

Guide to City and Township MRCCA Zoning Updates

What is the Mississippi River Corridor Critical Area MRCCA?

The Mississippi River Corridor Critical Area (MRCCA) is a corridor of land along each side the Mississippi River in the Twin Cities Metropolitan Area with coordinated state, regional and local land use planning and zoning. It includes 54,000 acres in 30 local governments along a 72-mile stretch of the river. Land development in the MRCCA has been regulated by city and township-adopted MRCCA plans and zoning regulations since 1976 in compliance with state provisions. These local zoning standards have regulated structure height and setbacks from the river and bluffs as well as vegetation management and removal, land alteration, and subdivision of land to preserve the corridor's unique natural, recreational, and cultural features.



The MRCCA was designated a critical area in 1976 by Executive Order following passage of the Minnesota Critical Areas Act of 1973. The Executive Order was the governing regulation until it was superseded by MRCCA rules in 2017 ([Minnesota Rules Chapter 6106](#)). The rules more consistently protect habitat, scenic views and water quality, and allow redevelopment to address contemporary needs such as higher density and mixed uses. In 1988, the National Park Service designated the Mississippi National River & Recreation Area (MNRRA), which shares the same border as the MRCCA. There are no federal land planning or zoning regulations associated with the MNRRA.

Why is the MRCCA important?

The Mississippi River is one of the most famous rivers in the world. It is the defining feature for the many communities along its banks. Through the Twin Cities metro area, the MRCCA supports a diverse mix of residential, commercial, industrial and recreational uses, as well as river-related industry and transportation. Though the river corridor has been extensively developed, many intact and remnant cultural, natural and scenic areas remain, including bluffs, islands, floodplains, wetlands, historic resources, and native plants and animals. The state rules and local MRCCA plans and zoning regulations are designed to protect these resources while accommodating continued growth and redevelopment.

Why is my community updating its MRCCA zoning regulations?

Starting in January 2020 and going through approximately December 2022, all communities in the MRCCA will be adopting new MRCCA zoning standards consistent with 2017 MRCCA rules and local MRCCA plans that were recently updated as part of the comprehensive plan 10-year updates. **Until a community adopts the new standards, its existing MRCCA zoning standards apply.**

Contact your local city or township zoning staff with questions about relevant standards and permit requirements that apply to your property. The DNR's role is to ensure that local government MRCCA zoning regulations comply with the state rules and to provide technical assistance and oversight to local zoning staff.

Overview of New Local Government MRCCA Zoning Regulations

Local MRCCA zoning regulations are administered as an overlay district. Within this overlay district, MRCCA zoning regulations guide building and construction, vegetation clearing and restoration, and land alteration. These regulations also affect local decisions on variances and conditional use permits. Following is an explanation of how the new zoning regulations in the 2017 MRCCA rules will affect some of the most common development activities.

New Terms

Familiarity with the following terms are helpful for understanding MRCCA zoning regulations. These terms are described and mapped in city and township MRCCA plans (a chapter of the comprehensive plan) and summarized below:

Bluff. A natural feature with an average slope exceeding 18%.

Bluff impact zone. The bluff and land within 20 feet of the bluff.

Native plant communities. Plant communities of five acres or greater that meet the quality criteria established by the Minnesota Biological Survey to qualify as a native plant community - identified in local government MRCCA plans.

Natural drainage route. Rivers and streams and any other drainage ways identified by local governments.

Shore impact zone. 50% of the required structure setback from the river.

Significant existing vegetation stands. Largely intact and connected plant communities that contain a sufficient representation of the original native plant community - identified in local government MRCCA plans.

Wetland. Transitional lands between terrestrial and aquatic systems where the water table is usually at or near the surface or land covered by shallow water.

Building and Construction

Structure height and structure setbacks from the river and top of bluffs (the top of an 18% slope) vary for each of the six MRCCA districts (See Table 1). These provisions protect scenic views and keep buildings and other development activity away from sensitive shorelines and slopes that provide habitat and are prone to soil erosion and slope failure. Structure height and setback standards will not change for most property owners. See the [MRCCA Boundary and Districts web page](#) to find the district in which your parcel is located.

Table 1. Building and constructions standards for each of the six MRCCA districts.

Build & Construction Standards	Rural Open Space (CA-ROS)	River Neighborhood (CA-RN)	River Towns and Crossings (CA-RTC)	Separated from River (CA-SR)	Urban Mixed (CA-UM)	Urban Core (CA-UM)
Maximum Structure Height	35'	35'	48'*	Underlying Zoning	65'*	Underlying Zoning
Mississippi River Structure Setback	200'	100'	75'	n/a	50'	Underlying Zoning
Bluff Structure Setback	100'	40'	40'	40'	40'	40'

*Greater height may be allowed with a Conditional Use Permit.

Expansion of Nonconforming Structures

Legal nonconforming structures were lawfully permitted when they were built. However, when zoning standards change and these structures no longer conform to the new standards, they become legally nonconforming or “grandfathered.” Nonconforming structures are common in the MRCCA. Minnesota Statute (MS §462.357, Subd. 1e) protects the rights of

the owners of nonconforming structures, and allows for their continued use, including repair, replacement, restoration, maintenance, or improvement. Under the MRCCA rules, local governments may allow the lateral expansion of legally nonconforming principal structures such as homes, as long as they do not expand further into required setbacks from the river and bluff.

Land Alteration Standards (Grading & Filling)

Land alteration in areas near water and on steep slopes increases the risk of soil erosion and the movement of sediment into water. A new local government permit is required for the following land alteration activities:

- Any activity that disturbs more than 10 cubic yards or 1,000 square feet of soil within the shore impact zone or within 50 feet of a public water, wetland, or natural drainage route, whichever is greater.
- Riprap, retaining walls or other erosion control structures to correct an established erosion problem in the shore impact zone and bluff impact zone. There are specific design standards and conditions for constructing these structures. The construction of structures below the ordinary high water level would continue to require a DNR permit or approval.
- Erosion control projects and repair & maintenance of existing structures in the bluff impact zone. All other activities are prohibited in the bluff impact zone.

Vegetation Removal & Management Standards

Retaining vegetation along the river and on slopes is important to stabilize soil and to slow, absorb, and filter stormwater before it runs into the river. Vegetation is also important for retaining the scenic qualities of the river. Local MRCCA regulations include a new vegetation permit and standards for protecting and restoring vegetation.

Activities that **DO NOT** Require a Permit:

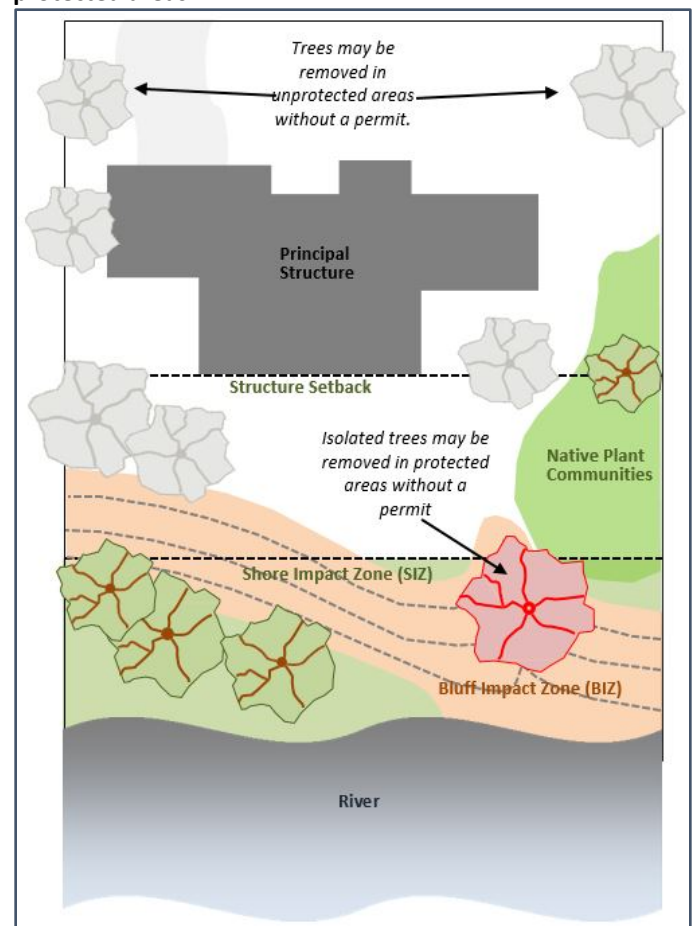
- Maintenance of existing lawns, landscaping and gardens;
- Removal of vegetation in emergency situations as determined by the local government;
- The removal of isolated individual trees or shrubs that are not in a contiguous patch, strip, row, or block and that does not substantially reduce the tree canopy or understory cover.

Prohibited Vegetation Removal Activities

The intensive removal of all or a majority of the trees or shrubs in a contiguous patch, strip, row, or block in protected areas - the shore impact zone, bluff impact zone, within 50 feet of a wetland or natural drainage way or of native plant communities and significant existing vegetative stands - is prohibited. Figure 1 shows some of these protected areas – protected areas are shown in color. Note that isolated trees and shrubs may

be removed in protected areas without a permit.

Figure 1. Intensive removal of vegetation in prohibited in protected areas.



Allowed Vegetation Removal Activities with a Permit:

Some vegetation removal activities in protected areas are allowed with a **vegetation permit**, including removal:

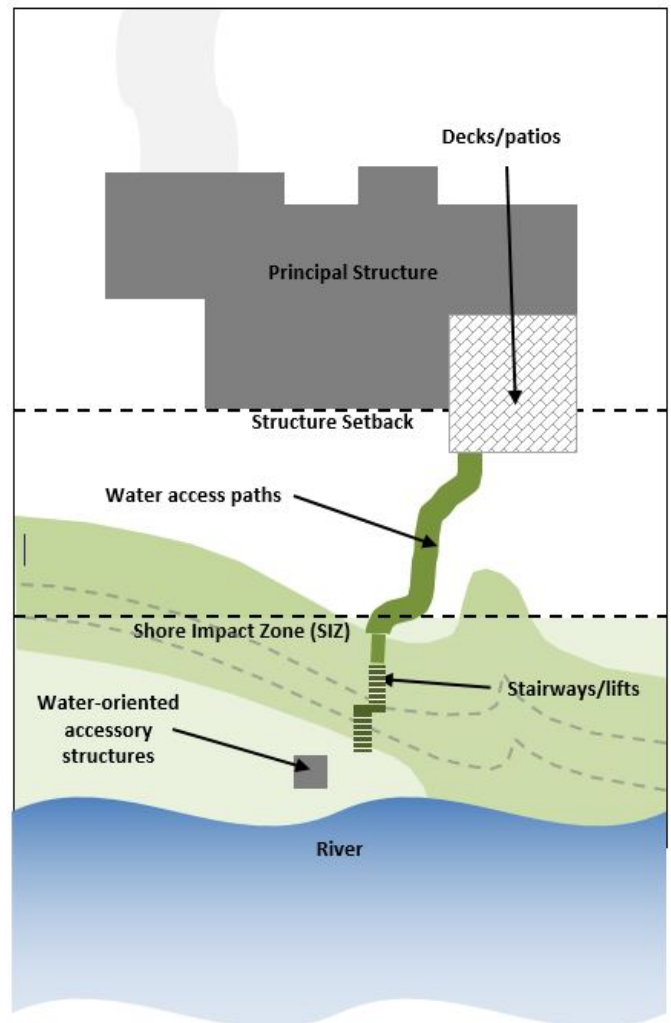
- of vegetation that is dead, diseased, dying, or hazardous;
- to prevent the spread of diseases or insect pests;
- of invasive non-native species;
- to prepare for restoration and erosion control management activities consistent with a plan approved by the local government;
- of the minimum necessary for construction allowed with a building permit.

River Access on Riparian Lots

Local MRCCA regulations include new design standards for river access including access paths and stairways, water-oriented structures and patios and decks (see Figure 2):

- Private driveways, parking areas and other impervious surfaces must not be placed in the shore impact zone or the bluff impact zone, except for:
 - **Access Paths:** Access paths can be no wider than 8 feet wide in the shore impact zone or 4 feet wide in a bluff impact zone.
 - **Stairways, lifts, and landings:** Stairways, lifts, and landings are allowed in the shore impact zone and the bluff impact zone as long as stairways and lifts are no wider than 4 feet and landings no more than 32 square feet.
- Decks and patios may encroach into bluff and river setbacks up to 15% of the required structure setback, provided they don't extend into the bluff impact zone.
- One water-oriented accessory structure is allowed for every 300 feet of river frontage. Lots less than 300 feet may have one structure. The water-oriented accessory structure is limited to a 12-foot height, 120 square foot area, and must be at least 10 feet from the water's edge. These structures are not allowed in the bluff impact zone.
- Temporary storage of docks, boats, and other equipment during the winter months are prohibited in the bluff impact zone but allowed in the shore impact zone.

Figure 2. River Access Design Standards.



MRCCA web address: https://www.dnr.state.mn.us/waters/watermgmt_section/critical_area/index.html