



CITY OF SOUTH ST. PAUL MEETING AGENDA

PLANNING COMMISSION

Council Chambers
125 3rd Avenue North
South St. Paul, MN 55075

Wednesday, October 1, 2025
7:00 PM

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. MINUTES:**
 - A. September 3, 2025 Minutes
- 4. NEW BUSINESS:**
- 5. PUBLIC HEARINGS:**
 - A. Comprehensive Plan Amendment to Implement the South Concord Corridor Small Area Plan
 - B. Ordinance Amending the Standards for Impervious Surfaces Near the Mississippi River
- 6. OTHER BUSINESS:**
- 7. STAFF UPDATES:**
 - A. System Statement for 2050 Comprehensive Plan Update
- 8. ADJOURNMENT**

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
WEDNESDAY SEPTEMBER 3, 2025**

MEETING CALLED TO ORDER BY CHAIR FEHRMAN AT 7:00 P.M.

1) ROLL CALL

Present: Tyler Fehrman
Tim Felton
Geoff Fournier
Tracy Haye
Andrew Hoffman
Brienne Miller
Michael Healy, Planning Manager
Monika Miller, Associate Planner

Absent: James Hart

2) APPROVAL OF AGENDA –Motion to approve the agenda as presented– Hoffman/Miller (6-0).

3) APPROVAL OF MINUTES – September 6, 2025 –Motion to approve the minutes as presented– Fournier/Hoffman (6-0).

4) NEW BUSINESS

None.

5) PUBLIC HEARINGS

A. Garage Setback Variance at 206 6th Avenue South

Ms. Miller presented the staff report. The Applicant, Mark Bratsch, requested a side yard setback variance to construct a detached garage in his rear yard that does not meet current setback requirements. The detached garage that was at the property previously burned down in 2024 and only the concrete slab remains. The previous garage was “grandfathered” to not meet the current side yard setback requirements for a detached garage but lost its “grandfather” rights when the Applicant’s contractor failed to apply for a permit to rebuild the garage within 180 days of when it burned down. Because the “grandfather” rights had been lost, a variance was needed to construct a new garage at the property using the existing garage slab. Staff feel that the request meets the criteria for when to grant a variance. Staff recommend approval of the variance with conditions.

Commissioner Miller asked Staff to explain how the previous garage’s “grandfather” rights were lost. Ms. Miller explained that a “grandfathered” structure’s rights are lost after 180 days if the building is destroyed and no building permit is applied for to rebuild the structure within that timeframe. The Applicant’s contractor failed to apply for a building permit to rebuild the garage within 180 days of when it burned down.

The Applicant, Mark Bratsch, was present to answer questions.

Chair Fehrman opened the public hearing.

No one was present at the meeting to comment on the application. Ms. Miller shared an email that had been received prior to the meeting.

Chair Fehrman closed the public hearing.

Commissioner Felton asked if the individual that submitted the public comment directly abutted the property. Ms. Miller clarified the individual that had submitted the public comment lived across the alley and several houses away from the subject property.

Motion to recommend approval of a garage setback variance – Fournier/Hoffman (6-0)

6) OTHER BUSINESS

A. Wakota 2nd Addition Final Plat

Mr. Healy presented the staff report. The Applicant is the Danner Family Limited Partnership. The final plat is the last development approval needed to redevelop a lot owned by the Danner Family. The current configuration of the lot is not conducive to its future development. In July, the City Council approved a preliminary plat for the site. The Applicant is now requesting final plat approval. If the Planning Commission recommends approval of the final plat, the City Council will review the final plat in tandem with the development agreement for the property. There are some minor amendments to the final plat that need to be addressed prior to the City Council meeting. Staff recommend approval of the final plat with conditions so long as the items highlighted by staff are corrected.

The Applicant, Bryan Chirhart, was present to answer questions.

Motion to recommend approval of the final plat for Wakota 2nd Addition - Hoffman/Fournier (6-0)

7) STAFF UPDATES

None.

8) ADJOURNMENT

Motion to adjourn- Miller/Fournier (6-0)



PLANNING COMMISSION AGENDA REPORT

DATE:

October 1, 2025

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

5.A.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Comprehensive Plan Amendment to Implement the South Concord Corridor Small Area Plan

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

City Staff recommends approval of the proposed comprehensive plan amendment to implement the South Concord Corridor Small Area Plan.

OVERVIEW

Application

The Applicant is the City of South St. Paul. *The City Council approved the South Concord Corridor Small Area Plan at their June 16th meeting and directed City Staff to prepare a comprehensive plan amendment that would implement the plan's recommendations.*

Background

The City of South St. Paul is required by State Statute to adopt a 20-year Comprehensive Plan and update it at least every 10 years. That Plan (including its amendments) is considered to reflect the community's strategic direction through the year 2040. The City adopted its 2040 Comprehensive Plan in October of 2020. One of the Plan's tools is a "future land use map." As explained in more detail below, that map depicts how the Plan "guides" each parcel of land in the City. Future land use map guidance is significant because the City is expected to act consistently with its most current Comprehensive Plan when making rezoning decisions.

If the future land use map guides properties in a way that is inconsistent with the City's current strategic direction, the City should be actively working to address that inconsistency. Sometimes, the best way to address the inconsistency is to rezone the property so that it aligns with the future land use map's guiding. Other times, the best way to address the inconsistency is to amend the future land use map's guiding so that it aligns with current zoning.

The City recently undertook a major zoning study focused on the South Concord Corridor. This study was explicitly called for in the 2040 Comprehensive Plan as Action 4.3 in the Land Use

Chapter. At the conclusion of the zoning study, the City Council approved the South Concord Corridor Small Area Plan. The small area plan calls for comprehensive plan changes and zoning changes. The purpose of the proposed comprehensive plan amendment is to implement all of the changes to the comprehensive plan that are called for in the approved small area plan.

How the Comprehensive Plan Affects Zoning Decisions

The City's zoning code dictates what can and cannot take place on each piece of property within city limits, based on each property's designated zoning district. When a property owner wants to acquire a different set of development rights, they generally either need to convince the City Council to rezone their property to a different zoning district, or they need to convince the City Council to modify the rules for their zoning district so that they have additional development rights. The City needs to follow its comprehensive plan when making decisions about rezoning:

1. Legally, the City cannot rezone a piece of land unless the rezoning is consistent with the comprehensive plan. This usually means that the rezoning action needs to be consistent with the parcel's guidance on the future land use map.
2. In general, the City is legally obligated to adhere to its future land use map when responding to rezoning petitions from property owners. If a property owner's land is guided "Commercial" but currently zoned R-1 Single Family, for instance, that property owner has a legal right to expect that the City will rezone their land to some type of commercial zoning district if requested.
3. The City can only approve a rezoning request that does not match the current future land use map if the City first approves an amendment to its comprehensive plan. Comprehensive Plan amendments require a 4/5 supermajority of City Council members to vote "yes", so the bar is set higher than for a rezoning action which usually only requires a simple majority vote.

The existing zoning framework on the South Concord Corridor is not working well. In almost all cases, the existing zoning either conflicts with future land use map guidance, conflicts with the way that the property owner is currently using their property, or conflicts with the way that the property owner wants to use their property. The South Concord Corridor Small Area Plan lays out a step-by-step solution to resolving the corridor's zoning problems to help unlock each property's potential. In some cases, the fix involves creating a new zoning district. In other cases, the fix involves updating the standards of an existing zoning district. The City cannot undertake most of the rezoning actions called for in the South Concord Corridor Small Area Plan until the comprehensive plan is updated to align with those rezoning actions.

Local Control Versus Metropolitan Council Control

The City has local control over the zoning map and can approve zoning changes that are consistent with the most current Comprehensive Plan. The City only has partial local control over the future land use map. To change the future land use map, the City Council needs to adopt a comprehensive plan amendment and submit the amendment for review by the Metropolitan Council, which is a layer of regional government appointed by the Governor to oversee land-use planning in the 7-County Metropolitan Area. Once the Metropolitan Council has approved the proposed amendment to the comprehensive plan, the City can put the amendment into effect.

South Concord Corridor Small Area Plan

As previously stated, the City Council approved the South Concord Corridor Small Area Plan in June of this year. A small area plan is a focused planning effort that provides a detailed vision and guidance for a specific, smaller geographic area within a larger community. Small area plans typically address issues such as land use, infrastructure, transportation, economic development, and urban design. The act of adopting a small area plan does not have any immediate effect on zoning or change the way that property owners can use their properties. Adopting a small area plan does not commit the City to making any specific zoning changes or any specific changes to its comprehensive plan. Rather, a small area plan is a visionary document that provides a framework for the City to look at updating its comprehensive plan, zoning map, zoning code, and subdivision ordinance to help achieve the vision for the small area.

The approved small area plan for the South Concord Corridor establishes a vision for the corridor and provides recommendations for creating a new zoning framework to implement that vision. The vision is firmly rooted in the results of the market study that was completed in 2024 during the first phase of the South Concord Corridor Study. City Staff feels confident that the market will respond well to the vision and that the vision accurately reflects what is realistically the "highest and best use" of the land in the South Concord Corridor. Making some or all the recommended changes to the City's zoning ordinance will hopefully lead to the private sector making meaningful investments along this corridor.

Summary of Proposed Updates to the Future Land Use Map

The following changes to the future land use map are proposed:

1. There are currently several medium-sized parcels on the east side of Concord Street that consist of small buildings with poor aesthetics and extensive exterior storage. These properties are mostly zoned GB-General Business today, although some properties right by Interstate 494 are zoned I-Industrial. The proposed South Concord Corridor Small Area Plan calls for creating a new "Business Flex" zoning district for this area which will allow both commercial uses and light industrial uses. Parcels in this area are currently guided as either "mixed-use" or "light industrial" in the comprehensive plan and this area needs to be re-guided to "Commercial" in order to implement the small area plan's

recommendation.

2. The South Concord Corridor Small Area Plan calls for creating a new "Industrial Flex" zoning district just south of Interstate 494 which would not include any properties with Concord Street frontage. This area would include the existing Twin City Hide and Tanning cow hide processing plant and tannery, and it would be the one part of the city that will continue to allow agricultural-industrial uses (with a conditional use permit). This area is mostly guided "light industrial" or "utility" in the comprehensive plan today, and it needs to be re-guided to "Industrial" to implement this recommendation.
3. Healy Mobile Home Park is currently zoned MH-Mobile Home and the small area plan does not call for changing that zoning in any way. However, the property should still be given future land use map guiding that fits with the surrounding properties. All of the properties to the north will be guided "commercial" and all of the properties to the south are already guided "mixed-use." The mobile home park should be guided "mixed-use" to match the adjacent properties.

The first two changes are essential to move forward with implementing the South Concord Corridor Small Area Plan. The third change is not essential and is more of a housekeeping item.

Summary of Proposed Text Amendments

The following changes to the text of the comprehensive plan are proposed:

1. Updates are being made to the definition of the "Commercial" and "Industrial" land use categories to better capture the nuances of the commercial, industrial, and mixed commercial-industrial areas in the South Concord Corridor.
2. The Land Use Plan divides the community up into 12 different "Planning Districts" and has a narrative about each district's existing status and potential for future development. Planning District 10 and Planning District 11 each contain part of the South Concord Corridor. The narrative for those two planning districts should be updated to reflect the adoption of the South Concord Corridor Small Area Plan.
3. The City is planning to extend Verderosa Avenue to the south in order to serve the planned development of the City-owned MCES site and the privately owned Danner property. The Parks, Trails, and Recreation Chapter needs to be updated to incorporate the road extension and make it clear that the area west of the road will be a development area and the area east of the road will be open space, natural areas, and recreational areas.

Discussion

Earlier this year, the Planning Commission and City Council reviewed and approved the South Concord Corridor Small Area Plan. The proposed comprehensive plan amendment would implement exactly what is recommended by the small area plan.

As part of its approval, the Metropolitan Council may require the City to update some of its tables and figures throughout the comprehensive plan to reflect changes in total acreage for each land use category. This task can be accomplished administratively by City Staff before the comprehensive plan amendment is officially enacted.

Initial Comments from Metropolitan Council

Staff reviewed the proposal with South St. Paul's Metropolitan Council sector rep Merritt Clapp-Smith. She expects that the Metropolitan Council will approve the proposed amendment.

Comments from Adjacent and Affected Jurisdictions

The Metropolitan Council requires the City to provide all adjacent jurisdictions with a formal opportunity to comment on proposed comprehensive plan amendments. Staff sent out an invitation to comment on September 2nd. The other jurisdictions technically have 60 days to provide comments, but they were encouraged to submit their comments prior to this public hearing if at all possible.

- The City of Inver Grove Heights commented that they support the proposed amendment.
- The City received “no comment” responses from the Inver Grove Heights School District, the City of Newport, the City of Saint Paul, the City of West St. Paul, Washinton County, Ramsey County, South Washington Watershed District, and the Lower Mississippi River Watershed Management Organization.

Planning Commission Action

The Planning Commission has the following actions available on the proposed application:

1. Approval. If the Planning Commission wishes to recommend approval of proposed comprehensive plan amendment, the following action should be taken:
 - Motion to recommend approval of a comprehensive plan amendment that would implement the recommendations of the South Concord Corridor Plan.
2. Denial. If the Planning Commission wishes to recommend denial of the proposed

rezoning ordinance, the following action should be taken:

- Motion to recommend denial of a comprehensive plan amendment that would implement the recommendations of the South Concord Corridor Plan.

LINKS

[South St. Paul 2040 Comprehensive Plan](#)

[South Concord Corridor Market Study](#)

[South Concord Corridor Small Area Plan](#)

SOURCE OF FUNDS

NA

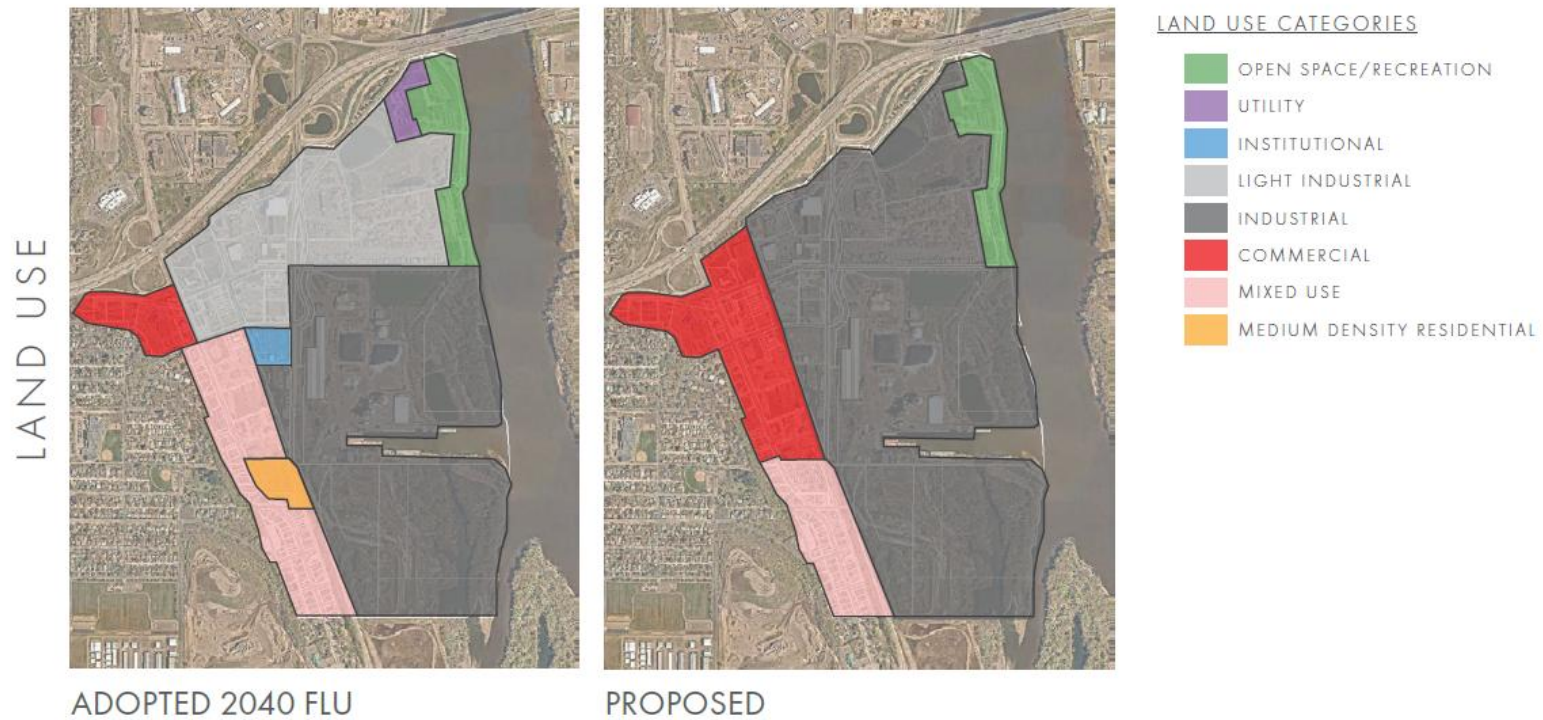
ATTACHMENTS

1. South Concord Corridor Small Area Plan's Recommended Changes to Future Land Use Map
2. Existing Future Land Use Map
3. Proposed Future Land Use Map
4. Proposed Text Amendments

ATTACHMENT 1

SOUTH CONCORD CORRIDOR SMALL AREA PLAN'S RECOMMENDED CHANGES TO FUTURE LAND USE MAP

Figure 12. Land Use Changes



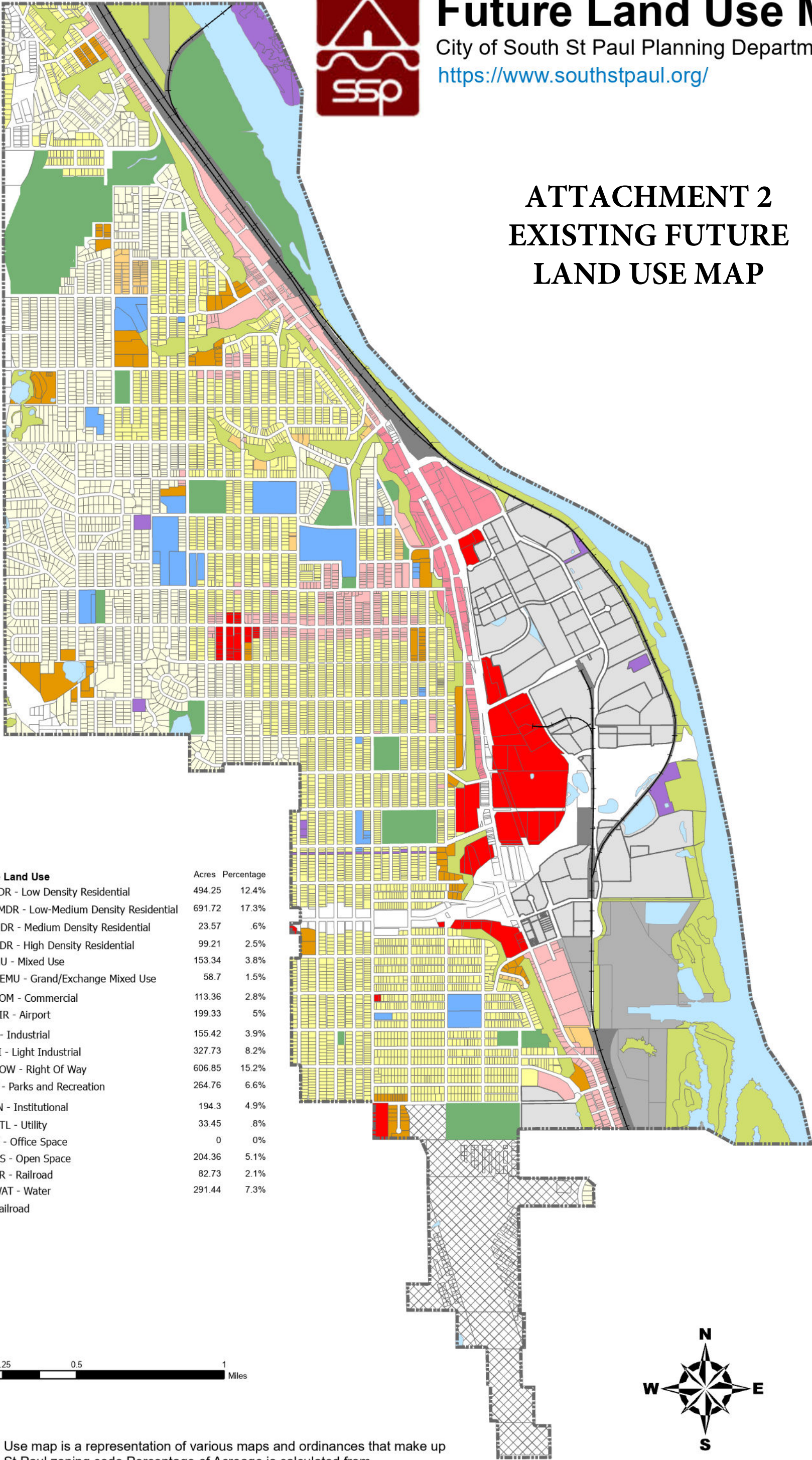


Future Land Use Map

City of South St Paul Planning Department

<https://www.southstpaul.org/>

ATTACHMENT 2 EXISTING FUTURE LAND USE MAP



Res. Density Units/Acre	Future Land Use	Acres	Percentage
1-5	LDR - Low Density Residential	494.25	12.4%
6-15	LMDR - Low-Medium Density Residential	691.72	17.3%
6-20	MDR - Medium Density Residential	23.57	.6%
13-60	HDR - High Density Residential	99.21	2.5%
13-60	MU - Mixed Use	153.34	3.8%
25-75	GEMU - Grand/Exchange Mixed Use	58.7	1.5%
	COM - Commercial	113.36	2.8%
	AIR - Airport	199.33	5%
	I - Industrial	155.42	3.9%
	LI - Light Industrial	327.73	8.2%
	ROW - Right Of Way	606.85	15.2%
	P - Parks and Recreation	264.76	6.6%
	IN - Institutional	194.3	4.9%
	UTL - Utility	33.45	.8%
	O - Office Space	0	0%
	OS - Open Space	204.36	5.1%
	RR - Railroad	82.73	2.1%
	WAT - Water	291.44	7.3%

The Future Land Use map is a representation of various maps and ordinances that make up the City of South St.Paul zoning code.Percentage of Acreage is calculated from county parcel data. Results are representational and not to be used for purposes other than zoning. For detail information pertaining to a specific property or zoning district, please contact the City of South St.Paul Planning Department at <http://www.southstpaul.org/>

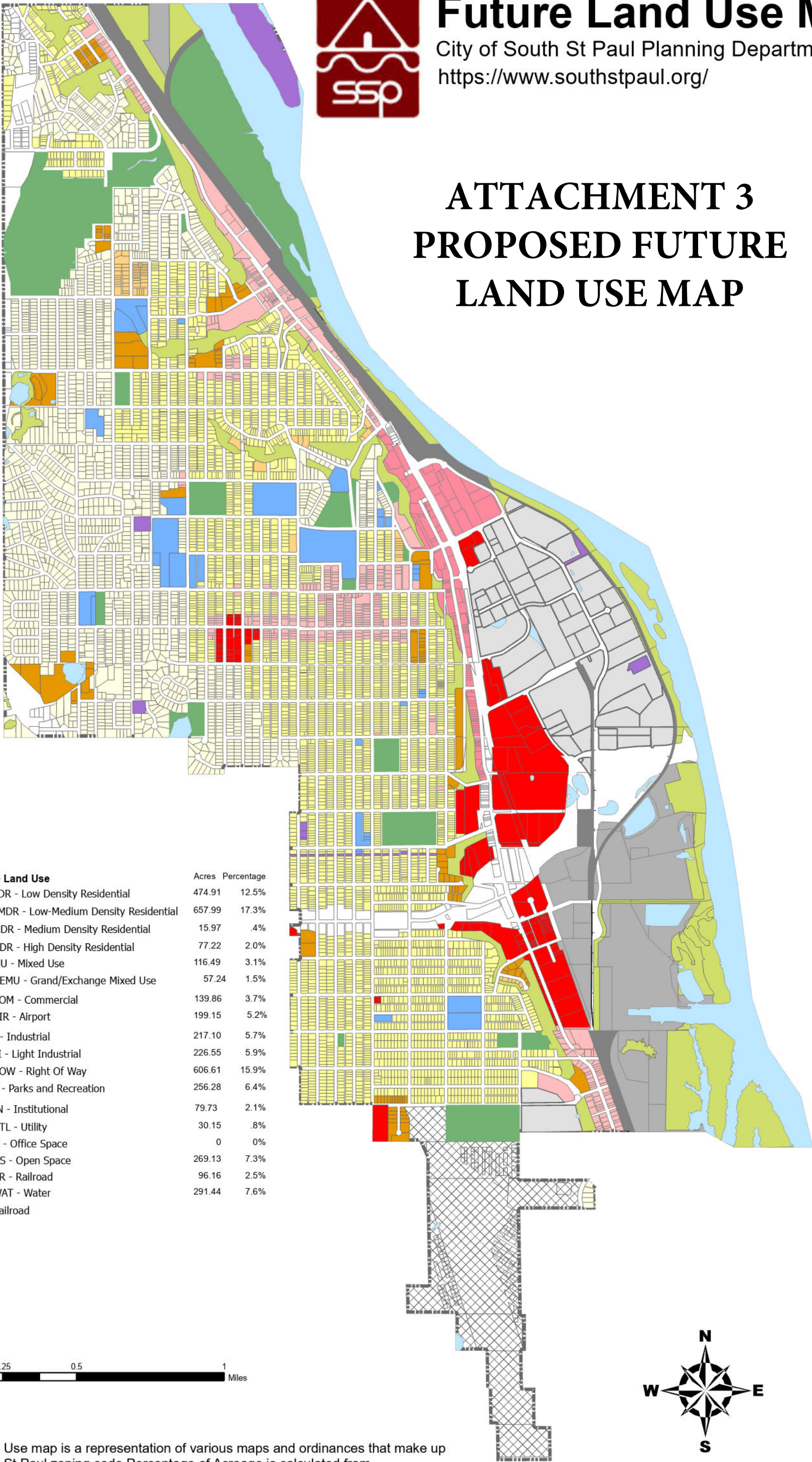
Print Date: Monday July 21, 2025
Approved: July 21, 2025
Prepared by: South St Paul GIS



Future Land Use Map

City of South St Paul Planning Department
<https://www.southstpaul.org/>

ATTACHMENT 3 PROPOSED FUTURE LAND USE MAP



Res. Density Units/Acre	Future Land Use	Acres	Percentage
1-5	LDR - Low Density Residential	474.91	12.5%
6-15	LMDR - Low-Medium Density Residential	657.99	17.3%
6-20	MDR - Medium Density Residential	15.97	.4%
13-60	HDR - High Density Residential	77.22	2.0%
13-60	MU - Mixed Use	116.49	3.1%
25-75	GEMU - Grand/Exchange Mixed Use	57.24	1.5%
	COM - Commercial	139.86	3.7%
	AIR - Airport	199.15	5.2%
	I - Industrial	217.10	5.7%
	LI - Light Industrial	226.55	5.9%
	ROW - Right Of Way	606.61	15.9%
	P - Parks and Recreation	256.28	6.4%
	IN - Institutional	79.73	2.1%
	UTL - Utility	30.15	.8%
	O - Office Space	0	0%
	OS - Open Space	269.13	7.3%
	RR - Railroad	96.16	2.5%
	WAT - Water	291.44	7.6%
	Railroad		

0 0.25 0.5 1 Miles



The Future Land Use map is a representation of various maps and ordinances that make up the City of South St.Paul zoning code.Percentage of Acreage is calculated from county parcel data. Results are representational and not to be used for purposes other than zoning. For detail information pertaining to a specific property or zoning district, please contact the City of South St.Paul Planning Department at <http://www.southstpaul.org/>

Print Date: Wednesday, August 27, 2025
Last Updated: December 5, 2022
Prepared by: South St Paul GIS

ATTACHMENT 4
PROPOSED TEXT AMENDMENTS
PROPOSED TEXT CHANGES TO FUTURE LAND USE CHAPTER

From Page 4-64 through 4-66:

Future Land Use designations

MU: Mixed-Use (13 or 25 - 60 or 75 u/ac):

The Mixed-Use category is intended to allow for developments which combine residential, office, retail, and commercial uses through planned development. These uses may be mixed within the same building (vertical mixed use) or may be in separate buildings that are mixed within the same area (horizontal mixed use). Overall, throughout all mixed-use areas, 40% of development is expected to be residential.

The exact mix of uses will depend on the site and will need to be sensitive to the development context. Mixed-use development within the Southview Hill area is expected to be of lesser scale than sites identified along Concord Street due to the size of remaining developable sites and the context of the surrounding neighborhood.

The minimum density in this category is 13 units per acre except in the Grand/Exchange Mixed-Use area where the minimum density is 25 units per acre. The maximum density in this category is 60 units per acre except in the Grand/Exchange Mixed-Use area the maximum density is 75 units per acre. District-wide, the City expects new development to meet minimum density requirements but individual infill projects in mixed-use areas may not always meet the minimum. The City expects that many development projects in mixed-use areas will not include any dwelling units and some smaller infill projects, including small vertical mixed-use buildings, may include a number of dwelling units that falls short of meeting the minimum requirement.

Mixed Use sites that include high density residential buildings should utilize the criteria listed above for multifamily development when siting buildings and use design to ensure that the proposed building is sensitive to the context of the development site.

COM: Commercial:

Includes retail sales/services, restaurants, hotels/motels, and for-profit entertainment/recreational facilities as well as general office buildings. It is expected that at least part of the commercially guided area south of Interstate 494 and east of Concord Street will also include industrial uses that have been determined to be compatible with commercial development along the Concord Street corridor.

LI: Light Industrial:

Includes office-warehouse, office-showroom, warehousing and storage, assembly and light manufacturing, utility installations, offices. Retail sales are also permitted as an accessory use on light industrial sites.

Light Industrial uses are found throughout BridgePoint Business Park (the area bordered by Concord Street on the west, the Mississippi River on the east, and I-494 on the south) and also some properties south of I-494 in high visibility areas. Metropolitan Council equivalent is part of “Industrial”.

I: Industrial:

Includes anything that could go into a light industrial area, as well as some remaining general industrial uses such as the barge/bulk terminal, warehousing and storage, and some railroad uses. Some industrial areas may also allow animal processing uses as long as adequate controls are in place to prevent odor pollution and other nuisances. Industrial uses are generally located to the south of I-494 and east of Concord Street. The Metropolitan Council equivalent is part of “Industrial”.

From Page 4-89 through 4-92

District 10

Planning District 10 is bordered on the west by the City’s western border/9th Avenue, on the north by Interstate 494, on the east by Concord Street, and on the south by South Street.

Land Use Issues

Planning District 10 is dominated by small lot single-family homes and some duplex uses. The majority of the homes in this area were built since 1945. Kaposia Education Center, built in 1996, is the elementary school and ECFE site in this district and is the newest school in the community. Below the bluff, the district also includes a large commercial car dealership site and the western side of the properties along Concord Street South which area a mixture of residential and commercial uses. High-density residential apartment uses are present at the northwest corner of the district and the northeast corner across from the car dealership. The area includes two smaller parks and is across the street from the large McMorro Field (District 12). At the southeastern corner of the district is the northern half of the Dawn Way landfill site. The demolition landfill straddles the border between South St. Paul and Inver Grove Heights and is currently operated by Frattalone companies.

Future Land Use

Areas of future development for District 10 are anticipated in a few locations; the west side of Concord Street, the Dawn Way landfill site, and the vacant parcel at the corner of South Street and 5th Avenue South. The parcel at South Street and 5th Avenue South had zoning approval for a 28-unit apartment building in the summer of 2017 but the development never occurred. The area is guided for High Density Residential and

zoned for multifamily residential development.

When the Dawn Way Landfill site was last purchased, one part of the agreement was a land use plan for the eventual redevelopment after closure of the landfill site. The plan for the site included primarily light industrial uses with an area of low residential and mixed-use along the northern portion of the site abutting the existing residential uses. The landfill site land use plan also included a possible road or transportation link through the site that could connect from Henry Avenue at the top of the hill to Poplar Street at the bottom.

The west side of Concord Street was given new guidance via the South Concord Corridor Small Area Plan which was approved on June 16, 2025. The plan calls for the northern part of the corridor to remain “commercial” while the southern part of the corridor will be guided as “mixed use” to allow infill development which is integrated with the existing residential neighborhood. ~~south of Richmond Street is a mixture of businesses and homes that abut the toe of the bluff. These properties have been guided as mixed-use. though further study will be necessary to determine the best mixture of land uses both on the west side of Concord Street and those across Concord Street which are in Planning District 11.~~

District 11

Planning District 11 is bordered on the west by Concord Street, on the north by Interstate 494, on the east by the Mississippi River, and on the south by the City’s southern border at Linden Street.

Land Use Issues

The land uses in Planning District 11 are a range of industrial, commercial, and some residential uses. The area includes one of the largest privately owned properties in the community, the 90+ acre Kinder Morgan – Dakota Bulk plant which deals in bulk commodities transported by barge or rail. The area also includes a gun club site, the only manufactured home park in the city, a smattering of single-family homes, and the 30+ acre Danner site. The Mississippi River Regional Trail (MRRT) winds its way along the river through this district and then along the Union Pacific Railroad tracks before continuing into Inver Grove Heights. At the northeast corner of this district is the DNR boat launch property, which includes a fishing pier, the only public boat launch site in the community, and on the property’s western side, is the community garden.

Future Land Use

The area north of Richmond Street and the regional trail includes properties that are very visible from Interstate 494 and are an area that the City again is stressing the importance of aesthetics, and trying to minimize areas of exterior storage. Similar to District 9, this area also has a continued emphasis on reducing the impact of odor generating land uses. New land uses and expansions require determination to confirm that the land use will not generate objectionable odors, while the City teams with a consulting company to help determine the sources of odor complaints for existing uses.

The Danner property is the largest development site in the community and the character and appearance of development at this location is vital to the community's development potential in the BridgePoint area or this office/industrial area south of the Wakota Bridge. The City has worked with ownership and prospective developers to get necessary approvals in place to allow development of the site.

The City Council approved the South Concord Corridor Small Area Plan on June 16, 2025. This plan calls for commercial/industrial development along Concord Street itself with a high level of attention to aesthetics along the Concord Street frontage. Most of the land that is not along Concord Street is guided "Industrial" and the plan calls for separating this area into two different zoning districts, one of which will allow animal processing uses with carefully formulated performance standards to prevent nuisances such as odors. Per the adopted plan, properties at the southern end of the Concord Street Corridor will be guided "mixed-use" to allow context-sensitive infill development that augments the existing residential neighborhood which also contains some small businesses. The properties on the east side of Concord Street and between Richmond Street and Spruce Street are guided for mixed use but many of these parcels have been contractor's yards and similar uses in the past. In addition, the sites have a split zoning with the western half being commercial and the eastern half as industrial. The mixed-use designation would be consistent with planned future land uses on the west side of Concord Street and could help to provide a buffer between the industrial uses to the east and residential properties west of Concord Street. Additional study of these parcels will be necessary to refine the land uses and determine the market for the properties.

PROPOSED CHANGES TO THE PARKS, TRAILS, AND RECREATION CHAPTER

Goal 9.6: Work with public owners of land to develop additional recreational facilities within the Critical Area/MRCCA corridor:

Policy 9.6.1: Convert the portion of the former Metropolitan Council Environmental Services (MCES) land along the Mississippi River on the east side of the planned extension of Verderosa Avenue into ~~recreational facilities or~~ open space for the City, per the standards and guidelines of Executive Order 79-19. This shall include working with MRCCA to improve and restore natural habitat and restore natural vegetation.

Policy 9.6.2: Develop the Wakota Trailhead and Overlook at the DNR Boat Launch site and adjacent trail property.

Policy 9.6.3: Cooperate with the Cities of Saint Paul, Inver Grove Heights, and Dakota County to connect the Mississippi River Regional Trail (MRRT) with other recreational facilities in the region, per the standards and requirements of Executive Order 79-19.

Action 9.6: Convert the portion of the former Metropolitan Council Environmental Services (MCES) land along the Mississippi River <u>on the east side of the planned extension of Verderosa Avenue into</u> into recreational facilities or open space for the City » Per the standards and guidelines of Executive Order 79-19 » This shall include working with MRCCA to improve and restore natural habitat and restore natural vegetation	5-10	*Critical Area I
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PLANNING COMMISSION AGENDA REPORT

DATE:

October 1, 2025

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Monika Miller

AGENDA ITEM NUMBER:

5.B.

MEETING TYPE

Regular Meeting

AGENDA ITEM

Ordinance Amending the Standards for Impervious Surfaces Near the Mississippi River

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

A motion recommending approval or denial of an ordinance which would repeal the City's Shoreland ordinance and add impervious surfaces standards to MRCCA.

OVERVIEW

South St. Paul is fortunate to be one of the communities that lies along the shore of the Mississippi River. The community's history is tied to the Mississippi River, starting first with the village of Kaposia that sat along the river's edge, followed by the South St. Paul Union Stockyards which helped transform the riverfront into a thriving industrial hub that still functions as the community's primary employment base. Today, the Mississippi River is enjoyed by South St. Paul residents and visitors as they experience the scenic and recreational amenities the river has to offer.

Due to the importance of the river, both at the local and statewide level, there are special land use regulations that apply to properties near the Mississippi River. These regulations are enforced through zoning ordinances at the local level. In South St. Paul, there are currently three different environmental overlay districts that cover the land along the Mississippi River: the Floodplain overlay districts, the Shoreland management district, and the Mississippi River Corridor Critical Area (MRCCA). The City is proposing to implement several changes to streamline the ordinances that govern land near the Mississippi River while ensuring that the river continues to be protected. The Minnesota Department of Natural Resources (DNR) is supportive of the proposed changes and has encouraged City Staff to move forward with this code update project.

Background on Environmental Overlay Districts

In 1982, South St. Paul's enacted the three environmental overlay districts that protect the Mississippi River. Each overlay district was originally intended to serve a unique purpose, although the Shoreland and the River Corridor District (the predecessor to modern day MRCCA) have overlapping purposes. The Floodplain district was designed to protect public safety, property, and the environment by regulating development in areas prone to flooding. The River Corridor District was designed to preserve and enhance the natural, aesthetic, cultural, and

historic value of the Mississippi River. The Shoreland district was designed to protect surface water quality, near shore habitat for aquatic species, and the shorelands aesthetics of any lake or river that meets the criteria to be a DNR-designated public water body. The Mississippi River is the only DNR-designated public water body in South St. Paul. There are no lakes within city limits that are subject to Shoreland protections. Seidl's Lake is legally considered a pond/wetland and is subject to wetland protections rather than the Shoreland protections that are given to DNR-recognized lakes.

In 2023, the City updated its MRCCA ordinance to align with the new river protection standards that were adopted in State Statute in 2017. The Shoreland and Floodplain ordinances have remained largely unchanged since their adoption in 1982.

Key Challenges with South St. Paul's Current Shoreland Ordinance

The DNR developed the initial rules for the Shoreland program in the 1960's/1970's to protect the water quality and scenic qualities of lakes and rivers. Shoreland protections typically extend 300 feet out from the edge of any protected river and 1,000 feet out from the edge of any protected lake. Each municipality that has a protected lake or river within city limits needs to work with the DNR to adopt a local Shoreland ordinance. The DNR maintains a model Shoreland ordinance on their website which contains their current recommendations for "best practices" and each municipality is expected to utilize the model ordinance to create a local Shoreland ordinance. Cities may be allowed to deviate from the model ordinance with the DNR's permission based on unique local circumstances. The DNR periodically updates the model ordinance and the current model ordinance is extremely different than the model ordinance that SSP's existing Shoreland ordinance from 1982 was based on.

South St. Paul's Shoreland ordinance from 1982 appears to have been written with standards that make sense for low-density residential cabin communities where many properties have waterfront frontage. These standards are a poor fit for South St. Paul where almost the entire riverfront consists of public parks and the Mississippi River Greenway, and where all the development on the west side of the bike trail is commercial and industrial rather than residential. South St. Paul's Shoreland ordinance is very short but almost every provision that it contains creates zoning problems that require each property within the Shoreland district to seek a variance whenever the owner wants to make an improvement. The three main issues are:

1. The boundaries of the Shoreland district are defined in an unusual way and are not limited to the 300 feet of land that is adjacent to the river. Instead, any buildable parcel that contains even a small area of land that is in a Floodplain district is automatically part of the Shoreland overlay and must follow all Shoreland rules or get a variance. The requirement applies even if the development does not impact the floodplain or if the parcel is protected from flooding by fill above the regulatory flood protection elevation.
2. Buildings in the Shoreland district are not allowed to be taller than 35 feet without a variance or Planned Unit Development approval. *This number was likely intended for residential development and many recent developments in SSP's industrial areas have needed a variance from this standard. The DNR does not support a 35-foot height limit*

for this part of South St. Paul. They support a 65-foot height limit for South St. Paul's commercial and industrial riverfront areas and that is the height limit that is built into MRCCA regulations for this area. Additional height can be allowed only by conditional use permit.

3. Any parcel that is within the Shoreland overlay district cannot have more than 30% lot coverage by impervious surfaces (buildings and hardscape) without a variance. It is generally not possible to undertake a commercial or industrial development with a 30% lot coverage limit, so every development needs a variance. Because every project gets some type of impervious surface variance, this standard is essentially just meaningless "red tape" and no longer represents a genuine zoning requirement that developers and businesses are expected to follow. *The DNR has noted that the Mississippi River in South St. Paul is a "working river" and almost the entire riverfront is already developed with high levels of impervious surface coverage. When properties redevelop, this is an opportunity to work with the developer to add additional green space, trees, and other landscaping. The DNR and City Staff believe it is time to switch over from the variance process to the conditional use permit process for reviewing development projects near the river that have a high level of impervious surface coverage. The new process will be more straightforward, less politically complicated, and will provide additional opportunities for resource protection since "conditions of approval" can be added to each conditional use permit to address site-specific concerns.*

DNR Guidance on River Protection Ordinances

Over the summer, City Staff reached out to the DNR for technical assistance with interpreting the City's Shoreland ordinance as it related to the proposed redevelopment of the Danner property that is south of Interstate 494 along Hardman Avenue. All the proposed buildable lots in the new "Wakota Business Park" development will be at least 300 feet from the Ordinary High-Water Level (OHWL) but some parts of each lot are technically located within the "flood fringe" part of the Floodplain overlay district because the parcels are still shown on FEMA flood maps. The situation is complicated because extensive grading and filling has taken place since the FEMA maps were created and the Danner site no longer has any significant flooding risk. City Staff reached out to the DNR to ask for help determining whether the development still needed to be reviewed as a "Shoreland" development which would need to include an impervious surface variance and restrictions on building height.

The DNR provided guidance that the Danner property is still considered to be in the Floodplain district. The flood risk of a property is determined by FEMA and the property owner has not gone through FEMA's process to get the property removed from floodplain maps even though the property is no longer susceptible to flooding. Because the City Code says that any property in the Floodplain district is also in the Shoreland district, that does mean that the whole Danner development is subject to the 30% impervious surface coverage rule and will need variances. The DNR acknowledged that this appears to be a technicality and probably is not what was intended when the City Code was written.

The DNR shared that their agency's position is that the MRCCA Statute and the City's local

MRCCA ordinance contain the resource protection regulations that they want to see in place next to the Mississippi River. They stated that the only value that the City's existing Shoreland ordinance has is that it regulates impervious surface coverage near the river, albeit with performance standards that are not calibrated correctly and need to be updated to avoid the need for variances. The DNR suggested that the City consider combining its Shoreland ordinance and MRCCA ordinance into one overlay district which has one set of regulations. The easiest way to do this would be to eliminate the Shoreland overlay entirely and update the MRCCA overlay to add impervious surface regulations for parcels that are within 300 feet of the river.

Proposed Ordinance

Based on the recommendations provided by the DNR, Staff worked with the City Attorney to draft an ordinance that balances reasonable development standards while still protecting the integrity of the Mississippi River. The proposed ordinance would:

- Repeal the Shoreland ordinance.
- Add new impervious surface limits to MRCCA that would apply to properties that are within 300 feet of the Mississippi River:
 - Properties with residential zoning would continue to be limited to 30% impervious surface coverage.
 - Properties with commercial or mixed-use zoning would be limited to 75% impervious surface coverage
 - Properties with industrial zoning would be limited to 75% impervious surface coverage
- Properties could exceed the impervious surface limits with a conditional use permit if certain criteria which would prevent impacts to local water quality are met.
- No conditional use permit would be required for a property if at least 75% of the area that is within 300 feet of the Mississippi River is open green space.

Review Process for MRCCA Amendments

The DNR is the designated State agency that oversees the adoption of and changes to a local government's MRCCA ordinance. The City worked with the DNR in 2023 to adopt the new MRCCA regulations. The proposed ordinance would amend the City's DNR-approved MRCCA ordinance and the City is required to follow the DNR process for a MRCCA ordinance amendment. The amendment process usually starts with informal conversations with the DNR about what the agency will support. The City starts the formal review process with the submittal of a written ordinance amendment to the DNR for review. Once an ordinance amendment has been submitted, the DNR has 30 days to review the ordinance and provide a formal letter of conditional approval or a letter of denial. A public hearing for the ordinance can be scheduled after the DNR has indicated that they will approve the amendment.

In September, Staff initiated the amendment process by submitting the proposed ordinance to the DNR for conditional approval. At time of submittal, Staff received verbal confirmation from the DNR that the City can move forward with holding a public hearing for the ordinance at the October 1st Planning Commission meeting. The DNR's formal letter of conditional approval should be issued in time for the public hearing; if not, it will be available before the City Council reviews the proposed ordinance.

Discussion and Staff Recommendation

The proposed ordinance would make the process for development review near the Mississippi River easier to interpret and will remove red tape that causes headaches for City Staff, the business community, and the development community. The existing Shoreland ordinance creates unnecessary barriers to development that City Staff and the DNR feel are not necessary for resource protection and the Shoreland district's zoning rules are routinely waived via variances because they are not properly calibrated. 100% of the area within city limits that is regulated by the Shoreland ordinance is covered by MRCCA which has more modern and robust resource protection provisions. Additionally, most development in South St. Paul is unlikely to encroach near the river's shoreline due to the specifics of the city's built environment. Most of the shore of the Mississippi River in South St. Paul is enveloped by the city's flood protection levy or is in an area that is otherwise inaccessible for development. The levy covers 70%+ of the Mississippi River shoreline in South St. Paul.

The existing cap on impervious surface coverage at 30% is problematic in a fully developed industrial corridor and essentially necessitates every development project seek an impervious surface coverage variance. Additionally, the conflicts between the Floodplain ordinance and the MRCCA such as the building height requirements create the need for unnecessary variances. For all the reasons stated above, Staff recommend approval of the proposed ordinance.

Required Action

The Planning Commission has the following actions available on the proposed application:

1. Approval. If the Planning Commission wishes to recommend approval of the ordinance the following action should be taken:
 - Motion to recommend approval an ordinance that repeals the city's Shoreland ordinance and adds impervious surfaces standards to MRCCA.
2. Denial. If the Planning Commission wishes to recommend denial of the ordinance, the following action should be taken:
 - Motion to recommend denial an ordinance to repeals the city's Shoreland ordinance and adds impervious surfaces standards to MRCCA.

If the recommendation is denial, the Planning Commission should adopt findings to justify the

recommendation.

SOURCE OF FUNDS

N/A

ATTACHMENTS

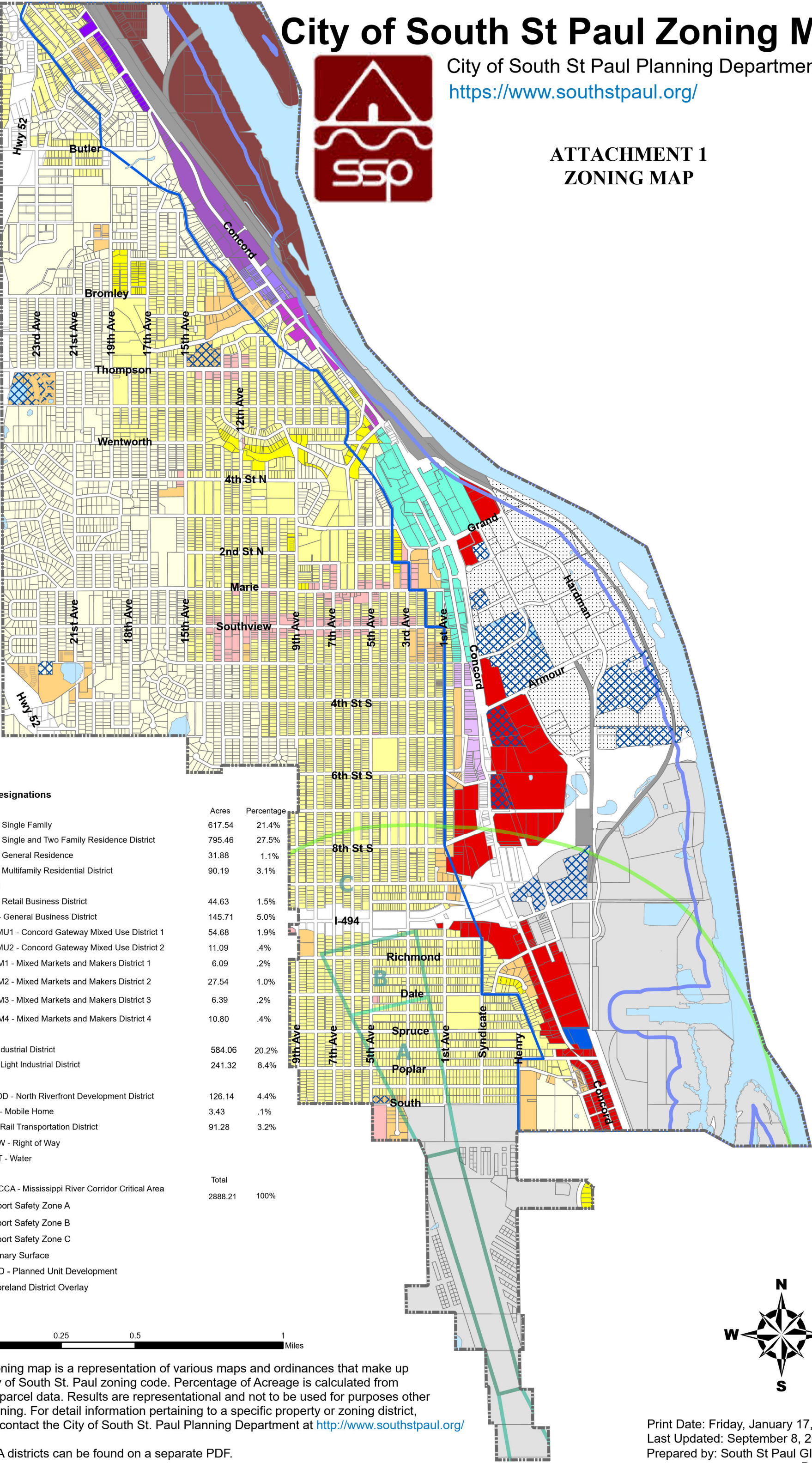
1. Zoning Map
2. South Concord Corridor Floodplain Map
3. Existing Shoreland Ordinance
4. Ordinance 14XX Shoreland Repeal, MRCCA Impervious Surface Limits

City of South St Paul Zoning Map

City of South St Paul Planning Department
<https://www.southstpaul.org/>



ATTACHMENT 1 ZONING MAP



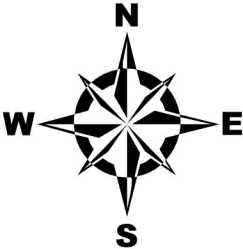
Zoning Designations

Residential		
R1 - Single Family	617.54	21.4%
R2 - Single and Two Family Residence District	795.46	27.5%
R3 - General Residence	31.88	1.1%
R4 - Multifamily Residential District	90.19	3.1%
Commercial		
C1 - Retail Business District	44.63	1.5%
GB - General Business District	145.71	5.0%
CGMU1 - Concord Gateway Mixed Use District 1	54.68	1.9%
CGMU2 - Concord Gateway Mixed Use District 2	11.09	.4%
MMM1 - Mixed Markets and Makers District 1	6.09	.2%
MMM2 - Mixed Markets and Makers District 2	27.54	1.0%
MMM3 - Mixed Markets and Makers District 3	6.39	.2%
MMM4 - Mixed Markets and Makers District 4	10.80	.4%
Industrial		
I - Industrial District	584.06	20.2%
I-1 - Light Industrial District	241.32	8.4%
Other		
NRDD - North Riverfront Development District	126.14	4.4%
MH - Mobile Home	3.43	.1%
RT- Rail Transportation District	91.28	3.2%
ROW - Right of Way		
WAT - Water		
Total		
	2888.21	100%

MRCCA - Mississippi River Corridor Critical Area
Airport Safety Zone A
Airport Safety Zone B
Airport Safety Zone C
Primary Surface
PUD - Planned Unit Development
Shoreland District Overlay

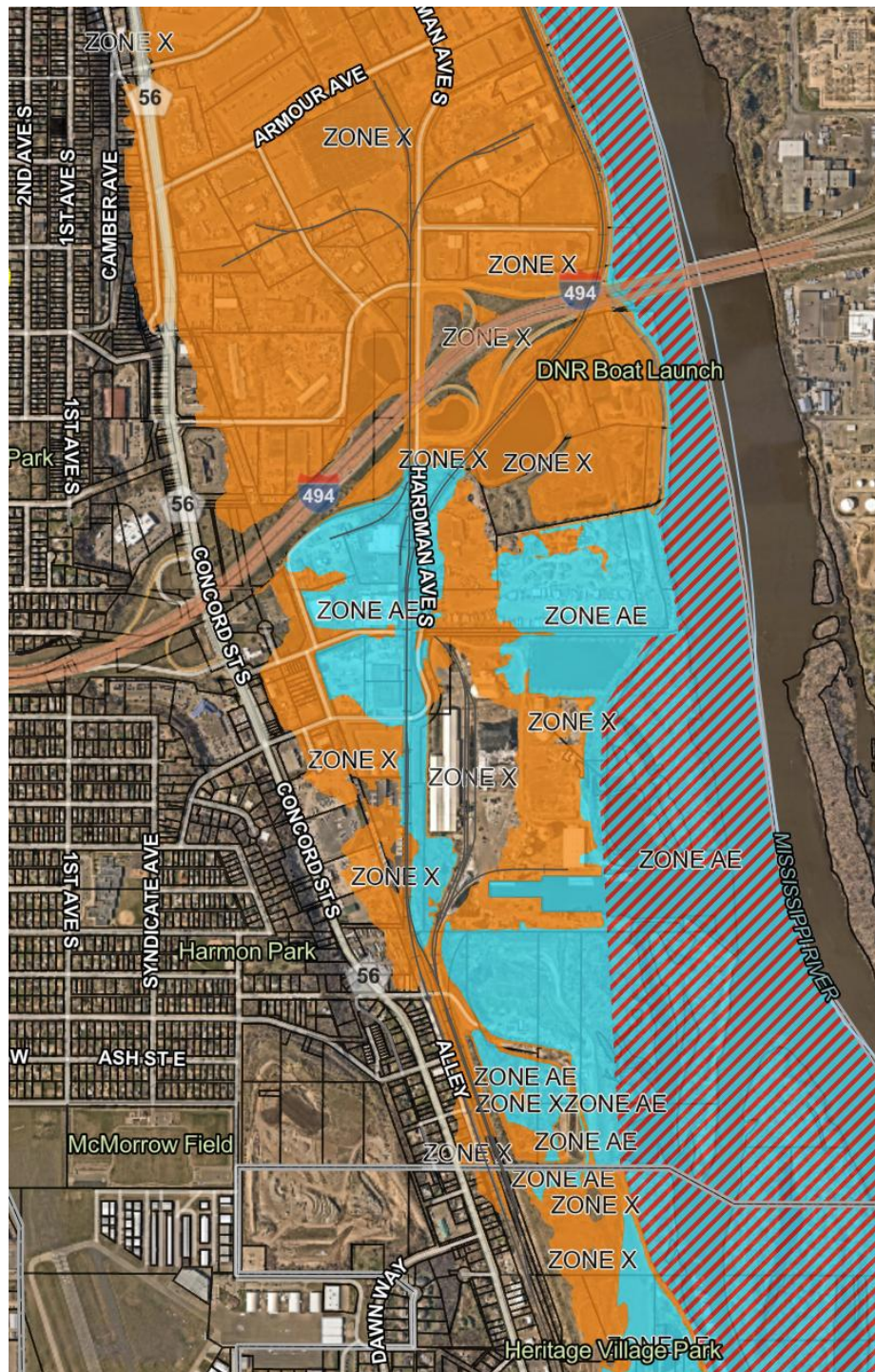
This Zoning map is a representation of various maps and ordinances that make up the City of South St. Paul zoning code. Percentage of Acreage is calculated from county parcel data. Results are representational and not to be used for purposes other than zoning. For detail information pertaining to a specific property or zoning district, please contact the City of South St. Paul Planning Department at <http://www.southstpaul.org/>

MRCCA districts can be found on a separate PDF.



Print Date: Friday, January 17, 2025
Last Updated: September 8, 2023
Prepared by: South St Paul GIS

**ATTACHMENT 2
SOUTH CONCORD CORRIDOR FLOODPLAIN MAP**



All areas shaded light blue are in the flood fringe zoning overlay district because they have a 1% chance of flooding each year. Currently, these properties are automatically subject to Shoreland Overlay District regulations even if they are much further than 300 feet from the Ordinary High Water Level (OHWL) of the Mississippi River.

**ATTACHMENT 3
EXISTING SHORELAND ORDINANCE**

Sec. 118-184. Shoreland management district.

- (a) *Declaration of intent and purpose.* The city finds that it is in the interest of the public health, safety and welfare to provide guidance for wise development of shorelands of public waters and thus to preserve and enhance the quality of surface waters, preserve the economic and natural environmental values of shorelands, and provide for the wise utilization of water and related land resources of the state.
- (b) *Establishment of the shorelands overlay zoning district.*
 - (1) The official zoning map of the city, which is on file in the office of the city clerk and which is incorporated by reference in this Code, is hereby amended to include a map overlay district and incorporated by reference setting forth the boundaries of a shorelands overlay district, as established and defined herein.
 - (2) The shorelands overlay zoning district shall be that area which is within 300 feet of the Mississippi River bank, as measured from the ordinary highwater mark, or the landward extent of the floodplain districts, as defined herein, whichever is greater.
 - (3) The shorelands overlay zoning district may be referred to by the abbreviation SL.
- (c) *General provisions.* The shorelands regulations shall apply to all lands within the jurisdiction of the city shown on the official zoning map as being located within the boundaries of the shorelands overlay zoning district.
- (d) *Standards for development within the shorelands districts.*
 - (1) Any application for a building permit, conditional use permit, zoning approval, or subdivision approval for any development in the shorelands district shall be subject to the river corridor site plan review requirements as contained herein.
 - (2) In addition to the criteria and standards for site plan approval, site plans for development in the shorelands district are also subject to the following standards. No site plan that fails to satisfy these additional standards shall be approved by the city council.
 - a. *Lot size.* All lots intended as residential building sites platted or created by metes and bounds after the date of enactment of shorelands regulations shall conform to the following dimensions:
 - 1. Lots not served by a public sewer shall be at least 20,000 square feet (approximately one-half acre) in area and at least 100 feet in width at the building line and at the ordinary highwater mark (for lots abutting a public water). Lots served by public sewer and which abut public water shall be at least 15,000 square feet in area and at least 75 feet in width at the building line and at the ordinary highwater mark. All other lots served by a public sewer shall be at least 10,000 square feet in area and at least 75 feet in width at the building line.
 - 2. Lots of record in the office of the county register of deeds on the date of enactment of these regulations which do not meet the requirements herein may be allowed as building sites, provided that such use is permitted in the underlying zoning district and that the lot is in separate ownership from abutting lands and is served by public sewer and water.
 - b. *Placement of structures on lots.*
 - 1. No structure shall be placed nearer than 50 feet from the right-of-way line of any federal, state, or county trunk highway or 20 feet from the right-of-way line of any public street.
 - 2. No structure shall exceed 35 feet in height, unless such structures are approved as part of a planned unit development.
 - 3. The total area of all impervious surfaces on a lot shall not exceed 30 percent of the total lot area.
 - 4. Subsections (d)(2)b.1 and (d)(2)b.2 of this section shall not apply to the following:

-
- (i) Boathouses may be located landward of the ordinary highwater mark as a conditional use, provided they are not used for habitation and they do not contain sanitary facilities.
 - (ii) Locations of piers and docks shall be controlled by applicable state and local regulations.
 - (iii) Where development exists on both sides of a proposed building site, structural setbacks may be altered to take setbacks of existing structures into account.
 - (iv) Commercial, industrial, or permitted open space uses requiring locations on public waters may be allowed as conditional uses closer to such waters than the setbacks described above.
 - c. *Placement of roads and parking areas.* The placement of roads and parking areas shall be controlled in order to retard the runoff of surface waters and excess nutrients. The placement of roads and parking areas shall be according to the following criteria:
 - 1. No impervious surface shall be placed within 50 feet of the ordinary highwater mark. Where practical and feasible, no impervious surface shall be placed within 100 feet of the normal highwater mark.
 - 2. Natural vegetation or other natural materials shall be used in order to screen parking areas when viewed from the water.
 - d. *Sewage disposal.* Public sewage disposal and commercial, agricultural, solid waste, and industrial disposal shall be subject to the standards, criteria, rules, and regulations of the state pollution control agency and department of health.
 - (e) *Nonconforming sanitary facilities.* Sanitary facilities that are not consistent with the provisions of these regulations and of referenced state regulations shall be eliminated within five years of enactment of these regulations.

(Ord. No. 1411, § 2, 8-21-2023)

State law reference(s)—Shoreland management, Minn. Stat. § 103F.201 et seq.; municipal shoreland management, Minn. Stat. § 103F.221.

**City of South St. Paul
Dakota County, Minnesota**

Ordinance No. 14XX

**AN ORDINANCE REPEALING THE SHORELAND OVERLAY DISTRICT AND
ADDING ITS RELEVANT PERFORMANCE STANDARDS TO THE MISSISSIPPI
RIVER CRITICAL CORRIDOR AREA ORDINANCE**

The City Council of the City of South St. Paul does ordain:

SECTION 1. REPEAL. South St. Paul City Code Section 118-184 Shoreland Management District is hereby repealed.

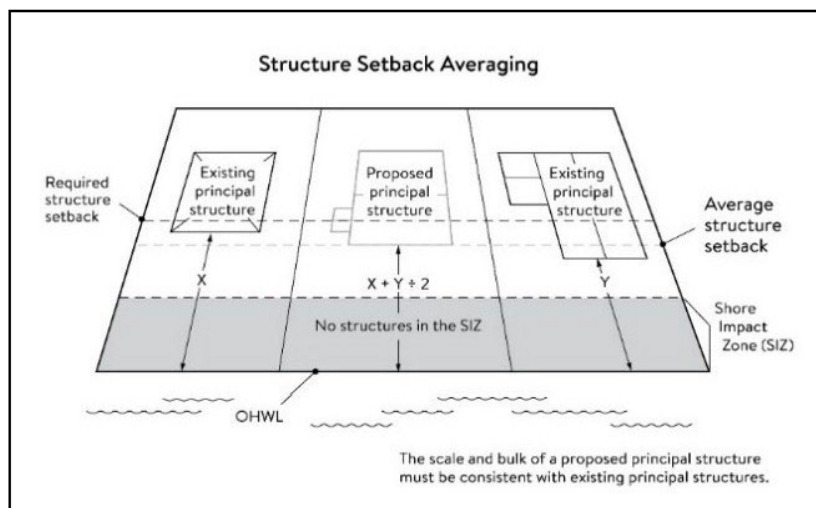
SECTION 2. AMENDMENT. South St. Paul City Code Section 118-171 is hereby amended as follows:

Sec. 118-171. Structure height and placement and lot size; impervious surface requirements.

- (a) *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.
- (b) *Structure height.* Structures and facilities must comply with the following standards unless identified as exempt in section 118-177.
 - (1) Structures and facilities must comply with the following standards unless identified as exempt in section 118-177:
 - a. ROS district: 35 feet
 - b. RN district: 35 feet
 - c. 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 OHWL of the opposite shore.
 - d. 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 are allowed as a conditional use according to section 118-171(b)(3).
 - (2) Height is measured on the side of the structure facing the Mississippi River.
 - (3) In addition to the conditional use permit requirements of section 118-168(d), 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. 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 a flat roof;
 - 4. Using building materials or mitigation techniques that will blend in with the natural surrounding such as green roofs, green walls, or other green and brown building materials;
 - 5. Narrowing the profile of upper floors of the building; or
 - 6. Increasing the setbacks of the building from the Mississippi River or blufflines;
- (4) Identification of techniques for preservation of those view corridors identified in the MRCCA plan; and
- (5) Opportunities for creation or enhancement of public river corridor views.
- (c) *Structure and impervious surface placement.*
 - (1) Structures and impervious surfaces must not be placed in the shore or bluff impact zones unless identified as an exemption in section 118-177. Properties in the special zoning areas are eligible for specific flexibility from these requirements:
 - a. On properties in zoning area A, structures, retaining walls, and impervious surfaces may be placed within the bluff impact zone at the toe of the bluff, but not in the bluff or within 20 feet of the top of the bluff, with a conditional use permit meeting the standards in section 118-171(c)(1)c. A new retaining wall may be allowed by conditional use permit for the purpose of stabilizing the toe of a bluff. Retaining walls in the following situations do not require a conditional use permit:
 - 1. The replacement or modification of an existing retaining wall in the same location as long as the replacement wall does not have a substantially larger exposed face than the existing wall and does not encroach further into the bluff than the existing wall.
 - 2. Retaining walls located on or adjacent to the right-of-way of an existing improved public street or alley if the city determines the wall is necessary for continued functionality and safety.
 - 3. New retaining walls to address an emergency situation determined by the City.
 - b. On properties in zoning area B, structures and impervious surfaces may be placed within the 40-foot bluff top setback and within 20 feet of the top of the bluff up to the top of the bluff or bluffline by conditional use permit meeting the standards in section 118-171(c)(1)c. No structure or impervious surface may extend beyond the bluffline.
 - c. Conditional use permit standards.

1. Plans must demonstrate, through analysis of soil and geotechnical studies if requested by the city, that structures, retaining walls, and impervious surface can be installed without compromising the stability of the bluff.
 2. Compliance with land alteration conditions of approval in section 118-175(f).
 3. Compliance with vegetation removal and restoration standards in Section 118-174(d).
- (2) Structures, impervious surfaces, and facilities must comply with the following OHWL setback provisions unless identified as exempt in section 118-177.
- a. ROS district: 200 feet from the Mississippi River.
 - b. RN district: 100 feet from the Mississippi River.
 - c. UM district: 50 feet from the Mississippi River.
- (3) Structures, impervious surfaces, and facilities must comply with the following bluffline setback provisions unless identified as exempt in section 118-177:
- a. ROS district: 100 feet.
 - b. RN district: 40 feet.
 - c. SR district: 40 feet.
 - d. UM district: 40 feet.
- (4) 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 section 118-171(c)(2) and section 118-171(c)(3) are consistent with adjoining development. See figure 7.



- (5) 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.
- (d) *Lot size and buildable area.*

- (1) 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.
- (2) All new lots must have adequate buildable area to comply with the setback requirements of section 118-171(c)(2) and section 118-171(c)(3) so as to not require variances to use the lots for their intended purpose, except for land in zoning area B.

(e) Impervious surface coverage on properties within 300 feet of the ordinary high water level (OHWL) of the Mississippi River.

(1) Restrictions on impervious surface coverage:

- a. For properties with residential zoning, no lot shall exceed 30% impervious surface coverage without a conditional use permit.
- b. For properties with commercial or mixed-use zoning, no lot shall exceed 75% impervious surface coverage without a conditional use permit.
- c. For properties with industrial zoning, no lot shall exceed 75% impervious surface coverage without a conditional use permit.
- d. Regardless of a lot's total impervious surface coverage, a conditional use permit is not required if at least 75% of the portion of the lot that is within 300 feet of the OHWL of the Mississippi River is maintained as open green space. The City may require a certificate of survey verifying compliance with this provision.

(2) In addition to the conditional use permit standards in section 118-168, the applicant for a conditional use permit shall demonstrate compliance with the following:

- a. The lot is served by municipal sewer and water if services are readily available.
- b. The lot complies with the stormwater management criteria listed in Article IV and all development plans, including erosion control measures, have been reviewed and approved by the City Engineer.
- c. Any other conditions that are deemed necessary to protect the shorelands of public waters.

SECTION 3. AMENDMENT. South St. Paul City Code Section 118-95 is hereby amended as follows:

The city is divided into the following zoning use districts:

- (1) R-1, single-family district.
- (2) R-2, duplex residence district.
- (3) R-3, general residence district.
- (4) R-4, multifamily residential district.
- (5) CGMU, Concord Gateway mixed-use district.
- (6) MMM, mixed markets and makers district.

- (7) C-1, retail business district.
- (8) GB, general business district.
- (9) I-1, light industrial district.
- (10) I, industrial district.
- (11) MH, mobile home district.
- (12) NRDD, North Riverfront development district.
- (13) RT, railroad transportation district.
- (14) PUD, planned unit development district.

The city also contains the following overlay or special purpose subdistricts:

- (1) Mississippi River Critical Corridor Area district.
- ~~(2) Shorelands district.~~
- ~~(23)~~ Floodplain district.
- ~~(34)~~ South St. Paul Municipal Airport Safety Zones (see Appendix A).

SECTION 4. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance repeals the Shoreland overlay district ordinance and creates impervious surface regulations within the Mississippi River Critical Corridor Area (MRCCA) ordinance for properties within 300 feet of the OHWL of the Mississippi River.

SECTION 5. EFFECTIVE DATE. This ordinance shall become effective upon publication.

Approved: _____

Published: _____

Deanna Werner, City Clerk



PLANNING COMMISSION AGENDA REPORT

DATE:

October 1, 2025

DEPARTMENT:

Planning & Zoning

PREPARED BY:

Michael Healy

AGENDA ITEM NUMBER:

7.A.

MEETING TYPE

Regular Meeting

AGENDA ITEM

System Statement for 2050 Comprehensive Plan Update

ACTION TO BE CONSIDERED OR DESIRED OUTCOME

City Staff will give the Planning Commission a brief update regarding the "System Statement" for South St. Paul that was issued by the Metropolitan Council on September 22nd. Planning Commissioners can ask any questions that they might have.

OVERVIEW

Background

State Law requires every municipality in the 7-County Metro to update its comprehensive plan every 10 years. State Law gives the Metropolitan Council the authority to supervise this process because they handle all regional planning in the 7-County Metro, and they own both the regional sewer system and the regional public transit system. Individual communities in the 7-County metro do not operate their own sewer systems or have their own wastewater treatment plants. The Metropolitan Council provides all regional sewer services so they need to have a handle on where and when development will take place so that they can make appropriate upgrades to the regional sewer pipe system and treatment plants.

South St. Paul is currently operating under its 2040 Comprehensive Plan, which went into effect in October 2020 following several years of community engagement and technical analysis. The Planning Commission typically plays a large role in the preparation of a new comprehensive plan. During the preparation of the 2040 Comprehensive Plan, the SSP Planning Commission functioned as a steering committee and was involved in the development of the policies and goals that frame each of the comprehensive plan's chapters.

The comprehensive plan update process begins every 10 years when the federal government completes a new census. After census results are released, the Metropolitan Council analyzes those results and creates a regional plan that serves as a framework for each metro-area community's individual comprehensive plan. The Metropolitan Council approved a new regional framework in February of 2025 called 'Imagine 2050.'

On September 22, 2025, South St. Paul was issued a "System Statement" for the 2025 comprehensive plan update. A system statement is a document that the Metropolitan Council puts together for each community to lay out what the minimum requirements are for the next comprehensive plan update. South St. Paul will have a lot of flexibility to put together a new comprehensive plan that includes local goals and values, but the overall plan must meet the minimums set by the Metropolitan Council for an "urban" inner-ring suburb. This means that SSP needs to guide land so that the overall density of new development in town is at least 25 units per acre. It will be very easy to comply with this requirement as long as SSP continues to allow high-density residential development along Concord Exchange and on the Hardman Triangle. Planned development in that area should fully satisfy the Met Council's density goals and SSP will be allowed to continue to require all new development in existing neighborhoods to be context-sensitive and respectful of the character of those existing neighborhoods.

Approximate Timeline for 2050 Comprehensive Plan Update

- September 2025: Met Council issues South St. Paul its System Statement
- 2026: City Staff conducts research and works with the Planning Commission and City Council to develop an outline for the comprehensive plan update. The City determines how much work can be realistically be done "in-house" by City Staff and how much work will need to be done by consultants. The City Council establishes a budget for comprehensive plan consultant services in the 2027 City budget.
- Early 2027 : The City releases an RFP for consultant services and hires a consultant to assist with the comprehensive plan update. City Staff works with the chosen consultant to develop a public engagement plan.
- 2027-2028: The City conducts public engagement for the new comprehensive plan. City Staff, the consultant, and the Planning Commission work together to develop each of the new plan's required chapters (Land Use, Housing, Economic Development, etc.). Each chapter will have a list of goals and a set of policies to achieve those goals. One chapter will be an implementation plan that lays out a rough timeline for achieving each goal.
- October 1st, 2028 - Met Council "freezes" the 2040 Comprehensive Plan and will no longer allow it to be amended. After this date, the City must adopt a 2050 Plan in order to process amendments.

- December 31, 2028- Initial deadline for local governments to submit their proposed 2050 Plan to the Metropolitan Council for review and approval. *Many communities receive extensions and are given at least one additional year. South St. Paul was given an extra year to complete its 2040 Comprehensive Plan.*

After the Met Council approves the new comprehensive plan, the City has 9 months to pass a resolution enacting it and putting it into effect. After the new plan is in effect, the City is supposed to begin undertaking projects (i.e. rezoning projects, corridor studies, code updates, etc.) to implement the goals and policies that are called for in the new plan. Projects generally are supposed to be undertaken with timing that is consistent with the approved implementation plan chapter.

LINKS

[South St. Paul's existing 2040 Comprehensive Plan](#)

["System Statement" that SSP was issued in September](#)

[Met Council's "Local Planning Handbook"](#) (*This document is a how-to guide for updating the comprehensive plan*)

SOURCE OF FUNDS

NA

ATTACHMENTS

None