



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

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Dear Members of the Planning Commission:

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

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

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

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

FMR commends city staff for their thoughtful work on this ordinance. It's the clearest and most river-friendly ordinance we've seen among the 25 cities and township within MRCCA. St. Paul should be proud to demonstrate its connection to the Mississippi River in this way.

Strong ordinance elements

The state's MRCCA rules were created because the Mississippi River is a special asset that everyone deserves to enjoy, and in fact is the very reason why people have lived in the St. Paul area for thousands of years. In St. Paul, there are sections of the riverfront that are beautifully scenic and lined with public parks and trails. There are also places (such as Bdote Mnisota, the confluence of the Minnesota and Mississippi rivers) considered sacred by the Dakota people.

And in some places, it's possible to have a feeling of being immersed in nature despite being right in the middle of the city. That experience needs to be preserved so everyone can enjoy it

without having to drive to far-off parks. Access to nature is a crucial asset for a city seeking to become denser and less auto-dependent.

We appreciate that the state rules, and the city's ordinance, set thoughtful dimensional development standards to protect these scenic areas for all residents to enjoy. The city's clear height and setback limits, variance and Conditional Use Permit (CUP) criteria, and approach to building tiering in taller districts create more consistency and predictability for developers and residents.

Bird-safe building standards

We also applaud St. Paul's commitment to making new development within MRCCA bird-safe. FMR believes that dense urban development is crucial to addressing climate change and protecting the environment. However, dense development should still include science-based provisions that reduce harm to wildlife and promote safe passage for species with whom we share this land.

The Mississippi River is a crucial migratory flyway for about 40% of all North American migrating birds. Roughly 270 bird species live in or travel through the Twin Cities river flyway. Bird populations are experiencing significant collapse and are under continued threat. In the U.S. it's estimated that 600 million birds are killed in window strikes each year.

One way to balance density with wildlife protection is to require bird-friendly lighting design, building design, and building materials in all new development along the river. We're happy to see St. Paul do this with standards based on the best research, ordinances in several other North American cities, and the state of Minnesota's B3 building guidelines.

Urban Core (downtown) district

We understand that there are some questions about Urban Core district building height limits along the bluff. The city's long-held goal of connecting downtown St. Paul and Kellogg Boulevard to the river is a laudable example of thoughtful urban design. All residents and visitors should be able to enjoy views of and a sense of connection to the great Mississippi River as it flows through the heart of the city.

It's reasonable for the city to consider whether the height limits in place for approximately 100 years are still the best way to achieve this vision, or whether this updated ordinance should have more flexible height limits accompanied by clear criteria for ensuring that development still provides public views of the river.

We believe that the proposed ordinance as written properly addresses this issue through the CUP process. The CUP process shouldn't stop good projects from being built; it simply gives the city an opportunity to weigh the public benefits of individual projects once they reach a certain size.

For instance, the proposed Riversedge development might be a strong candidate for a CUP because of its public realm and River Balcony connections. If designed well, the development could enhance public views of and access to the river even if it's taller than what is permitted by right. This is an example of the CUP process working precisely as it should to respond to unique circumstances with an evaluation of community benefits and impacts.

We're concerned that some parties might advocate to weaken the (excellent) MRCCA CUP standards rather than attempt to comply with them, which would erode protections in many other parts of the city beyond downtown. The city should not throw out the baby with the bathwater here by watering down the ordinance to accommodate one or two potential projects. If these projects truly enhance the public experience of the river as promised, they should be able to meet the criteria for a CUP.

If the city still wishes to give more flexibility for development in the Urban Core district, it could eliminate maximum height limits allowed by CUP in the Urban Core district, allowing developers unlimited height as long as the project isn't detrimental to public views of and connections to the river. (As proposed, maximum heights with a CUP in the Urban Core district only apply from Minnesota Street to St. Peter Street as described in 68.234(f)(1-3).)

The city should not make any further ordinance revisions that open the door to weaker MRCCA protections elsewhere in the city where the nature-dominated views of the river are a rare public asset. Maintaining the CUP standards as proposed, and maintaining maximum height limits in these areas, is important.

We applaud city leaders and staff for this excellent MRCCA ordinance and urge its approval as written. Please don't hesitate to contact me at ctoberman@fmr.org or 651-222-2193 x29 to discuss any of our comments further. FMR also has extensive MRCCA ordinance resources (including videos, handouts, and interactive maps) available at www.fmr.org/river-rules.

Thank you for your time and consideration.

For the river,

A handwritten signature in black ink that reads "Colleen O'Connor Toberman". The signature is written in a cursive, flowing style.

Colleen O'Connor Toberman
Land Use & Planning Director