

**Town of Duluth
Planning Commission
Meeting Minutes
May 27, 2021**

The meeting was called to order at 6:30 pm by vice Chair Dave Edblom.

In attendance: Dave Edblom, Blane Tetreault, Justin Osadjan, and Dave Meyer.

Absent: Liz Strohmayer, Pam West, and Angela Wilson

Also attending: Sue Lawson, Planning Director and Mike Kahl, Town Board liaison to Planning.

The agenda was approved as presented.

The April 22, 2021 minutes were approved as presented.

The applicants for the variance hearing were not present, so the Commission moved on in the agenda.

Determination of Glamping Rental Use

Sue said that she has had an inquiry regarding this and it's not a use that is currently defined in the Ordinance. The folks who are interested in having glamping on their property plan to attend this evening. Their property is in MUNS-4. The Commission needs to define the use and determine if it is an appropriate use in MUNS-4 and if so, determine any standards that should apply.

In looking at glamping on the internet, Sue said that she found that it's very popular out west. It is similar to a short-term rental, but is not a dwelling. The structure is often a yurt or a big tent that is not permanent. They are often on a platform and may or may not have a stove and heat. One definition she found: "Glamping is a shorthand term for glamorous camping. The term is often used to describe canvas or similar-material structures located in areas that offer outdoor camping experiences with amenities such as beds, electricity, heat and indoor plumbing usually not used when camping traditionally."

Sue said because this use is so similar to short-term rentals and the success of a STR is directly related to the owner and how they manage the rental, it may make sense that glamping, too, would be considered an interim use.

Dave E said that if indoor plumbing were provided, as stated in the example definition, it would put it into another category and he would no longer consider it camping.

Dave M asked where the folks wanted to have glamping and how many residences were in the area.

Sue showed the area on Land Explorer. There were not many residences in the area.

Sue read the definition for MUNS-4: "This district is intended to maintain and promote the rural character of the Township, and to prevent urban and suburban encroachment upon these areas. A

moderately low level of development is important in this district since the uses encouraged in MUNS-4 would be less compatible in a more urban setting.”

The following are the goals and policies for Rural Residential from the CLUP:

1. A primary use in these land use areas is for residences in areas that are less populated than typical urban and suburban areas. The area may consist of undeveloped areas which help to create the sense of ruralness of the area.
2. These land use areas are predominantly forest or forest-agricultural rather than agricultural in nature (discounting the residences).
3. A moderately low level of development is important in these land use areas.
4. Minimize residential development on small lots that are not consistent with existing land use patterns.
5. Residential housing is the primary development and undeveloped parcels should be developed in harmony with the surrounding area’s dominant land use activity.
6. Encourage sustainable agricultural practices.
7. Encourage locally grown and marketed agricultural products.
8. Any new non-agricultural businesses should be limited in scale and type consistent with the local rural area.
9. Encourage businesses that serve the local community.

Regarding rental housing in the Township, the CLUP states:

1. Focus the majority of rental housing on long term rentals.
2. The number of short-term rentals should be incidental to the major focus of each land use area.
3. When considering short-term rental opportunities consider the number of short-term rentals, their location, and the existing character of the neighborhood both in terms of density and the effect on neighbors. Strive to balance the community interests and the individual freedoms of homeowners.

Under Goals for Commercial Uses in the Township the CLUP states that policies for STRs are:

1. Ensure that the quantity of short-term rentals in the Township do not detract from the rural character of the neighborhoods they are located in.
2. Ensure that the costs to the Township are outweighed by the benefits of short-term rentals in regard to public safety and Town resources needed to support them.
3. Balance the community needs for maintaining ruralness and cohesive neighborhoods with individuals’ freedoms to use their property.

Under policies for tourism The CLUP states:

1. Encourage tourism activities that complement and do not detract from the community’s historic and rural character.

Sue provided a starting list of standards to consider:

1. Access for emergency services - Property must have access to a public road.
2. Fire protection - Have adequate fire protection as approved by the Town Fire Department
3. Sanitation facilities – Must meet St. Louis County Health Requirements
4. Potable water
5. Type of platform

6. Meet all State of MN requirements
7. Setbacks from streams
 - a. No glamping site allowed within 1) the Streams Overlay Area (300') or 2) the stream setback (200')
8. Article VI, Shoreland Overlay, Sections 4 and 5 delineates activities allowed in the Shoreland Overlay.

Article VI of the Ordinance establishes setbacks for the Shoreland Overlay, which is established as the area within 300 ft of a stream and the area from Lake Superior to Highway 61. There are also standards that apply to bluffs. There is steep topography in the area they are considering. Also consider that every river in the Town is impaired. The goal is to keep impactful activities away from streams and rivers.

Sue said considering minimum lot size, for STRs we have a minimum lot size of 2 acres. If a more rural camping experience is the goal, it might require a larger minimum lot size.

Blane said glamping is becoming more popular. The facility can range from a pretty primitive structure to simple stick structures. Most of them have some source of heat but no plumbing. Some have outhouses. They are not necessarily designed for multiple day stays. Some are located on a bike trail or other path. We could see a lot more popping up. The Ordinance covers permanent structures. This would be defined as a temporary structure, canvas or otherwise.

Sue said that the CLUP emphasizes the rural character of the neighborhood. If there's a glamping site on a neighboring property, what's the effect on the character of the neighborhood?

Blane asked if the Ordinance addresses someone who wants to put up a yurt or something similar on their property to live in permanently or on occasion.

Sue said that the definition would need to be such that it covered that possibility. She read the definition for a structure: "Anything more than thirty (30) inches high placed, constructed, or erected with a fixed location on the ground, including portable buildings, mobile homes, signs, earth sheltered homes, and swimming pools. Fences, utility poles, lawn lights, non-commercial communication towers not containing dish antennas, non-commercial wind generating towers, and related minor equipment shall not be considered structures. Unattached decks regardless of height shall be considered a structure if within the shore setback area for principal structures." So, it would be considered a structure and would require a permit. A limit could be set on the number of days it could be occupied. Require rental records like other STRs.

Blane noted that the Commission was a little reluctant to establish a maximum number of days someone could live in an RV or similar structure. He felt glamping fit with the CLUP in the sense of tourism activity. It is light on the land and would generate revenue for residents.

Dave E asked about sanitary facilities.

Sue said that it would have to meet SLC sanitary requirements. She said that she recently asked SLC about RVs and sanitary systems. They said that they don't regulate camper trailers and RVs with holding tanks. An outhouse or privy would require permitting through them.

Dave E asked where RV holding tanks can be dumped locally. He is afraid that instead of travelling to a dump station, the waste will end up in a ditch.

Justin said that glamping would be different from RVs and camping trailers. They would have to comply with sanitary regulations. Composting toilets are becoming more common.

Dave E asked about clearing for a glamping site. Should there be a standard for that?

The Commission agreed that glamping should be treated just like a STR and an interim use permit should be required.

Justin said that the standards should limit the type of structure, maybe to yurts and canvas tents, and specifically prohibit RVs.

Sue said that the current Ordinance doesn't address tent camping.

Blane suggested limiting the number of these sites allowed on a parcel.

The couple interested in having a glamping site, Sarah and Kevin Morgan, arrived to provide their perspective.

Sarah said that their intention was to keep it small scale, maybe one or two sites. They moved to this area because they like the pristine quietness. She has seen a definition for glamping that includes giving people the opportunity to be in pristine nature and this appeals to them. In general, a glamping site provides a structure, like an eco-dome (half glass, half tent) or a wall tent, and provides the basics, such as a cot and wood for burning. It's a quaint little space with no electrical or plumbing. As the camper, you don't have to set up the tent and do the work, just you show up. They will have a 4 to 6 person limit. She said that she is an extrovert and loves using rentals where the owner is present.

They are thinking of just one site to begin with, with a 20 ft x 20 ft platform at most, just enough to be off the ground and on something level. They plan on using the model provided by the website hipcamp.com, as well as listing through them. [Hipcamp.com](http://hipcamp.com) is a website developed for people who want to share the beauty of their land with others. The owners of the property are generally present during the rental.

Sarah said they have not decided yet if they will have heat in their tent. They plan on having an on-site biffy, provided and tended to by a commercial biffy company. If they do one site and really want to have more, they would put in an outhouse. They want to make sure they like the business first.

Sue said that whatever they did for sanitation, including a rental biffy, it would have to be approved by the County.

Sarah said that the site would be set up such that the biffy is by the parking area and accessible to the biffy company. They want to preserve pristine nature. They don't want the biffy right next to the tent.

Sue asked about potable water.

Kevin said that most of the time people are expected to bring their own water. They could use river water if they had water filters. There won't be a well. Sarah said that at hipcamp.com, site owners are very specific about what is provided.

Justin asked if they live on the property.

Sarah said that they did and will be there every day. The access to the property is off of Old North Shore Road.

Sue asked about elevations on the property – are there steep bluffs?

Sarah said that the campsite would be on top of bluffs out of the flood zone. Their driveway runs along the ridge. It is at least 200 ft from the river.

Dave E asked about their plans for parking.

They said that parking would either be back by the campsite or they might put a parking pad next to their driveway.

Sue asked what size space is needed for a site.

Kevin said that it would not be bigger than 50 ft x 50 ft.

Sarah said that the whole point is to keep it intimate and close to nature. One tent with 4 to 6 people and an area for a campfire. It will be cleared enough to be safe but still be a minimal footprint. She believes that a glamp site is very in keeping with the Township – it allows people to be close to nature.

Kevin said they would put a cap on the length of stay. Maybe 14 days.

Justin asked if they would want to have more than two sites if things went well.

Sue asked how many sites before a camping area is considered a park?

Sarah said that the most they would want would be two. More would not be appropriate with their land. To keep with the glamping experience of being alone in the woods requires a lot more acreage.

Blane asked what they planned for the platform.

Kevin said that it would be like decking, on a floating foundation, probably cinderblocks. If they don't enjoy it, they can just take it down.

I was agreed to table the discussion and pick it up again at next month's meeting.

Kohlsaas Variance Hearing

The applicants were not present, so it was decided to delay the hearing until next month so they would be able to present their proposed addition and answer questions the Commission may have. The hearing

would have to be readvertised. Sue said she would write a letter extending the 60-day window and let them know what the charge would be for readvertising.

Blane moved to hear it at the regular June Commission meeting. Justin seconded. The motion passed unanimously.

The Commission determined the area of notification for a HFSTR application from Joseph Perrault on North Shore Drive to be heard in June. The Commission decided on one-quarter mile.

Directors Report

Mike reported that the Board talked about complaints regarding a residence on Ryan Road that is a small nonconforming structure “with too many people living in it” according to the complainant. New signs are on order for Scenic and Stoney Point Drives. The old signs are pretty worn. There have been complaints about people using the shoreline, having campfires and burning pallets, etc. There will be a closed meeting on June 8 with the Town lawyer about the Bille decision and how it impacts the Town.

Sue said that there continue to be permit and parcel split applications.

Old Business

None.

Concerns from the Audience

None.

The meeting adjourned at 8:28.