

**Devils Lake Planning Commission**  
**3-29-18**

Members present: Dick Johnson, Tom Traynor, Rodger Haugen, Terry Thompson, Vonda Markestad, Kevin Davidson, Mike Grafsgaard, Gary Martinson, Ray Sletteland, Larry Liere (via phone).

Others present: Tammy Remmen, Dave Hovendick, Steven Zimmer, Travis Sainsbury.

Kevin opened the public hearing to review a preliminary plat for Field of Dreams Subdivision submitted by Jon Volk. The subdivision is located on Hwy 2 E by Mertens Dairy. It was noted the access road on the north side of the subdivision is city property and will be included in the plat. Lot 7 of the plat is intended to be for lake access rather than a buildable lot. It was also noted that the applicant inherited the land and is waiting for final paperwork from the attorney and will provide proof of ownership as soon as he received it.

Mike said it should be clear that the lot is for lake access and the owner will dedicate it for access.

Vonda asked if there will be covenants with the subdivision and was told there wouldn't be at this time.

Steven thought Lots 7 was wasted land because you couldn't build on it. He said in the subdivision regulations, the access to Hwy 2 is supposed to be no less than an 80° angle to the public right of way. DOT said they have no issues since the roadway is existing.

Kevin closed the hearing and opened the public hearing for review of language to change the city's ordinance for temporary uses.

Steven said the changes to the ordinance would follow the building code and limit temporary uses to 180 days per calendar year. A definition will be added to define a membrane structure that has a frame than can stay up year round. The chart showing different uses was removed. Owners would have 15 days to remove the structure membrane once the permit time has expired.

The section on storage containers was also discussed. Steven said most cities don't really address them and if they do, it's on a temporary basis, not year round. He sees there are 3 options for the section on storage containers: have them treated the same as other temporary uses and a time limit of 180 days per year; have the containers as a conditional use permit; or leave the language as it is. There are not a lot of containers in town but a couple have been there for some time. They are temporary uses and should not be allowed year round.

Tammy Remmen from Dakota Boys Ranch said they have a Connex box at their site and it's been there for over 20 years. They use it for storing overflow stock, furniture, store fixtures, etc., and it would be a hardship for their business to not have that storage unit. They have never had complaints about it.

Gary said there is another business in town that has a temporary permit for 2 storage containers and they have been there for years. Allowing temporary structures does not meet codes but he can see where after all these years, it could be a hardship to lose the storage.

Gary said that storage container uses like Wal Mart will not be addressed because they are continually being moved in and out.

Kevin closed the hearing and opened the regular meeting. Ray made a motion to approve the minutes of the last meeting. Motion 2<sup>nd</sup> by Vonda. Carried.

Terry made a motion to approve the preliminary plat for Field of Dreams Subdivision, contingent upon proof of ownership. Motion 2<sup>nd</sup> by Rodger. Carried.

Steven said we could consider the two existing site with storage containers to be grandfathered and all future containers would fall under the new regulations of a maximum of 180 days per year.

Gary noted that if those sites are grandfathered, that would mean no changes or expansions involving the storage containers.

Steven suggested there be one fee for all temporary uses.

Larry said if we grandfathered the existing storage containers, we could give them time to put up a permanent structure and remove the storage containers.

Mike thought maybe we should table action on the storage containers until we could get input from Roger Beaver, who has 2 storage containers at his business on 5<sup>th</sup> Ave SE.

Vonda made a motion to table action on the proposed language change for temporary use ordinance until the next meeting. Motion 2<sup>nd</sup> by Rodger. Carried.

Steven said the planning commission has had some preliminary discussion on medical marijuana manufacturing and dispensaries. The Devils Lake region will be allowed to have a dispensary according to State law. The State has provisions about them being a certain distance from schools. The City has to decide if and where they would allow that use. He said most other cities are treating dispensaries as a pharmacy and that would be his recommendation for Devils Lake as well.

Larry asked about putting something in there to keep them away from churches, day cares, parks?

Steven said you could add that language. We are just starting the conversation on medical marijuana with no strict time line ahead of us. A dispensary or manufacturing won't be allowed in Devils Lake until zoning is changed to allow that.

Steven gave an update on the blocks that were added to the Renaissance Zone. The RZ guidelines will be completed in about 2 months and will then be submitted to the City and State for final approval.

Rodger made a motion to adjourn the meeting. Motion 2<sup>nd</sup> by Terry. Carried.

Respectfully submitted,

Helen Carlson  
Recording Secretary