



CITY OF SAINT PAUL
Melvin Carter, Mayor

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

Telephone: 651-266-6565

DATE: May 22, 2019

TO: Mayor Melvin Carter
Members of the Saint Paul City Council

FROM: Elizabeth Reveal, Chair, Saint Paul Planning Commission

SUBJECT: Transmittal of Mississippi River Corridor Critical Area chapter of the *2040 Comprehensive Plan*

As Chair of the Saint Paul Planning Commission, I am very pleased to transmit the draft of the Mississippi River Corridor Critical Area chapter of *Saint Paul for All: 2040 Comprehensive Plan* as it was approved by the Planning Commission on May 17, 2019. Once the City Council approves this document, it will be joined with the seven city-wide chapters – Land Use; Transportation; Parks, Recreation and Open Space; Housing; Water Resources Management; Heritage and Cultural Preservation; and Implementation – and submitted to the Metropolitan Council as the complete *Saint Paul for All: 2040 Comprehensive Plan*. The full document must be received by the Metropolitan Council no later than June 30, 2019.

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, and adoption of a revised Critical Area Plan is part of the decennial update of the Comprehensive Plan required by the Metropolitan Council. As with other chapters of the Comprehensive Plan, revisions to the City's Critical Area ordinance will begin once the new Comprehensive Plan chapter is adopted.

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* and *West Side Flats Master Plan and Development Guidelines*), the Critical Area chapter uniquely responds to the requirements of Minnesota Rules, Chapter 6106, which lay out a planning and regulatory framework to protect the MRCCA's resources. The core purpose of Minnesota Rules, Chapter 6106, is to balance 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 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. 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 document are 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*, Planning staff prepared the draft MRCCA chapter in-house, without a working group or open houses.

Planning staff met 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 were incorporated into the public hearing 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 from these agencies were incorporated into the public hearing draft.

PUBLIC HEARING COMMENTS AND COMMITTEE RECOMMENDATIONS

The Planning Commission released the draft MRCCA chapter on March 22, 2019; held a public hearing on April 19, 2019; and kept the public record open until 4:30 p.m. on April 22, 2019. Written comments were received from three parties: 1) Friends of the Mississippi River (FMR); 2) Tom Dimond; and 3) Friends of the Parks and Trails of Saint Paul and Ramsey County.

May 22, 2019
Mayor and Councilmembers
Page Three

Representatives from all three of these parties spoke at the public hearing as well. The Planning Commission approved changes to the draft document in response to these comments. The attached Planning Commission Resolution 19-28, adopted May 17, 2019, shows the changes approved by the Planning Commission. These changes have been made to the attached draft for your consideration.

Attachments:

1. Mississippi River Corridor Critical Area chapter, June 5, 2019
2. Planning Commission Resolution 19-28, May 17, 2019