



## MRCCA Model Ordinance: Summary of Optional Provisions

This guide is a detailed overview of opportunities for cities and townships to choose higher standards than required by the state’s MRCCA rules. Communities might opt in to these changes for a variety of reasons: to provide clarity and consistency for landowners and developers, to reduce future community conflicts about what development is allowable in the river corridor, to protect the river’s scenic character and ecological functions, and/or to become more resilient against increasingly extreme weather events.

If you want a simpler overview of the what each community is required to include in their ordinance, check out FMR’s MRCCA Model Ordinance Field Guide.

### Model ordinance chapters

- 1.0 Authority, Intent and Purpose
- 2.0 General Provisions and Definitions
- 3.0 Administration
- 4.0 MRCCA Districts
- 5.0 Special Land Use Provisions
- 6.0 Structure Height and Placement and Lot Size
- 7.0 Performance Standards for Private Facilities
- 8.0 Performance Standards for Public Facilities
- 9.0 Vegetation Management
- 10.0 Land Alteration Standards and Stormwater Management
- 11.0 Subdivision and Land Development Standards
- 12.0 Exemptions

Summary of optional provisions (in blue text)

Citation	Required provision or summary	Optional provision or change	DNR comments	FMR comments
<p><b>2.617 Definitions</b></p>	<p><b>Bluff.</b> A natural topographic feature having:</p> <p>A. A slope that rises at least 25 feet and the grade of the slope averages 18 percent or greater, measured over a horizontal distance of 25 feet, as follows:</p> <p>a. Where the slope begins above the ordinary high water level, from the toe of the slope to the top of the slope; or</p> <p>b. Where the slope begins below the ordinary high water level, from the ordinary high water level to the top of the slope. See Figure 1;</p>	<p><b>A. A slope that rises at least 25 feet and the grade of the slope averages 18 percent or greater, measured over a horizontal distance of 25 feet, from the toe of the slope to the top of the slope. Where the slope begins below the ordinary high water level, the ordinary high water level is the toe of the slope. See Figure 1;</b></p>	<p><i>2.617. Bluffs are anywhere in the MRCCA, not just abutting the water.</i></p> <p><i>2.617. Optional. This alternative “part A” bluff definition is more concise, direct and may be clearer than the definition as worded in rules. The alternative definition does not change the specification of what a bluff is, only how it is worded. The wording of “part B” is unchanged.</i></p>	<p>This is especially important for communities below St. Anthony Falls, where there are floodplains/flats between the river and the toe of the bluff, secondary bluffs, etc.</p>
<p><b>2.651 Definitions</b></p>		<p><b>2.650 Mississippi River Corridor Critical Area (MRCCA).</b> The area within the River Corridor Boundary (See Section 2.680).</p>	<p><i>2.650. Optional definition to clarify the “MRCCA” term used throughout document.</i></p>	
<p><b>2.651 Definitions</b></p>		<p><b>2.651 Mississippi River Corridor Critical Area (MRCCA) Plan.</b> A chapter or other element in the <i>(insert name of jurisdiction)</i> comprehensive plan.</p>	<p><i>2.651. Optional definition to clarify the “MRCCA Plan” term used throughout document.</i></p>	
<p><b>3.3 Variances</b></p>	<p><b>Variances.</b> Variances to the requirements under this <i>(section, chapter, or article)</i> may only be granted in accordance with</p>		<p><i>3.3. PRCV impact assessments for variances and conditional uses should review the MRCCA Plan for how</i></p>	

	<p>Minnesota Statutes, Section 462.357 and must consider the potential impacts of variances on primary conservation areas, public river corridor views, and other resources identified in the MRCCA plan. In reviewing the variance application the (zoning authority, governing body, or other appropriate term) shall:</p>		<p>PRCVs are visually shown or identified, why they are important and what changes would enhance or degrade them. Impacts will vary depending on the Plan's description of them and the project's size, height, &amp; location. Public hearing comments will be an important source of information in determining impacts and mitigation.</p>	
<p><b>3.31 Variances</b></p>	<p>3.31 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...</p>	<p>...consistent with Section 3.5</p>	<p>3.31. Optional. Including a reference to optional Section 3.5 provides the zoning authority with a list of mitigation ideas to consider for specific applications.</p>	
<p><b>3.32.A-D Variances</b></p>	<p>3.32 Make written findings that the variance is consistent with the purpose of this (section, chapter, or article).</p>	<p>3.32 Make written findings that the variance is consistent with the purpose of this (section, chapter, or article), <b>as follows.</b></p> <ul style="list-style-type: none"> <li><b>A. The extent, location and intensity of the variance will be in substantial compliance with the MRCCA Plan;</b></li> <li><b>B. The variance is consistent with the character and management purpose of the MRCCA district in which it is located;</b></li> <li><b>C. The variance will not be detrimental to PCAs and PRCVs nor will it contribute to negative incremental impacts to PCAs and PRCVs when</b></li> </ul>	<p>3.32.A-D. Optional. These findings provide clarity on what it means to find that a variance is consistent with the purpose of this section, chapter, or article (as required by rule) and help strengthen protections for PCAs and PRCVs in variance reviews.</p>	<p>Variances and CUPs require special attention. These situations can be the most damaging to the scenic views and protected shorelines that communities value. The DNR has recommended A-D; Minneapolis has also added provision E regarding the flyway.</p>

		<p>considered in the context of past, present and reasonable future actions; and</p> <p>D. The variance will not negatively impact (other MRCCA plan-identified resources).</p> <p>E. The variance will not negatively impact birds and other wildlife using the Mississippi Flyway through habitat loss in identified PCAs and significant vegetation stands, collision threats, or light pollution in excess of the required lighting standards of this zoning ordinance.</p>		
<b>3.4 Conditional Use Permits</b>	<p><b>Conditional and interim use permits.</b> All conditional and interim uses, required under this (<i>section, chapter or article</i>), must comply with Minnesota Statutes, section <a href="#">462.3595</a> and must consider the potential impacts on primary conservation areas, public river corridor views, and other resources identified in the MRCCA plan. In reviewing the application, the (<i>zoning authority, governing body, or other appropriate term</i>) shall:</p>		<p><i>3.4. The conditional uses required under this section include: allowing heights to exceed those specified in the UM and RTC districts, wireless communication towers, and nonmetallic mining.</i></p>	
<b>3.41 Conditional Use Permits</b>	<p>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</p>	<p><b>...consistent with Section 3.5</b></p>	<p><i>3.41. Optional. Including a reference to optional Section 3.5 provides the zoning authority with a list of mitigation ideas to consider for</i></p>	<p>Listing mitigation ideas helps cities and developers by communicating expectations in advance.</p>

	impacts...		<i>specific applications.</i>	
<b>3.42.A-D Conditional Use Permits</b>		<p><b>3.42 Make written findings that the conditional use is consistent with the purpose of this (section, chapter, or article), as follows.</b></p> <ul style="list-style-type: none"> <li><b>A. The extent, location and intensity of the conditional use will be in substantial compliance with the MRCCA Plan;</b></li> <li><b>B. The conditional use is consistent with the character and management purpose of the MRCCA district in which it is located;</b></li> <li><b>C. The conditional use 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</b></li> <li><b>D. The conditional use will not negatively impact (other MRCCA plan-identified resources).</b></li> <li><b>E. The variance will not negatively impact birds and other wildlife using the Mississippi Flyway through habitat loss in identified PCAs and significant vegetation</b></li> </ul>	<p><i>3.42.A-D. Optional. Rules do not require findings for conditional uses. These findings help strengthen protection for PCAs and PRCVs in reviewing conditional use applications by providing clarity on what it means to find that the conditional use is consistent with the purpose of this section, chapter, or article.</i></p>	<p>This is a critical provision. Written findings provide clear and consistent data for decision makers. The DNR has recommended A-D; Minneapolis has also added provision E regarding the flyway.</p>

		stands, collision threats, or light pollution in excess of the required lighting standards of this zoning ordinance.		
<b>3.5 Mitigation</b>		<p><b>3.5 Conditions of Approval. The (zoning authority, governing body, or other appropriate term) shall evaluate the impacts to PCAs, PRCVs, and other resources identified in the MRCCA Plan, and if negative impacts are found, require conditions to mitigate the impacts that are related to and proportional to the impacts. Mitigation may include:</b></p> <ul style="list-style-type: none"> <li><b>A. Vegetation restoration and/or preservation;</b></li> <li><b>B. Stormwater runoff management;</b></li> <li><b>C. Reducing impervious surface;</b></li> <li><b>D. Increasing structure setbacks;</b></li> <li><b>E. Wetland and drainageway restoration and/or preservation;</b></li> <li><b>F. Other conservation measures.</b></li> <li><b>G. Increasing, enhancing, and/or connecting habitat for pollinators, birds, and other wildlife</b></li> <li><b>H. Increasing the minimum open space dedications</b></li> <li><b>I. Techniques to minimize building bulk</b></li> </ul>	<p><i>3.5. Optional. This list of mitigation ideas can help the zoning authority make decisions on appropriate mitigation that will reduce impacts from approved variances and conditional uses.</i></p>	<p>Listing mitigation ideas helps cities and developers by communicating expectations in advance. Cities should consider options beyond this list, including open space dedication. The DNR has recommended A-E; Minneapolis has also added G-K.L-M are additional measures to consider.</p>

		<p><b>J. Limiting the height of structures</b></p> <p><b>K. Modifying structure design to limit visual impacts on PRCVs</b></p> <p><b>L. Increasing open/green space dedication</b></p> <p><b>M. Increasing and/or enhancing native habitat for birds, pollinators, and other wildlife</b></p>		
<b>3.82 Notification</b>	3.82 Notice of public hearings for discretionary actions, including conditional and interim use permits, variances, appeals, rezonings, preliminary plats, final subdivision plats and PUDs, must be sent to the following entities at least <b>ten (10)</b> days prior to the hearing:	3.82 Notice of public hearings for discretionary actions, including conditional and interim use permits, variances, appeals, rezonings, preliminary plats, final subdivision plats, <b>master plans</b> , and PUDs, must be sent to the following entities at least <b>thirty (30)</b> days prior to the hearing:	<i>3.82. Optional. Increasing the lead time for the DNR, NPS and adjoining local governments will increase the chance of getting substantive feedback available for consideration at the public hearing.</i>	FMR encourages robust community and stakeholder participation in decision-making. This is one way to get more engagement and better feedback before proposals move forward.
<b>3.82 Notification</b>		<b>3.82 The DNR will be notified at time of application submittal of master plans, PUDs, preliminary, and final plats.</b>	<i>3.82. Optional. Local governments will get better feedback and fewer surprises by engaging the DNR earlier in the review process for large projects with potential impacts to PCAs and PRCVs.</i>	
<b>5.25 Special Land Use</b>	<b>5.24 Nonmetallic mining.</b> Nonmetallic mining requires a conditional use permit or interim use permit issued by the local government.	<b>5.24 Optional. Consider prohibiting mining within the OHWL structure setback.</b>	<i>Screening of mining operation is possible if the operation is set back from the water. This will enhance recreational use of the River.</i>	This only applies to Cottage Grove.
<b>6.21 Structure Height</b>	6.21 Structures and facilities must comply with the following standards unless	6.21 Structures and facilities must comply with the following standards unless identified as exempt in Section	<i>6.21. Optional. Reduce the maximum heights allowed by right in any district and implement a maximum height</i>	Maximum heights for CUPs are important for defining a city's expectations and riverfront goals in

	<p>identified as exempt in Section 12.0.</p> <p>ROS District: 35 feet.  RN District: 35 feet.  RTC District: 48 feet, with tiering of structures away from river/bluff  SR District: Height underlying zoning, provided the allowed height is consistent with that of the mature treeline  UM District: 65 feet, provided tiering of structures away from the river/bluff  UC District: Height underlying zoning, provided tiering of structures away from the river/bluff</p>	<p>12.0.</p> <p>ROS District: 35 feet <b>(or lower)</b>.</p> <p>RTC District: 48 feet <b>(or lower)</b>, provided tiering of structures away from the Mississippi River and from blufflines is given priority, with lower structure heights closer to the river and blufflines, and that structure design and placement minimizes interference with public river corridor views. Structures over 48 feet <b>(or lower) and up to (fill in a max. height)</b> are allowed as a conditional use according to Section 6.23.</p> <p>UM District: 65 feet, provided tiering of structures away from the Mississippi River and from blufflines is given priority, with lower structure heights closer to the river and blufflines, and that structure design and placement minimize interference with public river corridor views. Structures over 65 feet <b>(or lower) and up to (fill in a max. height)</b> are allowed as a conditional use according to Section 6.23.</p>	<p><i>allowed through a CUP in the RTC and UM District. This will reduce the heights requested by developers and provide better protection of scenic resources. These changes will also provide more opportunities to add conditions or require mitigation, especially in redevelopment areas.</i></p> <p><i>6.21 Optional. Replace the vague tiering and priority language in the RTC, UM, and UC Districts with specific height standards based on distance from the river that would be zoned/mapped through additional zoning districts (e.g. RTC-1, RTC-2, etc.). For each district further from the river, a maximum height allowed by CUP would be increased.</i></p>	<p>advance of proposals being brought forward. Newport set a maximum height allowed by CUP of 70 feet in the UM district.</p> <p>Lowering maximum heights in areas with particular scenic value would enhance community enjoyment of and benefit from the river.</p> <p>We support the DNR’s recommendation to map subdistricts in RTC, UM, and UC that have tiered building heights. Minneapolis has done this in UM.</p>
<p><b>6.23 Structure Height</b></p>	<p>6.23 In addition to the conditional use permit requirements of Section 3.4, criteria for considering whether to grant a conditional use permit for structures</p>	<p>A. Assessment of the visual impact of the proposed structure on public river corridor views, including views from</p>	<p><i>6.23.B. Optional. This standard would link CUP approval with conformance to bluff setback standards.</i></p>	<p>This ensures that structures don’t “double down” on impacting the riverfront or its scenic views by exceeding both height and setback</p>

	exceeding the height limits must include:	other communities;  <b>B. Determination that the proposed structure meets the required bluff and OHWL setbacks;</b>		limits. Setbacks can mitigate some impacts of excessive height.
<b>6.23 Structure Height</b>	6.23.C. Identification and application of techniques to minimize the perceived bulk of the proposed structure, such as: (1) Placing the long axis of the building perpendicular to the river; (2) Stepping back of portions of the facade;  (5) Narrowing the profile of upper floors of the building; or (6) Increasing the setbacks of the building from the Mississippi River or blufflines; (7) Identification of techniques for preservation of those view corridors identified in the MRCCA Plan; and (8) Opportunities for creation or enhancement of public river corridor views.	<b>(3) Lowering the roof pitch or use of a flat roof;</b>  <b>(4) Using building materials or mitigation techniques that will blend in with the natural surroundings such as green roofs, green walls, or other green and brown building materials;</b>	<i>6.23.C. 3&amp;4. Optional. These additional techniques can help reduce visual impacts in certain situations.</i>	FMR can provide examples of places where natural building materials have made a difference in a structure's visual impact.
<b>6.3 River OHWL Setback</b>	6.32 Structures and facilities must comply with the following OHWL setback provisions unless identified as exempt in Section 12.0.  A. ROS District: 200 feet from the Mississippi River and 150 feet from the Minnesota and Vermillion Rivers. B. RN District: 100 feet from the		<i>6.3. Local governments may apply stricter standards than those listed here. Increasing structure setbacks can help reduce the risk of erosion in near shore and bluff areas and enhance the aesthetic character of the river. Larger setbacks also allow room for larger riparian buffers.</i>	Larger setbacks are especially important in specific places with sensitive shorelines or need for public access/open space.

	<p>Mississippi River and 75 feet from the Rum and Vermillion Rivers.</p> <p>C. RTC District: 75 feet from the Mississippi, Crow, and Rum Rivers.</p> <p>D. SR District: 75 feet from the Vermillion River.</p> <p>E. UM District: 50 feet from the Mississippi River.</p> <p>F. UC District: Setbacks are determined by underlying zoning.</p>			
<b>6.33 Bluff Setback</b>	<p>6.33 Structures and facilities must comply with the following bluffline setback provisions unless identified as exempt in Section 12.0:</p> <p>A. ROS District: 100 feet.</p> <p>B. RN District: 40 feet.</p> <p>C. RTC District: 40 feet.</p> <p>D. SR District: 40 feet.</p> <p>E. UM District: 40 feet.</p> <p>F. UC District: 40 feet.</p>			<p>Larger setbacks are especially important in specific places with sensitive shorelines or need for public access/open space. Bluff setbacks are also particularly helpful for preserving scenic views.</p>
<b>7.5 Private Decks and Patios</b>	<p><b>7.5 Decks and patios in setback areas.</b></p> <p>Decks and at-grade patios may encroach into the required setbacks from the ordinary high water level and blufflines without a variance, when consistent with Sections 9.0 and 10.0, provided that:</p> <p>7.51 The encroachment of the deck or</p>	<p><b>7.5. Optional. Eliminate these provisions and prohibit decks and patios within the structure setback.</b></p>		<p>Decks and patios within structure setbacks could cause damage along sensitive bluffs and impact views from the river. This mostly impacts residential uses of the corridor upstream of Minneapolis.</p>

	<p>patio into the required setback area does not exceed 15 percent of the required structure setback;</p> <p>7.52 The area of the deck or patio that extends into the required setback area occupies no more than 25 percent of the total area between the required setback and the 15 percent using the formula: [required setback depth (feet) x 0.15 x lot width (feet) = maximum total area]</p> <p>7.53 The deck or patio does not extend into the bluff impact zone. See Figure 7.</p>			
<p><b>7.6 Signs</b></p>	<p><b>7.6 Off-premise and directional signs.</b></p> <p>7.61 Off-premise advertng signs must:</p> <ul style="list-style-type: none"> <li>• Meet required structure placement and height standards in Sections 6.0.</li> <li>• Not be readily visible</li> </ul> <p>7.62 Directional signs for patrons arriving at a business by watercraft must comply with the following standards:</p> <ul style="list-style-type: none"> <li>• They must be consistent with <a href="#">Minnesota Statutes, section 86B.115</a>.</li> <li>• Only convey the location and name of the establishment and the general types of goods and services available, if located in a shore impact zone.</li> <li>• Be no greater than ten feet in height</li> </ul>	<p><b>7.6 If local governments choose to allow off-premise signs and signs in the shore impact zone, these provisions must be included. If not, LGUs must exclude them.</b></p> <p><b>7.62 Lighting must be fully shielded and directed downward to prevent illumination out across the river or to the sky.</b></p> <p><b>7.62 This language may conflict with supreme court decisions regarding free speech and the first amendment. The provision is intended to prohibit nonessential signs in the shore impact zone to limit the impact on scenic views</b></p>		<p>Communities should consider excluding all nonessential signs in the SIZ. Minneapolis and Newport are both using this language: “Off-premise advertising signs and billboards, including the sign face and structure, which may be viewed from the Mississippi River shall be prohibited, except a sign or billboard designated by the Heritage Preservation Commission or determined by the Heritage Preservation Commission to be a contributing feature in a historic district.”</p>

	<p>and 32 square feet in surface area; and</p> <ul style="list-style-type: none"> <li>If illuminated, the lighting must be shielded to prevent illumination out across the river or to the sky.</li> </ul>	<p><b>while allowing directional signage. If LGUs want to allow such signs and are uncomfortable with this language, they should propose alternative language. If LGUs do not want signs in the SIZ, then this language should be eliminated and replaced with language prohibiting nonessential signs in the SIZ.</b></p>		
<b>7.7 Fences</b>		<p><b>7.7 Fences. Fences between principal structures and the river are allowed provided that fences are:</b></p> <p><b>7.71 Not higher than six feet.</b>  <b>7.72 Not located within 40 feet of slopes greater than 12%.</b>  <b>7.73 Not located in the regulatory floodplain.</b></p>	<p><i>7.7. Optional. Language regulating fences in the SIZ will protect river views and may minimize neighbor conflicts over fences and views to the river.</i></p>	<p>Champlin has prohibited fences in the SIZ.</p>
<b>7 Lighting</b>		<p><b>7.8 Lighting. Comply with Minnesota B3 Guidelines, version 3.2, Site and Water Guideline: S.5 Animal Habitat Support.</b></p>		<p>Given the Mississippi River flyway's importance to migrating birds, and the threat of bird strikes to wildlife populations, communities should consider requiring new buildings in MRCCA to incorporate bird safety measures. Adding specifications for lighting improves safety for migratory birds. The state B3 guidelines offer a good standard.</p>
<b>7</b>		<p><b>7.9 Building Materials. Comply with Minnesota B3 Guidelines, version 3.2,</b></p>		<p>Given the Mississippi River flyway's importance to migrating birds, and</p>

<p><b>Bird-safe Buildings</b></p>		<p><b>Site and Water Guideline: S.5 Animal Habitat Support.</b></p>		<p>the threat of bird strikes to wildlife populations, communities should consider requiring new buildings in MRCCA to incorporate bird safety measures. The state B3 guidelines specify bird-safe building elements, particularly glass.</p> <p>Minneapolis created an entire additional lighting section to their ordinance; its provisions apply to both private and public facilities. It's attached at the end of this document.</p>
<p><b>8.0 Public Utilities</b></p>	<p><b>8.2 General design standards.</b> All public facilities must be designed and constructed to:</p>	<p>8.21 Minimize visibility of the facility <b>from the river</b> to the extent consistent with the purpose of the facility;</p> <p><b>8.2 During bird migration times, schedule construction, or implement mitigation measures, to minimize disturbance in primary conservation areas.</b></p>	<p><i>8.21. Optional. Added text provides administrative clarity that views from the river are important to protect.</i></p>	<p>Minneapolis and Newport added a provision to protect migrating birds.</p>
<p><b>8.5 Public Utilities</b></p>	<p><b>8.5 Public utilities.</b> Public utilities must comply with the following standards:</p>		<p><i>8.5. There are situations where local governments have jurisdiction for approving transmission projects. See 216E.05 Subd. 1. In those cases, the local government would apply these standards in reviewing and approving</i></p>	

			<i>the transmission application.</i>	
<b>8.51-.53 Public Utilities</b>	<p>8.51 High-voltage transmission lines, wind energy conversion systems greater than five megawatts, and pipelines are regulated according to Minnesota Statutes, chapter <a href="#">216E</a>, <a href="#">216F</a>, and <a href="#">216G</a> respectively; and</p> <p>8.52 If overhead placement is necessary, utility crossings must <b>be hidden from view</b> as much as practicable.</p> <p>8.53 The appearance of structures must be as compatible as practicable with the surrounding area in a natural state with regard to height and width, materials used, and color.</p>	8.52 If overhead placement is necessary, utility <b>facility</b> crossings must <b>minimize visibility of the facility from the river and follow other existing right of ways</b> as much as practicable.	<i>8.52. Optional. Added text provides administrative clarity that views from the river are important to protect when local governments have approval authority.</i>	It's important for communities to have a stake in these types of projects.
<b>8.75 Public Recreational Facilities</b>	Public signs and kiosks for interpretive or directional purposes are allowed in the bluff or shore impact zones, provided they are placed and constructed to minimize disturbance to these areas and avoid visual impacts on public river corridor views.	<b>8.75 If illuminated, the lighting must be fully shielded and be directed downward.</b>		Minneapolis added this language to protect migrating birds.
<b>9.4 Vegetation Management Permit</b>	<i>9.4 LGUs must develop a new or use an existing permit process consistent with 6106.0150 Subp. 4. LGUs must submit documentation to the DNR verifying a process and administrative forms and procedures as part of ordinance review and approval process. LGUs have the authority</i>	<p><b>9.4 Consider requiring a permit to remove healthy trees over 4 inches.</b></p> <p><b>Consider specifying that replacement vegetation must consist of native species.</b></p>		These are FMR recommendations to preserve the stormwater, habitat, and other biological functions of the most ecologically sensitive areas in MRCCA.

	<i>to approve, approve with conditions or deny a vegetation permit application.</i>			
<b>9.42 Vegetation Management Permit</b>	9.42 Conditions of vegetation permit approval:	<p><b>9.42.H Areas of vegetation restoration priorities identified in the MRCCA plan are restored, if applicable;</b></p> <p><b>9.42 Vegetation removal activities are conducted so as to expose the smallest practical area of soil to erosion for the least possible time and to minimize disturbance during bird migration and nesting seasons;</b></p>	<i>9.42. H. Optional. This condition implements a required implementation action in the approved MRCCA plan. The action calls for establishing a vegetation permitting process that includes permit review procedures to ensure consideration of restoration priorities identified in the plan in permit issuance and conditions requiring vegetation restoration for those priority areas.</i>	<p>Specific sites, particularly in the southern/eastern corridor areas, will benefit from this prioritization.</p> <p>Minneapolis added this language to protect migrating birds.</p>
<b>9.6 Vegetation Restoration Plan</b>	9.62.B Vegetation management plan must be prepared by a qualified individual;	9.62.B Vegetation management plan must be prepared by a qualified individual <b>with demonstrable experience and knowledge related to management of natural areas such as natural resource manager or ecologist.</b>		FMR's staff ecologists recommend this wording to ensure that the plans are prepared by someone with specific expertise in natural vegetation, which not all lawn or landscaping professionals have.
<b>10.2 Land Alteration Permit</b>	<p>10.21 Within the bluff impact zone, land alteration is prohibited, except for the following, which are allowed by permit.</p> <p>A. Erosion control consistent with Section 10.6;</p> <p>B. The minimum necessary for development that is allowed as an exception under Section 12; and</p>	<b>10.22 Optional. LGUs may increase the distance or area where a land alteration permit is required.</b>		

	<p>C. Repair and maintenance of existing buildings and facilities.</p> <p>10.22 Within the water quality impact zone, land alteration that involves more than ten cubic yards of material or affects an area greater than 1,000 square feet requires a permit.</p>			
<b>10.4 Stormwater</b>	10.41 In the bluff impact zone, storm water management facilities are prohibited, except by permit...	<b>10.41 Optional. Could add the bluff setback to this standard to increase the area in which stormwater treatment facilities would not be allowed.</b>		Bluffs are particularly vulnerable as we face increasing rainfalls. This provision would protect bluffs and the structures upon them.
<b>11.0 Subdivision and Land Development</b>	<p>11.1 Purpose.</p> <p>11.11 To protect and enhance the natural and scenic values of the MRCCA during development or redevelopment of the remaining large sites</p> <p>11.12 To establish standards for protecting and restoring biological and ecological functions of primary conservation areas on large sites; and</p> <p>11.13 To encourage restoration of natural vegetation during development or redevelopment of large sites where restoration opportunities have been identified in MRCCA Plans.</p>	<p>11.21 Applicability.</p> <p>The design standards in this section apply to subdivisions, planned unit developments and master- planned development and redevelopment of land involving ten or more acres for <b>contiguous</b> parcels that abut the Mississippi River and 20 or more acres for all other parcels, including smaller individual sites within the following developments that are part of a common plan of development that may be constructed at different times:</p>	<p><i>11.21. Optional. The 10-acre threshold is high considering redevelopment in urban areas of the corridor. Consider <b>reducing to a lower threshold such as five acres</b>. This way communities can ensure more public access to the river and better protection or restoration of PCAs and PRCVs.</i></p> <p><i>Additionally, this provision is intended to ensure that all land adjacent to the River be protected. The optional word “contiguous” helps to communicate this and to reduce the potential for using existing parcel sizes to weaken protections for land adjacent to the river.</i></p>	Cities with smaller development parcels would particularly benefit from these protections for open space and public access.

	<p>11.22 The following activities are exempt from the requirements of this section:  ...F. Activities involving river-dependent commercial and industrial uses.</p>	<p><b>Remove this exemption.</b></p>		<p>This provision was added late in the rulemaking process and it could prevent resource protection and/or public access. River-dependent uses are by definition along the shoreline and in the shoreline impact zone. This exemption significantly impairs shoreline protection.</p>
<p><b>11.6 Alternative Design Standards</b></p>		<p><b>The city will consider the following alternative design option to increase the permanent protection of Primary Conservation Areas (PCAs) in subdivisions and other new developments in the MRCCA District and encourage restoration of native vegetation communities. The City may grant density bonuses to increase the permanent protection of PCAs and/or native plant communities up to thirty (30) percent of the parcel area. Protection and restoration must be accomplished consistent with the requirements of this section.</b></p> <p><b>The City may award additional development units based on the size of the area protected, as follows:</b></p> <p><b>The City may approve density bonuses for a major subdivision when the proposed subdivision meets the</b></p>		<p>This is Newport’s language on alternative design standards that incentivize permanent protection of natural areas.</p>

		<p><b>objectives and requirements of this division and Article _ of the city code to protect and preserve bluffs, steep slopes, native vegetation, natural resources, views of the bluffs area, and open space.</b></p> <p><b>The city shall determine the amount and location of the density bonus permitted for each major subdivision based on site conditions, zoning district regulations, and potential impacts to the site and surrounding areas. The maximum density bonus for a subdivision shall be twenty (20) percent for single-family and duplex housing units and thirty (30) percent for multifamily units.</b></p>		
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## **Minneapolis MRCCA ordinance example: performance standards for exterior lighting**

551.1880.- Performance standards for exterior lighting.

(a) *Exterior lighting standards.* In addition to the lighting standards in section 535.590 of this zoning ordinance, all exterior lighting within the MRCCA must comply with the following standards:

- (1) Luminaires must be full-cutoff or fully shielded.
- (2) Uplighting is not permitted, unless otherwise allowed by conditional use permit.
- (3) For structures other than single- and two-family dwellings, and three-family dwellings architectural accent, ornamental, or decorative lighting is not permitted, unless otherwise allowed by conditional use permit.

(b) *Conditional use permits and exemptions.*

- (1) Architectural uplighting of buildings and architectural accent, ornamental, or decorative lighting may be allowed by conditional use permit, provided the lighting is turned off from dusk to dawn between March 15 and May 31 and between August 15 and October 31 each year.
- (2) Lighting that is noncompliant with the standards of the section may be allowed by conditional use permit for public parks, athletic fields and outdoor recreation facilities serving or operated by an institutional or public use, and outdoor commercial recreation, entertainment and lodging uses, provided the lighting is related to and reasonable necessary for the operation of the use and that is turned off when the use is not in operation.
- (3) Lighting that is noncompliant with the standards of this section, may be allowed by the Heritage Preservation Commission for historic landmarks and districts when determined to be a contributing feature of a landmark or district. In addition, lighting of public facilities that is noncompliant with the standards of this section, may be allowed by the zoning administrator where required by federal and state historic regulations, guidelines, or environmental reviews. Where possible, lighting should be turned off from dusk to dawn between March 15 and May 31 and between August 15 and October 31 each year.
- (4) The following lighting is exempt from the provisions of this section:
  - a. Publicly controlled or maintained emergency or traffic signals;
  - b. Lighting for public monuments, statues, and bridges;

- c. Lighting required by federal or state laws or regulations;
- d. Emergency lighting;
- e. Flagpoles; and
- f. Motion-activated security lighting.

### Examples of Acceptable / Unacceptable Lighting Fixtures

**Unacceptable / Discouraged**  
Fixtures that produce glare and light trespass

Unshielded Floodlights or Poorly-shielded Floodlights

Unshielded Wallpacks & Unshielded or Poorly-shielded Wall Mount Fixtures

Drop-Lens & Sag-Lens Fixtures w/ exposed bulb / refractor lens

Unshielded Streetlight

Unshielded Bollards

Unshielded Barn Light

Unshielded 'Period' Style Fixtures

Unshielded PAR Floodlights

Drop-Lens Canopy Fixtures

**Acceptable**  
Fixtures that shield the light source to minimize glare and light trespass and to facilitate better vision at night

Full Cutoff Fixtures

Fully Shielded Wallpack & Wall Mount Fixtures

Fully Shielded Fixtures

Full Cutoff Streetlight

Fully Shielded Barn Light

Fully Shielded Walkway Bollards

Fully Shielded Decorative Fixtures

Fully Shielded 'Period' Style Fixtures

Shielded / Properly-aimed PAR Floodlights

Flush Mounted or Side Shielded Under Canopy Fixtures

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