

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
REGULAR MEETING

Tuesday October 30 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 September Minutes
6. Adjournment

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

Citizens Present: Gary and Gail Balego, Mike Hermes (Edina Realty), Glen Mills, Wendy Ward, Larry Whitaker, Mary Whitaker

Pre-Application – Garhardt and Gail Balego – Subdivision Request

Brenner updated the Commission on the status of the Balego's Minor Subdivision request, a request to divide their approximately 16 ½ acres along Highway 95 into three parcels. Since last meeting, MNDOT has approved the three driveway accesses and Washington County has found each of the three proposed lots to be suitable for Type I septic systems. After tonight's discussion, the plan is to set the Public Hearing for the November Planning Commission meeting and have the Balego's file a formal application. The submission of the application would activate the 60 day-rule in which the City has to make a decision. With a Planning Commission recommendation at the November meeting, the Council could review the case at the December 13th meeting.

There was discussion regarding the property's conservation easement. Resident Glen Mills was present and asked the Commission why the conservation easement was necessary when there are exceptions to it outlined in the City's Subdivision Ordinance. Spisak responded that most of the easement is steep slope abutting William O'Brien State Park, and the easement would ensure that it was not disturbed. Brenner added that the Single Family Rural (SFR) district is written around clustered development and requires the easement to ensure shared, open space.

Spisak expressed concern that the driveways, especially on the north and south parcels, cannot be constructed according to MNDOT's requirements without altering the bike path. With the significant grading changes, he would like the surveyor to add these construction details to the site plan for the City Engineer to review. Smitten asked about the 12-foot utility easement between lots discussed at the last meeting. Brenner said that they were deemed as not necessary by the assigned Planning Commissioners. There was discussion on whether the septic boring locations should also be shown on the site plan. This was found as not necessary as Washington County's letter indicates that complete testing on each individual lot will be required prior to any permit issuance. Mills noted that there would then need to be extensive septic design plans by the new owners. The Commission also discussed removing the word trail from the 20-foot-wide pedestrian connection on the site plan. In regards to next steps, it was stated that 2

weeks before the meeting would be needed to provide adequate notice to neighbors and the Planning Commission.

*Spisak moved and Roden seconded to, contingent on receiving a complete application, set the Public Hearing for a Minor Subdivision for Garhardt and Gail Balego for the next Planning Commission Meeting, November 27th, at 7:30 pm. **Motion passed unanimously.***

Discussion – Short-Term Rentals

Smitten provided the Commission with a document and summary of the different topics related to short-term rentals that she had gathered for possible consideration. First, of the three possible options to approaching the issue (prohibit, allow with regulation, allow unregulated), the Commission has mostly heard from the public the desire to allow them with regulation. In determining how to regulate them, Smitten explained multiple topics of interest for the Commission to consider, including the Marine quality of life (the possible impact of short-term rentals on neighborhoods and the overall community), operational details (code compliance, parking, noise), regulation (how to process licenses or permits and enforcement), the zoning code (how short-term rentals is defined, when does it become commercial use, etc.), and the availability of the landlord (present on the premises, accessible within a distance, or a designated local individual as a point of contact). Smitten also identified possible concerns that were not placed in a specific topic but could still be discussed if desired, such as the reduction in affordable housing, waste disposal, and events. Smitten shared that she had talked with Commissioner Warren about the issue and he had emphasized the importance of participation and volunteerism in Marine, which a large number of short-term rentals might negatively affect. Warren also said that five percent of households would be the highest he would recommend allowing, and strong enforcement would be necessary.

Mills stated that his concern was more about use than the number of rentals, referencing the previous Asa Parker Bed and Breakfast wanting to hold receptions and other events. Hagstrom expressed concern that the City could potentially overregulate, and with most homes in Marine being fairly expensive, short-term rentals could be helpful to them financially. Resident Larry Whitaker noted the importance of defining what short-term is, which in his opinion, would be 30 days. He also expressed that without a fee permit system, there is no way to enforce regulations. He added that the City should decide not just how many rentals should be allowed, but where. Spisak expressed the desire to prevent commercial properties with absentee owners. There was discussion of code compliance before applying for a license, and requiring a Conditional Use Permit (CUP) for any rental that is not owner occupied. Brenner suggested that the Commission look for other communities that are more similar to Marine than Burnsville and Stillwater which the Commission had based their research on. Smitten, Hagstrom, and Roden agreed to meet before next meeting to go more in depth on the outlined topics.

Old/New Business None.

Approval of September Minutes

*Smitten moved and Spisak seconded to approve the September 25th Planning Commission minutes as drafted. **Brenner, Roden, Smitten, and Spisak for. Hagstrom abstained.***

Adjournment

*Roden moved and Hagstrom seconded to adjourn at 8:44 pm. **Motion passed unanimously.***

Minutes by Kiersten Young, Assistant City Clerk