

6106.0110 USES.

Subpart 1. **Underlying zoning.** Uses permissible within the Mississippi River Corridor Critical Area are generally determined by the local government's underlying zoning, with additional provisions for certain uses as specified by this part.

Subp. 2. **Agricultural use.** Where agricultural use is allowed by the local government, perennial ground cover is required within 50 feet of the ordinary high water level and within the bluff impact zone.

Subp. 3. **Feedlots.** New animal feedlots and manure storage areas are prohibited. Existing animal feedlots and manure storage areas must conform with chapter 7020.

Subp. 4. **Forestry.** Where forestry is allowed by the local government, tree harvesting and biomass harvesting within woodlands, and associated reforestation, must be consistent with recommended practices in Conserving Wooded Areas in Developing Communities: Best Management Practices in Minnesota, incorporated by reference under part 6106.0090.

Subp. 5. **Nonmetallic mining.** If allowed by the local government, nonmetallic mining requires a conditional use permit or interim use permit issued by the local government, subject to the following:

A. new nonmetallic mining is prohibited within the shore impact zone and bluff impact zone and within the required structure setback from the bluffline;

B. processing machinery must be located consistent with setback standards for structures as provided in part 6106.0120;

C. only one barge loading area, which must be limited to the minimum size practicable, is permitted for each mining operation;

D. new and, where practicable, existing nonmetallic mining operations must not be readily visible and must be screened by establishing and maintaining natural vegetation. The unscreened boundaries of nonmetallic mining areas are limited to only the barge loading area;

E. a site management plan must be developed by the operator and approved by the local government before new nonmetallic mining commences. Operations must be consistent with the site plan throughout the duration of operations at the site. The site management plan must:

(1) describe how the site will be developed over time with an emphasis on minimizing environmental risk to public waters;

(2) explain where staged reclamation may occur at certain points during the life of the site;

(3) address dust, noise, storm water management, possible pollutant discharges, days and hours of operation, and duration of operation; and

(4) describe any anticipated vegetation and topographic alterations outside the pit, and reclamation plans consistent with the stated end use for the land; and

F. existing and new nonmetallic mining operations must submit land reclamation plans to the local government compatible with the purposes of this chapter.

Subp. 6. **River-dependent uses.** River-dependent uses must comply with items A to C.

A. Structures and parking areas, except shoreline facilities and private roads and conveyances serving river-dependent uses as provided in part 6106.0180, must meet the dimensional and performance standards in this chapter, must be designed so that they are not readily visible, and must be screened by establishing and maintaining natural vegetation.

B. Shoreline facilities must comply with chapter 6115 and must:

(1) be designed in a compact fashion so as to minimize the shoreline area affected; and

(2) minimize the surface area of land occupied in relation to the number of watercraft or barges to be served.

C. Dredging and placement of dredged material are subject to existing federal and state permit requirements and agreements.

Subp. 7. **Wireless communication facilities.** Wireless communication facilities require a conditional use permit or interim use permit issued by the local government. In addition to the conditional use permit or interim use permit requirements under part 6106.0080, the following conditions apply:

A. the applicant must demonstrate that functional coverage cannot be provided through co-location, a tower at a lower height, or a tower at a location outside the Mississippi River Corridor Critical Area;

B. the tower must not be located in the bluff impact zone or shore impact zone; and

C. placement of the tower must minimize impacts on public river corridor views.

Statutory Authority: *MS s 116G.15*

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