



September 25, 2025

TO: The Planning Commission

FROM: The Comprehensive and Neighborhood Planning Committee

SUBJECT: MRCCA Public Hearing Response and Revisions

In the 1970s, the State of Minnesota created the Mississippi River Corridor Critical Area (MRCCA) to protect the Mississippi River's natural, cultural, and scenic resources through coordinated land planning and regulations within the seven-county metropolitan area. In 2017, new MRCCA rules were adopted by the state, which include specific zoning code provisions, definitions, and regulations that local units of government within the seven-county metropolitan area are required to adopt, along with new overlay zoning districts. This study was initiated by the Planning Commission in 2022 (PC Resolution 22-39) in response to those 2017 state Department of Natural Resources (DNR) changes to the MRCCA rules requiring cities in seven county metro area to adopt new zoning code provisions as amendments to the zoning code. In 2019 the DNR released a model ordinance that included both mandatory provisions, which cities are required to adopt, and optional provisions, which were intended to clarify processes that may otherwise be difficult to administer.

In January 2023, the Planning Commission held a public hearing on a draft set of amendments, which included optional provisions not required by the DNR model ordinance. Following the public hearing on the initial draft amendments and further consideration and staff revised the proposed amendments, removing many of the optional provisions in response to public testimony received during the 2023 public hearing. Because of the substantial changes to the draft ordinance since the 2023 public hearing, the planning commission released a new draft of amendments for public review in March of 2025.

Adoption Process:

Following the Planning Commission recommendation, the ordinance will be forwarded to the Mayor and City Council for their consideration and for final adoption. Once adopted and signed by the Mayor, the ordinance must be submitted to the DNR for final review and approval for conformance with the MRCCA Rules. The MRCCA Rules provide that the DNR Commissioner may

then grant the ordinance final approval or return the ordinance for modification with a written explanation of the need for modification.

Overview of Proposed River Corridor & Floodplain Amendments:

Most of the proposed amendments are in Chapter 68 – Floodplain Management and River Corridor Overlay Districts. All existing Zoning Code Chapter 68 River Corridor Overlay District language, originally adopted in 1982, will need to be deleted and replaced with provisions that are consistent with the 2017 MRCCA rules. All existing Chapter 72 – Floodplain Management Overlay District language is proposed to be incorporated into Chapter 68 and renumbered as Chapter 68, Article I, 68.100, Floodplain Management Overlay Districts. The new MRCCA ordinance is proposed as Chapter 68, Article II, 68.200, MRCCA Mississippi River Corridor Critical Area Overlay Districts.

Chapters 60 and 61 include general provisions and definitions required in the MRCCA Rules. Outdated definitions are also removed from Chapter 60 based on changes to the MRCCA ordinance.

The temporary “River Corridor” language in Chapter 66 is now obsolete with the new Critical Area regulations in Chapter 68 and is deleted in the draft ordinance.

May 2nd Public Hearing Summary:

On Friday, May 2nd, the Planning Commission held a public hearing on the revised MRCCA amendments being proposed. Two individuals spoke in support of the proposed amendments, while 14 spoke in opposition. The Planning Commission also received one written comment in support of the amendments as drafted and 34 written comments opposing them, including a petition with 155 signatures.

Testimony in support of the proposed amendments generally favored the increased development flexibility they offer compared to the 2023 draft amendments, particularly the proposed height standard for the Urban Core (UC) overlay district, in downtown Saint Paul. Supporters noted that this change, which would allow building heights up to the district standards, would help facilitate new development in downtown.

Testimony opposing the proposed amendments generally advocated for the following changes:

1. Inclusion of the requirement for bird-safe glass on buildings constructed in the MRCCA;
2. Adoption of the model ordinance’s additional optional findings for conditional use/interim use permits and variances;
3. Revisions to the methodology for prioritizing tiering; and

4. Lowering base building heights, with increases in height allowed through specific, formulaic setbacks from the shoreline, bluffs, and district boundaries to replace subjective tiering standards in the RTC, UM, UC overlay districts.

Comprehensive and Neighborhood Planning Committee recommendations to the full planning commission in response to public testimony:

In response to the public testimony submitted during the public hearing and staff report to CNPC dated September 10, 2025, the Comprehensive and Neighborhood Planning Committee is recommending the following changes/additional studies:

1. **Bird safe glass.** Recommend the adoption of the attached MRCCA amendments without bird-safe glass provisions and initiating a separate study to evaluate bird-safe glass policy options in Saint Paul.
2. **Additional findings for MRCCA conditional use permits and variances.** Recommend the attached language related to variances and conditional use permits that cross-references required findings of Saint Paul Zoning Code, rather than cross referencing to state statutes. The committee is not recommending additional optional findings that would be specific to MRCCA variances and conditional use permits.
3. **Revisions to tiering.** Recommend deleting the tiering definition from section 68.214, deleting the site plan review standards for tiering in section 68.236, and replacing language for additional standards for conditional use permits to exceed the maximum MRCCA height in in section 68.236 with language that more closely resembles language in the DNR's model ordinance.
4. **Replacing vague tiering standards with formulaic tiering standards in section 68.234, structure heights.** Recommend replacing subjective tiering standards in the RTC, UM, and UC districts with objective formulaic tiering standards. These objective tiering standards have a base height of 35 feet at bluff lines, shoreline ordinary high-water levels, or district boundary lines, with allowances for height increases based on setbacks from the features. Structures set back far enough from these features can be constructed up to least restrictive maximum height possible in their respective overlay districts by-right. Height can be increased beyond the maximum height in the overlay districts subject to a conditional use permit and subjective tiering analysis. Under this recommended methodology and proposed height language, most parcels would be permitted to build to the maximum height permitted in their overlay districts without triggering objective or subjective tiering analysis.

CNPC Recommendation

The Comprehensive and Neighborhood Planning Committee recommends that the Planning Commission recommend approval of the draft ordinance as proposed in

the attached resolution and zoning text amendments and forward it to the City Council for final adoption.