the lumber and agricultural industries not only for transportation but for energy to power the sawmills and gristmills located along the River. As settlement and population increased, the river water as resource for domestic and industrial use and reuse became more and more valuable. Today this resource is viewed from the perspective of quantity and quality limitations.

- **Floodplain** – Approximately 20% of the Critical Area corridor is normally covered by water, all within the floodplain of the Crow and Mississippi Rivers. The floodplain itself consists of 527 acres or 44% of the Critical Area. This area is defined as the area inundated by the Regional Flood or 100-year flood. This flood is considered to be a flood that has a 1% chance of occurring in any given year. It is a flood which is representative of a large flood known to have occurred, with reasonable characteristics of what can be expected to occur, on an average frequency in the magnitude of the 100-year recurrence interval.

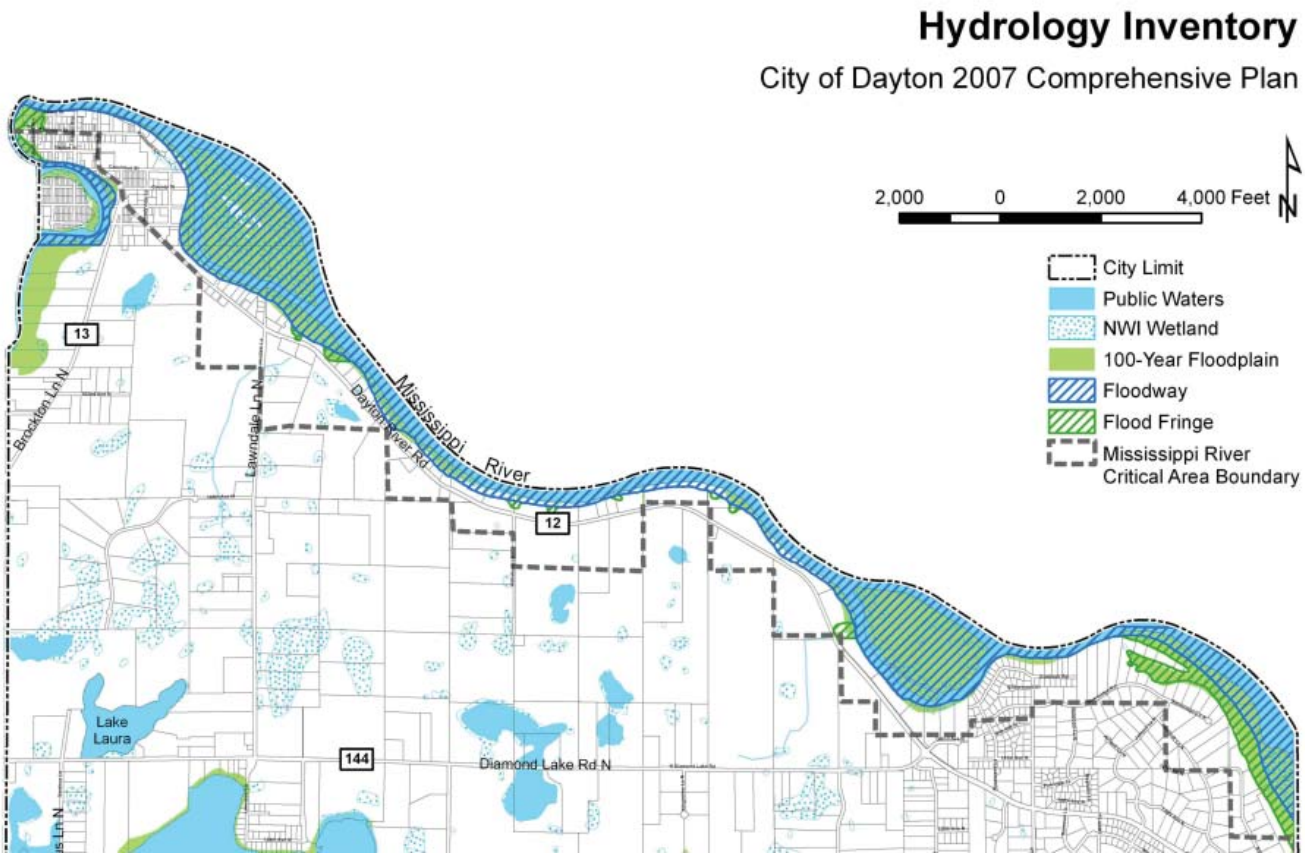
The classification of the floodplain area according to land and water is shown in Table A.2 – Flood Plan Areas and on Figure A.1 – Hydrology Inventory. The Map also distinguishes between the floodway and the flood fringe. The floodway is the land immediately adjoining the River channel that is a natural conduit for flood waters. The floodway must remain open for flood waters to pass. Structures are not allowed to be constructed in the floodway. The flood fringe is the remainder of the floodplain lying outside of the floodway. This area is generally covered by shallow, slow moving flood waters. Development is normally allowed in the flood fringe, provided the lowest floor of a structure is above the flood protection elevation.

Table A.2- Flood Plain Areas

DESCRIPTION	AREA IN ACRES
Normal Water	241
Islands	170
Shoreland within Limits of Regional Flood	116
Total Floodplain	**527**

The areas of water and land vary as the level of the River fluctuates. Generally, however, there exists a strip of floodplain land along the entire reach of the River through Dayton, 33,500 feet (6.34 miles) long that varies in width from a few feet to 860 feet. The extent of the floodplain is shown conceptually on Figure A.1 – Hydrology Inventory. The floodplain is divided into floodway and flood fringe zones. The actual delineation of floodplain is determined by spot elevations, and for the purpose of plan approval, will be determined in the field with the participation of the DNR Waters Division.

Figure A.1



- **Wetlands** – Water in the upland areas of the Critical Area corridor is contained in wetlands, usually with no standing surface water. This water is generally seasonally "perched" at shallow depths and is an important resource for base flow recharge in the River and for the support of wetland vegetation.

- **Water Quality** – Natural drainage and storm sewer routing is shown on Figure A.2 – Trunk Storm/Water System. Water quality in the Mississippi River through Dayton is generally suitable for recreation and fishing. At periods of low flow, such as that which occurred in the drought of 1976, signs of degradation are visible. In late summer, algae concentrations are significant and the decay of these organisms during dry years results in offensive odors prevalent along the shoreline. At periods of high flow the water becomes turbid and exhibits a brownish cast as a result of waterborne silt.

Point sources of wastewater disposal upstream from Dayton are items of concern to the community. The Minnesota Pollution Agency has been actively working with upstream communities to ensure that increased use of the Crow River for assimilation of treated municipal wastes does not diminish the attractiveness of the confluence area as a recreation and fishing attribute.

Soils

Soils in the Critical Area are a determinant factor in its protection and development. The suitability of these soils for building, farming, recreation, woodland, and wildlife has been classified according to the Hennepin County Soil Survey which was updated in 2003/2004. The tree species listed in the following sections are limited to native species taken from a list contained in the soil survey. The list is not comprehensive and other species may be more suitable depending on the desired use of the area. The general suitability of the soils for on-site wastewater disposal is discussed in the last bullet of this section. Because mapped soil units often contain smaller inclusions of other soil types, an on-site investigation is needed to determine the suitability of a specific site for a particular use. Figure A.3 – Soils Map depicts the locations of the soil units.

- **Floodplain Soils** – The predominant soils in the floodplain are the Elk River fine sandy loams (D3A - occasionally flooded, and D2A - rarely flooded), both 0 to 2% slopes, and the Fordum-Winterfield complex, 0 to 2% slopes, frequently flooded (D19A). The parent material for these soils is alluvium. The soils are rated "very limited" for the location of dwellings (with or without basements) and small commercial buildings due to flooding and/or the depth to the saturated zone. Limitations for local roads and streets range from "somewhat limited" in the Elk River rarely flooded soil due to frost action and flooding and "very limited" in the other floodplain soils due to flooding, frost action, and depth to saturated zone. All areas of the Elk River, rarely flooded soil are considered prime farmland; the Elk River occasionally flooded soil is considered a farmland of statewide importance. Limitations for recreational use vary in the floodplain soils depending on the particular use. All are considered very limited for camping areas. The Elk River rarely flooded soil has no limitations for and is considered suitable for picnic areas, playgrounds, paths, and trails. The Elk River occasionally flooded soil is considered somewhat limited for these uses. The Winterfield soil, which makes up 25% of the Fordum-Winterfield complex, is considered very limited for playgrounds and somewhat limited for picnic areas, parks, and trails. The Fordum soil, which comprises 65% of the Fordum-Winterfield complex, is rated very limited for all of these recreational uses due to flooding and the depth to the saturated zone. These soils would support floodplain and lowland forest tree species, but may be too saturated for too long a time period to support tree species requiring drier conditions. Suitable tree species would include silver maple, green ash, river birch, eastern cottonwood, American elm, and black willow. Because of the types of habitats they can support, the Elk River soils are rated with good potential for open-land and woodland wildlife. They are rated very poor for wetland wildlife. The Fordum soil is rated good for wetland wildlife, fair for woodland wildlife, and very poor for open-land wildlife. The Winterfield soil is rated good for woodland wildlife and fair for open-land and wetland wildlife.

Figure A.2

Trunk Storm/Water System

City of Dayton 2007 Comprehensive Plan

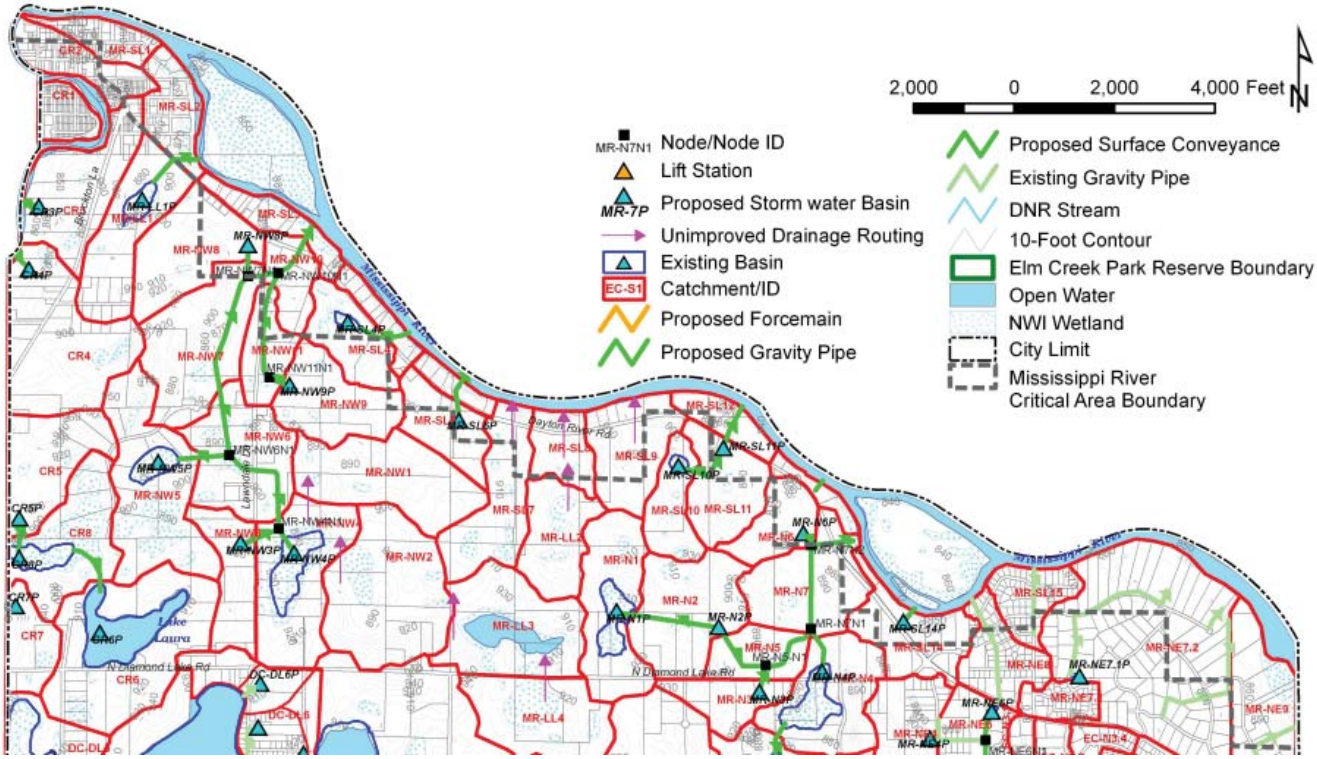
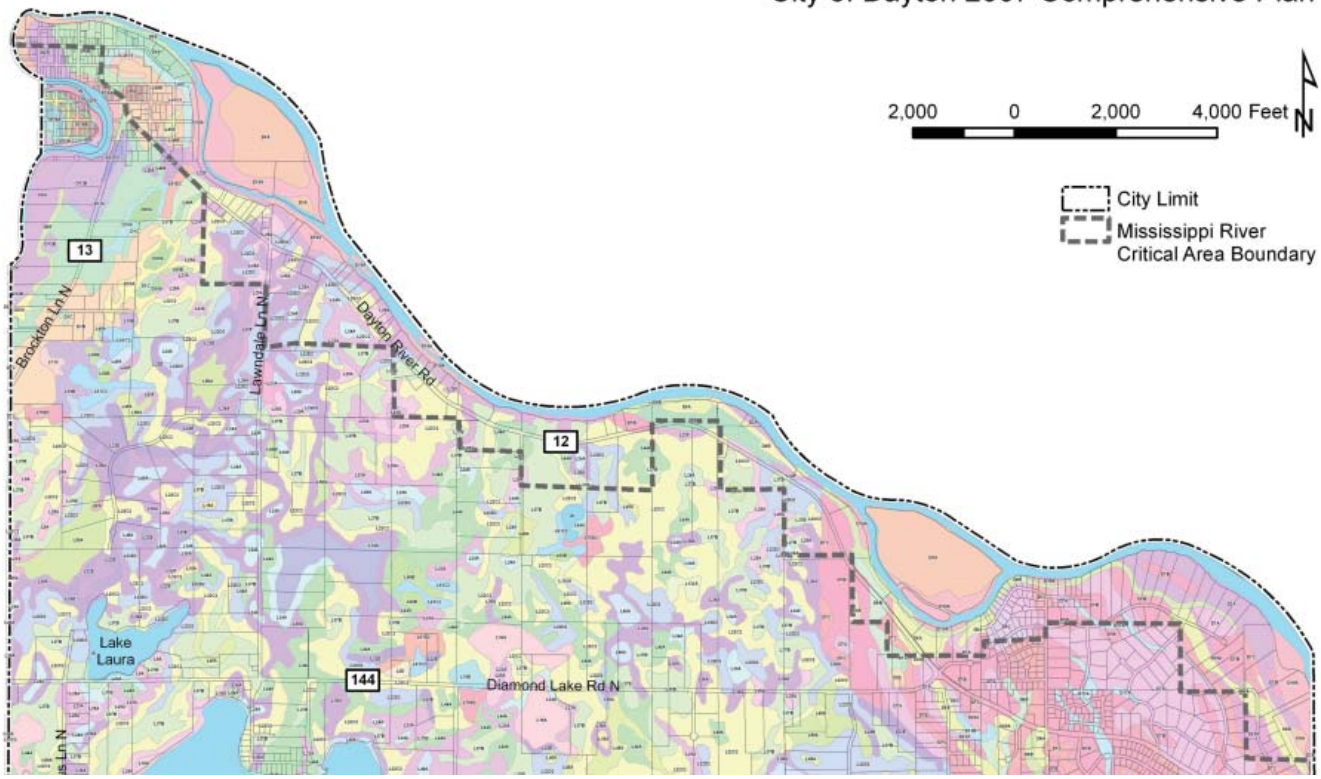


Figure A.3

Soils Map

City of Dayton 2007 Comprehensive Plan



- **Steep Slope Soils** – Steep slopes within the Dayton Corridor consist of the river bluffs and ravines that notch the bluffs. (See Figure A.4 – Steep Slopes.) Approximately 185.61 acres or 15% of the Critical Area lies in slopes between 12 and 18% and 101.85 acres or 8% of the Critical Area lies in slopes steeper than 18%. The Steep Slopes Map is based on 10-foot contour interval USGS topographic information. Because it is not based on slopes associated with mapped soil units, the two may not correlate consistently. The following paragraphs discuss the soil types identified that exhibit slopes of 12 to 18% and greater. If development or land alteration is proposed on a specific site, a more detailed topographic survey and mapping of steep slopes will be required.

  The predominant soil type with slopes between 12 and 18% within the Critical Area is the Lester loam, morainic, 12 to 18% slopes, eroded (L22D2) soil. This soil is found on moraines and its parent material is till. Another soil identified within the Critical Area with slopes of 12 to 18% is the Lester-Metea complex, 12 to 18% slopes, eroded (L61D2), although it is present to a much lesser extent. The Lester loam component of the complex is 55%; the Metea fine sandy loam component is 25%. These soils are very limited with respect to use for buildings, roads, camping areas, picnic areas, and playgrounds due to slope, sandiness, low strength, shrink swell, and/or frost action. For paths and trails, the Lester soils have no limitations, while the Metea is somewhat limited because it is too sandy. These soils are not identified as important to cropland agriculture. Tree species suitable for the Lester loam soils include American cranberry bush, common chokecherry, American plum, white spruce, eastern white pine, green ash, silver maple, and eastern cottonwood. These species are also suitable for the Metea soil as is the common hackberry. The soils with slopes 12 to 18% are rated with good potential to support habitat for open-land and woodland wildlife but very poor to support habitat for wetland wildlife. These soils are easily eroded and consequently are well suited to hay cultivation, pasture, or woodland. Development on these soils should consider the severe erosion factor and would require intensive erosion control measures to prevent sedimentation of the floodplain.

  The predominant soils in the slopes greater than 18% (located in the bluffs and ravines) are the Lester loam, morainic, 25 to 35% slopes (L22F), and Sandberg loamy coarse sand, 18 to 35% slopes soils (D8E). Another steep slope soil, although present to a lesser degree. is the Lester-Kilkenny complex, 25 to 35% slopes (L41F). The Lester soil comprises 45% of this unit, the Kilkenny, 35%. These soils are considered very limited for buildings and roads, recreational uses such as camping areas, picnic areas, playgrounds, paths, and trails due to slope, shrink-swell potential, low strength, frost action, sandiness, and/or slow water movement. None of these soils are identified as important to agriculture. The Lester and Lester-Kilkenny complex soils are loams that are suitable to support tree species such as American cranberry bush, common chokecherry, American plum, white spruce, eastern white pine, green ash, silver maple, and eastern cottonwood. The Sandberg loamy coarse sand is suitable to support tree species such as common chokecherry, common hackberry, northern white cedar, American basswood, green ash, white spruce, red pine, silver maple, eastern white pine, jack pine, and eastern cottonwood. The Lester and Lester-Kilkenny complex loam soils are considered to have good potential to support open-land and woodland wildlife habitat, but very poor potential to support wetland wildlife habitat. The Sandberg loamy coarse sand soil is considered to have good potential to support open-land wildlife habitat, fair potential to support woodland wildlife habitat, and very poor potential for wetland wildlife habitat.

  Soils with slopes greater than 18% should be preserved as a scenic resource. The potential for soil erosion is severe and these soils are better suited for natural woodland and scenic preservation. (See Figure A.5 – Soil Erodibility.)

- **Upland Soils** – Soils in the upland areas of the Critical Area are varied. In general, slopes are flat to gently rolling and the woodlands which once covered them have been cleared for cultivation. The predominant soils in the upland areas include: Verndale sandy loam, acid substratum, 0 to 2% slopes (D6A); Hubbard loamy sand, 0 to 2% slopes (D7A) and 2 to 6% slopes (D7B); Lester loam, morainic, 6 to 12% slopes, eroded (L22C2) and 12 to 18% slopes, eroded (L22D2); Le Sueur loam, 1 to 3% slopes

Figure A.4

Steep Slopes

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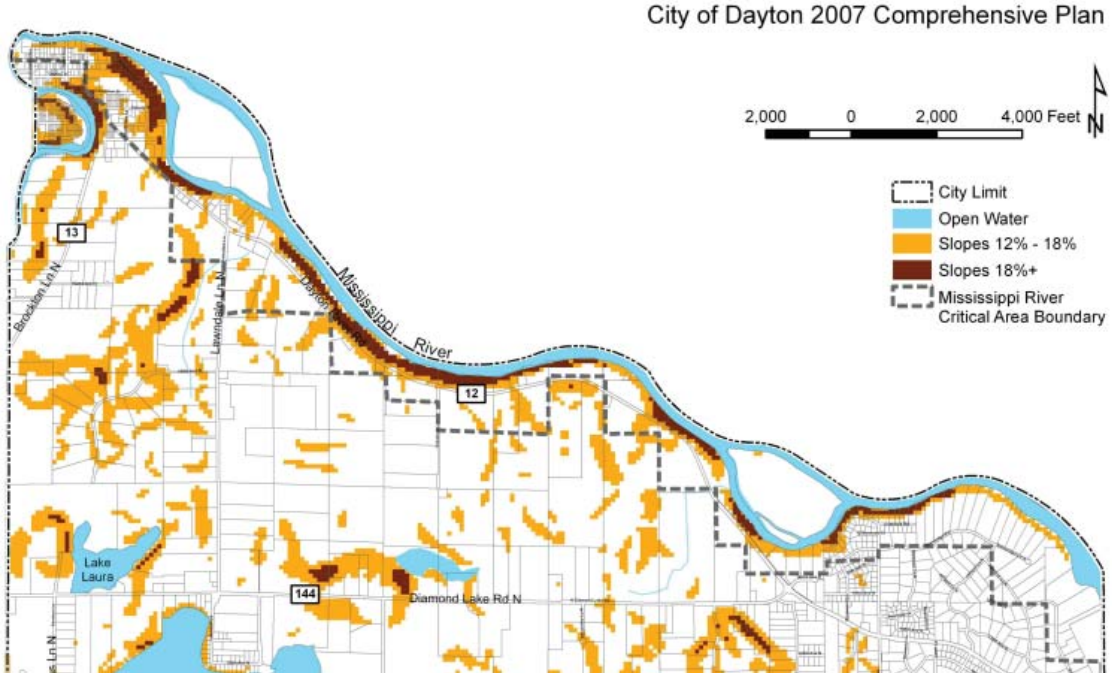
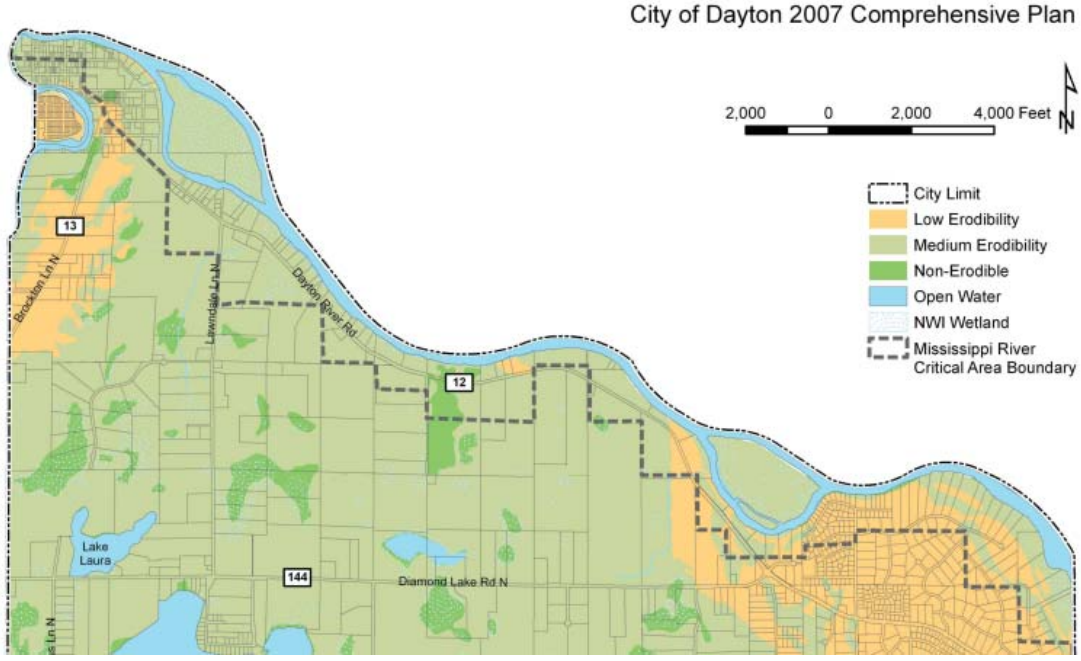


Figure A.5

Soil Erodibility

City of Dayton 2007 Comprehensive Plan



(L25A); Hamel overwash-Hamel complex, 1 to 4% slopes (L36A); and Angus loam, morainic, 2 to 5% slopes (L37B). The Verndale and Hubbard soils are found on stream terraces and their parent material consists of outwash. The Lester, Le Sueur, and Angus soils are found on moraines and their parent material consists of till. The Hamel overwash soil, comprising 50% of the Hamel overwash-Hamel complex, is also found on moraines while the Hamel soil (43% of the complex) is found on drainageways within the moraines. The parent material for the Hamel soils is colluvium over till. The suitability of these soils for specific uses is discussed below.

...the Lester 6 to 12% slope soil is considered somewhat limited for the construction of dwellings with and without basements...

The verndale and Hubbard soils are not limited for and are considered well suited for the construction of dwellings (with and without basements) and small commercial buildings. The Hubbard soils also have no limitations for local roads and streets, while the Verndale soil is considered somewhat limited due to the potential for frost action. Because of slope and shrink-swell potential, the Lester 6 to 12% slope soil is considered somewhat limited for the construction of dwellings with and without basements; it is considered very limited for the construction of small commercial buildings and local roads and streets. The Lester 12 to 18% slope soil is considered very limited due to slope and shrink-swell potential for the construction of dwellings and small commercial buildings; it is considered very limited as the location for local roads and streets due to slope, low strength, shrink-swell potential, and frost action. The Le Sueur soil is somewhat limited for the construction of dwellings without basements and small commercial buildings. It is considered very limited for the construction of dwellings with basements due to the depth to the saturated zone and very limited for this reason as well as frost action, low strength, and shrink-swell potential for the construction of local roads and streets. The Hamel and Angus soils are very limited for the construction of roads and streets. The Hamel overwash soil is somewhat limited for the construction of small commercial buildings and dwellings without basements; it is very limited for the construction of dwellings with basements due to the depth to the saturated zone and shrink-swell potential. The Hamel soil is considered very limited for all of these uses. The Angus soil is very limited for the construction of roads and somewhat limited for the construction of dwellings and small commercial buildings.

All areas of the Le Sueur and Angus loam soils are considered prime farmland. The Hamel overwash-Hamel complex is considered prime farmland if drained. The Verndale sandy loam and Lester loam 6 to 12% soils are considered farmland of statewide importance.

The Verndale soil has no limitations for recreational uses of camping areas, picnic areas, playgrounds, paths, and trails. The Hubbard, Le Sueur, and Hamel overwash soils are considered somewhat limited for these uses because of sandiness (Hubbard), depth to saturated zone (Le Sueur and Hamel overwash) and/or slow water movement (Hamel overwash). Slope is also somewhat of a limiting characteristic for playgrounds in the Hubbard 2 to 6% slope soil. The Angus soil has no limitations for camping areas, picnic areas, paths, and trails, but is somewhat limited for playgrounds due to slope. The Hamel soil is very limited for all of these uses due to the depth of the saturated zone and slow water movement. Neither of the Lester soils has any limitations for the construction of paths and trails. The Lester 12 to 18% slope soil is very limited for construction of camping areas, picnic areas, and playgrounds due to slope. Also due to slope, the Lester 6 to 12% slope soil is somewhat limited for the construction of camping and picnic areas and is very limited for the construction of playgrounds.

All of the upland soils are suitable as woodland, but depending on their characteristics, different

tree species may be more easily sustained. The Lester loam and Angus soils are suitable for American cranberry bush, common chokecherry, American plum, white spruce, eastern white pine, green ash, silver maple, and eastern cottonwood. The Le Sueur loam and Hamel overwash soils are also suitable for these tree species as well as redosier dogwood, common hackberry, and northern red oak. The Hubbard loamy sand soils are suitable for common chokecherry, northern white cedar, American basswood, green ash, white spruce, red pine, jack pine, silver maple, eastern white pine, and eastern cottonwood. The Verndale sandy loam soil is suitable for tree species such as American plum, common chokecherry, eastern white pine, green ash, silver maple, and eastern cottonwood. The Hamel soil would support American cranberry bush, redosier dogwood, American plum, common hackberry, eastern white pine, green ash, silver maple, and eastern cottonwood.

The Hamel overwash and Le Sueur soils are considered to have good potential to support habitat for open-land and woodland wildlife,...

The Hamel soil is considered to have good potential to support habitat for open land, woodland, and wetland wildlife. The Hamel overwash and Le Sueur soils are considered to have good potential to support habitat for open-land and woodland wildlife, but poor potential for wetland wildlife habitat. The Verndale, Lester, and Angus soils are also considered to have good potential to support open land and woodland wildlife habitat but very poor potential to support wetland wildlife habitat. The Hubbard soils have good potential to support open-land wildlife habitat, fair potential to support woodland wildlife habitat, and very poor potential to support wetland wildlife habitat.

- **Soil Suitability for Urban Development On-Site Wastewater Disposal** – The Critical Area guidelines require that cities within the Critical Area boundary inventory soils with respect to their suitability to support urban development wastewater systems. There are a number of options for on-site sewage disposal, one of which is an in-ground septic system. The feasibility of an in-ground septic system for a particular site is directly related to the soils that are present. Factors that affect the suitability of a soil to support on-site wastewater treatment include soil permeability, depth to water table, depth to bedrock, etc. Figure A.6 – Soil Limitations for On-Site Septic Systems depicts the locations of soils with varying degrees of limitations for the operation of an in-ground septic system.

  Within the Critical Area, the soils with slight limitations are concentrated in the southeastern part of the River Corridor, in the area of existing residential development. The rest of the Corridor, including the Historic Village Area, primarily contains soils with moderate and severe limitations. Because mapped soil units can contain smaller inclusions of other soils with different characteristics, the map is meant to provide general guidance. An on-site evaluation would be needed to accurately assess the feasibility of a specific site to support the use of an on-site waste disposal system. It should be noted that ultimately the City anticipates that all developed and developing parcels will be served by the municipal sanitary sewer system. Thus the suitability of a site for septic facilities is not as relevant as it once was.

Vegetation

The presence of significant vegetation in the Dayton corridor has been reduced from the original "Big Woods" hardwood forest and prairie that existed prior to settlement and cultivation. Remnants of these communities persist along the steep slopes of the Critical Area. A view of the bluffs and islands as they may have looked to the early settlers from the River is preserved by the presence of remaining natural vegetation. Natural and semi-natural areas within the Critical Area are depicted on Figure A.7 – Natural and Semi-natural Areas. The quality of these areas is depicted on Figure A.8 – Significant Vegetative Stands.

Planting and land management efforts in the Mississippi River Critical Area should focus on restoration of native habitat to help preserve and enhance ecological function within the Mississippi River corridor. While conditions at a specific site and available resources play an important role in deciding the type of plant community to restore, the pre-settlement vegetation of the area provides valuable guidance. Broadly speaking, this suggests restoration towards a Big Woods forest community along upland areas within the western half of the Critical Area and aspen-oak land and prairie communities within the eastern half. Floodplain forest, lowland hardwood forest, and a variety of wetland types are appropriate in lowland areas depending on soils and hydrologic regime.

Figure A.6

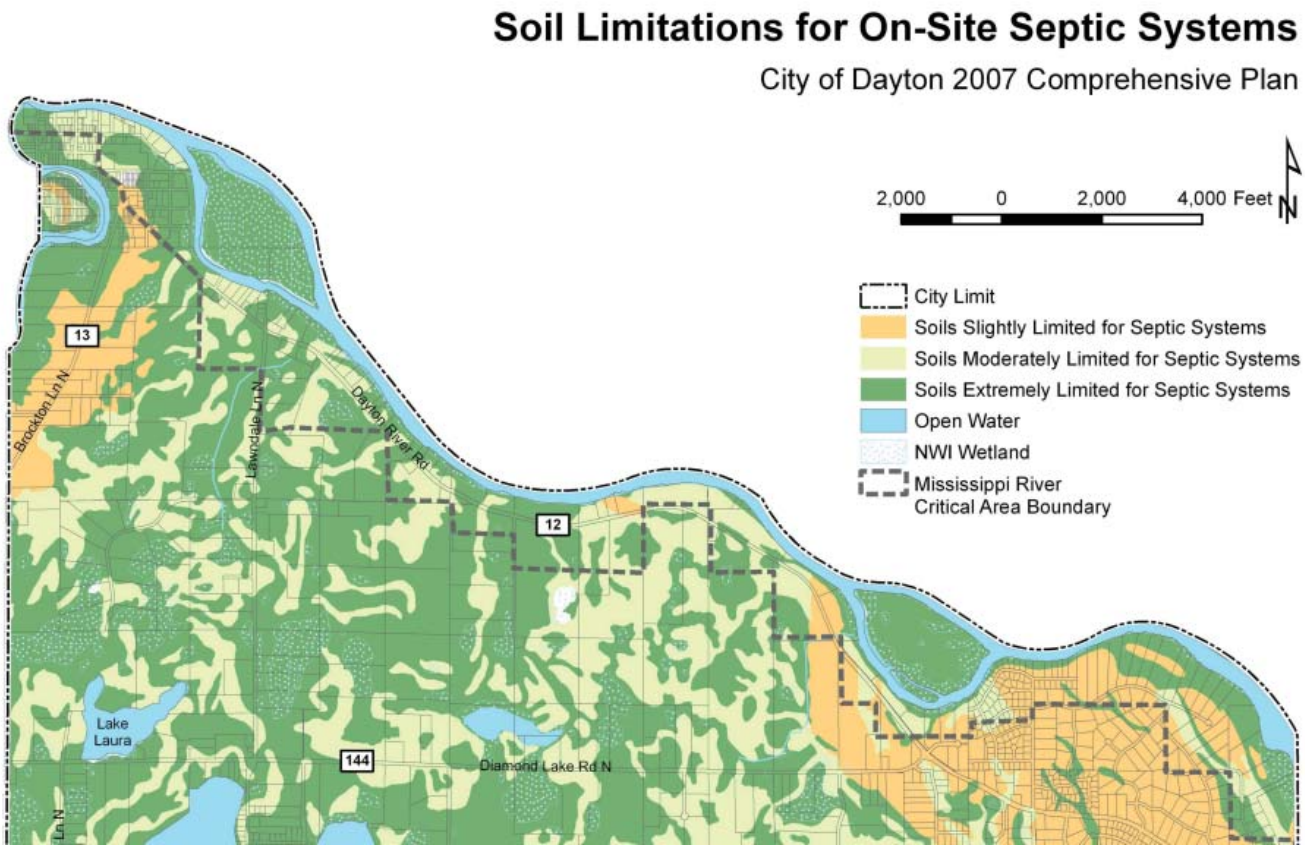
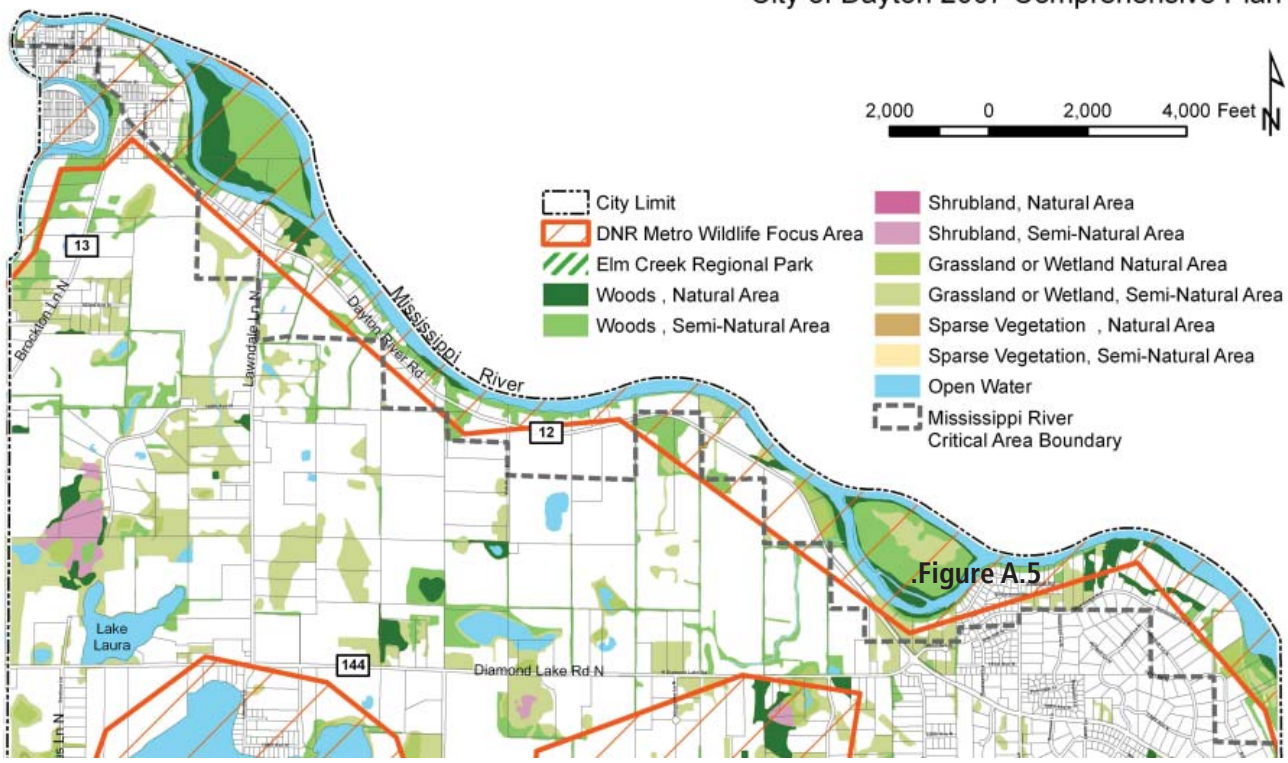


Figure A.7

Natural and Semi-Natural Areas

City of Dayton 2007 Comprehensive Plan

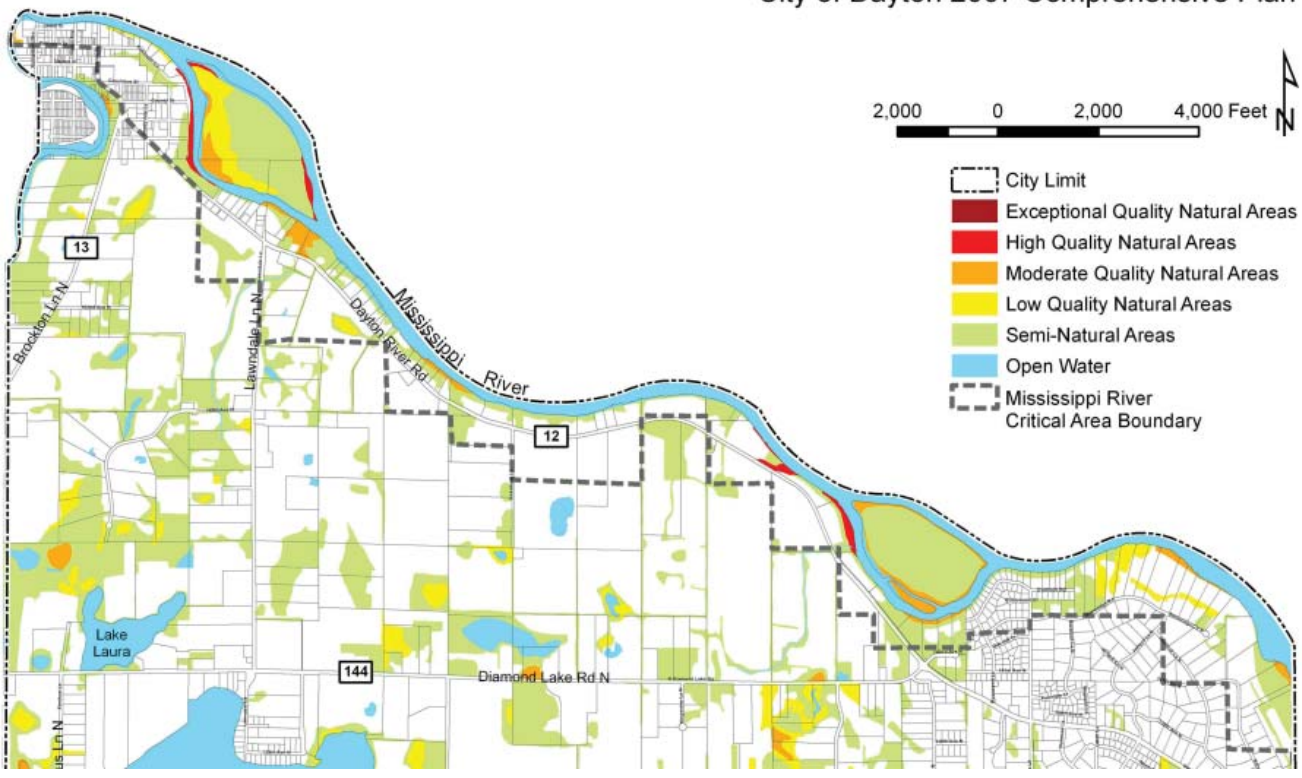


.Figure A.5

Figure A.8

Significant Vegetative Stands

City of Dayton 2007 Comprehensive Plan



General vegetation within the Critical Area based on landscape position is described below.

- **Floodplain Vegetation** – Floodplain vegetation consists of wetland cover, pasture, lawns, and woodlands. The woodlands comprise the majority of the vegetation along the banks of the River and consist of cottonwood, ash, soft maple, hackberry, elm, willows, and elders.

- **Woodland Growth** – Woodland growth is related directly to soil type. Management of Dayton's woodland and other floodplain vegetation should consider the suitability of the soils, the hydrologic regime, and the pre-settlement plant community. Because of the hazard of flooding and due to presence of soils having low available moisture capacity, replenishment of woodlands in soils subject to flooding hazards is moderately successful. Soils which are flooded less frequently have a better than average chance of supporting new growth. Adequate regeneration of native trees may be hampered by severe competition from brush and undesirable trees. Consequently, intensive site preparation and maintenance may be required for the establishment of a desired species.

- **Steep Slope Vegetation** – Vegetation on the slopes generally consists of woodlands and pasture. Slopes over 12% are north-to-northeast facing that provide a localized climate that is more moist and cool than level areas and is also protected from hot, dry summer winds. These areas sustain mixed elm, basswood, ash, oak, maple, poplar, and birch trees. At the eastern part of Dayton, a significant growth of cedar trees has become established on the pastured slopes.

- **Upland Vegetation** – The upland portion of the Dayton Critical Area is devoid of significant areas of natural vegetation. Much of the area is cultivated and supports row crops, hay, or pasture. Other parts of the area are developed and support lawns, cultivated shrubs, and domestic trees. The important species of large established trees in the sandy soils are white oak and bur oak. Regeneration of these trees is most severely limited by soil erosion.

  Important native tree species that may be found in the loamy clayey soils are basswood, sugar maple, red oak, and white oak. Natural regeneration of these species is hindered by competition from grass and brush.

- **Wetland Vegetation** – Wetlands in Dayton serve two important hydrologic functions. The first is to collect, store, and treat stormwater runoff. The second function is to recharge the groundwater. In addition to the hydrologic functions, the wetlands provide natural resource habitats, open space, and recreation areas. In view of the values that are and can be derived from the wetlands, preservation of them is paramount.

  According to the National Wetland Inventory, a number of wetlands varying in size are present within the Critical Area. Wetland areas are shown on Figure A.1 – Hydrology Inventory. The wetland acreage within the Critical Area is approximately 158 acres. The largest wetland is located in Goodin's Island and consists of willow and alder shrubs, willow trees, aspen elms, and cottonwoods. An associated wetland located on the shore opposite the island contains cottonwood and willow trees. This vegetation is typical of other smaller wetlands located in the bottomland areas of the River with the exception of a wetland area at the eastern edge of Dayton, which includes reed canary grass (an undesirable species) and willow. In addition there are small areas of wet prairie inclusions, as identified in the 2003 NRI, on Cloquet Island.

  Three other wetlands, ranging in size from approximately one to five acres, are located south of Goodin's Island and contain reed canary grass, willows, and wet meadow.

Wildlife

The presence of wildlife in the Critical Area is strongly influenced by three factors: habitat, native range, and land use patterns. The principal species that are found in Dayton are ring-necked pheasant, various

species of waterfowl, muskrat, mink, gray squirrel, fox squirrel, and white-tailed deer.

- **Floodplain Wildlife** – The floodplain areas harbor all of the principal species. In addition, sport fishes such as Northern Pike, Walleyed Pike, and Panfish provide good fishing. In the backwater areas, especially around the islands, numerous soft-shelled turtles may be seen sunning themselves on logs and driftwood. A small deer population frequents the lowland area at the northeastern part of the Dayton Critical Area corridor.

- **Upland Wildlife** – Ring-necked pheasants are perhaps the most notable of the principal species found in the upland areas. Their population is affected by the amount of available vegetative cover found in roadside ditches, field borders, and farmstead windbreaks. Pheasants as well as other wildlife can be maintained and even increased by practicing conservation methods such as crop rotation, strip planting, improvement of cover areas, and provision of a variety of cover that is attractive and beneficial to wildlife.

Cultural/Historic Features

The Mississippi River through Dayton was declared "wild and scenic" by designation of the Commissioner of Natural Resources pursuant to the authority of the Minnesota Wild and Scenic Rivers Act of 1974.

- **Scenes and Vistas** – Scenes and vistas within the Critical Area are diverse. The largely undeveloped floodplain and wooded bluffs offer a pleasant natural scene, the rural upland area is characterized by scattered woodlots and agricultural lands, and the Historic Village preserves the historic architecture and small town atmosphere valued by Dayton residents. Some of the best vistas available to the public can be had from the River itself. The broadness of the channel, which varies from 600 to 1,000 feet, offers open, expansive views of water, islands, bluff, and sky that can be held in a choice of arrangements from an unlimited number of vantage points. Other vistas are available to the public from the Great River Road (County Road No. 12 or Dayton River Road). Striking views of the River are noted; one is the overlook at the upstream end of Cloquet Island, another is the overlook of the confluence with the Crow River, and a third is a view of Goodin Island from the MnDNR land in the Old Village. The confluence may be viewed from the public access area below the bridge. Another view from the River's edge is available nearby at the Riverside Park located in the Historic Village.

- **Specific Points of Interest** – Scenery along the River is not limited to the grand views and vistas only, but is also found in specific sites such as those that follow:

  1. St. John the Baptist Church located in the Historic Village presents a striking scene. Situated on a hill overlooking the village, this landmark dominates the surrounding landscape.

  2. Islands in the River are eternal points of interest. Their isolation from the shoreland is the primary reason for their scenic attractiveness. Another reason is that frequent flooding has prevented development and has left the islands relatively undisturbed.

  3. Steep walled ravines carved by the intermittent streams along the River provide a scenic recluse from the broad watercourse. These glens are profuse with summer vegetation and offer an angular terrain that gives variety to the bluff scene.

  4. Isolated stands of vegetation and concentrations of wildlife are specific points of interest that occur at many points along the River. Overhanging boughs, which arch gracefully from the bank, offer scenery to the canoeist or boater. The backwater areas, especially near the two large islands, are a change of scene that provides closeness of vegetation and a sense of seclusion. Colonies of soft-shelled turtles, also found in the backwater areas, direct attention to the driftwood shapes and protective cover that form but a part of the larger scene.

5. Several large farms are prevalent within the River Corridor. This rural character is a part of the community image of Dayton and even after economic conditions make farming unfeasible, the rural character of Dayton will be preserved.

6. Dayton River Road is part of the Great River Road route. The Great River Road is a 1,000 mile long designated route adjacent to the Mississippi River from the headwaters to the Gulf of Mexico. The goals for the Dayton portion of the Great River Road include scenic values, open space preservation, and historical and cultural interpretation.

- **Historic/Archeological Features** – The City of Dayton has a lengthy history, which remains present, particularly in the Historic Village that is located in the northwestern portion of the Corridor. Several buildings within the Village are historically significant. In addition to historic sites, Dayton also contains archeologically significant sites. A list of Historic Sites and Archeological Sites by site location is provided in the Appendix Section.

LAND USE

EXISTING LAND USE

Existing land uses within the Critical Area are primarily residential, agricultural, and public. Some commercial and public/institutional uses are located in the Historic Village area. Figure A.9 – Existing Land Use Inventory depicts these uses within the Corridor. For a description of the land use categories, please refer to Chapter 4 – Land Use. Current zoning within the Corridor is shown on Figure A.10 – Zoning Map

In 2008, the majority of the Corridor is developed with single family and rural residential uses and park and recreation uses. Only 28.36 acres are vacant. The eastern portion of the Corridor contains the "Guided Area" which consists of large lot (2½ to 5 acres) single-family and rural residential homes. The central portion of the Corridor consists of large lot (5 to 10 acres) rural residential homes, agricultural lands, and park and recreation areas. The Historic Village is located at the western end of the Corridor and contains approximately 135 homes on smaller lots (6,000 square feet to 24,000 square feet), commercial, public/institutional, and park and recreation uses.

Public roadways constitute a significant land use within the Corridor. County Road 12 (Dayton River Road) approximates 45 acres of use within the Corridor. The remaining public roadways exist within the Historic Village and within the eastern "Guided Area" residential subdivisions. The Transportation Plan within the Corridor is shown on Figure 8-1Transportation Chapter.

The only above-grade utility crossing within the River Corridor is the Conexus power line, which crosses the River approximately one-half mile east of the River's Bend residential subdivision. There is a sanitary sewer forcemain crossing under the Crow River that may extend within the boundary of the Critical Area. In the Historic Village Area, there are sanitary sewer, water supply, and storm sewer utilities, as well as private utilities (telephone, natural gas, etc.). Private and public utilities are also present within the River's Bend development. The newly constructed sanitary sewer and water supply utilities in the River's Bend development are anticipated to be in service during the fall of 2008. Public and private utilities are planned to be extended to all developed and developing properties eventually.

Water transportation is relatively non-existent beyond canoeing and some recreational boating. There are no barge slips located within the Critical Area Corridor as it passes through Dayton. The water level of the River is too shallow during the majority of the year to allow safety in such activities. A MnDNR boat landing is located in the Historic Village at the confluence of the Crow and Mississippi Rivers. The landing is used by canoeists and for fishing. As mentioned above, water surface usage is relatively limited within the River Corridor in Dayton. It has been the intent of Dayton to maintain this status in order to promote the preservation of the River in its existing state. Currently little erosion is taking place within the Dayton River Corridor, a problem which has plagued many other communities along the River. Recreational water usage within the River Corridor in Dayton has caused some conflict with too much water traffic, noise, etc. related to motorized personal watercrafts. The City of Dayton is looking into possible solutions for these conflicts.

Figure A.9

Existing Land Use Inventory

City of Dayton 2007 Comprehensive Plan

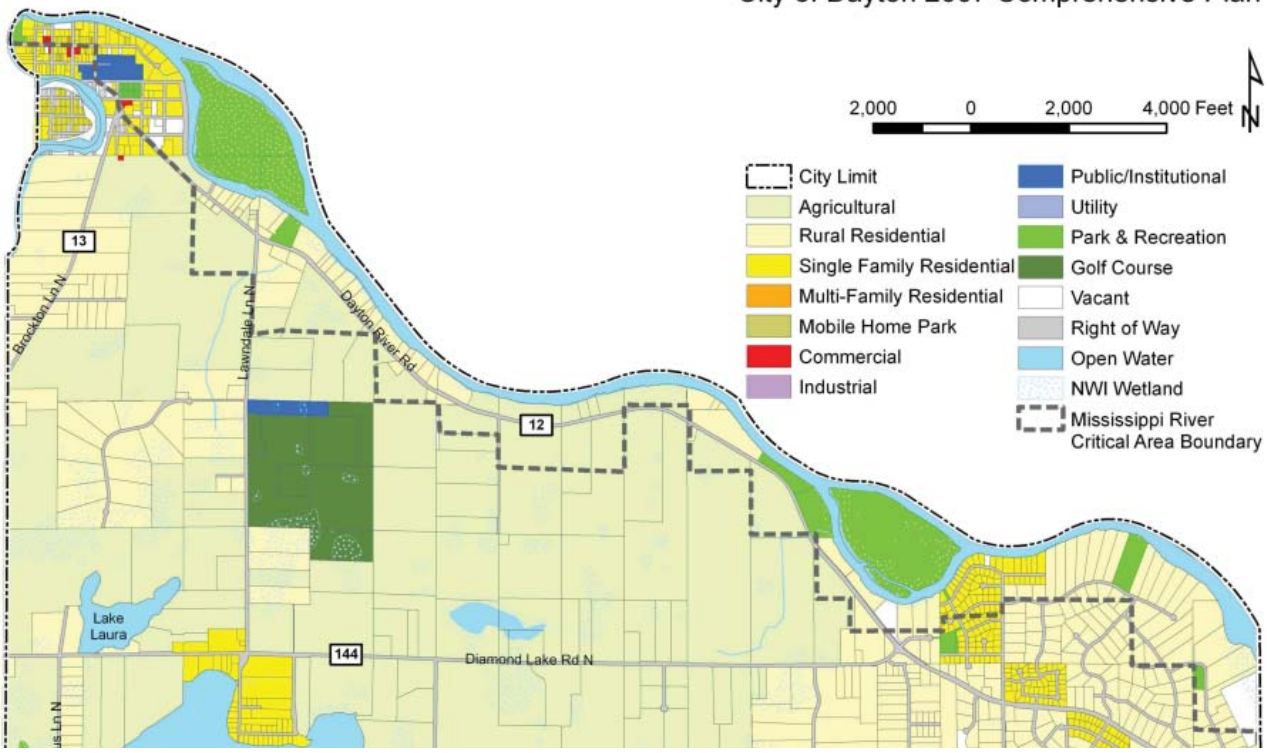
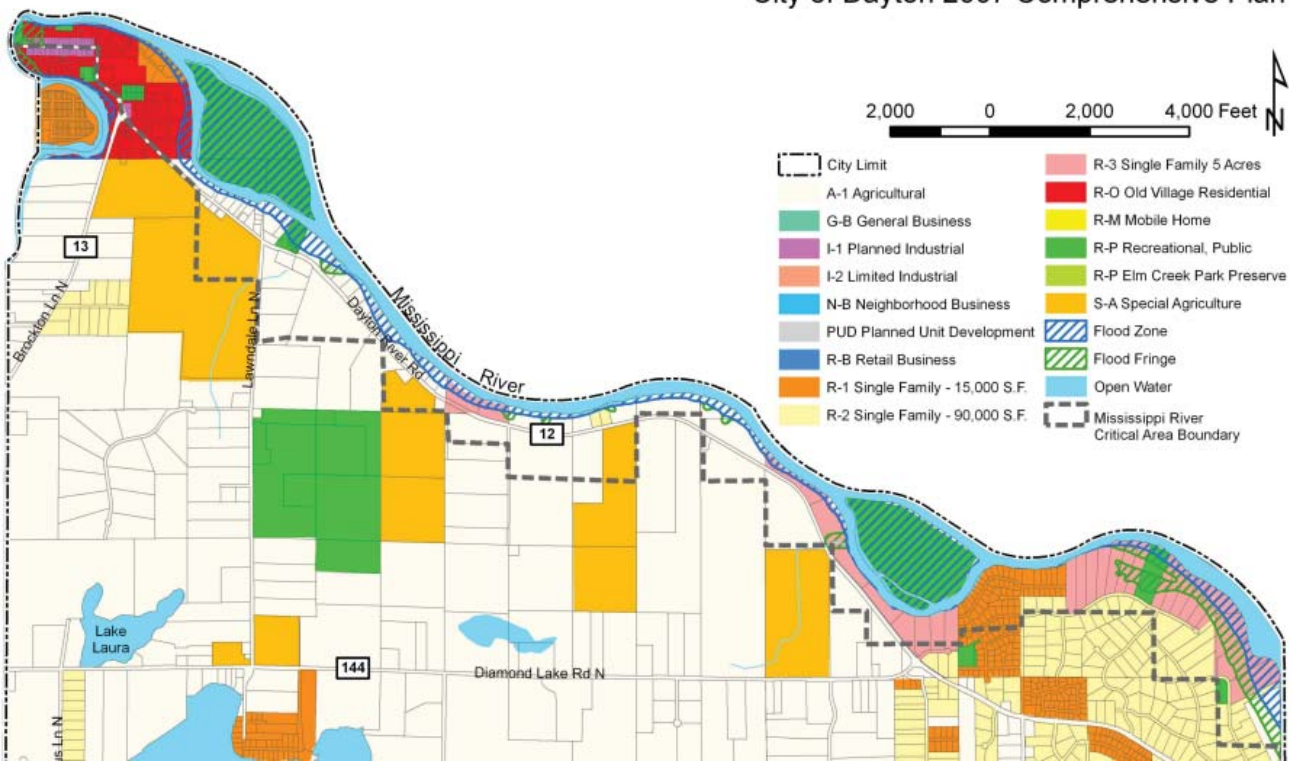


Figure A.10

Zoning Map

City of Dayton 2007 Comprehensive Plan



DENSITY AND PHASING

Dayton is in transition from a rural individual septic system land use to development based on connection to sanitary sewer treatment and municipal water supply. That transition is anticipated to occur in a phased manner over the next 20 years. (See the Dayton Figure A.11 – Trunk Storm/Water System.) The City has planned for land uses based on extension of sanitary sewer within the Critical Area (See Figure A-12- 2030 Future Land Use).

Municipal services are available to portions of Dayton within the Critical Area. A joint sanitary sewer project with Otsego was completed and now provides sanitary sewer service to the Historic Village. The newly constructed sanitary sewer and water supply utilities in the River's Bend development are anticipated to be in service during the fall of 2008. Public and private utilities are planned to be extended to all developed and developing properties eventually.

...the City's goal is to have an average density of approximately one dwelling unit per acre for the Critical Area...

In areas currently not served with municipal services, regulations limit residential density north of Dayton River Road to minimum five-acre lots, except in the Historic Village where 15,000 square foot lots are allowed. The five-acre minimum lot size is an appropriate means for preservation of portions of the Corridor until sanitary sewer is available. When municipal services are available (currently being extended), the City's goal is to have an average density of approximately two dwelling units per acre for the Critical Area outside of the Historic Village. (See Figure A.12 – 2030 Future Land Use.) Future residential development will be required to meet the Wild and Scenic Designation rules requiring 20,000 square foot lots in the Critical Area or smaller lot cluster development that maintains at least 50% open space.

Limited mixed-use development is proposed within the Corridor to be provided at future transportation nodes south of Dayton River Road in order to promote economic sustainability of the Dayton River Corridor, provide a variety of housing types and housing prices, and provide for increased access to the River Corridor for residents, employees, and visitors. At the time that sanitary sewer and municipal water utilities are extended, proposed ordinance amendments will require approval for Critical Area by the DNR, following review by the Metropolitan Council. The city will also update the zoning map to maintain consistency with the 2030 FLU.

New developments shall preserve the open and scenic characteristics, views and vistas throughout the River Corridor,...

Specific setbacks and performance standards for the Historic Village may be proposed to be amended to reflect access to municipal services and the existing lot configurations and to encourage a redeveloped mixed use, intimate scale village setting. The City will work with landowners and developers to ensure that new development and additions comply with corridor policies and subsequent DNR-approved zoning regulations. New developments at densities reflected in the land use plan shall preserve reasonable open and scenic characteristics, views and vistas throughout the River Corridor, and shall protect the natural characteristics and ecological framework of the Corridor.

Figure A.11

Trunk Storm/Water System

City of Dayton 2007 Comprehensive Plan

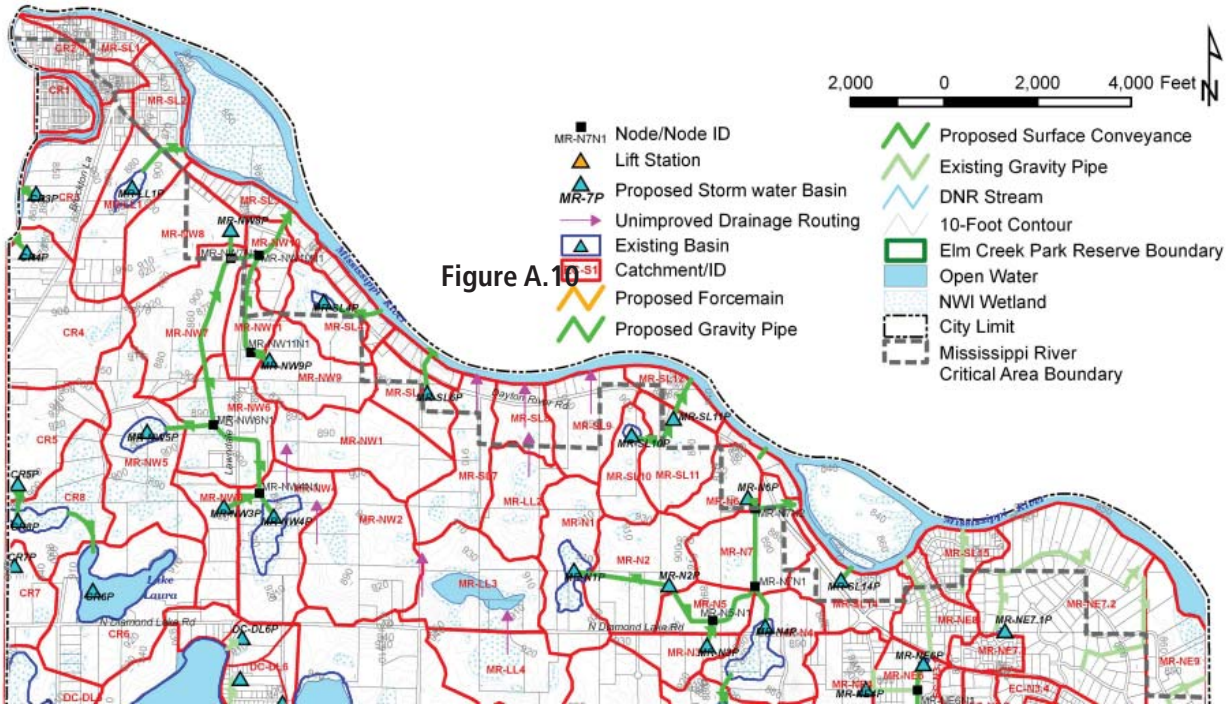
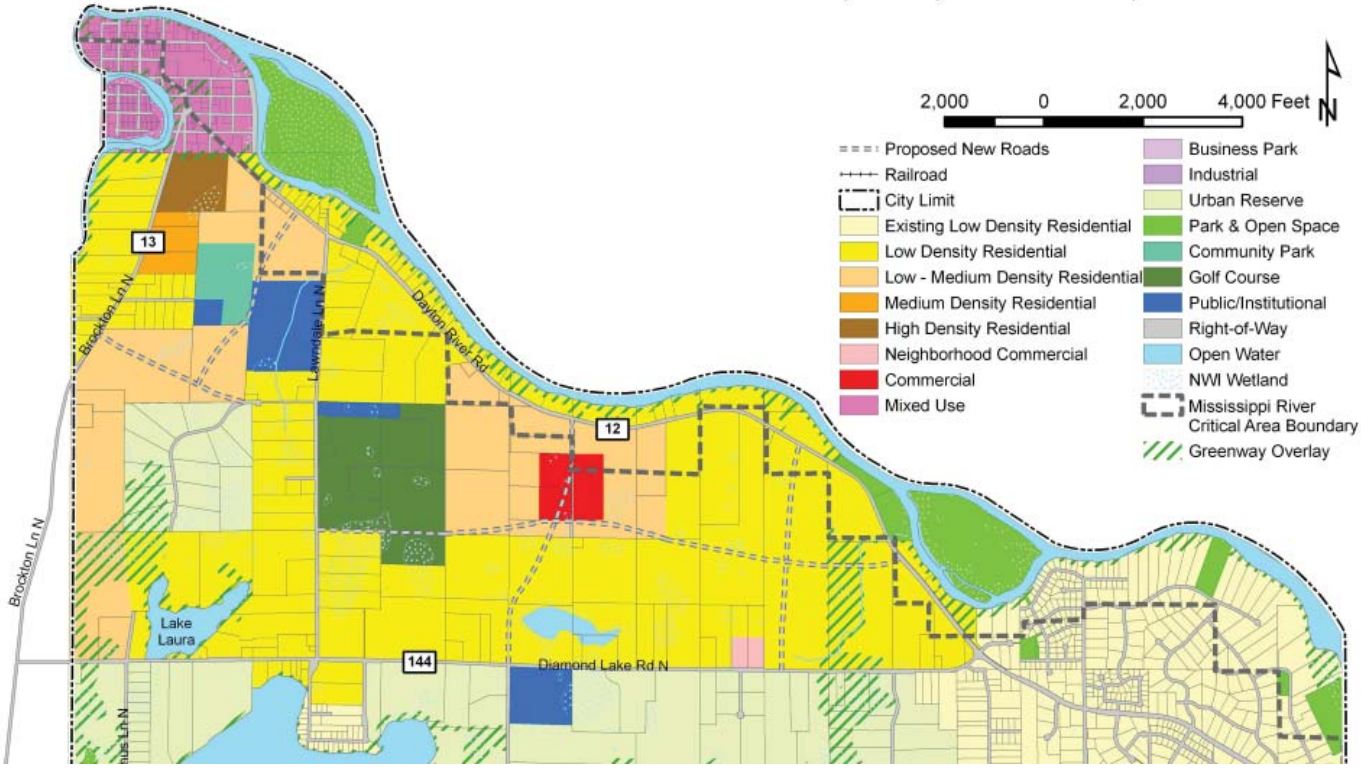


Figure A.10

Figure A.12

2030 Future Land Use

City of Dayton 2007 Comprehensive Plan



FUTURE LAND USE

The following policies were developed to guide future land use decisions and growth within the Mississippi River Corridor:

- The City of Dayton will maintain and promote the diversity of development within the River Corridor including, where appropriate, residential, public open space, and limited commercial.
- The City of Dayton will conserve and protect all cultural and natural resources of the Corridor including historic, recreational, mineral, and economic resources.
- The open and scenic character of the Corridor shall be preserved through the careful planning of allowable residential, mixed use, and open space development.
- Natural and ecological systems of the rural open space within the Corridor shall be preserved.
- Existing islands within the Corridor shall be preserved and managed as open space.
- Existing developments shall retain and preserve vegetation on site to prevent riverbank erosion and preserve sensitive resources.
- Sites of historical and natural interest shall be preserved and access shall be promoted to these sites for the enjoyment of residents, if appropriate. Where development and access would affect a historical or archeological site, the appropriate special interest groups shall be notified to work together with the City in development decisions. See the Land Use chapter for Minnesota Historical Society listing of architecture and history inventory.
- Development along the River Corridor shall remain primarily for residential uses, parks, and open space. New or expanded development not within these parameters shall be limited and shall only occur at the designated commercial and mixed use areas of the Dayton Land Use Plan and only when sanitary sewer service is available. Industrial land use within the Critical Area will not be allowed.
- Designated parks and open space within developed areas along the Corridor shall be protected and enhanced to preserve natural and scenic elements and to promote recreational use by residents.
- Residential developments shall be promoted to provide for permanent open space within the River Corridor and protect views and access to the River.
- State, federal, and local laws shall be followed in all land use determinations, including Metropolitan Council's Regional Blueprint and the Metropolitan Council's Water Resources Management Policy Plan, City Shoreland, Floodplain and Zoning Ordinances, Critical Areas Act, Wild and Scenic Rivers Act, Minnesota Pollution, Control Agency requirements, and the Wetland Conservation Act.
- The existing Old Village shall be revitalized and redeveloped as a mixed-use village with a mix of housing types and "main street" commercial uses.
- New commercial uses will be allowed at nodes designated in the Land Use Plan. Off-street parking and access drives shall be designed so as to limit direct access to Dayton River Road.

Figure A.12 – 2030 Future Land Use depicts the location of land uses projected for the year 2030. See Chapter 2 for the definitions of land use categories and related densities. Table A.3 – Land Use below presents the acreages for each land use category proposed within the Mississippi River Critical Area.

Table A.3- Land Use

2030 Land Use Plan	Gross Acres	Net Acres
Existing Low Density Residential	205.34	193.51
Low Density Residential	281.42	260.21
Low-Medium Density Residential	102.61	102.06
Commercial	4.52	4.52
Mixed Use	70.81	65.97
Park and Open Space	212.62	93.37
Open Water/River Corridor	329.67	329.67
Wetland	(included within above categories)	157.68
Total	**1,206.99**	**1,206.99**

LAND USE CATEGORY DESCRIPTIONS

The **Existing Low Density Residential** development category is in the southeast part of the Critical Area and includes larger lot residential development as well as the more recent River's Bend development.

Low Density Residential development is proposed for most of the land in the central part of the Corridor including portions that are currently in agricultural use.

Low-Medium Density Residential is proposed south of and adjacent to Dayton River Road in two areas of the Corridor. One is southeast of the Historic Village and the other is in the central part of the Critical Area.

Commercial development is proposed for only a small area of the Corridor, south of Dayton River Road at a future transportation node.

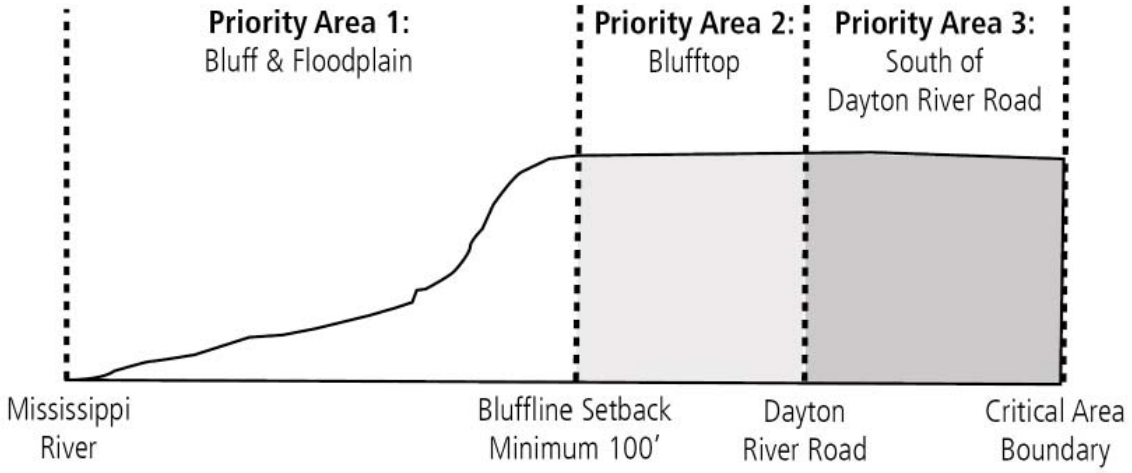
The **Mixed Use** category is proposed for the Historic Village area. This designation more closely follows current land uses within the Historic Village and supports the City's efforts at future redevelopment of the area.

Park and Open Space areas are proposed for Goodin Island and Cloquet Island, several parcels along the River, and a few parcels within the existing residential development in the southeast part of the Critical Area.

The **Open Water/River Corridor** shall consist of three different priority areas for the purpose of land use based on the proximity to the River and the sensitivity of natural resources. (See Figure A.13 – River Corridor Priority Areas.) Critical Area Ordinances concerning land use will be proposed to the DNR according to these priority areas and thus may vary depending on the location within the Corridor.

Figure A.13

River Corridor Priority Areas



Priority Area 1 (Bluff and Floodplain) – Priority Area 1 is the area below the bluff line setback. This priority area shall be preserved to protect the natural, ecological, and scenic properties of the Corridor. New development will not be allowed within Priority Area 1.

Priority Area 2 (Bluff =top) – Priority Area 2 is between the bluff line setback and Dayton River Road. (This area will remain consistent with this definition regardless of the alignment of Dayton River Road.) This area shall have strict ordinances regulating development, including, but not limited to, slope and vegetative protection, protection of vistas and open space, and preservation of natural systems. Natural resource preservation is consistent for all three areas.

Priority Area 3 (South of Dayton River Road) – Priority Area 3 is between Dayton River Road and the Critical Area Boundary. Proposed Critical Area Ordinances for Priority Area 3 shall allow for more development than both Areas 1 and 2 because of the distance to the River and the dividing line of the road. In general, density will be shifted from Areas 1 and 2 and into locations in Area 3 where suitable environmental and access conditions support more intense uses. Since the road acts as a barrier between Priority Area 3 and the River, and the distance is not conducive to providing vistas, different codes shall apply to this section relating to views. However, strict natural resource protection, erosion control, and re-vegetation will still be enforced within Area 3.

SITE DESIGN

All site alterations within the Corridor shall be minimized to preserve sensitive resources and prevent riverbank erosion. All new or expansion development plans within the Dayton River Corridor shall be submitted for review and approval. The review of development plans will follow the guidelines set forth within this chapter and the corresponding ordinances. Exceptions to this review include modifications to existing single-family homes and the construction of one new single-family home on a platted lot which meet all City Code requirements (setbacks, etc.).

Policies related to site plan review are as follows:

- Submitted site plans shall include all detailed and pertinent information in regard to the location of proposed development, physical characteristics of the site, detailed design of all plan elements, and construction management process in order to minimize impacts on sensitive resources. A detailed list of required submittals is provided within the zoning code and ordinances relating to site plan approval.

- New development and expansion will be permitted only after approval of required site plans that adequately assess and minimize adverse effects and maximize beneficial effects.

- Site plans submitted for approval shall include only plan elements (structures, landscaping, roadways, etc.) that are in accordance with the performance standards set forth in this chapter and in corresponding ordinances.

- Preferred site plans will include the clustering of structures in order to promote open space and open views of the Corridor and to preserve sensitive resources. For more information concerning clustering, please refer to Chapter 4 – Land Use.

- Preferred site plans will preserve existing vegetation, minimize vegetative cutting of existing trees, and include new native species plantings within the Corridor to improve scenic quality, to screen visually intrusive elements, to provide habitat and increase biological diversity, and to minimize erosion.

- New (including modification or construction of a single family residence) development within the Critical Area shall be consistent with the reasonable preservation of the view of the River Corridor from other properties, from the river, and by the public. New development will be required to either dedicate the land below the bluff line to the public or place a conservation easement over the floodplain and bluff area.

- All plans submitted and approved shall comply with on-site sewage system standards, and shall be permitted only if within the approved density outside of the Metropolitan Urban Services Area (MUSA) designation in order to prevent premature need for additional utility provision.

- Site plans shall avoid impacting existing cultural and natural resources. When necessary, the State Historic Preservation Office (SHPO) will be consulted for review of plans.

- All site plan reviews require the submittal of a drainage and erosion control plan and new development shall also be required to submit a stormwater management plan for review. Plans will be required to be consistent with the City's Surface Water Management Plan, the Metropolitan Council stormwater requirements, and Critical Area requirements.

- When necessary, permit notification shall be provided to the MnDNR.

NON-CONFORMING USES

The City will work with owners of existing non-conforming uses and uses with non-complying characteristics (setbacks, structure in the floodplain, etc.) to bring the uses into conformance. When conformance is not possible, the City will evaluate options such as acquisition and removal, acquisition and modification, actions to reduce the non-complying characteristics, and actions to mitigate or screen the non-complying features. When greater than 50% of market value of the non-conforming use is destroyed, reconstruction of the use will be prohibited.

Owners of non-conforming uses and uses with non-complying characteristics may not take actions to increase the degree of non-conformance or non-compliance.

MNRRA POLICIES

SPECIFIC RIVERFRONT POLICIES

The Riverfront is the area below the bluff line to the River's edge. The following policies were developed to manage this area. The intent of Dayton's riverfront policies is to preserve and protect the existing floodplain and bluff through a combination of acquisition, conservation easements, and regulations.

- Land use within the riverfront will be conservation related, with the exception of existing uses within the Historic Village area. New development will not be allowed to front directly on the River. Commercial renovation may occur within the Historic Village.

- The location of stormwater discharge points and utility crossings will be limited to the extent possible along the riverfront.

- Industrial, mining, extractive, and other similar uses will not be allowed within riverfront.

- Within 100 feet of the shoreline, minimal disturbance will be allowed and setbacks will be enforced, and where appropriate, native vegetation will be implemented. Additional restrictions will be enforced within a protection zone of 40 feet from the shoreline. Water access such as steps and docks will be evaluated on a case-by-case basis. Any development within 40 feet of the shoreline would require a variance and would be sent to the DNR for review. Whenever practical, this protection zone will remain undisturbed.

NATURAL RESOURCE MANAGEMENT AND POLICIES

The City has developed the following additional policies that relate to natural resource management of the MNRRA corridor:

- Site development shall be managed in order to protect and preserve natural resources within the City of Dayton, prevent pollution, minimize erosion, runoff, and other negative impacts, and retain the natural character and biological diversity of the River Corridor.

- Floodplain and Shoreland Policies – The City of Dayton will preserve and protect wetland, shoreland, and floodplain areas. (See Figure A.1 – Hydrology Inventory.) Existing shoreland regulations will be used to protect sensitive water features including all wetlands within the Critical Area. Existing shoreland ordinances control development within 300 feet of the River.

- Pollution prevention and water quality management policies:

    1. The City of Dayton will require existing and new developments to minimize stormwater runoff and will work to improve the quality of stormwater by approving plans that work toward this goal. For more information concerning Dayton's surface water management policies see Chapter 10 – Water Supply Plan. Surface water drainage districts are shown on Figure A.2 – Trunk Storm/Water System.

    2. Sites identified as not suitable for septic systems shall be developed only with the approval of the City and with careful consideration to state laws in order to prevent ground water pollution by sanitary systems.

    3. City of Dayton will work with other public agencies to promote Best Management Practices on all land uses within the Critical Area, including existing agricultural and residential land uses. Incentives will be given to deter the use of chemical treatments within the Corridor.

    4. Dayton will team with agencies such as the MnDNR, NPS, and Hennepin County to promote good recreational practices and to prevent erosion issues due to recreational uses.

5. Dayton has formally adopted a Surface Water Management Plan which incorporates stormwater and erosion control measures such as Best Management Practices and the Nation-wide Urban Runoff Program.

- Preservation and restoration of bluff area and steep slopes policies:

    1. The bluff area within the Dayton River Corridor is a priority and shall be protected and restored to preserve the character of the Riverfront within Dayton. General locations of slopes greater than 18% and between 12% and 18% are shown on Figure A.4 – Steep Slopes. The actual delineation of the slopes for setback determination and other ordinance requirements will be determined on a case-by-case basis for a specific proposal.

    2. Bluffs with greater than 18% slopes shall be protected, and development will not be allowed in order to preserve and promote vegetative cover, prevent erosion, and preserve the scenic value of the Corridor.

    3. Bluffs with slopes between 12% and 18% may be developed only with the approval of the City and through the use of strict environmental protection standards on a case-by-case basis, and in accordance with the Wild and Scenic River minimum standards. Any development within the bluff area shall include plans to preserve or revegetate the slopes to minimize erosion and protect the existing natural resources and the aesthetic quality of the Corridor.

    4. Any steep slopes within the Corridor and within the entire City shall be protected according to City policy. Development will not be allowed on slopes greater than 18%. (See Figure A.4 – Steep Slopes.)

    5. Location of site and structures within the Corridor shall be regulated so as to minimize site alteration and to preserve the natural state and the natural views to and from the River shoreline and open space areas. A bluff impact area, within 40 feet of the bluff line will be maintained in a natural state. Strict structural setback requirements will be enforced within 100 feet of the bluff line. For performance standards regarding structures and landscape, please refer to corresponding River Corridor Zoning Codes and City Ordinances.

- Protection and restoration of native vegetation and habitats policies:

    1. City of Dayton will give approval consideration to site plans presenting new and expanded development that preserves and revegetates the landscape, especially bluff areas and large groupings of native plantings.

    2. Native plant communities and wildlife habitats will be protected and, when appropriate, restored. Dayton will comply with all federal, state, and local regulations that apply to endangered plant and animal communities within Dayton.

    3. Specific regulations will be determined to regulate cutting of vegetation within the Critical Area corridor and preserve existing vegetation, especially within the fragile bluff and shoreline area.

    4. Alternatives to chemically treated lawns within the developed areas of the Critical Area corridor will be encouraged. Incentives and education will be provided to promote more natural areas within the Corridor.

- Management and preservation of cultural and historical resources:
    1. Sites identified as historical or cultural resources shall be protected from new or expanded development. (See Appendix for a list of historical and archaeological resources identified in Dayton.) Public access to such resources shall be encouraged when appropriate and when such access will not negatively impact sensitive natural resources.

    2. The City will utilize the Great River Road and MNRRA designation to promote and interpret local historic and cultural resources. The City has recently formed a local historical society and is investigating certified local government status.

PARKS, TRAILS, AND OPEN SPACE POLICIES

The following City Park and Open Space Policies apply to the MNRRA corridor:

- Existing parks and trails inventory:

    1. City of Dayton will protect and preserve all existing parks, trails, and open space. (See Figure A.14 – Parks, Trails, and Open Space Plan.) Protected public sites shall include existing public river frontage and access, scenic overlooks and vistas, historic features, and native preserve areas.

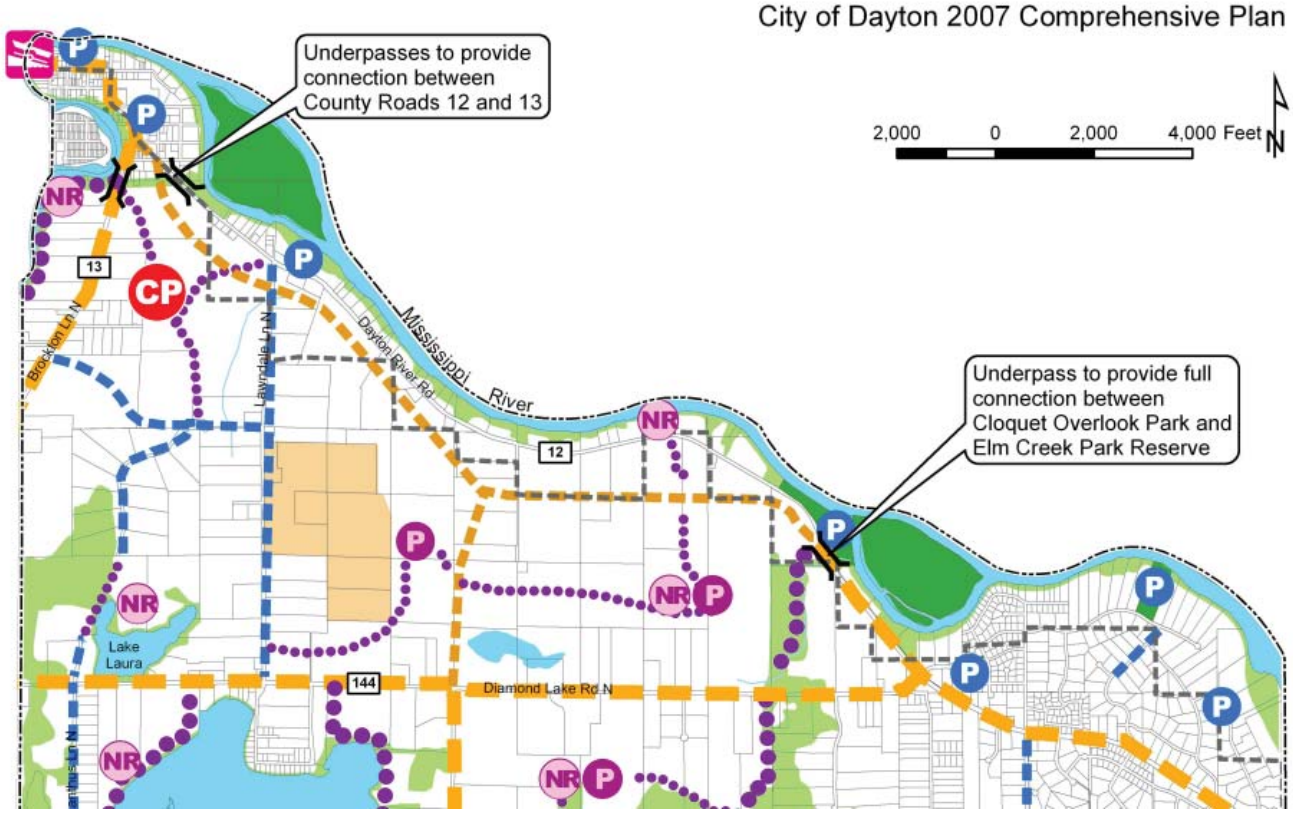
- Planned and proposed parks and trails:

    1. Proposed park and trail locations have been identified and are shown on Figure A.14 – Parks, Trails, and Open Space Plan.
    2. A trail along Dayton River Road and

Figure A.14

Parks, Trails and Open Space Plan

City of Dayton 2007 Comprehensive Plan



areas of the riverfront has been given priority. Subdivisions and developments planned within this area shall provide public trail right-of-way as part of the public dedication requirement in order to connect residents to neighborhood and community parks and to neighboring communities' trail systems. For more information concerning trail right-of-way recommendations, see Chapter 7 – Parks, Trails, and Open Space.

3. New neighborhood parks and community parks have been proposed in areas not yet fully developed. As new areas are developed and existing sites are expanded within the Corridor, the developers shall be required to contribute a portion of their project site for public use, with preference to be given to riverfront land. For park and trail dedication requirements, please refer to Chapter 7 – Parks, Trails, and Open Space.

- Additional open space policies:

    1. Additional open space and park areas will be considered for public acquisition and/or protection where the land in question can contribute to the goals and objectives of this plan and is a logical and appropriate addition to the park system.

    2. When appropriate, archeological and cultural resources shall be protected and preserved for open space.

    3. When existing native areas are acquired by the City for public use, the parks shall be developed retaining the natural state of the site.

    4. Whenever possible, steps shall be taken to minimize noise disturbance within open space and public parks.

- Public access and connection through corridor:

    1. Priority shall be given to public land in the riverfront area.

    2. The two publicly held islands shall be preserved as open space.

    3. The City will actively pursue the acquisition of riverfront land to promote public access and enjoyment of the River.

    4. Public pedestrian access shall be provided to the riverfront of all public property where consistent with the Comprehensive Plan, and of all non-water dependent uses, when appropriate.

    5. The trail along Dayton River Road is a priority in order to provide a continuous connection through the Corridor and through the City of Dayton to connect with neighboring communities and regional trails. (See Figure A.14 – Parks, Trails, and Open Space Plan.)

PUBLIC FACILITIES, UTILITIES, TRANSPORTATION AND OWNERSHIP POLICIES

- Policies for utility and transportation river crossings:
    1. Existing and potential locations for utility and transportation have been located on Map 8.1 in Chapter 8 - Transportation.

    2. New river crossings shall be minimized and any new river crossings shall be designed to minimize visual and environmental impact and to accommodate pedestrian and bicycle as well as vehicle movement. See specific polices regarding a possible bridge crossing in Chapter 8 – Transportation Plan.

3. When necessary, overhead utility crossings shall be as compatible as practicable with land use, scenic views, and existing transmission structures in height, material, color, and design. Vegetative screening shall be utilized to the maximum extent consistent with safety requirements.

- Policies for signs within the Corridor:

    1. Signs not conforming to guidelines set forth in the City Zoning Ordinance shall be removed.

    2. In order to preserve the natural aesthetic of the Corridor and the bluff line from the River, all advertising signs not complying with the ordinances related to the River Corridor Plan shall be removed.

    3. Any new signs proposed for the Corridor shall be setback from the riverfront area so as not to be viewed from the River. All new signs shall conform to the Zoning Ordinance as well as all policies and ordinances related to the River Corridor Plan.

- Land acquisition standards and policies:

    1. In addition to land dedication policies, Dayton will actively pursue land acquisition along the riverfront within the Corridor.

    2. Priority will be given to land designated for parks, trails and open space use, existing structures located in the floodplain, significant native plant or wildlife communities, connections to other public land and open space, and any historically or culturally significant elements.

- Design standards for transportation including roads and bridges:

    1. All new transportation and utility elements shall be planned to minimize any negative environmental impacts or inappropriate development arrangement. Preference will be given to projects that expand existing crossing sites rather than implementing new crossings. Where an existing crossing location is not suitable or available, any river crossing shall be designed to minimize visual and environmental impact and to accommodate pedestrian and bicycle as well as vehicle movement.

    2. Transportation elements planned within the Corridor shall promote and not prohibit scenic overlooks, riverfront access, and safe pedestrian crossings. Access to and the use of land between transportation elements and the River shall be encouraged.

    3. New transportation elements shall be architecturally designed to maintain the character of the Corridor.

- New transportation elements within the Corridor shall be planned to fit within the regional transportation plans. A possible future river bridge crossing location is shown on Map L –Transportation Chapter. If plans for the bridge are to be implemented, the City of Dayton will work with landowners to reserve right of way for the crossing.

- The Transportation Plan envisions a relocation of portions of Dayton River Road (County Road 12) to the south. This relocation is not anticipated to be implemented until sewer is available. (See Sewer Phasing Plan). The relocation will move CR12 away from the River, will create a more suitable residential neighborhood for existing homes along Dayton River Road by reducing traffic through the neighborhood, and will create a safer road alignment. The new road

alignment will be planned so as to not stimulate incompatible developments within the Critical Area corridor. The realignment will increase the amount of land that is protected and preserved through the anticipated Critical Area Ordinances that will govern Priority Area Two. The existing Dayton River Road alignment will become a more passive and scenic route for automobiles and will retain the Great River Road designation.

IMPLEMENTATION

Outline for 5-Year Capital Improvement Program – All public projects within the River Corridor will be consistent with Executive Order 79 to 19, Critical Area ordinances and policies and MNRRA guidelines set forth in this River Corridor Plan. For a detailed outline of the CIP as it relates to the River corridor, please refer to Table 1, Chapter 13.

Strategy for Ordinance Program – The Dayton Mississippi River Corridor/Critical Area Ordinance is part of the City Zoning Ordinance, which is updated as needed. The Corridor Ordinance program will use the integrated Corridor Plan as a guide. The City shall seek review and comments from the MnDNR on proposed developments requiring discretionary actions or public hearings at least 30 days prior to taking action on the application. Dayton will promote and invite public involvement and input during all stages of the River Corridor Plan and ordinances.

Strategy for New Interpretive and Educational Programs – When appropriate, the City of Dayton will initiate, cooperate, and continue educational programs and plans to further promote understanding of the importance of the River Corridor and the crucial role that the City of Dayton plays in the Mississippi River Corridor and Critical Area.