

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
REGULAR MEETING

Tuesday, May 26, 2020
7:30pm via Zoom

The City of Marine on St. Croix Planning Commission regular meeting of May 26, 2020, was called to order at 7:32 pm. Present: Chair Gerry Mroska, Commissioners Jennifer Henry, Scott Spisak, Kristina Smitten, Ron Brenner, Ed Sanderson, Anna Hagstrom.

Citizens present: Mary Whitaker, Gwen Roden, Jon Fogelerg, Kitsi Vadheim, John Goodfellow, Nancy Cosgriff, Larry Martin, Sara Rottunda, Thomas Omdahl, Marcia C.

Short-Term Rental Ordinance: Review and discuss draft

Commissioner Smitten introduced the latest draft, saying the committee had revised some items for clarification and others to reach a compromise. They suggested:

- amending the ordinance to limit the number of nights rented to be less than the number of nights occupied;
- limiting rentals to three per district;
- limiting rental days to two weekends per month, maximum 72 days per year.

Rentals Per District

The current draft proposes three per district. Smitten noted that two per district was not what the committee thought was appropriate. Three seemed like a compromise that met the desire of the commission as well as residents who desired a much larger number.

Commissioner Spisak asked whether the ordinance should read “up to three” Should we say up to three? Does three obligate the city to allow three? Should it be “shall” or “may”?

The commission requested that staff ask City Attorney Dave Snyder for a legal opinion.

Number of Days

The draft proposes caps of two weekends per calendar month and 72 days per year.

Commissioner Sanderson called this a good middle ground. Commissioner Spisak asked what had happened to the maximum of 14 days per month.

Smitten answered that the ordinance is relatively strict, and enforcing it is going to be a problem. Demand is primarily on weekends, so it seemed pragmatic to limit the total number of days per year, and the number of weekends.

Commissioners Brenner, Roden, and Spisak agreed that they could support the proposed limits.

Private Driveway

Mroska asked whether home owners who share a private driveway should you have to get their neighbors’ permission before using the drive for a short-term rental.

The commission requested that staff ask Attorney Snyder.

Section 4. General Requirements and License Issuance.

Commissioner Spisak asked whether the language was correct in saying commercial short-term rentals were not permitted “by the city,” or whether it should read “in the city” or be omitted. The commission requested that staff ask Attorney Snyder.

Emergency Response (Section 5-M)

*Change ordinance draft to read “If the property owner is not on premises, owner or an owner-designee is required to respond to emergencies, **and must always stay** within thirty (30) minutes traveling distance of the property and available by cellphone during Short Term Rental use.”*

Public Hearing

The commission discussed safety of an in-person meeting, and practical elements of meeting virtually, and informally set a target hearing date for July 28.

Roden asked whether they could release the draft early and invite public comment via email.

Mroska volunteered to check with council.

Commissioner Spisak requested that staff and legal counsel determine the parameters of a virtual public hearing and access.

Cell Tower

Chairman Mroska reported that the city council requested that the commission revise the city code governing cell towers to bring the requirements in line with current needs for communications infrastructure.

Commissioner Spisak noted that the commission’s work would involve more than changing the height of the tower. There are technological issues that need to be researched and written into code. He and commissioners Smitten and Sanderson are prepared to move forward as a committee. He suggested that this would be a similar process to the STR ordinance, with time to do research, drafting language and eventually holding a public hearing.

Zoning Code

Next workshop 7p.m. Tuesday, June 2.

New Business

At Commissioner Spisak’s suggestion, the commission agreed to submit all meeting materials by noon the Wednesday prior to commission meetings. Staff will send the packet by noon the Friday before the meeting.

Approval of minutes: April 28 regular meeting

Commissioner Spisak requested that “urban” be changed to “zoning” (page 2, second paragraph from the end, second sentence).

Spisak moved and Sanderson seconded approval of the minutes of the April 28 virtual meeting, as amended. Roll call vote: Mroska – Aye; Spisak – Aye; Smitten – Aye; Sanderson – Aye; Henry – Aye; Brenner – Aye; Hagstrom - Abstain. Minutes approved as amended.

Approval of minutes: May 12 zoning workshop

Commissioner Spisak requested that “Brian” referred to in the discussion of Section 311.5 be expanded to “Brian Ross of the Great Plains Institute.”

Spisak moved and Smitten seconded approval of the minutes of the May 12 zoning workshop, as amended. Roll call vote: Mroska – Aye; Sanderson – Aye; Smitten – Aye; Spisak – Aye; Henry – Aye; Brenner – Abstain; Hagstrom - Abstain. Minutes approved as amended.

Adjournment

Smitten moved and Sanderson seconded to adjourn at 8:51 pm. Roll call vote: Mroska – Aye; Sanderson – Aye; Spisak – Aye; Smitten – Aye; Brenner – Aye; Hagstrom – Aye; Henry – Aye;. Motion passed unanimously.

Minutes taken by Suzanne Dammann, Assistant City Clerk.