

XI. Critical Area Plan (MNRRA)

A. OVERVIEW

1. *Critical Area Act*

The Mississippi River has played a significant role in the history and development of many communities in the Twin Cities Metropolitan Area, including Newport. The river serves many functions in the region, including recreation, transportation, a source of energy, a source for drinking water, and a tourist attraction.

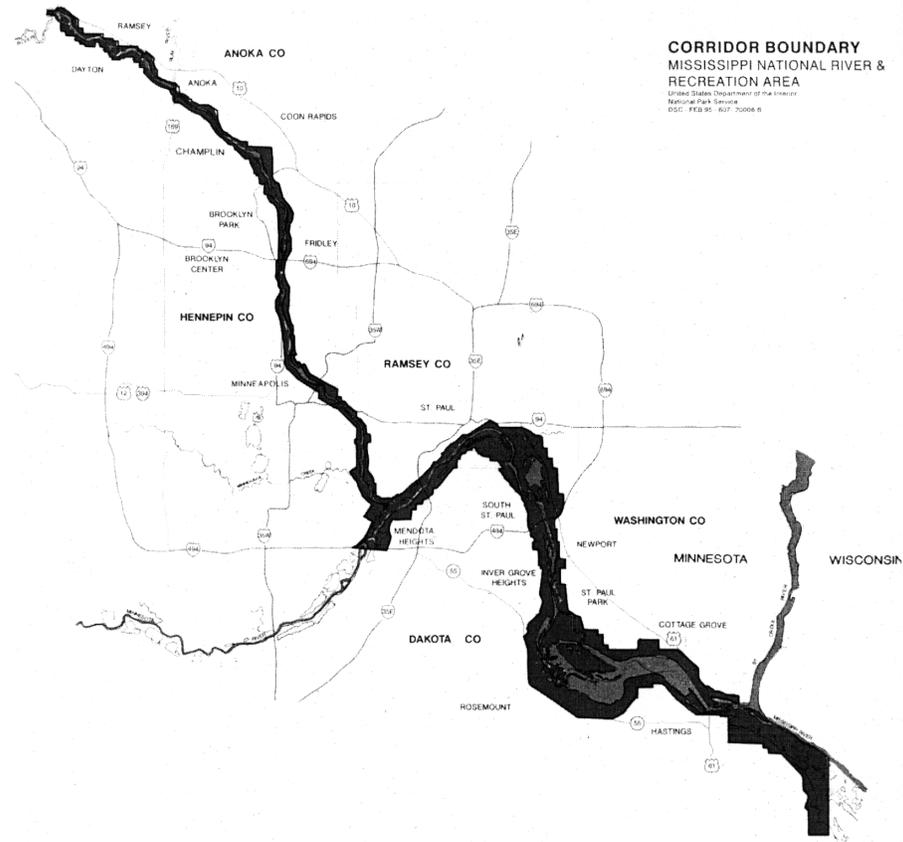
Recognizing the dependence the region has on the river, the Minnesota State Legislature adopted the “Critical Areas Act” in 1973. The Act prescribed a process for planning and managing areas of regional and state-wide interest, such as the Mississippi River Corridor, that transcend local government’s authority. The order also established guidelines and regulations for developing critical area plans that address the intentions of Executive Order 79-19. This order included the following purposes for designating this part of the river as a critical area:

- To protect and preserve a unique and valuable state and regional resource for the benefit of the health, safety, and welfare of the citizens for the state, region, and nation;
- To prevent and mitigate irreversible damage to this state, regional and national resource;
- To preserve and enhance its natural, aesthetic, cultural, and historical value for the public use;
- To protect and preserve the river as an essential element in the national, state, and regional transportation, sewer and water, and recreational systems; and
- To protect and preserve the biological and ecological functions of the corridor.

The Critical Area includes 72 miles of Mississippi River stretching from the cities of Dayton and Ramsey to just south of Hastings. The segment of the Mississippi flowing through the Minneapolis/St. Paul metropolitan area has always been of major significance as a resource, a boundary, a transportation corridor, a source of sustenance and energy, a place for recreation, an artistic inspiration, and a tourist attraction. It has been a home and a work place, a source of water, and sometime sewer. Demands upon it

have frequently challenged state agencies, local governments, organizations, and area citizens.

**Figure 11 - 1:
Mississippi National River Recreation Area**



2. *Mississippi National River Recreation Area (MNRRA) program*

In addition to the Critical Area designation, the corridor has also been established as a unit of the National Park System. On November 18, 1988, Public Law 100-696 established the Mississippi National River and Recreation Area (MNRRA) as a unit of the National Park System. The system is composed of about 370 areas nationwide administered by the National Park Service (NPS), an agency of the U.S. Department of the Interior. The Mississippi National River and Recreation Area was established by Congress to:

- Protect, preserve, and enhance the significant values of the Mississippi River corridor through the Twin Cities metropolitan area.

- Encourage coordination of federal, state, and local programs.
- Provide a management framework to assist the state of Minnesota and units of local government in the development of and implementation of integrated resource management programs and to ensure orderly public and private development in the area.

The process allows local, regional, and state agencies to work together to prepare plans. The Critical Area planning process is not intended to be a substitute for local planning, but rather a supplement to ensure proper inter-governmental planning.

In 1988, Congress charged the secretary of the interior (through delegation to the National Park Service) with coordinating the efforts of the federal, state, and local governments to keep this 72-mile section of the Mississippi River corridor in good condition and enhance its resources. Congress also mandated that a Mississippi River Coordinating Commission be appointed to assist the secretary in developing an integrated resource management plan for the national river and recreation area. The Commission was appointed by the secretary in May of 1990. Congress directed the commission to assist the secretary, the state of Minnesota, and local units of government to develop policies and programs for:

- The preservation and enhancement of the environmental values of the area
- Enhanced public outdoor recreation opportunities in the area
- The conservation and protection of the scenic, historical, cultural, natural, and scientific values of the area
- The commercial use of the area and its natural resources, consistent with the protection of the values for which the area was established

The Comprehensive Management Plan adopted by the Commission incorporated by reference the State Critical Area program, Shorelands program, and other applicable state and regional land use management programs that implement the visions and concepts identified for the corridor. The plan will not prevent new development or expansion of existing development in the corridor that is consistent with state and regional land use management programs. The National Park service and the commission do not have approval authority over local plans and ordinances, and they do not have authority to approve or deny project specific land use decisions. The MNRRA legislation specifies that NPS regulatory authority in the *Code of Federal*

Regulations, 36 CFR, only applies to lands that the National Park service owns – envisioned to be less than 50 acres.²

3. **Local Setting**

The City of Newport is generally located in the southeastern portion of the Twin Cities, directly south of St. Paul in Washington County. Metropolitan Council estimated the community's 1996 population to be 3,689 persons. Good highway access is provided by Interstate 494 and TH-61 which bisect the community. Adjacent communities include St. Paul, Maplewood, Woodbury, Cottage Grove, St. Paul Park, Inver Grove Heights, and South St. Paul. The Mississippi River forms 2.5 miles of the City's western border.

The Critical area contains approximately 668 acres of both land and water. This is just over one-quarter of the City's total land area of 2,500 acres. The Critical Area in Newport includes all land and water legally described as follows:

Commencing at the point where the Corporate Limits of the City of Newport intersects with the center line of Interstate 494. Thence southwesterly along said center line to the intersection with the centerline of 1st Avenue in Newport. Thence south along said center line to the intersection with the center line of 17th Street. Thence east along said center line to the intersection with the center line of 3rd Avenue. Thence south along said center line to the intersection with the center line of 12th Street West. Thence east along said center line to the intersection with the centerline of 4th Avenue. Thence south along said center line to a point which intersects with the southerly Corporate boundary of the City of Newport.

² Comprehensive Management Plan, Mississippi National River and Recreation Area, Mississippi River Coordinating Commission and the National Park Service, United States Department of the Interior, 1995

4. *Local Corridor Issues*

The character of the river corridor in Newport has remained relatively unchanged over the past two decades or more. The corridor is almost built-out primarily with residential and industrial uses. The southern two-thirds of the corridor is residential. A few small commercial sites, public facilities, parks and school buildings are interspersed within the neighborhoods. There is a small percentage of vacant land, most of which is slated for infill housing. The northern one-third of the corridor has four large scale industrial and warehousing facilities including the Holiday Tank Farm, Newport Cold Storage, Resource Recovery Technologies Facility, and a Xcel Energy facility. The Marathon Oil Refinery is located within the corridor just south of Newport in St. Paul Park.

These established residential neighborhoods and long-time industrial uses have kept the character of the corridor relatively unchanged over the past few decades. One change in land use has occurred within the corridor since the previous Comprehensive Plan: the City has developed three Overlook areas within the residential neighborhoods along the river, to provide public access to this special resource. The Overlooks are identified on the Land Use Map and on maps included in the Parks and Trails chapter of the Comprehensive Plan.

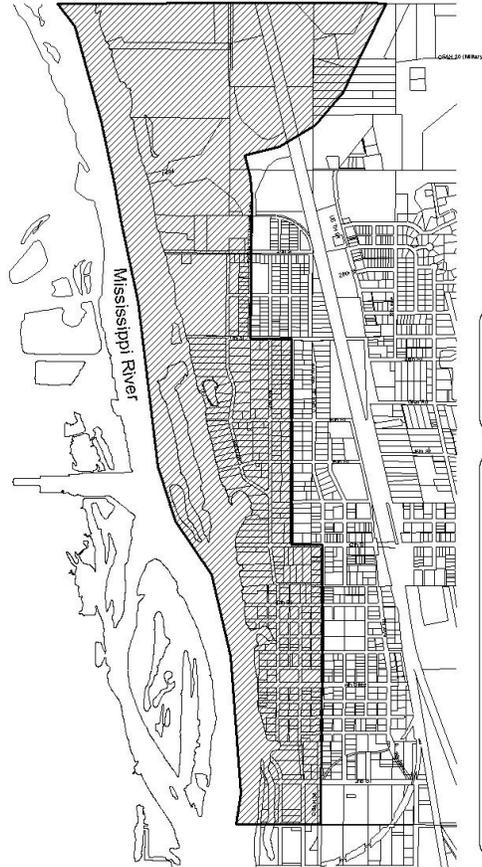
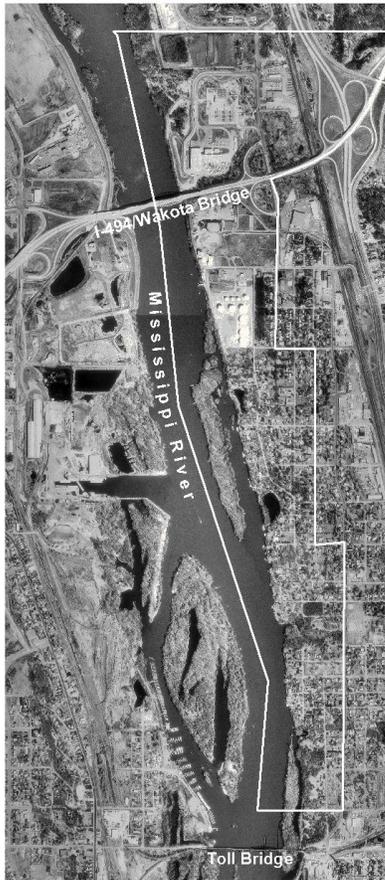
Corridor issues identified by City staff and residents in recent years include the following.

- *Increase citizen involvement in river corridor planning efforts.* Citizens in Newport are very informed on community and river corridor related planning issues. The existing Comprehensive Plan and zoning ordinance updates had extensive public involvement. Other regulatory ordinances such as Shoreland Management and Floodplain which affect many residents keep them aware of river issues. The large percentage of single-family residences within the corridor necessitates citizen involvement in all planning efforts and projects.
- *Establish stronger connections to the river from the community at large.* The critical area plan needs to explore potential park, natural area sites, and trails within existing right-of-way that may be available along the river shoreline.
- Identifying potential park and open space areas along the river which allow for greater public access.
- *Explore the community's cultural and historic resources.* Newport has surveyed its historic resources as a part of the

City heritage preservation program. This inventory is included in Chapter V of the Comprehensive Plan, and will provide the basis for further decisions on which resources are significant and worthy for preservation.

Plans and policies addressing the identified issues are provided in the Plans and Policies Section as well as strategies for implementation in the Implementation Section.

**Figure 11 - 2:
Critical Area Corridor**



**City of Newport
Critical Area Plan**
Critical Area Corridor

Legend

 Mississippi River
Critical Area Boundary


N

 500 0 500 1000 1500 2000 2500 Feet

B. EXISTING CONDITIONS

1. Soils

Soils data for the corridor was obtained from the Washington and Ramsey Counties Soil Survey prepared by the National Cooperative Soil Survey which is a joint effort of the Agriculture Soil Conservation Service and the Minnesota Agricultural Experiment Station. The report was printed in 1977 with fieldwork performed from 1973-77. The following soils series are found within the corridor.

Alganssee – The Alganssee series consists of somewhat poorly drained, very rapidly permeable soils that formed in sandy alluvium on flood plains. Slope ranges from 0 to 3 percent.

Antigo – The Antigo series consists of well drained soils that are formed in a moderately deep silty mantle over sandy outwash. Permeability is moderate in the upper silty mantle and very rapid in the underlying material. Slope is 0 to 18 percent.

Chaska – The Chaska series consists of poorly drained and somewhat poorly drained, moderately permeable soils on flood plains. These soils are formed in calcareous, loamy, and recent alluvium with slopes less than 2 percent.

Chetek – The Chetek series consists of somewhat excessively drained soils on outwash plains. They formed in a 12 to 20 inch loamy mantle and the underlying sandy outwash material. They have moderately rapid permeability in the loamy mantle and rapid permeability in the underlying material. Slope ranges from 0 to 25 percent.

Copaston – The Copaston series consists of well drained, moderately permeable soils that formed in 12 to 20 inches of loamy glacial drift over hard sandstone or limestone bedrock. Slope ranges from 0 to 12 percent.

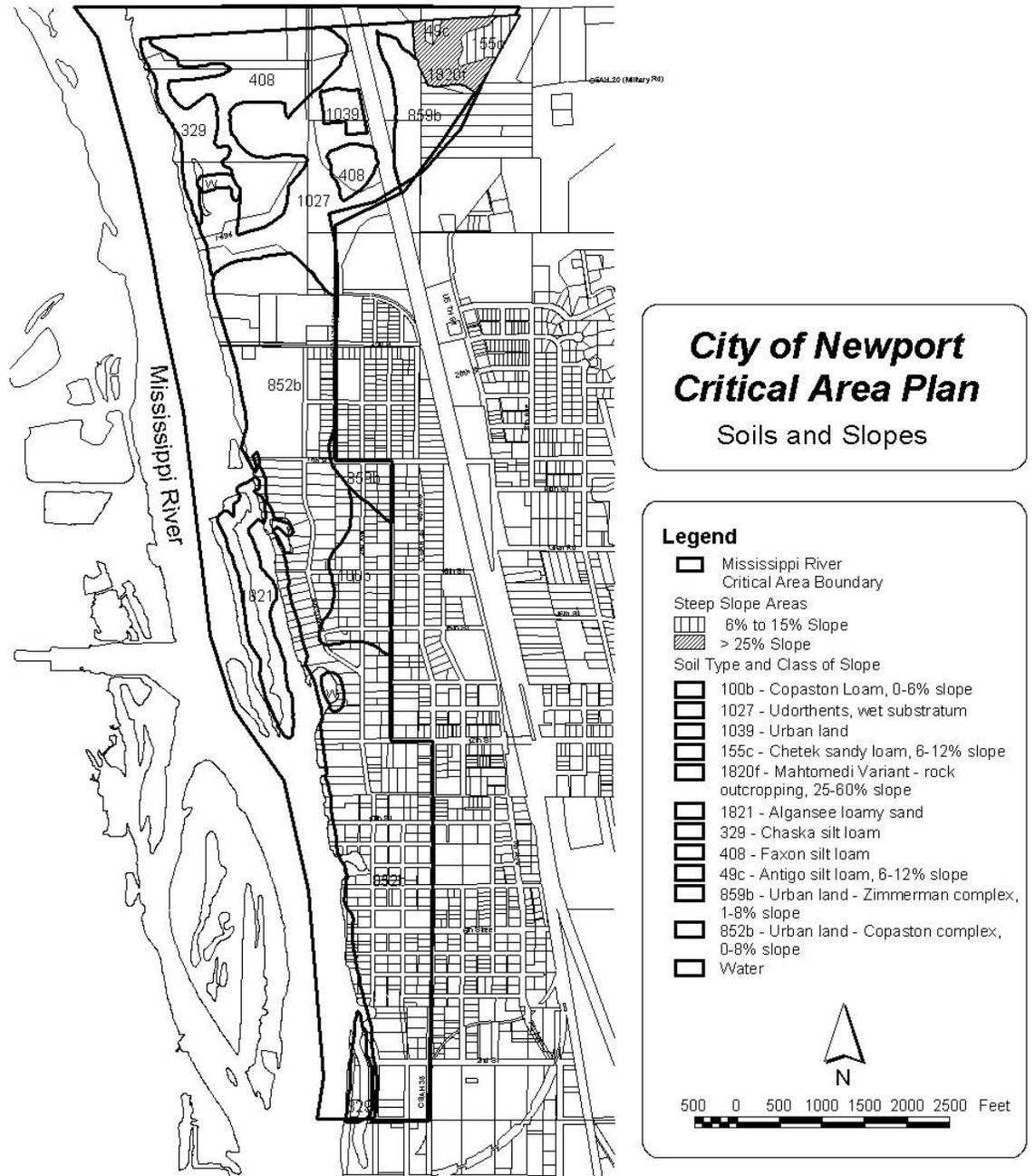
Mahtomedi Variant – The Mahtomedi Variant consists of excessively drained, rapidly permeable soils on bedrock controlled uplands. They are formed in a dominantly sandy mantle of erosional sediments and residuum weathered from sandstone bedrock. Slope ranges from 24 to 60 percent.

Due to the relatively flat terrain of the land in the corridor, erosion is not generally an issue. There are two areas in the corridor where erosion is a potential concern: in the northeast corner of the

corridor where bluff lands are present and along the riverbank south of 14th Street. Slopes along the blufflands north of I-494 range from 6 to 60 percent. Even with these steep slopes, vegetation prevents erosion from occurring.

River banks, especially in residential areas, can be steep with slopes in some areas over 25 percent. Although vegetation exists along most of the shoreline, erosion can be a problem in areas where vegetation is less prevalent. Seasonal flooding can also discourage vegetation growth that would otherwise secure soils.

**Figure 11 - 3:
Soils**



2. *Floodplain*

The Minnesota Statutes delegate responsibility to local governments to minimize flood losses. Chapter 103F makes it a policy to encourage local governmental units to adopt, enforce, and administer sound floodplain management ordinances. Local governmental units are granted the authority to adopt official controls in Chapter 462 of the State Statutes. The City has adopted ordinances and regulations to control physical development within identified flood hazard areas through zoning, subdivision, site plan, sanitary, and building codes which meet the general objectives of the comprehensive plan.

The City of Newport has adopted the Minnesota Department of Natural Resources standards for analyzing flood hazards. The Federal Insurance Administration Flood Boundary, Floodway Map, and Flood Insurance Rate Map (FIRM) dated July 2, 1980, (currently being updated) is represented in the Critical Area Plan to show those areas that are potential flood hazards. FEMA has recently updated floodplain maps for Washington County, and when approved, the revised maps will be included in the City's Comprehensive Plan and ordinances. All lands within the boundaries of the Floodway and Flood Fringe districts noted respectively as Zone A and Zone B represent areas where the potential exists for flooding as designated by the FIRM.

The Floodplain Areas map shows areas that have a higher susceptibility to flooding. Most of the areas that are designated as Zone A, being at or below the 100 year flood elevation, are industrial areas. Periodic seasonal flooding has occurred in recent years near the Holiday Tank Farm, located in Zone A. The tanks are protected by a levee and earthen berms known as the North Reach. Residential properties in close proximity to the storage tanks have also experienced recent seasonal flooding and are separated from the river by the South Reach levy. This levy was constructed in the late 1960s as an emergency levy and is located on private property. Most of the riverfront residential properties are above the 100 year flood elevation but are still within Zone B which is subject to flooding during extreme periods of high water.

The levee separating the Holiday Tank Farm and the Mississippi River was constructed in the early 1970s and is in need of repair. This levee is an earthen levee and during recent flood events, has been sandbagged to secure it and provide additional flood protection.

The City is reviewing options to address flooding issues in the area of the residential properties of South Reach. Options include the following:

- Public acquisition of properties and removal of structures threatened to be flooded and conversion of floodplain to open space or passive park space.
- Flood proofing homes and public infrastructure.
- Rebuilding the levee.
- Enhancing the flood emergency response strategy and doing damage control after flooding.

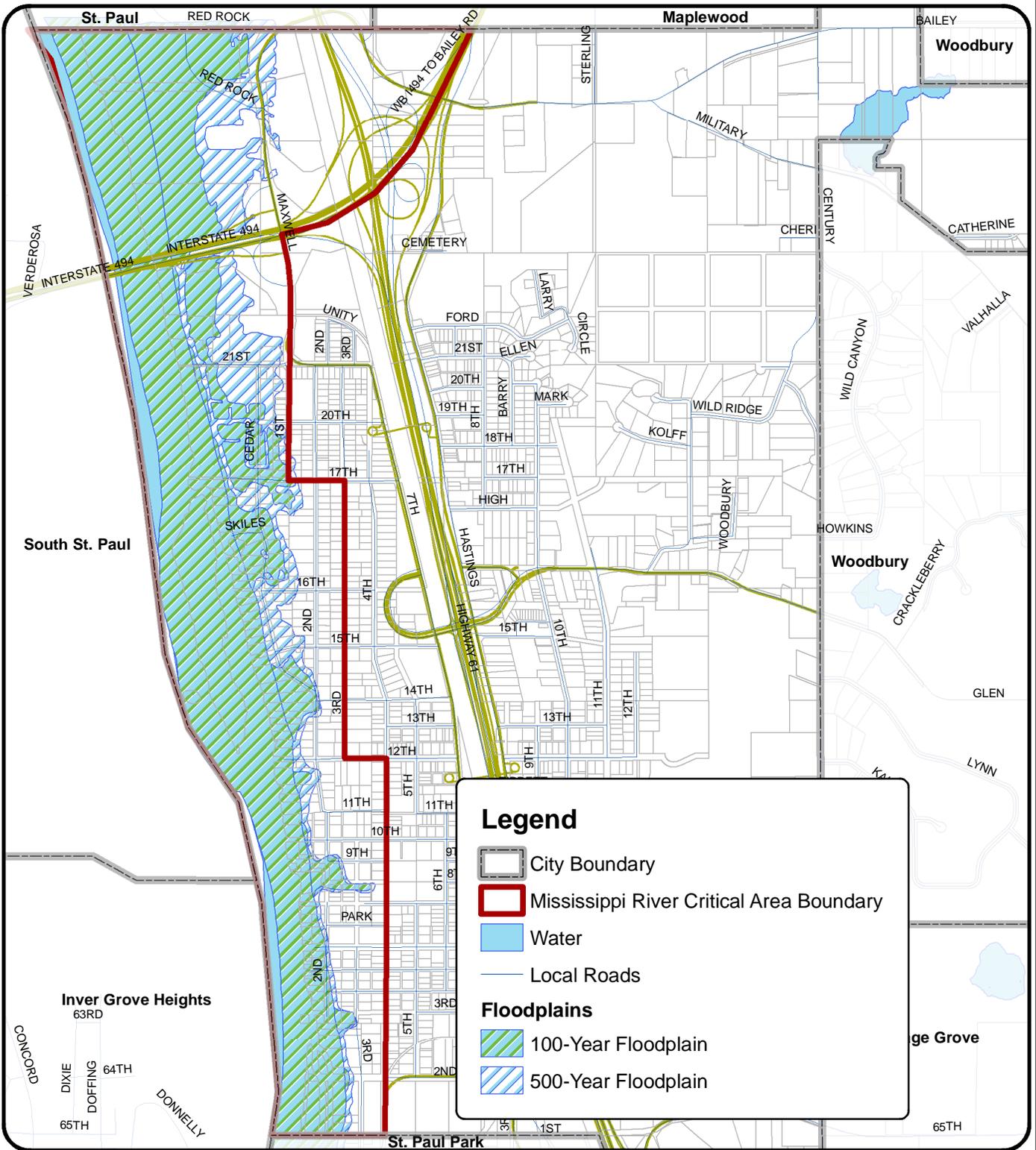
The City's 2030 Land Use map shows the area as a proposed park. Due to the estimated cost of repairing and maintaining the levee and berms, the City believes that the best alternative to address the local flooding issue may be to convert the area to a passive park and open space area. The City will work with Riverway and natural resource agencies at all levels to discuss the potential for a park in this area, and resources available to purchase private properties and convert the area to a passive park. The City is proposing to include the adjacent islands in the Mississippi River as part of the park.

The City also adopted Resolution 2004-13 creating a Flood Policy for the City of Newport and any future floods. This Resolution is attached to this Plan in the Appendix.



City of Newport Critical Area Floodplains - Draft

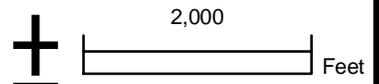
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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.



3. *Wetlands*

Wetlands within the Corridor are shown on the National Wetlands Inventory (NWI) map. Because little of the corridor remains in its natural state, there are few identified wetlands that have not been altered in some manner. The remaining wetlands within the corridor are generally found along natural drainage ways and in low lying areas.

Wetlands serve as important elements of the ecological system in supporting wildlife habitat and spawning areas, and storing and cleaning stormwater. Disruption of wetlands will have an adverse effect on these systems. Alteration of wetlands in the form of filing or draining can increase flooding and runoff in other areas. For these reasons, wetlands within the Critical Area corridor should be protected or where possible altered wetlands should be restored.

4. *Vegetation*

Originally, the corridor was part of the River Bottom Hardwood Forest found along this section of the river, as identified in the Washington County Natural Communities and Rare Species Survey. A small portion of bluffland was oak brushland which is prevalent throughout much of the County. Hardwood trees in the corridor included elm, ash, cottonwood, boxelder, silver maple, willow, aspen, and hackberry.

Few stands of the original vegetation remain in tact due to the established urban pattern. The Old Town portion of the community, including the area within the Critical Area corridor, has a significant canopy of mature trees that provide habitat, cooling, and other ecological benefits.

The current land cover in Newport was identified by the Minnesota Land Cover Classification System, and is shown on Figure 10-1.

5. *Drainage System and Storm Water Management*

Natural drainage courses are an important element of the corridor that need to be protected. Generally, surface water flows from the east toward the Mississippi River within the corridor. The River is the only major drainage course in the corridor. A number of smaller seasonal drainage courses provide surface water drainage to the river. Preservation of natural drainage courses is beneficial from a public investment standpoint as it reduces costs for storm sewers and other capital improvements.

The City has completed a Local Surface Water Management Plan (LSWMP) in cooperation with the South Washington Watershed District, which includes its goals and policies for surface water and ground water management. The LSWMP is included in the Appendix of this Comprehensive Plan.

6. *Wildlife/Rare Species*

Although much of the corridor is urban, a number of birds and mammals make their homes in the corridor. Mature trees offer good habitat and nesting for a variety of woodland birds. Water fowl are common in island backwater areas in the northern reaches of the corridor. Small mammals raccoons, woodchucks, and squirrels still occupy wooded and shoreline areas of the corridor, although their numbers are probably less than before the area became urbanized.

The Minnesota County Biological Survey completed a survey of natural communities and rare species in Washington County in 1999. The survey indicated that there are no documented features within the Newport Critical Area.

**Figure 11 - 5:
Wetlands**



**City of Newport
Critical Area Plan
Wetlands**

Legend

-  Mississippi River
-  Critical Area Boundary

National Wetlands Inventory (NWI)
Circa 39 wetlands

-  Shallow open water
-  Deep marsh
-  Shallow marsh
-  Wet meadow
-  Seasonally flooded basin or flat
-  Shrub swamp
-  Wooded swamp

N

200 0 200 400 600 800 1000 Feet



7. *Land Use*

The Critical Areas Act identified two development districts within the corridor in Newport, and guidelines for management of land use within these districts. They include the following:

- ***URBAN DEVELOPED DISTRICT*** - The lands and waters within this district shall be maintained largely as residential areas. The expansion of existing and development of new industrial, commercial, and other non-residential or non-recreational uses shall be limited to preserve and enhance the residential character of this district.
- ***URBAN DIVERSIFIED DISTRICT*** - The lands and waters within this district shall be used and developed to maintain the present diversity of commercial, industrial, residential, and public uses of the lands, including the existing transportation use of the river; to protect historical sites and areas, natural scenic and environmental resources; and to expand public access to and enjoyment of the river. New commercial, industrial, residential and other uses may be permitted if they are compatible with these goals.

a. Residential

Over one-half of the Newport area within the corridor is occupied by residential uses, most of which is single-family. Residential areas are located south of 17th Street. The area includes a mix of large and small homes and lots.

The City Zoning Ordinance includes minimum 7,500 sq. ft. lots in the one and two family zoning districts. Existing riverfront lot sizes range from .5 to 1 acre in size. Non-riverfront lots average around 12,000 square feet in size. All residential areas are within the Metropolitan Urban Services Area, and are served with public water and sanitary sewer facilities. There are no on-site residential sewage treatment systems in the corridor.

Only a few vacant lots remain within the residential districts within the corridor. Some of these are not developable due to environmental conditions. The City has identified a small number of existing, platted lots within the community where new development may be allowed in the future. The Comprehensive Plan includes policies to allow future development on these existing platted lots, and requires that the design of new homes on these sites fit the proportions

and character of the surrounding neighborhood. The 2030 plan also provides for redevelopment of older portions of the community along Highway 61 with a mixture of residential and commercial uses.

b. Public/Semi-Public

Pioneer Park and Lions Park are the two larger park sites located in the corridor area. Lions Park facilities include a skating rink, hockey rink, picnic area, and play equipment. It is adjacent to a Fire Department facility. Pioneer Park is a historic open space area that includes community gathering space, picnic shelters, play equipment, and volleyball and basketball facilities. Newport is currently completing updates to the Master Plans for these parks.

During the past few years, Newport has developed three public Overlook sites at the river and acquired a fourth public access site. One of these sites is the historic river landing at Grove Street. The locations of the overlooks are noted on the Parks and Trails map. The Overlooks are limited to passive recreation, including seating, viewing areas, plantings, and protection of some historic elements such as walls.

The City's older sewage treatment facility is located along the riverfront south of 2nd Street. Since the connection to the MCES system this facility has not been used. Re-use of this site has been discussed by community residents for a number of years.

The City Parks and Trails Plan identifies an existing and proposed trail system to connect the parks and neighborhoods within the corridor and the City.

c. Industrial

The area north of 17th Street is dominated by



industrial land uses. Several industrial properties have river access. Xcel Energy is the sole industrial site without river access. The Holiday Tank Farm has a docking structure that is used regularly by barges to transfer fuel. Trees on the levee provide some screening of industry from the river.

The City is proposing no change within the industrial zones in its 2030 Comprehensive Plan. The plan calls for additional buffering of these areas along the eastern border with proposed redevelopment areas.

d. Vacant

Vacant lands are primarily those that are undevelopable due to environmental conditions or are held as buffer land by the Marathon Oil Refinery and Holiday Tank Farm.

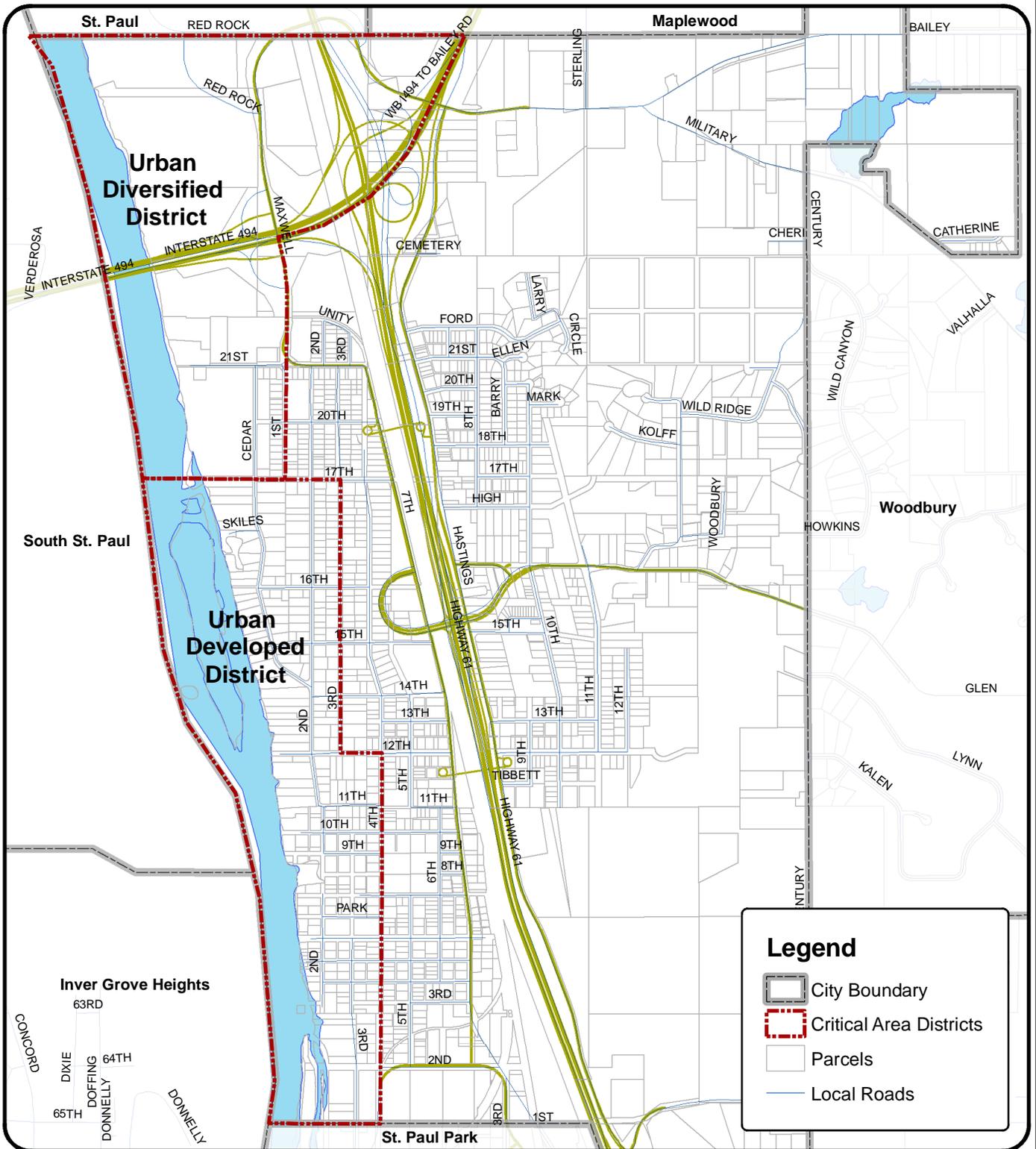


*Vacant parcel south of the
Holiday Tank Farm*



City of Newport Critical Area Districts

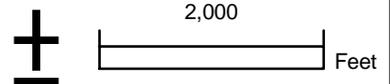
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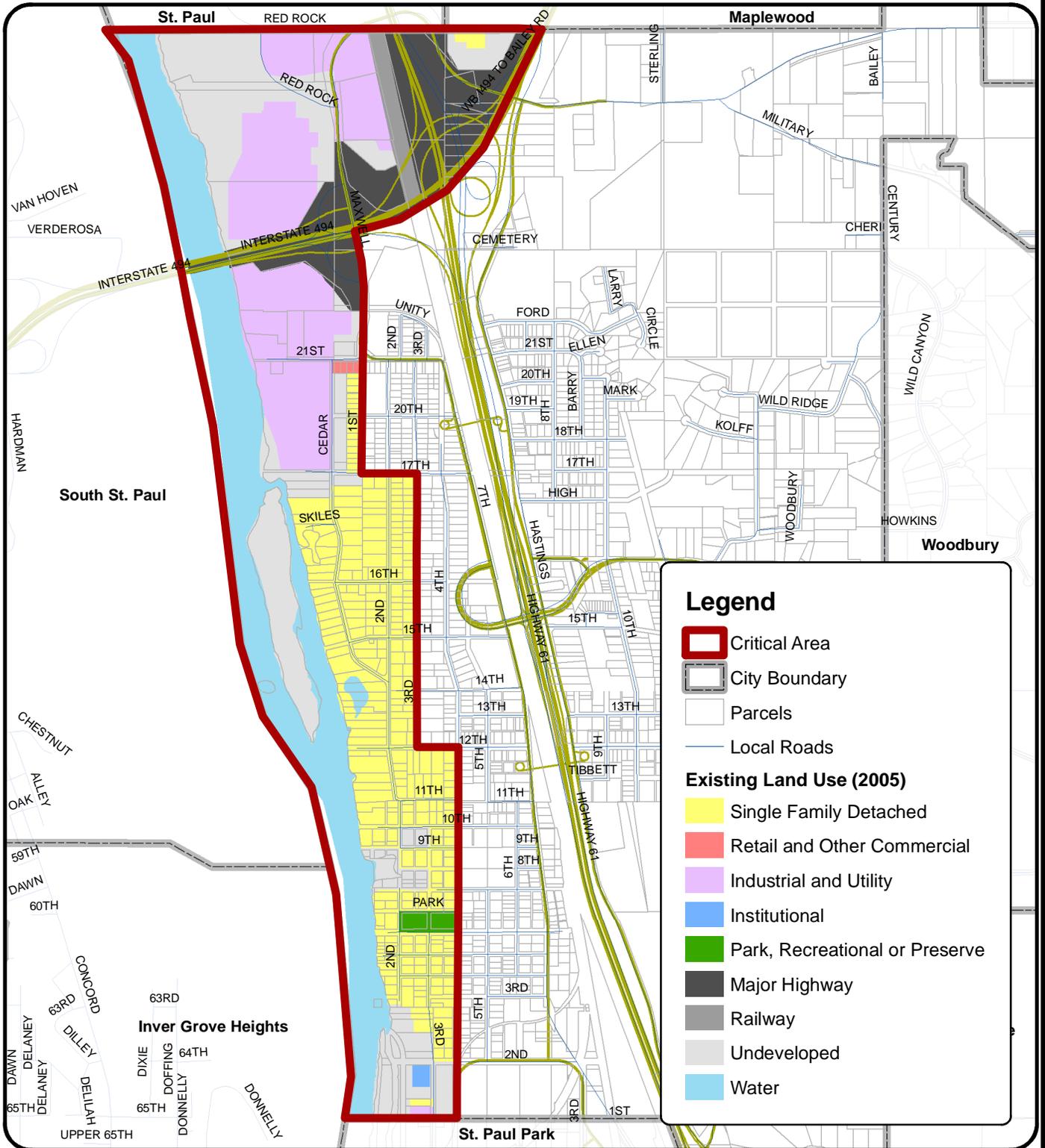
Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.





City of Newport Critical Area Existing Land Use

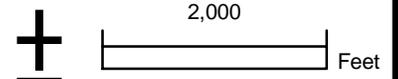
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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.



8. *Cultural Resources*

The City of Newport has completed a survey of historic and cultural resources, and a preservation plan that is an element of the Comprehensive Plan. This plan establishes goals and policies, and implementation strategies for protection and interpretation of the community's historic and cultural resources.

Since 1994, more than one hundred buildings, structures, sites, and objects have been identified by the City heritage resources survey and recorded in the heritage resources inventory maintained by the Newport HPC (a database shared with the State Historic Preservation Office).

The following properties, including a number of properties within the Critical Area Corridor, have been designated Newport Heritage Landmarks by City Council resolution:

- Eyah-Shah (Red Rock), 1596 - 11th Avenue. American Indian sacred site at Red Rock Prairie associated with Kaposia (Little Crow's) Village, circa 1805-1840; also significant for its association with 19th century Methodist camp meetings.
- Kaposia Mission Building (Kavanaugh Log Cabin), 1596 - 11th Avenue. Hewn log building constructed circa 1840 at the Kaposia Indian mission; later incorporated into the Red Rock camp meeting grounds.
- Chicago, Milwaukee & St. Paul Railway Switching Tower, 600 7th Avenue. Two-story dispatcher tower erected in 1904 and in continuous use until circa 1980; architecturally significant as a rare surviving example of an important railway structure type.
- Newport Baptist Church (Newport Public Library), 405 7th Avenue. Church built in 1867 and converted to public library in 1897; provides evidence of the cultural history of the community and the pivotal role of the Newport Woman's Club (est. 1892) in the history of the library.
- Red Rock Cemetery, off Cemetery Road. Rural cemetery first used as a family burial ground in the 1860s, later associated with the Red Rock camp meetings (1869-1937); an important rural historic landscape and the City's first designated heritage park.
- Armstrong-Yelland House (Dilaram Cottage), 480 2nd Avenue. Rare surviving example of a Red Rock campground cottage, built in 1911 as a camp cottage for the Armstrong family from St. Paul; significant for its association with the Red Rock camp revival meetings (1868-

1937) and the career of Frances C. J. Armstrong, a prominent local artist and librarian, who resided here from 1948 until her death.

- James H. Haganin House, 597 4th Avenue. Vernacular cottage with Queen Anne style detailing built circa 1890 for James H. Haganin (1818-1901), a prominent local merchant and one of the original proprietors of the Newport townsite (platted 1857).
- F. A. Marko Riverfront, 121 10th Street. Historically important example of vernacular landscape architecture built on the home grounds of Frank A. Marko (1889-1976), a prominent local businessman and early power boat enthusiast, between 1921 and 1938.

The following properties have been determined eligible for landmark designation:

- William R. Brown House I, 331 7th Street. Probably the oldest standing structure in Newport, the core of the home built by William R. Brown (1816-1874) may date from as early as 1842; primarily significant for its association with Brown, a prominent early settler.
- William R. Brown House II, 330 7th Street. Built by William R. Brown circa 1865, this house is historically significant as a well preserved, early example of vernacular architecture.
- Ruel Parker House, 311 7th Avenue. Notable, well preserved example of a 19th century vernacular cottage dwelling, built circa 1870 by an early Newport pioneer.
- Grove Street Overlook, 10th Street at the Mississippi River. Ruins of a riverfront park designed and constructed by the Works Progress Administration 1938-39.
- 12th Street Overlook, 12th Street at the Mississippi River. Historically important example of WPA rustic landscape architecture, designed and constructed by the Works Progress Administration 1938-39.
- Park Place Overlook, Park Place at the Mississippi River. Historically important example of WPA rustic landscape architecture, designed and constructed by the Works Progress Administration 1938-39.
- Pioneer Memorial Park, bounded by 4th Avenue, 6th Street, 2nd Avenue, and Park Place. Newport's first public park, acquired by the village in 1937; also associated with local improvements undertaken by the Works Progress Administration circa 1938-41.

- Newport Elementary School, 851 6th Avenue. Notable example of a Modern style public school building, constructed in 1928 with additions in 1948 and 1955; designed by Toltz, King and Day; the site has been occupied by a schoolhouse continuously since 1860.
- Farmers Terminal State Bank Building, 2104 Hastings Avenue. Built in 1919 by the Farmers Terminal Packing Company (1915-23) with an addition in 1949, this two-story brick commercial building shows the influence of the highway and modern commercial architecture; provides evidence of the business history of the community as well as a physical record of the Farmers Terminal State Bank (1926-70).
- J. V. Bailey House (Bailey Nurseries Office), 1325 Bailey Road. Original foursquare style farmhouse constructed in 1902 by market gardener and nursery founder John Vincent Bailey (1873-1943); served as the seat of the Bailey family for several generations and the headquarters of Bailey Nurseries since the 1980s.
- Newport Village Hall, 610 7th Avenue. Village hall built in 1914; shows the history and development of municipal government; also significant for its association with local political history and community life.
- Mill Pond Site, on Mississippi River south of 10th Street. Riparian landscape shaped by historical processes of land use that retains features indicative of changes in the river environment since the mid-19th century; also contains the ruins of the Shelton-Irish-Durand Mill, an early lumber and flour manufacturing facility (water- and steam-powered) that operated from 1857 until circa 1900.
- Point Douglas and Fort Ripley Military Road (Newport Segment), Military and Bailey Roads. Route of the first public road system, laid out in 1851-58 and later included in the state aid highway system; historically significant transportation corridor associated with early settlement and agricultural development.
- Newport Cemetery, off US 61. Rural cemetery in use continuously since 1855; an important example of a platted burial ground showing the influence of the Rural Cemetery Movement; also important for the artistic value of constituent structures and monuments.
- Main Street Levee and Diamond Joe Steamboat Landing Site, 6th Street at the Mississippi River. Historically important riverboat landing, believed to have been in continuous use from the 1840s until the 1940s; may contain

an important archaeological component associated with the steamboat era on the Upper Mississippi River.

- Mary Keck-Lillian Trevette House, 821 7th Avenue. Residence of sisters Mary Keck (d. 1951) and Lillian Trevette (1861-1930); historically significant for its association with two of Newport's earliest and most influential female entrepreneurs and civic leaders.

The heritage resources survey is ongoing and includes both the physical search for and recording of heritage resources as well as documentary research. Between now and the year 2030, survey work will focus primarily on increasing understanding of the historical significance and heritage landmark potential of properties that have been previously recorded but not thoroughly analyzed. High priority will be given to evaluating the significance of homes built between roughly 1890 and 1940, with special emphasis on identifying cohesive streetscapes and neighborhoods, and to predicting the general location of archaeological sites associated with the cultural heritage of American Indians and early Euro-American settlers. The HPC also plans to sponsor original research to delineate new historic contexts applicable to types of properties that are not well represented in the current heritage resources inventory, such as post-World War II housing and commercial buildings, properties associated with boat building and recreational use of the Mississippi River, and the remains of historic landscape features created by 19th and early 20th century agriculture and other rural land use practices.

9. *Transportation/Circulation*

All roadways within the corridor are local streets with the exception of I-494, TH-61, and C.R. 38. There are no new local streets planned within the corridor.

The I-494 Wakota Bridge is the only roadway crossing the Mississippi River within the corridor. There was a Toll Bridge connecting Inver Grove Heights and St. Paul Park at the crossing south, which connected to 4th Avenue in Newport. This bridge has been permanently closed and will soon be removed.

10. *Utilities*

The entire Critical Area Corridor is within the MUSA and is served with public utilities. The residential and industrial uses that had previously used their own on-site septic systems have been hooked up to public sanitary sewer.

There are three storm water discharge points into the river located at 7th, 15th, and 17th Streets. The City's goals and policies related to storm water management are included in its Local Surface Water Management Plan and the Comprehensive Plan.

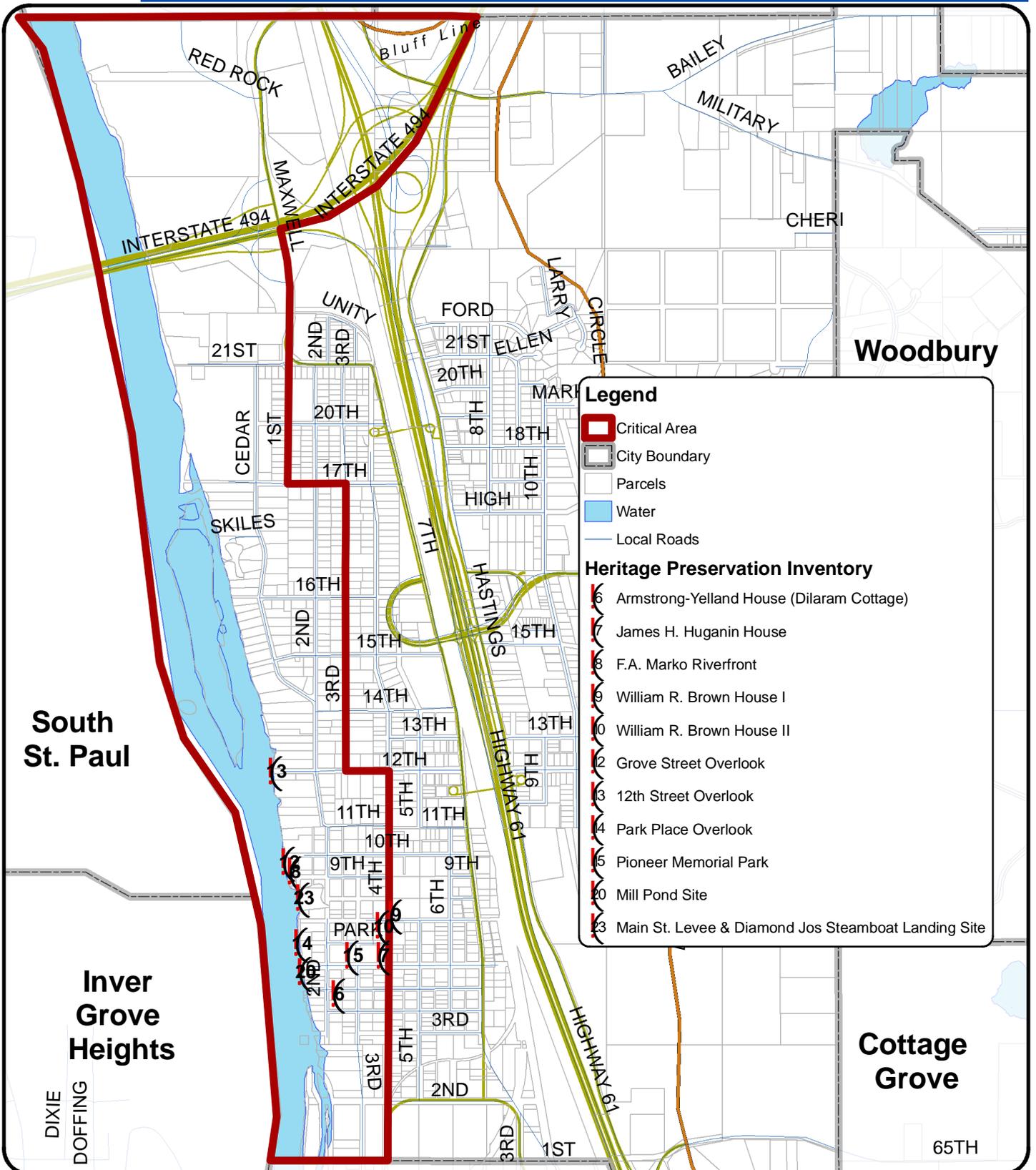
The industries in Newport are not processing or manufacturing type industries that produce industrial discharges. There are no known discharge points to the river.

There are a number of river utility crossings in the Critical Area corridor. Both overhead and underground lines are identified on the Utility Crossings map.



City of Newport Critical Area Heritage Resources Inventory

Comprehensive Plan - Draft



Legend

- Critical Area
- City Boundary
- Parcels
- Water
- Local Roads

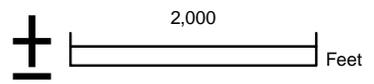
Heritage Preservation Inventory

- 6 Armstrong-Yelland House (Dilaram Cottage)
- 7 James H. Huganin House
- 8 F.A. Marko Riverfront
- 9 William R. Brown House I
- 10 William R. Brown House II
- 12 Grove Street Overlook
- 13 12th Street Overlook
- 14 Park Place Overlook
- 15 Pioneer Memorial Park
- 16 Mill Pond Site
- 13 Main St. Levee & Diamond Jos Steamboat Landing Site

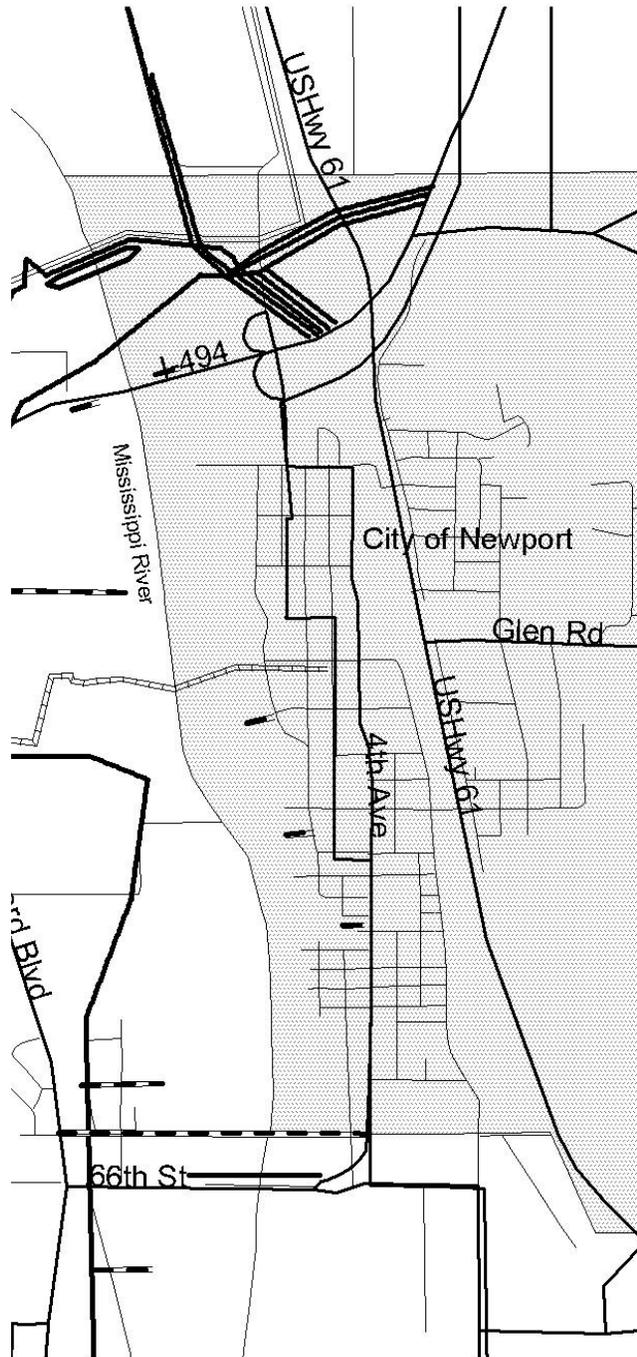
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Data sources include the Heritage Preservation Committee, City of Newport, Metropolitan Council and TKDA.



**Figure 11 - 9:
Utility Crossings**



**City of Newport
Critical Area Plan
Utility Crossings**

Legend

- Mississippi River
- Critical Area Boundary
- Utility Types**
- Above Grade Electric Distribution/Transmission
- At Grade Storm Sewer Outlet
- Belowground Electric Distribution
- Belowground High Pressure Product Transmission Pipeline
- Belowground Product Distribution Pipeline
- Belowground Sanitary Sewer Outlet
- Belowground Telephone Distribution

1000 0 1000 2000 3000 Feet

C. PLANS AND POLICIES

1. *Critical Area Plan Goals*

The Critical Area Corridor in Newport is an important resource to the community. The following are general goals for the corridor:

- To protect, preserve and improve the Mississippi River Corridor as a unique and valuable resource for the benefit of the health, safety, and welfare of the citizens of the state, region, and nation.
- To prevent and mitigate irreversible damage to the Mississippi River Corridor as a state, regional, and national resource.
- To protect and preserve the Mississippi River Corridor as an essential element in the federal, state, regional, and local recreation, transportation, sewer, and water systems.
- To maintain the river corridor's value and utility for residential, commercial, industrial, and public facility purposes.
- To protect and preserve the Newport Critical Area's biological and ecological functions.
- To preserve and enhance the Newport Critical Area's aesthetic, cultural, and historical aspects.
- To ensure that provisions and standards for development and redevelopment are consistent with planned land and water uses.

2. *Land Use Plan and Policies:*

The land uses in the corridor are expected to remain stable over the next 20 years. Minor changes proposed in the City's 2030 Comprehensive Plan include addition of a park along the riverfront, and a small number of new infill housing units on existing platted, vacant lots within the older residential neighborhoods. All existing industrial areas are expected to remain unchanged.

a. Land Use Policies:

- Ensure consistency with all applicable federal, state, and local regulations for shoreland, floodplain, and wetlands. Update local codes as necessary to reflect changes to laws that affect the river corridor.
- If residential or industrial areas redevelop, utilize planned unit developments (PUD) to ensure proper site planning and attention to building design, open space,

public infrastructure, and recreation facilities. Public dedication of land for park and recreation facilities, open space, public drainage and utilities, public infrastructure, and public facilities or fees in lieu of shall be required within the Corridor for new residential, commercial, and industrial projects.

- Require site plans for all developments for which a development permit is required, except for modification of an existing single-family residential structure or the construction of single-family residences. New development and expansion shall be permitted only after approval of site plans which adequately assess and minimize adverse effects and maximize beneficial effects. All required site plans shall contain specific conditions to address buffering, landscaping, and revegetation; measures which address adverse environmental effects; and standards to ensure compatibility of structures, roads, screening, landscaping, construction placement, maintenance, and storm water runoff with characteristics and use of the corridor district.
- Identify land uses that present hazards to the river corridor and work to minimize those activities that jeopardize the natural environment.
- Nonconforming structures that have received more than 50 percent damage (market value) shall not be allowed to be reconstructed.

3. Surface Water and Natural Resource Management Plans and Policies

The Mississippi River corridor provides the community with an abundance of natural resources that should be protected and enhanced. The comprehensive plan addresses a number of land use and environmental standards that should be maintained to prevent degradation of these resources. In developing additional regulations for the Critical Area, the City shall consider the following policies.

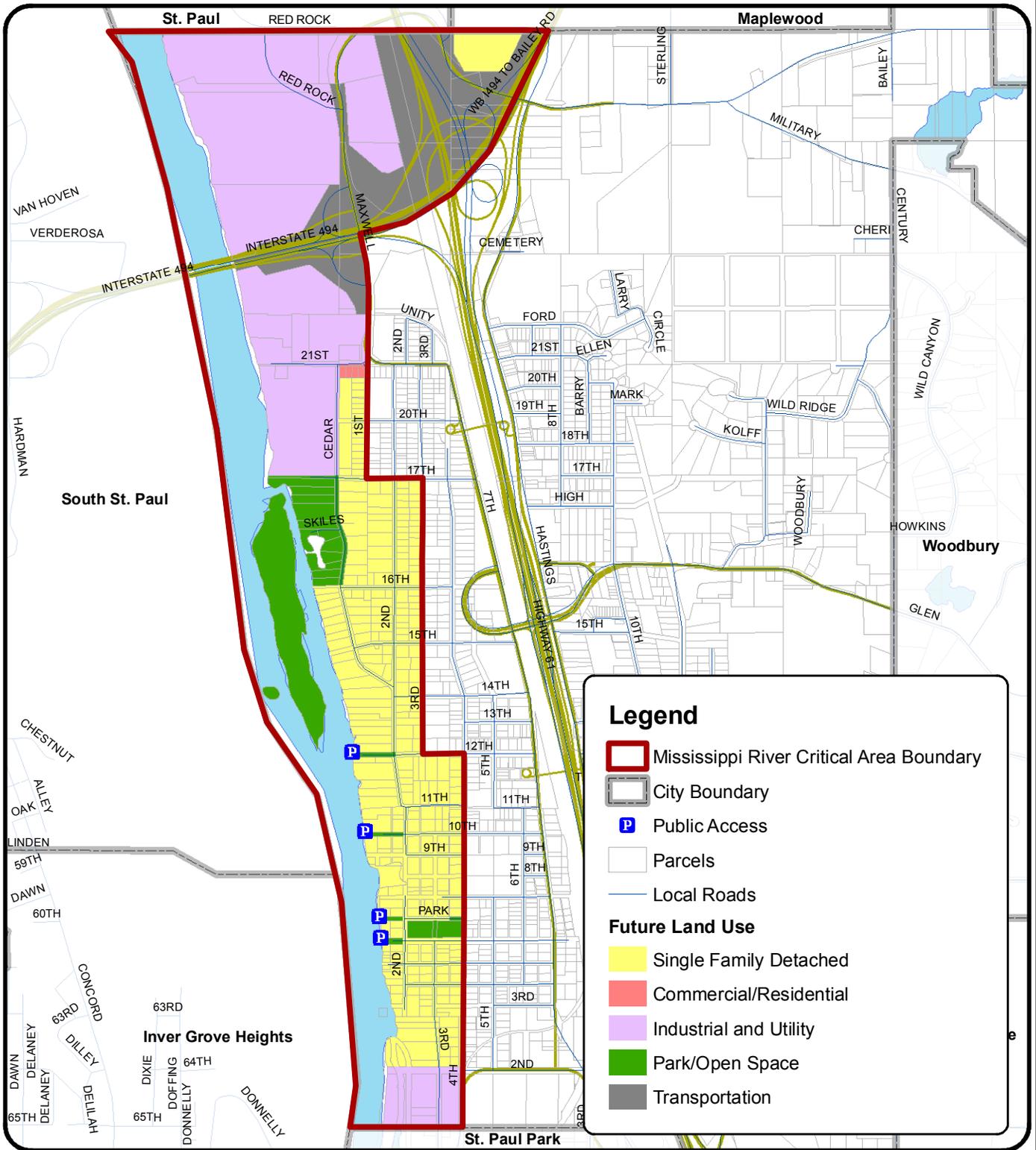
a. Surface Water and Natural Resource Management Policies:

- The City will continue to enforce the Critical Area Ordinance as amended to ensure land use performance and design standards.
- The City will continue to enforce the Floodplain Regulations.

- The City has adopted a new Local Surface Water Management Plan (LSWMP) as part of the Comprehensive Plan, and will enforce the policies and standards included in the LSWMP.
- Natural habitat and vegetation shall be maintained wherever possible to prevent erosion potential and to protect the overall health of the environment. Development plans should include a detailed inventory of trees and preserve as many as possible. Site alterations shall be minimized for new, existing, and redevelopment projects.
- Wetlands shall be protected by controlling unnecessary runoff and erosion from adjacent lands. Storm water runoff into wetlands should be controlled to prevent filling through the use of sediment traps.
- Wildlife areas shall be encouraged in areas where suitable habitat exists to support native animal species.
- Development shall not be permitted in areas where soils, shallow bedrock, vegetation, topography, and other environmental concerns exist.
- Prohibit development on slopes exceeding 12%. The City has adopted Critical Area Plans and Critical Area Ordinances that are intended to protect slopes and vegetation in bluff areas when development plans are reviewed. Vegetation and landscaping of existing development shall be retained.
- Standard review procedures will be established to ensure all development within the Critical Area corridor is compliant with proper erosion control practices. Erosion and sedimentation criteria shall be enforced for beach and riverbank erosion control.
- Damage to properties from erosion and sedimentation from other areas shall be minimized. Site development plans shall ensure that erosion and sedimentation controls will be designed to protect or improve the site from the effects of erosion. Grading plans shall indicate the location of the proposed best management practices to ensure proper site planning and design is used to minimize surface water runoff from development to improve water quality and runoff.
- Outdoor advertising signage should not be visible from the river.
- All corridor developments shall minimize water runoff and improve water quality.



City of Newport Critical Area Future Land Use Comprehensive Plan



Legend

- Mississippi River Critical Area Boundary
- City Boundary
- P Public Access
- Parcels
- Local Roads

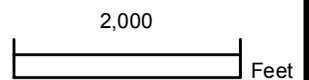
Future Land Use

- Single Family Detached
- Commercial/Residential
- Industrial and Utility
- Park/Open Space
- Transportation

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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.



4. *Commercial Navigation and Economic Resources Plans and Policies*

Commercial navigation of the Mississippi River is essential to the local, regional, and national economies for the movement of agricultural products and raw materials. Within the Critical Area of Newport, there is one docking location associated with the Holiday Tank facility. This docking location has been in use for a number of years and is expected to remain, as it is a component of river commerce. The current location provides good separation between marinas located along the west bank in Inver Grove Heights. There are no known problems with the docking location. Additional fleeting and docking locations may be difficult to locate in this area and should not be considered if other locations are more feasible.

a. Commercial Navigation and Economic Resources Plans and Policies:

- The City acknowledges barge fleeting is necessary for commerce and will work to provide areas if determined necessary adjacent to industrial areas.
- Locations for future fleeting or loading should be removed from residential areas.

5. *Parks and Open Space Plans and Policies*

Open Space and Trails are an important element in the MNRRA plan in bringing people closer to the river and generally promoting better pedestrian circulation within the corridor. The City has proposed the following additions to its Parks and Trails system in its 2030 Comprehensive Plan.

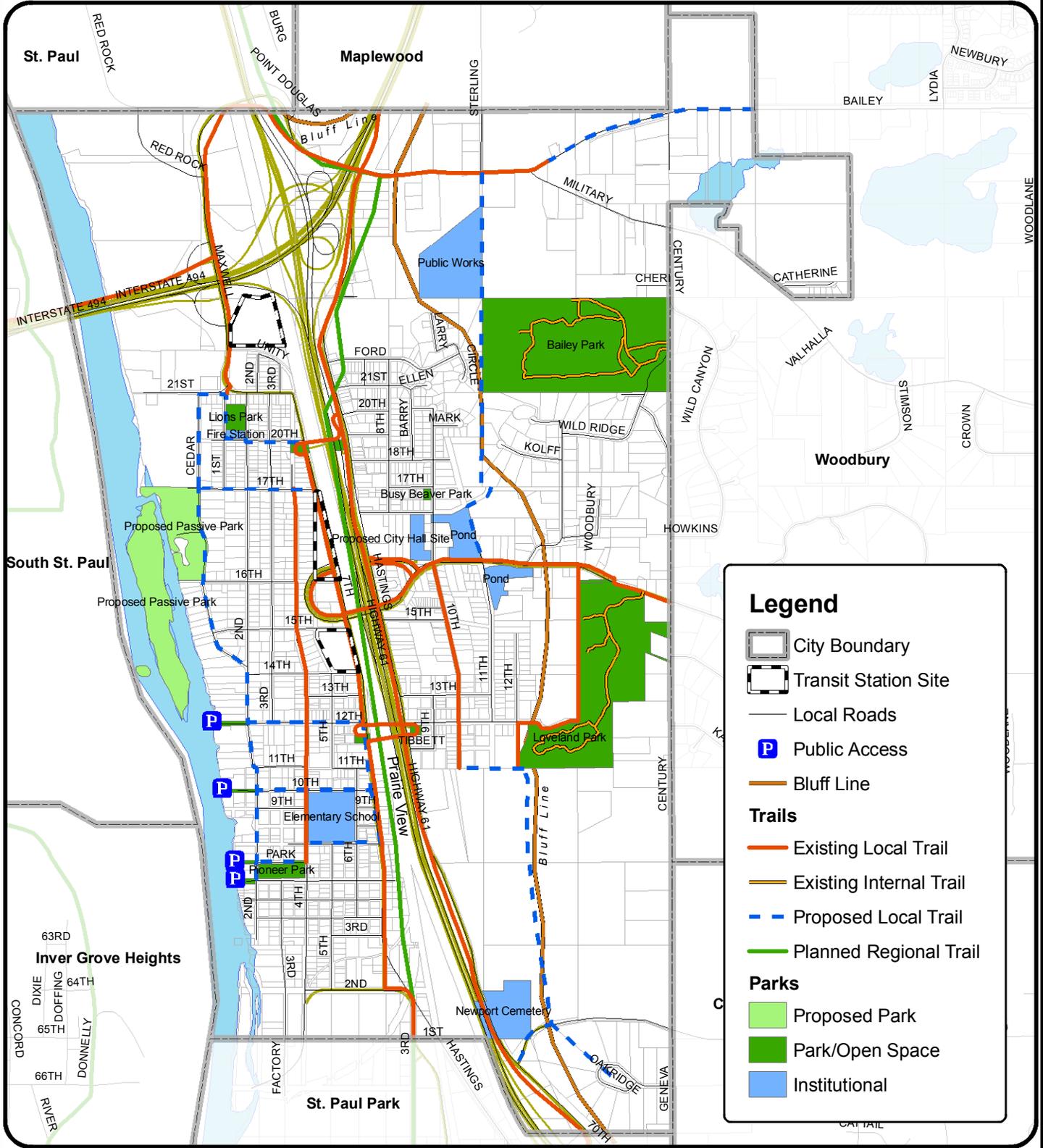
A riverfront park: The Mississippi Riverfront is predominantly privately owned offering little opportunity for the community as a whole to experience the nature, wildlife and activities of a major water course. What little public land that is available is vacant, undeveloped and secluded land. The Parks and Trails plan includes a proposed new park south of the Industrial Zone along the river. Creation of the park would include purchase of flood prone lots along the river, and removal of a failing levee. The City will discuss the potential for creation of the park with MNRRA and other organizations with interests in the riverway.

A comprehensive trail system: Trail connections should be enhanced to create better connections between residential neighborhoods and local parks. The City has begun development

of community-wide trail system, and has proposed additional trails to connect parks, river overlooks and neighborhoods within the MNRRA corridor. The existing and proposed trails are shown on the City-wide Parks and Trails Plan Map.



City of Newport City-wide Parks and Trails Comprehensive Plan



Legend

- City Boundary
- Transit Station Site
- Local Roads
- Public Access
- Bluff Line

Trails

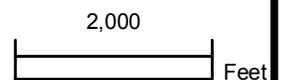
- Existing Local Trail
- Existing Internal Trail
- Proposed Local Trail
- Planned Regional Trail

Parks

- Proposed Park
- Park/Open Space
- Institutional

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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.



a. Park and Open Space Policies:

- Provide a park and recreation system that offers controlled physical and visual connections to the river.
- Provide trail links to regional trail systems and trails maintained by adjacent municipalities.
- Utilize the Comprehensive Plan as a guide for the acquisition, development, and redevelopment of park and recreation facilities.
- Seek opportunities to preserve open space areas to enhance the natural qualities of the corridor.
- Seek opportunities to manage undeveloped river islands in their natural state.

6. *Public Facilities and Public Land Ownership Plans and Policies*

The City plans no new river crossings within the corridor.

Public Facilities and Public Land Ownership Policies:

- Coordinate with the Metropolitan Council, Mn/DOT, and adjacent jurisdictions on transportation issues to minimize river crossings.
- New or modified transportation facilities shall complement the planned land and water uses and shall not stimulate incompatible development.
- New or modified utility facilities shall complement the planned land and water uses and shall not stimulate incompatible development.
- In planning and designing construction or reconstruction of all public transportation facilities in the corridor, consideration shall be given to provision of:
 - Scenic overlooks for motorists
 - Safe pedestrian crossings and facilities along the corridor
 - Access to the riverfront in public ownership
 - Reasonable use of land between river and transportation

D. MNRRA PLAN (TIER II)

In addition to compliance with Critical Area requirements, it is also the City's intent to achieve substantial conformance with MNRRA Tier II Comprehensive Management Plan and guidelines. As stated earlier in the plan, Tier II requirements take the Critical Area plan to another

level of planning and management. The MNRRA plan will incorporate additional land use, resource protection, and open space policies up and above what are prescribed minimum Tier I requirements.

1. Land and Water Use

Land uses within the corridor will remain largely unchanged in the future. Residential areas are well established with mostly single family residences which are consistent with the urban developed district. Industrial uses will also remain relatively unchanged as these companies are expected to remain at their present locations well into the foreseeable future. There is reason to expect however, that over time, property improvements will occur. As these improvements occur, certain guidelines should be followed that are consistent with MNRRA goals.

a. Riverfront Area Policies

Land uses within 300 feet of the ordinary high water level or the 100 year floodplain are considered to be within the riverfront area. These uses should have a relationship to, or a need to use the river. The critical area plan, seeks to maintain a balance in this multi-use corridor. Because of the diversity of riverfront uses in Newport, there is a wide range of criteria that could be used to site any given residential, commercial, industrial, public, or transportation use. Although virtually all of the riverfront is developed and there may be few changes in the future, general riverfront policies should be used to guide future decisions. New uses or changes in use should follow these general criteria for riverfront compatibility.

As redevelopment or new uses are proposed along the river, the City will work with landowners to implement the corridor guidelines, including the following:

- Uses should be river-related by having an economic or operational need for a river location or a connection to the river
- Uses shall meet or exceed federal, state, or local environmental standards, and where possible:
 - Clean up a polluted area
 - Remove blighting influences
 - Provide high quality building and landscape design
 - Compatible with the riverfront environment

- Commercial and industrial uses should demonstrate sensitivity in site design and buffering to adjacent residential neighborhoods
- Sustain economic vitality of riverfront improvements
- Offers public access to and along the river
- Provide open space
- Maintain views of the river
- Provide a high level of landscaping
- Retain or restore natural shoreline appearance
- Contribute to natural, cultural, or economic resource appreciation, protection or enhancement

b. Corridor Wide Location Policies

Newport has a diverse range of uses in the critical area. Uses should be guided by the use categories established in the land use plan. Additionally, the following policies should be considered:

- When opportunities arise during redevelopment, an effort should be made to secure additional private and public open space.
- Comply with federal, state, and local requirements to avoid floodplain and wetland development.
- Comply with federal, state, and local requirements to protect endangered, threatened, and rare species and their habitats if identified in the corridor.
- Discourage development in areas containing significant wildlife habitat.
- Support the regional transportation planning process, including the intermodal transportation, mass transit and bicycle/pedestrian trail linkages. This includes the Metropolitan Council's *Major River Crossing Study*.

2. *Design Guidelines:*

a. Shoreline Area

The intent of management and regulation in the shoreline area is to provide a natural area that buffers the river from adjacent land uses.

- New or substantially redesigned developments should appear unobtrusive from the river.

- The natural appearance of the shoreline should be preserved where it exists and restored when opportunities arise by providing vegetative screening.
- A 40 foot vegetated strip should be maintained along the shoreline where vegetation is preserved for a natural appearance and erosion control.
- Structures should be placed behind the 100 foot setback line.
- Natural areas 40 to 100 feet from the shoreline should remain relatively undisturbed. Native plant materials are encouraged to be planted in these areas.
- Application of fertilizer should be minimized and the use of non-phosphorous fertilizer is encouraged to promote higher water quality.

b. Vegetation

Good quality vegetation lends a number of benefits by providing shade, bank stabilization, erosion control, wildlife habitat, aquifer recharge, water filtration, and minimizes the visual impacts of development.

- Generally, the removal of healthy vegetation is discouraged, particularly along the shoreline, bluff face, wetlands, and floodplains. Clear cutting of large areas is not permitted under shoreland regulations.
- Materials used in replanting should be native to the river valley.
- Tree removal is only appropriate in areas within a building envelope, driveways, and parking areas.
- Grading should preserve the root zone of all existing trees to maintain a proper root aeration zone and stability.
- Selective pruning to improve views is acceptable as long as it will not sacrifice the health of the vegetation and as long as a continuous natural cover is maintained.

c. Bluffs

Only a small portion of the critical area in Newport is considered bluff area. It is located south of I-494 and east of TH-61. Large lot estate residential development exists on the bluff top. Estate residential development is an acceptable land use for this area as is and causes minimal disturbance to these sensitive lands. Disturbance of the bluff face is not

appropriate and existing vegetation on these slopes should remain undisturbed.

d. Site Development Guidelines

New and expanded development in the corridor such as residential subdivisions, commercial, and industrial projects should use the following site development guidelines to provide additional corridor enhancement above existing zoning and shoreland management ordinances.

- Require a 40-foot strip along the shoreline for natural vegetation.
- Building setback of 100 feet from the ordinary high water line.
- Prohibit land disturbance of slopes greater than 12%.
- Preserve the 40 foot bluff impact area in a natural state.
- Reduce visual impacts and protect views of the river and from the river and its shoreline areas by establishing maximum building heights for the bluff line and riverfront preservation areas as follows:
 - within 100 feet from the bluffline – 30 feet
 - within 200 feet from the river – 30 feet
 - greater than 200 feet from the river – reference most restrictive of the City ordinance and Critical Area policy and ordinance.
- Parking lot setback of 100 feet from the ordinary high water line and 40 feet from the bluff line.
- Natural erosion control devices are preferred over structural devices such as culverts, ditches, and walls.
- Detention ponds should be used for temporary water storage whenever practical.
- Wetlands will be protected as required by federal, state and local regulations.

3. *Park and Open Space Opportunities*

The City of Newport has updated its City-wide Parks and Trails plan in its 2030 Comprehensive Plan. The plan includes the three new river overlooks and one additional public access site that have been developed in the past few years, to provide additional public access to the river. The overlooks include plantings and seating areas. Development has also included protection of some historic structures, such as the WPA walls built in the late 1930's.

The Parks and Trails plan also includes expansion of the City-wide trail system that connects neighborhoods, parks, and historic sites. The plan includes some additional trails within the river corridor, as indicated on the City-wide Parks and Trails Plan map.

The City is completing updates to the Master Plans for Pioneer, Lions, and Loveland Parks. Pioneer and Lions Parks are located within the river corridor. The updates will respect the historic features of these parks and the existing tree canopy.

4. Commercial Navigation

The Mississippi River has long been used as a transportation corridor for commercial navigation of agricultural products, minerals, and petroleum products. The existing barge



Commercial barge traffic is essential to shipping products that help support the regional economy.

fleeting terminal in

Newport is located in accordance with MNRRA policies of being at least 200 feet from a marina and adjacent to an industrial area. If additional fleeting areas are proposed in the City, they should meet this standard. Barge fleeting should not occur adjacent to residential areas that would detract views of the river. Any proposal should involve public review.

E. IMPLEMENTATION STRATEGIES

Implementation of the Critical Area Plan identifies and outlines regulatory controls and projects that would be implemented over the next five years through a capital improvement program (CIP). The Comprehensive Plan includes a CIP that will integrate corridor projects with the rest of the community. The CIP should be consistent with the standards and guidelines in Executive Order 79-19.

The following is a list of projects for Newport's Critical Area Capital Improvement Program:

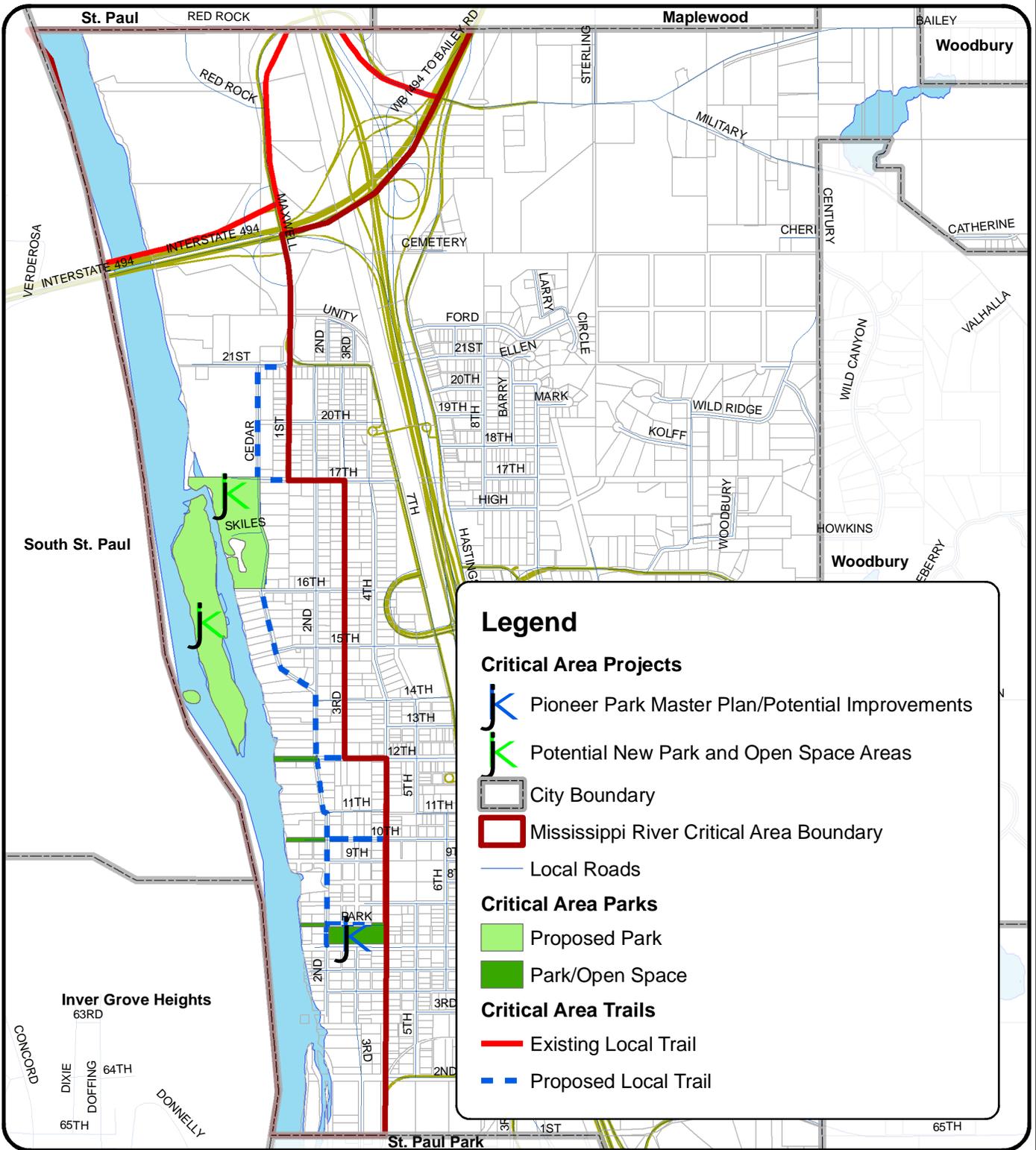
- Utilize the old sewage treatment plant site as a park site to be used for open space and river connection purposes.

- Investigate the use of the Erickson Brothers easement area south of the tank farm for park and open spaces purposes.
- Maintain the river overlooks at Park Place, 10th, 12th, and others that may be feasible. Incorporate WPA walls as much as possible into any design.
- Continue to enforce Housing Maintenance and Building Codes to better the image and function of housing within the corridor.
- Convey corridor plan policies in appropriate zoning and subdivision ordinances recognizing them as the major tool for implementation.
- Coordinate connections of the 4th Street trail with the Cities of St. Paul Park and St. Paul.
- Ensure the administrative procedures for permit notification to DNR are upheld as necessary. For those developments requiring discretionary action or a public hearing, the City shall notify DNR at least 30 days before taking action on the application.



City of Newport Critical Area Projects - Draft

Comprehensive Plan - Draft



Legend

Critical Area Projects

- Pioneer Park Master Plan/Potential Improvements
- Potential New Park and Open Space Areas

- City Boundary
- Mississippi River Critical Area Boundary

Critical Area Parks

- Proposed Park
- Park/Open Space

Critical Area Trails

- Existing Local Trail
- Proposed Local Trail

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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.

