



ENVIRONMENTAL QUALITY AND ENERGY COMMISSION

July 13, 2021

7:00 PM

Fridley Civic Campus, 7071 University Ave N.E.

AGENDA

Call to Order

Approval of Agenda

Approval of Meeting Minutes

1. Approve the Minutes from the Environmental Quality and Energy Commission meeting of June 8, 2021.

New Business

2. Mississippi River Corridor Critical Area Ordinance Update

Old Business

3. Micromobility Sharing Update

Other Items

4. Compostable Item Program
5. Informal Status Updates

Adjournment



AGENDA REPORT

Meeting Date: July 13, 2021

Meeting Type: Environmental Quality and Energy
(EQEC) Commission

Submitted By: Rachel Workin, Environmental Planner

Title

Approve the Minutes from the Environmental Quality and Energy Commission meeting of June 8, 2021.

Background

Attached are the Minutes from the Environmental Quality and Energy Commission meeting of June 8, 2021.

Recommendation

Approve the Minutes from the Environmental Quality and Energy Commission meeting of June 8, 2021.

Attachments and Other Resources

- Environmental Quality and Energy Commission Minutes- June 8 2021

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



ENVIRONMENTAL QUALITY AND ENERGY COMMISSION
Fridley Municipal Center, 7071 University Ave Ne
MINUTES

June 8, 2021

Location: Zoom Webinar

Call to Order

Commissioner Dritz called the Environmental Quality and Energy Commission to order at 7:00 p.m.

Roll Call

Present: Amy Dritz, Justin Foell, Nick Olberding, Heidi Ferris, Aaron Klemz, and Sam Stoxen

Absent: Mark Hansen

Staff: Rachel Workin, Environmental Planner

Adopt the Agenda

Commissioner Foell made a motion to adopt the agenda and Commissioner Stoxen seconded the motion.

MOTION PASSED unanimously

1. Approve April 13, 2021 Meeting Minutes

Commissioner Olberding made a motion to approve the minutes and Commissioner Ferris seconded the motion.

MOTION PASSED unanimously.

New Business

2. Remote Bikeable Community Workshop

Ms. Workin thanked commissioners for participating in the Remote Bikeable Community Workshop. She provided commissioners updates on trail projects within the City, including the award of funding for the 53rd Ave Trail between Highway 65 and Main Street and the development of plans for the 7th Street trail between 53rd Avenue and 61st Avenue. Ms. Workin also shared that the City had a demonstration project for a road diet on the University Avenue Service Rd. Commissioner Foell recommended providing contact information onsite for people to give feedback on the demonstration project. Commissioner Ferris asked if staff would consider providing green space buffer behind the curb for additional stormwater management and pollinator benefits. Ms. Workin said that she would find more information but provided decreased impacts to the adjacent property owner, difficulty establishing grass, maintenance, and trail widening as potential reasonings for having a paved buffer.

Ms. Workin shared the workshop summary for the Remote Bikeable Community Workshop. The summary identified the top priority items as 1) wayfinding signage, 2) gap analysis, 3) slow ride, 4) promoting biking to businesses. Ms. Workin asked the Commissioners how they would like to move forward. Commissioners recommended prioritizing wayfinding. Mr. Foell shared Edina's wayfinding signage. Ms. Workin said that staff would work on developing a wayfinding plan for EQEC review. Ms. Workin also shared that she was meeting

with Anoka County TMO and BikeMN to learn more information on opportunities for businesses. Commissioners discussed if there was an opportunity for the police to engage with the public or conduct their patrols via bicycle. Ms. Workin said she would check with the police department.

Other Items

3. Shared Micromobility Vehicles

Ms. Workin said that the City received a Text Amendment from Bird Rides Inc to allow for Shared Micromobility Vehicles within the public right-of-way. There will be a public hearing before the Planning Commission on June 16. Commissioner Klemz asked if scooters would be able to move between Minneapolis and Fridley if approved. Ms. Workin said she would find out.

4. Informal Status Reports

Ms. Workin shared that the rental department was switching to a Plug-In Hybrid Electric Vehicle. She also said that she would be tabling at a summer concert series at the Civic Campus. Commissioners also discussed the impact of electric vehicles on the City's Energy Action Plan. Commissioner Dritz recommended working with the Center for Energy and Environment to discuss the next phase of Energy Action Plan implementation.

Adjourn

Commissioner Ferris made a motion to adjourn. Commissioner Stoxen seconded the motion.

MOTION PASSED unanimously.



AGENDA REPORT

Meeting Date: July 13, 2021

Meeting Type: Environmental Quality and Energy
(EQEC) Commission

Submitted By: Rachel Workin, Environmental Planner

Title

Mississippi River Corridor Critical Area Ordinance Update

Background

The Mississippi River Corridor Critical Area (MRCCA) is a corridor of land along a 72-mile stretch of the Mississippi River through the Twin Cities Metropolitan Area. Land development within the MRCCA is regulated by local governments in order to protect the natural, cultural, and scenic resources of the River. Communities within the MRCCA are responsible for developing a MRCCA plan as part of their Comprehensive Plan as well as implementing zoning regulations consistent with the plan and Minnesota State Statute. These zoning regulations provide special consideration for the River during building construction, land alteration, subdivisions, and other land use activities. In Fridley, these regulations are contained within Zoning Overlay District 205-28 0-2 Critical Area District Regulations.

In 2017, the state adopted new rules for the MRCCA put forth by the Minnesota Department of Natural Resources (DNR). The DNR also developed a model ordinance that provides the minimum standards that communities must adopt. Beginning in January 2020 and going through approximately December 2022, all 30 communities within the MRCCA will be required to adopt new MRCCA zoning standards to be in compliance with these new rules. On June 29, 2021, the City of Fridley received notification from the DNR that it must update its MRCCA ordinance by June 29, 2022.

The Friends of the Mississippi River is a St. Paul-based nonprofit focused on the Mississippi River that has been actively involved in the MRCCA update process. Colleen O' Conner Toberman, River Corridor Program Director will be presenting to provide information on the MRCCA and land use planning along the River.

Recommendation

Informational purposes only

Attachments and Other Resources

- Current MRCCA zoning overlay
- DNR model ordinance

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.

FRIDLEY CITY CODE
SECTION 205-28. 0-2 CRITICAL AREA DISTRICT REGULATIONS

1. PURPOSE AND INTENT

It is the purpose and intent of this district to prevent or mitigate irreversible damage to the Mississippi River Corridor and to preserve and enhance its values to the public. The Mississippi River Corridor is a unique and essential element in the local, regional, state and national transportation, sewer and water, and recreational systems, as well as serving important biological and ecological functions, and shall be protected and preserved in accordance with the following policies:

- A. The Mississippi River Corridor shall be managed as a multi-purpose public resource that provides for the development of a variety of urban uses within the river corridor while conserving the scenic, environmental, recreational, mineral, economic, cultural, and historic resources and functions of the river corridor.
- B. The Mississippi River Corridor shall be managed in a manner consistent with its natural characteristics and its existing development and in accordance with regional plans for the development of the Metropolitan Area.
- C. The Mississippi River Corridor shall be managed in accordance with the Critical Areas Act of 1973, the Minnesota Environmental Policy Act of 1973, and the Governor's critical area designation, Executive Order No. 130, dated November 23, 1976, and other applicable state and federal laws.

2. DISTRICT BOUNDARIES

The boundaries of the 0-2 District shall be located on the official zoning map of the City of Fridley, and shall encompass all property located between the center line of Anoka County Trunk Highway 1 and the normal high water line of the east bank of the Mississippi River running from the north boundary to the south boundary line of the City.

3. DEFINITIONS

For the purpose of this district the following definitions shall apply:

A. Bluff.

Those steep slopes lying between the normal high water mark and the River Corridor boundary having an angle of ascent from the river of more than twelve percent (12%) from the horizontal.

B. Bluffline.

A line delineating the top of the bluff connecting the points at which the angle of ascent becomes less than twelve percent (12%). More than one (1) bluffline may be encountered.

C. Clear-cutting.

The indiscriminate cutting down of large numbers of trees in a given areas.

D. Critical Area.

The area known as the Mississippi River Corridor Critical Area designated by the Governor in the Executive Order No. 130.

E. Development.

The making of any material change in the use or appearance of any structure or land including reconstruction; alteration of the size of any structure; alteration of the land; alteration of a shore or bank of a river, stream, lake or pond; a commencement of drilling (except to obtain soil samples); mining or excavation; demolition of a structure; clearing of land as an adjunct to construction; deposit of refuse, solid or liquid waste, or fill on a parcel of land; the dividing of land into two (2) or more parcels.

F. Essential Services.

Means underground or overhead gas, electrical, steam or water distribution systems including poles, wires, mains, drains, sewer pipes, conduits, cables and other similar equipment and accessories in conjunction therewith.

G. Public Safety Facilities.

Hydrants, fire alarm boxes, street lights, railway crossings signals and similar accessories including buildings.

H. Retaining Wall.

A structure utilized to hold a slope in a position in which it would not naturally remain.

I. Terrace.

A relatively level area bordered on one (I) or more sides by retaining walls.

J. Utility Facility.

Physical facilities of electric, telephone, telegraph, cable, television, water, sewer, solid waste, gas and similar service operations.

K. Wetlands.

Low lying areas which may be covered with shallow and sometimes intermittent water. They are frequently associated with a high water table. Wetlands are generally too wet for cultivation or development without artificial drainage. Swamps, bogs, marshes, potholes, wet meadows and sloughs are wetlands.

4. USES PERMITTED

Any use permitted within the existing zoned district.

5. USES EXCLUDED

- A. Any use that was excluded within the existing zoned district.
- B. Any barge fleeting or barge loading.
- C. Any waste storage use or treatment facilities.
- D. Any mining or extraction uses other than soil preparation or peat removal.

6. SITE PLAN REQUIREMENTS

- A. No building permit, zoning, or subdivision approval shall be issued for any action located in this district until a site plan has been prepared and approved in accordance with the provisions of this Section.
- B. No site plans shall be required for a single family dwelling or for the extension, enlargement, change, or alteration thereof, nor accessory structures thereto.

7. SITE PLAN CONTENTS

- A. Site plans shall be prepared to a scale appropriate to the size of the project and suitable for review.
- B. The following information shall be provided in the site plan:
 - (1) Location of the property including such information as the name and numbers of adjoining roads, railroads, existing subdivisions, or other landmarks.
 - (2) The name and address of the owner(s) or developer(s), the Section, township and range, northpoint, date and scale of drawing and number of sheets.
 - (3) Existing topography as indicated on a contour map having a contour interval no greater than two (2) feet per contour. The topography map shall also clearly delineate the river and any bluffline, all streams, including intermittent streams and swales, river, waterbodies and wetlands. The topography map shall indicate the floodway and/or flood fringe lines and the normal highwater mark of the river.
 - (4) A plan delineating existing drainage of the water setting forth the direction, the volume, and at what rate storm water is conveyed from the site, and setting forth those areas of the site where storm water collects and is gradually percolated into the ground or slowly released to a creek, river or lake.

- (5) A proposed drainage plan of the developed site delineating the direction, the volume, and at what rate storm water will be conveyed from the site and setting forth the areas of the site where storm water will be allowed to collect and gradually percolate into the ground, or be slowly released to a creek, river or lake. The plan shall also set forth the hydraulic capacity of all structures to be constructed, existing structures to be utilized, and volume of holding ponds for the design storm (i.e. six inch (6"), twenty-four (24) hour rain).
- (6) A description of the soils of the site including a map indicating soil types by areas to be disturbed as well as a soil report prepared by a soil scientist containing information on the suitability of the soils for the type of development proposed and for the type of sewage disposal proposed and describing any remedial steps to be taken by the developer to render the soils suitable. All areas proposed for grading shall be identified by soil type, including the existing top soil and the soil type of the new contour. The location and extent of any erosion areas shall be indicated. The stability of rock outcroppings along blufflines and faces shall be included in the soils description.
- (7) A map indicating proposed finished grade having a contour at the same intervals as provided on the existing topographic map or as required to clearly indicate the relationship of proposed changes in existing topography and remaining features.
- (8) An erosion and sedimentation control plan indicating the type, location, and necessary technical information on control measures to be used during and after construction including a statement expressing the calculated anticipated gross soil loss expressed in tons per acre per year during and after construction.
- (9) A delineation of the location and amounts of excavated soils to be stored on the site during construction.
- (10) A description of the flora and fauna, which occupy the site or are occasionally found thereon, setting forth in detail those areas where unique plant or animal species may be found on the site.
- (11) A description of any features, buildings or areas which are of historic significance.
- (12) A landscape plan drawn to an appropriate scale, including dimensions, distances, location, type, size and description of all existing vegetation proposed for removal and all proposed landscape materials which will be added to the site as part of the development.
- (13) The proposed size, alignment, height and intended use of any structure to be erected or located on the site.

- (14) A clear delineation of all land which shall be paved or hard surfaced including a description of the surfacing material to be used.
- (15) A description of the method to be provided for vehicular and pedestrian access to the proposed development and public access to river and/or public river view opportunities both before and after development. A description of the development's impact on existing view of and along the river. A description of all parking facilities to be provided as part of the development of the site including an analysis of parking needs generated by the proposed development.
- (16) A delineation of the area or areas to be dedicated for public use.
- (17) Any other information pertinent to the particular project which in the opinion of the City or applicant is necessary or helpful for the review of the project.

8. ADDITIONAL REQUIREMENTS FOR ALL STRUCTURES

A. Lot Size.

Lot size shall be governed by the existing zoning district.

B. Building Height.

Building height shall be governed by the existing zoning district.

C. Setbacks.

Setbacks shall be governed by the existing zoning districts except as follows:

- (1) All new structures and uses shall be placed not less than forty (40) feet from the top of the bluffline overlooking the Mississippi River.
- (2) All new structures and uses shall be placed not less than 100 feet from the Mississippi River normal high water line as defined by the Federal Insurance Administration's Flood Insurance Study.
- (3) Exceptions to setback requirements shall include public safety facilities, public bridges and approaches, public roadways, public recreation facilities, scenic overlooks, regional and local trails; docks and boat launching facilities, approved river crossings of essential services and distribution services and historical sites designated by the National and State Register of Historic Places.
- (4) The following agencies shall be notified of all variance requests to the above setback requirements: The Minnesota Department of Natural Resources and Environmental Quality Board.

D. Placement of Structures.

- (1) Placement of structures in areas subject to flooding as designated in Section 205.24 of this Chapter shall be governed by the regulations of that Section.
- (2) No land with slopes, before alteration, in excess of eighteen percent (18%) will be developed for use except for necessary erosion control structures which are in conformance with all other guidelines and standards. All applicable local, state and federal laws, rules and regulations and Metropolitan plan guidelines and standards must be met for bridge construction and bridge approach roadways.
- (3) Development on slopes in excess of twelve percent (12%), but less than eighteen percent (18%), will be permitted provided that the applicant can meet the following conditions:
 - (a) The foundation and underlying material shall be adequate for the slope condition and soil type.
 - (b) The developer can demonstrate that development during and after construction can be accomplished without increasing erosion and that there are proper controls to reduce runoff to nondestructive levels.
 - (c) The proposed development presents no danger of falling rock, mud, uprooted trees and other material to structures, recreational facilities, public lands and public water down hill.
- (4) Line of Sight. The development of new, or the expansion of existing structures, shall be placed so that the development is consistent with the preservation of the view of the river corridor from other properties on both sides of the river and by the public. The walling off of views of the river corridor from other properties and public right-of-ways shall be prohibited.

9. NATURAL RESOURCE MANAGEMENT

- A. Grading and Filling. Grading and filling or otherwise changing the changing the topography landward of the ordinary high water mark shall not be conducted without a City permit, and in compliance with the provisions of Minnesota Regulation MR 79, Section (h), of the Wild and Scenic Rivers Regulation, paragraphs (1), (2) and (3).
- B. Retaining walls and erosion control structures waterward of the normal high water mark are permitted structures 'if the applicable permits issued by the Army Corps of Engineers and the Minnesota Department of Natural Resources have been obtained.
- C. Retaining walls and erosion control structures on the landward side of the normal high water mark that are visible from the water surface shall meet the following design criteria:

- (1) Retaining walls or terrace contours shall not exceed five (5) feet in height.
- (2) The minimum space in between retaining walls shall be twenty (20) feet.

D. Vegetative management.

- (1) Clear-cutting of trees on the slope or face of bluffs and within forty (40) feet landward from the bluffline or river bank area shall not be permitted.
- (2) The selective cutting of trees greater than four inches (4") in diameter may be authorized by the City, when cutting is appropriately spaced and staged to maintain a continuous natural cover.
- (3) The development of new or the expansion of existing structures shall be accomplished so as to minimize the need for tree removal. If trees over four inches (4") are cut, the density of tree cover shall be restored to that which existed before cutting. The applicant shall demonstrate that all grading which takes place will be conducted in a manner that preserves the root zone aeration and stability of existing trees and provides an adequate watering area equal to at least one-half (1/2) of each tree crown cover.
- (4) Exceptions to the above include the removal of diseased or damaged trees.

E. Standards for surface water management and erosion control.

- (1) Storm water run-off from any new development may be directed into public water bodies and drainage systems provided that it is substantially free from silt, debris and chemical pollutants, and only at rates equal to that on the property before development.
- (2) Any new development shall provide for erosion protection measures which make maximum use of natural in-place vegetation. During construction and until such time as final control measures are fully implemented and established, adequate development practices will be maintained to insure that gross soil loss levels shall not exceed five (5) tons per acre per year during construction or two (2) tons per acre per year during construction when the site is adjacent to a water body or water course; and one-half (1/2) ton per acre per year after the construction activities are completed.
- (3) Structures, trails and roadways shall be sited to minimize levels of pedestrian and vehicular traffic in areas where soil compaction and loss of vegetation cover can contribute to erosion problems.

10. TRANSMISSION SERVICES, PUBLIC TRANSPORTATION, AND RIVER CROSSING

A. Transmission and Essential Services.

- (1) Primary consideration shall be given to underground placement of services in order to minimize aesthetic, environmental and public safety aspects. When considering overhead placement, the developer must show the reasoning that makes underground placement unfeasible.
- (2) All transmission service crossing of the Mississippi River require a permit pursuant to Minnesota Statute 84.415 or 105.42 by the Department of Natural Resources.
- (3) All transmission crossing of land within the district shall require a Special Use Permit as required by this Chapter.

B. Transportation Facilities.

Transportation crossings shall be permitted in accord with NR 79, Section (j), except paragraph (ddd) under (i), route design of the Wild and Scenic River regulations.

- (1) In planning and designing the construction or reconstruction of all public transportation facilities which closely parallel the river or blufflines, careful consideration should be given to the provision of scenic overlooks for motorists, safe pedestrian access from areas on the landward side of these transportation facilities and safe pedestrian facilities along the riverward of these facilities.
- (2) The construction or reconstruction of all public transportation facilities shall be located and designed in such a manner that will maintain the safe use and access to the riverfront in public ownership, allow reasonable use of the land between the river and the transportation facility and maintain the aesthetic quality of the river environment.

11. PUBLIC ACCESS

- A. Public pedestrian right-of-way including river access shall be provided for any new development that is adjacent to or part of an overall plan of the city for pedestrian movement within the district.
- B. Public pedestrian access shall be provided to the riverfront of developments on publicly owned and publicly controlled riverfront property. Access will not be provided where:
 - (1) Unavoidable hazards exist to the public.
 - (2) Public pedestrian access at a particular location cannot be designed or developed to provide a pleasant view or recreational experience.

12. RIGHT OF WAY MAINTENANCE

- A. Natural vegetation of value to fish or wildlife, which does not pose a hazard or restrict reasonable use of the property, shall be allowed to grow in the right-of-way.
- B. Where vegetation has been removed, new vegetation consisting of native grasses, herbs, shrubs and low growing trees, shall be planted and maintained on the right-of-way.
- C. Chemical control of vegetation should be avoided when practicable, but where such methods are necessary, chemicals used and the manner of their use must be in accordance with rules and regulations of all state and federal agencies with authority over the use.



Mississippi River Corridor Critical Area (MRCCA) Model Ordinance

Introduction

This model is intended to help local governments develop a new MRCCA section, chapter or article within their zoning code. This model ordinance is consistent with Minnesota’s MRCCA rules, Parts [6106.0010 – 6106.0180](#). In some areas, the ordinance provisions are different from rules to be consistent with state statutes and other state and federal agency rules. In these cases, the commentary explains why the changes have been made. In all other areas the standards in the model are consistent with the rules, although some sections - most notably the vegetation and subdivision sections - have been slightly restructured for ease of administration. The model also contains administrative language not in rule to help clarify and administer the provisions for local government zoning purposes.

The MRCCA provisions must be structured as an **overlay district**. If a conflict exists with underlying zoning, the provisions of the overlay district govern. Where specific numeric thresholds or standards are listed in this model, those numeric thresholds or standards must be included in the overlay district.

Blue bold text in the “Ordinance Language” column indicates **optional** language that provides better resource protection either through higher standards than the minimum in rule or by clarifying rule provisions that may be difficult to administer. This text is clearly identified as optional and explained in the “Commentary” column. Optional language is shown as **blue bold additions** or ~~deletions~~ from the rules.

This model is periodically updated to improve clarity based on feedback from local governments. Please check for the latest version on the DNR’s MRCCA webpages.

Please contact your [Area Hydrologist](#) with any questions on this model ordinance.

Contents

Item 2.

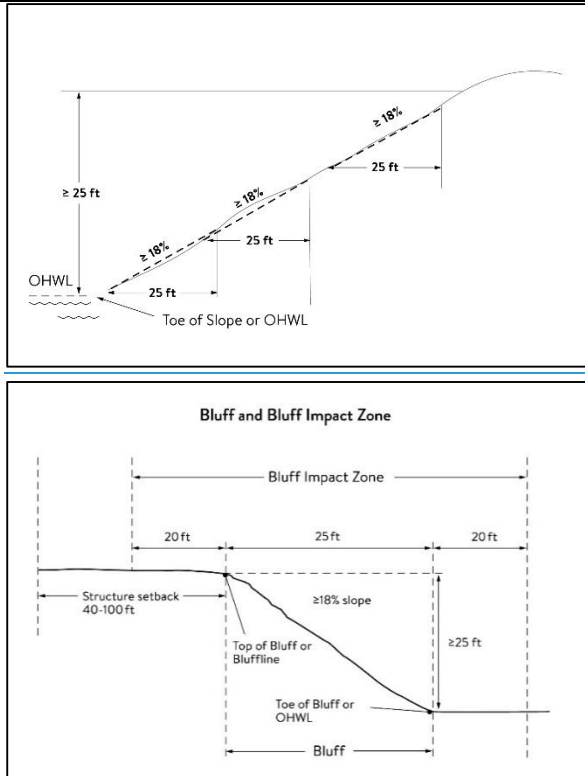
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Ordinance Language	Commentary
1.0 AUTHORITY, INTENT AND PURPOSE 1.1 Statutory Authorization. This Mississippi River Corridor Critical Area (MRCCA) (<i>section, chapter or article</i>) is adopted pursuant to the authorization and policies contained in Minnesota Statutes, Chapter 116G, Minnesota Rules, Parts 6106.0010 - 6106.0180, and the planning and zoning enabling legislation in Minnesota Statutes, Chapter 462 and 473. 1.2 Policy. The Legislature of Minnesota has delegated responsibility to local governments of the state to regulate the subdivision, use and development of designated critical areas and thus preserve and enhance the quality of important historic, cultural, aesthetic values, and natural systems and provide for the wise use of these areas. 2.0 GENERAL PROVISIONS AND DEFINITIONS 2.1 Jurisdiction. The provisions of this (<i>section, chapter or article</i>) apply to land within the river corridor boundary as described in the State Register, volume 43, pages 508 to 519 and shown on the zoning map (<i>insert reference citation</i>). 2.2 Enforcement. The (<i>insert name of local government or designated official</i>) is responsible for the administration and enforcement of this (<i>section, chapter or article</i>). Any violation of its provisions or failure to comply with any of its requirements including violations of conditions and safeguards established in connection with grants of variances or conditional uses constitutes a misdemeanor and is punishable as defined by law. Violations of this (<i>section, chapter or article</i>) can occur regardless of whether or not a permit is required for a regulated activity listed in Section 3.2. 2.3 Severability. If any section, clause, provision, or portion of this (<i>section, chapter or article</i>) is judged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this (<i>section, chapter or article</i>) shall not be affected thereby. 2.4 Abrogation and Greater Restrictions. It is not intended by this (<i>section, chapter or article</i>) to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this (<i>section, chapter or article</i>) imposes greater restrictions, the provisions of this (<i>section, chapter or article</i>) shall prevail. All other (<i>sections, chapters or articles</i>) inconsistent with this (<i>section, chapter or article</i>) are hereby repealed to the extent of the inconsistency only. 2.5 Underlying Zoning. Uses and standards of underlying zoning districts apply except where standards of this overlay district are more restrictive.	1.1. Ensures that LGU authority to administer and enforce the ordinance is connected to state regulatory policy. 1.2. Reinforces the responsibility of local governments to regulate the MRCCA in their jurisdiction. 2.2 – 2.4. If these provisions are already included in the zoning ordinance, they are not needed.

Ordinance Language	Commentary
<p>2.6 Definitions. Unless specifically defined below, words or phrases used in this (<i>section, chapter or article</i>) shall be interpreted to give them the same meaning they have in common usage and to give this (<i>section, chapter or article</i>) its most reasonable application. For the purpose of this (<i>section, chapter or article</i>), the words “must” and “shall” are mandatory and not permissive. All distances, unless otherwise specified, are measured horizontally.</p> <p>2.611 Access path. An area designated to provide ingress and egress to public waters.</p> <p>2.612 Adjacent. Having a boundary that physically touches or adjoins.</p> <p>2.613 Agricultural use. A use having the meaning given under Minnesota Statutes, section 40A.02.</p> <p>2.614 Alternative design. Subdivision design methods such as conservation design, transfer of development density, or similar zoning and site design techniques that protect open space and natural areas.</p> <p>2.615 Biological and ecological functions. The functions of vegetation in stabilizing soils and slopes, retaining and filtering runoff, providing habitat, and recharging groundwater.</p> <p>2.616 Bluff. A natural topographic feature having:</p> <p class="margin-left: 40px;">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 class="margin-left: 80px;">(1) 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 class="margin-left: 80px;">(2) 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; or</p> <p class="margin-left: 40px;">B. A natural escarpment or cliff with a slope that rises at least ten feet above the ordinary high water level or toe of the slope, whichever is applicable, to the top of the slope, with a slope of 75 degrees or greater. See Figure 2.</p> <p style="text-align: center;">OR</p> <p>2.616 Bluff. A natural topographic feature having:</p> <p class="margin-left: 40px;">A. A slope that rises at least 25 feet where<u>and</u> the grade of the slope averages 18 percent or greater, measured over <u>any</u> 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; or</p> <p style="margin-left: 40px;">Figure 1. Bluff and Bluff Impact Zone</p>	2.6. These definitions are the minimum necessary for a compliant ordinance. Some definitions may not be needed if a given feature or land use is not present or not allowed in the community. 2.616. Bluffs are anywhere in the MRCCA, not just abutting the water. The DNR’s bluff mapping tool, a GIS extension, is available for download from the Minnesota Geospatial Commons. This tool helps to identify bluffs for general mapping and planning purposes. 2.616- Optional. This alternative “part A” bluff definition is more concise, direct and understandable may be more clear 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. 2.616.A. Optional. This alternative “part A” bluff definition is more concise, direct and understandable than the definition in rules. Early application of the rule definition was confusing. This alternative

Ordinance Language

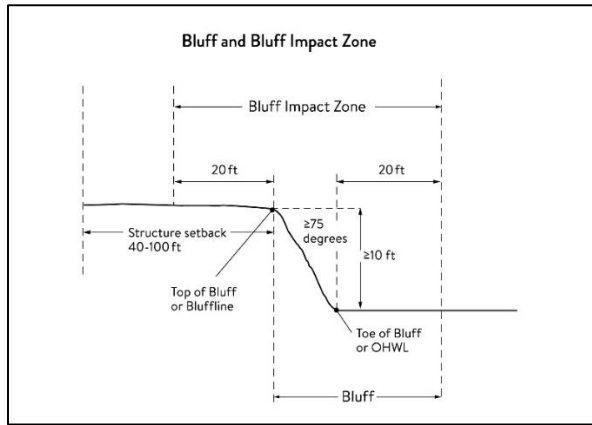
Commentary



- B. A natural escarpment or cliff with a slope that rises at least ten feet above the ordinary high water level or toe of the slope, whichever is applicable, to the top of the slope, with a slope of 75 degrees or greater. See Figure 2.

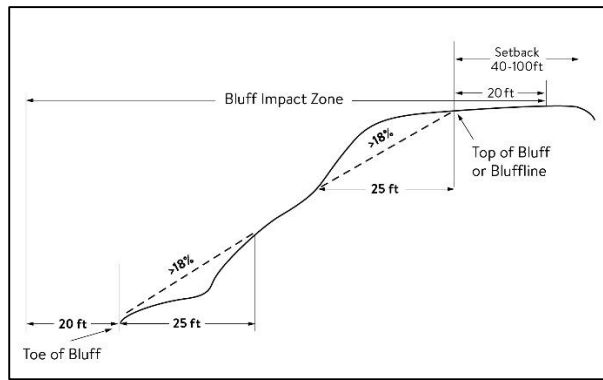
language is recommended along with separate graphics illustrating the bluff definition and the BIZ definition. The alternative definition does not change the specification of what a bluff is, only how it is worded. LGUs not using alternative "part A" must use "part A" in rule. The graphic used to illustrate both the bluff and BIZ included in prior model ordinances is available on request. The wording of "part B" is unchanged.

Figure 2. Natural Escarpment Bluff and Bluff Impact Zone



2.617 **Bluff impact zone (BIZ).** A bluff and land located within 20 feet of the bluff. See Figures [1 and 2 for natural escarpment or cliff example](#) and [Figure 3 for more common bluff example](#).

Figure 3. Toe, Top and Bluff Impact Zone



2.618 **Bluffline.** A line delineating the top of the bluff. More than one bluffline may be encountered proceeding landward from the river. See Figures [1 and 2 for natural escarpment or cliff example](#) and [Figure 3 for more common bluff example](#).

2.619 **Bluff, Toe of.** A line along the bottom of a bluff, requiring field verification, such that the slope above the line exceeds 18 percent and the slope below the line is 18 percent or less, measured over a horizontal distance of 25 feet. See Figures [1 and 2 for natural escarpment or cliff example](#) and [Figure 3 for more common bluff example](#).

Ordinance Language	Commentary
2.620 Bluff, Top of. A line along the top of a bluff, requiring field verification, such that the slope below the line exceeds 18 percent and the slope above the line is 18 percent or less, measured over a horizontal distance of 25 feet. See Figures 1 and 2 for natural escarpment or cliff example and Figure 3 for more common bluff example. 2.621 Buildable area. The area upon which structures may be placed on a lot or parcel of land and excludes areas needed to meet requirements for setback, rights-of-way, bluff impact zones, historic properties, wetlands, designated floodways, land below the ordinary high water level of public waters, and other unbuildable areas. 2.622 Building. A structure with two or more outside rigid walls and a fully secured roof and affixed to a permanent site. 2.623 Certificate of compliance. A document written after a compliance inspection, certifying that the development complies with applicable requirements at the time of the inspection. 2.624 Commissioner. The commissioner of the Minnesota Department of Natural Resources. 2.625 Conditional use. A use having the meaning given under Minnesota Statutes, chapters 394 and 462. 2.626 Conservation design. A pattern of subdivision that is characterized by grouping lots within a portion of a parcel, where the remaining portion of the parcel is permanently protected as open space. 2.627 Conventional subdivision. A pattern of subdivision that is characterized by lots that are spread regularly throughout a parcel in a lot and block design. 2.628 Deck. A horizontal, unenclosed, aboveground level structure open to the sky, with or without attached railings, seats, trellises, or other features, attached or functionally related to a principal use or site. 2.629 Developer. Having the meaning given under Minnesota Statutes, section 116G.03. 2.630 Development. Having the meaning given under Minnesota Statutes, section 116G.03. 2.631 Discretionary action. An action under this chapter related to land use that requires a public hearing by local ordinance or statute, such as preliminary plats, final subdivision plats, planned unit developments, conditional use permits, interim use permits, variances, appeals, and rezonings. 2.632 Dock. Having the meaning given under Minnesota Rules, chapter 6115. 2.633 Electric power facilities. Equipment and associated facilities for generating electric power or devices for converting wind energy to electrical energy as identified and defined under Minnesota Statutes, section 216E. 2.634 Essential services. Underground or overhead gas, electrical, communications, steam, or water distribution, collection, supply, or disposal systems, including storm water. Essential services include poles, wires,	

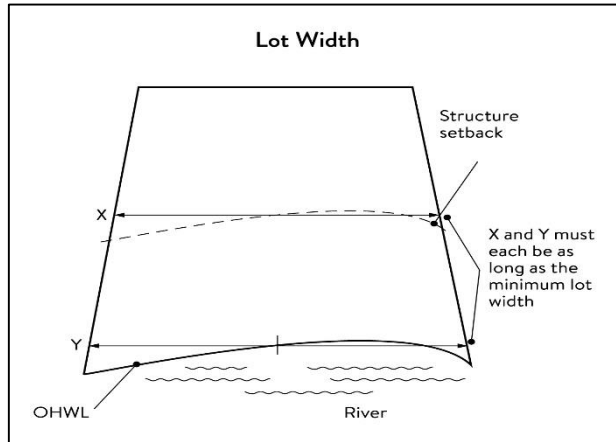
Ordinance Language	Commentary
mains, drains, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants, navigational structures, aviation safety facilities or other similar equipment and accessories in conjunction with the systems. Essential services does not include buildings, treatment works as defined in Minnesota Statutes, section 115.01, electric power facilities or transmission services. 2.635 Feedlot. Having the meaning given for animal feedlots under Minnesota Rules chapter 7020. 2.636 Floodplain. Having the meaning given the meaning given under Minnesota Rules chapter 6120. 2.637 Fully reconstructs. The reconstruction of an existing impervious surface that involves site grading and subsurface excavation so that soil is exposed. Mill and overlay and other resurfacing activities are not considered fully reconstructed. 2.638 Hard-surface trail. A trail surfaced in asphalt, crushed aggregate, or other hard surface, for multi-purpose use, as determined by local, regional, or state agency plans. 2.639 Historic property. An archaeological site, standing structure, site, district, or other property that is: A. Listed in the National Register of Historic Places or the State Register of Historic Places or locally designated as a historic site under Minnesota Statutes, chapter 471; B. determined to meet the criteria for eligibility to the National Register of Historic Places or the State Register of Historic Places as determined by the director of the Minnesota Historical Society; or C. An unplatted cemetery that falls under the provisions of Minnesota Statutes, chapter 307, in consultation with the Office of the State Archaeologist. 2.640 Impervious surface. A constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, decks, sidewalks, patios, parking lots, storage areas, and driveways, including those with concrete, asphalt, or gravel surfaces. 2.641 Intensive vegetation clearing. The removal of all or a majority of the trees or shrubs in a contiguous patch, strip, row, or block. 2.642 Interim use. A use having the meaning given under Minnesota Statutes, chapters 394 and 462. 2.643 Land alteration. An activity that exposes the soil or changes the topography, drainage, or cross section of the land, excluding gardening or similar minor soil disturbances. 2.644 Local government. Counties, cities, and townships. 2.645 Lot. Having the meaning given under Minnesota Rules chapter 6120.	2.648. Optional definition to clarify the “MRCCA” term used throughout document.

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2.646 **Lot width.** The shortest distance between lot lines measured at both the ordinary high water level and at the required structure setback from the ordinary high water level. See Figure 3.

Figure 3. Lot Width



2.647 **Marina.** Having the meaning given under Minnesota Rules chapter [6115](#).

2.648 **Mississippi River Corridor Critical Area (MRCCA).** The area within the River Corridor Boundary (See Section 2.678).

2.649 **Mississippi River Corridor Critical Area (MRCCA) Plan.** A chapter or other element in the *(insert name of jurisdiction)* comprehensive plan.

2.650 **Mooring facility.** Having the meaning given under Minnesota Rules part [6115.0170](#).

2.651 **Native plant community.** A plant community identified by the Minnesota Biological Survey or biological survey issued or adopted by a local, state, or federal agency.

2.652 **Natural-surface trail.** A trail composed of native soil and rock or compacted granular stone, primarily intended for hiking, equestrian, or mountain bike use, as determined by local, regional, or state agency plans.

2.653 **Natural vegetation.** Any combination of ground cover, understory, and tree canopy that, while it may have been altered by human activity, continues to stabilize soils, retain and filter runoff, provide habitat, and recharge groundwater.

2.654 **Nonconformity.** Having the meaning given under Minnesota Statutes, section [394.22](#).

2.649. Optional definition to clarify the "MRCCA Plan" term used throughout document.

Ordinance Language	Commentary	Item 2.
2.655 Nonmetallic mining. Construction, reconstruction, repair, relocation, expansion, or removal of any facility for the extraction, stockpiling, storage, disposal, or reclamation of nonmetallic minerals such as stone, sand, and gravel. Nonmetallic mining does not include ancillary facilities such as access roads, bridges, culverts, and water level control structures. For purposes of this subpart, “facility” includes all mine pits, quarries, stockpiles, basins, processing structures and equipment, and any structures that drain or divert public waters to allow mining. 2.656 Off-premise advertising signs. Those signs that direct attention to a product, service, business, or entertainment venue that is not exclusively related to the premises where the sign is located. 2.657 Ordinary high water level (OHWL). Having the meaning given under Minnesota Statutes, section 103G.005. 2.658 Overlay district. A zoning district applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district. Overlay districts are often used to protect historic features and natural resources such as shoreland or floodplain. 2.659 Parcel. Having the meaning given under Minnesota Statutes, section 116G.03. 2.660 Patio. A constructed hard surface located at ground level with no railings and open to the sky. 2.661 Picnic shelter. A roofed structure open on all sides, accessory to a recreational use. 2.662 Planned unit development (PUD). A method of land development that merges zoning and subdivision controls, allowing developers to plan and develop a large area as a single entity, characterized by a unified site design, a mix of structure types and land uses, and phasing of development over a number of years. Planned unit development includes any conversion of existing structures and land uses that utilize this method of development. 2.663 Plat. Having the meaning given under Minnesota Statutes, sections 505 and 515B. 2.664 Port. A water transportation complex established and operated under the jurisdiction of a port authority according to Minnesota Statutes, chapter 458. 2.665 Primary conservation areas (PCAs). Key resources and features, including shore impact zones, bluff impact zones, floodplains, wetlands, gorges, areas of confluence with tributaries, natural drainage routes, unstable soils and bedrock, native plant communities, cultural and historic properties, and significant existing vegetative stands, tree canopies, and other resources identified in local government plans. 2.666 Private facilities. Private roads, driveways, and parking areas, private water access and viewing facilities, decks and patios in setback areas, and private signs. 2.667 Professional engineer. An engineer licensed to practice in Minnesota.		

Ordinance Language	Commentary
2.668 Public facilities. Public utilities, public transportation facilities, and public recreational facilities. 2.669 Public recreation facilities. Recreational facilities provided by the state or a local government and dedicated to public use, including parks, scenic overlooks, observation platforms, trails, docks, fishing piers, picnic shelters, water access ramps, and other similar water-oriented public facilities used for recreation. 2.670 Public river corridor views (PRCVs). Views toward the river from public parkland, historic properties, and public overlooks, as well as views toward bluffs from the ordinary high water level of the opposite shore, as seen during the summer months and documented in the MRCCA plan/chapter of the comprehensive plan. 2.671 Public transportation facilities. All transportation facilities provided by federal, state, or local government and dedicated to public use, such as roadways, transit facilities, railroads, and bikeways. 2.672 Public utilities. Electric power facilities, essential services, and transmission services. 2.673 Public waters. Having the meaning given under Minnesota Statutes, section 103G.005. 2.674 Readily visible. Land and development that are easily seen from the ordinary high water level of the opposite shore during summer months. 2.675 Resource agency. A federal, state, regional, or local agency that engages in environmental, natural, or cultural resource protection or restoration activities, including planning, implementation, and monitoring. 2.676 Retaining wall. A vertical or nearly vertical structures constructed of mortar and rubble masonry, rock, or stone regardless of size, vertical timber pilings, horizontal timber planks with piling supports, sheet pilings, poured concrete, concrete blocks, or other durable materials. 2.677 Rock riprap. Natural coarse rock placed or constructed to armor shorelines, streambeds, bridge abutments, pilings and other shoreline structures against scour, or water or ice erosion. 2.678 River corridor boundary. The boundary approved and adopted by the Metropolitan Council under Minnesota Statutes, section 116G.06, as approved and adopted by the legislature in Minnesota Statutes, section 116G.15, and as legally described in the State Register, volume 43, pages 508 to 518. 2.679 River-dependent use. The use of land for commercial, industrial, or utility purposes, where access to and use of a public water feature is an integral part of the normal conduct of business and where the use is dependent on shoreline facilities. 2.680 Selective vegetation removal. The removal of isolated individual trees or shrubs that are not in a contiguous patch, strip, row, or block and that does not substantially reduce the tree canopy or understory cover.	2.677. <i>This definition has been modified to be consistent with public waters rules. The MRCCA rule definition for riprap defines riprap as “coarse stones, boulders, cobbles, and broken rock, concrete, and bricks...” This material is not consistent with Minnesota Rules, parts 6115.0215 Subp. 4E and 6115.0216 Subp. 2 and has been replaced with “natural coarse rock” in order to be consistent with the pre-existing public waters rules.</i>

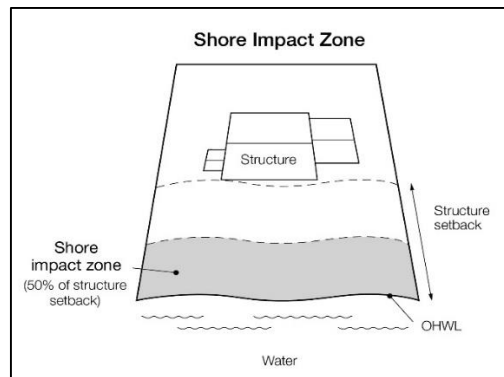
Ordinance Language

Commentary

2.681 **Setback.** A separation distance measured horizontally.

2.682 **Shore impact zone (SIZ).** Land located between the ordinary high water level of public waters and a line parallel to it at a setback of 50 percent of the required structure setback or, for agricultural use, 50 feet landward of the ordinary high water level. See Figure 4.

Figure 4. Shore Impact Zone



2.683 **Shoreline facilities.** Facilities that require a location adjoining public waters for ingress and egress, loading and unloading, and public water intake and outflow, such as barge facilities, port facilities, commodity loading and unloading equipment, watercraft lifts, marinas, short-term watercraft mooring facilities for patrons, and water access ramps. Structures that would be enhanced by a shoreline location, but do not require a location adjoining public waters as part of their function, are not shoreline facilities, such as restaurants, bait shops, and boat dealerships.

2.684 **Steep slope.** A natural topographic feature with an average slope of 12 to 18 percent, measured over a horizontal distance equal to or greater than 50 feet, and any slopes greater than 18 percent that are not bluffs.

2.685 **Storm water management facilities.** Facilities for the collection, conveyance, treatment, or disposal of storm water.

2.686 **Structure.** A building, sign, or appurtenance thereto, except for aerial or underground utility lines, such as sewer, electric, telephone, or gas lines, and utility line towers, poles, and other supporting appurtenances.

2.687 **Subdivision.** Having the meaning given under Minnesota Statutes, section [462.352](#).

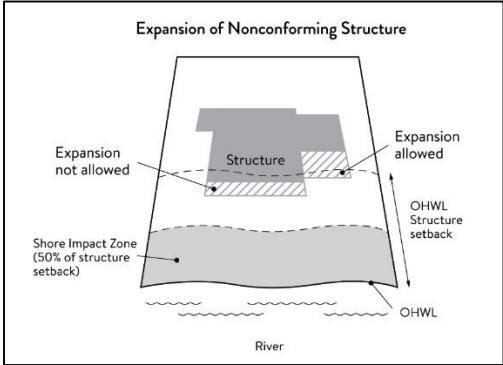
2.688 **Subsurface sewage treatment system.** Having the meaning given under Minnesota Rules, part [7080.1100](#).

2.689 **Transmission services.**

Ordinance Language	Commentary	Item 2.
A. Electric power lines, cables, pipelines, or conduits that are: (1) used to transport power between two points, as identified and defined under Minnesota Statutes, section 216E.01, Subd. 4; or (2) For mains or pipelines for gas, liquids, or solids in suspension, used to transport gas, liquids, or solids in suspension between two points; and B. Telecommunication lines, cables, pipelines, or conduits. 2.690 Treeline. The more or less continuous line formed by the tops of trees in a wooded area when viewed from a particular point. The treeline is determined during all seasons as if under full foliage. 2.691 Variance. Having the meaning given under Minnesota Statutes, section 394.22. 2.692 Water access ramp. A boat ramp, carry-down site, boarding dock, and approach road, or other access that allows launching and removal of a boat, canoe, or other watercraft with or without a vehicle and trailer. 2.693 Water-oriented accessory structure. A small building or other improvement, except stairways, fences, docks, and retaining walls, that, because of the relationship of its use to public waters, needs to be located closer to public waters than the normal structure setback. Examples include gazebos, screen houses, fish houses, pump houses, and detached decks and patios. 2.694 Water quality impact zone. Land within the shore impact zone or within 50 feet of the OHWL of the river, whichever is greater, AND land within 50 feet boundary of a public water, wetland, or natural drainage route, whichever is greater. 2.695 Wetland. Having the meaning given under Minnesota Statutes, section 103G.005. 2.696 Wharf. Having the meaning given under Minnesota Rules, part 6115.0170. 3.0 ADMINISTRATION 3.1 Purpose. The purpose of this Section is to identify administrative provisions to ensure this (<i>section, chapter, or article</i>) is administered consistent with its purpose. 3.2 Permits. A permit is required for the construction of buildings or building additions (including construction of decks and signs), the installation and/or alteration of sewage treatment systems, vegetation removal consistent with Section 9.0 and land alterations consistent with Section 10.0. 3.3 Variances. Variances to the requirements under this (<i>section, chapter, or article</i>) may only be granted in accordance with 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 (<i>zoning authority, governing body, or other appropriate term</i>) shall:	2.694. <i>Optional. The modified language clarifies the intent of this riparian area definition to include areas riparian to the river AND public waters, wetlands and natural drainage ways should a property contain more than one of these features.</i> 3.2. <i>Cities and Townships delegating vegetation and land alteration permitting to another entity may wish to make that arrangement clear here or elsewhere in this administrative section.</i> 3.3. <i>PRCV impact assessments for variances and conditional uses should review the MRCCA Plan for how 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, & location. Public hearing comments will be an important source of information in determining impacts and mitigation.</i> 3.31. <i>Optional. Including a reference to optional Section 3.5 provides the zoning authority with a list of mitigation ideas to consider for specific applications.</i> 3.32. <i>Determining consistency with the purpose of this MRCCA section, chapter, or article, is variance criteria that must be evaluated in addition to the practical difficulties criteria in MS 462.357 Subd 6.</i> 3.32.A-D. <i>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.</i> 3.4. <i>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>	

Ordinance Language	Commentary
3.31 Evaluate the impacts to these resources. If negative impacts are found, require conditions to mitigate the impacts that are related to and proportional to the impacts, consistent with Section 3.5 and 3.32 Make written findings that the variance is consistent with the purpose of this (section, chapter, or article), 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 (insert other MRCCA plan-identified resources). 3.4 Conditional and interim use permits. All conditional and interim uses, required under this (section, chapter or article), must comply with Minnesota Statutes, section 462.3595 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 (zoning authority, governing body, or other appropriate term) shall: 3.41 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, consistent with Section 3.5; and 3.42 Make written findings that the conditional use is consistent with the purpose of this (section, chapter, or article), as follows. A. The extent, location and intensity of the conditional use will be in substantial compliance with the MRCCA Plan; B. The conditional use is consistent with the character and management purpose of the MRCCA district in which it is located; 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 D. The conditional use will not negatively impact (insert other MRCCA plan-identified resources). 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,	Item 2. 3.41. Optional. Including a reference to optional Section 3.5 provides the zoning authority with a list of mitigation ideas to consider for specific applications. 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. 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.

Ordinance Language	Commentary
require conditions to mitigate the impacts that are related to and proportional to the impacts. Mitigation may include: 3.51 Restoration of vegetation identified as “vegetation restoration priorities” identified in the MRCCA plan. 3.52 Preservation of existing vegetation; 3.53 Stormwater runoff management; 3.54 Reducing impervious surface; 3.55 Increasing structure setbacks; 3.56 Wetland and drainage route restoration and/or preservation; 3.57 Limiting the height of structures 3.58 Modifying structure design to limit visual impacts on PRCVs; and 3.59 Other conservation measures. 3.6 Application materials. Applications for permits and discretionary actions required under this <i>(section, chapter or article)</i> must submit the following information unless the <i>(insert designated official)</i> determines that the information is not needed. 3.61 A detailed project description; and 3.62 Scaled maps and plans, dimensional renderings, maintenance agreements, and other materials that identify and describe: A. Primary conservation areas; B. Public river corridor views; C. Buildable area; D. Existing and proposed topography and drainage patterns; E. Proposed storm water and erosion and sediment control practices; F. Existing and proposed vegetation to be removed and established; G. Ordinary high water level, blufflines, and all required setbacks; H. Existing and proposed structures; I. Existing and proposed impervious surfaces; and	Item 2. 3.74 Optional. LGUs may choose <u>to not include</u> this provision as a higher standard.

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J. Existing and proposed subsurface sewage treatment systems. 3.7 Nonconformities. 3.71 All legally established nonconformities as of the date of this ordinance may continue consistent with Minnesota Statutes, section 462.357, Subd. 1e . 3.72 New structures erected in conformance with the setback averaging provisions of Section 6.34 are conforming structures. 3.73 Site alterations and expansion of site alterations that were legally made prior to the effective date of this ordinance are conforming. Site alterations include vegetation, erosion control, storm water control measures, and other nonstructural site improvements. 3.74 Legally nonconforming principal structures that do not meet the setback requirements of Section 6.3 may be expanded laterally provided that: A. The expansion does not extend into the shore or bluff impact zone or further into the required setback than the building line of the existing principal structure (See Figure 5); and B. The expanded structure's scale and bulk is consistent with that of the original structure and existing surrounding development. Figure 5. Expansion of Nonconforming Structure  3.8 Notifications. 3.81 Amendments to this (section, chapter, or article) and to the MRCCA plan must be submitted to the Commissioner as provided in Minnesota Rules, part 6106.0070, Subp. 3, Items B – I.	3.81 DNR's preferred notification method is via email to the appropriate DNR Area Hydrologist. 3.82. Optional. Increasing the lead time for the DNR, NPS and adjoining local governments from 10 days to 30 days will increase the chance of getting substantive feedback available for consideration at the public hearing. 3.84 Changes to district boundaries must be supported by approved changes in the MRCCA Plan. 3.85. 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 3.9. This provision has been revised from rules to allow use of an administrative permit instead of an IUP for accommodating disabilities to ensure that

Ordinance Language	Commentary
3.82 Notice of public hearings for discretionary actions, including conditional and interim use permits, variances, appeals, rezonings, preliminary plats, final subdivision plats, master plans, and PUDs, must be sent to the following entities at least thirty (30) ten (10) days prior to the hearing: A. The Commissioner in a format prescribed by the DNR; B. National Park Service; and C. Where building heights exceed the height limits specified in Section 6.2 as part of the conditional use or variance process, adjoining local governments within the MRCCA, including those with overlapping jurisdiction and those across the river. 3.83 Notice of final decisions for actions in Section 3.82, including findings of fact, must be sent to the Commissioner, the National Park Service, and adjoining local governments within the MRCCA within ten (10) days of the final decision. 3.84 Requests to amend district boundaries must follow the provisions in Minnesota Rules, part 6106.0100, Subp. 9, Item C. 3.85 The DNR will be notified at time of application submittal of master plans, PUDs, preliminary, and final plats. 3.9 Accommodating disabilities. Reasonable accommodations for ramps or other facilities to provide persons with disabilities access to the persons' property, as required by the federal Americans with Disabilities Act and the federal Fair Housing Act and as provided by Minnesota Rules, chapter 1341, must: 3.91 Comply with Sections 6.0 to 12.0; or 3.92 If Sections 6.0 to 12.0 cannot be complied with, ramps or other facilities are allowed with an administrative permit provided: A. The permit terminates on either a specific date or upon occurrence of a particular event related to the person requiring accommodation; and B. Upon expiration of the permit, the ramp or other facilities must be removed. 4.0 MRCCA DISTRICTS 4.1 Purpose. The purpose of this Section is to establish districts under which building height and structure placement are regulated to protect and enhance the Mississippi River's resources and features consistent with the natural and built character of each district. 4.2 District description and management purpose. The MRCCA within the <i>(City or Town)</i> is divided into the following MRCCA Districts:	<i>"reasonable accommodations" consistent with the federal ADA and Fair Housing Act can be made.</i> <i>4.2 Include only those districts in the city or town.</i>

Ordinance Language	Commentary
4.21 Rural and Open Space (ROS). A. Description. The ROS District is characterized by rural and low-density development patterns and land uses, and includes land that is riparian or visible from the river, as well as large, undeveloped tracts of high ecological and scenic value, floodplain, and undeveloped islands. Many primary conservation areas exist in the district. B. Management purpose. The ROS District must be managed to sustain and restore the rural and natural character of the corridor and to protect and enhance habitat, parks and open space, public river corridor views, and scenic, natural, and historic areas. 4.22 River Neighborhood (RN). A. Description. The RN District is characterized by primarily residential neighborhoods that are riparian or readily visible from the river or that abut riparian parkland. The district includes parks and open space, limited commercial development, marinas, and related land uses. B. Management purpose. The RN District must be managed to maintain the character of the river corridor within the context of existing residential and related neighborhood development, and to protect and enhance habitat, parks and open space, public river corridor views, and scenic, natural, and historic areas. Minimizing erosion and the flow of untreated storm water into the river and enhancing habitat and shoreline vegetation are priorities in the district. 4.23 River Towns and Crossings (RTC). A. Description. The RTC District is characterized by historic downtown areas and limited nodes of intense development at specific river crossings, as well as institutional campuses that predate designation of the MRCCA, and that include taller buildings. B. Management purpose. The RTC district must be managed in a manner that allows continued growth and redevelopment in historic downtowns and more intensive redevelopment in limited areas at river crossings to accommodate compact walkable development patterns and connections to the river. Minimizing erosion and the flow of untreated storm water into the river, providing public access to and public views of the river, and restoring natural vegetation in riparian areas and tree canopy are priorities in the district. 4.24 Separated from River (SR). A. Description. The SR District is characterized by its physical and visual distance from the Mississippi River. The district includes land separated from the river by distance, topography, development, or a transportation corridor. The land in this district is not readily visible from the Mississippi River.	

Ordinance Language	Commentary
B. Management purpose. The SR district provides flexibility in managing development without negatively affecting the key resources and features of the river corridor. Minimizing negative impacts to primary conservation areas and minimizing erosion and flow of untreated storm water into the Mississippi River are priorities in the district. The RTC district must be managed in a manner that allows continued growth and redevelopment in historic downtowns and more intensive redevelopment in limited areas at river crossings to accommodate compact walkable development patterns and connections to the river. Minimizing erosion and the flow of untreated storm water into the river, providing public access to and public views of the river, and restoring natural vegetation in riparian areas and tree canopy are priorities in the district. 4.25 Urban Mixed (UM). A. Description. The UM District includes large areas of highly urbanized mixed use that are a part of the urban fabric of the river corridor, including institutional, commercial, industrial, and residential areas and parks and open space. B. Management purpose. The UM District must be managed in a manner that allows for future growth and potential transition of intensely developed areas that does not negatively affect public river corridor views and that protects bluffs and floodplains. Restoring and enhancing bluff and shoreline habitat, minimizing erosion and flow of untreated storm water into the river, and providing public access to and public views of the river are priorities in the district. 4.26 Urban Core (UC). A. Description. The UC District includes downtown. B. Management purpose. The UC District must be managed with the greatest flexibility to protect commercial, industrial, and other high-intensity urban uses, while minimizing negative impacts to primary conservation areas and minimizing erosion and flow of untreated storm water into the river. Providing public access to and public views of the river are priorities in the district. 4.3 MRCCA district map. The locations and boundaries of the MRCCA districts established by this <i>(section, chapter, or article)</i> are shown on <i>(insert name of MRCCA Overlay District map)</i> which is incorporated herein by reference. The district boundary lines are intended to follow the centerlines of rivers and streams, highways, streets, lot lines, and municipal boundaries, unless a boundary line is otherwise indicated on the map. Where district boundaries cross unsubdivided property, the district boundary line is determined by use of dimensions or the scale appearing on the map. 5.0 SPECIAL LAND USE PROVISIONS	<i>4.3 Include a link to the city/town website or DNR website containing the map to make it easier for property owners to find the district for their property.</i> <i>5.0. The uses and their special conditions in this section must be in the ordinance if the use is allowed. If not, the provision may be excluded from this section, but it should be clear in the ordinance that such uses are prohibited.</i> <i>5.24. Optional. Consider prohibiting mining within the OHWL structure setback. Screening of mining operation is possible if the operation is setback from the water. This will enhance recreational use of the River.</i>

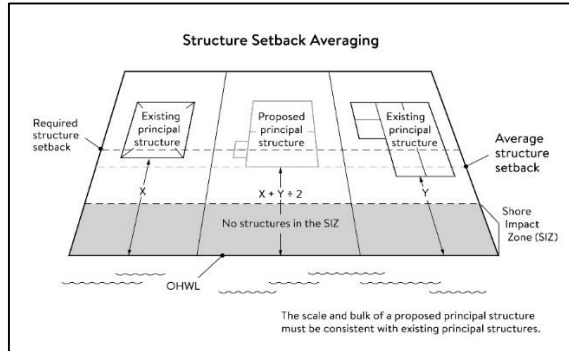
Ordinance Language	Commentary
5.1 Purpose. To identify development standards and considerations for land uses that have potential to negatively impact primary conservation areas and public river corridor views. 5.2 Underlying zoning. Uses within the MRCCA are generally determined by underlying zoning, with additional provisions for the following land uses: 5.21 Agricultural use. Perennial ground cover is required within 50 feet of the ordinary high water level and within the bluff impact zone. 5.22 Feedlots. New animal feedlots and manure storage areas are prohibited. Existing animal feedlots and manure storage areas must conform with Minnesota Rules, chapter 7020. 5.23 Forestry. Tree harvesting and biomass harvesting within woodlands, and associated reforestation, must be consistent with recommended practices in Conserving Wooded Areas in Developing Communities: Best Management Practices in Minnesota. 5.24 Nonmetallic mining. Nonmetallic mining requires a conditional use permit or interim use permit issued by the local government, subject to the following: A. New nonmetallic mining is prohibited within the shore impact zone and bluff impact zone and within the required structure setback from the bluffline and OHWL; B. Processing machinery must be located consistent with setback standards for structures as provided in Section 6.3; C. Only one barge loading area, which must be limited to the minimum size practicable, is permitted for each mining operation; D. New and, where practicable, existing nonmetallic mining operations must not be readily visible and must be screened by establishing and maintaining natural vegetation. The unscreened boundaries of nonmetallic mining areas are limited to only the barge loading area; E. A site management plan must be developed by the operator and approved by the local government before new nonmetallic mining commences. Operations must be consistent with the site plan throughout the duration of operations at the site. The site management plan must: (1) Describe how the site will be developed over time with an emphasis on minimizing environmental risk to public waters; (2) Explain where staged reclamation may occur at certain points during the life of the site; (3) Address dust, noise, storm water management, possible pollutant discharges, days and hours of operation, and duration of operations; and	5.26. The word “facilities” is replaced with “towers” to improve consistency throughout this provision.

Ordinance Language	Commentary
(4) Describe any anticipated vegetation and topographic alterations outside the pit, and reclamation plans consistent with the stated end use for the land; and; F. Existing and new nonmetallic mining operations must submit land reclamation plans to the local government compatible with the purposes of this ordinance. 5.25 River-dependent uses. River-dependent uses must comply with the following design standards: A. Structures and parking areas, except shoreline facilities and private roads and conveyances serving river-dependent uses as provided in Section 12.0, must meet the dimensional and performance standards in this <i>(section, chapter, or article)</i>, must be designed so that they are not readily visible, and must be screened by establishing and maintaining natural vegetation; B. Shoreline facilities must comply with Minnesota Rules, chapter 6115 and must: (1) Be designed in a compact fashion so as to minimize the shoreline area affected; and (2) Minimize the surface area of land occupied in relation to the number of watercraft or barges to be served; and C. Dredging and placement of dredged material are subject to existing federal and state permit requirements and agreements. 5.26 Wireless communication towers. Wireless communication towers require a conditional or interim use permit and are subject to the following design standards: A. The applicant must demonstrate that functional coverage cannot be provided through co-location, a tower at a lower height, or a tower at a location outside of the MRCCA; B. The tower must not be located in a bluff or shore impact zone; and C. Placement of the tower must minimize impacts on public river corridor views. D. Comply with the general design standards in Section 8.2. 6.0 STRUCTURE HEIGHT AND PLACEMENT AND LOT SIZE 6.1 Purpose. To establish standards that protect primary conservation areas and public river corridor views from development impacts and ensure that new development is sited consistent with the purpose of the MRCCA. 6.2 Structure height. Structures and facilities must comply with the following standards unless identified as exempt in Section 12.0. 6.21 Structures and facilities must comply with the following standards unless identified as exempt in Section 12.0.	6.21. <i>Optional. Reduce the maximum heights allowed by right in any district and implement a maximum height 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> 6.21 <i>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>

Ordinance Language	Commentary
A. ROS District: 35 feet (or lower). B. RN District: 35 feet. C. RTC District: 48 feet (or lower), 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 (or lower) and up to (fill in a max. height) are allowed as a conditional use according to Section 6.23. D. SR District: Height is determined by underlying zoning, provided the allowed height is consistent with that of the mature treeline, where present, and existing surrounding development, as viewed from the OWHL of the opposite shore. E. 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 (or lower) and up to (fill in a max. height) are allowed as a conditional use according to Section 6.23. F. UC District: Height is determined by underlying zoning, provided tiering of structures away from the Mississippi River and blufflines be given priority, with lower structure heights closer to the river and blufflines, and structure design and placement minimize interference with public river corridor views. 6.22 Height is measured on the side of the structure facing the Mississippi River. 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 exceeding the height limits must include: A. Assessment of the visual impact of the proposed structure on public river corridor views, including views from other communities; B. Determination that the proposed structure meets the required bluff and OHWL setbacks; 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; (3) Lowering the roof pitch or use of a flat roof; (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;	6.22 Communities may wish to cross reference their building height definition in their ordinance for compatibility with this provision. 6.23 LGUs may want to use visual analysis tools to help understand and communicate visual impacts of building height during project review and approval. See DNR guidance for PRCV Viewshed Analysis, using Google Earth, which is a freely available tool. 6.23.B. Optional. This standard would link CUP approval with conformance to bluff setback standards. 6.23.C. 3&4. Optional. These additional techniques can help reduce visual impacts in certain situations. 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.

Ordinance Language	Commentary
(5) Narrowing the profile of upper floors of the building; or (6) Increasing the setbacks of the building from the Mississippi River or blufflines; D. Identification of techniques for preservation of those view corridors identified in the MRCCA Plan; and E. Opportunities for creation or enhancement of public river corridor views. 6.3 Structure and impervious surface placement. 6.31 Structures and impervious surface must not be placed in the shore or bluff impact zones unless identified as an exemption in Section 12.0. 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 Mississippi River and 75 feet from the Rum and Vermillion Rivers. C. RTC District: 75 feet from the Mississippi, Crow, and Rum Rivers. D. SR District: 75 feet from the Vermillion River. E. UM District: 50 feet from the Mississippi River. F. UC District: Setbacks are determined by underlying zoning. 6.33 Structures and facilities must comply with the following bluffline setback provisions unless identified as exempt in Section 12.0: A. ROS District: 100 feet. B. RN District: 40 feet. C. RTC District: 40 feet. D. SR District: 40 feet. E. UM District: 40 feet. F. UC District: 40 feet. 6.34 Where principal structures exist on the adjoining lots on both sides of a proposed building site, the minimum setback may be altered to conform to the average of the adjoining setbacks, if the new structure's scale and bulk riverward or bluffward of the setbacks required under Sections 6.32 and 6.33 are consistent with adjoining development. See Figure 6.	<i>Item 2.</i> 6.41. This provision only applies in the ROS district.

Figure 6. Structure Setback Averaging



6.35 Subsurface sewage treatment systems, including the septic tank and absorption area, must be located at least 75 feet from the ordinary high water level of the Mississippi River and all other public waters.

6.4 Lot size and buildable area.

6.41 The width of lots abutting the Mississippi River in the ROS District must be at least 200 feet, unless alternative design methods are used that provide greater protection of the riparian area.

6.42 All new lots must have adequate buildable area to comply with the setback requirements of Sections 6.32 and 6.33 so as to not require variances to use the lots for their intended purpose.

7.0 PERFORMANCE STANDARDS FOR PRIVATE FACILITIES

7.1 **Purpose.** To establish design standards for private facilities that are consistent with best management practices and that minimize impacts to primary conservation areas, public river corridor views and other resources identified in the MRCCA plan.

7.2 **General design standards.** All private facilities must be developed in accordance with the vegetation management and land alteration requirements in Sections 9.0 and 10.0.

7.3 **Private roads, driveways, and parking areas.** Except as provided in Section 12.0, private roads, driveways and parking areas must:

- 7.31 Be designed to take advantage of natural vegetation and topography so that they are not readily visible;
- 7.32 Comply with structure setback requirements according to Section 6.3; and
- 7.33 Not be placed within the bluff impact zone or shore impact zone, unless exempt under Section 12.0 and designed consistent with Section 8.2.

7.42.B. This publication is available as a hard copy from the US Fish & Wildlife Services Conservation Library or by purchase from [States Organization for Boating Access \(SOBA\)](#) for \$55.

Ordinance Language	Commentary
7.4 Private water access and viewing facilities. 7.41 Private access paths must be no more than: A. Eight feet wide, if placed within the shore impact zone; and B. Four feet wide, if placed within the bluff impact zone. 7.42 Private water access ramps must: A. Comply with Minnesota Rules, parts 6115.0210 and 6280.0250; and B. Be designed and constructed consistent with the applicable standards in Design Handbook for Recreational Boating and Fishing Facilities. 7.43 Design and construction of private stairways, lifts, and landings are subject to the following standards: A. Stairways and lifts must not exceed four feet in width on residential lots. Wider stairways may be used for commercial properties and residential facilities held in common, if approved by <i>(insert name of LGU permit or approval type)</i>; B. Landings for stairways and lifts on residential lots must not exceed 32 square feet in area. Landings larger than 32 square feet area allowed for commercial properties and residential facilities held in common, if approved by <i>(insert name of LGU permit or approval type)</i>; C. Canopies or roofs are prohibited on stairways, lifts, or landings; D. Stairways, lifts, and landings must be located in the least visible portion of the lot whenever practical; and E. Ramps, lifts, mobility paths, or other facilities for persons with physical disabilities are allowed for achieving access to shore areas according to Section 7.43 A. – D, and as provided under Section 3.9. 7.45 One water-oriented accessory structure is allowed for each riparian lot or parcel less than 300 feet in width at the ordinary high water level, with one additional water-oriented accessory structure allowed for each additional 300 feet of shoreline on the same lot or parcel. Water-oriented accessory structures are prohibited in the bluff impact zone and must: A. Not exceed 12 feet in height; B. Not exceed 120 square feet in area; and C. Be placed a minimum of 10 feet from the ordinary high water level.	<i>7.5. Optional. Eliminate this provisions and prohibit decks and patios within the structure setback.</i>

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7.5 **Decks and patios in setback areas.** 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:

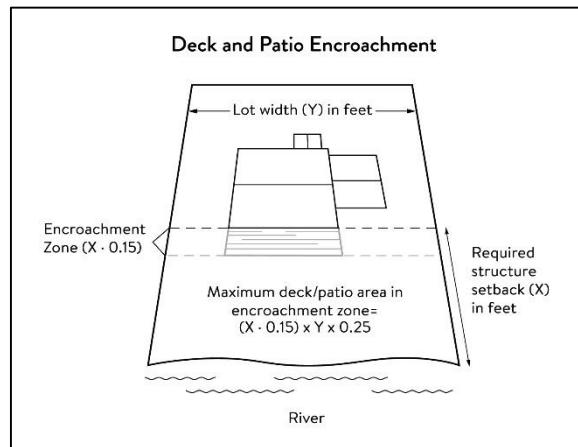
7.51 The encroachment of the deck or patio into the required setback area does not exceed 15 percent of the required structure setback;

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 at setback (feet) x 0.25 = maximum total area]

7.53 The deck or patio does not extend into the bluff impact zone. See Figure 7.

Figure 7. Deck and Patio Encroachment



7.6 **Off-premise and directional signs.**

7.61 Off-premise advertising signs must:

- A. Meet required structure placement and height standards in Sections 6.2 and 6.3.
- B. Not be readily visible

7.62 Directional signs for patrons arriving at a business by watercraft must comply with the following standards:

- A. They must be consistent with Minnesota Statutes, section [86B.115](#).
- B. 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.

7.6. If local governments choose to allow off-premise signs and signs in the shore impact zone, these provision must be included. If not, LGUs must exclude them.

7.61.B. Note that the term “readily visible” is defined in the definitions section.

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 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.

7.62.D. Optional. Suggested language provides better protection from light pollution.

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.

7.8. Optional. Language regulating lighting in riparian areas will retain river corridor character and minimize neighbor conflicts.

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C. Be no greater than ten feet in height and 32 square feet in surface area; and D. If illuminated, the lighting must be fully shielded and directed downward to prevent illumination out across the river or to the sky. 7.7 Fences. Fences between principal structures and the river are allowed if fences are: 7.71 Not higher than six feet. 7.72 Not located within the SIZ and BIZ 7.73 Not located in the regulatory floodplain. 7.8 Lighting. Within the OHWL setback: 7.81 Lighting shall be fully shielded and directed away from the river. 7.82 Uplighting is prohibited. 8.0 PERFORMANCE STANDARDS FOR PUBLIC FACILITIES 8.1 Purpose. To establish design standards for public facilities that are consistent with best management practices and that minimize impacts to primary conservation areas, public river corridor views and other resources identified in the MRCCA plan. Public facilities serve the public interest by providing public access to the Mississippi River corridor or require locations in or adjacent to the river corridor and therefore require some degree of flexibility. 8.2 General design standards. All public facilities must be designed and constructed to: 8.21 Minimize visibility of the facility from the river to the extent consistent with the purpose of the facility; 8.22 Comply with the structure placement and height standards in Section 6.0, except as provided in Section 12.0; 8.23 Be consistent with the vegetation management standards in Section 9.0 and the land alteration and storm water management standards in Section 10.0, including use of practices identified in Best Practices for Meeting DNR General Public Waters Work Permit GP 2004-0001, where applicable; 8.24 Avoid primary conservation areas, unless no alternative exists. If no alternative exists, then disturbance to primary conservation areas must be avoided to the greatest extent practicable, and design and construction must minimize impacts; and 8.25 Minimize disturbance of spawning and nesting times by scheduling construction at times when local fish and wildlife are not spawning or nesting. 8.26 Minimize disturbance during bird migration and nesting times by scheduling construction at times when birds are not migrating or nesting.	<i>8.21. Optional. Added text provides administrative clarity that views from the river are important to protect.</i> <i>8.26. Optional. Provides additional protection to the hundreds of bird species and millions of birds that migrate along the Mississippi Flyway twice a year.</i> <i>8.5. There are situations where local governments have jurisdiction for approving transmission projects. See Minnesota Statutes, section 216E.05 Subd. 1. In those cases, the local government would apply these standards in reviewing and approving the transmission application</i> <i>8.52. Optional. Added text provides administrative clarity that views from the river are important to</i>

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8.3 Right-of-way maintenance standards. Right-of-way maintenance must comply with the following standards: 8.31 Vegetation currently in a natural state must be maintained to the extent feasible; 8.32 Where vegetation in a natural state has been removed, native plants must be planted and maintained on the right-of-way; and 8.33 Chemical control of vegetation must be avoided when practicable, but when chemical control is necessary, chemicals used must be in accordance with the regulations and other requirements of all state and federal agencies with authority over the chemical's use. 8.4 Crossings of public water or public land. Crossings of public waters or land controlled by the commissioner are subject to approval by the commissioner according to Minnesota Statutes, sections 84.415 and 103G.245. 8.5 Public utilities. Public utilities must comply with the following standards: 8.51 High-voltage transmission lines, wind energy conversion systems greater than five megawatts, and pipelines are regulated according to Minnesota Statutes, chapter 216E, 216F, and 216G respectively; and 8.52 If overhead placement is necessary, utility facility crossings must minimize visibility of the facility from the river be hidden from view and follow other existing right of ways as much as practicable. 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. 8.54 Wireless communication facilities, according to Section 5.26. 8.6 Public transportation facilities. Public transportation facilities shall comply with structure placement and height standards in Section 6.0. Where such facilities intersect or about two or more MRCCA districts, the least restrictive standards apply. Public transportation facilities must be designed and constructed to give priority to: 8.61 Providing scenic overlooks for motorists, bicyclists, and pedestrians; 8.62 Providing safe pedestrian crossings and facilities along the river corridor; 8.63 Providing access to the riverfront in public ownership; and 8.64 Allowing for use of the land between the river and the transportation facility. 8.7 Public recreational facilities. Public recreational facilities must comply with the following standards: 8.71 Buildings and parking associated with public recreational facilities must comply with the structure placement and height standards in Section 6.0, except as provided in Section 12.0; 8.72 Roads and driveways associated with public recreational facilities must not be placed in the bluff or shore impact zones unless no other placement alternative exists. If no alternative exists, then design and	<i>protect when local governments have approval authority.</i> <i>8.73. Contact the DNR Parks and Trails Division at 651-259-5600 to get the password to download a free copy.</i> <i>8.73.A. While this is an accessibility concern, there is no requirement to make all places accessible. Most hiking trails are not accessible. The impacts to bluffs with slopes over 30% to build accessible trails would result in enormous grading changes and vegetation removal.</i> <i>8.74.B. This publication is available as a hard copy from the US Fish & Wildlife Services Conservation</i>

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construction must minimize impacts to shoreline vegetation, erodible soils and slopes, and other sensitive resources. 8.73 Trails, access paths, and viewing areas associated with public recreational facilities and providing access to or views of the Mississippi River are allowed within the bluff and shore impact zones if design, construction, and maintenance methods are consistent with the best management practice guidelines in Trail Planning, Design, and Development Guidelines. A. Hard-surface trails are not allowed on the face of bluffs with a slope exceeding 30 percent. Natural surface trails are allowed, provided they do not exceed eight feet in width. B. Trails, paths, and viewing areas must be designed and constructed to minimize: (1) Visibility from the river; (2) Visual impacts on public river corridor views; and (3) Disturbance to and fragmentation of primary conservation areas. 8.74 Public water access facilities must comply with the following requirements: A. Watercraft access ramps must comply with Minnesota Rules chapters 6115.0210 and 6280.0250; and B. Facilities must be designed and constructed consistent with the standards in Design Handbook for Recreational Boating and Fishing Facilities. 8.75 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. If illuminated, the lighting must be fully shielded and be directed downward. 8.76 Public stairways, lifts, and landings must be designed as provided in Section 7.43.	Library or by purchase from States Organization for Boating Access (SOBA) for \$55. 8.75. Optional. Suggested language provides better protection from light pollution. 9.2 LGUs are not allowed to restrict the height of ground cover vegetation in these “designated” areas such as through nuisance weed control ordinances. If such ordinance provisions exist, LGUs must amend them so they do not apply to these designated areas.
9.0 VEGETATION MANAGEMENT 9.1 Purpose. To establish standards that sustain and enhance the biological and ecological functions of vegetation; preserve the natural character and topography of the MRCCA; and maintain stability of bluffs and steep slopes and ensure stability of other erosion-prone areas. 9.2 Applicability. This section applies to: 9.21 Shore impact zones; 9.22 Areas within 50 feet of a wetland or natural drainage route; 9.23 Bluff impact zones;	9.35.C. This provides clarity that removing individual trees and shrubs is allowed under the rules. LGUs may choose to not add this provision or to not include trees or shrubs.

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9.24 Areas of native plant communities; and 9.25 Significant existing vegetative stands identified in the MRCCA plan. 9.3 Activities allowed without a vegetation permit. 9.31 Maintenance of existing lawns, landscaping and gardens; 9.32 Removal of vegetation in emergency situations as determined by <i>(insert name of LGU)</i>; 9.33 Right-of-way maintenance for public facilities meeting the standards Section 8.3; 9.34 Agricultural and forestry activities meeting the standards of Sections 5.21 and 5.23; 9.35 Selective vegetation removal, provided that vegetative cover remains consistent with the management purpose of the MRCCA District, including removal of: A. Vegetation that is dead, diseased, dying, or hazardous; B. Vegetation to prevent the spread of diseases or insect pests; C. Individual trees and shrubs; and D. Invasive non-native species. 9.4 Activities allowed with a vegetation permit. 9.41 Only the following intensive vegetation clearing activities are allowed with a vegetation permit: A. Clearing of vegetation that is dead, diseased, dying, or hazardous; B. Clearing to prevent the spread of diseases or insect pests; C. Clearing to remove invasive non-native species. D. Clearing to prepare for restoration and erosion control management activities consistent with a plan approved by <i>(insert name of LGU or name of resource agency)</i>. E. The minimum necessary for development that is allowed with a building permit or as an exemption under Section 12.0. 9.42 General Performance Standards. The following standards must be met, in addition to a restoration plan under Section 9.6, in order to approve a vegetation permit: A. Development is sited to minimize removal of or disturbance to natural vegetation;	<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 to approve, approve with conditions or deny a vegetation permit application.</i> <i>9.41.E. The text “that is allowed with a permit” is not in rule and was added to clarify the intent that intensive vegetation clearing is allowed for permitted projects.</i> <i>9.42.B. This standard may be applicable if LGUs have concerns about slope stability during application review.</i> <i>9.42.C. Optional. Including “and other scenic views” would allow consideration of how vegetation removal might affect the views of neighbors, properties across the river, or from the river.</i> <i>9.42.D. Optional. Language provides additional protections for birds that migrate along the Mississippi Flyway twice a year.</i> <i>9.61.A. This provision directly states that a restoration plan is required for all permitted intensively removed vegetation. It is consistent with but more clear than MR 6106.0150 Subp. 5 D and E which requires restoration of all intensively removed vegation.</i>

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B. Soil, slope stability, and hydrologic conditions are suitable for the proposed work as determined by a professional engineer or <i>(insert name of resource agency, if someone other than professional engineer is desired)</i>; C. Clearing is the minimum necessary and designed to blend with the natural terrain and minimize visual impacts to public river corridor views and other scenic views; D. Vegetation removal activities are conducted so as to expose the smallest practical area of soil to erosion for the least possible time, and to avoid bird migration and nesting seasons; and E. Any other condition determined necessary to achieve the purpose of this section. 9.5 Prohibited activities. All other intensive vegetation clearing is prohibited. 9.6 Vegetation restoration plan. 9.61 Development of a vegetation restoration plan and reestablishment of natural vegetation is required: A. For any vegetation removed with a permit under Section 9.41; B. Upon failure to comply with any provisions in this section; or C. As part of the planning process for subdivisions as provided in Section 11.0. 9.62 Restoration Plan Performance Standards. The vegetation restoration plan must satisfy the application submittal requirements in 3.6, and: A. Vegetation must be restored in one or more of the following restoration priority areas: (1) Stabilization of erodible soils Areas with soils showing signs of erosion, especially on or near the top and bottom of steep slopes and bluffs; (2) Restoration or enhancement of shoreline vegetation Shoreline areas within 25 feet of the water with no natural vegetation, degraded vegetation, or planted with turf grass; (3) Revegetation of bluffs or steep slopes visible from the river Areas on steep slopes and bluffs that are visible from the river with no natural vegetation, degraded vegetation, or planted with turf grass; or (4) Other approved priority opportunity area, including priorities identified in the MRCCA plan, if none of the above exist. B. Include vegetation that provides suitable habitat and effective soil stability, runoff retention, and infiltration capability. Vegetation species, composition, density, and diversity must be guided by	9.62.A. (1)–(3). Optional. Priorities for restoration are in MR 6106.0150 Subp. 5.D & E. These priorities are vague and difficult to administer. Suggested higher standards clarify what a priority is so it is easier to identify and thus easier to review and approve restoration plans. 9.62.A.(4). Optional. Many LGUs identified restoration priorities in their MRCCA Plans. This optional language provides an opportunity to address those opportunities through ordinance administration. 9.62.D. Optional. Replace “natural” with “native.” Alternative language provides a specific numerical quantity tying the amount of vegetation removed to the amount that should be replaced is easier to administer the phrase “to the greatest extent practicalbe” and provides better resource protection. 9.62.E. Optional. Alternative language requiring that the area of restored vegetation be equivalent to that removed functionally clarifies what biological and ecological equivalent means. This is easier to administer and provides better resource protection. 9.62.F. LGUs could specify what a qualified professional means in different situations.

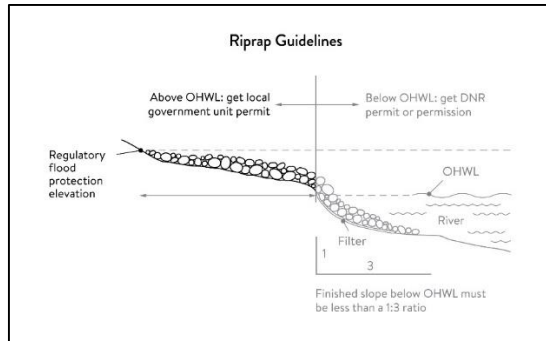
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nearby patches of native plant communities and by Native Vegetation Establishment and Enhancement Guidelines; C. Any highly erodible soils disturbed during removal and/or restoration must be stabilized with deep-rooted vegetation with a high stem density; D. Vegetation removed must be restored with natural native vegetation to the greatest extent practicable. The area (square feet) of the restored vegetation should be similar to that removed to the greatest extent practicable. E. For restoration of removed native plant communities, restored vegetation must also provide biological and ecological function equivalent to the removed native plant communities. The area (square feet) of the restored vegetation should be equivalent to that removed; F. Be prepared by a qualified individual; and G. Include a maintenance plan that includes management provisions for controlling invasive species and replacement of plant loss for three years. 9. 63 A certificate of compliance will be issued after the vegetation restoration plan requirements have been satisfied. 10.0 LAND ALTERATION STANDARDS AND STORMWATER MANAGEMENT 10.1 Purpose. To establish standards that protect water quality from pollutant loadings of sediment, nutrients, bacteria, and other contaminants; and maintain stability of bluffs, shorelines, and other areas prone to erosion. 10.2 Land alteration. 10.21 Within the bluff impact zone, land alteration is prohibited, except for the following, which are allowed by permit. A. Erosion control consistent with a plan approved by the local government or resource agency and consistent with Section 10.6; B. The minimum necessary for development that is allowed as an exception under Section 12; and C. Repair and maintenance of existing buildings and facilities. 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. 10.3 Rock riprap, retaining walls, and other erosion control structures.	Item 2. 10.21. A. This provision allows an exception for erosion control projects in the BIZ as long as they are developed by a local government or a resource agency (e.g. SWCD). Property owners may address more limited erosion control problems with retaining walls subject to the design standards for walls under 10.32. 10.22. Optional. LGUs may increase the distance or area where a land alteration permit is required. 10.31. Under Section 10 of the Federal Rivers and Harbors Act, a USACOE permit is required for riprap along the Mississippi River.

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10.31 Construction, repair, or replacement of rock riprap, retaining walls, and other erosion control structures located at or below the OHWL must comply with Minnesota Rules, part [6115.0215, Subp. 4, item E](#), and [6115.0216, Subp. 2](#). Work must not proceed until approved by the commissioner, permitted by the US Army Corps of Engineers, and any other permits are obtained. See Figure 8.

Figure 8. Riprap Guidelines



10.32 Construction or replacement of rock riprap, retaining walls, and other erosion control structures within the bluff impact zone and the water quality impact zone are allowed with a permit consistent with provisions of Section 10.6 provided that:

- A. If the project includes work at or below the OHWL, the commissioner has already approved or permitted the project.
- B. The structures are used only to correct an established erosion problem as determined by the (*insert name of LGU and/or resource agency*).
- C. The size and extent of the structures are the minimum necessary to correct the erosion problem and are not larger than the following, unless a professional engineer determines that a larger structure is needed to correct the erosion problem:
 - (1) Retaining walls must not exceed five feet in height and must be placed a minimum horizontal distance of ten feet apart; and
 - (2) Riprap must not exceed the height of the regulatory flood protection elevation.

10.33 Repair of existing rock riprap, retaining walls, and other erosion control structures above the OHWL does not require a permit provided it does not involve any land alteration.

10.4 Stormwater management.

10.41. Optional. Could add the bluff setback to this standard to increase the area in which stormwater treatment facilities would not be allowed.

10.42 Local governments must review and approve storm water permits/plans using the same standard used in their MS4 permit for post construction storm water management, or if no MS4 permit, then compliance with the current NPDES program permit for construction storm water.

Ordinance Language	Commentary
10.41 In the bluff impact zone, storm water management facilities are prohibited, except by permit if: A. There are no alternatives for storm water treatment outside the bluff impact zone on the subject site; B. The site generating runoff is designed so that the amount of runoff reaching the bluff impact zone is reduced to the greatest extent practicable; C. The construction and operation of the facility does not affect slope stability on the subject property or adjacent properties; and D. Mitigation based on the best available engineering and geological practices is required and applied to eliminate or minimize the risk of slope failure. 10.42 In the water quality impact zone, development that creates new impervious surface, as allowed by exemption in Section 12.0, or fully reconstructs existing impervious surface of more than 10,000 square feet requires a storm water permit . Multipurpose trails and sidewalks are exempt if there is down gradient vegetation or a filter strip that is at least five feet wide. 10.43 In all other areas, storm water runoff must be directed away from the bluff impact zones or unstable areas. 10.5 Development on steep slopes. Construction of structures, impervious surfaces, land alteration, vegetation removal, or other construction activities are allowed on steep slopes if: 10.51 The development can be accomplished without increasing erosion or storm water runoff; 10.52 The soil types and geology are suitable for the proposed development; and 10.53 Vegetation is managed according to the requirements of Section 9.0. 10.6 Conditions of land alteration permit approval. 10.61 Temporary and permanent erosion and sediment control measures retain sediment onsite consistent with best management practices in the Minnesota Stormwater Manual; 10.62 Natural site topography, soil, and vegetation conditions are used to control runoff and reduce erosion and sedimentation; 10.63 Construction activity is phased when possible; 10.64 All erosion and sediment controls are installed before starting any land disturbance activity; 10.65 Erosion and sediment controls are maintained to ensure effective operation; 10.66 The proposed work is consistent with the vegetation standards in Section 9.0; and	<i>10.7 Local governments may eliminate these provisions if similar language is included elsewhere in the ordinance.</i>

Ordinance Language	Commentary
10.67 Best management practices for protecting and enhancing ecological and water resources identified in Best Practices for Meeting DNR General Public Waters Work Permit GP 2004-0001. 10.7 Compliance with other plans and programs. All development must: 10.71 Be consistent with Minnesota Statutes, chapter 103B, and local water management plans completed under Minnesota Statutes, chapter 8410; 10.72 Meet or exceed the wetland protection standards under Minnesota Rules, chapter 8420; and 10.73 Meet or exceed the floodplain management standards under Minnesota Rules, sections 6120.5000 – 6120.6200. 11.0 SUBDIVISION AND LAND DEVELOPMENT STANDARDS 11.1 Purpose. 11.11 To protect and enhance the natural and scenic values of the MRCCA during development or redevelopment of the remaining large sites 11.12 To establish standards for protecting and restoring biological and ecological functions of primary conservation areas on large sites; and 11.13 To encourage restoration of natural vegetation during development or redevelopment of large sites where restoration opportunities have been identified in MRCCA Plans. 11.2 Applicability. 11.21 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 contiguous 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: A. Subdivisions; B. Planned unit developments; and C. Master-planned development and redevelopment of land. 11.22 The following activities are exempt from the requirements of this section: A. Minor subdivisions consisting of three or fewer lots; B. Minor boundary line corrections;	11.21. <i>Optional. The 10-acre threshold is high considering redevelopment in urban areas of the corridor. Consider reducing to a lower threshold such as five-acres. This way communities can ensure more public access to the river and better protection or restoration of PCAs and PRCVs.</i> <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> 11.3. <i>Local governments must provide for pre-project review of all proposed subdivisions, redevelopments, and planned unit developments.</i> 11.41.C. <i>Optional. Increase set aside percentage in all district. As land in these districts gets redeveloped, it will be important to ensure PCAs and land is set aside for future parks and open space, especially for urban areas where there is greater density and opportunities to work and play along the river.</i>

Ordinance Language	Commentary
C. Resolutions of encroachments; D. Additions to existing lots of record; E. Placement of essential services; and F. Activities involving river-dependent commercial and industrial uses. 11.3 Application materials. Project information listed in Section 3.6 must be submitted for all proposed developments. 11.4 Design standards. 11.41 Primary conservation areas, where they exist, must be set aside and designated as protected open space in quantities meeting the following as a percentage of total parcel area: A. CA-ROS District: 50%; B. CA-RN District: 20%; C. CA-RTC, CA-UM, and CA-UC Districts: 10%; and D. CA-SR District: 10% if the parcel includes native plant communities or provides feasible connections to a regional park or trail system, otherwise no requirement. 11.42 If the primary conservation areas exceed the amounts specified in Section 11.41, then protection of native plant communities and natural vegetation in riparian areas shall be prioritized. 11.43 If primary conservation areas exist but do not have natural vegetation (identified as restoration priorities in the MRCCA Plan), then a vegetation assessment must be completed to evaluate the unvegetated primary conservation areas and determine whether vegetation restoration is needed. If restoration is needed, vegetation must be restored according to Section 9.62. 11.44 If primary conservation areas do not exist on the parcel and portions of the parcel have been identified in the MRCCA plan as a restoration area, vegetation must be restored in the identified areas according to Section 9.62 and the area must be set aside and designated as protected open space. 11.45 Storm water treatment areas or other green infrastructure may be used to meet the protected open space requirements if the vegetation provides biological and ecological functions. 11.46 Land dedicated under (<i>insert LGU ordinance citation</i>) for public river access, parks, or other open space or public facilities may be counted toward the protected open space requirement. 11.47 Protected open space areas must connect open space, natural areas, and recreational areas, where present on adjacent parcels, as much as possible to form an interconnected network. 11.5 Permanent protection of designated open space.	Item 2. 11.46 This ordinance citation refers to LGU “park” dedication or in-lieu fee provisions adopted under Minnesota Statutes, section 462.358, Subd. 2b. If LGU has not adopted such provisions this section may be omitted. 11.6 The MRCCA rules state that local ordinances must contain provisions, including incentives, for alternative design methods that achieve better protection or restoration of PCAs. Local governments must develop provisions that achieve additional protections for or restoration of primary conservation areas. These should address PCA resources specific to the community and unique opportunities for their protection or restoration within the type of development or redevelopment that is likely to happen in the community. The DNR will consider a wide variety of provisions to meet this requirement. Some ideas include:

Ordinance Language	Commentary
11.51 Designated open space areas must be protected through one or more of the following methods: A. Public acquisition by a government entity for conservation purposes; B. A permanent conservation easement, as provided in Minnesota Statutes, chapter 84C; C. A deed restriction; and D. Other arrangements that achieve an equivalent degree of protection. 11.52 Permanent protection methods must ensure the long-term management of vegetation to meet its biological and ecological functions, prohibit structures, and prohibit land alteration, except as needed to provide public recreational facilities and access to the river. 11.6 Alternative design standards. 12.0 EXEMPTIONS 12.1 Purpose. To provide exemptions to structure placement, height and other standards for specific river or water access dependent facilities as provided in Minnesota Statutes, section 116G.15 Subd. 4. 12.2 Applicability. 12.21 Uses and activities not specifically exempted must comply with this <i>(section, chapter, or article)</i>. Uses and activities exempted under shore impact zone and bluff impact zone must comply with the vegetation management and land alteration standards in Sections 9 and 10. 12.22 Uses and activities in Section 12.3 are categorized as: A. Exempt – E. This means that the use or activity is allowed; B. Exempt if no alternative - (E). This means that the use or activity is allowed only if no alternatives exist; and C. Not exempt - N. This means that a use or activity is not exempt and must meet the standards of this ordinance.	• <i>Protection and restoration of continuous vegetation – preventing the fragmentation of vegetation and habitat by individual lots, especially along the river and natural drainage areas and protecting it as common open space.</i> • <i>Density bonus and smaller lots in return for protection of open space beyond the minimum identified in 11.41.</i> • <i>Use of conservation design or transfer of development rights in return for protection of open space beyond the minimum identified in 11.41.</i> • <i>Other zoning and site design techniques.</i>

Ordinance Language						Commentary
12.3 Use and activity exemptions classification.						
12.31 General uses and activities.						
Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply	
Industrial and utility structures requiring greater height for operational reasons (such as elevators, refineries and railroad signaling towers)	N	E	N	N	Structure design and placement must minimize interference with public river corridor views.	
Barns, silos, and farm structures	N	E	N	N		
Bridges and bridge approach roadways	E	E	E	(E)	Section 8	
Wireless communication towers	E	E	N	N	Section 5.26	
Chimneys, church spires, flag poles, public monuments, and mechanical stacks and equipment	N	E	N	N		
Historic properties and contributing properties in historic districts	E	E	E	E	Exemptions do not apply to additions or site alterations	
Buildings and structures on the face of or abutting the bluff in the CA-UC district of St. Paul, between Chestnut Street and Highway 52.	E	n/a	n/a	E	Height in CA-UC district is governed by underlying zoning	

Ordinance Language

Commentary

12.32 Public utilities.

Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply
Electrical power facilities	E	E	E	(E)	Section 8
Essential services (other than storm water facilities)	E	E	E	(E)	Section 8
Storm water facilities	E	N	E	(E)	Section 10
Wastewater treatment	E	N	E	N	Section 8
Public transportation facilities	E	N	(E)	(E)	Section 8

Ordinance Language						Commentary
12.33 Public recreational facilities.						
Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply	
Accessory structures, such as monuments, flagpoles, light standards, and similar park features	E	E	(E)	(E)	Section 8; within BIZ, only on slopes averaging less than 30%. Exemptions do not apply to principal structures.	
Picnic shelters and other open-sided structures	E	N	(E)	N	Section 8	
Parking lots	(E)	N	(E)	(E)	Section 8; within BIZ, only within 20 feet of toe of bluff; not on face of bluff; and must not affect stability of bluff	
Roads and driveways	(E)	N	(E)	(E)	Section 8	
Natural-surfaced trails, access paths, and viewing areas	E	N	E	E	Section 8	
Hard-surfaced trails and viewing platforms	E	N	E	(E)	Section 8; within BIZ, only on slopes averaging less than 30%	
Water access ramps	E	N	E	(E)	Section 8	
Public signs and kiosks for interpretive or directional purposes	E	N	E	(E)	Section 8	

Ordinance Language						Commentary
12.34 River-dependent uses.						
Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply	
Shoreline facilities	E	N ¹	E	(E)	Section 5.25. Exemptions do not apply to buildings, structures, and parking areas that are not part of a shoreline facility	
Private roads and conveyance structures serving river-dependent uses	E	N ¹	E	(E)	Section 5.25	

¹ River-dependent commercial, industrial, and utility structures are exempt from height limits only if greater height is required for operational reasons.

Ordinance Language						Commentary
12.35 Private residential and commercial water access and use facilities.						
Use or Activity	Set backs	Height Limits	SIZ	BIZ	Applicable standards with which the use or activity must comply	
Private roads serving 3 or more lots	(E)	N	N	(E)	Section 7; in BIZ, only on slopes averaging less than 30%. Exemption does not apply to private roads serving fewer 3 lots or to private driveways and parking areas	
Access paths	E	N	E	E	Section 7	
Water access ramps	E	N	E	N	Section 7	
Stairways, lifts, and landings	E	N	E	E	Section 7	
Water-oriented accessory structures	E	N	E	N	Section 7	
Patios and decks	E	N	N	N	Section 7.5	
Directional signs for watercraft (private)	E	N	E	N	Section 7.6; exemption does not apply to off-premise advertising signs	
Temporary storage of docks, boats, and other equipment during the winter months	E	N	E	N		
Erosion control structures, such as rock riprap and retaining walls	E	N	E	(E)	Sections 10.3, 10.5 and 10.6	
Flood control structures	E	N	E	(E)	Section 10	



AGENDA REPORT

Meeting Date: July 13 2021

Meeting Type: Environmental Quality and Energy
(EQEC) Commission

Submitted By: Rachel Workin, Environmental Planner

Title

Micromobility Sharing Update

Background

The City received a Text Amendment from Bird Rides, Inc to allow for Shared Micromobility Vehicles within the public right-of-way. There was a public hearing before the Planning Commission on June 16 and a public hearing and first reading of the ordinance before the City Council on June 28 which were approved.

During the June 8 Environmental Quality and Energy Commission, staff was asked if riders would be able to travel between Minneapolis and Fridley via scooter if a micromobility sharing license was issued. Staff confirmed that at least Bird Rides, Inc would allow for riding between licensed cities; however, if a rider traveled from a licensed city into an unlicensed city, the scooter would lock.

Recommendation

Provided for informational purposes

Attachments and Other Resources

- None

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.



AGENDA REPORT

Meeting Date: July 13, 2021

Meeting Type: Environmental Quality and Energy
(EQEC) Commission

Submitted By: Rachel Workin, Environmental Planner

Title

Compostable Item Program

Background

The City of Fridley supports waste reduction activities in order to achieve the goals in the Metropolitan Solid Waste Management Policy Plan and the Anoka County Solid Waste Management Master Plan. As required by the hierarchies in these plans, the City promotes organics recycling and composting over landfilling. One barrier to increased adoption of organics recycling at large events is procurement of compostable plateware when single-use items are requested. To address this barrier, the City has begun offering compostable products at cost to residents who rent shelters or rooms at city buildings. Staff is currently expanding this program so that all residents may purchase compostable items through the recreation software PerfectMind, even when not renting a shelter. Additionally, the City will be providing 10 block parties with compostable plateware and organics containers for Night to Unite in 2021.

Recommendation

For informational purposes only

Attachments and Other Resources

- None

Vision Statement

We believe Fridley will be a safe, vibrant, friendly and stable home for families and businesses.