



*Protecting, restoring and enhancing the metro
Mississippi River and its watershed since 1993.*

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October 29, 2025

Dear Councilmembers:

Thank you for the opportunity to comment on St. Paul's proposed Mississippi River Corridor Critical Area (MRCCA) ordinance.

Friends of the Mississippi River (FMR) is a non-profit organization with a mission to engage community members and other stakeholders to protect, restore and enhance the Mississippi River and its watershed. We represent thousands of people in the Twin Cities who care deeply about the river, including over 6,000 who participate as FMR advocates, volunteers, and members each year.

The Mississippi River is a natural, cultural, and historic wonder that helps define our metro area. In recognition of this, its 72-mile stretch through the Twin Cities is not only a state-designated Critical Area but also a national park afforded special protective policies.

The MRCCA ordinance adoption process is an important opportunity for communities to define their goals and expectations for years to come. A successful ordinance will guide riverfront use in a way that reflects the city's environmental, development, and recreational priorities while providing clarity for residents and developers.

We are happy to see this ordinance reach the City Council for consideration after years of inexcusable delay. The Minnesota DNR and City originally agreed to an ordinance adoption deadline of January 20, 2021. The City has missed this deadline by nearly five years without any clear explanation from PED leadership or Mayor Carter's office about why. We appreciate the council's interest in and engagement on this issue throughout the past several years.

Overall, the current proposed ordinance is a significant improvement over the draft that had a public hearing at the May 2, 2025, Planning Commission meeting. Staff revisions in response to feedback have made the ordinance much clearer and easier to apply.

However, one key element is still missing: a bird-safe glass requirement.

Recommendation: bird-friendly glass requirement

The Mississippi River is a crucial migratory flyway for about 40% of all North American migrating birds. Roughly 270 bird species live in or travel through the Twin Cities river flyway. Bird populations are

experiencing significant collapse and are under continued threat. In the U.S. it's estimated that 600 million birds are killed in window strikes each year.

A proven way to balance density with wildlife protection is to require bird-friendly building materials in all new development along the river. **The state of Minnesota already incorporates such specifications into its B3 Sustainable Building Guidelines for state bond-funded projects.** FMR recommends that St. Paul require adherence to the same or similar specifications for all new buildings constructed within MRCCA. Case studies have found the cost of bird-friendly glass to be **well under one percent of total project cost.**

Straightforward bird-friendly glass specifications were included in the January 2023 draft MRCCA ordinance; public response to this proposal was enthusiastic. The most recent draft removes this requirement.

PED staff have suggested initiating a separate study about bird-friendly glass instead. We're concerned that this study may never be completed. Given the five-year delay in MRCCA ordinance adoption, it's hard to trust that any future studies will be completed in a timely manner.

We ask the Council to restore the bird-safe glass language proposed in the 2023 MRCCA ordinance draft (see the Addendum at the end of this letter for that language). In addition to its alignment with state B3 standards, this language is supported by the National Audubon Society.

Building height requirements and River's Edge

We understand that the River's Edge project at Ramsey County's former downtown jail site is of special concern. The height limits in the proposed ordinance **do not pose a conflict with this project.**

DNR rules state that the MRCCA Urban Core (UC), Urban Mixed (UM) and River Town and Crossing (RTC) districts must prioritize "tiering of structures away from the Mississippi River and from blufflines... with lower structure heights closer to the river."

Tiered building heights promote stronger urban form, improve river views and river-oriented development (including for sites further back from the river), and create a more welcoming sense of scale and relationship to the river. Height limits also help protect scenic views from St. Paul's excellent riverfront parks, vital to providing equitable access to natural areas that don't require a car to reach.

Tiering is not optional. The state requires it. St. Paul's proposed ordinance addresses this more clearly than any other city's by using a straightforward linear height formula based on the building's distance from the shoreline. This is the simplest way to meet the DNR requirement by minimizing unnecessary discretionary processes, subjective decision-making, and community conflict. Any building height in compliance with the ordinance will be approved by right.

Although the DNR does not require overall height limits in the Urban Core MRCCA district, it does still require tiered building heights close to the river. The DNR will not approve an ordinance that

eliminates this tiering requirement. Every draft of St. Paul's ordinance has included some way to actualize this requirement along the downtown riverfront.

For unique sites like River's Edge, the proposed Conditional Use Permit (CUP) process offers a sensible pathway. The goal of tiering is to promote viewsheds to and from the river. The River's Edge proposal can accomplish the spirit of that goal—but without requiring the buildings to be shorter than those behind them—by aligning the towers to preserve view corridors down city streets as well as creating a new public realm on the river-facing side of the project.

Since 2019, FMR has said publicly that we support the River's Edge proposal contingent upon the preservation of these view corridors and the creation of expansive public space. (We also appreciate that the County has been committed to bird-friendly glass for this project since 2019 and remains so today.)

Given the importance of the downtown riverfront and its challenging geography, **the City should want an ordinance that triggers a CUP for unique projects** to ensure that development meets the public interest. A CUP process is the best possible way to comply with state mandates while still allowing the creativity and flexibility needed for projects like River's Edge. Given the public benefits River's Edge will provide, it should have no difficulty meeting the CUP criteria.

Please don't hesitate to contact me at ctoberman@fmr.org or 651-477-0923 to discuss any of our comments further. FMR also has extensive MRCCA ordinance resources (including videos, handouts, and interactive maps) available at www.fmr.org/river-rules.

Thank you for your time and consideration.

For the river,

A handwritten signature in black ink that reads "Colleen O'Connor Toberman". The signature is fluid and cursive, with the first and last names being more prominent.

Colleen O'Connor Toberman
Land Use & Planning Director

Addendum: Bird-friendly buildings language (January 2023 draft MRCCA ordinance)

Sec. 68.248. Bird-safe glass.

(a) Bird-safe glass, with treatments to reduce bird collisions with the glass, must be used on the first 70 feet above grade of new buildings and building additions as follows.

- 1) For building elevations comprised of 50% or more glass on any floor, at least 85% of the glass must be treated.
- 2) For building elevations comprised of less than 50% glass on any floor, at least 85% of glass areas of more than 50 square feet must be treated.
- 3) For glass areas of more than 50 square feet, any glass within 15 feet of a building corner must be treated.
- 4) All glass railings and glass on enclosed building connections must be treated.

(b) Bird-safe glass treatments may include the following:

- 1) Full surface glass treatment such as frosted glass or stained glass to make it visible;
- 2) Physical structures on the exterior of the glass such as grills and screens; and
- 3) Glass patterns visible from the outside such as white to medium gray permanent stencils, ceramic frit, and UV patterns visible to birds.

To qualify as a bird-safe glass treatment, line patterns must have a minimum of ¼ inch wide lines and 2 inch on-center spacing, and dot patterns must have a minimum of ⅜ inch wide dots and 2 inch on-center spacing each way.