

**CITY OF MARINE ON ST. CROIX**  
**PLANNING COMMISSION**  
**REGULAR MEETING**

**Tuesday September 25 2018- 7:30pm**  
**121 Judd Street – Village Hall**

1. Call to Order
2. Pre-Application – Garhardt and Gail Balego – Subdivision Request
3. Discussion – Short-Term Rentals
4. Old/New Business
5. Approval of August Minutes
6. Adjournment

The City of Marine on St. Croix Planning Commission regular meeting of September 25, 2018 was called to order by Chairman Mrosla at 7:30 pm. Brenner, Roden, Smitten, Spisak, and Warren present. Hagstrom absent.

Citizens Present: Mike Hermes (Edina Realty), Larry Whitaker, Mary Whitaker

Pre-Application – Garhardt and Gail Balego – Subdivision Request

Mrosla provided an update of the Minor Subdivision request that was brought before the Commission at the August meeting, a request by the Galego's to divide their approximately 16 ½ acres along Highway 95 into three parcels. Though not present at tonight's meeting, their realtor Mike Hermes was present on their behalf. Mrosla, Brenner, and Spisak have met with both the applicants and with Zoning Administrator Lynette Peterson to review the case.

Hermes shared that there has not been an official answer from MNDOT yet regarding the proposed three driveways, but the project was brought before their design committee, which believes there should be two accesses. If that is the final decision, Hermes believes the shared access should be on the southerly lots with the north lot (being bordered by the park) having its own access. Mrosla said that the steep grade on the north lot might be an issue. Percolation tests were done back in 1983. According to Hermes, these tests would not need to be re-done, but simply re-verified as the county requires for all subdivisions. Mrosla questioned whether the City requires more than the county does in these situations.

Brenner explained that there needs to be a formal document describing the access to the conservation easement, though most of it is next to the sidewalk already. Brenner said the conservation easement is essentially dedicated open space. There also needs to be a 12-foot utility easement between lots, with each site demonstrating two possible septic locations. Warren noted that in the Single Family Rural (SFR) district, lot sizes can range from 1 to 5 acres, and if the building lots were smaller, they could be clustered around a single access. This would be less expensive for broadband and other utilities and be consistent with the goal of more affordable housing written in the Comprehensive Plan. Hermes said smaller lots would hurt the overall value of the land for the Balegos. Brenner added that while the existing development plan is not clustered on both sides of the street, the district itself and the subdivision ordinance is written around clustering. Hermes was advised to work on the approval from DOT, as well as the access and utility easements, in preparation for the October Planning Commission meeting.

Discussion – Short-Term Rentals

Mrosla began the discussion on short-term rentals by reviewing information put together by the City of Stillwater. There are over 50 websites for short-term rentals (STRs), and City staff in Stillwater monitor the most popular ones such as air BnB. They divided their licensing into four types of STRs: hosted (where the owner is present while guests are in the home), un-hosted (where the home is the owner's primary residence, but they are absent while guests are in the home), dedicated vacation rental (where the home is not the owner's primary residence), and B&B's (addressed separately in the City's B&B ordinance). Each type has its own review process. For hosted rentals, there is a simple administrative license and the neighbors are not notified. For un-hosted rentals, there is an administrative license and neighbors are notified. For dedicated vacation rentals, a license and a Conditional Use Permit is required. There are a number of performance standards that applicants for STRs are required to meet, such as parking, number of guests, and proximity of assistance. Building and fire code inspections are also required. Brenner noted that few properties in Marine would meet today's building code. Stillwater also limits the number of licenses allowed. There is then a fine-based enforcement process, as well as a use tax.

Mrosla said that although he is only aware of 3 operating STRs in Marine right now, the City needs to formulate a policy now to get ahead of the issue. Warren shared with the Commission a document he drafted in response to the City of Burnsville's research. He added that both Stillwater and Burnsville are much less dependent on volunteers than Marine. Roden responded that if the rental is owner occupied, it does not decrease the number of possible volunteers. Warren stated that rental properties also tend to increase in value as they are rented out, which goes against the City's goal of more affordable housing. Mrosla added that STRs have become a large problem in Lake Placid, and an article on it was shared with the rest of the Commission to review. Brenner asked what issues Marine has with STRs in order to write the ordinance around it. Smitten noted that much of the concern of residents involves maintaining community and neighborhood character and therefore density requirements would be important. Roden noted that STRs can encourage people to buy homes in town. There was discussion on the importance of liability insurance of the applicant.

Mrosla explained that the Commission needs to decide how in depth to go with such a program, but would like to have a recommendation in the spring. Smitten volunteered to review Warren's document and separating the issues into different topics for the Commission to discuss in preparation for the October meeting.

#### Old/New Business

Mrosla said he might need an acting chairman for the October meeting. Smitten asked if Council had a chance yet to review their code updates. Mrosla said they had been waiting until after completion of the Comprehensive Plan but will ask them at the next Council meeting.

#### Approval of August Minutes

*Warren moved and Smitten seconded to approve the August 28<sup>st</sup> Planning Commission minutes as drafted. Motion passed unanimously.*

#### Adjournment

*Smitten moved and Spisak seconded to adjourn at 8:35 pm. Motion passed unanimously.*

Minutes by Kiersten Young, Assistant City Clerk