

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
REGULAR MEETING

Tuesday, September 29, 2020 - 7:30pm
Virtual meeting via Zoom

1. Call to Order
2. Wireless Communications Ordinance progress update
3. Zoning Code updates
4. Approval of minutes:
 - August 25 regular meeting
5. Adjourn

How to join virtually

[Zoom link](#)

Passcode: 203559

Or call: 1-312-626-6799

Meeting ID: 875 5975 3219

Passcode: 203559

One tap mobile: +13126266799,,4741920648#

Code update notes/to-dos

KS - 08/19/2020, 09/01/2020

SLD - 9/03/2020

PC Member Assigned	Task	Notes, date completed, etc.
Suzanne	Overall review - compare with minutes to make sure all changes have been incorporated.	9/22/2020
Scott	<ul style="list-style-type: none"> • Lot Area requirements - 506.6(a) <ul style="list-style-type: none"> ○ Are our lot area requirements achieving overarching community goals? 	
Scott	Solar language addition. Review 404.7 (1) (a) solar glare.	KS or Suzanne will send SS the PC approved version from years ago to review.
Jennifer	<ul style="list-style-type: none"> • Vegetative Cutting <ul style="list-style-type: none"> ○ Requires review to be sure it's current. Believe requirements around vegetative cutting were updated. ○ Does City provide vegetative cutting permits? 	Note from Suzanne: Yes, the city provides veg. cutting permits in parts of the river overlay district. See 510.6(1) (a)&(b)
Sandy	<ul style="list-style-type: none"> • Driveway standards, per Jason Crotty's input <ul style="list-style-type: none"> ○ 	KS will forward Jason's comment to ES. Relatively minor put important language insertion.

Suzanne	<ul style="list-style-type: none"> • Chickens language addition <ul style="list-style-type: none"> ○ Bring forward the work Gwen led for PC, and CC adopted. Define Poultry. 	In Chapter 5 of City Code. How to handle this? Repeat info or refer to city code? Also, where in the Zoning Code should it go? SFU & SCUR?
Sandy	<ul style="list-style-type: none"> • Septic requirement if hook-up is available <ul style="list-style-type: none"> ○ Is it necessary for lots to have two septic sites available if the property is hooked-up to city sewer? 	
Jennifer	<ul style="list-style-type: none"> • SF Detached – definition <ul style="list-style-type: none"> ○ Review 	
Gerry	<ul style="list-style-type: none"> • Marina <ul style="list-style-type: none"> ○ Review 	
Sandy	<ul style="list-style-type: none"> • Overall consistency with the Comprehensive Plan <ul style="list-style-type: none"> ○ Ensure that the updated code is consistent with the Comp Plan policies. ○ Update zoning map in Comp Plan - SLD 	
Many PC members	<ul style="list-style-type: none"> • Definitions review: <ul style="list-style-type: none"> ○ Essential Services - ○ Poultry - SLD. ○ Residential Care Facilities - JH ○ Steep Slope - ○ Wetland – ○ STR definitions – Suzanne can incorporate ○ Solar - SS 	
Gerry	<ul style="list-style-type: none"> • Substandard Structures (401.2) – Need to review? 	

Suzanne	<ul style="list-style-type: none"> • 402.4 (2) h. –Poles, towers and other structures for essential services - Remove. Don't believe this is in the adopted version and it's not redlined. <ul style="list-style-type: none"> ○ Be sure this is removed throughout. Will be updated with the wireless communications committee work. 	9/22/2020
Gerry	<ul style="list-style-type: none"> • 404.7 (6) Refuse <ul style="list-style-type: none"> ○ Expand to include trash enclosures. ○ Nuisances and refuse. 	
Jennifer	<ul style="list-style-type: none"> • 410.10 Seasonal Produce Signs – Need to review? 	
Sandy Scott	<ul style="list-style-type: none"> • 502 Zoning Map reference to updates. 	
Jennifer	<ul style="list-style-type: none"> • Residential Care Facilities and Day Care Facilities 	
Jennifer	<ul style="list-style-type: none"> • Tree Preservation language – <ul style="list-style-type: none"> ○ Coordinate review by forestry group 	
Ron	Review of variance procedures – Review by Ron (Section 311)	
Kristina	<ul style="list-style-type: none"> • LI building guidelines – natural colors, durable materials. 	
Kristina	<ul style="list-style-type: none"> • 504.7 (3)(e) add a credit option? 	

RE: Zoning Code

Green Steps Dark Sky Project for Marine on St. Croix

Protect the Night From Light Pollution Support the Dark Sky Movement

Light Pollution is the brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Skyglow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

Street, roadway and exterior property lighting causes artificial skyglow and thoughtful lighting policy decisions can be more efficient and environmentally responsible. Artificial skyglow is shown to have impacts on the biological cycles of flora and fauna, and detracts from human enjoyment and appreciation of the natural environment.

Our Dark Sky Project in Marine will involve citizen participation and include light pollution assessment, community education and highlighting our city lighting code. Now we have a few recommendations for clarifying the codes (see below) and may have further suggestions as we proceed.

Links to key resources:

- International Dark Sky Association has models for codes and resources for education and messaging, darksky.org, and https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF,
- Segment on newly designated Dark Sky areas in U.S. <https://www.cbs.com/shows/cbs-sunday-morning/video>,
- Nisswa Lighting Ordinance—see attached for city lighting code.

The problem

Excessive light at night, called light pollution, harms the environment and human health.

- Plants and animals are negatively impacted by disruption of natural light and dark cycles.
- People exposed to light pollution are at increased risk of sleep disorders, obesity, depression, diabetes and more.
- Unnecessary lighting wastes energy, money, creates greenhouse gases that contribute to climate change.

- Unnecessary lighting is not proven to deter crime, but may make us less safe by making people and property more visible to criminals.

The solution

Work with the Marine Planning Commission using resources from the nonprofit, International Dark Sky Association (IDA) in order to preserve and protect the nighttime environment and our Marine heritage of dark skies through responsible outdoor lighting. This involves

- Advocating for protection of the night sky.
- Educating the public and policymakers about night sky conservation.
- Empowering the public with tools and resources to help bring back the night.
- Promoting environmentally responsible outdoor lighting codes.

Process for goals and measures

- Assess light pollution with before after surveys using assessment tools and citizen observation
- Organize assessment information and recommend solutions including education of the public and policy makers. Use variety of messaging avenues.
- Measure probable efficiencies in city and homeowner resources and costs

Current Marine on St. Croix Code

404.7 Nuisance Characteristics. No noise, odors, vibration, smoke, air pollution, liquid or solid wastes, heat, glare, dust, or other such adverse influences shall be permitted in any district that will in any way have an objectionable effect upon adjacent or nearby property. All wastes in all districts shall be disposed of in a manner that is not dangerous to public health and safety nor will damage public waste transmission or disposal facilities. The following standards apply to all districts.

(1) Glare.

- In all districts, any lighting used to illuminate an off-street parking area, sign, or other structure, shall be arranged so as to deflect light away from any adjoining residential zone or from the public streets. Direct or sky-reflected glare, including glare from floodlights or from high temperature processes such as combustion or welding, shall not be directed into any adjoining property.
- The source of lights shall be hooded or controlled in some manner so as not to light adjacent property. The light source shall be concealed from view.

- Bare incandescent light bulbs shall not be permitted in view of adjacent property or public right-of-way. Any light or combination of lights which cast light on a public street shall not exceed one (1) foot candle (meter reading) as measured from the centerline of said street. Any light or combination of lights which cast light on residential property shall not exceed 0.4 candles (meter reading) as measured from said property.

Possible Additions to Marine City Code for 2020

- All parking lot and security lighting shall be directed away from adjoining residential areas.
- Linear LED or neon architectural or sign accents are not allowed on any building, canopy or sign with the exception of temporary seasonal lighting.
- Dawn to dusk exterior house lights are discouraged.

CITY OF MARINE ON ST. CROIX
PLANNING COMMISSION
MINUTES
Tuesday, August 25, 2020 - 7:30pm
Virtual Meeting via Zoom

Present: Chairman Gerry Mrosla, Commissioners Spisak, Brenner, Henry, Smitten, Sanderson (arrived 7:46 pm).

Citizens present: Juli Hagstrom, Renee Saarela, Glen Mills.

Public Hearing – Tim and Barb Casey – 1051 Nason Hill Rd.

Chairman Mrosla opened the public hearing at 7:36 pm. Commissioner Brenner summarized facts and findings from the site visit as follows: the Caseys’ existing garage is closer to the street than the house is, thus does not conform to the code. They would like to expand the garage by one stall, expanding parallel to the road rather than building significantly closer to it. Other site plans comply with the city code including the square footage maximum, setbacks, and building height. The home is in the Single Family Rural district (correction from Single Family Urban listed in the report). Expansions in other directions would require grading, tree removal, and variances. The proposed location provides the least amount of disturbance. Staff recommends approval, with the zoning district change from SFU to SFR.

Mrosla noted that the property had many steep slopes, limiting options. There were no questions from other commissioners. Mrosla closed the hearing at 7:43 pm.

Spisak moved to recommend approval of the variance request 07-29-20-01, with the zoning district change noted by Brenner. Smitten seconded. Roll call vote: Mrosla – Aye; Brenner – Aye; Smitten – Aye; Spisak – Aye; Henry – Aye. Motion to recommend approval passed unanimously.

Short-Term Rental Ordinance recap

Mrosla reported that the council made several minor changes to the ordinance before passing it August 13. Most notable was language specifically disallowing rentals in accessory buildings. Commissioner Smitten noted that the forms associated with rentals need to be finalized.

Forms: Commissioner Henry and city staff will find a time to finalize these.

Wireless Communications Ordinance progress update

Commissioner Spisak reported that he, Smitten and Sanderson are working on items individually. Smitten added that they are researching other cities’ codes to see what is working for those communities. They would also like to define more precisely what Marine’s needs are. It’s easy to say, “We need better service,” but there’s a lot that goes into that. Mrosla noted that the sheriff’s department has said it is a public safety issue, especially during river rescues. Smitten said public safety concerns would be part of the needs analysis.

Zoning Code progress update

Mrosla reported that the initial review of changes to the zoning code was complete, and Commissioner Smitten had created a list of tasks and items to be addressed. The commission discussed how to move forward.

Input from the city's legal counsel

Commissioner Spisak noted that the opinion of Attorney Dave Snyder would be useful regarding residential care and day care, and possibly other items on the list. Smitten agreed, saying Snyder could help determine how the commission can articulate goals around those two uses if the city desires to allow them. *The group will assemble any remaining issues for Attorney Snyder and staff will relay the questions.*

Additions to the code

Spisak noted that solar language still needs to be added. Smitten recalled a draft from Brian Ross, but said it will need review. *Commissioner Smitten will send the draft to Commissioner Spisak.* Commissioner Smitten said the poultry language is also finished, and added that some of these tasks will be easy and some will take more consideration. Some bigger policy decisions will need to be discussed by the group, including lot size and septic policy.

Consistency with the comprehensive plan

Spisak asked how they were going to review for consistency. Smitten suggested having one commissioner comb through both to compare and contrast. There was discussion of asking Bolton & Menk to look at the ordinance when the group is done. *Commissioner Sanderson later volunteered to review the zoning code and comp plan for consistency.*

Council review and comments

Noting that comments are welcome from council anytime, the commission decided that it would wait to ask for council review and input until the draft is near completion.

Next steps

- The commission plans to devote the bulk of the September meeting to the zoning code.
- Commissioners should review the list of tasks by Tuesday, September 2, and add items as needed.
- Smitten will mark the tasks that require more work and Suzanne will send the list around for people to sign up to work on those individually. Mrosla suggested having two commissioners on each task if possible. Henry offered to take a higher ratio of tasks individually since she was not working on the wireless communications ordinance.
- The group will tackle the easier items together at the regular September meeting.

Discussion of property at 360 Robert Street

Chairman Mrosla asked the assistant clerk if there were any variances or conditional use permits on the horizon. Assistant Clerk Dammann reported that there was interest in building on the property at 360 Robert, which would require a variance for lot size. Attendee Renee Saarela added that she was interested in the property and hoped to talk to the commission about the possibility of a variance. Noting that this was the first they'd heard of the property being for sale, and that it had been some time since the commission worked with this property, they advised Ms. Saarela to work with City Clerk Peterson to make all the preparations needed before coming to the commission. The history of the property was discussed, especially regarding septic. The property file contains no record of percolation tests at the site. If they have been done, the city has not been notified.

Approval of minutes

July 28 Regular Meeting

Smitten moved and Spisak seconded approval of the minutes of the July 28 meeting. Roll call vote: Mrosla – Aye; Brenner – Aye; Smitten – Aye; Henry – Aye; Spisak – Aye; Sanderson – Abstain. Minutes approved.

August 18 Zoning Code Workshop

Spisak moved and Henry seconded approval of the minutes of the August 18 zoning code workshop. Roll call vote: Mroska – Aye; Brenner – Abstain; Sanderson – Abstain; Smitten – Aye; Spisak – Aye; Henry – Aye. Minutes approved.

Adjournment

Brenner moved and Smitten seconded to adjourn at 8:29 pm. Roll call vote: Mroska – Aye; Brenner – Aye; Henry – Aye; Smitten – Aye; Sanderson – Aye; Spisak – Aye. Motion passed unanimously.

Minutes taken by Suzanne Dammann, Assistant City Clerk.