



CITY OF SAINT PAUL
Melvin Carter, Mayor

*25 West Fourth Street, Ste. 1300
Saint Paul, MN 55102*

Telephone: 651-266-6565

DATE: April 12, 2019
TO: Planning Commission
FROM: Lucy Thompson, Principal City Planner
SUBJECT: April 19, 2019 Planning Commission Public Hearing on MRCCA

I'm resending the memo you received when you released the Mississippi River Corridor Critical Area (MRCCA) chapter for public review. You should all have a copy of the draft chapter. The hearing is Friday, April 19, 2019. We have not received any written comments to-date, but will bring to the meeting any we receive by next Friday.

Please let me know if you have any questions. I'm at 651.266.6578 or lucy.thompson@ci.stpaul.mn.us.

Attachment



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25 West Fourth Street, Ste. 1300
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Telephone: 651-266-6565

DATE: March 14, 2019
TO: Planning Commission
FROM: Comprehensive and Neighborhood Planning Committee
SUBJECT: Draft Mississippi River Corridor Critical Area Chapter of the 2040 Comprehensive Plan

BACKGROUND

The Mississippi River Corridor Critical Area is guided by three documents: 1) Minnesota Rules, Chapter 6106; 2) the Mississippi River Corridor Critical Area (MRCCA) chapter of the Saint Paul Comprehensive Plan; and 3) the Mississippi River Critical Area ordinance, part of the Saint Paul Legislative Code. New Minnesota Rules were adopted in 2016. The City is completing the MRCCA chapter now, and the ordinance update will begin once the new Comprehensive Plan chapter is adopted. As with other Comprehensive Plan chapters, those in the MRCCA chapter will set the policy foundation for the new Critical Area ordinance.

The MRCCA guides land use and development along the 17 miles of Mississippi river and 26 miles of shoreline within Saint Paul city limits. While other plans have been adopted as part of the Saint Paul Comprehensive Plan that address in significant detail the city's relationship to the Mississippi River (e.g. the *Great River Passage Master Plan*), the Critical Area chapter uniquely responds to the requirements of Minnesota Rules, Chapter 6106, which lay out a regulatory framework to protect the MRCCA's resources. The core purpose of Minnesota Rules, Chapter 6106, is to manage the balance between natural systems, urban development, recreation and commerce in the Mississippi River corridor.

The current *Mississippi River Corridor Plan* was adopted as part of the Saint Paul Comprehensive Plan in 2002. The new draft is technically an update of the existing chapter, but because of the recent adoption of new rules by the State Legislature that dictate form and content, the new chapter looks (and is) quite different.

The new MRCCA chapter is due to the Metropolitan Council by June 30, 2019, the same date as the other six city-wide chapters.

THE MRCCA CHAPTER

The content of the MRCCA chapter is fairly tightly regulated by the Rules, so the format of the chapter is a bit different than the other city-wide chapters. For example, there are goals to guide the chapter's policies, but the policies are not listed by goal (akin to the Land Use chapter, where policies are organized by land use, rather than goal). The policy categories are dictated by the Rules:

- Districts
- Primary Conservation Areas (defined as shore impact zones; wetlands, floodplains and areas of confluence with key tributaries; natural drainage routes; bluff impact zones; native plant communities and significant existing vegetative stands; cultural and historic properties; gorges; and unstable soils and bedrock)

- Public River Corridor Views
- Restoration Priorities
- Surface Water Uses
- Water-Oriented Uses
- Open Space and Recreational Facilities
- Transportation and Public Utilities

In addition, the maps in the draft are those required by the Rules. A few of the required maps (e.g. open space and recreational facilities, cultural and historic properties, transportation) are included in the appropriate city-wide chapter rather than the MRCCA chapter.

PLAN PREPARATION, COMMUNITY AND STAKEHOLDER ENGAGEMENT

The Minnesota Rules overseeing the MRCCA chapter were adopted in December 2016, after three years of extensive and intensive City, agency, stakeholder and community engagement throughout the Critical Area (encompassing 72 miles of river and 54,000 acres of surrounding land in 30 jurisdictions). Because of these previous efforts, as well as the two years spent preparing the *Great River Passage Master Plan*, staff prepared the draft MRCCA chapter in-house, without a working group or open houses.

However, staff did meet with four key stakeholders to review a preliminary draft of the MRCCA chapter prior to the Planning Commission releasing the document for official public review: MN Department of Natural Resources (MnDNR), National Park Service, Friends of the Mississippi River, and Friends of the Parks and Trails of Saint Paul and Ramsey County. Since MnDNR will be the official reviewer of the final document, it was especially important to get their input prior to release. All four stakeholders provided invaluable feedback regarding compliance with the Rules, clarity and completeness. Their comments have been incorporated into the attached draft.

In addition, as required by the Metropolitan Council, staff sent the preliminary document to adjacent and affected jurisdictions. While most communities had no comments or concerns (we heard from Vadnais Heights, Lauderdale, Newport and Dakota County), we did hear from the City of Minneapolis (regarding clarifying views identified in the Minneapolis MRCCA and noting where ordinance flexibility may be required), the Saint Paul Port Authority (with several suggestions for language to protect barge fleeting and other industrial uses in the river corridor) and MnDOT (regarding commercial and industrial uses in the river corridor). Most of the comments we received from these agencies have been incorporated into the attached draft.

COMMITTEE REVIEW OF THE PUBLIC HEARING DRAFT

The Comprehensive and Neighborhood Planning Committee will review the attached draft at its meeting on March 20, 2019, and the Planning Commission will review it on March 22, 2019, just two days later. The Committee feels comfortable with this quick turnaround because:

1. The only action for the Commission is to release the document for public review and set a public hearing date.
2. The content of the MRCCA chapter is very tightly prescribed by Minnesota Rules, Chapter 6106
3. PED staff met with the key stakeholders to get early feedback on the draft, and incorporated most of the recommended changes from these stakeholders into the public hearing draft. One of the stakeholders was MnDNR staff, which will review the final MRCCA chapter on behalf of the Metropolitan Council.

If the Committee recommends any changes to the draft on March 20, they will be included in the Committee's report to the Commission on March 22.

MRCCA CHAPTER REVIEW AND ADOPTION SCHEDULE

- March 20** CNPC reviews final draft, recommends PC release it for public review and set public hearing.
- March 22** PC releases draft MRCCA chapter for public review, sets public hearing for April 19, 2019.
- April 19** PC holds public hearing.
- May 1** CNPC reviews public comments, recommends final changes to PC.
- May 17** PC approves MRCCA, forwards it to Mayor and City Council, along with the 6 city-wide chapters.

COMMITTEE RECOMMENDATION

The Comprehensive and Neighborhood Planning Committee recommends the Planning Commission release the draft Mississippi River Corridor Critical Area chapter of the *2040 Comprehensive Plan* for public review and set a public hearing date of April 19, 2019.

Attachment:

- Mississippi River Corridor Critical Area Plan – Official Public Hearing Draft, March 22, 2019