

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

**Tuesday, August 29, 2023 - 7:30pm**  
**121 Judd St.**

**Roll Call**

**Approval of Agenda**

**Review of Minutes**

- Approval of July 25 Meeting Minutes

**Old Business**

- Zoning Code
  - Code Revisions – Update
  - Riverway – Substandard Structures, Substandard Lots
- Lot Size Analysis
  - Update: Septic Maps in Progress
- CUP Pre-application – Sharon Looney – 331 Third St.
  - Project postponed indefinitely

**New Business**

- Chair Comments

**Adjournments**

*The Marine Planning Commission welcomes resident feedback.  
Please direct comments through the city clerk: [mosc@cityofmarine.org](mailto:mosc@cityofmarine.org)*



## **Marine on St. Croix Planning Commission**

### **2023 Work Plan**

- Zoning ordinance revisions
- ✓ 5G design guidelines
- Comp plan consistency and errors
- Lot area requirements (need guidance from council)
- Solar
- Residential care facilities

**CITY OF MARINE ON ST. CROIX**  
**PLANNING COMMISSION**  
**MINUTES**

**Tuesday, July 25, 2023 - 7:30pm**  
**121 Judd Street**

**Present:** Chair Scott Spisak, Commissioners Kristina Smitten, Gerry Mrosla, Ed Sanderson, Tim Casey

**Absent:** Commissioners Jennifer Henry and Anna Hagstrom

**Citizens Present:** Sharon Looney, Stacey Looney, Beth Richmond (HKGi)

Chair Spisak called the meeting to order at 7:30 pm.

**Approval of Agenda**

*Casey moved to approve the agenda. Mrosla seconded Motion carried unanimously.*

**Approval of Minutes**

May 30 Regular Meeting

*Casey moved to approve the minutes of the May 30 City of Marine on St. Croix Planning Commission meeting as drafted. Mrosla seconded. Smitten abstained due to absence from the May meeting. Sanderson, Mrosla, Casey, and Spisak in favor. Motion carried.*

**Conditional Use Permit Preapplication – Sharon Looney – 331 Third St.**

Sharon Looney and her daughter, Stacey Looney, were in attendance to discuss a potential CUP for a bathroom in the loft above the garage. The property is in the St. Croix Urban Residential District and is on the City's septic system.

Stacey explained that they are planning in-home care for Sharon as she ages. They would like to have a guest room above the garage with a bed and bathroom, for a nurse. This would require a conditional use permit for an "accessory apartment." Chair Spisak explained the CUP process and timeline, noting that the commission has historically allowed accessory apartments to contain either a bathroom or kitchen facilities, but not both.

Commissioners Mrosla and Casey volunteered to meet with the Looneys for a site visit. They will coordinate with public works staff as needed to assess the impacts of City septic on the plan.

**Old Business**

**Zoning Code**

- **Code Audit and Updates**

Chair Spisak told the Commission that the Council, at its July meeting, had approved up to \$13,000 in new spending, which will allow HKGi to extensively revise the code by early 2024. Planner Beth Richmond said their staff had already started work, and have reformatted the code, created tables, and are grouping standards for uses.

- **Riverway Regulations**

The Commission reviewed the most recent version of draft riverway regulations, including several items Ms. Richmond identified for feedback.

**Substandard Structures:** Ms. Richmond had revised the draft language to meet DNR requirements. Under these regulations, structures built prior to Lower St. Croix Riverway protections that don't meet current setbacks from the ordinary high-water level or bluff line cannot be replaced except through a variance process.

The Commission believes the regulations proposed by the DNR would severely limit the ability to rebuild historic structures in Marine including the Village Hall, General Store, and Marine Landing. Over time this could have dramatic impacts on the character of the City, and the issue should be clarified now. Staff will work with commissioners to draft an inquiry to send to the city attorney.

**Substandard Lots:** Ms. Richmond asked whether the Commission was ready to finalize 60% as the minimum area requirement for which a lot is buildable without a variance. The commission believes this is consistent with regulations of surrounding communities, and will have the fewest unintended consequences.

**Agricultural Use:** In the draft of the full code, agriculture is a conditional use in the SFR, SFU, and SC-UR districts, but permitted in SC-RR. Ms. Richmond asked the Commission how to handle this inconsistency. Given recent concerns over industrial agriculture and relatively small property sizes in Marine, the Commission reached a consensus to allow agriculture as a conditional use in all districts.

**Marine Mill Site:** Ms. Richmond had added language restricting impervious surface on riparian lots in the Village Center District to 20%, reflecting standards in the SC-UR district. After seeing a map of slopes and bluff line setbacks on the property, Spisak asked Ms. Richmond to share a similar map with the DNR showing that most of the property cannot be developed. Spisak noted that the Mill Site is also a historical site with archaeological interests. The Commission would like to avoid adding an additional layer of regulation if possible.

### **Reflections on Maggie Raedeke's Capstone Project and Workshop on the Water**

Commissioners informally discussed these recent commission-related events.

### **New Business**

**Chair Comments:** Council has approved the 5G Guidelines and the Commission is done with this item. The Commission is waiting to see updated City septic maps; the assistant clerk will check on these for the next meeting. Smitten offered kudos to the chair for his leadership in conveying the need for professional code updates and securing funding from Council.

### **Adjournment**

*Mroska moved and Casey seconded to adjourn at 8:45 pm. Motion carried unanimously.*

Minutes taken by Suzanne Dammann, Assistant City Clerk

## PLANNING REPORT

**TO:** City of Marine on St. Croix Planning Commission  
**FROM:** Beth Richmond and Rita Trapp, Consulting Planners  
**DATE:** August 24, 2023  
**SUBJECT:** Zoning Code Audit  
**MEETING DATE:** August 29, 2023

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### Overview

The Planning Commission has been working to update the City's Code for several years. While an important part of this update includes the language in the City's Lower St. Croix River Zoning District, additional updates have been proposed throughout the zoning code.

### General Zoning Code Update

In July, the City Council authorized additional funding for HKGi to complete the high-, medium-, and low-priority items that were identified in the prioritized list of zoning code updates created in April 2023. This work will be completed alongside the work on the Lower St. Croix Zoning District, with the ultimate goal being the adoption of an updated zoning code, including the Lower St. Croix language, in early 2024.

HKGi began work on the general code update following the Council's authorization of additional funding. The following tasks from the prioritized list of updates have been completed to date:

- The zoning code has been reformatted and reorganized. The new formatting includes consistent headings and ensures that each provision is numbered for ease of reference. The code sections have also been reorganized. See attached for the revised code organization.
- Language regarding nonconformities has been updated to meet MN Statutes 462.357. Language that was moved into the Lower St. Croix River Zoning District, including substandard structures and lots, was removed from the general nonconformities section.
- Divisions 100 General Provisions, 300 General Zoning Provisions, and 400 Zoning Districts have been updated. Staff will be sending these out to the Planning Commission for review by the end of August.

With several weeks of work completed, HKGi is ready to bring the Commission into the review phase of the code update project. HKGi's recommendation is to complete this phase using a cyclical review process. HKGi will review code sections and suggest edits/questions first. The Planning Commission will then review those edits and provide feedback. Meanwhile, HKGi reviews the next code sections. This process continues until all sections have been reviewed by both HKGi and the Planning Commission. Planning Commission meetings will be used to discuss larger topics or areas where Commission direction

is needed, rather than going through each section in detail. A more detailed suggested schedule is attached.

### **Lower St. Croix Riverway Update**

HKGi met with City Attorney Snyder and the Commission's subcommittee for the Lower St. Croix River District updates on August 16 to discuss the Commission's concerns with the substandard structure language. Attorney Snyder is currently reviewing the substandard language. Once he has reviewed, HKGi and Attorney Snyder will work together to coordinate with the DNR during the first part of September to discuss this issue and possible solutions. HKGi and Attorney Snyder will report back to the subcommittee on their findings in mid to late September.

HKGi's understanding from previous conversations with the DNR and the Commission is that the substandard structure concern is the last major item to iron out for this draft. Once the City has received DNR feedback on this issue and made any necessary revisions, a revised draft of the Lower St. Croix Zoning District is ready for resubmittal to the DNR. Following DNR conditional approval of the language, the draft will be reformatted to match the updated formatting for the overall zoning code, including using tables for permitted uses and lot and site dimensions.

### **Attachments**

1. Proposed Code Organization
2. Suggested Schedule

## **Proposed Code Organization (as of 8/23/2023)**

1. *Division 100 General Provisions*
  - a. Application
  - b. Administration
  - c. Interpretation
  - d. Nonconformities
2. *Division 200 Definitions*
3. *Division 300 General Zoning Provisions*
  - a. Establishment of Districts
  - b. General Provisions for Districts
  - c. General Building Requirements
  - d. General Yard Requirements
4. *Division 400 Zoning Districts*
  - a. SFR, SFU, and LI Zoning Districts
  - b. Lower St. Croix River District
  - c. Floodplain Overlay District
  - d. Planned Unit Development (PUD) District
5. *Division 500 Use-Specific Standards*
  - a. Principal Use Standards
  - b. Accessory Use Standards
6. *Division 600 Development Standards*
  - a. Performance Standards
  - b. Environmental Standards
  - c. Traffic, Parking, Access, Loading
  - d. Fencing
  - e. Landscaping
  - f. Tree and Woodland Preservation
  - g. Screening
  - h. Land Reclamation and Land Grading
  - i. Wetland Preservation
7. *Division 700 Signage*
8. *Division 800 Procedures & Enforcement*
  - a. Common Procedures
  - b. Building Permit/Site Plan
  - c. Conditional Use Permit (CUP)
  - d. Interim Use Permit (IUP)
  - e. Variance
  - f. Zoning Amendment
  - g. PUD
  - h. Appeal of Zoning Code Interpretation
  - i. Enforcement

## **Suggested Schedule**

### **August**

- At the end of August, Divisions 100, 300, and 400 will be available for Commissioner review

### **September**

- Commissioners review Divisions 100, 300, and 400
- HKGi reviews and edits Divisions 600 and 700
- At the PC meeting, HKG will lead a discussion about:
  - Topics/questions relating to Divisions 600 and 700 that were identified during staff's review
  - Any broad issues that came up as part of Commissioners' review of Divisions 100, 300, and 400
- HKGi will use feedback from the PC meeting to create the 1<sup>st</sup> updated draft of Divisions 600 and 700

### **October**

- Commissioners review Divisions 600 and 700
- HKGi reviews and creates the 1<sup>st</sup> draft of Divisions 500 and 800
- At the PC meeting, HKGi will lead a discussion about:
  - Topics/questions relating to Divisions 500 and 800 that were identified during staff's review
  - Any broad issues that came up as part of Commissioners' review of Divisions 600 and 700
- HKGi will use feedback from the PC meeting to create the 1<sup>st</sup> updated draft of Division 500 and 800

### **November**

- Commissioners review Divisions 500 and 800
- HKGi works to clean up outstanding edits/comments from previous Divisions
- PC meeting: This meeting will be used if needed to clean up any outstanding discussion items or questions

### **December/January**

- Full public hearing draft of the zoning code available for review
- Public hearing for ordinance adoption TBD