

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
REGULAR MEETING

Tuesday March 26 2019- 7:30pm
121 Judd Street – Village Hall

1. Call to Order
2. Welcome New Planning Commission Members-specify terms
3. Discussion— Short-Term Rentals – Topics: Definition, Type, STR Concerns
4. Old/New Business
5. Approval of January Minutes
6. Adjournment

The City of Marine on St. Croix Planning Commission regular meeting of March 26, 2019 was called to order by Chairman Mroska at 7:31 pm. Brenner, Hagstrom, Henry, Sanderson, Smitten, and Spisak present.

Citizens Present: John Norusis, Pat Norusis, Ralph Norusis, Charles Arnason, John Waugh, Gracy Waugh, Gwen Roden, Lon Pardun, Charlie Anderson, Bill Miller, Andy Kramer, Karen Kramer, David Sullivan, John Goodfellow, Jim Maher, Andy Creager, Kim Creager, Hank Fischer, Jeff Comins, Laurie Schmidt

Welcome New Planning Commission Members-specify terms

Mroska introduced new Planning Commissioners Jennifer Henry, who will be filling the rest of Gwen Roden's term until December 31, 2019, and Ed Sanderson, who will be filling the rest of Jack Warren's term, ending December 31, 2020.

Discussion— Short-Term Rentals – Topics: Definition, Type, STR Concerns

Mroska explained that the plan for tonight's meeting was to discuss three specific short-term rental (STR) topics: definition, different types, and potential concerns. The meeting will begin with public comments, follow with Planning Commissioner discussion, and lastly allow some time for questions after each topic. If there are any further comments following the Commission's discussion of these items, they can be brought to the beginning of the next meeting.

John Goodfellow of Pine Cone Trail re-read a letter written by Kirsten Vadheim, which was brought in front of the Commission in May of 2018. The letter expressed that STRs are in effect commercial ventures and are not consistent with the values of residential neighborhoods and the community of Marine specifically. Goodfellow then said that there has been little action since this issue was raised 10 months ago. Mroska clarified that the Commission was not formally assigned to study the issue until the August 2018 meeting, and the Commission did not meet in either December 2018 or February 2019. Goodfellow stated that while he is not opposed to STRs, he had generated a list of 24 related issues that he believes should be considered in their regulation. Goodfellow concluded by saying that although Pine Cone Trail is private, this issue has caused a large amount of tension. Andy Creager of 5th Street agreed that it is a problem area.

Hagstrom then provided a summary of what the Planning Commission has done since being assigned the issue. Hagstrom, along with Smitten and Council Member Gwen Roden, have met three times as a committee, and incorporating comments from citizens, commissioners, and examples from other communities, have narrowed down the issue to six general topics for discussion. They have also generated recommendations of what might work for Marine based on resident feedback. After discussing these six items, the committee's working plan is to have a community meeting this spring, a full draft of the Commission's recommendation by July, a Public Hearing in August, and Council review in September.

John Waugh of Judd Street expressed that while he also was not opposed to STRs, the current Zoning Code (under Section 106) does not allow for them and has not been enforced. Mrosla responded that the City was acting based off of City Attorney Dave Snyder's interpretation of the code: that while it may imply that it is prohibited, it does not formally establish it as so.

Andy Kramer of Walnut Street said that he believes STRs are good to an extent and likes the approach that Stillwater has taken, which is limiting how close the STRs can be to each other. Creager asked how many STRs there are currently in Marine. Mrosla said there are four to six. John Norusis of Pine Cone Trail asked about Pine Needles through the Science Museum exchanging art for lodging, but other residents in the audience said that that is a grant they have to apply for and is therefore not considered an STR. Mrosla then closed the public forum part of the meeting, and said any further comments can be made through email, letters, and even anonymously through the City's drop box.

Hagstrom then explained the committee's working definition of a STR: a dwelling or portion of a dwelling, rented for a period of less than thirty (30) days. This is consistent with other communities. All residential STRs must also be owner occupied, meaning that the owners are required to be living at the premises for at least as many overnights as they are rented per calendar year. For multi-dwelling properties, such as apartments, guest houses or accessory buildings, no more than fifty (50) percent of the total units can be of STR use.

Smitten then explained the two main types of STRs that Marine is going to consider: hosted, meaning the owner is in the unit during the rental period, and non-hosted, meaning the owner leaves during the rental period. Dedicated vacation rentals, or investment properties, would not be allowed. Sanderson asked whether a separate structure might require additional clarification since the owner would be in the primary residence and the other building might be a rental. The Commission agreed that such a case might exist even though most accessory buildings would not have both a kitchen and a bathroom. There was then discussion on how rentals in the School House Apartments would be handled. Laurie Schmidt of Third Street commented that limiting STRs in multi-unit dwellings would support opportunities for affordable housing.

Henry said she was unsure how the number of days living at the property would be enforced. Hagstrom said it would be included somehow on the registration. Smitten noted that some do not desire to live in Marine all year and it is important to find a balance in the requirement. Kramer asked whether a person needs to be homesteading the property to be considered an owner, and if not, if a business could be considered an owner. Spisak said if a person homesteaded at another property for approximately 183 days, and was required to stay at the rental property for half the remaining time, that would leave about 90 rentable nights left. Hagstrom said that while this requirement would not guarantee that the owner would contribute to the community, it would help avoid patterns of non-contribution.

Mrosla introduced the final topic of the night, STR concerns, which includes neighborhood issues (noise, parking, traffic, and property maintenance), impact on the Village Center (already discussed this evening), and safety concerns (building and fire inspections). Hagstrom said that noise, parking, traffic,

and property maintenance are things currently enforceable under the City Code. She added that occupancy maximum will also be included on the registration form and discussed at the next meeting. As for building and fire inspections, those would be the responsibility of the owner as to avoid liability to the City. Spisak mentioned that according to the Star Tribune, STRs of less than one week require a State Department of Health inspection. Spisak also shared that in Cook County, properties are assessed differently: renting more than 250 days is classified as commercial, 30-250 is considered residential but not homesteaded.

Mroska closed the STR discussion and advised that the next meeting would include discussion on performance standards (including property values, licensing, number of guests, records, parking, events, signage, owner availability, and enforcement), limiting the concentration of STRs in each district, and a lodging tax.

Old/New Business

Mroska shared that he and Spisak were working with the Warren's on completing the Asa Parker project with their proposed garages.

Approval of January Minutes

*Brenner moved and Spisak seconded to approve the January 29th Planning Commission minutes as drafted. **Motion passed unanimously.***

Adjournment

*Hagstrom moved and Spisak seconded to adjourn at 8:54 pm. **Motion passed unanimously.***

Minutes by Kiersten Northcraft, Assistant City Clerk