



## **Mississippi River Corridor Critical Area (MRCCA)**

Saint Paul Planning Commission

24 February 2017

# Topics

- MRCCA Overview and Rulemaking Process
- What do the Rules Mean for Saint Paul?
- Rule Implementation





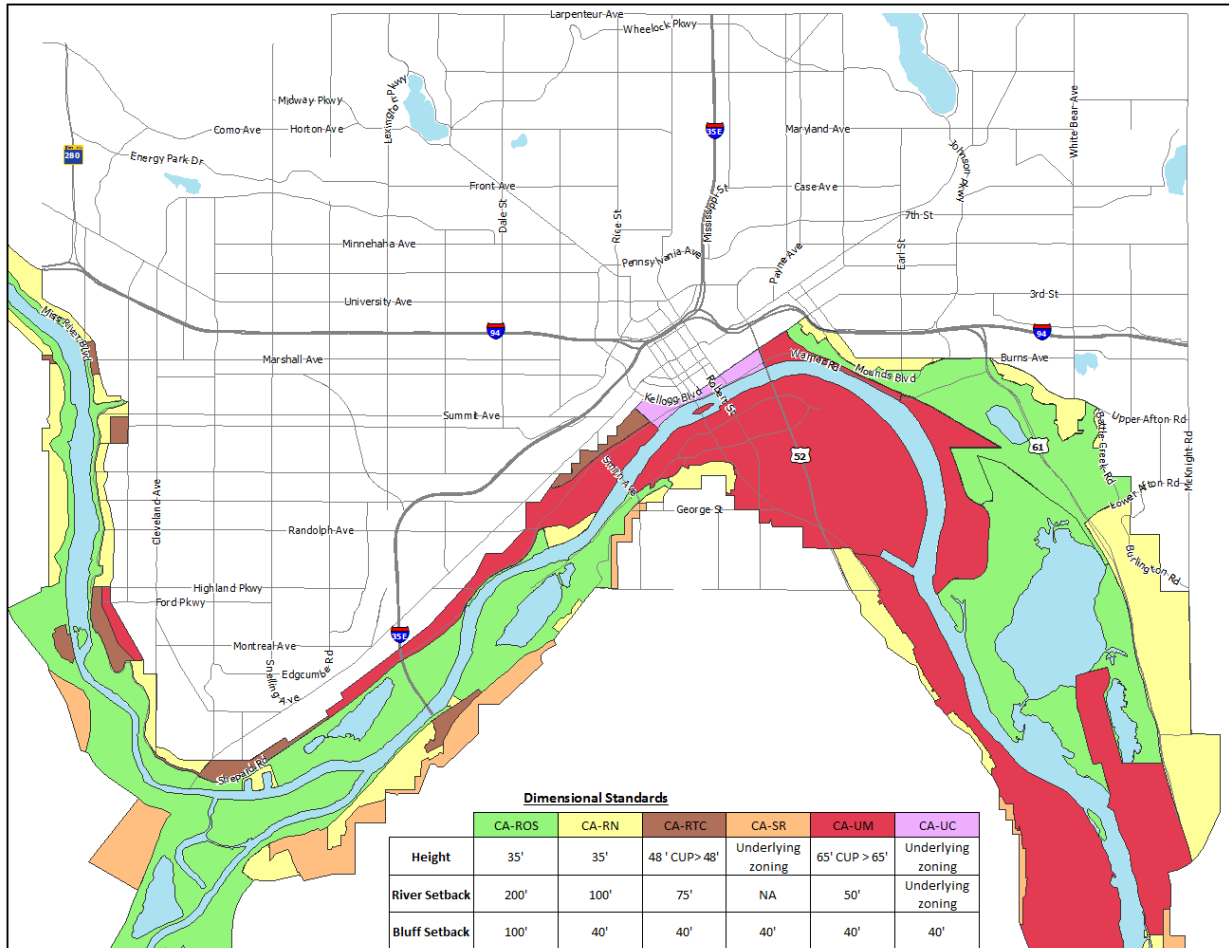
# MRCCA OVERVIEW

# MRCCA Overview

- Established in 1979 by Governor's Executive Order
- Seeks to balance protection of natural systems with existing and future development in Mississippi River corridor from Dayton/Ramsey to Hastings
- Saint Paul adopted current ordinance in 1982\*
- Rulemaking effort began in 2013
- Management tools include dimensional standards (setbacks and building heights) and development standards (stormwater, land disturbance, vegetation management, etc.)

\* Amended in 2010

# MRCCA Overview



MRCCA Rules  
(Adopted Dec. 2016)

- CA-ROS (Rural & Open Space)
- CA-RN (River Neighborhood)
- CA-RTC (River Towns & Crossings)
- CA-SR (Separated from River)
- CA-UM (Urban Mixed)
- CA-UC (Urban Core)
- Water

**Dimensional Standards**

	CA-ROS	CA-RN	CA-RTC	CA-SR	CA-UM	CA-UC
Height	35'	35'	48' CUP > 48'	Underlying zoning	65' CUP > 65'	Underlying zoning
River Setback	200'	100'	75'	NA	50'	Underlying zoning
Bluff Setback	100'	40'	40'	40'	40'	40'

Source: City of Saint Paul, Department of Planning and Economic Development, MRCCA



# RULEMAKING PROCESS

# Rulemaking Process

- **Early 2013:** DNR begins informal consultation with stakeholder communities and others
- **October 2014:** Saint Paul Planning Commission holds public hearing to inform City comments on Draft Rules
- **December 2014:** DNR releases “Pre-Revisor’s Draft” of Proposed Rules
- **August 2015:** Planning Commission recommendations to Mayor and City Council regarding formal City comments on the Proposed Rules
- **April 2016:** DNR initiates ‘formal’ rule adoption process
- **May 2016:** Saint Paul City Council public hearing to inform official City comments on Proposed Rules
- **June/July 2016:** DNR public hearing and comment period (**CITY COMMENTS SUBMITTED July 6, 2016**)
- **August 2016:** ALJ Report
- **December 2016:** MRCCA Rules Adopted



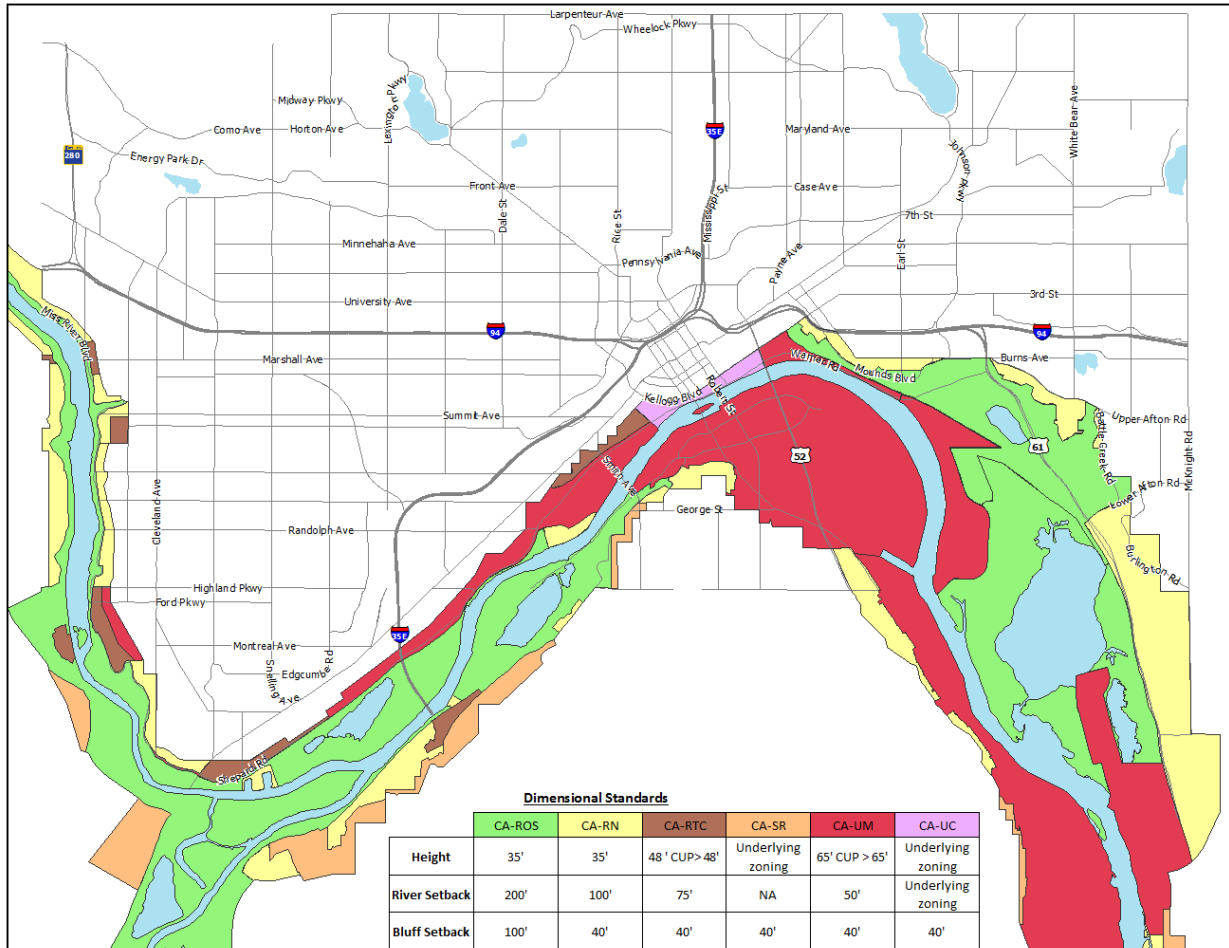
# RULES AND COMMENTS



# Key Features of Rules:

- Communities must adopt plans and ordinances consistent with rules
- MRCCA divided into districts; required setbacks (from bluffs and shore) and building height limits set by district
- Primary conservations areas identified: bluffs and slopes, shoreland areas, native plant communities, 'public river corridor views' and more
- Development standards for private properties and public facilities and infrastructures; standards for stormwater management, vegetation clearing and management, and land alteration
- Subdivision standards, including set-asides

# MRCCA Districts in Saint Paul



MRCCA Rules  
(Adopted Dec. 2016)

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Source: City of Saint Paul, Department of Planning and Economic Development, 10/20/16

# Issues Raised by City During Rulemaking Process

- Districts defined in Rules too blunt a tool; City can/has done finer-grained planning work
- Creation of non-conforming structures should be avoided
- ‘Flexibility’ provision is important for fine-tuning ordinance
- Definition of ‘bluff’ includes some slopes that can be protected by means less intrusive than a total prohibition on development
- An urban parkland district would be a good addition to Rules (was not included in Rules)



# RULE IMPLEMENTATION

(CONTENT COURTESY DNR)

# Rule Requirements

- **6106.0070, Subp. 2**  
**Adoption of plans and ordinances.**
  - A. DNR shall notify LGUs of adoption schedule.
  - B. Existing plans and ordinances remain in effect until amended.
  - C. Development in LGUs **without** existing plans and ordinances governed by rules.
  - D. Adoption of plans and ordinances consistent with rules does not limit previously approved development.

# Rule Requirements

- **6106.0070, Subp. 3**  
**Plan and ordinance review.**
- A. LGUs must prepare or amend plans and ordinances within one year of notification. DNR may grant extensions.
- B. Formal submittal to Met Council and DNR for review in format prescribed by DNR.
- C. Underlying zoning.
- D. – L. Review process, adoption, enforcement.
- M. Plans updated on same cycle as comp plans.

# Potential Schedule

## 1. Plan Updates

1. Chapter in comp plan update due 12/2018
2. Met Council/DNR coordination plan review & approval
3. Guidance on Met Council web site

## 2. Ordinance Updates

1. Phased over 2019 – 2021
2. DNR review & approval
3. Guidance on DNR web site



Plan Element	Executive Orders	Rules
Districts	Four districts	Six districts
Conservation Areas	Floodplains, wetlands, slopes, bluffs, unsuitable soils, significant vegetation stands, natural drainage routes	Same, plus: shore impact zones, gorges, areas of confluence, unstable bedrock, native plant communities, cultural & historic properties, tree canopies
Scenic Views	Aesthetic quality	Public River Corridor Views & other scenic views
Restoration Priorities	None	Identify priorities for Veg restoration, erosion prevention, bank/slope stabilization
Provision of Sewer Service	Coordinate development	None
Surface Water Use	Minimize conflicts with land uses Provide for barge fleeting	Same
Com'l & Ind Water-oriented	Consider/provide for such uses	Same
Open Space	<u>Maximize</u> creation of open and recreational space ID public access & trails	<u>Encourage</u> creation of open and recreational space Same
Transportation & Public Utility	Limit impacts	Same



# PLAN & ORDINANCE INTEGRATION

Plan Element	Ordinance Implications
Districts	<ul style="list-style-type: none"><li>• Structure setbacks (OWHL, Bluff)</li><li>• Structure height</li><li>• Open space set aside percentage</li></ul>
Primary Conservation Areas (PCAs)	<ul style="list-style-type: none"><li>• Included in definitions section</li><li>• Variance and CUP (impacts, mitigation)</li><li>• Permit submittals must show/describe PCAs</li><li>• Incentives for alternative design methods that protect PCAs</li><li>• Open space set asides (percentages)</li></ul>
Public River Corridor Views (PRCVs)	<ul style="list-style-type: none"><li>• Included in definitions section</li><li>• Variance and CUP (impacts, mitigation)</li><li>• Permit submittals must show/describe PRCVs</li><li>• Wireless towers minimize impacts</li><li>• Structure design/placement in RTC, UM, UC districts minimize impacts</li><li>• CUP for taller buildings must consider PRCV enhancement</li><li>• Trails, viewing areas, signs &amp; kiosks minimize impacts</li><li>• Vegetation permits for clearing minimize impacts</li></ul>
Restoration Priorities	<ul style="list-style-type: none"><li>• Vegetation clearing permits – conditions for restoration</li></ul>



QUESTIONS?