



*Working to protect the Mississippi River  
and its watershed in the Twin Cities area.*

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Dear planning commissioners:

Thank you for the opportunity to comment on St. Paul Park'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 in the Twin Cities Region. We represent thousands of people in the metropolitan area who care deeply about the river, including a growing membership of over 2,700 people and more than 3,200 volunteers and 2,000 advocates engaged 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 landowners and developers.

We're largely pleased with St. Paul Park's draft MRCCA ordinance; it exceeds minimum state standards in some key areas. Two of the ordinance's strongest improvements are:

- Longer DNR/National Park Service notification periods for discretionary actions and public hearings. This makes the planning process much smoother for all parties by reducing the likelihood of technical or compliance concerns being raised last-minute.
- Requirements to use native vegetation when restoring areas subject to vegetation management permits.

However, your draft ordinance also contains some potential gaps and pitfalls that could make future planning and development processes more challenging. We'd like to make two recommendations that could strengthen and clarify your ordinance:

**Recommendation: Add required findings for variances and CUPs**

Your draft ordinance states that variances and Conditional Use Permits (CUPs) “must consider the potential impacts of variances on primary conservation areas, public river corridor views, and other resources identified in the MRCCA plan.” However, the ordinance doesn’t offer clarity about what “considering potential impacts” means, making this section difficult to administer. The city’s current variance and CUP ordinances do not address this issue about MRCCA-specific resources.

The DNR has some recommended language that clarifies what impacts should be considered and how. We recommend adding this language to both the variance and CUP requirements:

*In reviewing the variance application the board of adjustment and appeals shall:*

*Evaluate the impacts to these resources. and if negative impacts are found, require conditions to mitigate the impacts that are related to and proportional to the impacts.*

*Make written findings that the [variance or CUP] is consistent with the purpose of this section as follows:*

- A. The extent, location and intensity of the variance will be in substantial compliance with the MRCCA Plan;*
- B. The variance is consistent with the character and management purpose of the MRCCA district in which it is located;*
- C. The variance will not be detrimental to PCAs and PRCVs nor will it contribute to negative incremental impacts to PCAs and PRCVs when considered in the context of past, present and reasonable future actions; and*
- D. The variance will not negatively impact (other MRCCA plan-identified resources).*

St. Paul Park is no stranger to requests for variances and CUPs within its Critical Area. Putting in place strong, clear standards now is the best way to ensure consistent riverfront management for years to come.

**Recommendation: Expand open space protection requirements**

State rules require permanent protection of open space in “subdivisions, planned unit developments and master-planned development and redevelopment of land involving ten or more acres for contiguous parcels that abut the Mississippi River and 20 or more acres for all other parcels.”

In St. Paul Park, there are a few potential redevelopment sites that could be significant for the city but not meet these thresholds. A stronger standard could provide more permanent protection and enhancement of St. Paul Park’s scenic shoreline during land transitions and offer the potential to expand public recreational access, as well.

We recommend lowering the size threshold to five acres for river-adjacent parcels and ten acres for other parcels within the Critical Area. Projects that trigger this requirement would then have to set aside between 10-50% of their area (depending on which MRCCA district the site is within) as permanently protected open space.

Please don't hesitate to contact me at [ctoberman@fmr.org](mailto:ctoberman@fmr.org) or 651-222-2193 x29 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](http://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 written in a cursive style and is positioned above the printed name.

Colleen O'Connor Toberman  
River Corridor Program Director