

MINUTES
CLAY COUNTY PLANNING COMMISSION
7:00 TUESDAY, MAY 19, 2020
MEETING ROOM B - THIRD FLOOR COURTHOUSE

Members Present: William Davis, Laura Johnson, Mark Klevgaard, Steve Mortensen, Steve Lindaas, Andrea Koczur, Amos Baer

Members Absent: Randy Schellack, Tim Brendemuhl, Jenny Mongeau, Curt Stubstad

Others Present: Matt Jacobson, Emma Notermann, Tony Weigel, Rita Rueckert, Lori Hopewell, Marni Peterson, Ezra Baer, Jodi Larson, Ryan Peterson

ROLL CALL:

Roll call was taken by Chair William Davis and has been recorded. The meeting was called to order at 7:09 PM. Director Matt Jacobson went over the rules and helpful tips for participation in this virtual meeting.

APPROVAL OF AGENDA:

On motion by Andrea Koczur, seconded by Steve Lindaas, and unanimously carried, the Planning Commission approved the Agenda.

APPROVAL OF MINUTES FROM APRIL 21, 2020 MEETING:

On motion by Amos Baer, seconded by Steve Lindaas, and unanimously carried, the Planning Commission approved the April 21, 2020 Minutes as presented.

CITIZENS TO BE HEARD: There were no citizens present to speak on any matters not on the agenda.

PUBLIC HEARINGS:

BRENT PETERSON – REQUEST FOR INTERIM USE (CONTINUED FROM 4-21-2020)

The applicant is seeking approval of an interim use permit for a temporary use to allow for a recreational vehicle park for a three-month duration in Section 26, Township 139N, Range 48W, parcel 21.026.2104 in Moorhead Township.

On motion by Steve Lindaas, seconded by Amos Baer, and unanimously carried, the Planning Commission un-tabled the public hearing and it was reopened.

Matt Jacobson, Planning and Zoning Director, reminded that the Findings of Fact and Order were fully addressed at the last meeting. Those Findings of Fact and Order are attached as a matter of record. The findings were that the request was not consistent with the general Development Code. The Applicant was given a month to clean up the property and to also meet with the Moorhead Township board to receive their

approval. Matt Jacobson spoke with the chair of the Township Board and was advised there was no contact from either the Applicant, the Owner or the uncle regarding this request. The township officially opposes this Interim Use Permit.

Since the last meeting, Matt Jacobson has met with Marni Peterson who is the Applicant's mother. Marni Peterson is the real property owner of this property and this was verified with the County Auditor records. She would have the final say as to the activities on her property. She is opposed to this request. As the owner she would be responsible for addressing any and all violations on this property. Matt Jacobson re-stated the limit of 2 recreational vehicles on a property and today's inspection discovered at least 8 units. This is despite Applicant being advised that he was in violation of the Development Code for exceeding the number of allowable RV units and also by hosting people on the property in their recreational vehicles/campers. Director Matt Jacobson recommends that, based on this new information, this request should now be denied.

Steve Lindaas asked if the City of Moorhead has had any input into this request. Matt Jacobson advised that the City of Moorhead does not see any plans toward annexing this area for the next 20 years. This request does not conform to the long-term development plan of the City of Moorhead.

Andrea Koczur expressed concern about the site not being cleaned up and the non-compliant sewer system on the property. Matt Jacobson indicated that the Environmental Health Department would need to go out and inspect the property sewer system to see if it is being used.

Marni Peterson, the owner of the property, thanked the commission for allowing the hearing. She states she is not favorable to having RVs on the property. She states there were people that had plans for the property that she was not aware of. Ryan Peterson reiterated Marni Peterson's feelings regarding not wishing for the requested permit and related activity on this property.

On motion by Andrea Koczur, seconded by Steve Lindaas, and unanimously carried, the Planning Commission closed the public hearing.

The Findings of Fact and Order were again addressed by the Planning Commissioners as they pertain to the requested permit and to include the new information received.

On motion by Steve Mortensen, seconded by Laura Johnson, the Planning Commission *DENIED* the Applicant's request for an Interim Use Permit for a temporary recreation vehicle park.

UNFINISHED BUSINESS:

- Matt Jacobson brought up the subject of the Development Code subcommittee. It was recommended to keep Amos Baer on that subcommittee since it is nearing completion and would have been done by this time if the meetings hadn't been interrupted due to Covid-19.
- Recognition was given to Amos Baer for his 9 years of service to the Planning Commission and Board of Adjustment for the citizens of Clay County. Several members expressed their appreciation of his leadership and knowledge. A plaque was presented and will be sent to him by mail.
- Matt Jacobson also brought up that the Board of Commissioners did pass the recommendation for the text amendment presented from the Planning Commission from the Spring Prairie Hutterian and Brethren. Depending on the size of the plant, anything greater than 100,000 sq ft would need an Environmental Assessment Worksheet. Anything less than the 100,000 sq ft would need an

Environmental Impact Statement, but this would be dependent on the zoning district where it would be located. They are currently proposing a site on County Road 26 which is approximately 800 acres and the land use is pivot agriculture. They have begun the environmental review of this site.

NEW BUSINESS:

- Due to Amos Baer's expired terms, a replacement will be needed for his position and the current applications were reviewed by the Planning Commission members. Two of the applicants would be Oakport residents who would be good candidates to be considered for an opening that will occur later this year for the Oakport representation.

On motion by Steve Lindaas, seconded by Mark Klevgaard, and unanimously approved, the Planning Commission approved a recommendation to the Board of Commissioners to appoint Ezra Baer to the Clay County Planning Commission.

- On motion by Steve Lindaas, seconded by Mark Klevgaard, and unanimously approved, the Planning Commission approved a recommendation to the Board of Commissioners to re-appoint Andrea Koczur to her 3rd three-year term on the Planning Commission.
- Director Matt Jacobson advised that the June meeting will be the 4th Tuesday in June – June 23rd – due to a conflict with the Board of Equalization meeting.

ADJOURNMENT:

On motion by Steve Lindaas, seconded by Amos Baer, and unanimously approved, the meeting adjourned at 8:06 PM.



Steve Mortensen, Planning Commission Secretary